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## **EUROPEAN SOCIAL CHARTER**

9th 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 01/01/2018 – 31/12/2021

Report registered by the Secretariat on

05 May 2023

**CYCLE 2023**

## Appendix Revised Charter

### Questions on Group 4 provisions (Conclusions 2023)

#### Children families and migrants

This questionnaire covers Thematic Group 4 – Children, families and migrants, comprising Articles:

- the right of children and young persons to protection (Article 7),
- the right of employed women to protection of maternity (Article 8),
- the right of the family to social, legal and economic protection, (Article 16),
- the right of children and young persons to social, legal and economic protection (Article 17),
- the right of migrant workers and their families to social, legal and economic protection (Article 19),
- the right of workers with family responsibilities to equal opportunities and equal treatment (Article 27),
- the right to housing (Article 31).

The ECSR will pursue the targeted and strategic approach adopted since 2019 (see Conclusions 2020 and 2021). It is therefore not asking that national reports address all accepted provisions in the Group. Certain provisions are excluded, except:

- when connected to other provisions which are the subject of specific questions
- when the previous conclusion was one of non-conformity
- when the previous conclusion was one of deferral due to lack of information
- when the previous conclusion was one of conformity pending receipt of specific information.

Moreover, given the magnitude, implications and expected longer-term consequences of the Covid-19 pandemic, the ECSR will pay particular attention to pandemic-related issues. In this connection, it is relevant to note that the reference period for Conclusions 2023 is 1 January 2018 to 30 December 2021. The Committee draws attention to relevant parts of its Statement on Covid-19 and social rights adopted on 24 March 2021.

Given the date of transmission of this questionnaire, the Committee requests that state reports be submitted by **31 December 2022** (and not the usual deadline of 31 October).

#### **Article 7 – The right of children and young persons to protection**

##### **Excerpts from the ECSR's case law**

In application of Article 7§1, domestic law must set the minimum age of admission to employment at 15 years.

The prohibition on the employment of children under the age of 15 applies to all economic sectors, including agriculture, and all places of work, including work within family enterprises and in private households. It also extends to all forms of economic activity, irrespective of the status of the worker (employee, self-employed, unpaid family helper or other).

The effective protection of the rights guaranteed by Article 7§1 cannot be ensured solely by legislation; the legislation must be effectively applied in practice and rigorously supervised. The Labour Inspectorate has a decisive role to play in this respect.

The ECSR has noted that many states' legislation is in conformity with the Charter regarding the minimum age for employment. Nevertheless, the ECSR has expressed concern about the situation in practice. There is data that suggests that in many countries there are significant numbers of children working illegally. However, there is little official data on the extent of the problem.

In application of Article 7§5, domestic law must provide for the right of young workers to a fair wage and of apprentices appropriate allowances. This right may result from statutory law, collective agreements, or other means.

The "fair" or "appropriate" character of the wage is assessed by comparing young workers' remuneration with the starting wage or minimum wage paid to adults (aged eighteen or above).

In accordance with the methodology adopted under Article 4§1, wages taken into consideration are those after deduction of taxes and social security contributions.

Article 7§10 of the Charter guarantees protection against sexual and other exploitation of children as well as protection against the misuse of information technology and social media (for the purposes of online bullying, child pornography, grooming, harassment, etc.), which is particularly pertinent in view of the acceleration of digitalisation and online activity brought about by the pandemic.

Article 7§10 is applicable to foreign children in an irregular situation on the territory of a State Party to the Charter as not considering States Parties to be bound to comply with this obligation in the case of foreign minors who are in a country unlawfully would mean not guaranteeing their fundamental rights and exposing the children and young persons in question to serious impairments of their rights to life, health and psychological and physical integrity.

Therefore, measures should be taken to ensure the protection of unaccompanied or separated minors. The failure to care for unaccompanied foreign minors present in the country and take the necessary measures to guarantee these minors the special protection against physical and moral hazards causes a serious threat to their enjoyment of the most basic rights, such as the right to life, to psychological and physical integrity and to respect for human dignity, in violation of Article 7§10.

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

**1. 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;**

*a) Please provide information on the measures taken by the authorities (e.g. Labour Inspectorates and social services) to detect child labour, including children working in the informal economy. In this regard, please provide information on the number of children actually working (either from existing statistics on this issue or from surveys to be conducted to obtain such information), as well as on measures taken to identify and monitor sectors*

where it is strongly suspected that children are working illegally (General question, Conclusions 2019).

According to Eurostat data, 822 thousand persons aged 15 -19 were employed in 2021 (852.2 thousand were employed in 2020, 870.3 – in 2019). The employment rate of persons aged 15 -19 was 69.9% in 2021 (EU average was 68.4%).

In the time period from 2018 to 2021, State Labour Inspectorate (hereinafter - SLI) had not detected any case of illegal employment of children during the inspections related to possible unregistered employment.

The SLI does not have statistical data on actually working children.

*b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Until now the SLI has not received any complaints about the domestic work or work done at home by children. Thereby at the moment the SLI has no experience with this issue.

The number of permits issued by the SLI according to the Regulations of the Cabinet of Ministers No.205 of 28 May 2002 "Procedures for Issuing Permits for Employment of Children as Performers in Cultural, Artistic, Sporting and Advertising Activities, and Restrictions to be included in Permits" for the employment of children: in 2018 - 197; 2019 - 101; 2020 - 145; 2021 - 16. The violations of the Regulations of the Cabinet of Ministers No. 205 had not been detected during the time period from 2018 till 2021, hence no administrative penalties were applied.

The number of detected violations by the SLI of the Regulations of the Cabinet of Ministers No. 10 of 8 January 2002 "Regulations regarding Work in which Employment of Children from the Age of 13 is permitted": in 2018 – 0; 2019 – 0; 2020 – 0; 2021 – 0. During the time period from 2018 till 2021 no administrative penalties had been imposed for the detected violations of the mentioned Regulations.

	2018	2019	2020	2021
The number of detected illegally employed persons under 18 years of age	28	47	35	49
The number of imposed administrative penalties for the detected cases of illegal employment of persons under 18 years of age	18 + 2 oral admonishments	14 + 1 warning + 2 oral admonishment	26* + 2 oral admonishments	37*
The number of victims (under 18 years of age) of accidents at work	7	19	7	6

Data source: SLI

\* The data may be inaccurate, because from July 1, 2020, all information about the administrative penalties applied by the SLI is entered into the Administrative Violation Process Support System (APAS) created and maintained by the Information Center of the Ministry of the Interior, therefore available to the SLI for the period from 2020 from July

1, 2021 to December 31, 2021, there is no compilation of data on how many and what administrative penalties have been applied for unregistered employment of young people (up to the age of 18). The SLI only has information on how many inspections have found unregistered employment of young people. Since unregistered employment is a violation for which administrative punishment is provided for in regulatory acts, it can be assumed that in all cases where unregistered employment of young people is found, administrative punishment is also applied.

**2. to provide that the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy;**

During 2018, 2019 and 2021, the SLI had not detected the violations of the Clause 3, Regulations of the Cabinet of Ministers No. 206 of 28 May 2002. In 2020, one violation of the said Regulation was detected but it was remedied.

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

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

The SLI carries out educational work in the framework of the project "Employment measures in summer time for persons who receive education at secondary, special or vocational education institutions" which is organized by the State Employment Agency (hereinafter - SEA) (the goal of the project is to promote the employment of pupils during summer vacations in publicly funded workplaces). This is also the focus audience of the SLI's activities concerning child and adolescent employment issues.

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

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

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

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

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

of charge for educational aims.

Educational events carried out by the SLI both at the invitation of schools and within the framework of the "Back to School" program:

in 2018 – 7 events;

in 2019 – 4 events;

in 2020 – 2 events;

in 2021 – 2 events.

Within the framework of the project ""Employment measures in summer time for persons who receive education at secondary, special or vocational education institutions"" organized by the State Employment Agency, the SLI conducted 7 events in the period from 2018 to 2021.

In cooperation with the Free Trade Union Confederation of Latvia and the Employers' Confederation of Latvia, the SLI supported and participated in 4 public information events, namely, in a youth competition on issues of labor protection and labor rights.

Taking into account the epidemiological safety measures established during the Covid-19 pandemic and the restrictions introduced, public information measures were generally carried out by the SLI to a limited extent.

The number of detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraphs 4 to 6 of the Labour Law (prohibition to employ adolescents in jobs in special conditions, employer's obligation to inform about the assessed risk of the working environment and the labour protection measures and the obligation of medical examinations):

The number of detected violations by the SLI	2018	2019	2020	2021
Paragraph 4 Article 37 of Labour Law	1	2	0	0
Paragraph 5 Article 37 of Labour Law	2	6	0	0
Paragraph 6 Article 37 of Labour Law	4	4	1	0

Data source: SLI

The number of administrative penalties imposed by the SLI	2018	2019	2020	2021
Paragraph 4 Article 37 of Labour Law	1	2	0	0
Paragraph 5 Article 37 of Labour Law	2	4	0	0
Paragraph 6 Article 37 of Labour Law	3	3	0	0

Data source: SLI

**3. 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;**

Provisions of the Labor Law, similarly to the provisions of the Revised European Social Charter, do not clearly state that a child obtaining compulsory education should have two consecutive weeks free from any work during the summer holidays.

However, the general principle included in the Labour Law provides that it is prohibited to employ children in permanent work. And from this principle only few exceptions are made by law and those situations are strictly monitored by responsible authorities.

The Labour Law provides 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 a child.

In exceptional cases if one of the parents (guardian) has given written consent and a permit from the State Labour Inspectorate 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.

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.

So, the main principle which plays the dominant role in the exceptional cases when the child or adolescent may be employed is that such employment shall not be harmful to their safety, health, morals and development and that such employment shall not interfere with the education of a child or adolescent. Observance of this principle and following other rules set in law in practice makes impossible a situation where a child or adolescent could be employed continuously for too long.

The employment of children and adolescents is strictly regulated in detail by law and closely monitored by respective controlling authorities, such as the SLI and the State Inspectorate for Protection of Children's Rights.

Additionally, school holidays in summer are three months long in Latvia and comparing to other EU member states that is quite an extensive time period that gives the children an opportunity to recreate after long school year.

Over the time period from 2018 – 2021, the controlling bodies had not received any complaints about excessive and continuous work of children obtaining compulsory education during summer.

The number of permits issued by the SLI according to the Regulations of the Cabinet of Ministers No.205 of 28 May 2002 "Procedures for Issuing Permits for Employment of Children as Performers in Cultural, Artistic, Sporting and Advertising Activities, and Restrictions to be included in Permits" for the employment of children: in 2018 - 197; 2019 - 101; 2020 - 145; 2021 - 16. The violations of the Regulations of the Cabinet of Ministers No. 205 had not been detected during the time period from 2018 till 2021, hence no administrative penalties were applied.

The number of detected violations by the SLI of the Regulations of the Cabinet of Ministers No. 10 of 8 January 2002 "Regulations regarding Work in which Employment of Children from the age of 13 is permitted": in 2018 – 0; 2019 – 0; 2020 – 0; 2021 – 0. During the time period from 2018 till 2021 no administrative penalties had been imposed for the detected violations of the mentioned Regulations.

Information on the violations detected and penalties applied in practice by the SLI with regard to the illegally employed persons under 18 years of age:

	2018	2019	2020	2021
The number of detected illegally employed persons under 18 years of age	28	47	35	49
The number of imposed administrative penalties for the detected cases of illegal employment of persons under 18 years of age	18 + 2 oral admonishments	23 + 1 warning + 2 oral admonishments	26* + 2 oral admonishments	37*

The number of victims (under 18 years of age) of accidents at work	7	19	7	6
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Data source: SLI

\*The data may be inaccurate, because from July 1, 2020, all information about the administrative penalties applied by the SLI is entered into the Administrative Violation Process Support System (APAS) created and maintained by the Information Centre of the Ministry of the Interior, therefore available to the SLI for the period from 2020 from July 1, 2021 to December 31, 2021, there is no compilation of data on how many and what administrative penalties have been applied for unregistered employment of young people (up to the age of 18). The SLI only has information on how many inspections have found unregistered employment of young people. Since unregistered employment is a violation for which administrative punishment is provided for in regulatory acts, it can be assumed that in all cases where unregistered employment of young people is found, administrative punishment is also applied.

The number of detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraphs 4 to 6 of the Labour Law:

The number of detected violations by the SLI	2018	2019	2020	2021
Paragraph 4 Article 37 of Labour Law	1	2	0	0
Paragraph 5 Article 37 of Labour Law	2	6	0	0
Paragraph 6 Article 37 of Labour Law	4	4	1	0

Data source: SLI

The number of administrative penalties imposed by the SLI	2018	2019	2020	2021
Paragraph 4 Article 37 of Labour Law	1	2	0	0
Paragraph 5 Article 37 of Labour Law	2	4	0	0
Paragraph 6 Article 37 of Labour Law	3	3	0	0

Data source: SLI

**4. 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;**

The number of detected violations and administrative penalties imposed by the SLI with respect to working time of persons under 18 years of age (Article 132, Paragraphs 1, 3 and 5 of the Labour Law):

The number of detected violations by the SLI	2018	2019	2020	2021
Paragraph 1 Article 132 of Labour Law	0	0	1	0
Paragraph 3 Article 132 of Labour Law	1	0	1	0
Paragraph 5 Article 132 of Labour Law	0	0	0	0

Data source: SLI

The number of administrative penalties imposed by the SLI	2018	2019	2020	2021
Paragraph 1 Article 132 of Labour Law	0	0	1	0
Paragraph 3 Article 132 of Labour Law	1	0	1	0
Paragraph 5 Article 132 of Labour Law	0	0	0	0

Data source: SLI

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

- a) *Please provide updated information on net minimum wages and allowances payable to persons under 18 years of age. Please provide information on measures taken to*

*ensure that fair remuneration is guaranteed to young workers:*

- i) In atypical jobs (part-time work, temporary work, fixed-term work, casual and seasonal work, self-employed people, independent workers and homeworkers.)*
- ii) in the gig or platform economy and*
- iii) having zero hours contracts.*

There is a decentralised wage-setting system in Latvia and one minimum wage level that is binding for all employers. In 2019 and 2020, the minimum wage remained fixed at 430 EUR per month, but in 2021 the gross minimum wage was 500 EUR per month. In 2021, the net minimum wage was 428 EUR.

In 2021, according to the CSB data the average monthly gross wage in the country for full-time work was 1 277 EUR (939 EUR net wage). Compared to 2020, the gross average monthly salary increased by 135 EUR or 11.8 %, but the salary for one hour worked before taxes - by 7.6 % (from 7.97 EUR to 8.54).<sup>1</sup>

According to Eurostat, the annual net earnings of a full-time single worker without children earning an average wage was 12 792.43 EUR in 2021. According to the CSB data, most of young persons aged 15 – 19 (52%) were paid the minimum wage or below (gross) per month; 36% earned 400 EUR – 700, 21% earned 200 – 400 EUR, 17% earned above 200 EUR, 16% earned 700 – 1000 EUR.

In Latvia participation in education is prioritized over labour market participation for those aged below 18 to ensure better labour market prospects and sustainable labour market integration in good quality jobs.

Even though the working time cannot exceed 35 hours per week for those aged 15 to 18, the same minimum monthly wage still applies. For children aged 13 to 15 the working time cannot exceed 20 hours per week (4 hours per day). However, the hourly minimum wage is derived from the monthly minimum wage, thus for children and youth the hourly minimum wage is higher than for adults.

<b>Year</b>	<b>Social insurance contribution rate in case of employee</b>	<b>Social insurance contribution rate in case of self-employed</b>	<b>Minimum wage</b>
2018	35.09 % (24.09% by employer 11% by employee)	32.15%	EUR 430.00
2019	35.09 % (24.09% by employer 11% by employee)	32.15%	EUR 430.00
2020	35.09 % (24.09% by employer 11% by employee)	32.15%	EUR 430.00
2021	34.09% (23.59% by employer 10.50% by employee)	31.07%	EUR 500.00
2022	34.09% (23.59% by employer 10.50% by employee)	31.07%	EUR 500.00

Data source: Ministry of Welfare

In Latvia there are no zero hours contracts.

- b) Please provide information on measures taken to ensure that this right is effectively*

<sup>1</sup> <https://stat.gov.lv/en/statistics-themes/labour-market/wages-and-salaries/press-releases/8227-changes-wages-and-salaries>

*enforced (e.g., through Labour Inspectorates and similar enforcement authorities, trade unions) (General question, Conclusions 2019).*

For information on the measures taken by SLI in connection with the employment of children and youth please also see the information provided under Article 7 - Right of children and young persons to protection Paragraph 2 - Prohibition of employment under the age of 18 in dangerous or unhealthy activities.

The number of detected violations and administrative penalties imposed by the SLI with respect to remuneration for persons under 18 years of age (Article 63 of the Labour Law):

The number of detected violations by the SLI	2018	2019	2020	2021
Article 63 of the Labour Law	0	0	2	0

Data source: SLI

The number of administrative penalties imposed by the SLI	2018	2019	2020	2021
Article 63 of the Labour Law	0	0	2	0

Data source: SLI

From 2018 to 2021, SLI conducted 2 inspections in connection with received submissions regarding violations of Article 63 of the Labour Law.

- c) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

#### Young workers

Please see information provided under Point 5 a).

Irrespective of the organisation of working time or whether the part time or regular work time is set, if the legal relationship is based on employment contract all the rules applicable to remuneration apply, i.e., minimum wage and minimum hourly tariff rates set by the Cabinet of Ministers are mandatory.

#### Apprenticeships

There are plans to review the issues of fair remuneration and access to social security in 2023 within the context of an EU activity focusing on updating framework for quality traineeships.

Traineeships without employment contracts that are carried out outside of the vocational education system and that are not part of accredited vocational training programmes are considered to be undeclared work in Latvia and are thus prohibited. However, for VET traineeships and work-based learning carried out within the vocational education system there is no obligatory requirement to sign an employment contract and thus to also pay social insurance contributions. Employers can sign employment contracts (and thus pay at least the minimum wage and social insurance contributions) with work-based learning students and some employers do so or alternatively agree on a non-taxable stipend (up to the amount of EUR 280 per month) being paid to the work-based learning student.

**6. 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;**

According to Paragraph 4, Article 132 of the Labour Law if persons who are under 18 years of age continue to, in addition to work, acquire basic education, secondary education or an occupational education, the time spent on studies and work shall be summed and may not exceed seven hours a day and 35 hours a week. The mentioned provision is connected with health and safety issues in order to protect health of persons who are under 18 years of age not exceeding the prescribed labour protection limits based on the particular situation of these persons.

For its part, Paragraph 2, Article 137 of the Labour Law determines 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. The mentioned provision is connected only with accounts of working time when there is an order of the employer in situations when person works and studies with an aim to acquire an occupation.

Thereby, if the person who is under 18 years of age receives vocational training within the framework of the employment contract signed with the employer, he/she receives remuneration according to the amount of hours worked. For its part, if the person who is under 18 years of age receives vocational training within the framework of the training contract signed with the employer and the educational institution, he/she receives a scholarship.

The number of detected violations by the SLI with respect to Article 132, Paragraph 4 and Article 137, Paragraph 2 of the Labour Law:

<b>The number of detected violations by the SLI</b>	2018	2019	2020	2021
Paragraph 2 Article 137 of the Labour Law	1	1	0	0
Paragraph 4 Article 132 of the Labour Law	0	1	0	0

Data source: SLI

The number of surveys conducted by the SLI with respect to Article 132, Paragraph 4 and Article 137, Paragraph 2 of the Labour Law:

<b>The number of surveys conducted by the SLI*</b>	2018	2019	2020	2021
Paragraph 2 Article 137 of the Labour Law	1	1	0	0
Paragraph 4 Article 132 of the Labour Law	0	2	0	0

\*The number of surveys also includes surveys conducted in connection with submitted applications in which the Paragraph 2, Article 137 and Paragraph 4 of Article 132 of the Labour Law are indicated as a possible violation.

Data source: SLI

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

It should be reiterated that the right provided in Article 149 of the Labour Law cannot be waived by young persons under 18 years of age in exchange for additional pay. According to Paragraph 5 of the Article 149 of the Labour Law the annual paid leave may not be compensated with money, except for the cases when the employment relationship is terminated and the employee has not used his/her annual paid leave. An employer has the obligation to disburse remuneration for the entire period for which the employee has not used his/her annual paid leave. According to Paragraph 1 of the Article 149 of the Labour Law persons under 18 years of age shall be granted annual paid leave of one month.

Paragraph 6 of the Article 150 of the Labour Law prescribes that annual paid leave shall be transferred or extended in case of temporary incapacity of an employee. Thereby young

workers who suffer from temporary incapacity during their annual paid leave are entitled to take the days lost at another time.

It should be reiterated that the SLI does not have separate statistical information on detected violations regarding to the granting of the annual paid leave concerning to the persons under 18 years of age. Please see overall statistical information on the number of detected violations and administrative penalties imposed by the SLI with respect to Paragraph 1 of the Article 149 of the Labour Law.

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

<b>The number of detected violations by the SLI</b>	2018	2019	2020	2021
Paragraph 1 Article 149 of the Labour Law	11	10	4	1

Data source: SLI

<b>The number of administrative penalties imposed by the SLI</b>	2018	2019	2020	2021
Paragraph 1 Article 149 of the Labour Law	10	4	2	0

Data source: SLI

**8. 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;**

No such exceptions made with regard to certain occupations or sectors.

It should be reiterated that the SLI does not have separate statistical information on detected violations and administrative penalties regarding to illegal involvement of persons under 18 years of age in night work. Please see overall statistical information on the number of detected violations and administrative penalties imposed by the SLI with respect to Paragraph 6 of Article 138 of the Labour Law.

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

<b>The number of detected violations by the SLI</b>	2018	2019	2020	2021
Paragraph 6 Article 138 of the Labour Law	1	0	0	0

Data source: SLI

<b>The number of administrative penalties imposed by the SLI</b>	2018	2019	2020	2021
Paragraph 6 Article 138 of the Labour Law	1	0	0	0

Data source: SLI

In 2018 - 2021, there were no changes to the legal framework.

**9. 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;**

The number of detected violations by the SLI with respect to Article 37, Paragraph 6 of the Labour Law:

<b>The number of detected violations by the SLI</b>	2018	2019	2020	2021
Paragraph 6 Article 37 of the Labour Law	4	4	1	0

Data source: SLI

The number of administrative penalties imposed by the SLI with respect to Article 37, Paragraph 6 of the Labour Law:

The number of administrative penalties imposed by the SLI	2018	2019	2020	2021
Paragraph 6 Article 37 of the Labour Law	3	3	0	0

Data source: SLI

The number of surveys conducted by the SLI with respect to Article 37, Paragraph 6 of the Labour Law:

The number of surveys conducted by the SLI*	2018	2019	2020	2021
Paragraph 6 Article 37 of the Labour Law	5	5	1	0

\*The number of surveys also includes surveys conducted in connection with submitted applications in which the Paragraph 6, Article 37 of the Labour Law is indicated as a possible violation.

**10. 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.**

- a) *Please provide updated information on the measures taken to strengthen the protection of children, including migrant, refugees, and displaced children, from sexual exploitation and abuse (in particular in response to the risks posed by the Covid-19 pandemic) during the reference period, including information on the incidence of such abuse and exploitation.*

During the reporting period, within the scope of the competence of the State Police, the implementation of the strategic plan in the EU Policy cycle in the field of combating serious and organized crime for 2018-2021 (EMPACT) in the priority "Trafficking in human beings" was implemented. At the same time, multidisciplinary cooperation with other Latvian state institutions and non-governmental organizations continued, based on the platforms of the Working Group "Guidelines for the Prevention of Human Trafficking for 2014-2020".

In 2018-2021, annual Europol EMPACT THB joint action measures against labour exploitation were carried out in cooperation with the State Labour Inspectorate, State Border Guard, Riga Municipal Police, as well as measures against child exploitation in cooperation with Riga Municipal Police. Also, in cooperation with the State Labour Inspectorate, the State Border Guard, the Riga Municipal Police, Europol EMPACT THB large-scale joint action day events against sexual exploitation and labour exploitation were carried out. As part of the measures, the possible involvement of an adult foreign person in prostitution and the use of the person for the purpose of making money were found. A case of pimping was also found, which was committed against adult foreign citizens. Cases of abusive sexual or labour exploitation of children in 2018-2021 were not identified.

From 2018 to 2021, 4 minors were recognized as victims of human trafficking. On the other hand, the State Police initiated 18 cases regarding the involvement of minors in prostitution from 2018 to 2021.

In connection with the restrictions on movement announced in Latvia and the requirement not to leave the place of residence during a specific time of day (lockdown) to limit the covid-19 epidemic and the lack of vaccinated employees in partner institutions, Europol's cross-border operational police cooperation measures were not implemented in November 2021. Similarly, no new trends were observed in human trafficking under the influence of COVID-19.

In order to protect children from possible labour or sexual exploitation, regular raids by the State Labour Inspectorate, the State Border Guard and the State Police took place during the reporting period within the framework of the strategic plan "Trafficking in Human Beings" in the priority "Trafficking in Human Beings" of the EU Policy Cycle in the Field of Combating Serious

and Organized Crime for 2018-2021 (EMPACT). From 2021, special attention is paid to identifying the risks of labour exploitation in rural areas.

At the same time, during the reporting period, the Organization for Security and Cooperation in Europe (hereinafter - OSCE), with the support of the Ministry of the Interior, organized trainings in Riga on measures to reduce the risks of human trafficking among Ukrainian civilians. As part of the training, the evaluation tool prepared by the OSCE was tested, which allows monitoring the extent to which countries have taken various measures to reduce the risks of human trafficking. About 20 experts from the Ministry of the Interior, the Ministry of Welfare, the Union of Latvian Local Governments, the State Labour Inspectorate, the State Employment Agency, the Society Integration Fund of the Republic of Latvia participated in the training.

In 2022 several severe cases of child sexual abuse happened and it highlighted issues regarding communication with a child that had suffered abuse – in some cases several institutions talk to the child before official police interrogation, sometimes the police uses interview first and plans interrogation after that – in these cases another traumatic experience can occur since the child has to talk about the abuse several times, to different specialists. Few times children who were abused had to remember and talk about sexual assault even after child had finished rehabilitation.

To address these issues, the Ministry of Welfare in cooperation with the Icelandic Government's Children's Rights Protection Management Agency, the Organization for Economic Co-operation and Development, the State Ltd. "Children's Clinical University Hospital" and the State Inspectorate for Protection of Children's Rights are implementing the project "Support for the Introduction of Barnahus in Latvia". The Child's House (Icelandic: barnahus) is a one-stop shop for abused children and witnesses of violence, where, in the best interests of the child, medical professionals, law enforcement officers, social workers and psychologists work together in a unified framework of inter-institutional and interdisciplinary cooperation. The aim of the project is to introduce a one-stop support institution in Latvia for child victims of violence – the Child's House. The child's house includes a world-renowned model of inter-institutional cooperation. Special emphasis is placed on the interests of the child victim and a maximally friendly approach is promoted in the event that intervention of law enforcement authorities is required. If questioning of the child is necessary for the purpose of giving evidence in criminal proceedings, a high-quality audio-video recording is made in the child's house, which within the framework of criminal proceedings can be qualitatively used, if necessary, repeatedly, so as not to emotionally injure the child by repeated or multiple questioning.

The implementation of the project is planned until the end of March 2024, but after that the operation of the child's house will be ensured from the State budget funds.

Every year Child Helpline announces informative campaign against sexual abuse called "Stop the silence" where several interviews/media coverages are made and people are encouraged to call Child helpline if any questions regarding sexual abuse, consequences, risks, arise as well as in cases if a child has suffered sexual abuse.

*b) Please provide information on the impact of the Covid-19 pandemic on the monitoring of the exploitation and abuse of children, as well as measures taken to strengthen monitoring mechanisms.*

According to the State Inspectorate of the Protection of Children's Rights has shown an increase in received calls to Child Helpline 116111 regarding sexual abuse – the increase started when Covid-19 pandemic took place since children did not go to school and studied at home so there were 2 main endangerments – often children are abused by relatives, family friends or someone they know and keeping this in mind, being at home and not being able to go to school, receiver peer support and be in a different environment lead children to call Helpline and talk about the abuse they have experienced. It is also possible that stress level that was created by pandemic, vaccination, losing job, and other factors did cause anxiety and problems with impulse control especially in people who already had violent background so

external problems triggered their completely unacceptable violent behaviour that was targeted at children. Second endangerment – since children were not able to meet their peers (and in child development at few stages peer to peer connections are extremely important and needed by the child) they often felt lonely and started to look for communication online – this was used by child groomers/exploiters who managed to create an emotional bond to child and use this bond and trust to manipulate child and use them to gain sexual materials or other benefits.

- c) *Please provide information on the protection of children from all forms of violence, exploitation and abuse in the digital environment, in particular sexual exploitation and abuse and solicitation for sexual purposes (grooming).*

Latvian Safer Internet center has implemented a project “Dangerous friendship on the internet” (hereinafter – Project) in partnership with the State Police and the State Inspectorate for Protection of Children’s Rights.

“Dangerous friendship on the internet” is a project with the aim to prevent children from becoming victims of online grooming. The Project aims to make children, youngsters, their parents, pedagogues and social workers to recognize online grooming, react adequately and prevent potential sexual abuse committed to children online and offline. The project includes:

- 1) Campaign to inform the society about grooming risks and inviting children to test their online friendships;
- 2) Development of a tool in the form of an online test to recognize grooming, prevent children from being groomed and encouraging them to seek for a help;
- 3) Development of educational and awareness materials – posters, brochures and online posts for dissemination throughout the country.

During the campaign a rhetoric question is asked - Online friendship or abuse? Innocent questions or attempted grooming? A self-help test at [sos.drossinternets.lv](https://sos.drossinternets.lv) helps to recognize grooming on the internet. Children and young people, as well as parents and educators are invited to fill out the self-help test developed by experts from the Latvian Safer Internet Centre, the State Police and the State Inspectorate for Protection of Children's Rights to test how safe the online friendship is, to learn how to recognize grooming cases and where to seek for a help.

The self-help test is intended for:

- 1) Children, so that they can test their online friendship, especially if the child has never met the person face-to-face and is not sure if the person can be trusted.
- 2) Specialists working with children and parents or the child's legal representatives. If a child has made an online friendship and adults suspect that this friendship could harm the child, the test will help to understand if the child has experienced online grooming as well as receive instructions on the next steps.

The test consists of 12 to 20 questions depending on the age group. And questions are related to violations of Criminal Law against children. For instance:

- Did your "friend" send you something that made you feel fearful, ashamed, confused?
- Did your "friend" talk to you about intimate body parts?
- Did your "friend" try to persuade you or force you to take a photo or film yourself naked?
- Did your friend send you a photo, video, or link where you can see a naked adult or parts of his or her intimate body?
- Did your "friend" ask you to keep your communication as a secret?

After answering to all the questions results are shown with advises what to do and where to get support if the answers indicate that the child may have suffered from grooming.

Description in English available in the Better Internet for Kids website of European Safer Internet Centres: <https://www.betterinternetforkids.eu/resources/resource?id=129509>. supplementing

materials available in the website of Latvian Safer Internet Centre (in Latvian): <https://drossinternets.lv/lv/info/bistama-draudziba-interneta>.

The main objective is to ensure that children, youngsters, their parents, pedagogues and social workers are able to recognize online grooming, react adequately and prevent potential sexual abuse committed to children online and offline.

The results of filled out test show the impact of the project, and also increased number of calls to Children helpline 116111.

The State Inspectorate for Protection of Children's Rights have also made several materials about online grooming risks including short videos (<https://www.youtube.com/watch?v=HJtZQRzCaaU&t=3s>).

Since February 8, 2022 when the campaign was launched and test was made accessible at [sos.drossinternets.lv](https://sos.drossinternets.lv), it has been filled out by 6677 children and youngsters: 4356 children (8-15 years old) and 2321 youngsters (16-17 years old). The test questions for these two age groups differed since they are related to violations of criminal law against children, and the law differs according to the age of a child.

The children's answers to the test questions indicate the following situation in Latvia:

- 1) Did your "online friend" send you something that made you feel fearful, ashamed, confused? Yes 20%;
- 2) Did your "online friend" talk to you about intimate body parts? Yes 26%;
- 3) Did your "online friend" try to persuade you or force you to take a photo of yourself naked? Yes 17%:
  - a. And did you actually take a picture, did you film yourself naked? Yes 60%;
- 4) Did your "online friend" send you a photo where you can see a naked adult? Yes 20%;
- 5) Did your "online friend" send you a photo where you can see a naked child? Yes 13%;
- 6) Did your "online friend" ask you to keep your communication as a secret? Yes 21%;
- 7) Did "online friend" promise you money or gifts if you did what he wanted? Yes 17%;
- 8) Did your "online friend" threaten you if you didn't do what he wanted? Yes 14%.

To conclude - 20% of children who have online friendships have been victims of online grooming. That is more than 1300 children in six months. Comparing these results with statistics of the State Police, it is clear that the latency of these crimes is high, because only 55 such cases (113 victims, i.e., only 8% from potential 1300 victims) came to the attention of the State Police in 2021.

In addition, the number of calls to the 116111 children helpline shows that they needed the campaign and the tool: in six months, the number of calls to the helpline related to unwanted contact and grooming on the internet has doubled compared to the same period in 2021.

Previously there was no practical tool available to help minors, professionals and parents understand whether experienced situation is a crime or a harmful content or conduct.

Considering that most often children and youngsters are ashamed of telling someone about grooming, sexting and other traumatic experience online, an anonymous situation evaluation tool (a self-help test) provide support and help them to make the right decisions about the next steps. In addition, it encourages the victim to report the crime to helpline or hotline, helping to detect and prevent sex offenses in the Internet.

Nowadays children are used to and prefer to communicate online, so it is not always easy for them to call a helpline or talk to an adult. But an anonymous test gives children information and warns them if it is suspected that they might be being groomed. The child therefore receives immediate feedback on what might have happened and what he/she should do.

- d) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

On 17 October 2019 amendments to the Labour Law (into force since November 19, 2019) were introduced in order to “decode” the description of administrative violations and the penalties for such violations and to include them in respective branch legislative enactments. According to the amendments, the description of administrative violations and the penalties for the violations provided in the Latvian Administrative Violations Code of 7 December 1984 were incorporated (with slight amendments) into the Labour Law. The said amendments entered into force at the same time as the new Administrative Liability Law of 25 October 2018, i.e., on July 1, 2020. Until July 1, 2020 the violations and penalties were regulated by the Latvian Administrative Violations Code.

Starting from July 1, 2020 Article 162 of the Labour Law prescribes the administrative liability for violation of other laws and regulations governing employment relationship:

**“Article 162. Violation of Other Laws and Regulations Governing Employment Relationship**

For the violation of the laws and regulations governing the employment relationship, except for the cases specified in Articles 158, 159, 160, and 161 of this Law, a warning or a fine from seven to seventy units of fine shall be imposed on the employer if it is a natural person, but a fine from fourteen to two hundred and twenty units of fine - if it is a legal person.”

According to amendments of the Criminal Law (adopted on December 17, 2020; into force since January 1, 2022), sanctions of Paragraphs of Article 280 were amended. At the moment, Article 280 specifies the following:

**“Article 280. Violation of Provisions Regarding Employment of Persons**

(1) For a person who commits violation of restrictions or provisions regarding employment of persons provided for in law, if it has been committed by the employer and if substantial harm has been caused thereby,

the applicable punishment is the temporary deprivation of liberty or probationary supervision, or community service, or fine.

(2) For a person who commits employment of such person who is not entitled to remain in the Republic of Latvia, if it has been committed by the employer and if a minor is employed or if more than five persons are employed, or if a person is employed in particularly exploitative working conditions, or if a victim of human trafficking has knowingly been employed, the applicable punishment is the temporary deprivation of liberty or probationary supervision, or community service, or fine.”

Protection against sexual exploitation

The victims’ status in the criminal procedure is established according to the Criminal Procedure Law.

A victim in criminal proceedings may be a natural person or legal person to whom harm was caused by a criminal offence, that is, a moral injury, physical suffering, or a material loss. A victim in criminal proceedings may not be a person to whom moral injury was caused as a representative of a specific group or part of society. If a person dies, one of the members of the immediate family of the deceased may be the victim in criminal proceedings (Article 95 of the Criminal Procedure Law).

A person shall be recognised as a victim by the person directing the proceedings, with his /her decision which may also be written in the form of a resolution. The person directing the proceedings shall inform a person in a timely manner regarding the rights thereof to be recognised as a victim in criminal proceedings. A person may be recognised as a victim only

with the consent of such person or his/her representative. A person who does not want to be a victim shall obtain the status of a witness. If a person, due to physical or mental deficiencies, is not able to express his/her will to be a victim by himself/herself, the person shall be recognised as a victim without his/her consent. A court may recognise a person as a victim during the trial of a criminal case up to the commencement of a court investigation in a court of first instance, if such request is submitted to a court. A decision of the court shall be entered in the minutes and it shall not be subject to appeal. If a victim has died after commencement of a court investigation in a court of first instance or during examination of a case in an appellate court, and a request of a person referred to in Article 95, Paragraph three of this Law has been applied to a court, the court may recognise such person as a victim. A decision of a court shall be recorded in the minutes and it shall not be subject to appeal. In such case the trial shall not be commenced de novo, but a victim upon his/her application has the right to familiarise himself/herself with the materials of a criminal case and the minutes of a court hearing (Article 96 of the Criminal Procedure Law).

According to Article 15, Paragraph two of the Law on the Protection of the Children's Rights 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.

According to Article 51 of the Law on the Protection of the Children's Rights for violence or negligence against a child, encouraging or forcing a child to take part in sexual activities, exploitation or involvement of a child in prostitution, the persons at fault shall be held liable as laid down in law. A child who is a victim of a criminal offence, exploitation, sexual abuse, violence, negligence, or any other unlawful, cruel or demeaning acts shall, in accordance with the procedures stipulated by the Cabinet of Ministers, be provided with emergency assistance free of charge in order that a child may regain physical and mental health and reintegrate into society. Such medical treatment and reintegration shall take place in an environment favourable to the health, self-respect, and honour of a child, carefully guarding the child's intimate secrets.

Every person has the obligation to inform the police or another competent authority regarding violence or any other criminal offence directed against a child. For failing to inform, the persons at fault shall be held to liability as laid down in law. The police have an obligation to inform the Orphan's and Custody Court according to the location of the child of the decision taken by the police on separation, if such decision has been taken in relation to the threat of harm to the freedom, life, or health of the child or such person who is permanently residing with the child.

According to Article 52 of the Law on the Protection of the Children's Rights special institutions or sections in general medical institutions shall be established and special resources shall be allocated in the State budget for the medical treatment and rehabilitation of a child who has suffered as a result of violence or negligence. Expenditures for the medical treatment and rehabilitation of the child shall be covered by the State and shall be collected from the persons at fault by subrogation procedures. Special medical treatment shall be provided for a child who has become ill with a sexually transmitted disease. The adults at fault for the illness of the child shall be held liable as laid down in law and the costs of the medical treatment shall be collected from them.

It is prohibited for a child who has been a victim of violence or negligence (illegal act):

- 1) to be left alone, except for the cases when the child himself/herself so wishes and this choice is considered appropriate by a psychologist who has undergone special preparation for work with children who have suffered from violence;
- 2) to be left without psychological or other form of care;
- 3) to be confronted by the possible perpetrator of the violence (illegal act) while the child is not sufficiently psychologically prepared for such a confrontation;
- 4) to be subjected to the use of any compulsory measures in order to obtain information or for any other purpose.

Out-of-family care shall be provided without delay for a child who has suffered from violence (illegal act) in his/her family or for whom a real threat of violence exists, if it is not possible to isolate the persons at fault from the child.

According to the State Inspectorate of the Protection of Children's Rights this year has shown an increase in received calls to Child Helpline 116111 regarding sexual abuse – the increase started when Covid-19 pandemic took place since children did not go to school and studied at home so there were 2 main endangerments – often children are abused by relatives, family friends or someone they know and keeping this in mind, being at home and not being able to go to school, receiver peer support and be in a different environment lead children to call Helpline and talk about the abuse they have experienced. It is also possible that stress level that was created by pandemic, vaccination, losing job, and other factors did cause anxiety and problems with impulse control especially in people who already had violent background so external problems triggered their completely unacceptable violent behaviour that was targeted at children. Second endangerment – since children were not able to meet their peers (and in child development at few stages peer to peer connections are extremely important and needed by the child) they often felt lonely and started to look for communication online – sadly this was used by child groomers/exploiters who managed to create an emotional bond to child and use this bond and trust to manipulate child and use them to gain sexual materials or other benefits.

In 2022 several severe cases of child sexual abuse happened and it highlighted issues regarding communication with a child that had suffered abuse – in some cases several institutions talk to the child before official police interrogation, sometimes polices uses interview first and plans interrogation after that – in these cases another traumatic experience can occur since the child has to talk about the abuse several times, to different specialists. Few times children who were abused had to remember and talk about sexual assault even after child had finished rehabilitation.

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The implementation of the project is planned until the end of March 2024, but after that the operation of the child's house will be ensured from the State budget funds.

Every year Child Helpline announces informative campaign against sexual abuse called “Stop the silence” where several interviews/media coverages are made and people are encouraged to call Child helpline if any questions regarding sexual abuse, consequences, risks, arise as well as in cases if a child has suffered sexual abuse.

#### Protection against the misuse of information technologies

The main aim of Latvian Safer Internet Centre (hereinafter - LSIC) is to protect minors in the digital world. The activities of LSIC are ensured by the Latvian Internet Association in partnership with The State Inspectorate for Protection of Children's Rights and Local Governments Training Centre.

The LSIC has three main areas of work:

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

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

In February 2022 a campaign "Dangerous friendship on the internet" was launched to prevent children from becoming victims of online grooming. The campaign was organized by Latvian Safer Internet Centre with partners State Police and State Inspectorate for Protection of Children's Rights. The main aim is to make children, youngsters, their parents, pedagogues and social workers to recognize online grooming, react adequately and prevent potential sexual abuse committed to children online and offline. The activities of the campaign include:

- Public campaign to inform the society about grooming risks and inviting children to test their online friendships;
- Development of a tool at [sos.drossinternets.lv](http://sos.drossinternets.lv) in the form of an online test to recognize grooming, prevent children from being groomed and encouraging them to seek for a help;
- Development of educational and awareness materials – posters, brochures and online posts for dissemination throughout the country.

During the campaign a rhetoric question was asked - Online friendship or abuse? Innocent questions or attempted grooming? A self-help test at [sos.drossinternets.lv](http://sos.drossinternets.lv) helps to recognize grooming on the internet. Children and young people, as well as parents and educators are invited to fill out the self-help test developed by experts from the Latvian Safer Internet Centre, the State Police and State Inspectorate for Protection of Children's rights to test how safe the online friendship is, to learn how to recognize grooming cases and where to seek for a help.

The self-help test is intended for:

- 1) Children, so that they can test their online friendship, especially if the child has never met the person face-to-face and is not sure if the person can be trusted.
- 2) Specialists working with children and parents or the child's legal representatives. If a child has made an online friendship and adults suspect that this friendship could harm the child, the test will help to understand if the child has experienced online grooming as well as receive instructions on the next steps.

The test consists of 12 to 20 questions depending on the age group. And questions are related to violations of criminal law against children. For instance:

- Did your "friend" send you something that made you feel fearful, ashamed, confused?

- Did your "friend" talk to you about intimate body parts?
- Did your "friend" try to persuade you or force you to take a photo or film yourself naked?
- Did your friend send you a photo, video, or link where you can see a naked adult or parts of his/her intimate body?
- Did your "friend" ask you to keep your communication as a secret?

After answering to all the questions results are shown with advises what to do and where to get support if the answers indicate that the child may have suffered from online grooming.

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

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

	2017	2018	2019	2020	2021	2022 (10 months)
Erotic/pornographic content without placed warning	34	44	61	41	38	34
Child sexual abuse materials	164	180	3254	3993	22 925	8757
Extreme Adult Content	23	-	13	11	10	7
Attacks upon his honour and reputation/emotional violence	57	94	105	81	67	53
Racism and Xenophobia/hate speech	12	8	6	6	13	290
Consultations/advice	128	166	188	236	254	159
Financial fraud	28	45	105	131	206	213
Other	51	42	104	103	245	522

Data source: LSIC

#### Protection from other forms of exploitation

Social services shall be provided only on the basis of an evaluation of the individual needs and resources of a person carried out by a social work specialist. Social services shall be provided at the place of residence of a client or as close thereto as possible, and only if the scope of such services is not sufficient, social care and social rehabilitation at a long-term care and social rehabilitation institution is provided. In providing social services, the institutions shall ensure inter-professional and inter-institutional co-operation (Law on Social Services and Social Assistance, Article 4, Paragraph 1, 2 and 3).

Article 9 of the Law on Social Services and Social Assistance stipulates that the local municipality in the territory of which a person has his/her declared place of residence should provide the person with a possibility to receive social services and social assistance corresponding to his/her needs. If a local municipality has received information from natural persons or institutions regarding a person who might require a social care or social rehabilitation service or social assistance, the local municipality has an obligation, in accordance with the procedures specified in the law On Social Security, to verify the received information, to evaluate the needs of the person for social services and social assistance, and to inform this person or his/her lawful representative of the rights and possibilities of receiving social services and social assistance, and also the procedures by which social services or social assistance may be received.

If a person requires social services in a night shelter or a crisis centre, he/she shall turn directly to the service provider who takes a decision on the provision of a service. If necessary, the local municipality, in the territory in which a person without a home is located, shall ensure the person with night shelter or shelter, information and consultations, and also single material assistance.

If due to objective circumstances a person does not have a declared place of residence, the local municipality in the administrative territory of which the person has selected a place of residence shall evaluate the material situation of the person and, where necessary, grant a single material assistance, and also inform the local municipality in which the person had the last declared place of residence thereof. The local municipality in the administrative territory of which the person had the last declared place of residence or the local municipality in the administrative territory of which the person has selected a place of residence, if it is not possible to detect the last declared place of residence of the person, shall assess the possibility to provide psychosocial assistance or social services, or grant corresponding social assistance benefits to the person or the status of needy or low-income household.

Local municipality which have not established the necessary social service providers shall enter into agreements with other social service providers in their territory or with other local municipality regarding provision of the abovementioned social services and payment. These social services shall be fully or partially financed from the local municipality budget.

In addition to the assistance provided by the local municipality, specific types of social services and assistance are financed by the State budget or private entities.

If a person wishes to receive a social service which is financed from the State budget, the local municipality has an obligation to ensure a survey of the living conditions and an evaluation of the needs of the person to be carried out by a social work specialist. If a person wishes to receive State financed technical aids, a survey of living conditions shall not be performed.

The Ministry of Welfare is implementing an EU co-funded project “Development of Professional Social Work in Municipalities”. In the framework of this project the Ministry of Welfare is implementing activities in order to improve the social work in the local municipalities.<sup>2</sup> The Ministry of Welfare in partnership with the professionals is continuing to develop a methodological material for social workers on the social work with young people.

In order to support young people in difficult situations (including difficult living situations) a non-governmental organization “OPEN Creative Centre” has developed a network of “OPEN Creative Centers” in different places of Latvia.<sup>3</sup> The Centers are places where young people from the age of 13 may come and spend their free time or express their creativity. It is possible to play games, read books, take part in physical activities. Those are neither educational centers, nor crisis centers. The association emphasizes that the Center “does not teach to live” and it “does not solve the problems of young people”. The Center gives a safe place where to take refuge, to make meal for themselves, to do homework or simply “to be in peace”. The centers are open for the young people every day; for young people from 16 years of age the center is open to stay overnight if needed. Altogether 13 centers are opened in different cities of Latvia with 300 young people being regular visitors. The centers are funded solely by donations. Young people can visit the centers free of charge. Additional information about the centers’ daily affairs is available online:

<https://www.facebook.com/openrc.lv>.

The organization “OPEN Creative Centre actively advocates the needs of young people, encouraging the decision makers to pay more attention to the needs of young people in difficult situations.

From 2016 the Welfare Department of Riga City municipality (hereinafter — Welfare Department) provides **social rehabilitation programmes for children (from 13-18 years) with behavioural disorders** (hereinafter — the Program). Support within the Program is received by children from social risk families who have been identified with multiple social problems — learning difficulties, delinquency, low communication skills, difficulties in solving problems and conflicts, addictions, social isolation etc. To attract children to the Program,

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<sup>2</sup> Profesionāla sociālā darba attīstība pašvaldībās, Nr. 9.2.1.1/15//001 | Labklājības ministrija (lm.gov.lv).

<sup>3</sup> OPEN Radošais Centrs - Sākums (openrc.lv).

children are also addressed on the streets — in the most popular gathering places. The Program consist of 2 phases with a total duration of 14 months. The programs are provided by two social service providers, implementing activities of similar content — individual specialist consultations, group support, activities in nature based on adventure pedagogy approach, cooperation with craftsmen and support persons, including parents. Each group of the program has up to 15 children. In 2018, the Program service was provided to 61 children, in 2019 - 75, in 2020 - 102 and in 2021 - 102 children. Within the framework of the Program, school absences have been reduced, communication skills and abilities are developed, including the ability to solve conflicts, which improves communication both among peers and in the family, develops the ability to organise and meaningfully spend free time, develop creative expressions.

Since 2019, the Welfare Department also has paid attention to children with behavioural disorders through a program providing early support and education for families facing difficulties in raising a child — problems of communication between the child have been identified, difficult adaptation to the social environment, frequent conflicts, psycho-emotional development disorders, somatic reactions, behavioural and learning disabilities. The duration of the program is 10 months, in 2019 the service was received by 20 children, in 2020 - 48 and in 2021 - 76 children.

In accordance with Article 58 of the Law on the Protection of the Rights of the Child, when ensuring the prevention of violations of the law, the municipality in cooperation with the parents of the child, educational institutions, the State Police, the State Probation Service, public institutions and other organisations must develop social correction programmes for children. In Riga, social correction programmes are provided in cooperation with the Association of Latvian SOS Children's Villages to an average of 30 families per month. In 2018, 40 families with children received the service, 43 families in 2019, 35 families in 2020 and 41 families in 2021. In 2020, the Welfare Department reorganised the social support system for orphans and children left without parental care (hereinafter — orphans). In order to achieve a higher number of orphans and to provide a more targeted support, the unit "Youth Support Centre" of Riga Municipality's Children and Youth Centre (hereinafter — YSC) was established. YSC was established in order to ensure a more efficient and more friendly transition from life in out-of-family care to independent life (intervention is during the 12-month period before reaching the age of majority, as well as after the end of out-of-family care until the age of 24). YSC has 13 employees — manager, three senior social workers and nine youth professionals. Volunteers and psychotherapists are involved in supporting young people. YSC's tasks are to carry out social work, including preventive work with an orphan before and after out-of-family care. One of the main objectives of out-of-family care is to prepare the orphan for an independent life, i.e. orphans in an out-of-family care institution, a guardian's family or a foster family must acquire various social skills necessary for starting an independent life, for example, rent an apartment, find a job, carry out self-care, continue training, etc. In 2020, the JSC provided support to 781 orphans, including 147 minors and 634 orphans, after out-of-family care, 808 young people in 2021, out of which 158 minors. YSC organises not only individual social work and social rehabilitation with the target group, but also thematic events such as prevention of human trafficking, reproductive health, culinary skills, various sports activities, cooperation with the Housing and Environment Department of Riga City Council. During the COVID 19 pandemic, the work of the YSC continued as support for young people was much needed, social networks and various applications were used to communicate.

In accordance with the Regulation of the Cabinet of Ministers No. 545 of 12 September, 2017 "Regulations Regarding the Cooperation of Institutions in Protection of Children's Rights", the Welfare Department has set up a Children's Rights Protection Cooperation Group (hereinafter — CRPC Group) to promote inter-institutional cooperation in the field of protection of children's rights. In Riga City municipality inter-institutional cooperation is established at two levels — an institution management group to analyse and update issues of child rights protection and cooperation between specialists of institutions for solving individual cases. Since 2018 until 2021, there have been 4 management groups each year and in 2018 - 207, in 2019 - 339, in 2020 - 373, and in 2021 - 393 specialist cooperation

groups. For example, in 2021, within the framework of the CRPC group in cooperation with representatives of the Ministry of Justice, the change of the system for the prevention of child offences developed by the Ministry of Justice was discussed and analysed, a mechanism of cooperation between local authorities was developed in cases where parents do not agree with the requirements for carrying out the mandatory COVID-19 test for a child in an educational institution, as well as analyse the situation in relation to a minimum increase in the number of specialised foster families in the municipality of Riga.

The Ministry of Welfare is implementing an EU co-funded project “Development of Professional Social Work in Municipalities”. In the framework of this project the Ministry of Welfare is implementing activities in order to improve the social work in the local municipalities.<sup>4</sup> Special attention is being paid to the subject - how to improve the social work with families with children as well as young people. In the framework of the project (among other activities) the following methodological materials have been developed: methodological material on social work with victims of violence and perpetrators; methodological material on social work with families with children.<sup>5</sup> The Ministry of Welfare in partnership with the professionals is continuing to develop a methodological material for social workers on the social work with young people.

The State Inspectorate for Protection of Children’s Rights is regularly updating methodological materials for Orphan’s and Custody Courts in order to ensure the protection of the best interests of the child in matters related to family disputes, custody, out-of-family care etc. The methodological recommendations and explanations are collected in the Orphan’s and Custody Court Handbook. Separate sections of the handbook are devoted to the interinstitutional and multidisciplinary cooperation and operation of the orphan’s and Custody Court. The handbook is being regularly updated with the most recent information and recommendations<sup>6</sup>

During reference period from 2018 to 2021, it has not been relevant to take measures, paying special attention to children at risk of child labor, including those living in rural areas according to the information provided by State Labour Inspectorate.

## **Article 8 – The right of employed women to protection of maternity**

### **Excerpts from the ECSR’s case law**

Article 8 of the Charter provides specific rights protecting employed women during pregnancy and maternity. The aim of such protection is the protection of the health of a mother and a child. Such protection is possible where employed women are entitled to safe and healthy working conditions, i.e. such working conditions which take due regard to their specific needs during respective periods. Safe and healthy working conditions include also protection against less favourable treatment due to pregnancy and maternity.

Since pregnancy and maternity are gender-specific, any less favourable treatment due to pregnancy or maternity is to be considered as direct gender discrimination. Consequently, the non-provision of specific rights aimed at protecting the health and safety of a mother and a child during pregnancy and maternity, or the erosion of their rights due to special protection during such a period are also direct gender discrimination.

It follows that, in order to ensure non-discrimination on the grounds of gender, employed women during the protected period may not be placed in a less advantageous situation, also with regard to their income, if an adjustment of their working conditions is necessary in

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<sup>4</sup> Profesionāla sociālā darba attīstība pašvaldībās, Nr. 9.2.1.1/15/II/001 | Labklājības ministrija (lm.gov.lv).

<sup>5</sup> Metodiskie materiāli | Labklājības ministrija (lm.gov.lv).

<sup>6</sup> Rokasgrāmata bāriņtiesām | Valsts bērnu tiesību aizsardzības inspekcija (bti.gov.lv).

order to ensure the required level of the protection of health. It follows that, in the case a woman cannot be employed in her workplace due to health and safety concerns and as a result, she is transferred to another post or, should such transfer not be possible, she is granted leave instead, States Parties must ensure that during the protected period, she is entitled to her average previous pay or provided with a social security benefit corresponding to 100% of her previous average pay. Further, she should have the right to return to her previous post.

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

**1. 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;**

*a) Please provide information whether the Covid-19 crisis had an impact of on the right to paid maternity leave (in particular whether all employed women concerned – in the private as in the public sector - continue to receive at least 70% of their salary during the whole length of the compulsory maternity leave during the Covid-19 crisis).*

Covid-19 didn't have an impact on the right to paid maternity leave. All employed women – in the private as in the public sector - continued to receive 80% of their gross salary during the whole length of the compulsory maternity leave during the Covid-19 crisis financed from social insurance.

In accordance with Article 2, Paragraph 7 of the Law on Remuneration of Officials and Employees of State and Local Government Authorities (hereinafter - the Remuneration Law), employment legal relationships, legal relations of office or rules of laws and regulations governing the course of service shall be applicable to officials and employees employed in State and municipal institutions insofar as it is not determined by this Law. Taking into account that the Remuneration Law does not regulate issues relating to the granting of maternity leave, the provisions of Article 154 of the Labour Law are applicable in this matter. In relation to the payment of leave, including maternity leave, to employees of State and local government institutions, the rules of Article 3.1 of the Remuneration Law are applicable, which stipulates that in all cases when the average earnings are to be disbursed to an official (employee), including for the payment of leave, it shall be calculated from the remuneration for the last six calendar months.

During the Covid-19 crisis, no changes were made to the Remuneration Law that would affect the application of this rule.

*b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

N/A

**2. 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;**

a) *Please provide information:*

i) *whether the Covid-19 crisis had an impact on the possibility of dismissing pregnant employees and employees on maternity leave and*

ii) *whether there were any exceptions to the prohibition of dismissal during pregnancy and maternity leave during the pandemic.*

On November 1, 2018 amendments were made to Labour Law (into force since November 28, 2018) supplementing Article 122 by Paragraph Two, which states that an employee, when giving a notice of termination of an employment contract in conformity with the provisions of Article 100, Paragraph five of this Law, may bring an action in court regarding the recovery of a severance pay within one month from the day of dismissal if the employer contests the important reason provided by an employee and has not disbursed to him/her the severance pay in the amount specified in Article 112 of this Law.

In general, there has been no impact on the possibility of dismissing pregnant employees and employees on maternity leave.

In addition, on June 10, 2020 the Law on the Management of the Spread of COVID-19 Infection of June 5, 2020 (hereinafter – Law on Management) came into force. The purpose of the Law on Management is to restore the general legal order after the end of the time limit for the emergency situation by providing a set of appropriate measures for ensuring such scope of rights and obligations of private individuals which would be commensurate with public health and safety interests and effective operation of the State and local government authorities (hereinafter - the public authorities) in relation to the spread of COVID-19 infection in the State. The Law lays down basic principles for the operation of public authorities and the rights and obligations of public authorities and private individuals for the prevention and management of the threat to the State after the revocation of the emergency situation created by the spread of COVID-19 infection.

According to Article 7.<sup>3</sup>, Paragraphs 3, 4 and 7 of the Law on Management:

“(3) If an employer is unable to transfer an employee (official) to another suitable work (office) or to ensure the fulfilment of his/her work (office, service) duties remotely due to the requirements provided for in laws and regulations or other objective reasons, the employer has the right, until the moment when the employee (official) obtains the vaccination or recovery certificate, to suspend him/her from work (office, service) or place on furlough due to the fault of the employee without disbursing work remuneration to him/her for the period of suspension or furlough. The employer, except for the employer in public administration, has the right to retain work remuneration for the period of suspension. It is prohibited to suspend an employee (official) from work (office, service) for a period exceeding three months.

(4) If after the maximum period of suspension or after furlough due to the fault of an employee which lasts for more than three months an employee (official) has not obtained the vaccination or recovery certificate without an objective justifying reason, an employer has the right to terminate employment (service) relationship with him/her without delay, disbursing the severance pay in the amount of one monthly work remuneration (monthly wage), but if a piece rate wage has been specified for the employee - in the amount of average earnings of one month.

(7) An employer is prohibited from terminating employment (service) relationship on the basis of Paragraph four of this Article with a pregnant woman, and also with a woman in the period

following childbirth up to one year, but if the woman is breastfeeding a child - throughout the period of breastfeeding, but not longer than until the child reaches two years of age. If a pregnant woman, a woman in the period following childbirth up to one year, but if the woman is breastfeeding a child - throughout the period of breastfeeding, but not longer than until the child reaches two years of age, cannot be transferred to another suitable work (office, service) in accordance with Paragraph three of this Article, the employer has an obligation to temporarily grant a leave to such female employee (official). The previous average earnings are retained for the female employee (official) during such leave.” The norm stipulates that the employer is prohibited from terminating the employment contract or terminating the service relationship, based on the Article 7.<sup>3</sup> paragraph 7, with a pregnant woman, as well as with a woman in the postpartum period of up to one year, but if the woman is breastfeeding - during the entire feeding period, but no longer than until the child is two years old. The mentioned norm was included by analogy with the Article 109., paragraph 1 of the Labor Law in order to protect the pregnant woman.

No exceptions to the prohibition of dismissal during pregnancy and maternity leave during the pandemic.

- b) *If the previous conclusion was one of non-conformity, please explain whether and how the non-conformity was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

#### Prohibition of dismissal

Information available to the SLI regarding the dismissals of employees during pregnancy or maternity leave:

From 2018 to 2021 the SLI reviewed a total of 16 applications where submitter indicated that the employer, upon learning about the employee's pregnancy, has dismissed her. There were also cases when the employer had dismissed the pregnant employee during the probation period.

Year	Number of applications examined	Notes
2018	3	1 – partially confirmed; 2 – were not confirmed
2019	10	3 – confirmed; 2 – partially confirmed; 3 – were not confirmed; 2 - the applications could not be examined in essence due to reasons beyond the control of the SLI inspector (the company was liquidated; the employer did not cooperate)
2020	2	1 – partially confirmed; 1 – the application could not be examined in essence due to reasons beyond the control of the SLI inspector
2021	1	1 – partially confirmed

Data source: SLI

The SLI, from 2018 to 2021, has established 2 violations of the requirements of Article 109, Paragraph 1 of the Labour Law (2018 - 0, 2019 - 1, 2020 - 0, 2021 - 1). An administrative penalty has been imposed on the employers for all the mentioned violations.

Please see also [the judgement of the Daugavpils` Court of the Republic of Latvia of 12 January 2018 in the case No.C12287817 regarding reinstatement in the annex of this report.](#)

#### Redress in case of unlawful dismissal

The Remuneration Law does not regulate issues affecting employment legal relations, therefore, in this case, the rules of the Labour Law are applicable - Article 109, prohibitions and restrictions on the notice of termination by the employer of the first paragraph, which stipulates that the employer is prohibited from giving a notice of termination of an employment contract with a pregnant woman, as well as with a woman during the period following childbirth up to

one year, but if a woman is breastfeeding, - during the whole period of feeding, but not longer than until the age of two years of the child, except for the cases specified in Article 101, Paragraph 1, Clauses 1, 2, 3, 4, 5, and 10 of this Law. Concerning a pregnant woman, it is necessary to assess the legal basis indicated in the notice of termination - whether it complies with any of the provisions of Article 101, Paragraph 1, Clauses 1, 2, 3, 4, 5 and 10 of the Labour Law.

In accordance with Article 2, Paragraph 7 of the Remuneration Law, employment legal relationships, legal relations of office or rules of laws and regulations governing the course of service shall be applicable to officials and employees employed in State and municipal institutions insofar as it is not determined by this Law. Taking into account that the Remuneration Law does not regulate issues relating to the right to receive compensation in the event of unlawful dismissal, then Chapter 29 of the Labour Law on rules regarding terminating employment legal relations is applicable in this matter. This also applies to employees on fixed-term contracts. As it is mentioned in Article 44 "Fixed-term employment contract", paragraph 6 of the Labour Law - the same rules apply to an employee with fixed-term contract as an employee with whom an employment contract has been concluded for an indefinite period. At the same time, we would like to inform that the State Chancellery does not have information on whether and how many applications for reinstatement have been submitted directly in relation to employees made redundant during pregnancy or maternity leave.

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

N/A

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

- a) *Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that in case of exemption from work related to pregnancy and maternity, the woman concerned is entitled to paid leave.*

In 2018 - 2021, there were no changes to the legal framework.

- b) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

N/A

**5. 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.**

- a) *Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that the women concerned retain the right to return to their previous employment at the end of the protected period.*

On May 27, 2021 amendments were made to the Labour Law (came into force on August 1, 2021) expressing Paragraph 2 of Article 134 in a new wording and prescribing that an employer shall determine part-time work if it is requested by a pregnant woman, a woman during the period following childbirth up to one year, but if the woman is breastfeeding - in the whole period of breastfeeding, and also by an employee with a disability, an employee who has a child up to 14 years old or a child with a disability up to 18 years old, or an employee who is a parent caring for an adult with a disability from childhood requiring special care.

In 2018 - 2021, there were no changes to Article 99 of the Labour Law. The Article 99 of the Labour Law still prescribes that:

“Article 99. Obligation of an Employer to Amend Provisions of an Employment Contract

(1) 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 the obligation to ensure such working conditions and working time for the pregnant woman as would prevent her exposure to the abovementioned risk. If it is not possible to ensure such working conditions or working time, the employer has the obligation to temporarily transfer the pregnant woman to a different, more appropriate job. The amount of remuneration after making amendments to the employment contract may not be less than the previous average earnings of the woman.

(2) If such transfer to another job is not possible, the employer has the obligation to grant the pregnant woman with a temporary leave. During the period of such granted leave the previous average earnings of the pregnant woman shall be maintained.

(3) The provisions of this Article shall also apply to a woman during the period following childbirth up to one year, but if a woman is breastfeeding, during the whole period of breastfeeding.”

*b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

N/A

## **Article 16 – The right of the family to social, legal and economic protection**

### **Excerpts from the ECSR’s case law**

Article 16 of the Charter applies to all forms of violence against women and domestic violence and States Parties are required to ensure an adequate protection against such violence in both law and practice. It follows that States Parties must show due diligence in deploying measures such as restraining orders penal sanctions for perpetrators, adapted judicial procedures, and adequate compensation for victims, and training, particularly for police officers and other working directly with victims as well as collection and analysis of reliable data. States must ensure provision of shelter or protected accommodation for victims or for women at risk of violence, as well as services to reduce the risk of violence and support and rehabilitate victims. Victim empowerment should also be strengthened through early advice and protection measures as well as minimum or supplemented income for victims or would-be victims.

States Parties are required to ensure the economic protection of the family by appropriate means. The primary means should be family or child benefits provided as part of social security, available either universally or subject to a means-test.

Family benefits must constitute an adequate income supplement for a significant number of families. Adequacy is assessed with respect to the median equivalised income (Median equivalised income (Eurostat): the income of a household is established by summing all monetary income received from any source by each member of the household. In order to

reflect differences in household size and composition, this total is divided by the number of "equivalent adults" using a standard scale (the so-called modified OECD equivalence scale). The resulting figure is attributed to each member of the household.).

**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**

- a) *Please provide updated information on measures taken to reduce all forms of domestic violence against women including information on incidence and conviction rates.*

It is possible to receive social rehabilitation service for adult victims of violence repeatedly, as well as to receive separate consultations after the established course of services. Within the framework of the service, support is provided both to cover transport costs for getting to the service provider and, if necessary, accommodation (up to two months) when providing the service in a crisis centre.

In accordance with the Law on Social Services and Social Assistance, victims of violence have the right to receive a social rehabilitation service as adult persons who have suffered violence with the State budget funds who are staying in Latvia with a temporary residence permit, as well as persons who are third-country nationals or stateless persons and who do not have a legal basis to stay in Latvia, and who have been detained temporarily (until the moment of removal or departure) to whom alternative means of detention have been applied. These rules also apply to third-country nationals whose return decision has been suspended or for whom a period of voluntary departure has been granted (since April 4, 2022).

A **social rehabilitation service for perpetrators** of violence has been provided from the State budget since 2015 and its purpose is to help an adult person who has committed violence to identify the consequences of the use of physical and psychological violence and to reduce the manifestations of violence against others (family, partner, children, other adult persons). The service is provided in the form of individual consultations or group therapy without accommodation during the receipt of a social rehabilitation service as close as possible to the place of residence of the person (there are appropriately trained specialists throughout the territory of Latvia).

The service can be received by a wide range of persons (both men and women) - both persons against whom the record-keeping of an administrative offense has been initiated for committing an administrative offense related to violence, or criminal proceedings for the commission of a criminal offence related to violence or threats of violence, both for which the State or municipal police, social service office or orphan's court have information that the person has behaved violently or has made threats to use violence. In order to prevent possible violence as a preventive measure, persons who fear that they might behave violently or admit that they have committed violence may also receive a social rehabilitation service.

Since 1 July 2021, in accordance with the provisions of Article 250.47, Paragraph one of the Civil Procedure Law, the range of means of temporary protection against violence has been supplemented with a new remedy, giving the court the opportunity to impose an obligation on a person to acquire a social rehabilitation course for the reduction of violent behavior. Until February 1, 2022, such an obligation was imposed in 125 cases.

According to the data of the Ministry of Welfare the social rehabilitation service for the reduction of violent behavior in 2021 was received by 441 persons, of which 154 women and 287 men, in 2020 - 492 persons, of which 251 women and 241 men, while in 2019 - 509 persons, of which 273 women and 236 men.

In cases of cyberviolence, a temporary remedy is especially relevant - a ban on the perpetrator of violence to communicate with the victim in any way and a ban on the use of the victim's personal data. The prohibition on communicating with the victim imposes restrictions on the use by the perpetrator of the violence of means of communication, including electronic ones, such as electronic mail or social networks, as well as any other means of transmitting information in order to contact the victim. On the other hand, the prohibition on the use of the injured party's personal data imposes a restriction on the processing, publication, communication or other use of the personal data to be protected in any way, except in procedural actions relating to legal proceedings. Since January 1, 2018, a form of cyberviolence – stalking – has been criminalised.

In 2021, a Summer School was held for social workers to work with adults who had been victims of violence and had committed violence. Within the framework of the summer school, in-depth acquisition of competencies was provided on methodology for social work with victims and perpetrators of violence developed within the framework of the EU co-funded project "Development of Professional Social Work in Municipalities" and its implementation in practice, including such aspects as communication aspects in work with victims of violence and perpetrators of violence with families with children who have experienced violence, work with a victim of violence and a person who has committed violence. The Summer School was attended by 18 social workers from different municipalities who are specialized in work with the victims of violence.

Regarding to a deeper understanding of human trafficking, a Summer School for social workers is held in August this year. The following topics is being included in the summer school program: human trafficking and its types; recognition of trafficking and action to provide further support to victims of trafficking; psychological aspects of communication with victims of trafficking; aspects of trafficking in the field of migration and asylum, protection of children's rights; types of social services and opportunities for providing support to victims of human trafficking in Latvia; gender aspects in preventing trafficking and receiving psychosocial support; Inter-institutional co-operation in solving cases of human trafficking, including the competence and co-operation opportunities of municipal social services and NGOs in providing support to victims of human trafficking, as well as activities to improve communication, communication, self-reflection, leadership skills and exchange of good practices. The summer school be attended by 40 social workers from different municipalities.

Following procurement procedure, in 2018 the Ministry of Welfare signed a contract to develop a Methodology for Social Work with Victims of Violence and Perpetrators during 20 months period. The contract included development of three key results: methodological material, on-site training program and online course module. A team that worked on the methodology included high level experts from 3 most experienced non-governmental organisations on violence issues – centre Marta, centre Dardedze and crisis and consultation centre Skalbes – covering both domestic violence and child abuse issues, and training centre MKB, Ltd which focused on social work with perpetrators.

Main target group of this methodology are social workers who are employed by municipal social services, but it can be used by social workers in general. Methodology describes violence as a social problem, provides in depth knowledge about violence, its risk factors, characteristics and effects, systemic proposals on interprofessional collaboration and professional borders and guidelines for effective case management including combined cases of violence and intervention planning based on child's best interests. By using the methodology social workers can faster recognise signs of violence and are better equipped with tools to ensure safety and support for the client.

Methodological material and on-site training program were approbated among 30 social workers from 17 municipalities within 6 months pilot project in 2019. Open call for participating in the pilot project was sent to all municipal social services and based on certain criteria (professional education degree, current number of clients who are victims or perpetrators, etc.)

a pilot group was formed, covering all regions of Latvia and different types of municipalities (cities, towns, rural regions). A cooperation contract between the Ministry of Welfare and each municipality regulated the amount of involvement for each social worker. Results of the pilot project were satisfying, social workers admitted that they appreciated the methodology and specifically having gained a new perspective and understanding of violence in general and valuable tools for everyday work.

As the methodology is published, the training courses on methodology are continued to be offered. Between 2020 and today on-site training program have completed 124 social workers and by the end of 2023 it is expected that 66 more social workers will complete the training program, thus 190 social workers in total.

The third component of the methodology is online course module which is much shorter than on-site training program thus more concentrated on the main factors of the content in the methodology. Online course is self-guided and publicly available two to three times a year for anyone, in this way it's possible to provide professional competence training on violence also to social work students and other professionals. Between September 2020 and May 2022 online course was completed by 675 individuals.

In addition, cultural activities are also important for educating the public on the issues of violence, as well as in prevention. In 2020, during the International New Theatre Festival Homo Novus, the exhibition "Museum of Material Evidence" was held. It is a documentary exhibition in a private apartment that focuses on women's experiences of abusive relationships in the family and at home. The museum's collection consists of everyday objects - witnesses of domestic violence, which have been sent to the museum together with the story by women from different parts of Latvia. The museum's collection is still available on the website, and it invites every woman who has been a victim of domestic violence to send her story to the museum and talk about what she has experienced. (The museum's collection is still available on the website, and it invites every woman who has been a victim of domestic violence to send her story to the museum and talk about what she has experienced.)

In 2020, the specific support objective 9.2.1 "To increase the efficiency of the work of social services and professionalism of employees for working with persons in risk situations" of the operational program "Growth and Employment" of the EU Structural Funds and Cohesion Fund for the 2014-2020 programming period " Development of Professional Social Work in Municipalities" project No. 9.2.1.1/15/I/001 Within the framework of " Development of Professional Social Work in Municipalities ", the Ministry of Welfare in cooperation with experts of the foundation "Centrs Dardedze", the association "Skalbes", the association "Centrs MARTA", SIA "Mācību centrs MKB" and SIA "Ideju kapitāls" has developed "Methodological material for social work with victims and perpetrators of violence". The methodological material is available in printed form in the social services of local governments, but in electronic format is available to any interested person on the website of the Ministry of Welfare: [Metodiskie materiāli | Labklājības ministrija \(lm.gov.lv\)](#).

Annually the Ministry of Welfare organizes conferences/seminars dedicated to the aspects of domestic violence and violence against women with the aim of strengthening inter-institutional cooperation in solving cases of violence, as well as in order to raise public awareness of the topicality of domestic violence and at the same time reduce tolerance to violence. In 2019, in cooperation with the Nordic Council of Ministers, an international conference "Inter-institutional cooperation in solving cases of violence: from prevention to rehabilitation" was organized. The aim of the conference was to share experiences on foreign and Latvian good practices in effective inter-institutional cooperation and violence prevention among both young people and adults. Experts from Sweden shared their experience and rehabilitation programmes in dealing with abused persons. For his part, the Canadian expert presented a developed index of suspicions that can be used by employees of first-contact institutions in cases of violence against the elderly.

In 2020, 5 online regional seminars were organized on "Sexual violence against an adult in the

family. Inter-institutional cooperation and support opportunities". In turn, in 2021, attention was paid to emotional abuse and an online seminar "Emotional abuse. Inter-institutional cooperation in case resolution and support opportunities". The seminars were attended by social work specialists of the State, local government and non-governmental organizations, State and municipal police officers, psychologists and experts of other fields, whose daily work is related to the recognition and prevention of violence, as well as the provision of support to victims of various forms of violence.

*b) For States Parties not having accepted Article 31, please provide updated information on the availability of adequate affordable housing for families.*

N/A

*c) Are family or child benefits provided subject to a means-test? If so, what is the percentage of families covered?*

There are no means-tested family or child benefits in Latvia.

State social benefits are financed from the State's basic budget, and thus the amount of these benefits depends on the State's financial capabilities and political decisions. State social benefits are considered universally payable benefits, without assessing the income situation of the beneficiary (or household).

*d) Please provide information about the amounts paid in child/family benefit as well as the median equivalised income for the reference period.*

The amount of state family benefit during the period 2018-2021 was 11.38 EUR per month for the first child; 22.76 EUR per month for the second child; 34.14 EUR per month for the third child; and 50.07 EUR per month for the fourth and any other children.

During the period March 1, 2018 – December 31, 2021 the supplement to state family benefit was paid and families with two or more children were entitled to additional benefit: 10 EUR per month for families with two children; 66 EUR per month for families with three children; 116 EUR per month for families with four children; 166 EUR per month for families with five children; 216 EUR per month for families with six children, and so on.

Currently starting from January 1, 2022 families are entitled to benefit 25 EUR per month for the first child; for two children 100 EUR (50 EUR per each); for three children 225 EUR (75 EUR per each); for four and any other children 100 EUR for each till he/she reaches 20 years of age.

State social benefits:

- Supplement to family state allowance for a child with a disability – EUR 106.72 per month (in 2021 this benefit was received on average for 8155 children per month),
- Care allowance for a child with disability – EUR 313.62 per month (in 2021 this benefit was received on average for 2750 children per month).

From 1 September 2020 those persons who, in accordance with the Law on State Social Insurance, are socially insured and for which State social insurance contributions have been made or had to be made in the Republic of Latvia according to the relevant type of insurance for not less than three months in the period of the last six months before the month in which the insurance event occurred or not less than six months in the period of the last 24 months before the month in which the insurance event occurred are entitled to maternity, paternity, parental and sickness benefits.

Parental benefit is paid to socially insured people taking care of children aged up to 1,5 years. A choice is possible regarding parental benefits; to receive the benefit until the child is one

year old or until the child is one and a half year. The benefit calculation is based on average contribution wage of the beneficiary; 60% in case of shorter benefit duration or 43,75% in case of longer benefit duration.

Child care benefits (EUR 171 per month) are paid to people care of children aged up to 2 years (for persons who are raising children aged under 1.5 - EUR 171 per month per child; for persons who are raising children aged between 1.5 to 2 - EUR 42.69 per month per child). Both socially insured parents (employed or self-employed) and non-socially insured parents have the right to receive child care benefit.

**Median income per equivalent consumer (EUR per month)**

Year	EUR
2018	682.27
2019	735.58
2020	786.45
2021	854.81

Data source: Central Statistical Bureau

*e) Is there a length of residence requirement imposed on nationals of other States Parties lawfully resident in your country for eligibility to child/family benefits?*

There is no length of residence requirement regarding family benefits. According to the Law on State Social Allowances Latvian citizens, non-citizens, foreigners, and stateless persons to whom a personal identity number has been granted, who have an active status in the Register of Natural Persons and who permanently reside in the territory of Latvia have the right to State social allowances.

To tackle the issues related to labour migration and cross border economic activity permanent place of residence was defined.

According to amendments of November 24, 2020 - the permanent place of residence is the place where a person actually resides and where his/her centre of habitual interests is located. In case of doubt, at the request of the State Social Insurance Agency, the person has the obligation to submit evidence confirming that the person permanently resides in the territory of Latvia and that Latvia is his/her centre of habitual interests.

When examining whether a person or a child permanently resides in the territory of Latvia, the State Social Insurance Agency shall evaluate the centre of habitual interests of the person and the child by considering the following criteria:

- 1) the nature of employment (whether an employment contract has been entered into for at least two years);
- 2) whether the person is paying the salary tax and making mandatory State social insurance contributions in Latvia;
- 3) the duration and continuity of residence in the territory of Latvia (has the address of the declared place of residence or/and additional address);
- 4) whether the child acquires education in Latvia and the duration of the acquisition of education;
- 5) housing situation (whether a permanent housing is in the ownership or a rental contract has been entered into that has been registered in the Land Register or the State Revenue Service);
- 6) information on the granted local government social allowances and services.
- 7) documents submitted by the person which prove that the person in the respective period of time has performed economic activity in Latvia, documents relating to continuous receipt of medical treatment services in Latvia and other documents.

*f) What measures have been taken to ensure that vulnerable families can meet their*

*energy needs, in order to ensure their right to adequate housing (which includes access to essential services)?*

Support for electricity payments has been provided by the State since 2016. In 2018, the support was applied to all components of the electricity bill: for consumed electricity, distribution system services and mandatory procurement component. It was applied to such groups of protected users as poor and low-income persons, large families, as well as persons with I disability group and families with disabled children. More than 80,000 protected users received monthly support.

In 2020, during the Covid-19 pandemic, the procedure for compensating electricity bills was not changed. The amount of support was revised in 2021, when the rapid rise in the prices of energy resources began.

On September 1, 2021, the Regulations of the Cabinet of Ministers No. 345 "Regulations Regarding Trade Service of the Protected User" entered into force, which changes the procedure and amount of payment reduction or support payments for the allocation of electricity to protected users. These Regulations state that in the future, the State Construction Control Bureau of Latvia will inform citizens about the granting or termination of support. On November 1, 2021, changes in the Regulations came into force, which provide for changes in the amount of support for protected users and changes regarding the procedure for applying support.

From November 1, 2021 to December 31, 2022, the amount of support per month was as follows:

- for large families – 20 EUR;
- persons with group I disability – 15 EUR;
- for families (persons) who have a child or children with disabilities in their care – 15 EUR (for each child);
- for poor or low-income households (persons) – 15 EUR.

Since September 1, 2021, a new mechanism for service provision has been introduced, which provides for the following significant improvements compared to the previous one:

- support does not need to be applied for, it is granted automatically as a discount on the electricity bill – the first support system of its kind in Latvia;
- the service can be provided by any electricity trader – there are no restrictions on user choice or free electricity market competition;
- thanks to the automated process and the possibility for any electricity trader to provide the service, support reaches more protected users (in Latvia there are approximately 170 000 protected users in total);
- a solution has been developed, so that sub-users (residents of multi-apartments, social housing, tenants) can also receive the service by applying to the service provider and specifying the contract number under which the sub-user receives electricity;
- a simplified amount of support was introduced – a fixed and known amount of support;
- protected users who meet several categories receive the total amount of support (example – a large family with a child with a disability receives 20+15=35 EUR/month);
- maintenance debtors do not receive support;
- every user can check their protected user status on the portal [www.latvija.lv](http://www.latvija.lv).

*g) If specific temporary measures were taken to financially support vulnerable families during the Covid-19 pandemic, will they or are they expected to they been maintained or withdrawn? If they have been withdrawn, what effect is this expected to have on vulnerable families?*

In order to reduce the negative impact and tension caused by the spread of the Covid-19 infection in families with children, persons raising a child were provided with one-time support in 2021 amounting 500 EUR for each child.

- h) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

Domestic violence against women

		Year	2017	2018	2019	2020	2021
<b>Total <u>number of adults</u> receiving social rehabilitation services</b>			<b>434</b>	<b>596</b>	<b>631</b>	<b>633</b>	<b>476</b>
From them	<b>After emotional abuse</b>		<b>164</b>	<b>256</b>	<b>341</b>	<b>393</b>	<b>197</b>
	Including	Inside of Family	148	236	308	311	161
		Outside of Family	16	20	33	82	36
	<b>After physical violence</b>		<b>20</b>	<b>88</b>	<b>69</b>	<b>52</b>	<b>67</b>
	Including	Inside of Family	15	88	68	30	46
		Outside of Family	5	0	1	22	21
	<b>After sexual abuse</b>		<b>5</b>	<b>4</b>	<b>6</b>	<b>9</b>	<b>7</b>
	Including	Inside of Family	2	2	1	4	3
		Outside of Family	3	2	5	5	4
	<b>After economic violence</b>		<b>2</b>	<b>9</b>	<b>12</b>	<b>2</b>	<b>1</b>
	Including	Inside of Family	2	9	9	2	1
		Outside of Family	0	0	3	0	0
	<b>After persecution (violent control)</b>		<b>5</b>	<b>10</b>	<b>3</b>	<b>4</b>	<b>6</b>
	Including	Inside of Family	4	10	3	2	4
		Outside of Family	1	0	0	2	2
	<b>By a combination of several types</b>		<b>238</b>	<b>229</b>	<b>200</b>	<b>173</b>	<b>198</b>
	Including	Inside of Family		225	198	183	164
Including		physical violence has also been reported	171	149	176	179	137
		sexual abuse has also been reported	10	0	6	3	2
		physical and sexual abuse has also been reported	14	13	15	18	39
Outside of Family		13	31	17	9	7	
Including		physical violence has also been reported	3	10	17	18	4
		sexual abuse has also been reported	4	2	3	1	0

			physical and sexual abuse has also been reported	0	5	4	2	4
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Data source: Ministry of Welfare

		Year	2017	2018	2019	2020	2021	
<b>Total <i>number of children</i> receiving social rehabilitation services</b>			<b>1 888</b>	<b>1 953</b>	<b>1 970</b>	<b>1 550</b>	<b>996</b>	
From them	<b>After emotional abuse</b>		<b>756</b>	<b>950</b>	<b>1 012</b>	<b>944</b>	<b>534</b>	
	Including	Inside of family	594	743	832	796	477	
		Outside the family	162	207	180	148	57	
	<b>After physical violence</b>		<b>195</b>	<b>198</b>	<b>115</b>	<b>71</b>	<b>22</b>	
	Including	Inside of family	159	148	82	58	20	
		Outside the family	36	50	33	13	2	
	<b>After sexual abuse</b>		<b>104</b>	<b>121</b>	<b>93</b>	<b>59</b>	<b>47</b>	
	Including	Inside of family	54	69	44	24	19	
		Outside the family	50	52	49	35	28	
	<b>After neglect (after parental negligence)</b>		<b>266</b>	<b>183</b>	<b>249</b>	<b>176</b>	<b>55</b>	
	Including	Inside of family	262	177	236	173	55	
		Outside the family	4	6	13	3	0	
	<b>By a combination of several types</b>		<b>567</b>	<b>501</b>	<b>501</b>	<b>300</b>	<b>338</b>	
	Including	Inside of family		486	422	409	259	304
		Including	physical violence has also been reported	271	214	287	263	147
sexual abuse has also been reported			24	39	30	19	14	
physical and sexual abuse has also been reported			18	25	10	15	8	
Outside the family		81	79	92	41	34		
Including		physical violence has also been reported	39	54	41	33	17	
		sexual abuse has also been reported	19	22	19	19	11	
		physical and sexual abuse has also been reported	11	5	11	2	0	

Data source: Ministry of Welfare

In order to reduce public tolerance of violence, to raise public awareness of the topicality of domestic violence and to provide coordinated support of the institutions involved to victims of violence, in 2017-2018 two projects co-financed by the EU program "Rights, Equality and Citizenship" for 2014-2020 were implemented ("*ONE STEP CLOSER: Coordinated Community Response to Violence Against Women*" and "Awareness-raising campaigns on zero tolerance for women victims of violence "Violence likes silence"").

Within the framework of both projects, significant attention was paid to strengthening cooperation between the various institutions involved in order to introduce a model of

cooperation between institutions that puts the victim of violence and his needs at the centre. Concurrently, public awareness activities have been carried out within the framework of the projects, educating and involving regional media, as well as developing and distributing informative materials for women and fellow human beings who have suffered, as well as implementing measures in order to prevent the risks of violence already preventively when working with young people. The cooperation practice initiated and tried within the framework of the project has now been implemented throughout the country, incorporated in the Regulations of the Cabinet of Ministers Nr.161 "Procedures for preventing threats of violence and ensuring temporary protection against violence" (amended on August 1, 2020) which allows social services to receive information from the police within one working day, in an operational way about cases of violence, both for those that occur repeatedly and are already in the sights of the services, as well as for families and clients who have not approached the service so far. Prevention of gender-based violence and domestic violence is one of the lines of action in the Plan for the Promotion of Equal Rights and Opportunities of Women and Men for 2021-2023, which was approved at the meeting of the Cabinet of Ministers on 17 August 2021. The plan includes measures to promote zero tolerance for the prevention of gender-based and domestic violence. The activities include activities for young people, encouraging young people to discuss building respectful and non-violent relationships and recognising violence, as well as training for specialists and various support measures.

In 2020, within the European Union Structural Funding 2014-2020 project no. 9.2.1.1/15/I/001 "Development of Professional Social Work in Municipalities" (hereinafter - the Project) the Ministry of Welfare in cooperation with the experts of the foundation "Centrs Dardedze", the association "Skalbes", the association "Centrs MARTA", LLC "Mācību centrs MKB" and LLC "Ideju kapitāls" developed "Methodological material for social work with victims and perpetrators of violence" (hereinafter referred to as the "Methodology").

The aim of the development of the Methodology is to provide methodological support to social workers practicing in municipal social service office, who work with victims and perpetrators of violence on a daily basis. The Methodology is dedicated to the recognition of the phenomenon of violence and violence as a social problem and the theories explaining these issues; to get acquainted with the practice of social work in cases of violence, ethical dilemmas, issues of prevention, management of specific cases, as well as to identify resources and competencies in dealing with cases of violence in order to be able to successfully communicate with victims and perpetrators of violence. In the Methodology special emphasis is placed on interdisciplinary and inter-institutional cooperation and examples of good practice.

Within the framework of this Methodology, methodological material has been developed, which is available in printed form in municipal social service offices. It is also available in electronic format on the website of the Ministry of Welfare: <https://www.lm.gov.lv/lv/metodiskie-materiali-0>. In addition, an in-depth 100 h training course was prepared, which was implemented for the first time at the end of 2019 by providing training for 28 employees from 16 municipalities within the pilot project during the development of the methodology. From the 4<sup>th</sup> quarter of 2020 until quarter 1 of 2022, another 124 social workers from 40 different local governments acquired training. As the project continues, it is planned that in-depth training will be provided by the end of 2023 for at least 30 more social workers.

Within the framework of the methodology, an online training module has been prepared, which can be acquired in a 6-week cycle and which can be acquired through the study system of the School of Public Administration. The first group started training at the end of September 2020, but in total more than 700 participants from municipal social service offices, social service providers' organizations, the State Probation Service, as well as other interested parties have used e-learning module. Online training will be provided till the end of 2023, with two groups training each year with an indicative 100 participants in each group. If appropriate financial resources are allocated, the Ministry plans to continue training for social workers.

Ministry of Welfare in cooperation with NGO "Centre MARTA" in October 2022 organized

workshops and discussions for young people on how to build non-violent and respectful relationships based on the principle of gender equality. Four workshops for young people aged 15 to 19 were held in different cities of Latvia, during which, with the help of informal education methods, youth mentors from “Centre MARTA” talked about healthy relationship building, harmful gender stereotypes and how to recognize signs of discrimination and violent behaviour in a relationship.

The draft law prepared by the Ministry of Justice which aims at strengthening cooperation and exchange of information between the State and local government institutions involved in the fight against domestic violence was not supported. Consequently, other tools were chosen, with which it is possible to influence human behavior before it threatens the safety of other people. Thus, continuing the changes in legal acts initiated in 2014 to prevent domestic violence, on March 25, 2021, appropriate amendments were made to the Civil Procedure Law. Since July 1, 2021, the court can apply a new temporary means of protection against violence - the obligation for the person who committed the violence to take courses to reduce violent behavior (Article 250.<sup>47</sup>, paragraph One, Clause 7.<sup>1</sup>; Article 250.<sup>54A</sup> of the Civil Procedure Law). By its very nature, this temporary measure of protection is aimed at preventing and reducing the risks of further violence in the long term, acting as a preventive measure. This is especially important in cases where the violence took place in a family, including a family where children are growing up. The court can also apply this remedy on its own initiative. The defendant (violent person) must take a social rehabilitation course to reduce violent behavior within a year from the day of receiving the court decision (Article 250.<sup>59</sup>, paragraph 4.<sup>1</sup> of the Civil Procedure Law). Failure to fulfill this obligation is subject to criminal liability (Article 168.<sup>1</sup> of the Criminal Law).

In connection with the obligation for the defendant to take a social rehabilitation course to reduce violent behavior, amendments were made to the Regulations of Cabinet of Ministers of March 25, 2014, No. 161 "The procedure for preventing the threat of violence and providing temporary protection against violence". This legal act determines the activities of the State Police, monitoring compliance with the mentioned temporary means of protection against violence. In the development of these legal acts, representatives of not only state administrative institutions, but also local governments and their institutions, as well as providers of violent behavior reduction services (NGOs) were involved.

On January 20, 2022, amendments to the Law "On the Police" were adopted. These amendments stipulate that the police can decide to separate a person who poses a threat from a protected person without a written application from the protected person. The changes apply to situations where there is an immediate threat of violence, but the protected person refuses to apply for a separation decision.

Thus, new temporary measures of protection against violence have been established in Latvian legal acts, and thus the previously developed draft law has lost its relevance.

Article 6, Paragraph three of the Law on the Protection of Children’s Rights provides for that protection of the rights of the child shall be implemented in collaboration with the family, State and local municipal authorities, public organizations, and other natural persons and legal persons. The organization of institutional cooperation and the procedures for implementing the protection of children's rights shall be determined by the Cabinet of Ministers. According to the Regulations of the Cabinet of Ministers No.545 of 12 September 2017 “Provisions on the cooperation of institutions in the field of the protection of children’s rights” institutions, taking into account the matters and objectives which are in their competence, implement the protection of children’s rights in the framework of the cooperation groups on the protection of children’s rights (established by local governments) and the national Council of Cooperation on Matters Concerning Children.

The cooperation groups are consultative collegial institutions established by local municipalities, its area of operation is the administrative territory of the local municipality. The

cooperation group comprises members of municipal police or State Police, social service, educational board or educational specialist, Orphan's and Custody Court. Depending of the circumstances representatives from other institutions may be invited to join the cooperation group.

Article 65.<sup>4</sup> of the Law on the Protection of Children's Rights provides for that the national Council is an advisory collegial body the objective of which is to promote a unified understanding on the conformity with the principle of priority of a child's interests in local government and State action policies, and also to promote coordinated activity of authorities, including cooperation groups, in the protection of children's rights. The Council shall be established, its tasks and composition shall be determined, and the by-laws of operation shall be approved by the Minister for Welfare.

The State Inspectorate for Protection of Children's Rights has made an assessment<sup>7</sup> of the implementation of the Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 "Provisions on the cooperation of institutions in the field of the protection of children's rights" and has developed recommendation on the necessary measures how to further improve interinstitutional cooperation in matters related to the protection of children's rights<sup>8</sup>.

#### Equal access to family benefits

Please see information provided under Point d) and e) of this Article.

#### Measures in favour of vulnerable families

Roma integration policy measures have been developed in the framework of the Plan for Implementing Measures of the Roma Strategic Framework 2022-2023 (hereinafter – the Plan). The Plan has been prepared in order to ensure the implementation of Article 1 of the EU Council Recommendation on Roma equality, inclusion and participation (2021/C 93/01) adopted on March 12, 2021. The plan has been prepared in order to promote the participation of Roma in various fields of public life: education, employment, health, housing, civil society, culture etc.

Since 2016, within the framework of the EU program "Rights, Equality and Citizenship", the Ministry of Culture (hereinafter – MoC) has been implementing the Latvian Roma Platform project which aims at promoting dialogue between the Roma community and civil society organisations as well as developing effective coordination of the Roma integration policy.

The Latvian Roma Platform project ensures the implementation of measures both at local and regional level, for example support for Roma NGOs, exchange of experience activities and information seminars for experts from municipality and Roma representatives. Educational activities on Roma culture and history with a focus on the Roma genocide during World War II, constitute an important direction of the project.

In order to raise awareness among the wider public about culture, history and social issues of the Latvian Roma as well as about the negative impact of prejudices and stereotypes on the situation of Roma, the MoC organised activities within the framework of the Council of Europe Dosta! campaign on a regular basis during the period from 2015 to 2020.

From August 17, 2020 to August 16, 2021 MoC implemented the project "Latvian Roma Platform V". From September 1, 2021 to August 31, 2023, the project "Latvian Roma Platform VI" is implemented.

In total, 230 participants from 17 cities and counties took part in the events of the "Latvian Roma Platform V" project, incl. 126 representatives of state administrations and municipalities, 66 Roma and 18 NGOs, experts from European Union organizations and other interested parties.

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<sup>7</sup> Pētījums par starpinstitūciju sadarbību bērnu tiesību aizsardzībā | Valsts bērnu tiesību aizsardzības inspekcija (bti.gov.lv).

<sup>8</sup> Metodiskās vadlīnijas "Starpinstitūciju sadarbība bērnu tiesību aizsardzībai pašvaldībās": [download \(bti.gov.lv\)](#).

In 2021 the following activities were implemented and services provided within the framework of both projects:

1) the service of Roma mediators in Latvian municipalities, training for mediators on the development of communication and cooperation skills, as well as evaluation of the work of mediators and a seminar on the exchange of good practices;

2) an online meeting of regional experts, where the results of the activities of the Network of Regional Experts on Roma Integration and the possibilities for future cooperation were discussed;

3) a seminar on the development of the working practices of Roma teaching assistants, where the participants were introduced to the tasks and responsibilities of Roma teaching assistants and the possibilities of attracting funding;

4) support for measures to promote the participation of Latvian Roma women, measures to strengthen Roma civil society, as well as measures to raise awareness about the Roma community;

5) a seminar on the collection and use of sensitive data in policy planning processes, in which the experts of the European Union Agency for Fundamental Rights informed about the possibilities of collecting and using data on Roma and other minorities, considering the provisions of the General Data Protection Regulation;

6) meeting with representatives of the European Roma Art and Culture Institute to develop cooperation between Latvian, Lithuanian and Estonian Roma NGOs and activists.

In 2024 MoC plans to conduct the research on the situation of Roma in Latvia.

Within framework of the project "KNOW AND GET GOING!", and based on the individual needs of each youngster, a set of measures has been implemented that increases the motivation and interest of young people to return to education or to the labour market. Roma NEET youth have opportunities to receive support within the project. Roma mediators encourage Roma NEET youth to use the project's support opportunities. The event is implemented within the framework of the 2014 – 2020 ESF action program "Growth and Employment" and its specific support goal No. 8.3.3. "Developing the skills of NEET youth and promoting their involvement in education, in the activities implemented by the SEA (State Employment Agency/NVA) as a part of the Youth Guarantee and in the activities of non-governmental organizations or youth centres" and its specific support goal No. 14.1.1. "Recovery measures in the education sector" and the measure No. 14.1.1.2. thereof "Support for NEET young people" (project No. 8.3.3.0/15/l/001).

#### Participation of associations representing families

According to procedures NGOs must be involved both in the drafting of law or regulations of the Cabinet of Ministers amendments and in the development of policy planning documents. All the NGOs interested to express their opinions and provide propositions may do so.

### **Article 17 – The right of children and young persons to social, legal and economic protection**

#### **Excerpts from the ECSR's case law**

The ECSR has noted with concern the increasing number of children in Europe registered as stateless, as this will have a serious impact on those children's access to basic rights and services such as education and healthcare. In 2015, UNHCR estimated the total number of stateless persons in Europe at 592,151 individuals. Therefore, the ECSR examines what measures have been taken by States Parties to reduce statelessness (such as ensuring that every stateless migrant child is identified, simplifying procedures to ensure the acquisition of nationality, and identifying children who were not registered at birth).

The prevalence of child poverty in a States Party, whether defined or measured in either monetary or multidimensional terms, is an important indicator of the effectiveness of state

efforts to ensure the right of children and young persons to social, legal and economic protection. The obligation of States Parties to take all appropriate and necessary measures to ensure that children and young persons have the assistance they need is strongly linked to measures directed towards the amelioration and eradication of child poverty and social exclusion. Therefore, the Committee will take child poverty levels into account when considering the state's obligations in terms of Article 17 of the Charter.

The Committee recalls that Article 17§2 of the Charter requires States Parties to establish and maintain an educational system that is both accessible and effective (Conclusions 2011). The Charter provides that the obligations under this provision may be met directly or through the involvement of private actors. The Committee notes further that in many states private education is also available.

The Committee is also mindful in this respect of the *Abidjan Guiding Principles on the human rights obligations of States to provide public education and to regulate private involvement in education*. It recalls that the requirement that States respect the freedom of parents to choose an educational institution other than a public institution leaves unchanged the obligation under the Charter to provide free quality public education. Similarly, the offer of educational alternatives by private actors must not be to detrimental to the allocation of resources or otherwise undermine the accessibility and quality of public education. Moreover, States are required to regulate and supervise private sector involvement in education strictly by making sure that the right to education is not undermined.

The closures of schools and other educational institutions during the pandemic have unmasked and exacerbated pre-existing inequalities in education, raising issues in terms of Articles 10, 15, 17, and Article E of the Charter. The necessary recourse to remote learning during lockdown periods has highlighted and exacerbated the issue of digital exclusion. There is a generalised risk of learning loss and a development gap that for many children, and also for a number of adolescents and adults, will be difficult if not impossible to make up. In many instances, a move from face-to-face teaching has severely impacted on access to, and the quality of education enjoyed by, children with disabilities and special educational needs, with implications for Article 15 and Article 17 of the Charter.

Under Article 17§2 of the Charter equal access to education must be ensured for all children during the COVID-19 crisis. In this respect, particular attention should be paid to vulnerable groups such as children from minorities, children seeking asylum, refugee children, children with disabilities, children in hospital, children in care, pregnant teenagers, children deprived of their liberty, etc.

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

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

*a) Please provide information on measures taken by the State to:*

- i) reduce statelessness (e.g., ensuring that every stateless migrant child is identified, simplifying procedures to ensure the acquisition of nationality, and taking measures to identify those children who were not registered at birth) and*
- ii) facilitate birth registration, particularly for vulnerable groups, such as Roma, asylum seekers and children in an irregular situation. (General question posed in Conclusions 2019).*

Please see also information provided under Point d).

According to the Law on Registration of Civil Status Acts Article 24 Part one and two, the General Registry institution shall be notified regarding the birth of a child within a month after the child is born. In notifying the birth of a child, a medical certificate issued by a medical treatment institution or a medical practitioner that confirms the fact of birth shall be submitted. Pursuant the same law, Article 25 Parts one prescribes that the father or mother of a child has a duty to notify regarding the birth of the child. The father and mother of the child may authorise another person to notify the birth of the child in accordance with the procedures laid down in law.

(2) If the parents of a child are deceased or the birth of a child may not be notified due to other reasons, a medical practitioner or other person who was present at childbirth has a duty to notify the birth of the child.

(3) If the child was born in a shelter or a place of imprisonment, the head of the relevant institution has a duty to notify such birth in writing. The birth of the child and the presence of his/her parents in the place of imprisonment shall not be indicated in the entry in the birth register.

(4) If none of the persons referred to in this Article have notified the birth of a child and the birth of the child has become known to a local government, such local government has a duty

to notify the General Registry office in writing regarding the birth of the child. Pursuant to the Regulations of the Cabinet of Ministers No.328 of June 12, 2018 "Rules of the Newborn Registry" medical institutions provide and update data on newborns born in the previous calendar month in the online mode at least once a month. The fact of a child's birth can be registered in Newborn Register even in cases where the parents do not have a defined nationality in Latvia (there is no personal identification number).

- b) *Please provide information on measures taken to:*
- j) *child poverty (including non-monetary measures such as ensuring access to quality and affordable services in the areas of health, education, housing etc.) and*
  - ii) *combat discrimination and promote equal opportunities for children from particularly vulnerable groups such as ethnic minorities, Roma children, children with disabilities, and children in care.*
  - iii) *States should also make clear the extent to which child participation is ensured in work directed towards combatting child poverty and social exclusion.*

Article 26 of the Law on the Protection of the Children's Rights provides that the family is the natural environment for the development and growth of a child and every child has the inalienable right to grow up in a family. The State and local government shall support the family, particularly a large family and a family which cares for a child with disability, and provide assistance to it. If the relationship of the parents with their child does not ensure a favorable environment for the development of the child or if the child is chronically ill, the local government shall assist the family, providing consultations with a psychologist, social educator or other specialist, and shall appoint a support family or trusted person for the child who shall assist in stabilising the relationship between parents and child. A support family or trusted person, on the basis of a three-party agreement which is entered into between the support family or trusted person, local government social service office and the family for which support is necessary shall provide support to the child or the family. Depending on the age of a child, the local government shall assist the family, particularly, a family in need, in the upbringing and education of the child, in vocational education, and in finding employment and accommodation. The State and local governments shall provide support to child and family educational, health maintenance, cultural, sports and recreational institutions and organisations, in order to promote physical development and creative activities of a child; provide opportunities for spending free time for a child; and provide other services as will promote full development of a child and assist the family in the upbringing of a child.

In evaluating the contribution and increasing prestige in the society, and also in order to promote and support voluntary involvement of local municipalities, merchants, and other persons in supporting large families and families which care for a child with a disability or a person who has not reached the age of 24 years and for whom Group I or II disability has been determined, the Society Integration Foundation shall ensure the implementation of the State support program "Latvian Honorary Family Certificate Program". The procedures for implementing the abovementioned program, including the cases and procedures for granting, issuing, using, cancelling the honorary family certificate, and also the restrictions for the receipt of the certificate shall be determined by the Cabinet of Ministers.

Article 9 of the Law on Social Services and Social Assistance provides that the local municipality in the territory of which a person has his/her declared place of residence has an obligation to provide the person with a possibility to receive social services and social assistance corresponding to his/her needs. If a local municipality has received information from natural persons or institutions regarding a person who might require a social care or

social rehabilitation service or social assistance, the local municipality has an obligation, in accordance with the procedures specified in the law On Social Security, to verify the received information, to evaluate the needs of the person for social services and social assistance, and to inform this person or his/her lawful representative of the rights and possibilities of receiving social services and social assistance, and also the procedures by which social services or social assistance may be received.

If a person requires social services in a night shelter or a crisis centre, he/she shall turn directly to the service provider who takes a decision on the provision of a service. If necessary, the local municipality, in the territory in which a person without a home is located, shall ensure the person with night shelter or shelter, information and consultations, and also single material assistance.

If due to objective circumstances a person does not have a declared place of residence, the local municipality in the administrative territory of which the person has selected a place of residence shall evaluate the material situation of the person and, where necessary, grant a single material assistance, and also inform the local municipality in which the person had the last declared place of residence thereof. The local municipality in the administrative territory of which the person has had the last declared place of residence or the local municipality in the administrative territory of which the person has selected a place of residence, if it is not possible to detect the last declared place of residence of the person, shall assess the possibility to provide psychosocial assistance or social services, or grant corresponding social assistance benefits to the person or the status of needy or low-income household.

Local governments which have not established the necessary social service providers shall enter into agreements with other social service providers in their territory or with other local governments regarding provision of the abovementioned social services and payment. These social services shall be fully or partially financed from the local municipality budget.

If a person wishes to receive a social service which is financed from the State budget, the local municipality has an obligation to ensure a survey of the living conditions and an evaluation of the needs of the person to be carried out by a social work specialist. If a person wishes to receive State financed technical aids, a survey of living conditions shall not be performed.

A local municipality has an obligation to ensure the improvement of vocational competence - training and supervision - for the social work specialists of the local municipality social service office and other social service providers established by the local municipality.

A local municipality shall ensure the necessary social care services at the place of residence for persons with mental impairments for whom after the acquisition of independent life skills within the scope of a social rehabilitation program the provision of services in long-term social care and social rehabilitation institutions is not necessary and for whom the provision of services has been discontinued in accordance with law.

Article 3 Paragraph two of the Law on the Protection of the Children's Rights provides that the State shall ensure the rights and freedoms of all children without any discrimination - irrespective of race, nationality, gender, language, political party alliance, political or religious convictions, national, ethnic or social origin, place of residence in the State, property or health status, birth or other circumstances of the child, or of his/her parents, guardians, or family members.

Article 13 of the Law on the Protection of the Children's Rights stipulates that a child has the right to freely express his/her opinions, and for this purpose, to receive and impart any kind of information, the right to be heard, and the right to freedom of conscience and belief. The

parents of a child shall determine his/her religious affiliation. A child has a right of association, insofar as it does not threaten the health and the life of the child. A child has the right to participate in self-administration in the fields of education, culture, and sports. In any other fields which affect the interests of the child, appropriate attention, corresponding to the age and maturity of the child shall be paid to the opinion of the child.

Article 6, Paragraph (2<sup>1</sup>), clause 8 of the Law on the Protection of the Children's Rights defines that in determining the best interests of the child, it shall be necessary to aim for a solution that is sustainable for the situation of the child taking into account, according to the situation, the extent to which the measures be taken ensure listening to the opinion of the child and taking it into consideration according to the age, maturity, ability of the child to formulate an opinion.

Article 27, Paragraph four, clause 2 of the Law on the Protection of the Children's Rights provide that if out-of-family care is ordered in connection with the following circumstances [the life, health, or development of the child is seriously threatened due to violence or if there are justified suspicions regarding violence against the child, and also due to lack of care or due to the circumstances of his/her home (social environment)] upon selecting the form of out-of-family care, the point of view of the child shall also be taken into account.

In order to reduce the consequences of disability, there is a number of support measures (services, benefits, allowances, etc.) in Latvia.

Assistant service in the municipality plays an important role in strengthening the mobility of persons with disabilities. An aim of the service is to promote the involvement of persons with disabilities in the labour market and the educational process, as well as to promote the involvement of persons in rehabilitation. Assistant service was introduced in 2013. Children with disabilities from 5 to 18 years of age, for whom medical indications for special care are required, may receive assistant service. As of July 1, 2021, the assistant service was reformed, significantly changing the provision of the service. Simplified procedures for granting the assistant service and simplified reporting procedures for the provided service have been established. Support opportunities for children with disabilities have been expanded by introducing a new attendant service, as well as establishing the right to receive care services financed from the municipal budget without income assessment. Assistant and attendant services are provided at a constant rate of hours, without requiring proof or confirmation of visits to specific locations.

**Number of recipients of assistant and attendant services per year**

Year	Attendant service recipients*	Assistant service recipients
2013		458
2014		696
2015		850
2016		892
2017		920
2018		958
2019		1001
2020		1091
2021	39	1409

2022 (January - June)	59	1581
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\* The right to receive services from 01.07.2021

Data source: Ministry of Welfare

The period of transition from a child with a disability to an adult with a disability is an emotionally difficult time and there are many unclear questions for both the young person and the young person's parents. In order to promote the understanding of young people with disabilities about how disability is determined and what state support is available for adults with disabilities, the Ministry of Welfare prepared video material that explains the changes and available support in case of disability.

In the II quarter of 2021, the Ministry of Welfare developed 5 informative video materials to explain the meaning of sign language and provide informative support to hearing parents who raise children with hearing impairments. The materials are primarily intended for parents who have children aged 1 to 3 years, and secondarily for all other parents who have children with hearing impairments.

The Ministry of Welfare in cooperation with the State social care center "Rīga" implemented two pilot projects to test services close to the family environment for children with severe functional disabilities. The first was from December 1, 2018 until December 31, 2020. In the care center, 2 apartments were renovated, where 7 children with severe mental disorders received the service. As a result, the care work organization was approved with one attachment person - a social educator ("mother"). The social educator organized her work in a 24/6, during rest hours and on holidays she was assisted by caregivers. The second pilot project has been launched at the beginning of 2022 in cooperation with two local municipalities – Riga city and Tukums. Within this project, 3 children with severe mental disorders moved from the State social care center "Rīga" to a separate apartment in a multi-apartment building in the city of Riga. Within the framework of the project, care is continued with one attachment person, cooperation schemes are created with municipal public service providers (public transport, specialized transport, health care services, education, leisure opportunities, etc.)

An innovative methodology – the individual budget model for granting, financing and implementing community-based social services for children with disabilities was developed and tested in a pilot project. It involved 10 municipalities, which provided the individual budget administrator function - ensured the individual model receipt process, attracted service providers, coordinated the receipt of services, paid for the provided services, provided support to the person in all necessary ways during the individual budget receipt process. During the pilot project, participants had the opportunity to receive support for 12 months, a total of 102 children with disabilities and their parents participated in the pilot project. The results of the pilot project demonstrated individual budget model innovative role in improving people's quality of life and a positive change in the child's functioning.

During the implementation of deinstitutionalisation process (also in projects implemented by NGOs) children with disabilities (who live in families) up to the age 17 (included) receive childcare service, social rehabilitation services (consultations provided by a psychologist, psychotherapist, reittherapy for children with reduced mobility, hydrotherapy, etc.), respite-time service (up to 30 days (twenty-four hours) per year), day care center service, also their parents receive social rehabilitation (consultations provided by psychologist, psychotherapist, support, motivational, educational groups, etc.). On December 31, 2021 there were 2294 children with disabilities to whom services were provided.

In EU funds planning period 2021-2027, the Ministry of Welfare will develop a psychosocial support service for children up to the age of 18 (not including) with a severe diagnosis or functional impairment, possible or existing disability, who at the time of illness are admitted to the Children's Clinical University Hospital under inpatient or regular outpatient supervision, for

members of the children's family (legal representatives or foster family, as well as other persons with whom the child lives in the same household). It is planned to provide psycho-emotional support to 4,550 children in the period from the III quarter of 2022 to II quarter of 2027.

Under the Recovery and Resilience Facility Plan, the Ministry of Welfare will develop a measure to support persons with severe disabilities and limited mobility to improve the physical accessibility of their housing. Support is also provided for the adaptation of housing where a child from 15 - 17 years old (included) with limited mobility lives. Support will be provided from 2023 - 2024.

In line with the Public Health Strategy for 2014-2020, various activities have been implemented in the area of health promotion and disease prevention, including activities within the EU funds in four priority sectors - cardio-vascular, oncology, childcare and mental health. Some activities are still ongoing (deadline for the projects implementation is till the end of 2023). The activities are mainly targeted at vulnerable groups – children, the elderly (people above 54), disabled, unemployed, poor and needy inhabitants and people exposed to territorial exclusion and those who live in places with low density. To reach the target groups with most effective activities, health promotion and disease prevention measures were implemented at the national and municipal levels.

To continue the policy of the Public Health Strategy for 2014-2020, the Ministry of Health has developed the Public Health Strategy for 2021-2027, which aims to improve the health of the population of Latvia by extending life lived in good health, preventing premature mortality and reducing inequality in health care. In the new planning period, within the state budget and EU funds, it is planned to implement targeted actions also in the areas of health promotion and disease prevention to promote healthy habits and reduce health risks in Latvian population, including risk groups. These health promotion and disease prevention activities will target following areas: addiction prevention, healthy nutrition, physical activity promotion and trauma prevention, sexual and reproductive health, mental health promotion, vaccination and prevention of infectious diseases, parenting skills programmes, first aid. Education of specialists (including Roma mediators) in various health issues (addiction prevention, sexual and reproductive health) is also planned.

In addition to funding from the EU funds, health promotion and disease prevention measures will also be implemented within the state budget, including measures planned by the Centre for Disease Prevention and Control (campaigns, educational activities etc.).

Several policy planning documents have been developed in various fields, for example: Action Plan for the Reduction of Alcohol Consumption and Limiting of Alcoholism for 2020 - 2022, Action plan for limiting the spread of HIV infection, sexually transmitted infections, hepatitis B and C for 2018-2020, Action Plan for limiting antimicrobial resistance and prudent use of antibiotics "One health" for 2019-2020.

Starting from the 2019-2020 flu season, the state-paid vaccination against influenza for pregnant women and children at the age of six up to 23 months (inclusive) was included in the Vaccination Regulations in addition to the already existing extensive vaccine schedule. Thus, these groups of people no longer need to go to a doctor to receive a prescription for the reimbursable medicines, then go to the pharmacy for the flu vaccine and go back to the doctor for the vaccination (improved service for flu vaccination). From the 2021-2022 flu season, the state-paid vaccination against influenza is also provided to children at the age of 24 months to 17 years (inclusive) if they are suffering from certain chronic diseases. Children from having attained one year to 18 years of age can receive state paid vaccination against tickborne encephalitis in the territories, in which, according to the epidemiological surveillance data of the Centre for Disease Prevention and Control, the highest morbidity with tickborne encephalitis is observed (in endemic territories of tickborne encephalitis).

In 2022, vaccination of 12-year-old boys against the human papillomavirus infection and vaccination of 14-year-old children and pregnant women against pertussis was started.

In 2021 February the Guidelines for the Development of a Cohesive and Civically Active Society for 2021–2027 were adopted.

It is planned in the guidelines to promote strengthening of the sense of national identity and belonging, increase in inclusive participation and civic literacy, to strengthen quality and safe space for democratic involvement and information space, to promote the participation of foreign citizens living in Latvia in the society, and also to mitigate such attitude towards different groups of the society which is based on negative stereotypes.

Since 2016 **the Latvian Roma Platform projects'** activities are implemented by the Ministry of Culture in the framework of the EU program "Rights, Equality and Citizenship". The main goal of the Platform projects is to provide effective cooperation and dialogue between all relevant stakeholders, which are involved in the designing and implementation of the set of policy measures on Roma integration.

Please see also the information provided under point d) Child poverty - concerning discrimination and equal opportunities for children from particularly vulnerable groups such as ethnic minorities and Roma children.

- c) Please provide information on any measures adopted to protect and assist children in crisis situations and emergencies.*

Article 1, clause 39 of Law on Social Services and Social Assistance stipulates that a crisis situation is a situation when a person has no possibilities to use the usual ways to solve problems due to a catastrophe or other external occurrences, he/she is not capable to overcome the consequences caused by such occurrences by himself/herself and he/she requires a psychosocial or material assistance.

Article 12, Paragraph one, clause 3 of Law on Social Services and Social Assistance provides that a local municipality social service office has the obligation to provide a person with psychosocial or material or psychosocial and material assistance in order to enable the overcoming of a crisis situation and promote the integration of the person into society.

- d) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

#### The legal status of the child

Following the restoration of Latvia's independence, based on the principle of legal continuity, on 15 October 1991, the Supreme Council adopted a decision on restoration of citizenship to those Latvia's residents, who possessed Latvia's citizenship prior to the Latvia's occupation on 17 June 1940, and to their descendants, irrespective of their ethnicity. Based on this principle, a new Law on Citizenship was adopted in 1994. The Law on Citizenship was amended by referendum in 1998, simplifying procedure for the acquisition of citizenship by naturalization. In parallel to the status of Latvian citizen, the status of a non-citizen was created in 1995, as a special temporary status for former USSR citizens and their descendants living in the Republic of Latvia who do not have Latvian or any other state's citizenship. Latvia's non-citizens are not considered as stateless persons within the meaning of the 1954 Convention relating to the Status of Stateless Persons, given the much wider scope of noncitizens' rights; in relation to such individuals Latvia has undertaken particular obligations – it guarantees ex lege residence in Latvia, consular protection abroad, as well as the right to return to Latvia and the right not to be expelled from Latvia. Every non-citizen enjoys most of the rights guaranteed to Latvian citizens. Every non-citizen has the right to acquire Latvian citizenship through naturalization.

Thus, Latvia would like to draw attention to the fact that in the Report's Conclusions, the data on stateless children for 2016 from the Population Register are not specified accurately. As of December 31, 2021, only 160 stateless persons were registered in Latvia, of which only 4 were children. On the other hand, the number of registered children who have the status of non-citizens of Latvia on December 31, 2021 was 2 437.

It should be noted that the total number of Latvian non-citizens continues to decrease. In 2018, there were 233 393 non-citizens registered in the Register of Natural Persons of Latvia (former Population Register), in 2021 the number dropped to 194 983. The total number of non-citizens decreases annually by around 10 000 persons. Around 1500 non-citizens each year receive citizenship of Latvia or other country. An average of 1000 people per year wish to naturalize in Latvia.

In November 2019, the new Law on the Discontinuation of the Non-Citizen's Status for Children entered into force providing that children born to non-citizen parents after 1 January 2020 are automatically recognized as citizens of Latvia regardless of place of birth. This law likewise applies to children born to parents of whom one is a non-citizen and the other is non-citizen, unknown, a citizen of other country or a stateless person (unless the child's parents opt for the citizenship of another country for their child or the child is a citizen of another country). This completely ends the assignment of the status of non-citizen to newborn children. From 2020 there is no registered newborn non – citizens.

To promote the naturalization process, the Office of Citizenship and Migration Affairs (hereinafter - OCMA) continues to make the naturalization process available to vulnerable groups. OCMA organize a citizenship information day every year in various regions of Latvia informing about the procedures to acquire citizenship and offering consultations. In 2018, 109 such activities took place, 2019 - 112, 2020 - 127 and 2021 - 46 activities were organised. In addition, in April 2019, OCMA launched the project "*Improvement and Development of Supporting Information Systems of Naturalization and Related Processes*". One of the aims of this project was to increase awareness of the target audience about the possibility of obtaining Latvian citizenship through naturalization and self-testing of the knowledge necessary to pass the naturalization exam with the help of an electronic online tool (<https://pilsonibasparbaude.pmlp.gov.lv/>).

#### Rights of children in public care

Article 26 of the Law on the Protection of the Children's Rights provides that the family is the natural environment for the development and growth of a child and every child has the inalienable right to grow up in a family. The State and local municipality shall support the family, particularly a large family and a family which cares for a child with disability, and provide assistance to it. If the relationship of the parents with their child does not ensure a favourable environment for the development of the child or if the child is chronically ill, the local municipality shall assist the family, providing consultations with a psychologist, social educator or other specialist, and shall appoint a support family or trusted person for the child who shall assist in stabilising the relationship between parents and child. A support family or trusted person, on the basis of a three-party agreement which is entered into between the support family or trusted person, local municipality social service office and the family for which support is necessary shall provide support to the child or the family. Depending on the age of a child, the local municipality shall assist the family, particularly, a family in need, in the upbringing and education of the child, in vocational education, and in finding employment and accommodation. The State and local municipality shall provide support to child and family educational, health maintenance, cultural, sports and recreational institutions and organisations, in order to promote physical development and creative activities of a child; provide opportunities for spending free time for a child; and provide other services as will promote full development of a child and assist the family in the upbringing of a child.

Article 9 of the Law on Social Services and Social Assistance prescribes that the local municipality in the territory of which a person has his/her declared place of residence has an obligation to provide the person with a possibility to receive social services and social assistance corresponding to his/her needs. If a local municipality has received information from natural persons or institutions regarding a person who might require a social care or social rehabilitation service or social assistance, the local municipality has an obligation, in accordance with the procedures specified in the law On Social Security, to verify the received information, to evaluate the needs of the person for social services and social assistance, and to inform this person or his/her lawful representative of the rights and possibilities of receiving social services and social assistance, and also the procedures by which social services or social assistance may be received.

Local municipalities which have not established the necessary social service providers shall enter into agreements with other social service providers in their territory or with other local municipalities regarding provision of the abovementioned social services and payment. These social services shall be fully or partially financed from the local municipality budget.

Article 30 of the Law on Protection of Children's Rights stipulates that parents have an obligation to pay for out-of-family care services. The Cabinet of Ministers shall determine the procedures for the payment and the amount thereof. If out-of-family care services for a child are ensured by appointing his/her guardian, payment for the services shall be ensured in accordance with Article 35, Paragraph three of this Law. The circumstance that parents are not able to pay for the out-of-family care of a child may not be the basis for non-provision of extra-familial services. Payment for out-of-family care services in such cases shall be covered as applicable by the State or local municipality budget and thereafter shall be recovered from the parents in accordance with the procedures laid down in the Administrative Procedure Law on the basis of an execution order of the institution.

A parent of the child shall be exempted from payment for out-of-family care services for a child if:

- 1) the child has been born to a mother as a result of a criminal offence against sexual inviolability or the mother has been recognised a victim in criminal proceedings initiated in relation to committing such criminal offence, and the child has been transferred for out-of-family care immediately after birth;
- 2) the parent of the child is at a long-term social care and social rehabilitation institution;
- 3) the capacity to act of the parent of the child is limited and trusteeship has been established due to disorders of mental nature or other health disorders;
- 4) the care of the child is ensured in the cases specified in Article 29 of this Law;
- 5) the local municipality social service office has provided a motivated opinion on involvement of the parent in solving of his/her problems;
- 6) the parent of the child has given a written consent for adoption.

Parents of the child have an obligation to take care of maintaining the child or to pay for child care services also if both parents or one of the parents has been removed the custody rights by a court judgment. Such duty need not be carried out during the time period when the child has been transferred into care of adopters. During periods of out-of-family care, child and family support shall not be disbursed to parents.

According to Article 12 Paragraph (2<sup>3</sup>) and (2<sup>4</sup>) of the Law on Social Services and Social Assistance while a child left without parental care is in a long-term social care and social rehabilitation institution, the social service office shall provide the information to the Orphan's and Custody Court and the long-term social care and social rehabilitation institution regarding the performed social work in order to promote the return of the child in the family not less than once every three months regarding a child younger than three years of age and not less than

once every six months regarding a child older than three years of age, but younger than 18 years of age. The Information System for the Support of Minors shall be used for the provision and receipt of information. If custody rights have been revoked for a parent, the social service office shall provide an opinion on the possibilities of a child to return in custody of the parent if it is requested by the Orphan's and Custody Court.

The Ministry of Welfare is implementing an EU co-funded project "Development of Professional Social Work in Municipalities". In the framework of this project the Ministry of Welfare is implementing activities in order to improve the social work in the local governments.<sup>9</sup> Special attention is being paid on how to improve the social work with families with children as well as young people. In the framework of the project (among other activities) the following methodological materials have been developed: methodological material on social work with victims of violence and perpetrators; methodological material on social work with families with children.<sup>10</sup> The Ministry of Welfare in partnership with the professionals is continuing to develop a methodological material for social workers on the social work with young people.

The State Inspectorate for Protection of Children's Rights is regularly updating methodological materials for Orphan's and Custody Courts in order to ensure the protection of the best interests of the child in matters related to family disputes, custody, out-of-family care etc. The methodological recommendations and explanations are collected in the Orphan's and Custody Court Handbook. Separate sections of the handbook are devoted to the interinstitutional and multidisciplinary cooperation and operation of the orphan's and Custody Court. The handbook is being regularly updated with the most recent information and recommendations.<sup>11</sup>

During 2015-2023 Ministry of Welfare is implementing an ESF project "Development of Professional Social Work in Municipalities". It offers professional training programs to social workers. Besides that, two specific training programmes have been developed and their pilot projects have been implemented, which are currently being implemented in most municipalities:

- 1) 185 social workers for families with children have learned or are currently learning the methodology for social work for families with children (data as of November 10, 2022). By the end of 2023, it is planned to involve at least 60 more social workers in training. The methodology for social work for families with children is designed as a micropractice tool (case management) for social workers, it undeniably affects other parties involved in the protection of children's rights, especially orphans' courts. Therefore, on October 28 and 29, 2022, the Ministry of Welfare organized a training seminar for employees of orphanages and social workers in order to familiarize employees of orphans' courts with the content of the methodology and to discuss the points of contact between the orphans' court and the social service, which are included in the methodology and future mutual cooperation. In 2023, it is planned to continue the organization of such training seminars, involving as much as possible the representatives of the orphan courts from all Latvian municipalities.
- 2) Within the framework of the project "Development of Professional Social Work in Municipalities" from November 2020 to November 2023, the pilot project "Testing the family assistant service" (hereinafter - the pilot project) is being implemented with the aim of testing the family assistant service, including developing the training content of family assistants, the service description and participation of municipal social service specialists who provide or plan to provide family assistant service in the implementation of the pilot project.

During the pilot project, family assistants are trained and apply the acquired knowledge in practical work, which is carried out in close cooperation with social workers.

So far, 56 family assistants have been trained and involved in the pilot project, at least 20 more will be trained and involved in the near future, and at least 10 family assistants

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<sup>9</sup> Profesionāla sociālā darba attīstība pašvaldībās, Nr. 9.2.1.1/15/I/001 | Labklājības ministrija (lm.gov.lv).

<sup>10</sup> Metodiskie materiāli | Labklājības ministrija (lm.gov.lv).

<sup>11</sup> Rokasgrāmata bāriņtiesām | Valsts bērnu tiesību aizsardzības inspekcija (bti.gov.lv).

in 2023.

In addition, during the pilot project, the practicality and applicability of the developed training program in daily work of providing the family assistant service is evaluated, as well as the impact of the family assistant service provided during the pilot project on the service recipients is studied. The research was started in June 2021 and will be carried out until November 2023.

In December 2021, the aforementioned study "Report on services comparable to a family assistant" was received. The report indicates the common and different features and analysis of the studied and compared social services, such as family assistant service and youth mentor service.

The main target group of the family assistant service is families with children, especially families with minor children, facing various types and degrees of social risks. This positioning results from the currently common practice in Latvia to assign the family assistant service primarily to families with children, moreover, such a service framework is recognized and accepted as part of social services and NGO sector organizations operating in the social field. Other groups (persons with disabilities, persons who, for various social and economic reasons, have difficulty integrating into society), which are currently also identified as the target groups of the family assistant service, as expressed by the research participants, need more specialized support resulting from the specific objectives of this target group needs. Direct providers of such specialized support also require special competences, i.e. specialization.

The family assistant service is focused on the family as a system in order to develop its independent functioning abilities and improve the quality of daily life of all family members. This is especially true for families with family members belonging to specific target groups who, in addition to the family assistant service, need specific services aimed at the needs of these specific social groups, for example, a family in which one of its members has been released from a place of imprisonment should be available both a family assistant and a mentor for individuals after incarceration.

The purpose of the mentor program service for young people is to provide individual emotional and practical support to young people who did not experience family support and care in childhood, to help the young person prepare for an independent life. The mentor, as a person of support and trust, provides support in learning communication, social, practical skills and personal growth, incl. listens, spends time with the young person in various social activities; provides advice for solving domestic situations; support in education and profession choices; strengthens the young person's confidence in their internal resources and skills; support in building and improving communication skills; provides other practical (financial literacy, cooking, etc.), social and psychoemotional support depending on the needs of the young person.

So here the difference between the services of a family assistant and a mentor is clearly marked, showing that each of these services has a different purpose, therefore it is not permissible to merge the services of a family assistant and a mentor into one service, the issue of maintaining the mentor service for young people is to be considered.

For full-fledged social work with the family, it is recommended to combine different social services, rather than integrating several social services equivalent to a family assistant. Although, on the one hand, such an approach is resource-intensive, on the other hand, it has the highest potential for an effective result. It is important to consider the goals, tasks, needs of the service recipient and the limits of competence of the direct service provider for each social service. In cases where, due to resources, it is not possible to provide all the services appropriate to the family's situation, it is recommended to assign the service that is aimed at meeting the priority needs.

The final report of the study is expected by November 2023.

Regarding the development of the family assistant service, the Ministry of Welfare has taken several steps, the Social Protection and Labor Market Policy Guidelines for 2021 - 2027 include a task to ensure a purposeful transition by 2028 by fully implementing the

new approach to social work for families with children, including by strengthening the family assistant service.

**Number of children in out-of-family care (at the end of year)**

	2017	2018	2019	2020	2021
<b>Total number of children:</b>	<b>6 669</b>	<b>6 438</b>	<b>6252</b>	<b>6004</b>	<b>5910</b>
In foster families	1173	1 246	1355	1377	1413
Under guardianship	4459	4 398	4276	4059	3983
In child care institutions	1037	794	621	568	514

Data source: Ministry of Welfare

On December 31, 2021 there were 406 children in child care institutions financed by municipalities and 128 children in child care institutions financed by the State.

In 2021, the number of children who left care institutions was higher than those who entered - 197 left, and 166 entered. From those children who left the care institution – 5 returned to their parents, 16 were adopted, 14 placed under guardianship, 37 - moved to a foster family and 59 started an independent life.

In ERDF projects, a total of 11 municipalities are investing in the creation of community-based social services for children out-of-family care, including 14 care services close to the family environment and 1 youth home - in total 15 social service providers with 132 client places. By November 2022, 8 places for the provision of social services (with 72 client places) have been established and registered in the register of social service providers for children out-of-family care. This represents 53% of the planned places of social service provision.

The Law on Social Services and Social Assistance was amended and approved by the Parliament on 12 January 2017, limiting the period to 6 months during which orphans and children under 2 years of age who are left without parental care can receive long-term social care services in institutions (hereinafter – LTC) financed from the State budget. These amendments were made with the aim of facilitating the return of children to the family, their placement in a foster family or their adoption and the aim is reached. The number of children under the age of 2 admitted to State institutions for LTC and the duration of their stay have significantly decreased - 183 children were admitted during 2017 and 33 received the service as of December 31, 2017, 14 children were admitted in 2021 (reduction by 92.3 %) and no children aged under 2 received the service as of December 31, 2021.

Additionally, respite service has been introduced, which provides temporary (up to 30 days per year) care of children with disabilities and very severe functional disorders providing support for families and reducing the risk of institutionalization.

During the period from 2017, measures were continued for the development of other forms of out-of-family care, in particular for the development of foster families. Foster-family care support centres have also been set up to create additional support for foster families.

As a result, not only in the State institutions of LTC, but also in local municipality institutions of LTC, the number of children has dropped significantly - by the end of 2021, compared to the end of 2017, the total number of children decreased by 64% (from 1151 to 530). It should also be mentioned that, with the support of the EU funds, services for children with disabilities and severe functional disorders living in families have been provided within the framework of deinstitutionalisation measures:

- in 2020 for 832 children,
- in 2021 for 1283 children.

Similarly, with financial support from the EU, local municipality LTC institutions for children left without parental care will be transformed to new social services providers close to the family

environment. By the end of 2023 15 such LTC service providers for children will be created with 132 client places. 5 such service providers with 44 client places have already been established by the end of 2021. As the number of children decreases, the number of places in existing LTC institutions has also been reduced and provision of services close to the family environment has been initiated, thus significantly improving the living conditions of children.

#### Children in conflict with the law

According to Paragraph 3<sup>1</sup> of Article 12 of the Criminal Procedure Law a criminal proceeding involving a minor shall be conducted by taking into account the age, maturity and any special needs of the minor. Article 244 establishes, that the person directing the proceedings shall choose a procedural compulsory measure that infringes upon the basic rights of a person as little as possible and is proportionate. In selecting a security measure, the person directing the proceedings shall consider the nature and harmfulness of a criminal offence, the character of the suspect or accused, his/her family situation, health, and other conditions. **Arrest shall be applied to a minor only in cases of absolute necessity after evaluation of the application of other security measures. When choosing a security measure related to the deprivation of liberty for a minor, in addition to the conditions referred to of this Article the age of the minor and possible risks in relation to the physical, mental and social development of the minor, and also his/her ability to integrate into the society shall be considered.**

Article 271 of the Criminal Procedure Law establishes that arrest is the deprivation of the liberty of a person that may be applied in the cases provided for by law to a suspect or an accused with a decision of an investigating judge, or a court ruling, before the entering into effect of a final ruling in specific criminal proceedings, if there are grounds for placing under arrest. Arrest may be applied only if specific information, acquired in criminal proceedings, regarding facts causes justified suspicions that a person has committed a criminal offence for which a custodial punishment is provided in the law, and the application of another security measure may not ensure that the person will not commit another criminal offence, will not hinder or will not avoid the pre-trial criminal proceedings, court, or the execution of a judgment.

Article 273 of the Criminal Procedure Law establishes special grounds for the application of arrest to minors. If a minor is held suspect or accused of committing a criminal offence, arrest shall not be applied. If a minor is held suspect or accused of committing a crime through negligence, arrest shall not be applied, except when such person has performed actions under the influence of intoxicating substances as a result of which the death of another person has occurred. In addition, if a minor is held suspect or accused of committing of a less serious intentional crime, arrest shall be applied only if one of the following circumstances exists: 1) the relevant person has violated the provisions of another compulsory measure or a security measure of correctional nature - placement in a social correctional educational institution; 2) the person has committed a crime as a suspect or an accused in the committing of an especially serious crime.

According to Article 278 of the Criminal Procedure Law, the term of arrest for a minor who has been applied arrest in conformity with Article 273, Paragraph four of this law shall not exceed 30 days, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than 20 days. The term of arrest for a minor who has been applied arrest in conformity with Article 273, Paragraph three of this law shall not exceed three months, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than two months. The term of arrest for a minor who is suspected of, or accused of, the committing of a serious crime shall not exceed six months, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than three months. An investigating judge during pre-trial proceedings and a judge of a higher-level court may each extend the term for one month during trial, if the person directing the proceedings has not allowed for a delay, or the faster completion of the proceedings has not been possible due to the particular complexity of such proceedings. The term of arrest for a minor who is suspected of, or accused of, the committing of an especially serious crime shall not exceed 12 months, of

which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than eight months. An investigating judge during pre-trial proceedings and a judge of a higher-level court may each extend the term for three months during trial, if the person directing the proceedings has not allowed for an unjustified delay, or the person who conducts defence has not intentionally delayed the course of proceedings, or the faster completion of the proceedings has not been possible due to the particular complexity of such proceedings.

Article 281 of the Criminal Procedure Law establishes rules of control over the application of arrest. A person arrested, his/her representative or defence counsel may, at any time, submit an application to an investigating judge or - after commencement of a trial - to a court of first instance regarding an assessment of the necessity of a subsequent application of arrest. The application shall be examined, and a decision taken by the investigating judge in accordance with the procedures laid down in Article 274 of this Law, but by a court - in a court hearing in accordance with the procedures by which the submitted requests are decided. An application for an assessment of the necessity of a subsequent application of arrest may be refused without an examination thereof in oral proceedings, if less than two months have passed since the last assessment of the necessity of the application of arrest, and the application is not justified with information on the facts that were not known to the investigating judge or court when deciding on the application of arrest or during the previous examination of the application. A court of first instance shall examine an application in a written procedure without participation of persons involved in the procedure.

If, concerning the applied arrest, a person arrested, or his/her representative or defence counsel has not submitted, within two months, an application regarding an assessment of the necessity of a subsequent application of arrest, such assessment shall be performed by an investigating judge. A court of first instance shall, after commencement of trial of a case, perform the assessment when the trial is suspended or an interruption is announced for a term more than two months.

It should be stressed that according to Article 83 of the Criminal Procedure Law the participation of a defence counsel is mandatory in criminal proceedings if a minor has the right to defence. Article 84 establishes that the Cabinet of Ministers shall determine the amount of payment and reimbursable expenses related to the provision of the ensured legal assistance, the amount and expenses thereof to an advocate for the provision of legal assistance, provided by the State, to a person who has not entered into an agreement regarding defense.

Considering the above and evaluating the criminal procedural legal system of Latvia regarding arrest applicable to minors - the legal regulation is proportionate and arrest to minors is applied only as a last resort and the length of its term is proportionate only to objective necessity and the actual circumstances of the case according to the regulations established in the Criminal Procedure Law.

With regard to the placement of a juvenile prisoner in solitary confinement - according to Article 30, paragraph 1, subparagraph 7 of the Law on the Procedures for Holding under Arrest, for violation of the internal rules of the remand prisons for juveniles, the head of the remand institution may impose a penalty on the juvenile prisoner - placement in a punishment cell for a period of up to three days. The duration of this punishment was shortened (from 10 days to 3 days) by amendments of the Law on the Procedures for Holding under Arrest which entered into force on July 20, 2022.

According to the provisions of Article 32, paragraph 1 of the Law on the Procedures for Holding under Arrest the punishment of placement in solitary confinement may be imposed only for gross or systematic violation of the rules of internal order of remand prisons. According to the provisions of Article 35 of the Law on the Procedures for Holding under Arrest, the following actions of the detainee shall be considered as gross violations of the internal rules of the remand prisons:

1. physical resistance to a member of the staff of an investigative prison or insulting his dignity and honour;
2. refusal to comply with the lawful demands of a remand prison officer;
3. physically influencing other detainees or otherwise violating their honour and dignity;
4. use, possession or distribution of alcohol, narcotic drugs or other intoxicating substances;
5. refusal to be searched in order to establish whether the detainee has consumed alcohol, narcotic drugs or other intoxicating substances;
- 5.<sup>1</sup> refusal to go to a medical institution for medical examination if the arrested person does not agree to a breath alcohol concentration test or its results;
6. possession and use of a mobile telephone, its spare parts and SIM card;
7. participation in card games or other games of chance for material or other gain, extortion of winnings;
8. intentional damage to the property of a remand prison.

Systematic infringements of the internal rules of remand prisons shall be deemed to have been committed two or more times in the last six months (Article 36 of the Law on the Procedures for Holding under Arrest).

Article 70, paragraph 1, subparagraph 7 of the Sentence Execution Code of Latvia stipulates that for violation of the requirements of the regime for serving a sentence, a punishment may be imposed on a convicted minor - placement in a disciplinary isolator for up to three days. Only convicted persons who have committed serious or systematic violations of the penal regime may be placed in disciplinary isolation (Article 70, paragraph 3 of the Sentence Execution Code of Latvia). The duration of this punishment was shortened (from 10 days to 3 days) by amendments of the Sentence Execution Code of Latvia which entered into force on February 4, 2022.

Gross violations of the penal regime include (Article 70, paragraph 4 of the Sentence Execution Code of Latvia):

1. physical resistance to the staff of the institution or insulting their dignity and honour;
2. physically influencing or otherwise humiliating other sentenced persons;
3. use, possession, distribution of alcohol, narcotic drugs or other intoxicating substances;
4. refusal to submit to a search aimed at establishing whether the sentenced person has consumed alcohol, narcotic drugs or other intoxicating substances;
- 4.<sup>1</sup> refusal to go to a medical institution for a medical examination if the convicted person does not agree to a breath alcohol concentration test or its results;
5. participating in a card game or other game of chance with a view to obtaining material or other advantage and extorting the winnings;
6. refusing to comply with a lawful request by an official of the institution;
7. organizing and participating in groups of sentenced prisoners in order to resist lawful action by the prison administration or to subdue other sentenced prisoners;
8. inciting other sentenced persons to commit offences;
9. use and possession of a mobile telephone, its components and SIM card (except in open prisons);
10. wilful damage to prison property;
11. arbitrary leaving of the grounds of an open prison.

Violations of the internal rules of a penitentiary institution committed two or more times during the last six months shall be regarded as systematic violations of the regime (Article 70, paragraph 5 of the Sentence Execution Code of Latvia).

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

<b>For the date of:</b>	<b>01.01.2018.</b>	<b>01.01.2019.</b>	<b>01.01.2020.</b>	<b>01.01.2021.</b>
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Total number of convicted minors	23	21	18	17
1-3 month (incl.)	0	0	0	0
3-6 month (incl.)	0	3	2	1
6 month - 1 years (incl.)	2	1	3	3
1 - 3 years (incl.)	5	4	6	5
3-5 years (incl.)	4	1	1	3
5-10 years (incl.)	9	8	4	4
10-20 years (incl.)	3	4	2	1

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

For the date of:	01.01.2018.	01.01.2019.	01.01.2020.	01.01.2021.
Total number of minors taken into custody	11	15	7	10

Data source: Ministry of Justice

### Right to assistance

According to **Medical treatment law**<sup>12</sup>, the priority is health care of a pregnant woman, child and person with foreseeable disability.

Asylum-seeking children have access to state-funded healthcare at the same level as Latvian children. All children (under the age of 18 years) in Latvia have prophylactic check-up visit at their General Practitioner (hereinafter - GP), where GP assesses the child's health and addresses the prevention issues (for instance, vaccination). During and after check-up visit GP carries out activities in accordance with the child's state of health and medical indications, for example, gives a referral to visit a specialist.

The State budget in Latvia covers: health care provided by a family doctor or his team; breast, cervical and colon cancer preventive examinations; health care provided by specialists; examinations upon the referral of a family doctor or a specialist; medical assistance in the points for emergency medical assistance; health care services provided in a day hospital; health care in a day and night hospital; health care at home and medical rehabilitation. People can obtain detailed information about what particular services are covered by the State under the webpage of the [National Health Service in Section "Health care services"](#)<sup>13</sup> or calling the free line-80001234 (between 8.30 to 17.00 o'clock on working days).

In Latvia, the Ministry of Culture is responsible for **integration policy**. Together with the Ministry of Culture, the Ministry of Education and Science, the Ministry of Foreign Affairs, the Ministry of Welfare, the Ministry of the Environment and Regional Development, the Ministry of the Interior, the Ministry of Defence, the State Chancellery, the Society Integration Foundation and non-governmental organizations are involved in the process of developing cohesive and active civil society.

The heart of integration policy is mutual understanding and cooperation between different groups and individuals to create democratic, cohesive and active civil society based on common fundamental values. The integration of society involves processes that take place in the ethnic, educational, cultural, legal, political, socio-psychological, social and other areas of human life. The process of integration requires awareness of socially unifying values, such as democracy and the rule of law, positive communication between people of different nationalities, and respect for the development and preservation of different ethnic and cultural values. Social links, exchanges of views and intercultural communication are the basis for living together. In the context of integration knowledge of the state language and preservation of cultural traditions play an important role both in Latvia and in the diasporas home countries.

<sup>12</sup> Medical treatment law Article 3 <https://likumi.lv/ta/en/en/id/44108-medicinal-treatment-law>

<sup>13</sup> <https://www.vmnvd.gov.lv/en/health-care-latvia>

On February 5, 2021 the Cabinet of Ministers approved Guidelines for the Development of Cohesive and Active Civil Society for 2021-2027. The overarching goal of the guidelines is a national, cohesive, open and active civil society, the existence of which is based on the democratic values and human rights set forth in Satversme, the Latvian language and the Latvian cultural space.

The Ministry of Culture has been implementing projects supporting the integration of immigrants since 2016, providing full information on support and integration measures, offering integration and Latvian language courses, and training for specialists working with the target group, including journalists and editors.

Society "Shelter "Safe House"" is implementing the project "Information Centre for Newcomers II" supported by the Asylum, Migration and Integration Fund. The purpose of the project is to ensure a coordinated support system for immigrants, who have been granted the right to stay in the territory of Latvia providing complete information about support, adaptation and integration services in Latvia. Under the project professional advisers provide free consultations on matters like education, employment, migration, legal matters; and psychological support, an information hotline and translation services are available.

A network of NGOs is helping immigrants, including children. The support measures include the following activities: free legal counselling, voluntary initiatives, volunteer work with children, young people and seniors from groups that have to be socially included, intercultural education seminars and training, everyday speech classes, interpreting services, humanitarian aid (food packages as needed, clothing donations), Latvian cultural evenings, creative workshops for children, youth and families, cooking of traditional food; training, creative workshops, specialized club activities, various other projects promoting social integration.

The NGOs which are involved in the provision of support to the migrants: society "Shelter "Safe House"" ("Patvērums "Drošā māja""), society "Gribu palīdzēt bēgļiem" (I want to help refugees), society "Latvijas Sarkanais Krusts" (Latvian Red Cross); society "Svētā Jāņa palīdzība" (St. John's Help); foundation "Caritas Latvija"; Creative association for youth "TRĒPES" (STAIRS); foundation "Baltijas Reģionālais fonds" (Baltic Regional Fund); PESTISANAS ARMIJA (name of The Salvation Army in Latvia).

A website of society "Shelter "Safe House"" has been created about the integration of asylum seekers, refugees and persons who have been granted the alternative status in Latvia.<sup>14</sup> Here one can get the answers to questions that will help to get to know Latvian society, as well as find useful and practical information about the life in Latvia.

In addition, a website "Integration.lv" has been set up (currently under renovation; its content is being improved). Information related to the integration of the third-country nationals in Latvia is published on the website, including: services available to the third-country nationals; current information on integration activities implemented by governmental and non-governmental organizations; informative materials and resources intended for the third-country nationals.

Article 13 of the Asylum Law prescribes that detention of an asylum seeker may take place based on necessity and in accordance with the principle of proportionality, taking into account the asylum seeker's individual situation and circumstances. At the same time, the detention of an asylum seeker is intended as an exceptional and last resort, including for minor asylum seekers, and for a maximum short period of time, if, after evaluating the asylum seeker's individual situation and circumstances, with the help of less restrictive means (registration within a certain time at the State Border Guard structural unit) it is not possible to ensure the proper conduct of the asylum procedure, as well as guaranteeing national security and public order and security.

The mentioned conditions in the Asylum Law, which entered into force on January 19, 2016, were incorporated to ensure compliance with Directive 2013/33/EU (June 26, 2013)

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<sup>14</sup> [For Refugees | Bēgļis bēgļi patvēruma meklētāji \(beglis.lv\).](http://Bēgļis_bēgļi_patvēruma_meklētāji_(beglis.lv).)

establishing standards for the reception of applicants for international protection (revised version) (further Directive 2013/33/EU) and the adoption of the provisions of other European Union legislation in the field of international protection.

During the detention, the asylum seeker is accommodated in the structural unit of the State Border Guard in premises specially designed for this purpose. The detained asylum seeker is placed in the asylum seeker accommodation facilities, based on the detention protocol drawn up in accordance with Article 17 of the Asylum Law. The detained asylum seeker shall be accommodated in compliance with the fundamental rights and safety of the person, personal characteristics and psychological compatibility, as well as in compliance with the conditions contained in the third part of Article 22 of the Asylum Law.

At the moment, the accommodation of detained asylum seekers is provided in the "Daugavpils" accommodation centre for detained foreigners of the Daugavpils administration of the State Border Guard or the "Mucenieki" accommodation centre for detained foreigners of the State Border Guard Riga administration, in separate accommodation facilities for asylum seekers (hereinafter – Centre of "Daugavpils" and Centre of "Mucenieki"), separated from detained foreigners.

Families of detained asylum seekers, including minors with their parents, are accommodated together, separately from other detained persons in a specially equipped family block. It should be noted that minors living with their parents are accommodated in the Daugavpils and Mucenieki detention centres together with the detained parents, if a signed confirmation from the parents has been received about the absence of objections to the placement together and after evaluating the child's best interests. The absence of objections is recorded in the protocol on the asylum seeker's detention within the asylum procedure. Detained unaccompanied minors, on the other hand, are accommodated in the premises of the Centre of "Daugavpils" and Centre of "Mucenieki", which have personnel and equipment to take into account the needs of their age. The minors accommodated in the facilities of the Daugavpils and Mucenieki preschools are provided with the opportunity to learn and participate in leisure activities, including games and recreational activities that correspond to their age.

In accordance with Article 11, paragraph two, subsection 8 of the Asylum Law, an asylum seeker has the right to receive emergency medical assistance, primary health care, outpatient and inpatient psychiatric assistance in case of serious mental health disorders, as well as all medical assistance for minors, in accordance with the procedures specified in the laws and regulations, the non-provision of which may endanger the child's development and health, at the expense of the state, taking into account the special reception needs of the asylum seeker.

In accordance with the provisions of Article 57 paragraph one of the Immigration Law, the State Border Guard officer ascertains the identity of the detainee, takes his fingerprints and photographs him, inspects the foreigner and his belongings, and also, if necessary, ensures the foreigner's medical examination and draws up a report on it. The State Border Guard has the right to determine and organize document, object, language, medical and other expertise and tests to identify the detained foreigner and his/her country of citizenship.

Article 7 paragraph two of the Asylum Law states that when identifying an asylum seeker and ascertaining his nationality, the State Border Guard has the right to determine documents, objects, languages, medical and other expertise and tests. Identification methods include age determination, which is carried out by the State Forensic Medicine Expertise Centre in the Republic of Latvia.

In practice, the State Border Guard makes a decision on determining the age of an asylum seeker or a returning foreigner in the following cases:

- 1) if the person does not have documents confirming his age;
- 2) if there are reasonable suspicions that the person is pretending to be a minor in order to avoid the deportation procedure;
- 3) if there are doubts about the age of the person pretending to be a minor.

When appointing an age determination expertise, the State Border Guard immediately informs

the unaccompanied minor in the presence of his representative about the reasons for the age determination expertise, about the possible consequences after conducting the said expertise, as well as about the consequences that could arise if the representative of the unaccompanied minor refuses the medical expertise. The unaccompanied minor is informed in a language that he understands or in a language that is reasonably believed to be understood by him.

If during the age determination procedure, the age of the person to be checked is not clearly established, it will be evaluated in favour of the person to be checked - the person is considered a minor.

The State Forensic Medical Expertise Centre uses the method "Age determination method" No.2-20/VTMEC-I/336. According to Article 5, Paragraph six of the Law on Forensic Experts, the description of the Forensic Expertise method is information of limited availability. The Council of Forensic Experts, after receiving a person's written request and after coordination with the institution where the state forensic expert works, or with a private forensic expert, provides the relevant person with the opportunity to become familiar with the registered forensic method.

As regards age assessments, Article 27 of the Asylum law prescribes: (1) If the Office of Citizenship and Migration Affairs (hereinafter – Office) is of the opinion that it is essential in order to take a decision to grant refugee or alternative status or to refuse to grant it, shall send the asylum seeker, by his/her consent, to a medical expert-examination in relation to the signs, which might point to previous persecution performed or serious harm inflicted. (2) The State Border Guard, upon receipt of a consent from the representative of an unaccompanied minor, may determine a medical expert-examination in order to determine the age of such person, if the State Border Guard has doubts regarding his/her age. If after performance of medical expert-examination the State Border Guard still has doubts regarding the age of the asylum seeker, it is assumed in examining the application that the asylum seeker is a minor. (3) After registering the application the State Border Guard shall inform the unaccompanied minor, without delay and in the presence of a representative, in a language which he/she understands or is reasonably supposed to understand, regarding the possibility that his/her age may be determined in the medical expert-examination referred to in Paragraph two of this Article, regarding the course of the expert-examination, and the possible impact of the results of the medical expert-examination on examination of the application, and also regarding the consequences, which might occur if the representative of the unaccompanied minor refuses from medical expert-examination. (4) If the Office does not organise the medical expert-examination referred to in Paragraph one of this Article, it shall inform the asylum seeker that he/she has the right to perform the medical expert-examination using his/her own funds, in relation to the signs, which might point to previous persecution performed or serious harm inflicted. If the asylum seeker performs the above-mentioned medical expert-examination, he/she has an obligation to submit the results of the medical expert-examination without delay. (5) The medical expert-examinations referred to in Paragraphs one and two of this Article shall be paid from the State budget funds.

Pursuant to Article 28 of the Asylum law (1) An official authorised by the head of the Office shall take a decision to: 1) accept the application for examination or to leave it without examination; 2) grant or refuse to grant refugee or alternative status; 3) transfer the asylum seeker to the responsible Member State, which will examine the application submitted in the Republic of Latvia in accordance with the procedures laid down in Article 6, Paragraph two of this Law, according to Regulation No 604/2013; 4) discontinue examination of the application; 5) resume examination of the application or to refuse to resume examination of application. (2) If the asylum seeker is an unaccompanied minor, the decisions referred to in Paragraph one of this Article shall be drawn up by an official of the Office, who has the necessary knowledge regarding needs of minors. (3) In taking the decisions referred to in Paragraph one of this Article, an official authorised by the head of the Office may include the asylum seeker and his/her family members in one decision, if the applications of such persons are based on the same facts and if thus the special circumstances of the asylum seeker are not disclosed, which may endanger

his/her interests, particularly in cases which are related to persecution due to sex, sexual orientation, gender identity or age. (4) Refusal of the asylum seeker to sign the negotiation minutes or to confirm the content of the report, to perform the medical expert-examination above-mentioned in Article 27, Paragraph two of this Law or non-submission of the results of the medical expert-examination above-mentioned in Article 27, Paragraph four of this law shall not be the grounds for not taking any of the decisions referred to in Paragraph one of this Article.

The consent of the legal representative is required to carry out such an examination of the child's age. Refusal to carry out such expertise or to cover its results shall not affect the decision on the granting of international protection status.

### Child poverty

According to Article 26 of the Law on the Protection of the Children's Rights the family is the natural environment for the development and growth of a child and every child has the inalienable right to grow up in a family. The State and local municipality shall support the family, particularly a large family and a family which cares for a child with disability, and provide assistance to it. If the relationship of the parents with their child does not ensure a favourable environment for the development of the child or if the child is chronically ill, the local municipality shall assist the family, providing consultations with a psychologist, social educator or other specialist, and shall appoint a support family or trusted person for the child who shall assist in stabilising the relationship between parents and child. A support family or trusted person, on the basis of a three-party agreement which is entered into between the support family or trusted person, local municipality social service office and the family for which support is necessary shall provide support to the child or the family. Depending on the age of a child, the local municipality shall assist the family, particularly, a family in need, in the upbringing and education of the child, in vocational education, and in finding employment and accommodation. The State and local municipality shall provide support to child and family educational, health maintenance, cultural, sports and recreational institutions and organisations, in order to promote physical development and creative activities of a child; provide opportunities for spending free time for a child; and provide other services to promote full development of a child and assist the family in the upbringing of a child. Other laws shall determine the duties by which the State and local municipalities ensure a minimal level of welfare to a child.

In evaluating the contribution and increasing the prestige in the society, and also in order to promote and support voluntary involvement of local municipalities, merchants, and other persons in supporting large families and families which care for a child with a disability or a person who has not reached the age of 24 years and for whom Group I or II disability has been determined, the Society Integration Foundation shall ensure the implementation of the State support program "Latvian Honorary Family Certificate Program". The procedures for implementing the abovementioned program, including the cases and procedures for granting, issuing, using, cancelling the honorary family certificate, and also the restrictions for the receipt of the certificate shall be determined by the Cabinet of Ministers.

According to Article 9 Paragraph two of the Law on Social Services and Social Assistance if a local municipality has received information from natural persons or institutions regarding a person who might require a social care or social rehabilitation service or social assistance, the local municipality has an obligation, in accordance with the procedures specified in the law On Social Security, to verify the received information, to evaluate the needs of the person for social services and social assistance, and to inform this person or his/her lawful representative of the rights and possibilities of receiving social services and social assistance, and also the procedures by which social services or social assistance may be received.

The latest indicators on poverty risk and social exclusion (2021) show that at-risk of poverty and social exclusion rate has increased for children in 2021 similarly to other age groups and total rates. In 2021, the at-risk of poverty and social exclusion rate for children aged 0-17 years was

20.1% (in 2020 – 19.7%). The at-risk of poverty rate has decreased for large families (from 12.8% in 2020 to 11.7% in 2021) and with 2 children (from 17.7% in 2020 to 16.5% in 2021), however, the situation deteriorated for single parent families (from 30.6% in 2020 to 37.4% in 2021).

During the 2014-2020 programming period of EU funds, seven annual evaluations of policies to reduce poverty and social exclusion were implemented. The aim of these evaluations was to analyse statistics and survey data on the situation of poverty and social exclusion in the context of policies and policies implemented aimed at reducing poverty, social exclusion or reducing income inequality, and to assess whether the policies initiated and implemented make a sufficient and targeted contribution to reducing poverty and social exclusion by drawing conclusions and proposing changes to policies to reduce poverty and social exclusion. In order to assess the situation in 2018-2020, three evaluations were carried out (previous evaluations included an analysis of the situation for 2012-2017):

- Annual assessment of policies to reduce poverty and social exclusion (including an in-depth assessment of the living strategies of GMI beneficiaries) (Evaluation 5).

The main conclusion regarding families with children:

The researchers concluded that a significant impact on the level of personal income in 2018 was caused by the tax reform, in particular the changes introduced in the amount of personal income tax and mandatory state social insurance contributions and payment procedures. For the two most at-risk-of-poverty target groups, families with children and pensioners, a number of targeted support measures were implemented. As a result, the overall at-risk-of-poverty rate decreased in 2018. The evaluation concluded that the beneficiaries of the GMI benefit are not a homogeneous group according to the composition of the household. There are a number of typological groups among the beneficiaries. One of the most important groups are families with children, including large families (6 %) and single-parent families (13 %). One of the most important tools for improving the situation of GMI beneficiaries is the regular revision of minimum income thresholds and various complex support measures involving social work with family or person.

- Annual assessment of policies to reduce poverty and social exclusion (including in-depth assessment of beneficiaries of the State social security benefit) (Evaluation 6):

The main conclusion regarding families with children:

In this report too, the problem has not declined for households of single adult with children — their at-risk-of-poverty rate was 30.6% in 2019 (by 4.4 percentage points higher than in 2018 but lower than in 2015-2017), which is the highest for all households with children. Consequently, the proposed solutions are still relevant, such as the introduction of mechanisms that primarily support families who are needy and low-income.

- Annual assessment of policies to reduce poverty and social exclusion (including in-depth assessment of low-income persons) (Evaluation 7)

The main conclusion regarding families with children:

Families with children were one of the groups for whom targeted measures were implemented during 2020. However, the risk of poverty in the households of single adults with children remains consistently high.

Measures for poverty reduction:

Work is ongoing on the improvement of the social safety system and the improvement of adequacy of social safety nets:

- In 2018, the guaranteed minimum income level was changed from 49.80 EUR to 53 EUR per person per month. The number of recipients of the guaranteed minimum income benefit

increased from 27 769 persons in 2016 to 29 553 persons in 2018.

– The support system for adoption and out-of-family care to develop family environment (guardianship, foster families) based out-of-family care services and achieve that children live in a more favourable family-like or almost family-like environment. 4.8 million EUR were additionally granted for this purpose in 2017 and 2.9 million EUR in 2018 and every year:

1) The benefit to a foster family for child maintenance up to the age of seven was increased from 95 EUR in 2017 to 215 EUR in 2018, but for a child from seven to 17 years (inclusive) – from 114 EUR in 2017 to 258 EUR in 2018. Number of recipients of the benefit – 1 375 children per month on average;

2) The compensation to a foster family for the fulfilment of duties from 2018 depends on the number of children in care. The amount of compensation for one child in foster care is equal to the childcare benefit for a person caring for a child up to the age of one-and-a-half years, or 171 EUR. If there are two children in foster care, the amount of compensation will be 222.30 EUR, and 273.60 EUR for three or more children. The previous amount of compensation was 113.83 EUR regardless of the number of children in the foster family. Number of recipients of the compensation – 468 persons per month on average;

3) Social protection of adopters and foster families has increased – from 2018 social insurance contributions (for insurance of pensions, for insurance of disability and insurance against unemployment) are made for the persons, who receive compensation for the fulfilment of duties of a foster family and have no social insurance (189 persons per month on average);

4) The compensation for caring for a child to be adopted for persons having social insurance, who care for a child up to the age of 8 years, – the amount of compensation is 70% of average insurance contributions wage defined in the country. Other recipients will receive compensation as before – 171 EUR. If an adopter takes care of several children at once, a supplement of 171 EUR will be granted for the next child. Average number of recipients of the compensation – 33 persons per month.

To raise the level of income of the pensioners, in 2019: (1) for old-age pensions calculated for 45 or more years with a long insurance period pension indexation will use the actual consumer price index and 80% (instead of the current 70%) of the real increment rates of insurance contributions wage. Number of recipients – 21% of all recipients of old-age pensions; (2) the amount of supplement per year of the insurance period accumulated before 31 December 1995 will be reviewed in October, taking into account the actual consumer price index and 50% of the real increment rates of insurance contributions wage. Number of recipients of the supplement – 78% of all recipients of old-age pensions and 45% of all recipients of disability pensions; (3) in case of death of the pension recipient the survivor shall receive a benefit of 50% of the pension granted to the deceased spouse for 12 months; (4) the insurance period includes service in the Soviet army for the period until 1996;

– new type of support for persons, who have adopted a child, until the child reaches the age of 18 – a monthly benefit in the amount of minimum maintenance (107.50 EUR per month for a child up to 6 years (inclusive) and 129 EUR per month for a child from 7 to 18 years). The benefit is granted from 1 July 2019.

– increase of the special care benefit from 1 July 2019 by 100 EUR per month (from 213.43 EUR per month to 313.43 EUR per month):

1) for children with disability, who have specific indications for special care and 2) for persons with disability group I, who have indications requiring special care and whose cause of disability is “disease from childhood”.

Work is ongoing on the improvement of the **social safety system** and the improvement of adequacy of social safety nets:

In August 2019, CM approved the *Minimum Income Level Introduction Plan for 2020-2021*.

9.8 million EUR have been earmarked for the implementation of the plan (the implementation of the plan requires funding of 29.5 million EUR). The measures are not implemented in full due to limited funding. Starting from 2020:

- 1) The minimum base for calculating old age pension has been set at the level of 80 EUR (for persons with disability since childhood – 122.69 EUR). As a result, for persons with an insurance period between 15 and 20 years, the minimum old age pension is 88 EUR and for persons with disability since childhood – 134.96 EUR (increase by 17.57 EUR). For persons with an insurance period between 21 and 30 years, the minimum old age pension is 104 EUR and for persons with disability since childhood – 159.5 EUR (increase by 20.76 EUR). If the insurance period is between 31 and 40 years, the minimum old age pension is 120 EUR and for persons with disability since childhood – 184.04 EUR (increase by 23.96 EUR). In turn, if the insurance period is 41 years or more, the minimum old age pension is 136 EUR and for persons with disability since childhood – 208.57 EUR (increase by 27.15 EUR). Number of beneficiaries of the minimum old age pension – 20,494 persons;
- 2) The amount of the state social security benefit for persons with disability has been increased from 64 EUR to 80 EUR (for persons with disability since childhood – 122.69 EUR). Number of beneficiaries – 18,587 persons;
- 3) The minimum amount of the disability pension has been increased by applying the state social security benefit of 80 EUR (for persons with disability since childhood – 122.69 EUR). In case of group I disability, the minimum disability pension will be 128 EUR (for a person with disability since childhood – 196.30 EUR), in case of group II disability – 112 EUR (for a person with disability since childhood – 171.77 EUR), in case of group III disability – 80 EUR (for a person with disability since childhood – 122.69 EUR). Number of beneficiaries – 33,000 persons;
- 4) The minimum amount of compensation for loss of ability to work and compensation for damage has been increased by applying the state social security benefit of 80 EUR (for persons with disability since childhood – 122.69 EUR). Number of beneficiaries – 683 persons;

From 1 January 2020 the guaranteed minimum income level (GMI) increased from 53 EUR to 64 EUR per month per person in a household. The number of GMI beneficiaries is expected to rise by 4,926 persons or 25% in 2020 compared to 2019.

From 1 January 2021, a number of minimum income thresholds, both for municipal social assistance and for benefits and pensions set by the State, have been substantially increased, in order to ensure a **review of minimum income thresholds** and increase their adequacy<sup>15</sup>:

- 1) The level of GMI has been increased from 64 EUR to 109 EUR for the first or only person in the household (20% of the median income) and 76 EUR for each next person in the household (factor 0.7 of the first person);
- 2) The income threshold for a needy household has been increased setting it at 50% of the median income. As a result, the income threshold for a needy household is 272 EUR for the first or only person in the household of the median income and 190 EUR for each next person in the household (previously 128,06 EUR per person per month);
- 3) The income threshold for a low-income household is capped at 80% of the median income, and the income threshold, according to which the household is considered to be low-income, has been increased. As a result, the maximum income threshold for a low-income household is 436 EUR for the first or only person in the household of the median income and 305 EUR for each next person in the household (previously there was no maximum income threshold for a low-income person);
- 4) A single legal framework for the provision of housing benefit has been provided, setting out specific housing-related expenditure items and their minimum rates which will be used to calculate the amount of housing benefit. The amendments entered into force on 01.07.2021;
- 5) The minimum old age pension has been increased – the minimum old-age pension calculation base is set at 136 EUR (25% of median income) instead of 80 EUR, while for persons with disability since childhood 163 EUR (30% of median income) instead of 122.69

<sup>15</sup> The minimum amounts of benefits and pensions or their thresholds are determined on the basis of methodically justified criteria corresponding to the socio-economic reality, i.e. as a percentage of the median income of households per equivalent consumer (hereinafter referred to as median income), calculated using the equivalence scale 1; 0.7; 0.7.

EUR. The minimum old-age pension for each year of pensionable service is determined by applying to the old-age pension calculation base a coefficient of 1.1 and, for each subsequent year, exceeding the length of pensionable service required for the granting of an old-age pension, increasing the amount by two per cent from the minimum old-age pension calculation base. Thus, the minimum old-age pension of no less than 149.60 EUR will be guaranteed. The increase of the minimum amount of old-age pensions will increase the amount of funeral benefits and benefits for the surviving spouse. The changes will affect approximately 31 thousand persons per month;

6) The minimum disability pension has been increased. The amount of group III disability pension is set at the disability pension calculation base, which is 136 EUR (25% of median income), while for persons with disability since childhood 162 EUR (30% of median income). On the other hand, the amount of group I and II disability pension must not be less than the corresponding disability pension calculation base, for which a coefficient of 1.6 is applied in case of group I disability and a coefficient of 1.4 – in case of group II disability.

#### Minimum disability pension amount, EUR per month

	Coefficient	2020, EUR	2021, EUR
<b>Persons with disability since childhood</b>			
Group I	1.6	196.30	260.80
Group II	1.4	171.77	228.20
Group III	Base	122.69	163.00
<b>Other persons with disabilities</b>			
Group I	1.6	128.00	217.60
Group II	1.4	112.00	190.40
Group III	Base	80.00	136.00

Data source: Ministry of Welfare

The increase of the minimum amounts of disability pensions will increase the amount of benefits for the surviving spouse, as well as the amount of funeral benefits in the event of the death of the beneficiary of the disability pension. The changes will affect an average of 45 thousand persons per month;

7) Support for children in the event of loss of a breadwinner, both the for beneficiaries of the minimum survivor's pension and the beneficiaries of the state social security allowance – children under six years of age (inclusive) will receive 136 EUR (25% of the median income) instead of previous 92.5 EUR, including children with disabilities under six years of age (inclusive) instead of previous 106.72 EUR, children from seven years of age will receive 163 EUR (30% of median income) in the event of loss of a breadwinner instead of 111 EUR;

8) The amount of the national social security benefit for seniors and people with disabilities has been increased.

#### Amount of the state social security benefit, EUR per month

For persons with disabilities				
	Coefficient	2020	2021	Amount of unemployed in 2021, with +30% supplement for gr.I, +20% supplement for gr.II (increase in EUR)
<b>persons with disabilities</b>				
Group I	1.3 (2020), 1.4 (2021)	104	152.60 (+48.60)	198.38 (+94.38)
Group II	1.2	96	130.80 (+34.80)	156.96 (+60.96)
Group III	Base	80		109 (+29)

persons with disability since childhood				
Group I	1.3 (2020), 1.4 (2021)	159.50	190.40 (+30.90)	247.52 (+88.02)
Group II	1.2	147.23	163.20 (+15.97)	195.84 (+48.61)
Group III	Base	122.69	136.00 (+13.31)	
Persons above the pension age				
		2020	2021 (increase in EUR)	
		64.03	109.00 (+44.97)	
In the event of loss of a breadwinner				
		2020	2021 (increase in EUR)	
Before 7 years of age		92.50	136.00 (+ 43.50)	
Before 7 years of age for children with disability		106.72	136.00 (+ 29.28)	
From 7 years of age		111.00	163.00 (+ 52.00)	

The changes will affect an average of 20 thousand persons per month

Data source: Ministry of Welfare

In order to provide the necessary **support for orphans and children left without parental care**, when they start living independently, and to promote social inclusion and acquisition of education, the following has been increased:

- 1) one-off allowance for the commencement of an independent life setting it at the level of 40% of the median income, i.e. 218 EUR (previously 128.06 EUR), while for young people with disabilities since childhood – 60%, i.e. 327 EUR (previously 245.38 EUR);
- 2) allowance for monthly expenses of 20% of median income, i.e. 109 EUR (previously 64.03 EUR), while for young people with disability since childhood – 30%, i.e. 163 EUR (previously 122.69 EUR);
- 3) allowance for purchases of household goods and soft inventory, setting it in full and adjusting according to the increase in inflation, i.e. 820.05 EUR (previously 249.71 EUR).

### **Support for the population for mitigation of the consequences of the crisis caused by Covid-19**

Support measures in the period of incapacity for work and performance of care duties:

- The State paid for sick-leave certificates issued due to diseases caused by COVID-19 or persons' staying in quarantine instead of companies. This procedure was in force until June 30, 2021;
- Sickness support benefit for a socially insured person of 60% of the insurance contributions wage, if 1) the person could not work remotely and the child under care could not visited a pre-school educational institution due to conditions associated with the Covid-19 infection, or education under the general education program was remoted; 2) was a support person for a disabled person below the age 18, who could not use the day-care centre provided by the local municipality because of the circumstances associated with the Covid-19 infection. Period of granting of the support: 30.11.2020 – 30.06.2021.

Support to families with children:

- For those beneficiaries of the parental allowance, whose period of payment of the parental allowance ends during the emergency situation announced in the country due to Covid-19, but due to the circumstances caused by the emergency situation it was not possible for them to return to work, the payment of the parental allowance was extended beyond the child's age of one year or one-and-a-half years until employment is resumed, but no longer than until the end of the announced Covid-19 emergency situation. The extension of the parental allowance was paid out in the amount of the previously paid parental allowance, but no more than 700 EUR per month;
- For the period from 12 March 2020 to 9 June 2020, for a person taking care of a child from the age of one to one-and-a-half years, the amount of child care allowance was 171 EUR

(previously 42.69 EUR) per month;

- An employed person and a self-employed person receiving a downtime benefit got a supplement of 50 EUR for each dependent child under 24 years of age. The supplement was granted if the downtime benefit was received until 30 June 2021;
- In spring 2020, a one-off supplement of 150 EUR to the state family allowance for a disabled child;
- Granting of a one-off allowance of 500 EUR per child to a person entitled to the child care allowance for a child under the age of one year, the State family allowance or a supplement to the state family allowance for a disabled child or entitled to maternity allowance in connection with the birth of a child and the child born before the end of the emergency situation. The one-off allowance for each child was also received by those, whose rights to the child care allowance up to the age of one year or the state family allowance originated during the emergency situation.

Support for seniors, persons with disabilities and survivors:

- Granting of a one-off allowance of 200 EUR to a person living in Latvia who, during the period from 1 March 2021 to the end of the emergency situation announced in connection with the spread of Covid-19 infection, was the recipient of the Latvian old age, disability or survivor's pension, the beneficiary of a special state pension, the recipient of a service pension who has reached the age necessary for the granting of the old-age pension, however, the old-age pension had not been granted, the beneficiary of a compensation for loss of capacity for work or survivor's compensation, or the beneficiary of the state social security allowance, including if the payment of the allowance has been temporarily suspended. The one-off allowance was also received by those, whose rights to the pension, compensation or allowance originate during the emergency situation.
- An additional a one-off allowance of 200 EUR was paid to beneficiaries of disabled child care allowance or allowance for persons with disabilities in need of care.

Allowance for securing basic needs: to a family (person) who, due to the emergency situation, was unable to meet his/her basic needs, the local municipality granted an allowance in a crisis situation. The State provided a target grant to local municipalities to cover costs of 50% of the allowance granted to the person in a crisis situation, but without exceeding the set monthly amount of the allowance. During the declared state of emergency and for one calendar month after its end, the local municipality provided additional 50 EUR for each cared child under 18 to families or persons receiving the allowance in a crisis situation, including foster families and guardians. Payment of the allowance was intended from the State budget.

Extending the validity of the documents related to the receipt of social services and social assistance (status/qualification period) so as not to create a gap in the social security of the person, the provision of services and the adaptation of the organisation work by providers of social services to the epidemiological situation at that time, so that in Covid-19 conditions the population could still receive the necessary social services in the form, which is maximum secure to the beneficiaries and the service provider's staff.

Support during the unemployment and downtime period:

- Until 30 June 2021, the unemployed were able to engage in temporary paid community work regardless of the duration of the registered or actual unemployment. The amount of monthly remuneration was 200 EUR, incl. mandatory state social insurance contributions paid for pension insurance;
- Until 31 December 2021, the period of time, for which the unemployed may become employed or self-employed persons without losing the status of the unemployed person, thereby gaining short-term income during, for example, seasonal work, is extended to 120 days, or 4 months;
- The period of payment of the unemployment benefit had been extended until 30 June 2021. The allowance of 180 EUR was intended for people whose period of payment of the unemployment benefit expired on or after 12 March 2020 and who, due to the conditions of the emergency situation announced due to the spread of Covid-19, continue to be unemployed.

The unemployment benefit was paid for a period of not more than four months;

– Persons who, during the year preceding the announcement of the emergency situation, have completed their studies in a higher education institution or college and have obtained unemployment status during or three months after the announcement of the emergency situation, were entitled to the young specialist's benefit, if the total pensionable (employment) service was less than one year and the unemployed in the 16-month period preceding the date of the acquisition of the unemployment status, made contributions for unemployment event for less than 12 months or had not made them at all, the allowance was paid until the person loses his/her status as unemployed, but not more than four months and no longer than until 30 June 2021. The amount of the allowance was 500 EUR in the first two months, 375 EUR – in the third and fourth month.

Support for employees in the field of social services: a fixed premium of 50% of the monthly wage for the care for an infected customer and contact person during the period from December 1, 2020 to June 30, 2021, if the service was provided in the institution in which social services with accommodation, as well as in the day care centre or nursing home was provided by a State, local municipality institution or a contract organisation. The State compensated local municipalities 50% of the local municipalities' actual additional costs for the premiums from emergency funds.

The Ministry of Welfare prepared two medium-term development planning documents: **Strategy for Social Protection and Labour Market Policy for 2021-2027** and **Strategy for Children, Youth and Family Development for 2022-2027**.

**Strategy for Social Protection and Labour Market Policy for 2021-2027** was approved by the Cabinet of Ministers on September 1, 2021. The aim of social protection and labour market policies in the Republic of Latvia is to promote social inclusion of persons by reducing income inequality and poverty, by developing a system of social services and legal support that is accessible and appropriate to individual needs, and by promoting a high level of employment in a qualitative working environment, inter alia.

The development of social protection and labour market policies is planned in five lines of action.

- 1) Sustainable, stable and adequate **material support** ensuring sufficient economic independence.
- 2) A modern and accessible system of **social services**, which, among other things, improves the ability of citizens to live independently and live in society, to integrate into education and the labour market. Within the framework of the action, it is planned to further develop and develop community-based services in order to make them more accessible and meet the needs of the target group. At the same time, it is planned to focus on the quality of institutional care, bringing these services closer to the family environment. Measures and investments for the development of social services in general are also planned, developing and diversifying them in order to provide the necessary support to citizens. The course will be continued for the development of social work, promoting and strengthening public trust in social workers, who are often the first and main providers of support in certain life situations.
- 3) **Inclusive labour market** for all and quality jobs, supporting long-term labour market participation. Within the framework of the action, measures are planned that will facilitate integration into the labour market for different groups of the population. Attention will also be paid to work-life balance for employees and to strengthening a safe and healthy working environment for all employees, thus prolonging the working lives of employees.
- 4) The development of the state-provided **legal support system**, extending the access of vulnerable persons to the justice system. It is planned that the measures implemented within the framework of the action will increase public awareness of legal issues, as well as greater access to the rule of law for vulnerable persons.
- 5) Strengthening the **governance of social protection and labour market policies**. The strand of action is aimed at strengthening cross-sectoral and inter-institutional cooperation in the planning and implementation of different services in the areas of

welfare and the labour market. It is also planned to revise the system of employee planning and remuneration in the sector. Information measures will be implemented to ensure that information about services and their receipt is more accessible to the public, as well as on the latest developments in the sector as a whole. It is also planned to focus on the availability of timely, reliable and high-quality data for social protection and labour market policy planning.

**Strategy for Children, Youth and Family Development for 2022-2027** was approved on December 20, 2022.

The overarching objective is a society that supports children, young people and families, which promotes the well-being of families, modern and healthy support and intervention services that establish healthy development and equal opportunities for children and young people, reduce the risk of poverty and social exclusion for children, young people and families, and contribute to the joint growth of the country.

The Strategy defines four sub-objectives and lines of action, which are based on the main strands of child, youth and family policies and, together, ensure that public policies are comprehensive, systemic, balanced and succeeding.

**Objective 1: To promote the safety, development, psychological and emotional well-being of children and young people.**

It provides for the identification and provision of development needs of children and young people, education of specialists, families, children and youth, creating a safe environment, preventing risks of violence and implementing early interventions to prevent the impact of risks, as well as providing support for strengthening family functionality and reducing the impact of adverse experiences and developing further quality relationships.

The following lines of action are defined for the implementation of the objective:

1. Early preventive support for the healthy development of children and young people.
2. The elimination of all forms of violence.
3. Reducing the prevalence of addiction-causing processes and the use of substances.
4. Restoring the social functioning of the family in a crisis situation.
5. Prevention of child crime, protection against criminal offences and change of attitude towards children involved in legal proceedings.

**Objective 2: Equal opportunities for specially supported groups of children and young people.**

It provides for increasing opportunities for orphans and children left without parental care to grow in a family or family environment, as well as to provide support services that meet individual needs, promoting the full social inclusion of orphans and other specially supported children and youth groups in society.

The following lines of action are defined for the implementation of the objective:

1. Family environment for children and young people in out-of-family care.
2. Social inclusion of children and young people with disabilities and strengthening equal opportunities.
3. Strengthening equal opportunities for children with no defined paternity.
4. Promoting the inclusion of young people with fewer opportunities.

**Objective 3: Developing young people, improving quality of life and strengthening participation.**

It envisages a set of targeted actions to be implemented in all public policy areas, which contribute to the full, harmonious and comprehensive development of young people, and to

improve the quality of life, so that young people feel security about their future in Latvia, as well as their inclusion in society and its civic participation processes.

The following lines of action are defined for the implementation of the objective:

1. Establishment and development of a qualitative and sustainable system of work with youth.
2. Promoting greater and more active participation of young people.
3. Promoting the acquisition of abilities and skills necessary for the labour market and independent living.

#### **Objective 4: Population Reproduction in Latvia.**

It envisages the development and implementation of a comprehensive and targeted long-term program to boost fertility.

The following lines of action are defined for the implementation of the objective:

1. Strengthening family values in society.
2. Improvement of the support system for raising and caring for a child.
3. Improving the quality of life in families with children.
4. Latvians in the world and on their way back to Latvia.

According to Medical treatment law, all children are priority in health care. All children, irrespective of their economic status, nationality or ethnicity can receive state-funded healthcare. In addition, in order to ensure access to health care for children in poverty, transport can be organized through the social service of the municipality. For all children the co-payments are covered by the State.

Law on Assistance in Solving Apartment Matters stipulates that the following persons shall be provided with residential space first:

- low-income persons who live with and in whose care is at least one minor child;
- families and persons who live with and in whose care is one minor child with a disability or persons with a disability whose cause of disability is an illness from childhood;
- children left without parental care – after the child has reached the age of majority and his/her out-of-family care has ended. Law also provides for a housing allowance for a child left without parental care.

The municipality shall pay the accommodation allowance to a child left without parental care from the day when the child reaches the age of majority, until reaching the age of 24 years.

Equal quality educational opportunities are provided to all children, in accordance with the procedures specified in Article 3 of the Law on Education, including for students of national minorities, Roma people, minor asylum seekers, *etc.*

The Ministry of Culture in cooperation with Ministry of Education and Science in the Action Plan have set the Research-based development policy for cohesive society, including:

- Public opinion survey carried out regarding the knowledge, skills and attitudes of Latvians in the field of tolerance and non-discrimination.
- Assessment of anti-discriminatory situation with recommendations for improvement of the anti-discrimination monitoring system carried out.

One of the measures that Ministry of Welfare has included in the Plan, is ensuring services for boosting motivation and support for groups at risk of social exclusion and discrimination, including the Roma.

Ombudsman's Office in the Plan has set the Combatting stereotypes, prejudices, discrimination.

In 2021 Ombudsman's Office started filming video stories about representatives of the Roma

community, the purpose of video publicity will be to reduce the stigmatization and discrimination of Roma people in society.

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

- a) *What measures have been taken to introduce anti-bullying policies in schools, i.e. measures relating to awareness raising, prevention and intervention? (General question, Conclusions 2019).*

The Ministry of Education and Science together with the Ministry of Welfare and the Ministry of Health develops an informative report on the elimination and prevention of emotional and physical violence (bullying) at schools, as well as on cooperation between State and local government institutions to create a support system for students, families and teachers. Submission of the report to the Cabinet of Ministers planned by 14 February 2023.

The Ministry of Health had started to plan the public awareness campaign implementation "Look into the eyes! Bullying is not funny!" in 2021 (implemented in 2022).

The campaign aim is to educate society that bullying, including in educational institutions, is not the norm and a stage of self-development, and to provide specific recommendations on how to act in bullying situations, promoting the knowledge and skills for teachers, principals, parents and pupils.

As part of campaign it was planned to develop an educational film for pupils on bullying prevention; provide educators with free digital courses and support materials that include practical tips for reducing teen bullying; develop the bullying prevention algorithm on how to implement prevention and act in cases of bullying; develop a video simulation for parents to the prevention of bullying and the correct solution to the situation.

The Ministry of Health in 2021 started also to plan the development of guidelines and recommendations for reducing the prevalence of bullying in educational institutions and training for their implementation, including an algorithm, a multi-functional approach to preventing bullying and promoting inter-agency cooperation.

Within the framework of the EU funds the Ministry of Health, together with adolescent psychotherapist developed a First Psychological Aid (PPP) manual for teenagers in 2020, which summarizes basic knowledge, techniques and skills that help teenagers avoid mental health problems, recognize them and provide first aid to themselves or a friend, including instances of bullying in school.

Within the framework of EU funds the Ministry of Health developed Mental health promotion and prevention program for 7th-9th and 10th-12th grade pupils in 2021. The purpose of the program was to promote pupils' knowledge on mental health issues, to create an understanding of the importance of emotions in promoting mental health, to practice the skills of recognizing emotions in everyday life in order to be able to regulate it. At the same time pupils' skills in conflict resolution were improved by learning about the reasons for their occurrence preventing bullying and other issues.

Please see also information provided under point e).

- b) *What measures have been taken by the State to facilitate child participation across a broad range of decision-making and activities related to education (including in the context of children's specific learning environments)? (General question, Conclusions 2019).*

During the Covid-19 pandemic the Ministry of Education and Science **launched student peer-to-peer support program**, strengthening student agency and the role of students and student

councils in ensuring healthy socio-emotional environment in schools. Almost 20% of schools received state funding for the implementation of this initiative and development of the wellbeing plans for their schools under this initiative.

Each school could implement the recommendations elaborated by the Ministry of Education and Science to its specific context and needs. This set of recommendations was intended to help schools and teachers develop their own strategies.

Schools implemented measures to ensure all pupils, including those with specific learning needs, to have access to distance learning schemes.

The Ministry of Education and Science introduced and disseminated a set of "Recommendations on distance learning in schools" (translation were available also in EN and RU). This document contained recommendations that are mainly proposed to the management, teachers and coordinators in order to ensure pedagogical continuity during a temporary suspension of obligatory regular attendance of pupils. These recommendations were adjusted to the specific context and needs, making it possible for schools and teachers to develop their own strategies.

There were roadmaps and guidelines for distance learning for teachers and parents. Advice for teachers, parents and ICT available in 3 languages: LV, EN and RU.

For psychological support there was a hotline and Chatbot for children and also for parents hosted by the State inspectorate for Protection of Children's Rights.

*Please see also information provided under point e) the voice of the child in education.*

- c) *What measures have been taken to address the effects of the Covid-19 pandemic on the education of children (including in particular disabled children, Roma and Traveller children, children with health issues and other vulnerable children)?*

During the Covid-19 crisis, pupils had the opportunity to receive face-to-face counselling, and it is especially important to reach out to pupils who need psycho-emotional support and help them to reduce both the risks of early school leaving and the negative effects of distance learning on their mental health.

During the Emergency situation special education institutions and such special education classes of educational institutions in which a special basic education program for children/pupils with severe mental disabilities or several severe developmental disabilities is implemented, as well as a special basic education program for children/pupils with mental disabilities were kept open for on-site learning.

The Ministry of Education and Science supported pupils by providing 11,352 computers/ smart devices this academic year (5.3% of pupils) to address the lack of facilities for pupils of general education levels during Covid-19 pandemic in order to adjust to distance learning process.

Educational TV channel "Your class" (tavaklase.lv) for pupils was created and in operation since April 6, 2020. Initially it supported pupils, parents and teachers in the implementation of distance learning for all levels of general education. More than 70 teachers were involved in the project, and also a volunteering Parents Group took part in the project.

In compliance with the requirements of the national legislation on the organization of the educational process in the event of an emergency situation, which was declared as an epidemiological security threat due to the rapid spread of the Covid-19 infection, the educational process in prisons was organized in a remote mode. The practical activities of the vocational training programmes were suspended for the duration of the quarantine and resumed once the quarantine was cancelled. If necessary, the duration of the educational programmes was extended to allow the prisoners participating in the educational programmes to complete their

full training and to pass the relevant national examinations.

### Number of juvenile students in prisons 2014-2021

Time period	Total number of minors in imprisonment	Number of students		Percentage of students	
		Secondary education	Professional education	Secondary education	Professional education
01.09.2007.	183	156	66	72%	36%
01.09.2008.	176	166	53	94%	30%
01.09.2009.	173	145	90	84%	52%
01.09.2010.	100	85	85	85%	85%
01.09.2011.	64	64	20	100%	31%
01.09.2012.	54	53	17	98%	32%
01.09.2013.	48	48	30	100%	63%
01.09.2014.	36	36	19	100%	50%
01.09.2015.	37	37	14	100%	38%
01.09.2016.	39	39	25	100%	64%
01.09.2017.	38	38	17	100%	48%
01.09.2018.	29	27	22	93%	76%
01.09.2019.	33	28	26	85%	79%
01.09.2020.	25	22	21	88%	84%
01.09.2021.	25	25	35	100%	140%

Data source: Ministry of Justice

In 2018-2020, the proportion of inmates involved in general education programmes decreased, despite the fact that young people who had reached the age of eighteen by the decision of the Cesu Correctional Institution for Juveniles Evaluation commission were left to continue the execution of sentence in Cesu Correctional Institution for Juveniles to strengthen the results of their re-socialization. Some of them have completed a special basic education program which is not implemented in secondary school.

In addition to vocational education programmes, in 2021, within the framework of the ESF project, several work skills development programmes (160 hours) were implemented in prisons, including Cesu Correctional Institution for Juveniles, too. Juvenile prisoner could be involved in several labor skills programmes. For this reason, the percentage of those involved in vocational programmes, including labor skills development programmes, exceeds 100%.

The Ministry of Culture in March 2020 updated the Guidelines for Roma mediators' work in order to provide Roma mediation services at the municipal level during the lockdown related to the COVID-19 pandemic situation in the country. The Guidelines included the regular provision of information to Roma families on necessary measures to prevent spreading COVID-19 virus, as well as provision of support to ensure better access of Roma children to the distance online learning process in a cooperation with schools.

Roma mediators are working in 6 municipalities in order to improve better cooperation and dialogue between Roma disadvantaged families and municipalities/governmental institutions. Roma mediators promote activities at the local level which are aimed at the improving skills and raise awareness of Roma parents and their children; as well as at the provision of intercultural dialogue between Roma and mainstream society. One of the significant tasks of the Roma mediators is to improve access of Roma to the labor market as well as education focusing on Roma children and prevention of Roma pupils' drop-out rates.

- d) *Please provide information on the measures taken to ensure that state allocation of resources to private education does not negatively impact on the right of all children to access free, quality public education (based on a Statement of Interpretation from Conclusions 2019).*

The State allocation of resources to private education is regulated in an identical order as in public education. The regulatory act (Rule No 538 The procedure by which the state finances

the salary of teachers in private educational institutions) stipulates the procedures of financing of private education entities is referring to the umbrella act of teachers salaries' funding (Rule No 376 The procedure for calculating and distributing the state budget resources for the salary of pedagogues in general education institutions of municipalities and general secondary education institutions of state universities) thus without creating a different approach between both sectors – private and public ones. The calculation of finance and afterwards the distribution of finance has been based on equity criteria and does not negatively impact the rights of all children to access free and qualitative public education.

*e) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

#### Enrolment rates, absenteeism and drop out rates

To reduce the number of children and young people drop-outs and early school leave, the ESF project "Support for Reducing Early School Leaving" (PuMPuRS) is being implemented. The project promotes the development of sustainable cooperation between municipalities, schools, teachers and parents to identify learners at risk and to provide them with personalised support.

According to Official Statistical database in 2021 share of early leavers from education and training aged 18-24 years in Latvia was 7,3% (6,2% in urban areas, 9,5% - in rural areas)<sup>16</sup>. From 2016 regular monitoring of unjustified absences has been carried out. Schools are obliged to enter information into State Education Information System regarding absences, the reasons for absences and the action taken.

According to the report, from March 2017 until December 2023, the State Education Quality Service in cooperation with the local governments and state vocational educational institutions is implementing the European Structural Funds project "To reduce early school leaving in the implementation of preventive and intervention measures". Individual aid is targeted at general education 1st-12th grade students, as well as vocational education 1st- 4th year students who are at risk of early school leaving. The target group of 1st, 2nd and 3rd year students was added on 1st of September 2021 because while implementing the project activities it was stated that the early intervention is crucial. The aim is to create a sustainable and effective prevention system, involving local governments, the schools, teachers and parents to identify in a timely manner the children at risk of school leaving and provide them with individualized support. These children and young people will have access to specialist advice, mentors, additional classes, as well as material support of educational services accessibility. By the end of 2022, 95% of local governments are involved, and 599 education institutions are implementing the project activities. By September 2022 85102 individual support plans (40385 students have received support) were implemented, provided assistance for teachers and support staff – 988 supervisions, 7 means of methodical support developed and published in the project website, 457 workshops in educational institutions organized. 401 youth initiative projects have been completed, 159 are implemented. 48 TV programs "Klase" (Classroom) have been created to support students, teachers and parents, 12 more programmes will be broadcasted from January 2023.

In addition, with a view to reducing early school leaving rates, more emphasis has been placed on providing career advice and guidance.

Individualized (personalized) support is determined by the Regulations of the Cabinet of Ministers of November 19, 2019 No. 556 "Requirements for general education institutions to enroll students with special needs in their educational programmes".

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<sup>16</sup> [https://data.stat.gov.lv/pxweb/en/OSP\\_PUB/START\\_\\_IZG\\_\\_IZ\\_\\_IZI/IZI040/](https://data.stat.gov.lv/pxweb/en/OSP_PUB/START__IZG__IZ__IZI/IZI040/)

### Costs associated with education

Within the framework of the State budget, educational institutions receive funding for each student, earmarked for teaching aids, teaching materials, etc. needed during the school year. The Ministry of Education, Culture and Sports provides funding for catering services for 1st-4th grade students from the State budget, organized in cooperation with municipalities. Municipalities provide catering services for students in grades 5-12 or they are provided jointly with parents.

In Riga City municipality an allowance to support the acquisition of education EUR 50 is granted to pre-school age children from the age of five who participate in the mandatory preparation for the acquisition of basic education, and to students under the age of 21 years in general or vocational education. The application for this allowance is submitted to the Social Service Office each year between 1 June and 31 October. A person may receive an allowance if he/she comes from a needy or low-income household<sup>17</sup>. In 2018, 1154 persons received the allowance, 1174 persons in 2019, 1203 persons in 2020, 1384 persons in 2021.

### Vulnerable groups

The Ministry of Education and Science monitors the quality education opportunities of Roma students, including the integration of Roma students with special needs into general education programmes.

All students are provided with equal educational opportunities, including minor asylum seekers, who are provided with support for the purchase of learning materials, as well as an individual plan has been developed for providing additional teaching hours, providing an additional 257 EUR per month from the State budget for each asylum seeker.

Article 3 of the Law on Education provides for the right to primary and secondary education for the minor child of the asylum seeker and the minor asylum seeker, as well as the right to continue the education after reaching the age of majority. Also, the aforementioned law states that a minor third-country national or stateless person who does not have a legal basis to stay in the Republic of Latvia has the right to obtain basic education during the period set for voluntary departure, or during the period for which deportation is postponed, as well as during his detention.

Enrolment of a minor foreigner in the educational program is based on the application of a parent, an authorized representative of the Orphan's Court or the head of a child care institution, indicating information about the learner's out-of-family care, while determining that a foreigner who has requested asylum or who is subject to the deportation procedure, upon admission to an educational institution, to the application the child's medical card is not required for admission. Educational opportunities for minor asylum seekers are provided by the Regulations of the Cabinet of Ministers No.488 "Procedure in which the minor asylum seeker is provided with educational opportunities" of July 26, 2016. The mentioned conditions are applied by analogy to the foreigner subject to expulsion.

According to the special Plan coordinated by the Ministry of Education and Science several measures concerning Roma education have been incorporated:

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<sup>17</sup> Regulation No. 49 of the Riga City Council of 26 May, 2021 - "On recognition of a household as needy or low-income and social assistance benefits in Riga City Municipality" stipulates that the right to receive an allowance to support educational acquisition is a household recognised as needy or low-income (the income threshold of a low-income household is EUR 436 for the first or single person in the household and EUR 305 for other persons in the household), thus broadening the range of beneficiaries of the benefit. Until then, the Riga City Council's Binding Regulation No. 202 of 15 January, 2013 on the recognition of a family or a person living separately as needy or low-income and social benefits in the municipality of Riga provided that the allowance to support educational acquisitions may be received if the average household income does not exceed EUR 221 per person.

- Inclusion of Roma pupils with special needs in general educational programmes;
- Promoting Roma participation in the field of education;
- Measures that prevent early school leaving and school leaving at all levels of education and promote a return to education and the labour market;
- Measures for Roma pupils to have better access to education at the level of municipalities;
- Education monitoring of Roma pupils;
- Scholarship programmes for higher educational studies.

In 2021 Ministry of Education and Science, referring to the results of the survey on Roma students' access to preschool education, informed the Jelgava City Preschool Education Institution "Rotaļa" about the possibilities of Roma mediator support in Jelgava.

In 2021 Ministry of Education and Science monitored the education of Roma students in order to ensure preschool education opportunities for Roma children.

In higher education, social scholarships have been introduced for which students, including Roma students, can apply if they meet certain application criteria.

In 2021, in the project "KNOW and DO!" since its inception 14 Roma youths have been involved.

### Anti-bullying measures

Contribution of the Ministry of Health, NGOs:

The materials were created by the Ministry of Health:

- Digital courses available for teachers with practical recommendations for reducing adolescent bullying - available: <https://esparveselibu.lv/skolotajiem-pieejami-digitalie-kursi-ar-praktiskiem-jeteikumiem-pusaudzu-nirgasanas-mazinasanai>

- Educational film for reducing adolescent bullying adapted for children with different perceptual needs - available: <https://esparveselibu.lv/macibu-filma-pusaudzu-nirgasanas-mazinasanai-pielagota-berniem-ar-dazadam-uztveres-vajadzibas>

In addition to that, courses for educators are offered, available at:

<https://www.panakumuuniversitate.lv/lat/jaunumi/239>

In the field of prevention and protection of juvenile crime, the State Police works in the directions of general and individual prevention.

As part of general prevention, the State Police works with the "School Safety" program. The purpose of the program is to improve the security system of educational institutions. In general prevention work with educational institutions, within the framework of the "School Safety" program, four methods are used to solve a specific problem in an educational institution. The police officer chooses one or more of the listed methods:

#### **1. Informing students**

Preventive educational safety classes. During the visit to educational institutions, lectures were given on the topics "Violence", "Violence at school", "Mobbing", "Interrelationships". Emphasis is placed on the recognition of violence and its various forms, the causes of occurrence and possible solutions, as well as on the expected responsibility.

In 2018, the State Police implemented 683 preventive measures to reduce violence in educational institutions and among children.

In 2019, the State Police implemented 1169 preventive measures to reduce violence in educational institutions and among children.

In 2020, the State Police implemented 617 preventive measures to reduce violence in educational institutions and among children.

In 2021, the State Police implemented 507 preventive measures to reduce violence in educational institutions and among children.

#### **2. Safety assessment in an educational institution**

The security assessment includes the assessment of the physical environment, the rules of procedure established in the educational institution, the "microclimate", the incidents and violations registered in the educational institution, and the circulation of risk information. At the

end of the comprehensive assessment, recommendations are prepared for improving the security of the educational institution.

### **3. Informing the personnel of the educational institution**

Educators and educational institution personnel must be able to identify risk situations in time and have practical knowledge of how to act in them. On the other hand, the director of the educational institution needs knowledge of the basics and principles of creating a security system in order to be able to effectively ensure security in the educational institution and manage its maintenance.

Taking into account the above, for example, in 2019, State Police officials carried out personnel awareness measures in 7 educational institutions throughout Latvia.

In 2019, the State Police organized a seminar for representatives of Latvian educational institutions to strengthen the cooperation between the police and educational institutions, to discuss important issues related to the safety of children in educational institutions - how to be able to identify weak points in the system and environment in order to find where the greatest risks of violations or needs improvement. The seminar was attended by 200 employees of educational institutions from all over Latvia, as well as several representatives of regional administrations of the State Police. Auxiliary material for the administration of educational institutions for the evaluation of security in educational institutions was prepared and distributed to the participants of the seminar (available to everyone electronically on the website of the State Police -

<http://manadrosiba.lv/sakums/profesionaliem/#filter:profesionali-skolu-drosiba>)

In 2020 The State Police officials carried out staff awareness measures in 6 educational institutions throughout Latvia, while in 2021 - in 7 educational institutions throughout Latvia.

### **4. Raids**

Preventive control measures (hereinafter - raids) are organized in educational institutions based on information received from educational institutions, parents or students. In raids aimed at reducing the spread of narcotic substances, cases of possession and use of other harmful and addictive substances are also detected, so the measure can be considered also aimed at reducing physical violence (effects of narcotic substances, smoking).

At the same time, State Police officials participate in parent meetings every year, upon request received by educational institutions, when a certain topicality/problem arises. The request is available on the website of the State Police [www.vp.gov.lv](http://www.vp.gov.lv).

During 2018 to 2021, the State Police carried out various activities and developed various informative materials and tools to reduce emotional, physical and sexual violence both in the school environment and outside: "Emotional violence", "Physical violence", "Who are you in everyday life", "Interpersonal violence", "Responsibility", "Recognize violence", "Report violence", "Safety in an educational institution", etc. Materials and tools are available on the State Police websites [www.vp.gov.lv](http://www.vp.gov.lv); [www.manadrosiba.lv](http://www.manadrosiba.lv).

In 2020, several short-term projects were also developed and implemented.

Project "Safety Alley" - a special poster competition was organized as part of the project, in which a total of 73 works was submitted, in the development of which 80 students participated. On the other hand, within the framework of the project "Leaders for the health of young people - knowledgeable and healthy", the State Police in cooperation with Riga City Council specialists developed a special educational prevention program. Within the framework of the project, a brochure was developed, the content of which is intended for the young people trained within the program as an auxiliary material that they can use when working on the implementation of preventive and health-promoting activities in their educational institution. The goal of the project "Don't be indifferent - be co-responsible" is to promote understanding among primary school students about emotional violence, its manifestations, as well as its impact on each individual, in order to fully reduce it in the school environment. During the implementation of the project, the main task was to awaken feelings of empathy in students - the ability to feel in the shoes of the child against whom emotional violence is directed, as well as to promote co-responsibility among peers and understanding of the responsibilities of each student towards the society, so the child should not, using his rights, offend other children and adults rights and legitimate interests. The project was implemented for 2nd-5th grade students of general education schools

located in the supervision area of the Liepāja county of the Kurzeme region administration of the State Police.

#### The voice of the child in education

Representatives of students as well as parents of the students are involved in the school council. The Youth Saeima is a project of the Parliament of Latvia, which gives young people the opportunity to express and defend their ideas, as well as to get to know the daily life of deputies more closely. Young people submit their ideas for elections, organize a campaign and collect votes in support of the idea.

#### **Article 19 – The right of migrant workers and their families to protection and assistance**

**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:**

- 1. 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;**
- 2. to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey;**

- 3. to promote co-operation, as appropriate, between social services, public and private, in emigration and immigration countries;**
- 4. 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;**
- 5. 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;**
- 6. to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory;**
- 7. 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;**
- 8. 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;**
- 9. to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire;**
- 10. to extend the protection and assistance provided for in this article to self-employed migrants insofar as such measures apply;**
- 11. 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;**
- 12. to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.**

*No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

#### **Article 19.1.**

During the time period from 2018 to 2021, a supervisory commission, established by State Employment Agency (Latvia`s PES), initiated the following activities on the basis of Section 29 of the Cabinet Regulation No 458 "Procedures for Licensing and Supervision of Merchants - Providers of Work Placement Services"<sup>18</sup>:

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<sup>18</sup> According to Section 29 of the Regulations of the Cabinet of Ministers No 458 "Procedures for Licensing and Supervision of Merchants - Providers of Work Placement Services", "The Agency shall supervise the procedures according to which the work

	2018.	2019.	2020.	2021.
Number of inspections carried out	4	65	34	23
Canceled licenses	13	16	66	47
(including after carrying out inspections)	1	14	7	2
Examined complaints about the work placement service providers	6	3	4	-

Due to the emergency situations announced in 2020 and 2021, the supervisory commission could not fully fulfill its duties, as the opportunity to visit the service providers in person was limited.

#### Change in policy and the legal framework

The draft law "Immigration Law" (the new Immigration Law) was supported by the Cabinet of Ministers on September 28, 2021 and submitted to the Saeima on October 7, 2021. Currently, the 14th Saeima has taken over its consideration. The draft law is being considered simultaneously with the draft law "Law on entry and residence of citizens of the European Union and their family members in the Republic of Latvia". It should be noted that significant changes in the current Immigration Law were made in 2022 regarding the entry and residence conditions of citizens of Russian Federation and Belarus in connection with the war in Ukraine.

#### Measures against misleading propaganda relating to emigration and immigration

In 2020, the State Police, in cooperation with the State Police College and the State Security Service, as well as taking into account the opinions of the Latvian Human Rights Center, the Office of the Ombudsman and the General Prosecutor's Office, has developed guidelines for the identification and investigation of "hate crimes". The purpose of the guidelines is to inform about the circumstances that should be taken into account in order to identify "hate crimes" and investigate them qualitatively. Corrections and additions to the guidelines are introduced over time by court practice (jurisprudence).

The State Police implements a community-oriented policing approach, which is provided through precinct prevention plans, which are used as a systematic method with specific tasks for the implementation of this approach. Community-oriented police work also includes informing the public, including informing and educating vulnerable groups of society, dialogue between the public and the police, effective cooperation with the State institutions and non-governmental organizations, as well as other involved parties.

In order for State Police officials to be able to effectively implement a community-oriented approach to police work, they are provided with appropriate education and professional development. The topic of hate crimes is discussed in the following training programs implemented by the State Police College and adult informal education programs for State Police officers: "Identification and investigation of hate crimes", "Understanding Muslim culture, religion and legal system in the context of human rights protection", "Respecting human rights in the work of the State Police" , "Police work in a multinational (multicultural) society" etc.

It should be noted that all the regional administrations of the State Police annually conduct training for officers whose curriculum includes the topic of hate crimes.

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placement services are provided by performing checks at the place of operation of the licence recipient at least once every two years after the licence has been issued and if non-compliances have been found during the previous check."

With regard to hate crimes, the last amendments to Article 48 of the Criminal Law were made on July 6, 2021, supplementing Article 48, Part One, Clause 14 of the Criminal Law with the aggravating circumstance - if a criminal offense is committed due to social hatred.

Every person has the right to submit a report to the State Police (in person, by telephone or in writing) about hate crimes, violation of the prohibition of discrimination or different treatment or any other criminal offense committed due to racist, national, ethnic or religious motives or social hatred. Arriving in person at the police structural unit or calling the State Police helpline 110, where connection with the State Police structural unit is provided, or the Operational Management Department, where the information received from the person is processed, and a decision on the appropriate response is made immediately. In the relevant situation, police officials are bound by the Regulations of the Cabinet of Ministers No. 190 of March 20, 2012, "Regulations on event registration procedure and police response time" to respond within a certain period of time: in cities of the republic - within 15 minutes after receiving information, and in counties - 25 minutes at a time. If the police receive information about several events at the same time, the police react in priority order according to the degree of threat to the safety of the persons involved in the event or the public.

It should be stressed that people often use the State Police's official social media website "Twitter" to report, however, if police assistance is needed urgently, the State Police invites citizens to immediately call the State Police helpline 110.

It should be emphasized that submissions sent to the e-mail address [pasts@vp.gov.lv](mailto:pasts@vp.gov.lv) and via the unified State and local government service portal [latvija.lv](http://latvija.lv) are processed in accordance with Article 5 of the Submissions Law within 30 working days, so in situations where the police must react immediately, The State Police invites to contact the nearest police institution in person or by phone immediately.

According to the Regulations of the Cabinet of Ministers No. 190 of March 20, 2012 "Regulations on event registration procedure and police response time", submissions and information about events and the persons involved in them, regardless of the method of receipt (written, electronic or verbal), the police immediately registers the data in the base "Uniform register of events", which is a part of the state information system "Integrated information system of internal affairs", and its manager is the Information Center of the Ministry of Internal Affairs.

Submissions received by the State Police are registered in the State Police information system of the Ministry of the Interior "Lietvedība" and in the subsystem of the integrated information system of the Internal Affairs "Electronic event log", which is connected to the Unified Event Register.

Examination of submissions on alleged criminal offences, as well as pre-trial investigation of criminal proceedings in the State Police is organized according to the territorial principle in accordance with the requirements of Article 388 of the Law on Criminal Procedure. It is important that according to the thirteenth part of Article 388 of the Law on Criminal Procedure, if an investigative body receives information about an ongoing or committed criminal offense, the investigation of which is not within its competence, but in order to record evidence or arrest the perpetrator of the crime, it is necessary to carry out urgent investigative actions, it initiates criminal proceedings, informs for the respective competent investigative institution, perform urgent investigative activities and hand over the materials of the initiated criminal proceedings upon approval.

During the examination of submissions or events, the provisions of Article 373, Part two of the Criminal Procedure Law must also be taken into account, that the fact that the information does not contain sufficient information for the initial qualification of the offense cannot be the reason not starting the process.

Within the framework of the criminal process, in accordance with Article 369 of the Law on Criminal Procedure, the reason for the initiation of the criminal process is the submission of such information to the investigative institution, the prosecutor's office or the court, which indicates the commission of a possible criminal offense, or the acquisition of such information about the progress of the criminal process in the responsible institution.

As part of the administrative violation process: in accordance with Article 116 of the Law on Administrative Responsibility, the administrative violation process is initiated on the basis of a

submission or on the basis of an official's initiative or on the basis of an order of a higher official or a report of another institution.

On May 3, 2022, changes to the Law on Administrative Penalties for violations in the field of administration, public order and the use of the State language entered into force. The law has been supplemented with a new Article 11.1 "Aggressive behavior directed against a person".

For aggressive behavior directed at another person, which disturbs their peace and manifests itself as:

1) a threat to cause harm to the health or sexual integrity of a person or his relatives, if there was reason to fear that this threat could be implemented;

2) threat to property interests, if there was reason to fear that this threat could be implemented;

3) intrusive stalking of a person, which takes the form of tracking, monitoring or unwanted, intrusive and disruptive communication with this person, is punishable by a fine of fourteen to one hundred fine units.

On February 1, 2021, the State Police started participating in the project "Building capacity and raising awareness to prevent and combat intolerance in Latvia - CALDER". The project is implemented in cooperation with the Faculty of Law of the University of Latvia, the Society Integration Fund, the Court Administration, the State Police and the Prosecutor's Office of the Republic of Latvia. The activities of the project are aimed at preventing and combating racism, xenophobia and other forms of discrimination. Within the framework of the project, work is underway on evaluating the compliance of the current legal framework on "hate crimes", including hate speech, with international obligations; evaluation of the effectiveness of the existing national legal framework, including its application in practice, in order to identify gaps in the legal framework and provide proposals for amendments to the law, as well as to develop guidelines for professionals on the identification and investigation of hate crimes, including hate speech.

The State Police cooperates with non-governmental organizations (NGOs), for example, NGO "Latvijas Cilvēktiesību centrs", NGO "Mozaīka", both in projects and in training. Also, the State Police, in cooperation with the NGO "Mozaīka", has resolved issues related to hate speech, freedom of expression in mass media, social networks and mass events, as well as the criminal law characterization and qualification problems of hate crimes and hate speech, investigation tactics and specifics in hate crimes.

In addition to that, representatives of the State Police regularly participated in various events related to the prevention and combating of hate crimes, including hate speech. Thus, in 2021, State officials, regional administrations and stations participated in the event (online) organized by the European Commission together with the Office for Democratic Institutions and Human Rights (ODIHR) and the World Jewish Congress in Latvia on promoting awareness and effective communication between national security institutions and the Jewish community.

In September 2022, the State Police developed the Internet Police Concept of the State Police. Three basic operational tasks are provided for the Internet police officer - to monitor the activities of the Internet environment, to obtain, check and forward information about risks to the institution, to advise residents on the necessary actions in certain cases, including giving preventive warnings.

The Internet police officer for the identification and prevention of cases of hate in the Internet environment is planned not only as a consultant who can reduce the latency of this offense with his actions, but can also provide a valuable function of a primitive filter, that is, by helping a person with advice on further actions and thus reducing the number of rejection materials. It is envisaged that the Internet police officer could perform active preventive work in relation to the person who has carried out hate speech, especially in cases where the person calls for violence. In this way, the Internet police officer is planned as a point of information acquisition in the process of preventing hate speech, to which information about a possible violation is provided. At the same time, the internet policeman would act proactively, monitoring the activities of specific persons, conducting preventive discussions with the person who expresses threats.

In 2022, State Police officials also participated in the discussion of the LAMPA talk festival "Hate speech on the Internet and beyond", where they discussed the increase in aggression, threats

and intolerance observed in society, in everyday situations, both against representatives of certain professions in the real and virtual environment.

Regarding human trafficking, Latvia observes the current national and international regulatory framework in identifying potential victims of human trafficking.

In addition, representatives of the State Border Guard use the guidelines contained in the training program of the State Border Guard College and the indicators and criteria contained in the manual of the European Border and Coast Guard Agency (Frontex) "Combating Human Trafficking Training for Trainers".

The competence of the State Border Guard officials regarding the prevention and combating of human trafficking is continuously improved, as the officials regularly participate in trainings and seminars. The State Border Guard College has developed a training program "Prevention and Combating of Human Trafficking", which is specifically intended for the preparation of instructors who, after completing this program, conduct training in the field of preventing and combating human trafficking for border guards who are directly involved in border checks, immigration control, criminal investigations or perform procedural actions with asylum seekers. Among them, State Border Guard officials also regularly participate in events and trainings in the field of human trafficking prevention organized by European Union institutions and agencies, namely Frontex, Cepol, Europol, as well as various non-governmental organizations. At the border crossing points, there are posters and available information booklets with useful information on how to avoid becoming a victim of human trafficking, as well as contact numbers through which it is possible to seek help.

At the same time, in the field of preventing and combating human trafficking, there is close cooperation between the State Border Guard, the State Police, the Directorate of Citizenship and Migration Affairs, the Ombudsman of the Republic of Latvia, the Ministry of Welfare, the State Labor Inspectorate, as well as various non-governmental organizations.

Also, in the internal regulations developed by the Ministry of the Interior in 2021, "Procedures for the cooperation of subordinate institutions of the Ministry of the Interior involved in the asylum procedure and the procedure for implementing the transfer and resettlement of persons", it was determined that in the event of an application for the granting of refugee or alternative status in the Republic of Latvia or during the asylum procedure the involved institutions have reasonable suspicions that a person may have suffered from human trafficking, torture, rape or other criminal offense, they shall immediately inform the relevant territorial unit of the State Police.

In addition, regarding the prevention and combating of human trafficking, please see information under Article 7, Paragraph 10.

#### **Article 19.4.**

##### Remuneration and other employment and working conditions

During the time period from 2018 till 2021 there have been no changes to the legal framework.

##### Membership of trade unions and enjoyment of the benefits of collective bargaining

On 17 October 2019 amendments were made to the Labour Law (the amendments came into force on November 19, 2019) in order to "decode" the description of administrative violations and the penalties for such violations and to include them in respective branch legislative enactments. According to the amendments, the description of administrative violations and the penalties for the violations provided in the Latvian Administrative Violations Code of 7 December 1984 were incorporated (with slight amendments) into the Labour Law. The said amendments entered into force at the same time as the new Administrative Liability Law of 25 October 2018, i.e., on 1 July 2020. Until 1 July 2020, the violations and penalties were regulated by the Latvian Administrative Violations Code.

Starting from 1 July 2020, Article 162 of the Labour Law prescribes the administrative liability for violation of other laws and regulations governing employment relationship:

"Article 162. Violation of Other Laws and Regulations Governing Employment Relationship

For the violation of the laws and regulations governing the employment relationship, except for the cases specified in Articles 158, 159, 160, and 161 of this Law, a warning or a fine from seven to seventy units of fine shall be imposed on the employer if it is a natural person, but a fine from fourteen to two hundred and twenty units of fine - if it is a legal person.”

Article 102 of the Constitution of the Republic of Latvia prescribes that everyone has the right to form and join associations, political parties and other public organisations. For its part, according to Paragraph 1 of Article 4 of the Trade Unions Law of March 6, 2014 everyone has the right to freely, without any direct or indirect discrimination establish a trade union and, in compliance with the articles of association of a trade union, to join a trade union and also not to join a trade union. The mentioned provision regarding the right to freely unite prescribed in Paragraph 1, Article 4 of the Trade Unions Law also apply to foreigners, including to workers posted from abroad, who are legally employed in Latvia.

#### Accommodation

Persons who legally live and work in Latvia have the same rights (as nationals) to rent a housing, as well the right to lodge his/her spouse and their children or children of each spouse in the residential space rented by him/her if the lessor has been informed thereof in advance in writing. This is determined by Article 14 of the Residential Tenancy Law.

According to the Law on Assistance in Solving Apartment Matters Article 25 municipality shall grant the accommodation allowance as a basic social assistance allowance in accordance with the procedures laid down in the Law on Social Services and Social Assistance. Law on Social Services and Social Assistance Article 3 determines the right to receive social services and social assistance (including housing allowance) specified in this Law to the following persons residing in the Republic of Latvia:

- 1) citizens and non-citizens of Latvia;
- 2) third-country nationals who have received a permanent residence permit or who have been granted the status of a permanent resident of the European Union in the Republic of Latvia;
- 3) citizens of the European Union Member States, European Economic Area states and the Swiss Confederation who:
  - a) have obtained the right of permanent residence;
  - b) are entitled to reside in the Republic of Latvia and who have stayed in the Republic of Latvia for at least three months;
  - c) who have stayed in the Republic of Latvia for at least six months if entering into employment relationships in the Republic of Latvia has been the purpose of their stay, and their attempt to find a job is attested by registration thereof in the State Employment Agency;
- 4) family members of the persons referred to in Clauses 1, 2, and 3 of this Paragraph.

Please see information provided also under Article 31.

#### Monitoring and judicial review

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 Paragraph 1 and Paragraph 2 of the Article 1635 of the Civil Law 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.

Paragraph 8, Article 29 of the Labour Law prescribes if the prohibition of 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.

#### **Article 19.5.**

The law "On Personal Income Tax" does not provide for special arrangements for migrants. Thus, the nature of the comment of the European Committee of Social Rights regarding the request for information for the next report is not clear. All information regarding the norms of the law "On personal income tax" has already been provided in the 5th report.

To note the special procedure on this topic in connection with the personal income tax is provided only in Article 8<sup>3</sup> of the Law on Assistance to Ukrainian Civilians (in force from 2022) and apply only to Ukrainian civilians who leave Ukraine or who cannot return to Ukraine because of the armed conflict caused by the Russian Federation during the course of this armed conflict.

The aforesaid citizens of Ukraine (civilians) have certain advantages compared to other non-residents – they can apply a fixed minimum income tax free of 250 EUR regardless of the amount of income, relief for dependent persons – minor children (as a general rule, deductions from the tax base as the tax free minimum and reliefs for dependents for existing persons, it is applied only to the income of residents, as well as to the income of non-residents - residents of other EU member states, if they earn more than 75% of their income in Latvia).

Personal income tax is paid by the following natural persons:

1) persons who, according to the Law "On Taxes and Fees" are domestic taxpayers (hereinafter also referred to as residents) and have earned income in the Republic of Latvia and/or abroad during the taxation period (calendar year);

2) persons who, according to the Law "On Taxes and Fees" are foreign taxpayers (hereinafter also referred to as non-residents) and have earned income in the Republic of Latvia during the taxation period.

For the application of Latvian tax laws and legislative enactments, a natural person will be considered a resident in the following cases:

1) the declared place of residence of the person is in the Republic of Latvia or  
2) the person stays in the Republic of Latvia for 183 days or more in any 12-month period beginning or ending in the tax year, or

3) the person is a citizen of Latvia who is employed abroad by the government of the Republic of Latvia.

Regarding the 183-day period:

1) a natural person who is not recognized as a resident in the pre-tax year will be considered a resident in the tax year with the date when he/she first arrived in Latvia;

2) a natural person who is not recognized as a resident in the year after the tax year will not be recognized as a resident in the tax year after the date he/she left Latvia, if, in the period after this date, this person has closer relations with a foreign country than with Latvia (this person owns property or lives in a family abroad, or makes social insurance payments abroad).

In general cases, non-residents are not subject to the non-taxable minimum, they are not applied a relief for dependent persons and eligible expenses for education and medicine, as well as, individual types of income are taxed with personal income tax, which would not be taxed for a resident.

#### **Article 19.6.**

##### Conditions governing family reunion

Latvian authorities do not have information about possible entry refusals during the period from 2018 to January 2020, which would be justified as a threat to public health and would prevent families from reuniting.

Regarding the time period from January 2020 to December 2021, it should be noted that at the end of 2019, the infectious disease caused by the SARS-CoV-2 virus turned into a Covid-19 pandemic worldwide. At the beginning of the spread of the Covid-19 infection, the European Commission emphasized the need for a coordinated approach in the European Union in order

to maximize the potential impact of measures taken at the national level. In this regard, a series of recommendations were adopted, which emphasized the measures of the European Union countries in relation to safety and travel in the conditions of the Covid-19 pandemic. Travel restrictions from the European Union, the countries of the European Economic Area, the Swiss Confederation, as well as from third countries were aimed at significantly reducing the flow of incoming persons, thus slowing down the transmission of the Covid-19 infection to other countries.

Since the World Health Organization announced on March 11, 2020 that the spread of Covid-19 had reached the proportions of a global pandemic, the Latvian government decided on March 12, 2020 to declare a state of emergency in the country and to establish entry restrictions, epidemiological restrictions and bans on the spread of Covid-19 for reduction.

Until December 2021, several emergency situations were declared in Latvia, as well as the entry conditions were amended several times depending on the spread of Covid-19, the causes of morbidity not only in Latvia but also in foreign countries. Accordingly, the variability of the situation affected family reunification, as the movement of persons around the world was restricted, and this situation was also possibly exacerbated by epidemiological requirements (quarantine, self-isolation, lack of compatible vaccination/transmission certificates), etc. factors. Restrictions on entering Latvia were valid until April 1, 2022.

A language requirement is only for obtaining a permanent residence permit - level A2. For obtaining a temporary residence permit it is not necessary to prove a knowledge of State language.

Latvia does not require to submit proof on suitable accommodation in the procedure of obtaining a residence permit. An applicant shall include an information on envisaged place of residence and after receiving of a residence permit – to register his/her address.

According to Regulations of the Cabinet of Ministers No. 225 "Regulations Regarding the Amount of Financial Means Necessary for a Foreigner and the Determination of the Existence of Financial Means" if a foreigner enters the Republic of Latvia with a visa or is a citizen of such country to whom a visa is not necessary, the existence of his/her financial means according to the specified amount shall be certified by:

1. the documents certifying the amount of work remuneration or income from commercial activities;
2. a statement on the situation of the bank account of the foreigner during the last three months issued by a credit institution;
3. travellers' cheques;
4. a submission on the covering of the foreigner's residence expenditures which is notarially certified or signed in the presence of an official of the Office of Citizenship and Migration Affairs (hereinafter - OCMA) or Diplomatic and consular missions of the Republic of Latvia (hereinafter - mission), by a citizen of Latvia, a non-citizen of Latvia, or a citizen of a European Union Member State, European Economic Area State, or Swiss Confederation who resides in the Republic of Latvia with a registration card or permanent residence card, or a foreigner who has a valid temporary residence or permanent residence permit in the Republic of Latvia, and the documents referred to in Sub-paragraph 7.1, 7.2 or 7.7 of this Regulations that certify the ability of covering these expenditures;
5. a submission on the covering of the foreigner's residence expenditures which is notarially certified or signed in the presence of an official of the OCMA or mission by the legal representative of a minor foreigner, or one of the parents of the foreigner who will reside in the Republic of Latvia in relation to studies or training, and the documents referred to in Sub-paragraph 7.1, 7.2 or 7.9 of this Regulations that certify the ability of covering these expenditures;
6. a statement of a legal person registered in the Republic of Latvia on the covering of residence expenditures of a foreigner;

7. a statement of a legal person registered in a foreign state on the covering of residence expenditures of a foreigner if the foreigner will stay in the Republic of Latvia in accordance with the assignment of such legal person;

8. a notation in the invitation in which it is indicated that the inviter will cover the expenditures related to the entry and stay of a foreigner;

9. documents certifying an educational or scientific scholarship, grant, or financial guarantees of pupil exchange, training or volunteering program;

10. other certifications of the existence of financial means at the disposal of the foreigner.

If a foreigner requests a long-stay visa, the Head of the OCMA, the Director of the Consular Department or officials authorised by them may reduce the amount of financial means referred to in Sub-paragraph 5.1 or 5.2 of this Regulations due to reasons of a humanitarian nature (for example, illness of the foreigner or illness or death of his/her close relatives, or if the entering and stay of a foreigner is related to family reunion and there is no reason to assume that he/she will become a burden to the social assistance system).

This means that the current regulations make exceptions for the necessary financial means.

A prohibition to obtain a residence permit if a person has joined a foreign military service, is still in force. If a person is participating in military operations, his/her presence in Latvia is very unlikely, but each case is evaluated individually, also taking into account humanitarian considerations. Previous participation in the military service does not serve as a reason for refusal of a residence permit.

After 5 years of residence with a temporary residence permit as a family member of migrant worker every person is eligible to obtain an independent right of residence by obtaining a permanent residence permit. This means that the current regulations make exceptions for the necessary financial means.

Foreigner with tuberculosis in an active phase is not allowed to enter Latvia, as this disease poses a serious threat to public health (the aforementioned restriction does not apply to persons requesting asylum and refugees, for which health examinations for the detection of tuberculosis and treatment in the case of tuberculosis are provided).

#### **Article 19.8.**

According to Article 1, Clause 61 of the Immigration Law, illegal stay is such staying of a foreigner in the Republic of Latvia which does not conform to the provisions of Article 4 of Regulation (EU) No 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (hereinafter - Regulation No 2016/399 of the European Parliament and of the Council of 9 March 2016) or of Article 4 or 4.<sup>1</sup> of this Law.

According to Article 4 of the Immigration Law a foreigner is entitled to enter and stay in the Republic of Latvia if he/she concurrently:

1) has a valid travel document. The travel document is valid if:

a) it is recognised in the Republic of Latvia;

b) it conforms to a specified sample;

c) it contains all identity data and photographs of the foreigners who use this document as a travel document. In order to request a residence permit, each foreigner needs to have his/her own travel document;

d) its term of validity exceeds the time period of the planned residence in the Republic of Latvia or in the territory of another Schengen Agreement country by at least three months;

e) it does not contain any unstipulated corrections by the issuer of the document, mechanical damages or smears due to which it is not possible to identify the holder of the document, to read the information indicated in the document or to detect document forgeries;

f) it contains space for at least two notes on border-crossing in the pages provided for visas. This condition shall not be in effect if international agreements which are binding on the Republic of Latvia lay down that there is no need to make such notes on border-crossing;

2) has a valid visa, a residence permit issued in the Republic of Latvia or a residence permit of a long-term resident of the European Union. A foreigner who has received a new travel document may use the previous travel document with a glued-in valid residence permit for a single entry in order to receive a residence permit issued by the Republic of Latvia;

3) has a valid health insurance policy. The Cabinet of Ministers shall determine the cases when a foreigner may enter and stay in the Republic of Latvia without a health insurance policy;

4) does not have any other obstacles laid down in the law or other laws and regulations regarding entry into the Republic of Latvia;

5) has the necessary financial means in order to stay in the Republic of Latvia or another Schengen Agreement country and return to the country of residence or to depart to a third country which he/she has the right to enter. The Cabinet of Ministers shall determine the amount of necessary financial means and how to establish the existence of financial means.

The first part of Article 41 of the Immigration Law stipulates that if an illegal stay of a foreigner in the Republic of Latvia is established, the voluntary return decision shall be issued to him/her, except in the cases laid down in Article 42 of this Law, namely, if:

1) the foreigner has a valid residence permit of another Member State of the European Union or another document, which gives him/her the right to stay there, and the foreigner is going without delay to the territory of the relevant Member State of the European Union;

2) the foreigner is accepted back by another Member State of the European Union in accordance with the conditions of an international agreement, which have become binding on the Republic of Latvia in the time period until 13 January 2009;

3) the Head of the OCMA or his/her authorised official has, on humanitarian grounds, taken the decision to allow the foreigner to stay in the Republic of Latvia for a specific time period, but for not more than a year;

4) the decision to refuse the foreigner the entry within the territory of the Member States of the European Union has been taken in accordance with Article 18 of this Law;

5) the foreigner who has been found in the border area and has illegally crossed the external border, and in relation to whom circumstances do not exist which allow him/her to stay in the Republic of Latvia shall be taken back by the third country in accordance with an agreement concluded with the Republic of Latvia or treaty conditions;

6) an additional punishment has been imposed on the foreigner by a court judgment - removal from the Republic of Latvia;

7) the foreigner is subject to a return or an extradition process in accordance with international co-operation in the field of criminal law.

On the other hand, in accordance with the first part of Article 46 of the Immigration Law, if the foreigner's stay in the Republic of Latvia is illegal and if the conditions mentioned in the second part of Article 51 of the Immigration Law exist, the head of the OCMA or his/her authorized official or the head of the State Border Guard or his/her authorized official in accordance with the Immigration makes a decision on removal order for the competence specified in the second and third parts of Article 41 of the law. The removal process is observed by the Ombudsman.

#### **Article 19.10.**

Migrant workers in Latvia are subject to the same tax/social security regime in general case for employees and self-employed. They may be also posted to Latvia and remain under social security system of the sending state or may not be residents for tax purposes. (183 days or more within a 12-month period).

## **Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment**

### **Excerpts from the ECSR’s case law**

The need to reconcile family life with teleworking from home, home-schooling of children and childcare during the Covid-19 pandemic combined with the stresses of potential Covid-19 health concerns, has led to serious pressures and challenges for many families, frequently with a disproportionate impact on women. Faced with this situation, States Parties must take all necessary measures to apply and reinforce inter alia Article 27 notably through non-discrimination of workers with family responsibilities, childcare provision and the granting of parental leave arrangements).

**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:**

**1. 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;**

*a) Please provide information on whether the Covid-19 crisis had an impact in particular on the possibilities for and the consequences of remote work on the right of workers with family responsibilities to equal opportunities and treatment.*

According to Article 7.<sup>2</sup> Paragraph 1 of the Law on the Management of the Spread of COVID-19 Infection employer shall organise work in compliance with the epidemiological safety measures stipulated by the Cabinet of Ministers, including requirements for the need to have an interoperable certificate confirming the fact of vaccination or recovery (hereinafter - the vaccination or recovery certificate) for the fulfilment of work (office, service) duties.

Article 7.<sup>3</sup> Paragraph 3 of the mentioned law provides that if an employer is unable to transfer an employee (official) to another suitable work (office) or to ensure the fulfilment of his/her work (office, service) duties remotely due to the requirements provided for in laws and regulations or other objective reasons, the employer has the right, until the moment when the employee (official) obtains the vaccination or recovery certificate, to suspend him/her from work (office, service) or place on furlough due to the fault of the employee without disbursing work remuneration to him/her for the period of suspension or furlough. The employer, except for the employer in public administration, has the right to retain work remuneration for the period of suspension. It is prohibited to suspend an employee (official) from work (office, service) for a period exceeding three months.

On November 6, 2020 the Order of the Cabinet of Ministers No.655 of November 6, 2020 “Regarding Declaration of the Emergency Situation” (hereinafter – Order) came into force (expired on April 7, 2021). The Order also governed provisions for remote work during the

emergency situation declared from November 9, 2020 until April 6, 2021 in Latvia.

Points 5.35. and 5.35.1 of the Order prescribed the following:

“5.35. an employer has an obligation:

5.35.1. to provide the employees the possibilities to work remotely if the specific nature of the work allows it;

5.35.2. to ensure personal protective equipment to employees for work on site which are necessary for the performance of work duties (for example, mouth and nose covers, aprons, coveralls);

5.35.3. to specify measures for the containment of the spread of COVID-19 in the work collective, appointing a person responsible for the introduction of such measures at the working place and informing employees of the abovementioned measures;

5.35.4. to specify employees who shall perform work duties on site in order to ensure continuity of work, concurrently specifying appropriate internal control measures at the working place;

5.35.1 to organise work in a way that only such employees who ensure continuity of work and cannot perform it remotely at their place of residence would perform work duties on site. If the employee and the employer have not mutually agreed on the performance of work remotely, the employer has the right to unilaterally appoint the employee for remote work in conformity with Sub-paragraph 5.35.1 of this Order. After the end of the emergency situation, remote work shall be performed on the basis of an agreement between the parties.”.

Also, on October 9, 2021 the Order of the Cabinet of Ministers No.720 “Regarding Declaration of the Emergency Situation” (hereinafter – Order) came into force (expired on March 1, 2022). The Order also governed provisions for remote work during the emergency situation declared from October 11, 2021 until February 28, 2022 in Latvia.

Point 5.1. of the Order prescribed the following:

“5.1. employers shall:

5.1.1. provide employees (officials) with possibilities to work remotely if allowed by the specific nature of the work;

5.1.2. organise work so that only those employees (officials) who ensure the continuity of work and cannot work remotely from their place of residence would perform work duties on site by an order of the employer;

5.1.3. ensure that employees (officials), including volunteers and persons with outsourced service contracts, perform work duties on site only if they have a primary vaccination, booster vaccination, or recovery certificate;

5.1.4. preclude gathering of employees (officials) in places which are not related to the performance of direct work duties;

5.1.5. in order to reduce the risks of the spread of COVID-19, the employer may organise testing (including with a COVID-19 routine screening test) of all employees (officials) working on site. In such case, the costs of testing shall be covered from the funds of the employer;

5.1.5.1 in order to reduce the risks of the spread of COVID-19, the employer may organise testing of clients of long-term social care and social rehabilitation, including clients with a completed primary vaccination or a booster vaccination, or a recovery certificate with a COVID-19 routine screening test from the State budget funds;

5.1.6. the employer shall develop internal procedures for testing the employees referred to in Sub-paragraph 5.1.5 of this Order in respect of COVID-19 screening at the workplace and integrate them into the internal control system for the implementation of epidemiological safety measures, including describing procedures for the performance of tests and the notification of results, and also the control procedures and the action in case of a positive COVID-19 test;

5.1.7. suspend an employee (official) from the performance of work duties if he/she has a positive result of the screening test performed at the workplace;

5.1.8. identify persons (contact persons) who have been in close contact with the employees (officials) referred to in Sub-paragraph 5.1.6 of this Order within the last three days at the workplace and organise the screening test of such contact persons with antigen tests each time before a working day or shift for seven calendar days after the contact with the infected

person. If the abovementioned contact persons do not undergo daily screening tests at the workplace, they shall undergo home quarantine and, where necessary, inform the general practitioner to receive the sick-leave certificate.”.

Article 148 Paragraph 6 of Labour Law provides that if the employee has a temporary adjustment of the working time organization, upon its termination, the previous working regime is restored. The employee has the right to demand that the employer restore the previous work regime before the end of the term, and this is justified by an objective change in circumstances. The employer is obliged to evaluate such an employee's request and inform the employee of the decision made no later than one month from the date of receipt of the employee's request.

On August 6, 2021 a research “Work–Life Balance of the Employed Population During the Emergency Situation of COVID-19 in Latvia” was published (<https://dspace.rsu.lv/jspui/handle/123456789/6118>).

The aim of the research was to evaluate the flexibility of reconciling work and private life of Latvian employees in various socio-demographic groups during the COVID-19 emergency situation in spring 2020, to investigate how family life influenced employees' ability to perform work duties, to find out if employees had any additional housework responsibilities and how their workload changed concerning housework amount during the COVID-19 emergency situation. The research is based on the data obtained in the survey of the Latvian employed population, which was conducted within the framework of the Latvian National Research Program Project "CoLife" in the second half of 2020. As a result, the hypothesis of the research that all groups of employees experienced work-life balance difficulties during the COVID-19 emergency situation has been partially confirmed, i.e., women in the 18-44 age group and respondents with minor children in the household more likely faced difficulties of work-life balance.

*b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

N/A

**2. 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;**

*a) Please provide information on whether the Covid-19 crisis had an impact on the right to parental leave.*

To protect people from severe financial hardship and to ensure that people have enough money to pay essential bills and the bare essentials – so they can protect their own health and the health of family members on April 3, 2020 amendments of the Law on Maternity and Sickness Insurance were adopted. According to the amendments a person whom the period of the granted parental benefit (until the child attains one year or one and a half years of age) ended at the time when the emergency situation has been declared in relation to COVID-19, and who were not able return to work due to the circumstances of the emergency situation as the employer did not employ the employee or idle time had set in, or who were not able to earn income from economic activity, could request disbursement of the continuation to the granted parental benefit after the child attained one year or one and a half years of age. This continuation to the parental benefit was disbursed for the time period from 12 March 2020 until the day when the person started earning income as an employee or self-employed person, but not longer than until the end of the emergency situation declared in relation to COVID-19 (6 April, 2021). During this period continuation to the parental benefit was disbursed in the amount of the previously granted parental benefit, but not more than 700 EUR per month. The

continuation of the parental benefit was not disbursed if the person performed economic activity and earned income or the allowance for idle time was granted thereto.

On June 6, 2019 amendments were made to Labour Law (the amendments came into force on September 1, 2019) expressing Paragraph 5 of Article 155 in the following wording: "For a family, which has adopted a child up to 18 years of age, one of the adopters shall be granted 10 calendar days of leave." Also, the Law was supplemented by new Point 19 of the Transitional Provisions determining that the amendment to Article 155, Paragraph 5 of this Law, which provides for the granting of leave to one adopter, if a child aged up to 18 years has been adopted, shall be applicable if a court judgment on the adoption of a child has come into effect after 1 September 2019.

On October 17, 2019 amendments were made to the Labour Law (the amendments came into force on November 19, 2019) in order to "decode" the description of administrative violations and the penalties for such violations and to include them in respective branch legislative enactments. According to the amendments, the description of administrative violations and the penalties for the violations provided in the Latvian Administrative Violations Code of 7 December 1984 were incorporated (with slight amendments) into the Labour Law. The said amendments entered into force at the same time as the new Administrative Liability Law of October 25, 2018, i.e., on July 1, 2020. Until July 1, 2020, the violations and penalties were regulated by the Latvian Administrative Violations Code.

Starting from July 1, 2020, Article 162 of the Labour Law prescribes the administrative liability for violation of other laws and regulations governing employment relationship:

"Article 162. Violation of Other Laws and Regulations Governing Employment Relationship

For the violation of the laws and regulations governing the employment relationship, except for the cases specified in Articles 158, 159, 160, and 161 of this Law, a warning or a fine from seven to seventy units of fine shall be imposed on the employer if it is a natural person, but a fine from fourteen to two hundred and twenty units of fine - if it is a legal person."

- b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

According to the amendments to the Law on Maternity and Sickness Insurance, persons may receive parental benefits and work at the same time, in this case parental benefit is paid in the amount of 30% of the benefit awarded.

**3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.**

- a) Please provide information on whether the Covid-19 crisis had an impact on the prohibition of dismissal on the ground of family responsibilities and whether there were any exceptions to the prohibition of dismissal on the ground of family responsibilities during the pandemic.*

There had been no impact on the prohibition of dismissal on the ground of family responsibilities.

In addition, on June 10, 2020 the Law on the Management of the Spread of COVID-19 Infection of June 5, 2020 (hereinafter – Law on Management) came into force. The purpose of the Law on Management is to restore the general legal order after the end of the time limit for the emergency situation by providing a set of appropriate measures for ensuring such scope of rights and obligations of private individuals which would be commensurate with public health and safety interests and effective operation of the State and municipality authorities (hereinafter - the public authorities) in relation to the spread of COVID-19 infection in the State. The Law lays down basic principles for the operation of public authorities and the rights and

obligations of public authorities and private individuals for the prevention and management of the threat to the State after the revocation of the emergency situation created by the spread of COVID-19 infection.

According to Article 7.<sup>3</sup>, Paragraphs 3, 4 and 7 of the Law on Management:

“(3) If an employer is unable to transfer an employee (official) to another suitable work (office) or to ensure the fulfilment of his/her work (office, service) duties remotely due to the requirements provided for in laws and regulations or other objective reasons, the employer has the right, until the moment when the employee (official) obtains the vaccination or recovery certificate, to suspend him/her from work (office, service) or place on furlough due to the fault of the employee without disbursing work remuneration to him/her for the period of suspension or furlough. The employer, except for the employer in public administration, has the right to retain work remuneration for the period of suspension. It is prohibited to suspend an employee (official) from work (office, service) for a period exceeding three months.

(4) If after the maximum period of suspension or after furlough due to the fault of an employee which lasts for more than three months an employee (official) has not obtained the vaccination or recovery certificate without an objective justifying reason, an employer has the right to terminate employment (service) relationship with him/her without delay, disbursing the severance pay in the amount of one monthly work remuneration (monthly wage), but if a piece rate wage has been specified for the employee - in the amount of average earnings of one month.

(7) An employer is prohibited from terminating employment (service) relationship on the basis of Paragraph four of this Article with a pregnant woman, and also with a woman in the period following childbirth up to one year, but if the woman is breastfeeding a child - throughout the period of breastfeeding, but not longer than until the child reaches two years of age. If a pregnant woman, a woman in the period following childbirth up to one year, but if the woman is breastfeeding a child - throughout the period of breastfeeding, but not longer than until the child reaches two years of age, cannot be transferred to another suitable work (office, service) in accordance with Paragraph three of this Article, the employer has an obligation to temporarily grant a leave to such female employee (official). The previous average earnings are retained for the female employee (official) during such leave.”

The courts in Latvia have not found that the mandatory obligation to get vaccinated would have been illegal. There have been several certain legal cases, that have been positive for the State, regarding vaccination requirements. Vaccination requirements are not recognized as illegal and its impact on labor relations is not considered illegal. When considering cases on the legality of dismissal, the courts checked whether the government's order was issued with reason, whether it has a legitimate purpose, whether there are no other means to more gently ensure the achievement of this legitimate purpose, and whether it is proportionate in relation to a private person. And the courts in the country have recognized the requirements as proportionate.

*b) Please explain whether a ceiling on compensation for unlawful dismissals was applied on the ground of family responsibilities during the Covid-19 crisis.*

During the COVID-19 crisis, no changes have been made to the Labour Law that set a ceiling of compensation for unlawful dismissal on the ground of family responsibilities.

At the same time, Article 29, Paragraph 8 of the Labour Law prescribes, if the prohibition of 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. For its part, Article 126, Paragraph 1 of the Labour Law determines that an employee who has been dismissed illegally and reinstated in his or her previous position shall, in accordance with a court judgment, be disbursed average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be disbursed in cases where a court, although there exists a basis for the reinstatement of an employee in his or her previous position, upon the request of the employee terminates the employment relationship by a court judgment.

- c) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

N/A

## **Article 31 – The right to housing**

### **Excerpts from the ECSR’s case law**

The rights guaranteed by Article 31 of the Charter, have become even more crucial to right-holders during the pandemic. The crisis has highlighted the importance of the requirements of Article 31§1, notably that dwellings must be safe from a sanitary and health point of view (i.e. have all basic amenities, such as water, heating, waste disposal, sanitation facilities, electricity), and that they must not be overcrowded (i.e. the size of dwellings must be suitable in light of the number of persons and the composition of the household). These requirements are essential to prevention of, and protecting from, transmission of virus.

The ECSR notes that many States Parties have taken ad hoc measures to address homelessness providing emergency housing as required by Article 31§2 of the Charter and, in some cases, imposing moratoria on evictions. In this last respect, the ECSR recalls the key tenets of its interpretation of Article 31§2 of the Charter:

Evictions should be governed by rules of procedure sufficiently protective of the rights of the persons concerned and should be carried out according to these rules.

When evictions do take place, they must be carried out under conditions which respect the dignity of the persons concerned. Domestic law must prohibit evictions carried out at night or during the winter period. Domestic law must also provide for legal remedies and offer legal aid to those wishing to seek redress from the courts.

However, the COVID-related measures taken by States Parties to tackle homelessness have not always adequately reached or applied to all persons and families in need and they have generally been time-limited. The ECSR considers therefore that during a pandemic all evictions must be prohibited, except in the most exceptional and duly justified cases. If evictions must exceptionally be carried out, adequate alternative accommodation must be provided instantly.

The right to shelter should be adequately guaranteed for migrants, including unaccompanied migrant children, and asylum-seekers. States Parties are required to provide adequate shelter to children irregularly present in their territory for as long as they are within their jurisdiction.

The exceptional nature of the situation resulting from an increasing influx of migrants and refugees and the difficulties for a State in managing the situation at its borders cannot absolve that State of its obligations under Article 31§2 of the Charter to provide shelter to migrant and refugee children, in view of their specific needs and extreme vulnerability, or otherwise limit or dilute its responsibility under the Charter.

**With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:**

**1. to promote access to housing of an adequate standard**

- a) *Please provide full, up-to-date information on the percentage of the population living in inadequate housing including overcrowded housing, and the practical measures taken to improve the situation.*

As the European Commission points out in its 2019 report on Latvia, the quality of housing is a particularly serious challenge for low-income households. 15.2% of the population face very poor living conditions. That is significantly higher than the EU average, which is 4.5%. More than a third of Latvian households (34%) live in overcrowded housing, which is the highest indicator in the OECD (OECD average overcrowding indicator – 11%). In Latvia, overcrowding is observed not only in poor households. More than 40% of Latvian households with average income live in overcrowded housing (OECD average is 10%). Latvia also has the second highest level of overcrowding among households with high incomes (highest income quintile) - almost 27% of households (OECD average is 6%).

Latvia has identified issues related to inadequate housing, including housing that is considered as overcrowded. Latvia has prepared a policy planning document - Housing Affordability Guidelines. The purpose of the guidelines is to promote the availability of quality housing for all population groups by investing in both the improvement of the existing housing stock and promoting investments in the development of new housing stock. The mentioned guidelines are currently being coordinated with the institutions to be submitted to the government.

In general, the lines of action of the Housing Affordability Guidelines are aimed at supporting:

1. vulnerable groups of the population;
2. middle-income households;
3. the construction of affordable housing;
4. improvement of the existing housing stock.

Each of these lines of action is planned to support different population groups with targeted and financially intensive tasks. Replacing the Law on Assistance in Solving Apartment Matters with a new housing affordability Law, including homeless persons without a declared place of residence and persons who have withdrawn from long-term social care, as well as support mechanisms for the construction of social and local government rental housing, including crisis centers, maybe the main and most financially intensive but important tasks of the action directions for society. It is very important to increase support, as well as to improve support mechanisms for families with children by providing them with state guarantees and for multi-child families – grants for the construction of housing throughout the territory of Latvia. The guidelines focus more on regions where the aid currently offered is less available due to the purchasing power of the population and the lack of new housing stock, so support is also foreseen for property developers to build new housing outside the capital Region.

Besides Latvia has taken the necessary steps to make the rental market more attractive:

In 2021 new Residential Rent Law was adopted which aims at ensuring a fair balance between the interests of tenants and landlords.

With November 2022, a support program is available to build low-rent housing in the regions. The program is financed by the Recovery Fund and an initial funding of 42.9 million EUR is available for its implementation. As the result, 700 apartments in the region are to be developed for this funding. Further work is planned to improve the program by developing the housing affordability Fund and increasing available funding.

In addition, funding is available from the EU Structural Funds for the construction or renewal of social housing. As part of the funding, at least 1,200 dwellings will be created by renovating or rebuilding existing premises or groups of premises (apartments) owned by local

governments, while at least 665 could be re-created by building new dwellings/rebuilding existing ones.

- b) Please provide relevant and updated figures relating to the adequacy of housing (e.g. number of substandard dwellings; overcrowding, water, heating, sanitary facilities, electricity).*

Both the European Commission and the OECD indicate in their assessment that the number of social housing units in Latvia is insufficient. Latvia has one of the smallest social housing stocks in the OECD (2% of the total housing stock).

Statistically, Latvian households do not spend much on housing as housing and communal services make up about 20% of Latvian final consumption expenditures. By comparison, the OECD average is around 23%. Low housing costs hide another challenge - poor housing quality.

As the European Commission points out in its 2019 report on Latvia, the quality of housing is a particularly serious challenge for low-income households. 15.2% of the population face very poor living conditions. That is significantly higher than the EU average, which is 4.5%.

More than a third of Latvian households (34%) live in overcrowded housing, which is the highest indicator in the OECD (OECD average overcrowding indicator – 11%). In Latvia, overcrowding is observed not only in poor households. More than 40% of Latvian households with average income live in overcrowded housing (OECD average is 10%). Latvia also has the second highest level of overcrowding among households with high incomes (highest income quintile) - almost 27% of households (OECD average is 6%).

Although household incomes are gradually increasing (in 2020, household incomes increased by 7.5% compared to 2019, with the average household income reaching 1 430 EUR), they are still too low to make significant savings for the purchase of a higher quality home or for renting a good-quality home on the market because the prices of such houses do not correspond to the income of the inhabitants.

The proportion of well-equipped dwellings continues to grow, and according to information of 2021, the proportion of dwellings with a toilet equipped with a water supply has increased by 8.7 percentage points in ten years, reaching 87.7% of inhabited dwellings in 2021. At the beginning of 2021, 77.4% of inhabited dwellings had central heating, which is 7.7 percentage points more than in 2011. 84.9% of homes had a bath or shower, an increase of 6.6 percentage points. Water pipe was in 93.1% of homes, or 4.6 percentage points more than in the previous population and housing census.

Please see also information provided under point a).

- c) Please provide information on the measures taken, in particular also during the Covid-19 crisis, to ensure adequate housing for vulnerable groups, including refugees, asylum seekers, Roma and Travellers.*

There are no specific regulations for asylum seekers, refugees or travelers in Latvia. All these cases are regulated by Law on Assistance in Solving Apartment Matters. Assistance in solving the apartment matters is within the competence of local governments.

Roma mediators are working in 6 municipalities in order to improve better cooperation and dialogue between Roma disadvantaged families and municipalities/governmental institutions. Mediators provide practical assistance for Roma families concerning housing issues.

- d) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to all questions raised.*

### Criteria for adequate housing

The Law on Administration of Residential Houses of 2009 (Article 6§2) is applicable to all buildings that are placed in service. The year of construction of the building is not an essential feature for the application of this law.

The proportion of well-equipped dwellings continues to grow, and according to information of 2021, the proportion of dwellings with a toilet equipped with a water supply has increased by 8.7 percentage points in ten years, reaching 87.7% of inhabited dwellings in 2021. At the beginning of 2021, 77.4% of inhabited dwellings had central heating, which is 7.7 percentage points more than in 2011. 84.9% of homes had a bath or shower, an increase of 6.6 percentage points. Water pipe was in 93.1% of homes, or 4.6 percentage points more than in the previous population and housing census.

Regulation in Latvia do not contain conditions that determines the minimum size of the living area.

The Ministry of Economics is coordinating for submission to the Cabinet of Ministers the "Housing Affordability guidelines" 2022-2027. The purpose of the guidelines is to promote the availability of quality housing for all population groups by investing in both the improvement of the existing housing stock and promoting investments in the development of new housing stock.

One of the specific support objectives in the European Union Cohesion Policy for 2021-2027 (hereinafter - OP) is to promote the socio-economic integration of socially excluded communities, migrants and disadvantaged groups through integrated measures, including in the field of housing and social services, for the achievement of this goal, a specific support measure "Renovation of social housing or construction of new social housing" is foreseen.

Therefore, in order to promote equal opportunities for individuals to participate in the labor market and improving professional mobility, investments are planned in the OP, ensuring the availability of high-quality social and municipal rental housing for persons in a particularly disadvantaged situation.

It is planned to provide support for the renovation of social or municipal rental housing or the construction of a new fund, including equipping. OP is expected to make the housing created within the program available to the most vulnerable inhabitants in accordance with the Law on Assistance in Solving Apartment Matters. The draft regulations of the Cabinet of Ministers for the implementation of the OP are currently being forwarded to the Cabinet of Ministers.

OECD cooperation project of June 17, 2020 "Policy directions for the promotion of housing affordability in Latvia", states that a lack of private investment in the construction of multi-apartment rental houses has been observed, while there is a demand for affordable rental housing, as a result of which households has lack alternative in affordable housing.

The goal is the construction of residential rental houses with the aim of promoting the availability of low-rent housing that meets construction standards and energy efficiency requirements for households that cannot afford housing on market terms. As part of the program, at least 700 new apartments are expected to be built in the regions. The program is expected to be launched and loan applications begin to be accepted starting November 22, 2022.

In order to promote new, environmentally friendly and modern opportunities, the Ministry of Economics has developed multi-apartment residential building projects based on modular wooden constructions, as well as a project with reinforced concrete load-bearing structures. The standard project is intended for both municipalities and other real estate developers for the development of the housing stock and apartment rental market. According to the estimates of the Ministry of Economics, the necessary financing for the development of multi-apartment residential building projects constitutes 8% of the total costs of the construction of one multi-apartment residential building. With this already developed building project, an economically sound, environmentally friendly and accessible housing for all groups of society is offered.

Financial instruments for improving the existing housing stock:

- Guarantee for a bank loan for the purchase or construction of a house for families with children

- who have a permanent income, but do not have sufficient savings to make the first payment;
- "Balsts" subsidy is a one-time state support for families with many children to reduce the down payment of a bank loan for the purchase or construction of a home;
  - Loan for the repair of apartment buildings (for construction works of enclosing structures and common areas, for example, external walls, replacement of windows, including modernization or replacement of elevators; Renovation, reconstruction or creation of engineering systems, etc.);
  - Multi-apartment residential building energy efficiency program;
  - State support for renovation of a private house and increase of energy efficiency or installation of electricity production equipment (solar panels, wind generation).

#### Responsibility for adequate housing

In Latvia, residential and non-residential buildings are inspected, which basically determine the mechanical strength and stability of the buildings.

Whether the relevant living space is fit for living is checked only in relation to housing that the municipality rents out to vulnerable person groups.

However, one of the mandatory administrative activities is the inspection, technical servicing and current repairs of the residential houses which is regulated by Law on Administration of Residential Houses.

The technical survey (main inspection) is carried out periodically during the operation of the building, but not less often than once every 10 years for certain group public buildings and multi-apartment residential buildings.

#### Legal protection

Case law regarding to appropriate housing (fits for living) provided by the municipality for rent. Regarding to the case law of the Supreme Court in relation to adequate housing provided by the municipality (housing that fits for living), it should be noted that:

The first part of Article 18 of the Law "Law on Assistance in Solving Apartment Matters" stipulates that residential premises are offered for rent by notifying the relevant person in writing. The notice shall state the address, area, number of rooms, the floor on which this room is located, the level of improvement, the amount of the rent, the term of the rental agreement, as well as the day when the person can get acquainted with the proposed living space. An act approved by the responsible local government institution or official is attached to the notification, which certifies that the relevant living space is fit for living.

The mentioned legal norm sets the requirement that, when offering to rent a residential space, there must be an act approved by the responsible local government institution or official, which certifies that the residential space is suitable for living. The legal norm does not stipulate which specialists should draw up the act, nor does it specify which municipal institution or official is responsible for it. Thus, it is the municipality's discretion to determine the responsible institution for approving these acts.

In the sense of the Law "Law on Assistance in Solving Apartment Matters" a residential space that fits for living means that it is a lighted, heated space that is suitable for a person's long-term shelter and the placement of household items, and is also located in a residential building that meets the requirements set out in the Construction Law (mechanical strength and stability; fire safety; safety of use and accessibility of the environment).

#### Measures in favour of vulnerable groups

Until July 1, 2021 local municipalities had the right to determine different conditions for granting housing benefit, the amount and the range of persons who are eligible to housing benefit. The housing benefit was calculated monthly (e.g. in Riga), paid in the heating season or once a year.

### Number and structure of beneficiaries of housing benefit in 2021

Persons in households - total			<b>59 854</b>	
Of them	children		<b>10 799</b>	
		Including children with disability	<b>599</b>	
	Adults able to work		<b>14 266</b>	
	Of them	Adult persons		<b>4 611</b>
		Unemployed persons		<b>8 626</b>
		Persons in child care leave		<b>1 029</b>
	Adult persons with disability		<b>10 116</b>	
Persons at retirement age		<b>24 673</b>		

Data source: Ministry of Welfare

As of July 1, 2021, the uniform system for calculating and granting the housing benefit came into force. The amount of housing benefit is calculated as the difference between the amount of guaranteed minimum income (GMI) threshold for households and actual expenditure and total income of the household.

Due to the sharp increase in energy prices to improve the availability of housing assistance, from 2022 the formula for calculating housing benefit, where the GMI threshold is used, is subject to increased coefficients:

#### **From January 1, 2022 to September 30, 2022:**

1) coefficient 2.5 is applied for households of single retired person or single person with disability (GMI threshold = 272.50 EUR and 190 EUR) or coefficient defined by the municipality if it is higher than 2.5;

2) coefficient 2 is applied for households of retired persons or persons with disability (GMI threshold = 218 EUR and 152 EUR) or coefficient defined by the municipality if it is higher than 2;

3) coefficient 1.5 is applied for the rest households (GMI threshold = 163.50 EUR and 114 EUR) or coefficient defined by the municipality if it is higher than 1.5.

**From October 1, 2022 to May 31, 2023** - coefficient 3 is applied for all households (GMI threshold = 327 EUR and 228 EUR).

According to the project of Ministry of Economics several planned measures for improving housing conditions for Roma are included:

- *Renovation of social housing and increasing its number;*
- *Providing support for sustainable housing with low operating and building costs primarily in territories with a potential source of new jobs;*
- *Improving the availability of housing for people in difficulty and disadvantageous situations;*
- *Support for individuals to receive grant for house purchases or construction;*
- *Assistance to individuals for house purchases or construction;*
- *Increasing energy efficiency in residential buildings and resource efficiency.*

In 2021 Ministry of Economics has awarded the subsidy "Balsts" to more than 500 families with a total number of more than 1,500 children.

In 2021, guarantees were issued to more than 3,800 families, in which the total number of children is more than 5,700.

More than 1,100 guarantees have been granted to young specialists.

In 2021, a new Altum private house energy efficiency program was launched. Support was granted to 240 private house owners.

For detailed information on actions promoting Roma inclusion please see:  
<https://www.km.gov.lv/lv/media/28830/download?attachment>  
and  
<https://www.km.gov.lv/en/media/25001/download?attachment>

**2. to prevent and reduce homelessness with a view to its gradual elimination;**

- a) *Please provide information on measures and actions, undertaken, in particular also during the Covid-19 crisis, to prevent categories of vulnerable people from becoming homeless.*

N/A

- b) *Please provide information whether the Covid-19 crisis had an impact on the prevention of homelessness. In particular address whether measures been taken:*
- i) *to provide safe accommodation for persons in situation of homelessness. If so, how many persons were housed, in what form, where and for how long?*
  - ii) *to ensure that persons provided with temporary accommodation will have access to housing after the crisis.*

N/A

- c) *Please provide:*
- i) *information on measures in place to reduce the number of homeless (e.g., measures aiming at raising the employment rate, increasing the stock of social and non-profit housing, allocating social benefits to those in urgent needs, developing social security programmes and supporting NGOs' activities) and*
  - ii) *figures on the overall number/rate of homeless persons.*

N/A

- d) *Has your country declared a moratorium/prohibition on evictions during the pandemic?*
- i) *If so, indicate its legal basis and how long it will last.*
  - ii) *Please specify if it is a general prohibition. Is the prohibition of evictions restricted to tenants or mortgage payers who have been unable to pay their rent or serve their mortgages, or broader?*
  - iii) *If no general prohibition on evictions was declared, please provide information on procedures in place to limit the risk of evictions and to ensure that when these do take place, they are carried out under conditions which respect the dignity of the persons concerned.*
  - iv) *Have any measures been taken to ensure that households are not cut-off from water, heat or other utility provision when they are unable to pay their bills? Please provide figures on the number of evictions carried out (tenant evictions, evictions from illegal camps or shanty towns, including those affecting camps in which Roma or Travellers are installed) and the cases brought for lack of alternative accommodation offered or compensation awarded.*

N/A

e) *Please provide any information about:*

- i) *legal or financial measures taken aimed to ensure that households do not lose their home if they cannot pay their rent or mortgage payments and*
- ii) *other tenant protection measures that have been adopted in response to the pandemic.*

N/A

f) *Please provide any other information on whether the Covid-19 crisis had an impact on the right to shelter.*

N/A

g) *Please explain whether emergency accommodation satisfied security requirements and health and hygiene standards and whether it was provided without the requirement for a residence permit and whether the applicable regulations provided for a prohibition on forced eviction. Does your country have sufficient quarantine facilities in place so that inadequate housing, such as overcrowding, does not increase the risk of infection?*

N/A

h) *Please provide detailed information:*

- i) *on how the right to shelter of unaccompanied foreign minors is guaranteed in law and in practice and*
- ii) *whether adequate shelter is guaranteed to children irregularly present for as long as they are within the jurisdiction.*

N/A

i) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*

N/A

**3. to make the price of housing accessible to those without adequate resources.**

- a) Please provide information on measures taken to ensure that there is an adequate supply of affordable housing (e.g. through regulation of the property market).

N/A

- b) Please provide information whether and to what extent the Covid-19 crisis had an impact on adequate supply of affordable housing for persons with limited resources.

N/A

- c) With regard to social housing, please provide:
- i) information on the number of applications for social housing introduced, granted and refused, as well as the main reasons for refusals;
  - ii) data on the average waiting time for the attribution of social housing. In this context, also explain whether judicial or other remedies were available in case of excessive waiting periods for the allocation of social housing;
  - iii) information concerning remedies where there was a failure to provide social housing at an affordable price for the poorest people and in the event of an excessively long waiting time before being allocated housing.

N/A

- d) Please provide data concerning the housing benefits, whether in the framework of the housing benefit system or in the framework of social assistance (e.g., number and categories of beneficiaries, number of housing benefits requests granted, refused, appealed, impact of benefits on affordability of housing).

N/A

- e) Please provide information on the measures taken throughout the country in relation to access for Roma and travellers to social housing.

N/A

- f) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

N/A