



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

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Committee on the Rights of Persons with Disabilities

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List of abbreviations

APL	Administrative Procedure Law
CEC	Central Election Commission
CL	Criminal Law
CPL	Criminal Procedure Law
CoM	Cabinet of Ministers
Constitution	The Constitution of the Republic of Latvia
DI	Deinstitutionalization
DIS	Disability Information system
EC	European Commission
EP	European Parliament
ERAF	European Regional Development Fund
ESF	European Structural funds
EU	European Union
ICF	International Classification of Functioning, Disability and Health
LAB	Latvian Association of the Blind
LAD	Latvian Association of the Deaf
LAL	Law on Administrative Liability
LR	Latvian Radio
LTV	Latvian Television
MoE	Ministry of Economics
MoES	Ministry of Education and Science
MoH	Ministry of Health
MoI	Ministry of the Interior
MoW	Ministry of Welfare
NCDA	National Council for Disability Affairs
NCE	National Centre for Education
NGO	Non-governmental organization
Ombudsman	The Ombudsman of the Republic of Latvia
Ombudsman's office	Office of the Ombudsman of the Republic of Latvia
Report	Joint Second and Third Report of the Republic of Latvia on implementation of the United Nations Convention on the Rights of Persons with Disabilities of 13 December 2006 in the period from 1 January 2014 to 31 December 2019
SEA	State Employment Agency
SEQS	State Education Quality Service
SFRS	State Fire and Rescue Service
SISA	Social Integration State Agency
SLTSCI	State long-term social care institutions

SSSB	State social security benefit
State Commission	The State Medical Commission for the Assessment of Health Condition and Working Ability
UN	United Nations
WIS	Welfare information system

Introduction

1. Latvia ratified the Convention on 1 March 2010 and entered into force on 31 March 2010. The Optional Protocol to the Convention was signed on 22 January 2010, ratified on 22 June 2010, entered into force on 30 September 2010.

2. Latvia submitted the first report on the implementation of the Convention in the period from 31 March 2010 to 31 December 2013 to the Committee in 2014. On 31 March 2017, Latvia received an invitation from the Committee to participate in the review of Latvia's first national report, while providing answers to clarifying questions to identify Latvia's progress in implementing the Convention from 1 January 2014 to 31 December 2016. In accordance with the answers prepared by Latvia and the information provided, the Committee provided comments and recommendations (hereinafter – Committee recommendations).¹ In February 2019, Latvia submitted to the Committee the report on the measures taken to implement the recommendations provided by the Committee on independent living and inclusion in society, as well as inclusive education.

3. Submitting the Report to the Committee, Latvia provides information on the progress of the implementation of Convention and Committee recommendations for the period from 1 January 2017 to 31 December 2019. In order to show the significant changes that have had a direct impact on the target group, information regarding 2020 and 2021 is also provided in Report under some articles of the Convention.

4. Sectoral ministries and institutions were involved in the preparation of the Report. The Report was sent for consideration and comments and suggestions to NGOs to the Ombudsman's Office. No comments were received on the Report.

Article 1 Purpose

5. The overarching goal of disability policy in Latvia is in line with the goal set out in the Convention, namely to promote, protect and ensure that the persons with disabilities can fully and equally enjoy all human rights and fundamental freedoms, promote respect for human dignity and take measures to reduce the consequences of disability.

6. Latvia has set a clear direction in the development of disability policy - from a medical model to a human rights approach that emphasizes the active involvement of a person in public processes and living an independent life.

Article 2 Definitions

7. The definitions set out in the Convention are taken as a basis for planning disability policy in Latvia and developing policy development planning documents.

8. "Sign language" - the State Language Law stipulates that the state shall ensure the development and use of the Latvian sign language for communication with deaf people. It is possible to acquire the profession of a sign language interpreter for the state budget resources. Also, from the state budget, a sign language interpreter service is provided for up to 480 academic hours during one academic year for the acquisition of vocational and higher education and up to 120 hours per year for communication with other persons.

9. "Easy-to-read language"- materials in easy-to-read language are prepared by NGOs. Easy-to-read language is a way how to promote access to information for many people – those who have poor knowledge of language and wish to acquire; those who can not hear

¹ Committee Recommendations:
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fLVA%2fCO%2f1&Lang=en.

since birth; those who have difficulties to understand the written text; those who have mental impairments.

10. “Discrimination on the Grounds of Disability” - in accordance with Section 89 of the Constitution of the Republic of Latvia (hereinafter - Constitution), the state recognizes and protects fundamental human rights in accordance with the Constitution, laws and international agreements. The prohibition of discrimination is defined in several legal acts, for example in the Labour Law, the Law on the Protection of the Children’s Rights, the Social Security Law, the Criminal Law, the Education Law etc.

11. “Reasonable adaptation” – appropriate improvements and adaptations so that persons with disability could use their human rights and basic freedom on an equal basis with other people. For example, the Labour Law prescribes a duty to the employer to perform measures that are required according to circumstances to adapt the labour environment so that to facilitate opportunities of persons with disabilities to establish legal labour relations, perform job duties, to be promoted or to be sent to vocational training or increase of qualification insofar as not to impose a disproportionate burden on employer by implementing these measures.

12. “Universal design”- way of production, environment, programmes and services that as much as possible can be used by all people without need of adaptation or specific design.

Article 3

General principles

13. General principles under Section 3 of the Convention have been defined in the Constitution.

Article 4

General obligations

(Committee’s recommendations to Latvia - 7 (a) -7 (c) and 7 (e))

14. Determination of disability is regulated by the Disability Law and Cabinet of Ministers (hereinafter – CoM) Regulations No. 805 of 23 December 2014 “Regulations Regarding the Criteria, Terms and Procedures for Determining Predictable Disability, Disability and Loss of Ability to Work” (hereinafter - Cabinet Regulations No. 805).

15. Section 5 of the Disability Law provides that the disability is a long-term or permanent restriction of a very severe, severe or moderate degree of functioning that affects a person’s mental or physical ability, ability to work, self-care and inclusion in society. Disability examination in Latvia is performed by the State Medical Commission for the Assessment of Health Condition and Working Ability (hereinafter - the State Commission).

16. Since January 1, 2015, the International Classification of Functioning, Disability and Health (hereinafter - ICF) has been applied in determining disability.

17. For the persons from 18 years of age up to attaining the age necessary for granting the state old-age pension the functional limitation and its level shall be evaluated, the loss of ability to work shall be determined as a per cent and:

- Group I disability, if the loss of ability to work is in the amount of 80-100 %, - very severe disability;
- Group II disability, if the loss of ability to work is in the amount of 60-79 %, - severe disability;
- Group III disability, if the loss of ability to work is in the amount of 25-59 %, - moderately expressed disability;

18. For the persons who have reached the retirement age, a disability group is determined without determining the percentage of the loss of ability to work.

19. For children under 17 years of age (including), disability is determined without division into groups.

20. The number of persons with disabilities continues to grow every year (see Table 1) and also their share in the number of permanent residents continues to increase annually. In 2014, the share of persons with disabilities in the total population was 8.6%, in 2016 - 8.8%, but at the end of 2020 it was already 10.5%.² The largest share of persons with disabilities is in the working age (53%), however, a more significant increase in recent years has been observed in the age group 65 + (43%). The proportion of children with disabilities among people with disabilities has been around 4% for several years, and the number of children with disabilities is also stable in absolute terms.

Table 1

Changes in the number of persons with disabilities in the period from 2014-2020³

Year (Data on December)	Children 0-17 (including)			Age 18-63			64+		
	Woman	Man	Total	Woman	Man	Total	Woman	Man	Total
2014	3 534	4 777	8 311	50 149	53 817	103 966	34 135	24 062	58 197
2015	3 544	4 822	8 366	51 091	54 551	105 642	36 945	25 851	62 796
2016	3 551	4 810	8 361	51 606	55 178	106 784	39 530	27 442	66 972
2017	3 494	4 757	8 251	51 833	55 034	106 867	41 862	28 851	70 713
2018	3 462	4 743	8 205	52 297	55 375	107 672	45 120	30 818	75 938
2019	3 485	4 806	8 291	51 863	54 894	106 757	48 217	32 894	81 111
2020	3 501	4 894	8 395	51 805	55 072	106 877	51 291	34 986	86 277

Data source: Welfare Information System (WIS), January 2021.

21. For the majority of persons disability is based on a general illness. Of the specific functional impairments (vision, hearing, movement, mental and intellectual impairments) - adults most often have movement impairments and intellectual impairments, while children - intellectual impairments.

22. With the support of the European Union (hereinafter – EU) funds, at the beginning of 2017, the ESF project “Improvement of the Child Disability Determination System” was launched, in accordance with the principles of the ICF Children and Youth Version (hereinafter - ICF-ChY). In order to improve the disability assessment system for children, the doctors involved in the project have developed a disability assessment methodology in line with international practice, based on the principles set out in the ICF-ChY conceptual framework - the correlation between the child’s age, illness and functional impairments was analyzed to determine the child’s disability. In the coming years, one of the primary tasks for the development of the disability assessment system is to choose the most appropriate solutions to align the criteria for assessing the disability for adults and children.

23. In the summer of 2019, the MoW launched the project “Evaluation and Improvement of the Latvian Disability Assessment System” (hereinafter - the Disability Project) financed within the framework of the European Commission’s (hereinafter - EC) Structural Reform Service program. The Disability Project aims to (i) improve and harmonize the assessment of medical disorders, functional capacity and environmental factors, and (ii) strengthen the link between the assessment of disability and the provision of active labor market measures. The Disability Project will end in the second half of 2021.

24. Issues related to disability policy are discussed at the annual meetings with NGOs and during meetings of the Nacional Council for Disability (hereinafter - NCFD). The NCFD

² Data from Official statistics portal.

³ The data of persons with disabilities for year 2014; 2015; 2016, 2017.un 2018 reflect situation on December 2018. Data for 2019 reflect situation on December 2019, data for 2020 reflect situation in December 2020.

serves as a platform to discuss the disability issues, including progress in implementing the Convention, and for exchanging views between stakeholders.

25. Meetings, discussions, work in various working groups with the participation of NGO representatives are regularly provided to ensure the exchange of views on necessary improvements that are needed to promote equal opportunities and rights for persons with disabilities, ensuring NGO involvement in policy-making process. Also, all draft regulations and policy planning documents are submitted for public discussion, providing a timely opportunity to get acquainted with the project versions and their impact on the daily life of persons with disabilities, providing proposals, comments or objections on further project progress.

26. In recent years, the state has promoted capacity building for NGO sector. Thus, for example, in 2018 a call for proposal “Implementation of NGO projects in the field of welfare in 2018” was announced (hereinafter – call for proposals). In this call for proposal participated NGOs that provide support for more active involvement of persons with disabilities or functional impairments in different social processes, including labour market.

27. The state also provides financial support to those NGOs that provide qualitative expertise for sectoral policy planning in the field of protection of persons with disabilities, strengthen public communication and understanding of welfare issues. In recent years, the amount of state funding for NGOs has increased significantly – from 25,00 euro in 2016 to 119,689 euro in 2019.

28. At the beginning of 2019, the MoW prepared and submitted to CoM the interim report on the implementation of the Guidelines for the implementation of the Convention for the period 2014 - 2020 (hereinafter –Guidelines). The implementation of the Convention is an ongoing process that requires new commitments. This often requires the implementation of unpopular decisions that are difficult to explain to the public and that are not easy to accept. At the same time, the measures introduced within the framework of the Guidelines implementation plans for 2014-2017 generally improve the living conditions of persons with disabilities by providing opportunities to receive both monetary and non-monetary support services.

29. At the request of the MoW, a study “Evaluation of the Implementation of the United Nations Convention on the Rights of Persons with Disabilities” was conducted in 2020 to assess the progress in implementing the Convention and the Committee’s recommendations, as well to identify the necessary next steps for the development of an effective and sustainable disability policy. The study’s recommendations focus on a more open approach in the context of inclusive education and employment, with greater emphasis on person’s individual needs for support services, accessible and comprehensive information to the public on disability issues.

30. In the next seven years (from 2021 to 2027), two short term policy planning documents will set the framework for the development of disability policy: The Plan for the Promotion of Equal Opportunities for Persons with Disabilities for 2021-2023 (approved by CoM on 10 August 2021) and for 2024-2027.

Article 5

Equality and non-discrimination

(Committee’s recommendations to Latvia – 9 (a)-9 (e))

31. Section 91 of the Constitution provides that all people in Latvia are equal before the law and the court. Human rights are exercised without any discrimination.

32. With regard to general principles, equality and non-discrimination in the field of administrative law, the Committee’s recommendations have been incorporated into a number of laws and regulations.

33. The purpose of the Law on Administrative Liability (hereinafter – LAL) is to protect the existing legal system, including the public interest, public order in compliance with the fundamental rights of a person.

34. LAL provides that a uniform procedural order for all persons involved in administrative offence proceedings irrespective of the origin, social and financial situation, employment, citizenship, race, nationality, attitude towards religion, sex, education, language, place of residence, and other conditions of such persons.

35. Labour Law stipulates that for the violation of prohibition of differential treatment in the field of employment relationship, a warning or a fine shall be imposed on the employer. A person may also exercise his or her rights and file a complaint with The State Labour Inspectorate.

36. Persons may also defend their rights in civil proceedings. The Civil Law stipulates that the rights shall be exercised and obligations shall be performed in good faith. Every natural and legal person has the right to protection of his or her infringed or contested civil rights or interests protected by law in court, provides for the possibility of effective protection of his rights in civil proceedings, including discrimination.

37. Criminal liability for violation of the prohibition of discrimination, including discrimination on the grounds of a person's disability, is established in the Criminal Law (hereafter-CL). CL provides for criminal liability for an act aimed at inciting hatred or discord depending on a person's sex, age, disability or any other characteristics, if it has caused significant harm.

38. The Criminal Procedure Law (hereafter - CPL) contains the principle of equality, which provides for uniform procedural procedures for all persons involved in criminal proceedings, regardless of their origin, social and property status, occupation, citizenship, race and nationality, attitude towards religion, gender, education, language, place of residence and other conditions.

39. Within the framework of the study "Evaluation of the Implementation of the United Nations Convention on the Rights of Persons with Disabilities" a separate survey of persons with disabilities or their representatives on public attitudes was conducted. In overall in 2020, 16% of persons with disabilities rated the public attitude as supportive and 52% as neutral.

40. Since 2016 the Society Integration Foundation (hereinafter – SIF) is implementing the ESF project "Promoting Diversity". In 2017, a strategy for raising public awareness was developed to promote anti-discrimination and diversity. The strategy includes comprehensive and regular public information campaigns. Campaign on public awareness raising on disability issues will be implemented in 2022.

41. In case of discrimination, every person has the right to apply to the Office of the Ombudsman. Complaint handling is a confidential and cost-free process. In its annual reports, the Ombudsman's Office compiles and publishes information on the recorded violations of the prohibition of discrimination.

42. Various trainings, discussion seminars and information materials are provided on various disability-related issues - for example, in employment law, adaptation of the work environment, accessibility of the public environment and buildings, the role of women and men with disabilities in modern society, inclusive education etc.

Article 6

Women with disabilities

(Committee's recommendations to Latvia – 11 (a) – 11 (d))

43. From the legal point of view, women with disabilities have the same right to enjoy all human rights and fundamental freedoms on an equal basis with the rest of society.

44. Analyzing the statistics on the number of women and men with disabilities in the last five years, it can be concluded that there are no significant differences in the number of persons with disabilities by gender - 52% of the total number of persons with disabilities are women, 48% - men (see Table 1), corresponding to the proportion of women and men in society.

45. Latvia has not yet ratified the European Parliament (hereinafter - EP) Convention on the Prevention and Combating of Violence against Women and Domestic Violence, which is due to political disagreement and differences between the ruling political forces.

46. Latvia has introduced a number of instruments to protect and provide assistance to victims of domestic and gender-based violence and to punish perpetrators.

47. Since 2014 police officers have rights to take an immediate enforceable decision to separate a person. Such a decision shall be taken in cases where there is an imminent risk that a person in or near the dwelling may cause harm to another person living in that dwelling. The person at risk can also go to court himself or through the police and ask for a decision on temporary protection against violence.

48. Since 2015 social rehabilitation services for victims of violence and adults who have committed violence are available from the state budget. Social rehabilitation for the victim can be provided at the place of residence or crisis center with accommodation - the person can receive the service in the form of individual psychologist consultations (no more than 10 consultations, each lasting 45 minutes) or up to 30 days in a social rehabilitation institution.

49. Since 1 July 2021 the Civil Procedure Law introduces a new temporary means of protection against violence - the obligation for the defendant to undergo a social rehabilitation course to reduce violent behavior, which is an important step to prevent and reduce criminal behavior. Criminal liability is provided for a court decision on non-compliance with temporary protection against violence.

50. The implementation of Directive 2012/29 / EU of the European Parliament and of the Council of 25 October 2012⁴ in CPL the category of “specially protected victim” has been distinguished. This category includes minors, victims of sexual abuse, victims of domestic or intimate partner violence, victims who, due to a mental or other health impairments, are unable to exercise their procedural rights on their own; victims of trafficking, and some other groups of victims. In order to reduce the re-victimization of these victims, the CPL imposes special conditions, such as mandatory interrogation in a separate room or without the presence of other persons, the possibility to participate in all proceedings with a trustee, interrogation by a person of the same sex, etc.

Article 7

Children with disabilities

(Committee’s recommendations to Latvia – 13 (a) – 13 (c))

51. The number of children with disabilities does not tend to increase rapidly - 4% of the total number of persons with disabilities. There are slightly more boys with disabilities than girls with disabilities (see Table 1).

52. For children up to the age of 18 years for whom a disability has been determined for the first time and who live with family or their legal representatives have the right to receive a service of a psychologist (ten 45-minute consultations) paid from the State budget.

53. The Law on the Protection of the Children’s Rights provides for a general prohibition of discrimination on the grounds of a child’s state of health.

54. The Law on the Protection of the Children’s Rights determines the rights of a child with special needs to live a full life. A child with special needs has the same right to an active life, the right to develop and receive general and vocational education according to his or her physical and mental abilities and desires, and the right to participate in public life as any other child.

⁴ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32012L0029&from=LV>.

55. Criminal liability for domestic violence against a child, including a child with a disability, is set out in several sections of the CL. A criminal offense committed against a person under the age of eighteen within the CL can be both a qualifying feature and an aggravating circumstance.

56. In order to inform children about the problems of domestic violence, an interactive tool (game) “Hey, wake up!” is made. The game has subtitles, providing the opportunity to use it for children with hearing impairments. The game is designed to raise children’s awareness, develop skills to identify signs of violence and seek solutions, as well as support people to turn for help. Players are also reminded of the opportunity to seek advice and assistance by calling the Children and Youth Helpline 116111, as well as being reminded of the basic principles of safe internet use.

57. In accordance with the Law on the Protection of the Children’s Rights, specialists in various fields who work or come into contact with children in their professional work (including social workers, police officers, judges, prosecutors, psychologists, teachers, etc.) must acquire special knowledge of protection of children’s rights. “Ensuring the rights of children with special needs” (8 hours) is one of the training topics aimed to improve the knowledge and skills of specialists to ensure the inclusion of children with special needs in society. Within the framework of the ESF project, training programs for specialists in the field of protection of children’s rights have been improved and training for specialists is implemented. As of 31 December 2020, training was provided to 4071 specialists.

58. Within the framework of EU funds, five ESF deinstitutionalisation (hereinafter - DI) projects have been implemented. Since 2019 also ESF projects implemented by NGOs are providing support to children under 17 years of age (including) with functional impairments for whom a disability has been determined and who live in families. The activities implemented include:

- Assessment of individual needs and development of individual social care or social rehabilitation plans (hereinafter - support plan);
- Day care center service;
- Social rehabilitation services. After evaluating the child and developing a support plan, which indicates the support a child needs, the child’s legal representative can choose the necessary rehabilitation services the child needs to receive. In addition, a parent, guardian or foster family has the right to receive the services of a psychologist, rehabilitologist, physiotherapy, as well as to participate in educational support groups no more than 40 times during the project.

59. Within the DI (without assessment of a child individual needs) children with disabilities who have been issued an opinion of the State Commission on the need for special care may receive:

- Home care services for children up to 4 years (including) up to 200 hours per month, and for children from 5 to 17 years (including) up to 80 hours per month (since 1 July 2021, until 1 July 2021 - 40 hours per month);
- Short-term social care or “respite” service up to 30 days a year in an institution.

60. Until 2020, within the framework of DI, community-based social services were provided to 2311 children with disabilities. The provision and improvement of DI measures will also be ensured in the EU Structural Funds and Cohesion Fund period 2021-2027.

61. Responding to Committee’s recommendation “Prevent and sanction any public campaigns that promote a charity and “cure” approach to children with disabilities” the limited financial resources of the state and local governments should be taken into account. If these campaigns call for support for the provision of various services for children with disabilities that are recommended by medical practitioners and are aimed at ensuring the best interests of the child and do not contradict the CL sections on discrimination and hate, such activities are not considered as unfavorable to the child. The largest organizations that raise funds for the treatment and rehabilitation of children have attracted medical practitioners and children are offered services and approaches recommended by medical practitioners.

Article 8

Awareness-raising

(Committee's recommendation to Latvia – 15)

62. The society and persons with disabilities themselves often have a low level of awareness of the state support services aimed at promoting the full integration of persons with disabilities into various social processes and being active members of society, building independent lives and enjoying all their rights and freedoms.

63. Every year on December 3, Latvia celebrates the International Day of Persons with Disabilities. On this day, the Saeima of the Republic of Latvia (hereinafter – Parliament), in co-operation with NGOs also holds meetings with associations representing persons with disabilities to discuss relevant issues regarding implementation of the rights of persons with disabilities.

64. Every year, on the last Sunday of September, the World Day of the Deaf is celebrated in Latvia – the Latvian Association of the Deaf (hereinafter – LAD) organizes public events where the deaf people of different ages present their skills and achievements to the public.

65. Every year on October 15, Latvia celebrates the International White Cane Day. It is a day when society via media is informed about the visual impairments and the needs of persons with visual impairments.

66. At least once a year, the MoW organizes a joint meeting with NGO representatives to provide information on current issues and planned activities, thus providing NGOs an opportunity to express their views on political processes in the context of disability issues.

67. In cooperation with sectoral ministries and experts the MoW organizes various discussions and trainings on disability-related issues.

68. In Latvia a platform for discussions and negotiations “LAMPA”⁵ (eng. – *lamp*) has been introduced. Organized once a year, the Conversation Festival is made up of more than 300 organizations and active individuals, working together to create a place to exchange views in a free, relaxed atmosphere and to discuss societal issues, including disability, in a dignified manner.

69. In the health sector, a number of activities have been carried out at the national level since 2017 to promote a comprehensive public understanding on mental health issues and to create an environment for active participation and involvement of everyone in community life. In order to reduce mental health prejudices, talk about the most common mental health problems and how to deal with it, as well as encourage people to seek help in solving the mental health issues, the Ministry of Health (hereinafter – MoH) is currently implementing the campaign titled “Everything is Norm.a”.⁶

70. In order to promote the public awareness on DI, starting from 2018, two information campaigns titled “Human, not diagnosis”⁷ have been organized. The first campaign focused on educating public about persons with mental impairments, the second campaign covered all three DI target groups: adults with mental impairments, children with disabilities and children left without family care (children in out-of-familial care who live in long-term social care institutions). The second campaign has been successful in Riga and Pieriga, data from the website “Human, not diagnosis” show its small impact on the population in the regions.

71. In 2021, with the support of EU funds, the campaign “Do differently – get the same things done!”⁸ was launched to draw attention to employment opportunities for persons with disabilities in Latvia. During the campaign, on the website “Human, not diagnosis” there are

⁵ More about “LAMPA”: <https://festivalslampa.lv/en>.

⁶ Information about campaign (in Latvian): <https://esparveselibu.lv/kampanas>.

⁷ Information about campaign: <https://cilveksnevisdiagnoze.lv/en/>.

⁸ Information about campaign: <https://cilveksnevisdiagnoze.lv/en/do-differently-get-the-same-things-done/>.

collected experiences, useful links and tips for persons with disabilities who want to work, as well as for employers who want to employ them.

72. An important role in informing the public about the needs of persons with disabilities is to provide practical knowledge on ensuring assistance to persons with disabilities in crisis situations. In June and July 2017, the State Fire and Rescue Service (hereinafter - SFRS) organized training for the heads and responsible persons in long-term social care institutions on the fire safety, civil protection issues and firefighting measures, including issues of crisis situations (floods, fire, etc.) to provide adequate assistance to persons with a disability.

Article 9 Accessibility

(Committee's recommendations to Latvia – 7 (d), 17(a)-7(b), 35)

73. In charge of the MoW, in 2018 the Latvian Umbrella Body for Disability Organizations SUSTENTO (hereinafter – SUSTENTO) prepared the guidelines on the accessibility of the environment for public buildings and premises and public outdoor space (hereinafter - The Accessibility guidelines). The Accessibility guidelines summarize both the requirements specified in Latvian regulatory enactments for the creation of an accessible environment for persons with reduced mobility, as well as the recommendations developed by experts from various countries.

74. The Construction Law prescribes the principle of environmental accessibility, according to which an environment is created in the construction process in the way so that any person can easily move and use the structure in accordance with the type of use.

75. MoW and Ministry of Economics (hereinafter - MoE), in cooperation with NGOs, have promoted understanding of environmental accessibility issues by organizing informative seminars on environmental accessibility issues.

76. On October 18, 2018, the MoW organized a conference “Inclusive Design 2018: Think, Plan and Create for Everyone”. The conference brought together experts from the Baltic and Nordic countries - EU funders, policy makers, researchers, designers, architects, planners, users and practitioners.

77. In 2019, the short-term development policy planning document “Plan for creating an accessible environment in Latvia for 2019-2021” was approved. One of the tasks of the Plan is to make a comprehensive analysis on environmental accessibility in state and local government buildings. Within the framework of the EU funded project, the following activities are implemented:

1. In 2020 the coordination of self-assessment was launched and consultations of representatives of the state and local government institutions for performing an assessment of environment and information were provided, including:
 - A self-assessment methodology has been developed for assessing the accessibility of the environment and information to state and local government buildings and buildings where state and local government services are provided;
 - Seminars for specialists on qualitative application of self-assessment methodology (3 seminars);
 - Self-assessment of environment and information accessibility in the state and local government buildings and in buildings where state and local government services are provided has been made;
2. In 2021 a study “Analysis of self-assessment of environmental accessibility in the state and local government institutions” was conducted;
3. Until May 2021, 16 seminars have been organized on access to the environment and information for EU fund implementers, educational institutions that provide training for the unemployed and job seekers, state and municipal unified

customer service center specialists, employees of state and local government institutions;

4. In 2021 - 20 individual consultations were provided on environmental and information accessibility for DI project implementers;

5. Informative materials and guidelines on environmental and information accessibility were prepared in 2020.

78. In the area of public transport accessibility, gradual improvements are made. In 2020, 70% of public buses (on national route networks) were adapted for persons with functional impairments (in 2019 - 44%). Approximately 47% of the buses were provided with audio information and 30% with visual information. By the end of 2023, it is expected that the share of adapted buses on national route networks will increase to 85% and the announcement of stops in audio and visual format will be provided to 100%.

79. Railway passenger infrastructure modernization works in accordance with the requirements specified in Commission Regulation (EU) 1300/2014 have already been performed in 27 railway passenger stations and by the end of 2023 modernization works will be provided in another 48 stations.

80. Accessibility is higher in the field of aviation as this area is subject to international decisions, regulations and directives, which also set requirements and deadlines for their implementation regarding accessibility for persons with disabilities. International Airport "Riga" provides implementation of the Regulation (EC) No. 1107/2006,⁹ which includes requirements that would apply to the accessibility of air transport.

81. The requirements of Directive (EU) 2016/2102 of the EP and the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies have been taken over in CoM Regulations No. 611 "Procedures for Institutions to Post Information on the Internet". This allows persons with disabilities to access content from websites and mobile apps in a way that is accessible to them.

82. On 17 April 2019, Directive (EU) 2019/882 of the European Parliament and of the Council on the accessibility requirements for products and services was adopted. By 28 June 2022, all EU Member States must transpose the requirements of the Directive into national law. Manufacturers and service providers will apply the Directive from 28 June 2025 (with some exceptions). The MoW has set up a working group to transpose the requirements of the Directive. Currently the work is underway on the development of national regulatory enactments to take over the obligations of the directive, consultations with organizations representing persons with disabilities are planned, and information measures for businesses will be affected by the requirements of this Directive.

Article 10

Right to life

83. The right to life is enshrined in Section 93 of the Constitution, which stipulates that everyone's right to life is protected by law.

84. According to Medical Treatment Law, a doctor has a duty to protect unborn life and he or she has a duty to try to dissuade a pregnant woman from terminating pregnancy if the pregnancy is not in contradiction with the woman's state of health and if there is no danger that the new-born baby will have an inherited or acquired disease. A doctor has the right to refuse to terminate a pregnancy if there are no medical grounds for such termination.

85. It is allowed to terminate a pregnancy due to medical indications until the 24th week of pregnancy. If there is a developmental disorder of the fetus, the consultation is organized by a doctor (geneticist). Based on the opinion of the council, the gynecologist (obstetrician) or family doctor informs the woman about possible complications if the pregnancy is maintained and issues a referral to terminate the pregnancy in an inpatient treatment

⁹ Regulation (EC) No. 1107/2006 on the rights of disabled persons and persons with reduced mobility to travel by air_ <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32006R1107>.

institution. Medical abortion is performed only with the approval of a medical council and the woman's written consent.

Article 11

Situations of risk and humanitarian emergencies

(Committee's recommendation to Latvia – 19)

86. The Civil Protection and Disaster Management Plan stipulates that the SFRS in cooperation with other institutions prepares a state civil protection plan. The state civil protection plan is developed on the basis of risk assessments performed by disaster management bodies (ministries and local governments) (according to the competence of the industry), and disaster management measures (preventive, readiness, response and liquidation of the consequences) are defined for each danger. Also at the local government level, civil protection plans for municipalities or their cooperation territories will be developed.

87. The State Civil Protection Plan envisages the development of the State Early Warning System in the State. On 13 April 2021, the CoM approved the informative report "On cell broadcasting system and other possible notification systems, their implementation and maintenance costs" developed by the Ministry of the Interior (hereinafter – MoI) and SFRS, supporting the development of the state early warning system by implementing a public notification solution based on cell broadcasting solution. The cell broadcast system is an advanced technology that combines two functionally important elements of an early warning system - warning and information. It means that persons in the endangered area (including persons with disabilities, tourists, all residents in a certain geographical area) will be informed on the warning reasons, as well as information on expected actions on their mobile phone displays, regardless of the endangered area size and number of mobile phones (subscribers) in the specific area.

88. Since 2012 the SFRS has provided voiceless access (SMS) to the single emergency number - 112, which can be used by persons with disabilities. This service is provided to all residents, but in cooperation with the LAD, the SFRS has access to the numbers of registered LAD members and a database has been created that allows recognizing the caller (SMS sender) in advance.

89. In the health sector, a National Disaster Medicine Plan has been developed, which sets out disaster management measures for medical emergencies and public health emergencies, as well as the responsibilities and actions of the institutions and services involved. The Emergency Medical Service is also developing the technology for a single emergency telephone (113) to provide advice and support to persons with disabilities.

90. CoM Regulations No. 238 "Fire Safety Regulations" stipulates that the person in charge of the facility shall ensure the development of fire safety instructions. The fire safety instructions shall specify the procedure for evacuation of persons with disabilities and measures for ensuring evacuation.

91. SFRS is an institution that manages, coordinates and controls the operation of the civil protection system. SFRS has been designated as a contact point in case of emergencies and disasters in accordance with the Sendai Disaster Risk Reduction Framework 2015-2030.

92. The Information Centre of the MoI, in cooperation with the State Police and the SFRS, has improved the mobile application "My Security" by ensuring operative communication with rescue services also for persons with special needs, such as speech disorders. The mobile app is an online tool for communicating with operational services, as well as for reporting traffic accidents or violations and crime in the Internet. In case a person in an emergency is unable to provide information orally about the circumstances, or is unable to name the location, the mobile app provides the possibility to initiate correspondence with the rescue dispatcher, as well as send the coordinates of person's location.

Article 12

Equal recognition before the law

(Committee's recommendation to Latvia – 21)

93. Extensive amendments to the Civil Law were made in 2012 (entered into force in 2013), removing the total restriction of legal capacity. The current legal framework stipulates that everyone over the age of 18 has a legal capacity. The Civil Law enshrines the principle that restriction of legal capacity is possible only in exceptional cases and only regarding property rights, when there is no other possibility than to protect the interests and rights of a person. In addition, the restriction of legal capacity must be in the interests of the person concerned and only to the extent that the person is unable to understand the meaning of his or her activity or is unable to manage his or her activity. Consequently, a person cannot be restricted in personal non-property rights, while restrictions in property relations should be determined only in exceptional cases and in certain areas - making payments, concluding transactions, handling property or conducting commercial activities. It means that the court, when assessing a person's abilities, assesses the extent to which a person acts independently and to what extent he or she is still unable to act. Only then, when determining the extent to which a person is unable to act, the court first determines whether and to what extent the guardian acts together with the custodian, and only then - whether and to what extent the guardian will act independently. The Civil Law also provides that a court may establish temporary guardianship without restriction of legal capacity, imposing an obligation on the guardian to conduct only certain things if it is urgently necessary in the interests of the person, the disorder is temporary and the person is unable to cause harm.

94. In recent years, the courts of first instance have received around 300-400 cases a year regarding the restriction of legal capacity and review of the restriction. Approximately 5-8 cases are appealed in the appellate instance per year. According to the data of the Population Register, in 2017 the legal capacity was restricted to 291 persons and the restriction was reviewed for 603 persons (it is not possible to distinguish persons with disabilities). In 2018 accordingly 281 and 88 persons and in 2019 – 300 and 44 persons. As of 1 January 2020, 3108 persons with limited legal capacity have been registered in the Population Register.

95. The institute of temporary trusteeship can be used if it is necessary to protect the rights and interests of a person without restricting his or her legal capacity. A court shall establish temporary trusteeship that does not exceed two years.

96. A court, when establishing a temporary trusteeship, shall determine the duty for a trustee to conduct only certain matters. The conduct of certain matters shall be related to conducting of urgent matters of the person or ensuring of basic needs or care for the person.

97. According to the regulation of future authorisation, any person who is able to act has the opportunity to ensure that his or her rights and interests are timely protected, if for some reason in the future he or she will no longer be able to take his or her own decisions and take action. A future authorisation is an alternative to limiting the capacity of a person who has the capacity to act at the time of the issuance of a future authorisation, understands the importance of his or her activity and is able to manage his or her activities, but who wishes to protect his or her non-financial and financial interests in the future at a time when the person will not be able to understand the importance of his or her activity and will not be able to manage his or her activities. In such a case, the trustee will be able to take action to protect the interests of the principal and may not need to refer to the court in order to limit the person's capacity to act.

98. A support person is considered to be one of the mechanisms that promotes the opportunities of a person with a mental impairment to integrate into a society by providing the necessary support to the person in decision-making. Currently, the support person service is not provided from the state budget and is not regulated in legal acts. In 2016, the MoW started the work on the development of a support person service (hereafter - support person service), which is implemented with the support of EU funds. In 2017, the MoW concluded an agreement with the association "Resource Centre for People with Mental Disabilities" ZELDA ""(hereinafter - RC Zelda) on the development of the description, organization and

financing of the support person service, implementation of the pilot project for the support person service and evaluation of the results of the pilot project.

99. The support person service provides a person with mental impairments the support in decision-making to help him or her realize his or her legal capacity on an equal basis with others. Decision support allows the supported person to take important decisions for himself / herself, helps to expand his / her natural circle of support, helps to improve the ability to represent oneself and protect one's interests, as well as expands the supported person's knowledge and understanding of his / her rights. The support person's service includes the establishment of a relationship of trust between the support person and the supported person, as well as the determination of the scope of the required support and the intensity of the provision of support, as well as the provision of support in decision-making. The support person service is provided through the person-directed thinking and planning approach. The target group is adults with mental impairments for whom the State Commission has determined disability group I or II. In the period from January 1, 2017, to December 31, 2019, the following activities have been performed within the framework of the project:

- In 2017, a "Description of the Support Person's Service, Procedures for Organizing and Financing" was developed:
 - A pilot project of a support person service has been implemented. Within the framework of the pilot project, the support person service was provided to 332 persons with mental impairments, most of whom learned about the service from social workers (135 persons) or RC ZELDA (80 persons). Within the framework of the support person service project, the following deliverables¹⁰ have been prepared for the provision of the support person service in the future: "Compilation and evaluation of qualitative and quantitative performance indicators of the pilot project";
 - "Evaluation of the possibilities for integrating the support person service and the procedure for its organizing and financing" (incl. The possibilities of creating a new independent service model were analyzed, as well as the possibility of including the supported decision-making components in one of the existing social services was considered);
 - "Quality control and monitoring system of the support person service";
 - "Manual" of the support person service (verified version);
 - Final report "Development of the description, organization and financing procedure of the support person service";
 - "Methodological materials for implementation of the support person service";
 - Final report "Evaluation of the results of the pilot project of the support person service".

100. The implementation of the Committee's recommendation that the State party repeal the legal provisions in civil law concerning substituted decision-making and restore the full legal capacity of all persons with disabilities through a supported decision-making regime that respects the autonomy, will and preferences of the person could be considered after the MoW prepares proposals on the basis of the report prepared within the project for the introduction of the supported decision-making service financed from the state budget (provisionally 1st half of 2022). At the same time, in the context of the Committee's recommendation, it is important to point out that the current regulation also provides for the possibility to determine that the guardian acts together with the guardian in case of restriction of legal capacity, thus giving the person the right to participate in decision-making, which is in practice used more and more every year.

¹⁰ All materials are available in MoW home page.

Article 13

Access to justice

(Committee's recommendations to Latvia - 23 (a)-23(d))

101. The Administrative Procedure Law (hereinafter - APL) lays down special rules for persons with disabilities, which are to be regarded as protective measures for those persons. The APL provides that if a witness is unable to appear before the court due to illness, old age, disability or another justified reason, the court may interrogate the witness at the place where he or she is. As well the APL provides that the court may stay the proceedings if the applicant or a third party is unable to participate in the proceedings due to illness, age, disability or other significant reasons.

102. The APL stipulates that a court may also allow certain procedural actions in another language if one of the participants in the administrative proceedings (including a person with a disability) so requests and the other participants agree. The court shall ensure the right to get acquainted with the materials of the case and participate in the procedural activities with the help of an interpreter for a participant in the administrative proceedings (including a person with a disability) who does not speak the language of the proceedings. Thus, in the administrative process, an opportunity is provided for the participants of the process, incl. people with disabilities can also communicate in a language they understand.

103. The CPL determines a common procedural procedure for all persons involved in criminal proceedings, regardless of their origin, social and property status, occupation, citizenship, race and nationality, attitude towards religion, gender, education, language, place of residence and other circumstances.

104. The CPL stipulates that if a person who has the right to defense, a victim and his or her representative, witness, specialist, expert, auditor, as well as other persons involved in criminal proceedings do not speak the state language, they have the right to use a language which they speak and to have recourse, free of charge, to an interpreter whose participation is ensured by the person conducting the proceedings- the provisions of this article concerning the right of a person to use a language which he or she understands and to use the assistance of an interpreter free of charge also apply to persons with hearing, speech or visual impairments. Such persons, in cases provided for by law, shall, when issuing procedural documents, ensure the availability of these documents in a language or in a manner that the person is able to comprehend.

105. The CPL stipulates that if in cases when due to objective circumstances a person cannot participate in the performance of procedural activities, for example due to his or her physical condition, the person conducting the proceedings may be performed by technical means (telephone conference, videoconference), if it is necessary and if it is required by the interests of criminal proceedings.

106. The Civil Procedure Law stipulates that the parties have equal procedural rights. The court shall give the parties equal opportunities to exercise the rights conferred on them in order to protect their interests. According to that, no party, whatever the circumstances and situation in which it finds itself, must be placed in a significantly worse position than the other party.

107. The Civil Procedure Law stipulates that the court grants the parties to the case who receive state-provided legal aid or are exempt from paying court costs the right to get acquainted with the case materials and participate in proceedings through an interpreter if they do not speak the language of the proceedings. The regulation of the Civil Procedure Law on the assistance of an interpreter is also applicable to sign language interpreters.

108. Amendments to the Civil Procedure Law, which entered into force on 1 January 2017, have simplified communication with the participants in the proceedings by facilitating electronic communication between the court and certain groups of persons, while maintaining the letter format if electronic communication is not available to the party. Participants can also get acquainted with the case materials, adopted decisions, audio minutes of the hearings in the electronic court information system.

109. The LAL lays down common procedural rules for all persons involved in administrative infringement proceedings, regardless of their origin, social and property status, occupation, citizenship, race and nationality, treatment of religion, gender, education, language, place of residence and other circumstances.

110. Court hearings in civil matters may also be held by videoconference. The court shall decide on the participation of persons in the hearing of the case by videoconference at the request of a party to the case. All Latvian courts are equipped with video conferencing equipment. Due to the convenience and efficiency provided by such a regime, the number of cases of videoconferencing in civil cases is increasing every year - in 2017 in the courts of first and appellate courts a total of 494 court hearings were held in videoconferencing, in 2018 - 597, in 2019 - 627, in 2020 - 629.

111. State-provided legal aid in civil cases, in certain types of administrative cases and in the proceedings of the Constitutional Court may receive various persons who:

- Has acquired the status of a low-income or needy person;
- Is fully supported by the state or local government;
- In the sudden presence of a situation and material situation that ensures the secure protection of one's rights (due to natural disasters, force majeure or other independent circumstances (especially an unforeseen and inevitably particularly serious obstacle, such as domestic violence, serious illness).

112. The State-provided lawyer shall also be invited to criminal proceedings in cases and in accordance with the procedures specified by CPL.

113. The Legal Aid Administration (hereinafter - the Administration) shall provide legal advice to persons (who meet the state-provided legal criteria for recipients of assistance) at their place of residence (including long-term social care institutions and hospitals) if the person requests it and due to circumstances regardless of person (for example, due to a disability or medical condition) when he or she is unable to attend the place of practice of the legal aid provider. In such cases Administration designate legal aid providers to provide legal advice at the person's place of residence.

114. Thus, if the Committee's recommendation "ensure access to free legal aid for persons with disabilities living in residential institutions" means to provide it to persons dependent on the state or local government, then it is important to point out that persons are already provided with state-paid legal aid for solving legal issues out of court and for the protection of the rights of a person violated or contested in court or the interests protected by law in the cases, in the types and to the extent provided by law. Persons with mental impairments who receive long-term social rehabilitation and care services in state or local government social care institutions or receive long-term treatment in psychoneurological hospitals have the right to receive state-provided legal aid. Legal aid for persons with mental impairments is also provided by NGOs, such as the RC Zelda association.

115. As the Convention is directly applicable in Latvia, individuals may also defend their rights and interests arising from it in court by directly referring to the relevant articles of the Convention. In 2017, 33 decisions were made in courts of general jurisdiction in various categories of civil cases, where one of the parties or the court referred to the Convention in general or to one of the articles of the Convention. In 2018 these were 26 rulings, in 2019 27 rulings. One of these rulings, which was adopted between 2017 and 2019, is based on a case involving discrimination on the grounds of disability. More than half of the above rulings have been made in cases related to a person's legal capacity, including the review of the established restrictions on legal capacity. Some rulings have been made in labour disputes, family law cases and cases involving the recovery of debts or losses.

116. In the period from 01.01.2017. until 31.12.2019 The Latvian Judicial Training Centre (hereinafter - LJTC) organized a seminar "Actual issues of Labour law", where one of the topics was "Discrimination of persons with disabilities in employment relationships", a seminar "Social rights", where one of the topics was "Determination of disability", a seminar "Legal framework for legal capacity - national and international aspects. Rights of persons with disabilities".

Article 14

Liberty and security of the person

(Committee's recommendations to Latvia - 25 (a)-25(d), 27)

117. In accordance with Latvian national legislation, persons with disabilities have the same rights to exercise their right to liberty and security of person, as well as the right to protection against unlawful or arbitrary denial of such liberty as other persons.

118. The Constitution stipulates that all people in Latvia are equal before the law and the court. Human rights are exercised without any discrimination and that everyone has the right to liberty and security of a person. No one shall be deprived of his or her liberty nor arrested otherwise than by operation of law.

119. CL stipulates that a person who, during the time of the commission of the offence, was in a state of mental incapacity, that is, due to a mental disorder or mental disability was not able to understand his or her acts or control them, may not be held criminally liable. On a person who has been found to have a lack of mental capacity, the court may impose the compulsory measures of a medical nature laid down in CL. If a person is not dangerous to society due to the nature of the offense and his or her mental condition, the person conducting the proceedings may terminate the criminal proceedings and place the person in the care of relatives or other persons caring for patients. On the other hand, if a person has not been able to fully understand or manage his / her activities at the time of the offense due to mental impairments, the court may reduce or release the punishment, depending on the circumstances of the offense, by applying compulsory measures of a medical nature.

120. According CL if a person, at the time of the commission of a criminal offence, due to mental impairments, was not able to understand his or her acts fully or control them, that is, was in a state of diminished mental capacity, the court may reduce the punishment to be adjudged or release such person from punishment, according to the actual circumstances of the offence.

121. The CPL stipulates if the person for whom compulsory measure of a medical nature was specified has been cured or his or her health condition has improved, or it is detected that the health condition of such person has changed otherwise insofar that the person is no longer dangerous to the society, the head of the medical treatment institution, in which the relevant person is being treated, shall, on the basis of the findings of a physician - specialist or a committee of physicians, propose for the court to decide the matter regarding the revocation of the specified compulsory measure of a medical nature or modification thereof to a less restricting measure.

122. According to the Medical Treatment Law, psychiatric care is based on the principle of voluntariness. Disability is not a basis for involuntary treatment of a person. The patient may be hospitalized in a psychiatric institution with his or her written consent, based on the identified mental disorders and a motivated decision of the psychiatrist on the need for mental health examination, treatment and rehabilitation in the psychiatric institution. The patient's consent to hospitalization shall be attached to the medical records. Psychiatric assistance without the consent of a patient shall be provided if the patient:

1. Has threatened or threatens, tried or is trying to do personal injuries to him or herself or to another person or has behaved or behaves violently to other persons and a medical practitioner has determined that the patient has a mental health disorder for which the possible consequences may be personal injury to the patient him or herself or another person;

2. The patient has indicated or indicates an inability to care for him or herself or for a person under his or her guardianship and a medical practitioner has determined that the patient has a mental health disorder for which the possible consequences may be unavoidable and serious deterioration of the persons health.

123. A patient who is hospitalized in a psychiatric institution without his or her consent and a patient for whom treatment in a psychiatric institution is prescribed as a compulsory medical measure in criminal proceedings has the rights of a patient under the Patients' Rights

Law, as well as the right to receive and send letters and mail to contact persons outside the psychiatric institution, to meet relatives and other persons, as well person has the right to daily walking.

Article 15

Freedom from torture or cruel, inhuman or degrading treatment or punishment

(Committee's recommendation to Latvia – 27)

124. Persons with disabilities have the same right as other persons not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

125. The Law on the Protection of the Children's Rights stipulates that if a child with special needs has been conveyed to the police, the conditions for satisfying his or her special needs shall be ensured, and also a specialist for the provision of medical and other assistance to the child shall be invited, if necessary.

126. The CPL stipulates those criminal proceedings shall be conducted in conformity with internationally recognized civil rights and without allowing for the imposition of unjustified criminal procedural obligations or excessive intervention in the life of a person. Civil rights may be restricted only in cases where such restriction is required for public security reasons, and only in accordance with the procedures laid down in CPL according to the nature and severity of the criminal offence.

127. The CPL enshrines the prohibition of torture and humiliation, namely, no one may be humiliated, blackmailed, tortured or threatened with torture or violence, or used in criminal proceedings. If a person opposes the performance of a certain procedural action, hinders its course or refuses to perform his or her procedural duty in an appropriate manner, he or she may be subject to coercive measures provided by law for the provision of the specific procedural action. In order to overcome a person's physical resistance, the person conducting the proceedings or, at his or her invitation, the national police officers may, in exceptional cases, use physical force without causing unnecessary pain or humiliation to that person.

128. Between January 1, 2017, and December 31, 2019, the Latvian Prison Administration organized training seminars for prison staff four times a year on the work with prisoners with a mental illness (including those with a disability as a result of a mental illness).

Article 16

Freedom from exploitation, violence and abuse

(Committee's recommendations to Latvia - 29 (a)-29 (c))

129. In accordance with CoM Regulations No. 215 "Procedures for Establishing the Fact of Brain and Biological Death and Transferring a Dead Person for Burial" a person's biological death is established by a medical practitioner. After establishing the fact of biological death, the medical practitioner shall assess whether the deceased has no visible signs of violent death and, if there are professionally substantiated suspicions of violent death, shall report to the State Police. Upon receiving information about a possible violent death, the State Police initiates criminal proceedings and makes a decision on the appointment of a forensic medical examination.

130. In order to improve the quality of life of persons with disabilities in institutions, training for employees of the state long-term social care institutions is provided on how to recognize the violence and what is the action to prevent violence in long-term social care institutions. In 2018, 2019 and 2020 the courses on violence risks, recognizing and preventing the violence were attended by 262 employees of the state long-term social care institutions.

131. In cases where there is a direct risk that a patient may cause harm to himself or herself or others due to mental impairments, or the patient displays violence against others and the

verbal conviction has failed to end the danger, psychiatric institutions have the right to use the following restrictive measures:

- Physical restraint using physical force to restrain the patient’s movements;
- Mechanical containment using restraining ties or straps;
- Administering medication to a patient against his or her will;
- Placement in an observatory.

132. In October 2017, the MoH started to implement the ESF project “Improving the qualification of medical and medical support staff”. The aim of the project is to ensure the improvement of the qualification of the staff involved in the treatment process - medical staff, medical support staff, pharmaceutical care specialists and social work specialists, including in the field of mental health. Project implementation time: from October 1, 2017 to December 31, 2023.

133. During the reporting period there were organized information campaigns to raise public awareness of human trafficking, its forms, risks, consequences, where to turn for help, victims’ rights: within the project STROM II “Strengthening the role of local governments in the fight against human trafficking” (2017); T-shirt campaign “Trafficking in human beings - a crime that is our responsibility for all” (2017), information campaign # EUprotects / EU - guarding together (2019), information campaign on the EUCPN initiative on the rights of victims of trafficking (2019), information campaign “Trafficking in human beings Prevention Month: regional discussion on human trafficking and the special screening of the movie “Oleg” (2019), as well as information disseminated on the website of the MoI www.cilvektirdznieciba.lv and its account @ [cilvektirdznieciba.lv](https://www.facebook.com/cilvektirdznieciba) on the social platform Facebook.

134. During the reporting period, trainings and educational activities of various formats on various aspects of human trafficking were organized for judges, prosecutors, sworn advocates, border guards, State Police and Municipal police officers, social workers, consular officials, labor inspectors, psychologists, mass media and company representatives, etc. According to the information available to the MoI, more than 4269 persons participated in the training during the reporting period.

135. Training of the State Police employees on the prevention of violence and abuse against persons with disabilities in the reporting period was provided in the first level professional higher education program “Police Work” implemented by the State Police College.

136. The State Police College cooperates with the NGO “RC ZELDA”, organizing seminars for the employees of the State Police “Communication in police work with persons with mental disorders”.

Article 17

Protecting the integrity of the person

137. Persons with disabilities, like other persons, have the right to the protection of their health and safety, as well as protection against torture and inhuman treatment in the medical treatment process.

138. The Constitution protects the honor and dignity of all people, including persons with disabilities. Torture and other cruel or degrading treatment of persons are prohibited. No one may be subjected to a cruel or degrading punishment (Section 95 of the Constitution).

Article 18

Liberty of movement and nationality

139. The Constitution stipulates that everyone who legally resides in the territory of Latvia has the right to move freely and choose a place of residence. Everyone who has a Latvian passport is under state protection outside Latvia and has the right to return freely to Latvia. A citizen of Latvia may not be extradited abroad, except for the cases provided for in

international agreements approved by the Parliament, if the extradition does not violate the fundamental human rights specified in the Constitution.

140. In accordance with the regulatory enactments of Latvia, all newborn children are registered after birth under the same conditions. According to the Law on Registration of Civil Status Documents, the General Registry institution shall be notified regarding the birth of a child within a month after the child is born. The birth of a child is notified to the registry office within one month after the birth of the child. The following information shall be indicated in the entry in the birth register: the child's name, surname, personal identification code (if any), gender, nationality, nationality (if any), etc.

141. Latvian citizenship is granted or revoked in accordance with the criteria specified in the Citizenship Law, which are not related to a person's disability.

Article 19

Living independently and being included in the community

(Committee's recommendations to Latvia - 31 (a)-31 (c))

142. To ensure that the persons with disabilities integrate successfully into society, it is necessary to provide conditions for them to participate in public activities freely and without hindrance. This, in turn, requires access to a variety of support and community-based social services. Such activities are incompatible with being in an institutional environment – long-term social care institutions. Therefore in 2016, the MoW started implementing DI projects with an aim to promote the independent living of persons with disabilities outside long-term social care institutions.

143. In order to change the situation when institutional services dominate over community-based social services and children are not provided with the opportunity to grow up in a family or close to it, 115 local governments¹¹ within ERDF and ESF co-financed DI projects actively work to create and provide inclusive and supportive services for children left without parental care, children with disabilities and adults with mental disabilities.

144. DI projects envisage the implementation of sequential and interrelated activities: assessment of individual needs and development of support plans, development of DI plans of planning regions, provision of community-based social services, training of specialists and informative and educational events. The total planned funding for ESF DI projects of planning regions and non-governmental organizations is 54.6 million euro. Based on the DI plans of the planning regions developed in the ESF DI projects, local governments have the opportunity to develop the infrastructure necessary for the provision of community-based social services by means of ERDF funding. The total planned funding for ERDF DI projects is 54.8 million euro (until the end of 2023).

145. In order to ensure that the assessment of the individual needs of the target group and the planning of the necessary support in all local governments is carried out according to common principles, the assessment methodology was elaborated for each target group.

146. By 31 December 2020, ESF DI projects provided social services to *646 adults with mental disabilities* (see data about children under Article 7).

147. In total, investments in the development of 240 community-based social service provision places are planned in ERDF DI projects, incl. 151 for person with mental impairments, 71 for children with functional disorders, 18 for children in out-of-family care. By 31 December 2020, the establishment of 27 social service providers has been completed.

148. As a result of DI projects, the share of community-based social services for persons with mental impairments should increase significantly, and institutional care should decrease. If at the start of the projects this ratio was 20:80 (out of all persons with mental disabilities who received social services, 20% received community-based social services, and 80% - services in an institution), by 2023 this proportion should change to 45:55. At the beginning

¹¹ Territorial division of local governments until the administrative territorial reform of 2021.

of 2020, this share was 26%, which is more when the project was launched, but in the future the progress must become faster.

149. In accordance with the Law on Social Services and Social Assistance, a group house (apartment) is a house or a separate apartment where a person with a mental impairment is provided with housing, individual support in solving social problems and, if necessary, social care. Expenses for the service of a group house (apartment) are covered from the local government budget. The state participates in the financing of expenses related to a group home (apartment) in the amount provided in the Social Services and Social Assistance Law. The client of a group house (apartment) is obliged to pay the service provider for the operation of the living space, kitchen and common areas (according to the usable part).

Article 20

Personal mobility

(Committee's recommendation to Latvia – 33)

150. The mobility of persons with disabilities often depends on the availability of technical aids (hereinafter - TA). TA is equipment or various technical systems that prevent, compensate, alleviate or neutralize a functional impairment or disability. Over a ten-year period, the state has regularly reviewed the range of offered TA, supplementing them with the most modern and human-friendly technical aids. The state budget funding allocated to the TA has also been significantly increased.

151. Currently, the procedure for receiving technical aids is determined by the Regulations of the CoM No. 1474 "Regulations on Technical Aid" and the Regulations of CoM No. 1472 "Procedures by which the Latvian Association of the Blind and the Latvian Association of the Deaf Provides Social Rehabilitation Services and Technical Aids - Tiflotechnique and Signaling Technique". In 2016, the CoM No. 1474 were amended by expanding the range of available technical aids. The amendments also strengthen the individuals' right to purchase technical aids within the compensation mechanism.

152. The TA service is provided by "National Rehabilitation Center "Vaivari" (hereinafter - NRC "Vaivari"), for persons with hearing impairments - in LAD and for persons with visual impairments - Latvian Association of the Blind (hereinafter – LAB) in accordance with the delegation in law.

153. In the field of TA there is still an increase in the number of beneficiaries and large queues. In total, the amount of funding for the provision of TA has increased from 4 290 115 euro in 2016 to 7 651 273 euro in 2020.

154. In 2017 and 2018 the MoW prepared proposals for improving the organization of the TA service, which envisaged making significant changes in the procedure for granting TA. The main idea of the TA service reform is to introduce a new TA service organization model, providing that the customer selects TA from manufacturers or suppliers registered with the Cabinet of Ministers, replacing TA public procurement with a "voucher" or financing compensation system (hereinafter - voucher system). An opportunity of the customer to choose TA service provider would, in the long run, promote competition among TA manufacturers, the availability and quality of TA. The reform of the TA service foresees the need to develop a methodology for determining reimbursable prices for both individually manufactured TA and industrially produced TA and requirements for TA service providers. The "coupon" system would be more appropriate to the individual needs of a person.

155. In 2018, experts conducted a study to develop a methodology for determining TA compensation based on open market principles, the introduction of a voucher system and customer free choice, while in 2019 a study was conducted to develop technical requirements for the production of individually manufactured TAs (orthoses) implemented by Ltd. "Vivendo". The following measures are being taken to implement the reform, which will be continued and provide for the implementation of the reform measures by 2023:

- In cooperation with NRC "Vaivari" a pilot project has been launched for granting TA using the voucher method. As TA is currently priced by public procurement, in order

to introduce a voucher system, which is a different approach to the purchase of TA and to promote quality improvement, it is necessary to develop a countervailable pricing methodology for both custom-made and industrially produced TA. NRC "Vaivari" approves a voucher system for one of the types of industrially manufactured TA (active wheelchair), which takes into account such criteria as market price, personal functioning status and personal choice, but for individually manufactured TA MoW in cooperation with NRC Vaivari will develop a pricing methodology to determine the value of a voucher;

- In 2020 the Social Integration State Agency (hereinafter - SISA) launched a pilot project to introduce a voucher system in the provision of a car adaptation service, in order to include car adaptation in the general circulation of TA in the future, extending the voucher system to this service as well;
- Medical practitioners should assess the patient's activity level even now, providing an opinion on the need to receive an appropriate TA for the person. Unfortunately, in practice, the specialists of NRC "Vaivari" often have to ask for clarification of the opinions of the attending physicians, which often leads to a justified customer dissatisfaction and complaints about the bureaucratic approach. In order to solve the mentioned problem of assessment of personal life activity, within the framework of the EU structural funds project the NRC "Vaivari" is developing a functioning assessment system, description of the functioning assessment system and approbating it in the newly established functioning assessment laboratory. In order to improve the TA service, including the allocation of TAs targeted according to the level of a person's activity, the established system focuses on the assessment of a person's activity (functioning), respectively the allocation of the TA most appropriate to the individual needs, differentiating the amount of state funding. After the end of the EU structural funds project implemented by NRC "Vaivari", the MoW, basing on the project results, will improve the state-funded TA allocation procedure thus implementing the approved functional evaluation system in general practice, arranging the TA allocation process accordingly - making it more targeted incl. in accordance with the activity of a person's life, as well as in resolving dispute situations regarding the functionality of the granted TA.
- As the accounting system of the TA service information flow does not currently ensure the circulation of high-quality and full-fledged information between the institutions involved in the provision of the service, service providers and the customer, the development of a new, modern database for TA service accounting has been launched. One of the main activities is the development of a new TA service administration module. The project will facilitate the circulation of documents between the customer, the TA service administrator and the TA service provider.

156. Assistants service in the local government plays important role in strengthening the mobility of persons with disabilities. The 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 measures. Since 1 January 2013 persons with disability group I or II, based on the opinion of the State Commission (until 30 June 2021. Since 1 July 2021, the assistant service for persons with I or II disabilities is granted under other conditions) on the need for an assistant service, and children with disabilities from 5 to 18 years of age, who have received a referral from the State Commission on medical indications for special care needs, may receive assistants service up to 40 hours per week. The changes aim to reduce the reporting burden, as well as to provide constant hours that a person with a disability will be able to use at their own discretion. The need for an assistant for adults is determined by the social service office in accordance with the assessment questionnaire. Support for children expanded with the introduction of attendant services and home care service.

157. The assistants service is financed from the state budget, but the allocation and administration of the service is ensured by the social service office of the local government where the person has declared his or her place of residence. Since the introduction of the assistant service in 2013, the number of service recipients has significantly increased - from 3 096 persons in 2013 to 10 622 persons in 2019 and 11 002 persons in 2020.

158. Since September 1, 2019, the possibility to receive the state paid assistant services for mobility support and self-care has been expanded for persons with disabilities who have chosen to continue their education in higher education institutions and colleges.

159. In order to facilitate the mobility of persons with disabilities, persons with Group I or II disability, persons under the age of 18 with a disability and a person accompanying a person with a Group I disability or a person under the age of 18 with a disability have the right to use free of charge all types of public transport within the territory of the Republic of Latvia, except for air transport, taxis and passenger carriage on inland waters. In 2019, the state allocated about 18 million euro to ensure free public transport for persons with disabilities.

Article 21

Freedom of expression and opinion, and access to information

(Committee's recommendation to Latvia – 35)

160. The implementation plan of the Guidelines on Latvian Media Policy for 2016-2020 includes a point “To support the creation of socially significant content for persons with disabilities (within the framework of media support programs).” Taking this into account, the competition regulations of the program “Support to the Media for the Creation of Publicly Important Content and Strengthening of the National Cultural Space in the Latvian Language” financed by the state budget have been developed. It provides for development (or adaptation, promotion of accessibility) of socially significant and high-quality content for persons with disabilities, ensuring the availability of information for this group of society and complying with the principle of equal opportunities for persons with disabilities. Available funding in the category *Persons with disabilities* amounted to 20 000 euro. At least two projects were supported in this category. The maximum program funding available per project was 10 000 euro. In 2020, three projects were supported in the category “Persons with disabilities”.

161. On 13 December 2018, amendments to the Copyright Law entered into force, supplementing this law with a new section - Use of Certain Works for the Benefit of Persons who are Blind or with Other Reading Difficulties. This new section stipulates that persons who are blind or have other reading difficulties, including dyslexia, and the competent authorities acting on their behalf may, without the consent of the author and payment of compensation, make an accessible format copy of a disclosed printed work expressed in any format, including audio format, or a musical work noted as sheet music, and the illustrations included in such works for the benefit of a person who is blind or with other reading difficulties. These amendments ensured the transposition of Directive 2017/1564 / EU of the EP and the Council of 13 September 2017¹² in Latvia.

Article 22

Respect for privacy

(Committee's recommendations to Latvia – 37 (a)-37 (b))

162. The Constitution provides that everyone has the right to inviolability of private life, housing and correspondence. The concept of private life is the central concept of the section, which includes various elements of person's life. It protects individual's physical and mental integrity, honor and dignity, name and identity, personal data. The right to privacy means that every individual has the right to his or her own private space, the right to live according to his or her will, in accordance with his or her nature and desires, to develop and improve his or her personality with the least possible interference from the state or others. These rights include the individual's right to be distinctive, to maintain and develop qualities and abilities

¹² Regulation on certain permitted uses of certain works and other subject matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print-disabled and amending Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society - <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32017L1564&from=EN>.

that distinguish him or her from other people and to individualize him or her. This right also includes the right to establish and develop relations with other persons.

163. The right to inviolability of private life of the Constitution includes the right to any protection of one's own data, including which characterizes a person's communication with other persons. The Constitutional Court has also indicated that the processing of data (collection, storage, disclosure) related to the person's private life falls within the scope of a person's right to inviolability of private life. The Constitutional Court has pointed out that from the right to private and family life included in Section 96 of the Constitution follows not only the obligation of the state to refrain from interfering in private life, but also the obligation of the state to perform the activities necessary for ensuring these rights.

164. The purpose of the LAL is, inter alia, to ensure efficient administrative offence proceedings in line with the fundamental rights of a person. Consequently, the aim of the LAL is to respect and ensure human rights.

165. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹³ entered into force on 24 May 2016. EC (General Data Protection Regulation) (hereinafter - Data Regulation) and is directly applicable from 25 May 2018. Accordingly, Latvia, as a EU member state, has a high standard of personal data protection. Pursuant to Article 57 (1) (a) of the Data Regulation, the National Data Inspectorate shall monitor and enforce the application of Data Regulation in its territory. In accordance with Section 4, Paragraph one, Clause 1 of the Personal Data Processing Law, the Data State Inspectorate also monitors the compliance of data processing with the requirements of regulatory enactments.

166. The State Administration Structure Law stipulates that state administration shall be organized in a manner that is as convenient and accessible to private individuals as possible. If the information which is necessary for taking an administrative decision governing public legal relationship with a private individual is at the disposal of another institution, the institution shall obtain it itself, without requesting it from the private individual.

167. As one of the basic principles of the CPL is that criminal proceedings shall be conducted in compliance with internationally recognized human rights and without unjustified imposition of criminal procedural obligations or disproportionate interference in a person's life. An official conducting criminal proceedings has a duty to protect the privacy and commercial secret of a natural person. Information about it may be obtained and used only if it is necessary to clarify the circumstances to be proved. A natural person has the right to request that a criminal case does not include information on the private life, commercial activities, and financial situation of such person or the betrothed, spouse, parents, grandparents, children grandchildren, brothers or sisters of such person, as well as of the person with whom the relevant natural person is living together and with whom he or she has a common (joint) household, if such information is not necessary for the fair regulation of criminal legal relations.

Article 23

Respect for home and the family

(Committee's recommendation – 39)

168. The Civil Law provides that every adult, regardless of his or her state of health or ability, has the right to enter into marriage. Obstacles to entering into marriage for adults are exhaustively defined in the Civil Law. The fact that one of the persons who wants to enter into marriage is a person with a disability is not an obstacle to entering into marriage in Latvia, therefore a person's disability, including intellectual disability, cannot be a ground for prohibiting an adult from entering into marriage.

¹³ Regulation on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679&from=LV>.

169. In accordance with the Civil Law and the Civil Procedure Law, a court may restrict a person's legal capacity only in property rights, the restriction of legal capacity may apply only to a person's right to manage and dispose of property and not to personal non-property rights (including marriage and divorce).

170. According to the Civil Law, disability cannot in itself be a ground for suspension or deprivation of custody rights.

171. In the cases when the child's parents are unable to care for the child due to their health condition, parents may request the local government social service office in cooperation with the Orphan's Court to provide care for the child to an out-of-family care provider. Thus, there are three criteria for providing out-of-family care for a child at the request of the parents: the health status of the parents, an adequate understanding of its impact on the ability to care for the child and the submission of an application to the Orphan's Court. A decision to provide out-of-family care for a child may be taken at the request of the parents if the above criteria are cumulatively met.

172. The cases in which a parent may be removed of the right of custody are exhaustively specified in the Civil Law: 1) due to his or her fault (due to deliberate actions or negligence) the health or life of the child is endangered; 2) the parent misuses his or her rights or does not care for the child or does not ensure the supervision of the child and it may endanger the physical, mental or moral development of the child.

Article 24 Education

(Committee's recommendations to Latvia – 13 (a), 41)

173. According to the Education Law, the right to acquire education regardless of the material and social status, race, nationality, ethnic origin, gender, religious and political affiliation, health condition, occupation, and place of residence.

174. In the field of education, the inclusion of persons with disabilities in the educational process can be seen in a broader scope, therefore, analyzing the development of the principle of inclusive education in Latvia, the emphasis is not on disability status, but on children with special needs in education, including children with disabilities.

175. There are positive tendencies for the inclusion of children with special needs in general education institutions - according to the data provided by the Ministry of Education and Science (hereinafter - MoES) in the period from school year 2013/2014 until 2019/2020 the share of children with special needs included in general education institutions has increased by 21.44 percentage points, from 34.76% to 56.2%. In the school year 2019/2020 - 20.7% studied in general education programs and 35.5 % - in special education programs, 36.1% of children with special needs studied in special schools and 7.6% in classes with a special education program.

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

177. National Centre for Education implements the ESF project "Support for the Development of Learners' Individual Competences", which aims is to introduce new forms of teaching in general education institutions is based on individual approaches. The project offers a variety of support to educates with special needs and learning difficulties, as well as students with high achievements. Special attention is paid to the offer of STEM (Science, Technology, Engineering and Mathematics) interest education programs.

178. In 2017 with the support of the ESF, MoES started implementation of the project “Support to reduce early school leaving (further project “PuMPuRS”) with an aim to reducing early school leaving for children and young people through preventive and intervention measures. In the project “PuMPuRS” it is planned to provide support to students in mainstream and vocational education institutions by 31 December 2022. Within the framework of the project, support is provided for the practical implementation of interprofessional co-operation. Co-operation teams are created in local governments that provide unified, result-oriented support to students from different local government institutions, who are at risk of early school leaving, including students with disabilities and students with special needs with regard to education. The support measures focus on early diagnosis and solution of the problem, to address the worst-case scenario, which would require much more resources and could be less effective. For each student involved in the project PuMPuRS educator or psychologist creates an individual support plan at the beginning of the semester, which assesses the risks of cessation of training and provides the necessary measures to mitigate these risks. The beneficiaries of the project are students themselves, parents and educators and society as a whole.

179. There is an increasing tendency in vocational education institutions to implement vocational education programs within the framework of inclusive education.

180. Within the support of the ERDF, all vocational education institutions participating in the development of vocational education infrastructure have access to the environment for students with special needs - sight, hearing, movement and mental impairments, such as reconstruction, renovation or new construction work, provision of contrasting markings at stairs and sloping ramps, installation of lifts and / or lifts of appropriate width, which allow persons in wheelchairs to move between floors and others.

181. Vocational education institutions implement youth education and experience exchange projects within the framework of the EU Erasmus + program, including participation in the vocational education sector for students with special needs (mental (intellectual, cognitive, learning abilities), physical, sensory or other disabilities).

182. Gradual actions have been taken to improve the content of education in vocational basic education programs for educates with mental disabilities. Methodological recommendations have been developed. According to the National Centre for Education the methodological recommendations and support activities include various types of measures and methods that help educates with special needs to overcome the limitations caused by health problems or developmental disabilities in the learning process. Support measures help educates with special needs to learn the content of learning.

183. In order to ensure access to education, the state ensures the right to receive the service of an assistant paid from the state budget for supporting moving about and performing self-care for the educates - persons with a disability - studying at preschool education, general primary education, vocational basic education, professional education, general secondary education and vocational secondary education institutions (except for the special educational institutions which receive the maintenance expenditures from the state budget), and also for the students of higher education institutions and colleges. On April 1, 2020, the mentioned services were received by 315 educates in pre-school, general education and vocational education.

184. In 2020, the MoW prepared the guidelines for higher education institutions on creating an inclusive and accessible study environment. The guidelines are aimed to promote access to higher education for persons with disabilities by promoting an understanding of the needs of persons with disabilities in higher education.

Article 25

Health

(Committee’s recommendation to Latvia – 43)

185. The health care system in Latvia is provided on the basis of the principle of universal approach (from general tax financing).

186. Persons with disabilities (mainly persons with Group I disability) have access to additional benefits for receiving state-paid health care services and promoting their availability. For example, patients receiving a publicly funded healthcare service have to pay a co-payment to the healthcare provider (for example, patients under the age of 65 have to pay a co-payment of 2 euro for a general practitioner consultation and € 1euro for people over the age of 65), for an outpatient visit to a specialist, a patient co-payment of 4 euros must be paid, etc. At the same time, there are several groups of persons who are released from the patient's co-payment, such as persons with Group I disability, mentally ill persons receiving psychiatric treatment and persons receiving chronic hemodialysis, hemodiafiltration and peritoneal dialysis procedures throughout the treatment process, etc.

187. Additional measures are planned to improve the availability of state-paid health care services. For example, starting from January 1, 2022, persons with Group II disability will also be released from the patient co-payments.

188. In order to ensure early diagnosis of behavioral and mental impairments, a screening algorithm is currently being developed, which provides for the assessment of the early development of children aged 1.5 years to 3 years, which will be performed by a family doctor. At the same time, this measure will provide training for general practitioners on early diagnosis and treatment of mental health and behavioral impairments at the primary health care level. It is important to note that a new program has been launched for adolescents to reduce the risk of depression and suicide.

189. In order to ensure access to the environment and health care for patients, Paragraph 188 of CoM Regulations No. 60 "Regulations on Mandatory Requirements for Medical Institutions and Their Structural Units" stipulates that a medical treatment institution must ensure accessibility of the environment for persons with functional impairments. Medical treatment institutions, which have been registered in the Register of Medical Treatment Institutions before 1 January 2014, until 1 July 2014 submit to the Register of Medical Treatment Institutions a notice on the availability of environment in medical treatment institution. Medical treatment institutions registered before 1 January 2014, which do not have access to the environment for persons with disabilities, must ensure the possibility for such persons to receive health care services in accordance with approved medical technologies. As well information approved by the head of the treatment institution must be available for persons with disabilities how receive health care services provided by a medical treatment institution.

Article 26

Habilitation and rehabilitation

(Committee's recommendation to Latvia – 45)

190. On August 7, 2017, by the CoM Order No. 394, the conceptual report "On the Reform of the Health Care System" was approved, which outlines strategic directions and solutions, substantiates the need for reforms and sets achievable indicators in the field of public health and health promotion through the development of the health care system. This reform also includes improving the availability and quality of rehabilitation services of all types and levels.

191. If necessary (based on medical indications), a patient with a predictable disability has an opportunity to receive a health care service, incl. medical rehabilitation services as a matter of priority.

192. In order to ensure the availability of additional services and reduce queues in rehabilitation, additional funding has been allocated annually since 2017, resulting in the decrease of time necessary for receiving services by 30% on average.

193. Recognizing the importance of the work of a multi-professional team in the treatment of mental and behavioral impairments, both a psychologist and a functional specialist are currently involved in the psychiatric team. The availability of services provided by a multi-professional team for patients with mental and behavioral disorders has also been improved, thus promoting non-pharmacological treatment.

194. Social rehabilitation services are available to persons with disabilities from the state budget - renewal or improvement of a person's social abilities in order to return a person to public and working life by renewing or training those skills that have been lost due to various circumstances.

Article 27

Work and employment

(Committee's recommendations to Latvia – 47 (a)-47 (b))

195. The employment rate of persons with disabilities has been gradually increasing over the last ten years. According to WIS data, in 2014 among all persons with disabilities aged 18-63 (including), 34% of persons with disabilities were employed, while in 2019 already 41% of that group were employed. In 2020 there will be a slight decline in employment - up to 40%, but this could be closely related to the negative consequences of the Covid -19 pandemic on the labour market as a whole. There are no significant differences in employment rates between women and men with disabilities. Of all employed persons of working age, 62% are persons with Group III disability, 36% - persons with Group II disability and 2% with Group I disability.

196. The total unemployment rate in the country is decreasing every year, while the share of persons with disabilities in the number of unemployed is increasing, but in absolute numbers the number of registered unemployed with disabilities is decreasing - at the end of 2014 there were 8 355 persons with disabilities registered as unemployed (10.5% of total unemployment) but at the end of 2020 - 8 583 persons with disabilities or 12.3% of the total number of unemployed. This can be partly explained by the fact that the State Employment Agency (hereinafter - SEA) carries out explanatory work and increases support measures for persons with disabilities, implements publicity measures. That encourages inactive unregistered persons with disabilities to register as unemployed, thus improving their chances of entering the labour market. More than a half (64.6%) of the SEA registered unemployed with disabilities were over the age of 50 years, 48.6% - the long-term unemployed, 1.9% - young unemployed (15-24 years).

197. As persons with disabilities face various functional impairments, the SEA provides, as far as possible, an individual approach by developing individual job search plans that help to integrate or reintegrate into the labour market.

198. One of the opportunities for persons with disabilities to enter the labour market and gain the necessary experience, knowledge and skills is subsidized employment measures (hereinafter - SEM). Every year, an average of 6% of registered persons with disabilities use this opportunity.

199. In order to promote the accessibility of the SEM for persons with disabilities, as well as their inclusion in the labour market, funding of up to 1000 euro is provided for adapting the workplace to the needs of the unemployed with disabilities.

200. The SEA has developed methodological materials for employers "Employee with a disability: what should an employer know?", "Suitable work environment for persons with disabilities". In 2017, the Ombudsman's Office prepared an informative material for employers "Adapted work environment for employees with disabilities" with an aim to provide an explanation on the need to adapt the working environment, assessing the employee's individual needs, which promotes the understanding of employers and society as a whole.

201. Social entrepreneurship is an important employment support mechanism for persons with disabilities. In 2016, the MoW started implementing ESF project "Support for Social Entrepreneurship", with the aim to identify and test optimal solutions for the establishment and development of social enterprises. In 2017, the MoW together with its cooperation partner ALTUM, the state-owned development finance institution, implemented information and consulting activities for social entrepreneurs in the framework of the ESF project "Support for Social Entrepreneurship", started reviewing applications and business plans of associations, foundations and businesses for financial support.

202. State-funded vocational rehabilitation services in Latvia are available to persons with disabilities and persons with predictable disabilities who want to acquire new skills or improve existing ones in order to enter the labour market.

203. Vocational rehabilitation service includes determination of professional suitability, acquisition of professional qualification, individual social rehabilitation and provision of support for employment after acquisition of professional qualification. Vocational rehabilitation services are provided by SISA Jurmala Vocational Secondary School and SISA College. The duration of vocational rehabilitation services depends on the educational program and can be received only after the person has been determined a vocational suitability, which is also a state-paid service with the aim to ensure that only motivated persons in vocational rehabilitation programs start learning.

204. In 2016, SISA launched the ESF project “Integration of Persons with Disabilities or Mental Disabilities into Employment and Society”, which provides support to persons with mental impairments, as well as persons with Groups I and II disability, offering an opportunity to acquire professional skills. For people with severe disabilities, 5 new vocational continuing education programs were developed and implemented in line with the labour market demand - Clerk (1 year program), Gardener (6-month program), Florist (1 year program), Carpenter’s Assistant (1.5-year program) and Warehouse worker (6 month program) who are licensed and accredited. From these 5 continuing vocational education programs, 35 non-formal education skills programs (hereinafter - skills programs) are derived for persons with mental impairments. In total by May 2021, 160 persons have started studies in continuing vocational education and skills programs - 45 persons in continuing vocational education and 115 persons in skills programs. 125 persons have completed training - 36 in continuing vocational education and 89 in skills programs. At the end of 2020, 15 persons had found a job after mastering skills programs and 14 persons after acquiring professional further education.

Article 28

Adequate standard of living and social protection

(Committee’s recommendations to Latvia – 31 (c), 49 (a)-49 (b))

205. The social security system in Latvia consists of social insurance, state social benefits and local government social assistance and social services.

206. In order to better understand how the policies implemented in the country affect the population with low and very low incomes, and thus the existing social policy could be improved, since 2017 the MoW has been conducting thematic impact assessments of poverty and social exclusion reduction policies. In total, four evaluations have been carried out by 2020, each of which includes an area of in-depth research. One of the target groups whose income is analyzed is persons with disabilities.

207. There are no representative and reliable data on the risk of poverty for persons with disabilities¹⁴ according to the national disability status in Latvia, but it can be assumed that the limited or total loss of ability to work can lead to unemployment or lower employment intensity. Analyzing the employment indicators of persons with disabilities, it can be assumed that the income of persons with disabilities consists mainly of disability pension or state social security benefit in case of disability, as well as specific state and local government benefits related to disability.

208. Expenditure on social protection in Latvia has increased since 2014, including support for persons with disabilities (30 percentage points). Significant state budget funding is allocated to the services and benefits provided by the state to reduce the consequences of

¹⁴ In EU-SILC data, a person with a long-term illness (disability) refers to a person who, based on his or her self-assessment, has indicated that he or she has difficulty performing self-care and daily responsibilities, etc. This means that this definition of a person in EU-SILC data does not coincide with the definition of disability defined in Latvian legislation.

disability in different sectors (see Figure 1 for funding spent on disability pensions and disability-related benefits).

Figure 1

Funding spent on disability pensions and disability-related benefits (2016-2019, mil. euro per year)

Year	Allowance to	State	Special care	A supplement		Benefit for	Disability
	Compensate			to the state	family		
	Transport	social	allowance	allowance for	Special care	Services for	pensions
	Expenses for	security	for	child with	allowance	Persons with	
	Mobility	benefit*	children**	disability	for adults**	Group I	
	Disabilities					visual	
						disability	
2016	3.88	22.65	5.26	10.04	37.85	1.85	144.99
2017	4.16	23.84	5.30	10.05	40.29	1.89	150.14
2018	4.58	24.79	5.41	9.95	40.97	1.89	158.62
2019	4.88	24.78	7.33	10.17	42.56	1.92	162.12

* The spent funding for the state social security benefit for persons with disability is not separated from the spent funding for all target group who have the right to receive state social security benefit (persons with disabilities, seniors and person who has lost one or both providers). 90% of the recipients of the state social security benefit are persons with disabilities.

** Since July 1, 2019, the special care allowance for children with disabilities and adults with disabilities since childhood has been increased from 213,43 euro per month to 313,43 euro per month.

Data: MoW.

209. Support for persons with disabilities is a complex set of measures and includes financial support (for, example, disability pension, state social security benefit (hereinafter – SSSB) special care allowance, allowance to compensate transport expenses, a supplement to the state family allowance for child with disability) and different services and reliefs (for example, community bases services, assistant service, technical aids, fare reductions in public transport, tax reliefs, support for electricity payments and other services). All the information about the state support is available on the website of the MoW.

210. State support for persons with disabilities is reviewed and expanded in accordance with the state’s financial possibilities and proportionate to the interests of society as a whole. During budgetary process in September 2019, it was decided that approximately 10 mil euro can be allocated to increase the minimum income thresholds. In order to maintain the policy of reducing poverty and social exclusion, the increase of state support was directed to people of retirement age who receive minimum old-age pensions and persons with disabilities - both recipients of minimum amounts of disability pensions and SSSB (see Table 2 and 3).

211. In 2020 several judgments of the Constitutional Court were adopted stating that the existing minimum income thresholds defined at the state and local government levels are not methodologically justified and their amounts do not improve the material situation of low-income persons. The minimum income thresholds assessed in the judgments of the Constitutional Court mean the following amounts of support provided to a person in the field of social protection - guaranteed minimum income (hereinafter - GMI) threshold, income threshold of a needy household, income threshold of a low-income household, SSSB and minimum state pensions (including minimum disability pension).

212. In order to comply with the judgments of the Constitutional Court, at the end of 2020 several amendments were made to regulatory enactments, setting the minimum income thresholds in a methodologically justified amount, which entered into force on 1 January 2021. The Law “On Social Security” defines the concept of minimum income thresholds, as well as determines the lowest possible amount of the minimum income threshold - 109 euro. It means that the minimum income thresholds set by state or local governments can’t be lower than 109 euro or 20% of national median income.

213. The changes in the minimum income thresholds from January 2021 apply to persons with disabilities who are recipients of disability pensions or state social security benefits

SSSB. The state financial support increases with the severity of the disability group. Among other things, for persons with groups I and II disability, the amount of the SSSB is differentiated according to the employment/unemployment status in the previous month (see Table 2 and 3).

Table 2

Changes in the amount of the SSSB for persons with disability (in general case and since childhood) from 2019-2021 (euro per month)

Group	Coef.		SSSB amount in 2019	SSSB amount in 2020	SSSB amount since 2021	
					Employed	Amount for unemployed persons with disabilities in 2021: +30% supplement for Group I disability +20% supplement for Group II disability from group SSSB amount
I	1.3 (Since 2021 1.4)	In general case	83.24	104.00	152.60	198.38
		Since childhood	138.73	159.50	190.40	247.52
II	1.2	In general case	76.84	96.00	130.80	156.96
		Since childhood	128.06	147.23	163.20	195.84
III	SSSB base	In general case	64.03	80.00		109.00
		Since childhood	106.72	122.69		136.00

Table 3

Changes in the amount of the minimum disability pensions for persons with disability (in general case and since childhood) from 2019-2021 (euro per month)

Disability group	Coefficient	2019	2020	2021
Persons with disabilities in general case				
I	1.6	102.45	128.00	217.60
II	1.4	89.64	112.00	190.40
III	Base	64.03	80.00	136.00
Persons with disabilities since childhood				
I	1.6	170.75	196.30	260.80
II	1.4	149.41	171.77	228.20
III	base	106.72	122.69	163.00

214. The increased amounts of the minimum income thresholds on behalf of the local governments are related to increasing the income thresholds of GMI, needy households and low-income households.

Article 29 Participation in political and public life

(Committee's recommendation to Latvia – 51)

215. The Constitution stipulates those citizens of Latvia who have reached the age of eighteen on the day of elections have the right to vote, thus guaranteeing political rights to the whole society. Voters who due to their health condition are unable to attend the polling station have the opportunity to exercise the rights guaranteed by the Constitution and apply for voting at their location (at home, hospital, social care center).

216. One of the preconditions for the participation of persons with disabilities in the electoral process is the accessibility of the physical environment. At the end of 2020, there were 946 polling stations in the territory of Latvia, of which 649 or 69% were accessible to voters with movement impairments. Information on those areas that are accessible to people with reduced mobility is available on the website of the Central Election Commission (hereinafter - CEC).

217. The Convention requires States Parties to ensure that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use. In 2014 (Parliament and EP elections) information sheets were produced in 10,000 copies, of which 6,000 copies were distributed in social care homes, and 4,000 copies were distributed in polling stations. Video and audio recordings of the pre-election programs of 14 parties and party associations running in the EP elections were made available, providing both hearing and visually impaired people with information on candidates and the positions expressed in party programs. The entries were published on the CEC website www.cvk.lv and distributed to the territorial organizations of the LDA and the LBA. In order to ensure accessibility for persons with mental impairments, information was prepared in easy to read language before the EP elections on 12 topics and before the Parliament elections on 10 topics. For 2014 Parliament elections the list of accessible polling stations was created and published on the CEC website www.cvk.lv. During the 2017 local government elections, 3 video clips and 3 audio jingles were made on the voting procedure, the voting procedure at the voter's location and the voter registration procedure. The clips were broadcast on national television channels, published on social networks and on the CEC website www.cvk.lv. In order to enable persons with disabilities to participate effectively and fully in the elections, an informative booklet was produced in 4,900 copies, of which 2,900 copies were distributed in social care centers and 2,000 copies in polling stations.

218. In 2018 (Parliament elections), the CEC developed guidelines in *easy to read* language about election process and recommendations to social care centers on how to organize elections for persons with mental disabilities. Information on all election-related issues was available in *easy to read* language on the CEC website. In total, 13 different informative materials (electronic information sheets and booklets) in *easy to read* language were prepared and posted on the CEC website. In order to promote the observance of electoral rights of voters with special needs and the protection of personal data, the CEC prepared information material for the 13th Parliament elections of 2018 including information about ban of filming and photographing voters in hospitals, nursing homes and social care centers.

219. In order to inform persons with visual impairments, information on voting procedures and lists of candidates for deputies was recorded in the audio format. The results sheets of the Parliament and the EP elections were adjusted so that visually impaired users could adjust the contrast for a better perception of the content.

220. A study "Evaluation of the Implementation of the United Nations Convention on the Rights of Persons with Disabilities" shows that 47% of respondents with disabilities believe that access to political rights on an equal footing with others has improved, 32% say that it has stay at the same level as previously. At the same time, it should be noted that 32% of respondents with disabilities do not exercise their political rights.

Article 30

Participation in cultural life, recreation, leisure and sport

(Committee's recommendation to Latvia – 35)

221. Various activities are carried out in Latvia to provide opportunities for persons with disabilities to participate in cultural life, leisure and sports activities on an equal basis with others.

222. When constructing or renovating sports buildings / other sports facilities, one of their requirements is accessibility for all people, including persons with disabilities.

223. In 2019, the Latvian Library for the Blind published printed materials and distributed them to libraries, local governments and non-profit organizations for publication throughout

the country. Brochures with information on listening to audiobooks have been published - "Choose an audiobook if You can't read the usual", "Can't read? Then listen", "Can't read after eye surgery?", "Swab's eyes?". In 2019, an agreement was signed between the Latvian Library for the Blind ("SAE") and the World Intellectual Property Organization ("WIPO") to serve readers outside Latvia. The Latvian Library for the Blind has begun publishing and distributing large-print books. In 2019, the Latvian Library for the Blind increased the number of users by 973 units and opened 60 external service points where persons with disabilities can obtain books in a convenient location.

224. Persons with disabilities have the opportunity to receive discounts and reliefs for admission to museums. Information on available discounts and reliefs is available on the MoW website.

225. The Latvian Radio (hereinafter - LR) creates appropriate program content for persons with disabilities, for example:

- Since 2016, the News Service of the LR has created the program "News in Easy to Read Language" for persons who have difficulties with language perception due to various reasons. After the news are broadcasted live, they are placed on the public media portal www.lsm.lv and in the LR archive on the website, supplementing the news text with appropriate visual / photo material. The mentioned program has been highly appreciated by SUSTENTO;
- In the programs of the News Service of the LR and LR 1st program, the "Good morning", "Truthfulness expression", "Crossroads", "Afternoon", "Family studio", "How to live better", topics on quality of life and environmental accessibility were regularly included thereby promoting the public awareness on disability;
- Since 2015 the LR 5th program - pieci.lv organizes a socially responsible campaign - the charity marathon "Give Five!" In 2019, the theme of the marathon was palliative care;
- Every year at the end of December the LR 1st program plays a recording of the concert "Come along for Christmas", supplemented by interviews with persons with disabilities who perform at this concert;
- Descriptions and content of the programs are operatively placed on the website of the LR, as well the amount of visualized programs has been increased, that gives an opportunities for persons with hearing impairments to use the programs` content;
- The content of the LR is also accessible to the persons with visual impairments, as the website is designed in accordance with the Web Content Accessibility Guidelines, thus enabling to easily find and listen to audio content, live broadcasts and archives of LR.

226. The LR plans to develop the diversity of content, focusing on multimedia content, reflecting to the problems of persons with disabilities, current legislation, personal stories.

227. Latvian television (hereinafter - LTV) compiles appropriate program content for persons with disabilities, for example:

- LTV offers persons with hearing impairments the news, analytical and discussion programs, value orientation programs, sports programs, documentaries, TV series and animations, which are available on webpage replay.lsm.lv in the section "For the Deaf". In addition, the sign language interpretation is provided for the news programs "Daily News", "Panorama" and informatively - for the documentary daily program "Studio 4". According to the information provided by the public media, in 2019 28.49% of the total broadcast volume or 4036 hours were provided with subtitles and sign language interpretation; the accessibility of content for persons with hearing impairments in 2019 has increased by 5.49% or 236 hours;
- LTV regularly addresses the topic of children with functional and mental health impairments. Both in the news service programs and documentaries produced by LTV, as well as in the content purchased from other social media, special attention is paid to children with autism;

- LTV regularly participates in charity campaigns that support persons with special needs. Every year during Christmas, LTV demonstrates a charity concert “Come along for Christmas!”, in which talented persons with special needs participate.

228. It is planned to develop the topic of accessibility of the digital environment for persons with disabilities in LTV programs, as the digital environment plays an increasingly important role in people’s daily lives.

229. The Internet platforms www.ltv.lv and www.replay.lv have been improved and structured, giving the opportunity to conveniently and easily find the program / movie in the language of the signs or with subtitles, as well as ensure their storage in the archive in accordance with broadcasting rights licenses. All programs in the program are marked with an international symbol - a pictogram depicting hands, indicating to persons with hearing impairments the LTV products are available to them. With the improvement of technology, LTV is increasingly developing projects that are intended only for posting on the Internet platforms www.ltv.lv and www.replay.lv with sign language translation and subtitles.

Article 31

Statistics and data collection

(Committee’s recommendation to Latvia – 53)

230. The processing of any personal data in Latvia takes place in accordance with the Data Regulation.

231. The development of the Disability information system (hereinafter - DIS) was launched in 2006, constantly improving it. The purpose of the DIS is to ensure the registration of persons with predictable disability and persons with disabilities, which is necessary for granting social security system payments and other state benefits, as well as to compiling statistics of persons with disabilities to develop and evaluate disability policy and ensure the fulfillment of other functions of the State Commission.

232. MoW is the manager of WIS, which includes data from all state information systems managed by the MoW. In this system it is possible to disaggregate data from all systems of the welfare sector, thus it is possible to obtain additional information on employment indicators of persons with disabilities, income earned in paid work, received benefits (state and local government), unemployment status.

233. The data on educates at the disposal of the MoES are specified in Cabinet Regulations No. 276 “Regulations of the State Education Information System”. Once a year the State Education Quality Service collects information provided by local governments on children of compulsory school age (5-18) declared in Latvia, who for various reasons are not registered in educational institutions, including children with disabilities.

Article 32

International cooperation

234. A representative of the MoW participates in the meetings of the EC High Level Group on Disability (HLG-Disability) organized by the EC Directorate General for Justice and Consumers, where issues in the field of disability policy are discussed, incl. on progress in implementing the Convention. The HLG is made up of representatives from all EU Member States who are responsible for disability policy-making at national level.

235. SUSTENTO - an association of 43 associations of persons with disabilities and chronic diseases - is a member organization of the European Disability Forum (EDF) and a member organization of the International Movement for Persons with Disabilities.

Article 33

National implementation and monitoring

(Committee's recommendation to Latvia – 55)

236. The implementation of the Convention is coordinated by the MoW, but its implementation is supervised by the Ombudsman. The Ombudsman is an independent institution whose functions are to promote the protection of the human rights of individuals and to promote the compliance with the principle of equal treatment and the prevention of all forms of discrimination.

237. Issues related to disability policy are discussed during NCFD meetings. The NCFD consists of representatives of sectoral ministries, the social partners and representatives of major NGO representing persons with disabilities. NCFD is responsible for monitoring the Convention in accordance with Article 33 (1) of the Convention. The secretariat function of the NCFD is provided by the MoW.

238. As the Convention is to be implemented horizontally, sectoral ministries are responsible for the implementation of the obligations set out in the Convention in its area of competence.
