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Summary record of the 17th meeting*

Held via videoconference on Thursday, 25 February 2021, at 4 p.m. Central European Time

Chair: Mr. Windfuhr

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* No summary record was issued for the 16th meeting.

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In the absence of Mr. Zerbini Ribeiro Leão (Chair), Mr. Windfuhr (Rapporteur) took the Chair.

The meeting was called to order at 4 p.m.

Consideration of reports *(continued)*

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Second periodic report of Latvia (continued) ([E/C.12/LVA/2](#); [E/C.12/LVA/Q/2](#); [E/C.12/LVA/RQ/2](#))

1. *At the invitation of the Chair, the delegation of Latvia joined the meeting.*
2. **Ms. Petroviča** (Latvia), responding to questions on health-related issues put by Committee members at the previous meeting with the State party delegation, said that State-funded health care was available to all socially insured persons in Latvia, including non-citizens and refugees; coronavirus disease (COVID-19) testing and treatment were provided to all free of charge; and emergency medical assistance was available to everyone, without restrictions. Health-care services were free for persons with disabilities, children and pregnant women, as they were exempted from the payment of patient contributions. The data available showed no cases where people who required health care had not been able to receive it.
3. Funds earmarked for health care were increased at least once every five years, and the total amount allocated had reached 4.63 per cent of gross domestic product in 2020. Additional measures had been taken during the COVID-19 pandemic to make the health-care system more resilient. As a result of those efforts, waiting times for health-care services had been reduced by between 10 per cent and over 70 per cent, depending on the service. For example, waiting times for services in day hospitals had decreased by over 40 per cent and those for eye surgery had decreased by at least half.
4. To attract and retain health-care workers, additional funding had been provided since 2018 to increase pay in the sector by an average of 20 per cent per year. In 2020, the Ministry of Health, working with health-care professionals and industry representatives, had introduced a new, transparent, remuneration model that created incentives under a bonus system. Other incentives, such as a pay increase of at least 30 per cent, had been instituted, with the support of local municipalities, to encourage health-care professionals to work in rural areas.
5. Support was provided for the professional development of doctors, nurses and other health-care staff. New mobility programmes allowed professionals to move among hospitals and other health-care centres, with the result that, if one facility had no doctor in a certain specialty, doctors with that specialty could be called in from other facilities. The measures taken had, over the preceding five years, halted the decline in the number of doctors and nurses and helped address the shortage of child neurologists and psychiatrists, especially in rural areas.
6. Mother and child health care was set as a priority in the Medical Treatment Law. Basic care for children, whether provided by general practitioners, paediatricians or paediatric surgeons, was available on a next-day basis. Specialized care was provided according to degree of urgency, with urgent cases being handled immediately or within a few days. Because factors such as the cooperation, level of health literacy and expectations of parents also affected waiting times, the Government was working to provide parents with clear, understandable information.
7. To ensure a systematic response in cases of maternal and child mortality, confidential audits were conducted, with each case analysed by different specialists and action then taken on the basis of the results. New screening programmes for pregnant women and newborns had been implemented in 2019 and mandatory quality standards for health-care providers had been introduced.

8. To reduce the number of teenage pregnancies, the Government planned to improve health literacy and intersectoral cooperation, areas that the data had shown to have an impact. In 2010, pregnancies among adolescents between 15 and 17 years of age had accounted for 1.8 per cent of all pregnancies; in 2019, the figure was 0.8 per cent. Government efforts in the area had included the production of educational films, the organization during the previous few years of more than 100 seminars and practical sessions on the promotion of sexual and reproductive health, and the increased use of modern communication technologies to provide health education virtually, as young people were more comfortable with a virtual format. For example, there was a web page on pregnancy that provided evidence-based, official information and allowed users to put questions to health-care professionals. A programme to provide contraception to women and girls from groups at high levels of social risk was being considered and was likely to be approved in the near future.

9. **Mr. Uprimny** said that he wished to find out whether Latvia was taking any steps to promote worldwide, universal access to COVID-19 vaccines, including by supporting the waiver of intellectual property rights on the vaccines that had been proposed by several countries.

10. **Mr. Abdel-Moneim** said that Latvia was one of the few European Union countries where the consumer price index had declined, which would have a favourable impact on the standard of living. However, the system of indirect taxation, including the 20 per cent indirect tax rate on certain consumer products, could negatively impact the standard of living of people with lower incomes; it was to be hoped that the issue would be addressed as part of the tax reforms that were under way.

11. **Mr. Caunhye** (Country Rapporteur), noting the amendments to criminal legislation that had expanded the offence of intentional bodily injury to include violence against spouses, former spouses and intimate partners, said that he wished to know whether the definition of the offence included verbal abuse, ill-treatment and all other forms of psychological violence and, if not, what steps the Government envisaged taking to ensure that it did.

12. **Mr. Emuze** said that, while he welcomed the positive health-care developments described by the delegation, he was concerned about the challenges relating to waiting times for children's health-care services and parental guidance and wished to know how the State party intended to address them.

13. **The Chair**, referring to news reports that intensive care wards were becoming increasingly saturated with COVID-19 patients, said that he wished to know whether the Government had reflected on how it would triage patients if the need arose.

14. **Ms. Medina** (Latvia), responding to a request for data made at the previous meeting, said that 31 adjudicated cases of domestic violence had resulted in sentencing in 2019 and the figure for 2020 was 32. With respect to offences relating to sexual abuse, the police had registered 210 cases involving offences against morality and sexual inviolability in 2019 and 131 in 2020. In 2019, 133 cases involving offences against minors had been registered; the figure for 2020 was 67. Verbal abuse occurring in the context of domestic violence was an offence. The law also set out the criteria for classifying emotional harm as minor or serious harm.

15. **Mr. Barks** (Latvia), in answer to a question put at a previous meeting, said that one criminal case had been opened in 2019 to investigate allegations of sexual violence against a child in a social care institution, but no evidence of human trafficking had been found. Since 2018, human trafficking had been addressed in the training on children's rights provided to the persons and institutions protecting those rights. A total of 654 people, including teachers, police officers, prosecutors and judges, had received the training over the previous three years. A draft anti-trafficking action plan prepared for the period 2021–2023 focused on early identification of victims, awareness-raising and education. There was also a new legal framework for a national referral mechanism.

16. **Ms. Līce** (Latvia) said that the morality amendments to the Education Law that a Committee member had inquired about at an earlier meeting might more aptly be called "loyalty amendments" because they required that teachers and school administrators should be loyal to the democratic order of the State of Latvia and its Constitution and not violate the

prohibition on discrimination. The requirements were in line with those that existed for some other professions, such as prosecutors and judges, and for teachers in some other States. There had been no cases of any teachers or school administrators being fired, transferred or suffering any other consequences under the amendments. The State Education Quality Service had received no complaints under the amendments since 2017. The amendments had had no impact on health education, including with respect to sexual and reproductive health.

17. **Mr. Pelšs** (Latvia) said that Latvia acted under the European Union common purchasing agreement to meet its domestic needs for COVID-19 vaccines; in the Government's view, the agreement also provided the best opportunities for helping other countries. It also participated in the COVID-19 Vaccine Global Access (COVAX) Facility through the European Union, where it had been very proactive in arguing in favour of such efforts.

18. **Ms. Petroviča** (Latvia) said that the fact that children sometimes had to wait for health care did not mean that they did not have access to those services. As the needs were great and the resources were limited, priority was given to providing immediate care for urgent cases, with other cases handled according to a timetable appropriate to the circumstances.

19. **Ms. Vrubļevska** (Latvia) said that, to address the shortage of child psychiatrists, the Ministry of Health had, in 2019, established a residency where child psychiatry was the basic speciality, allowing specialists to qualify more quickly. In addition, steps were being taken to attract young doctors to regional health-care centres with higher salaries.

20. Under a new measure to shorten waiting times for mental health care, referrals from other doctors for psychiatric consultations would be divided into three categories according to priority. The highest-priority patients would be seen within 7 days, those in the second category would be seen within 30 days and those in the third category would be placed on a waiting list.

21. **Mr. Mozgīs** (Latvia) said that Latvia had around 1,500 hospital beds and could increase that number to 2,000 in a critical situation. The number of occupied beds had reached a high of 1,000. The Government had developed triage guidelines to determine the order of priority for treating COVID-19 patients, but hoped it would never need to use them.

22. **Ms. Celmiņa** (Latvia) said that, in order to mitigate the impact of inflation, pensions were indexed to the consumer price index plus 50 per cent of real wage sum growth. Since 2020, the surviving spouses of pensioners who had died were entitled, for 12 months, to an allowance equivalent to 50 per cent of the pension of the deceased. That benefit typically accrued to women, as their life expectancy was longer.

23. The transition from institutionalization to community-based services was high on the political agenda. The Government was investing in infrastructure and developing guidelines for social services and service providers. Specific children's rehabilitation services, including day-care, respite and home-care services, were available for families in need and were usually provided by small companies or non-governmental organizations.

24. The proportion of children in extra-family care who were placed in foster families was steadily increasing, with a corresponding fall in the proportion of children in institutional care. Foster families received support, including financial assistance and education programmes, while families with children with severe disabilities received 24-hour support.

25. Noting that half of employees with disabilities were women and half were men, she also wished to point out that the World Bank, in its report *Women, Business and the Law 2021*, had identified Latvia as a leading country in gender equality owing to its strong performance in the areas of women's economic opportunities and women's position in society.

26. **Ms. Līce** said that the purpose of the education reform was to provide a system that enabled young adults to enter the job market or higher education with a sufficient command of the Latvian language. In Latvia, individuals had the right to use the State language and to be understood when speaking it, both in their private lives and in their dealings with the authorities. Knowledge of Latvian was also an important prerequisite for participating in the country's democratic processes. While the reform had already led to a gradual increase in the

use of Latvian across all levels of education, the Government continued to support and fund education programmes in seven languages other than Latvian.

27. In examining the compatibility of the education reform with the country's international obligations, the Government had studied the findings of the Committee, the other United Nations treaty bodies and the European Court of Human Rights, among other sources. In order to determine the State's obligations, it was important to precisely establish the existence of the right that had to be guaranteed, as well as the content of that right. The Government did not dispute that article 13 of the Covenant guaranteed the right to education or that persons belonging to minorities had the right to enjoy their own culture and to use their own language. However, it was necessary to distinguish between those rights. The right to use one's own language did not create a subjective enforceable right to obtain education in that language. The Government considered that the education reform complied with the right to education and with the right of minorities to use their own language. It also complied with the five requirements set forth in the Committee's general comments on the right to education and the right of everyone to take part in cultural life, namely that education must be available, accessible, acceptable, adaptable and appropriate. In no way did the reform hinder minorities' rights to culture or to communicate in their own language.

28. The European Commission for Democracy through Law, in its 2020 opinion on the recent amendments to the legislation on education in minority languages, had also assessed the compatibility of the education reform with the State party's international obligations, concluding that the reform was not discriminatory and that the legislative process had observed all necessary procedural safeguards, including the involvement of interested parties. It had also highlighted that the amendments formed part of a continuous reform process that had run for more than 25 years and that the education reform served legitimate aims.

29. **Ms. Arkle** (Latvia) said that minority language schools were well established in Latvia and persons belonging to minorities could thus choose from different types of school and languages of learning. The Government set aside funds to help teachers improve their knowledge of Latvian, organized teacher-training activities and provided teaching materials in Latvian. Besides the 546 schools that taught in Latvian, there were 100 schools that taught in Russian and a small number of schools that taught in Polish, Hebrew, Ukrainian, Belarusian, Estonian and Lithuanian. Sixty-five schools offered a bilingual education programme in Latvian and Russian. A report on the language situation in Latvia had indicated that 22 per cent of young people belonging to minorities admitted to having only basic or poor Latvian language skills. Nevertheless, the number of minority students who chose to take exams in Latvian was rising. A survey by the Ministry of Education and Science had found that 20 minority schools planned to continue to teach the minority language and literature in the mother tongue, while 30 would teach it as a foreign language.

30. The Government cooperated with civil society to protect cultural diversity. The Ministry of Education and Science had an advisory council on minority education which aimed to improve the implementation of government policy by providing a platform for debate on minority education issues. The National Centre for Education had launched a campaign to inform parents about the ongoing transition at all levels of education.

31. During the COVID-19 pandemic, counselling and support had been made available to all pupils who needed it. The vast majority of families and schools had been well prepared for the shift to distance learning, and teachers had reported that they were managing well. Teachers and parents had been provided with guidelines on distance learning, in English, Latvian and Russian. In April, the Government had launched the *Your Class (Tava klase)* programme, which consisted of televised broadcasts designed to support pupils, parents and teachers participating in distance learning. Foreign language classes had been provided in Russian, Belarusian, Lithuanian, Estonian, Polish, French, German and English, with support materials available in Russian. The Organization for Economic Cooperation and Development had recognized the success of the programme.

32. There were 457 preschool education institutions in which the language of learning was Latvian, 122 which worked in both Latvian and Russian and 63 in which it was Russian. New preschool education guidelines had been adopted in 2018 in coordination with State institutions, municipalities, non-governmental organizations and others. The guidelines were

not intended to restrict or minimize the use of minority languages, but to ensure that all children were fully prepared for basic education and had an appropriate knowledge of the State language. Parents whose children did not have a place in a local government preschool institution had the option to send them to private institutions. In such cases, which usually arose due to the lack of places in the larger cities, the municipality provided a subsidy of €300 per month per child. Municipalities had welcomed a government proposal to raise the borrowing limit so that they might take out loans for the construction of new preschool establishments. Preschool institutions had remained open during the pandemic.

33. The General Education Law stipulated that schools were responsible for providing support for children following special education programmes in mainstream settings. Such support should include an individual education plan and assistance during learning and in tests and examinations. In the current academic year, 11,000 pupils were following special needs education programmes: 7,000 in mainstream schools and 4,000 in special schools. The Ministry of Education and Science was in the process of reforming the special schools network and in 2019 had issued regulations requiring mainstream schools to define support measures for learners with specific types of special needs. Other efforts included the establishment of 11 inclusive education support centres to assist pupils, schools and local authorities. During the pandemic, special schools had remained open for in situ learning and there had been no interruption to assistance services for children with disabilities.

34. The Ministry of Education and Science also provided education for asylum seekers, with enrolment conditions for unaccompanied minors identical to those of other asylum seekers: all were entitled to preschool, basic and secondary education and were able to continue their studies after the age of 18. They also received additional lessons in the Latvian language. In 2016, 565 people had received Latvian language training as part of a project of the Latvian Language Agency supported by the Asylum, Migration and Integration Fund of the European Union.

35. **Ms. Buligina** (Latvia) said that, in the area of vocational training, the language of instruction was Latvian, but minority students were entitled to receive individual support from the teacher. More than 1,000 students with special needs had been integrated into the vocational training system and were provided with physical and pedagogical support. Teacher training programmes covered themes such as inclusive societies, children's rights, respect for the individual and non-violence.

36. **Ms. Turlaja** (Latvia) said that one of the priorities of the Government's new culture strategy was to promote access to culture for persons with disabilities. Under the strategy, the Government planned to adapt cultural infrastructure, develop new cultural services and products for persons with disabilities and maintain the policy of providing certain groups with free or discounted access to cultural venues.

37. Accessible cultural sites included the Latvian Library for the Blind, which offered services for blind persons and persons with visual impairments or reading disabilities. The Library provided access to audiobooks, large print and Braille publications both in Riga and in the regions and had received over 100,000 visits in 2020. Many other buildings, including the National Library of Latvia, theatres, concert halls and museums were fully accessible for persons with disabilities. The Construction Law of 2013 required that all new public buildings should be accessible, and the Ministry of Welfare had issued accessibility guidelines for cultural venues. According to data collected by the Ministry of Culture, 81 per cent of museums were fully or partially accessible for persons with disabilities, while two thirds of cultural centres and half of libraries were accessible to persons with physical impairments.

38. The Government had launched national initiatives including the "Latvian School Bag" programme – which offered free cultural services for all Latvian schoolchildren – and a programme for the creation and adaptation of new cultural products for persons with disabilities, including audiobooks and Easy Read content. The Government recognized the need for further progress and was committed to improving accessibility over the coming years.

39. **Mr. Abashidze**, noting that both the Committee on the Elimination of Racial Discrimination and the Council of Europe Advisory Committee on the Framework

Convention for the Protection of National Minorities had recently expressed concern about amendments to the State party's Education Law that restricted and reduced the scope of education in minority languages, said that he would appreciate further clarification of the State party's approach to the development of education in minority languages.

40. **Mr. Emuze** said that he wished to know whether the State party had considered taking measures to grant asylum seekers access to tertiary education. He would also appreciate further information on the integration of asylum seekers into the labour market and Latvian society.

41. **Ms. Arkle** (Latvia) said that the availability of education in minority languages varied from school to school. It was possible for parents to request the addition of formal or informal education modules in minority languages to the curriculum of their children's school.

42. **Ms. Zvīdriņa** (Latvia) said that the State Employment Agency contacted asylum seekers as soon as they had applied for protection to provide them with information on the labour market in Latvia and on the support measures available to them. Persons with recognized refugee or alternative status were eligible for specific social benefits, provided that they registered with the State Employment Agency. The Agency had enhanced its cooperation with local employers to facilitate the integration of persons with protected status into the labour market. Persons with refugee or alternative status were also eligible for wage subsidies.

43. **Ms. Shin** (Country Task Force) said that she would be grateful for information on the timeline for the adoption of the bill on residential tenancy. In the light of reports received by the Committee indicating that it would have a negative impact on tenants' right, she would be interested to learn whether the Government planned to establish a mechanism for monitoring complaints submitted by tenants concerning its application. Would places in shelters be made available to evicted tenants? She would also be grateful for further information on the steps taken by the State party to provide housing solutions for homeless people.

44. **Ms. Medina** (Latvia) said that the parliament was expected to adopt the bill on residential tenancy on third reading in the coming months. The new law would establish specific conditions under which lessors could terminate tenancy agreements that were prejudicial to the rights of the property owner. It would not affect residential tenants who enjoyed their right to housing in accordance with the law. Once the bill had been adopted, the Ministry of Justice would draft amendments to the Civil Procedure Law to ensure that the rights of both tenants and owners were respected in any legal disputes that arose as a result of its application. The Government closely monitored the application of all new laws. If complaints regarding improper application of the new law were filed, the Ministry of Justice and the Ministry of Economics would set up working groups to review the need for further legislative amendments or training for judges and other officials responsible for enforcing the law.

45. **Mr. Barks** (Latvia) said that the Ministry of the Interior had proposed an amendment to the Immigration Law that would reduce the waiting period during which newly arrived asylum seekers were not permitted to work from six months to three months. The amendment was currently being considered by the parliament.

46. **Ms. Celmiņa** (Latvia) said that, pursuant to the bill on residential tenancy, families with minor children who failed to make payments to the lessor when they fell due would be issued with a warning and given a grace period of three months in which to resolve the situation. If the situation was not resolved, the lessor would be entitled to initiate eviction proceedings in court. Assistance was available to help low-income families with minor children to cover their debts, where appropriate. If such a solution was not workable, the family would be provided with alternative low-cost housing. There had been no evictions in 2019. Shelters with places available for evicted persons who did not have alternative accommodation were run by the municipal governments.

47. **Mr. Barks** (Latvia) said that the Ministry of the Interior had supported the renewal of an initiative to tackle gender-based violence for the period 2021–2025. The State Police ran annual information campaigns on sexual violence and, in 2020, had organized an information

campaign to raise awareness of child sexual exploitation in collaboration with various non-governmental organizations.

48. **Mr. Gūte** (Latvia) said that there had not been a significant increase in reported incidents of domestic violence during the COVID-19 pandemic, with the number of reports filed rising from 59 in 2019 to 65 in 2020.

49. **Ms. Celmiņa** (Latvia) said that two broad awareness-raising campaigns had recently been carried out to sensitize the public to disability issues. Further campaigns around intellectual and psychosocial disabilities and the integration of persons with disabilities into the labour market were in the planning phase. Questionnaires on accessibility had been sent out to persons with disabilities as part of efforts to evaluate the accessibility of public buildings, including cultural spaces.

50. **Mr. Caunhye** said that he wished, on behalf of the Committee, to commend the State party delegation for its frank, serious and honest approach to the fruitful, constructive dialogue and to express his gratitude for the large amount of pertinent information provided. He hoped that the outcome of the dialogue would contribute to the successful implementation of the Covenant in Latvia.

51. **Mr. Pelšs** (Latvia) said that he wished to thank the Committee for the open and constructive dialogue. He hoped that the delegation had provided sufficiently detailed information on the significant progress made in Latvia towards the implementation of the Covenant, including in such key areas as gender equality and the prevention of domestic violence. In that regard, he wished to inform the Committee that, in the World Bank's *Report on Women, Business and the Law 2021*, Latvia had been awarded the highest possible score in the women, business and law index, placing it among the world leaders in terms of providing equal opportunities for women.

The meeting rose at 6 p.m.