

Replies by the Government of Latvia to the list of issues to be taken up in connection with the consideration of the initial report of the Republic of Latvia concerning the rights referred to in articles 1-15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/5/Add.70)¹

The Government of Latvia would like to draw the Committee's attention that replies to the questions have been provided insofar as additional information is available on the subject concerned. Should there be no answer provided to any of the questions, the Committee is kindly invited to refer to the respective paragraphs of the Initial Report². At the same time, the Committee is invited to bear in mind that new or more detailed information may be provided by the delegation during the Thirty Eight's session of the Committee.

I. General Framework within which the Covenant is implemented

1. *Please provide examples of case law on economic, social and cultural rights in which the Latvian courts have provided legal remedies for violations of these rights and indicate if the CESCR has been invoked.*

In the recent years there have been a number of cases, in which the provisions of the ICESCR have been invoked and applied. It must be specifically noted that all of the judgments mentioned below are available in the Latvian judicial database www.lursof.lv. In addition, the *Satversmes Court* (the Constitutional Court) judgments are also available free of charge at its official website, while the Supreme Court is currently developing its official website www.at.gov.lv where the Supreme Court judgments (including some of the mentioned below) are available free of charge. Moreover, Latvian courts' official website www.tiesas.lv contains a selection of important domestic courts' judgments (i.e., not only of the Supreme Court and the *Satversme Court*, but also of the lower courts). In such a way, the Latvian authorities make additional efforts in disseminating information about relevant provisions of the national law, the *Satversme* (the Constitution of Latvia), as well as international documents (including ICESCR).

The following judgments invoking and interpreting the ICESCR provisions may be mentioned:

The Riga Regional Court (appellate instance)

13 January 2005 judgment by the Riga Regional Court (case CA-0274-05) concerning termination of rent agreement and consequent eviction of the respondents. In the mentioned judgment the Riga Regional Court found that a general reference by the respondents to the ICESCR is not sufficient to justify the non-payment of rent and facilities.

The Supreme Court (appellate and cassation instance)

12 January 2005 judgment by the Senate of the Supreme Court (case SKC-0013-05) concerning a claim for compensation of non-pecuniary damages as a result of non-payment social tax installments by the former employer, as well as a result of unsuccessful collection of social tax by the competent national authority. In substantiating his claims, the plaintiff specifically referred to Article 9 of the ICESCR (right to social security and social insurance). The Senate of the Supreme Court dismissed the part of the claim against the former employer by recognizing that an individual may not take the role of the state authorities in collecting taxes. With respect to the claim concerning compensation of non-pecuniary damages as a result of non-payment of social tax installments, the Senate of the Supreme Court concluded that the damages claimed by

¹ Document E/C.12/LVA/Q/1, dated 23 August 2006, available at http://www.ohchr.org/english/bodies/cescr/docs/E_C12_LVA_Q_2_unedited.doc.

² E/1990/5/Add.70 21 September 2005.

the plaintiff were in fact of a pecuniary nature, and therefore dismissed the said claim as being based on an incorrect interpretation of the domestic law.

20 October 2004 judgment by the Senate of the Supreme Court (case SKC-524) concerning the validity of an agreement of intent concerning privatization of an apartment found that Article 11 of ICESCR is not applicable to situations of unwarranted occupancy of an apartment.

11 September 2002 judgment by the Senate of the Supreme Court (case SKC-382) concerning termination of rent agreement and consequent eviction of the respondents. The court concluded that the respondents may not invoke Article 11 of ICESCR to justify otherwise unlawfully acquired right to an apartment.

8 May 2002 judgment by the Senate of the Supreme Court (case SKC-297) concerning a claim for compensation of non-pecuniary damage caused to the plaintiff's honour and reputation by the Ministry of Justice (Administration of the Central Prison of Places of Imprisonment). The plaintiff referred, *inter alia*, to Article 1 of the ILO Convention No.111 on Discrimination in Employment and Occupation, as well as Articles 3 and 6 of the ICESCR and requested the courts to conclude that she has suffered from discrimination on the ground of her gender as a result of the refusal by the Central Prison Administration to employ her as a prison guard, as well as to award her compensation for the non-pecuniary damage. The Senate of the Supreme Court upheld the findings of the first and the second instances court that the applicant has suffered from discrimination on the ground of her gender. The Senate of the Supreme Court also upheld the finding of the second instance court that, given the circumstances of the case concerned, as well as apology by the respondent, finding of a violation in itself constitutes just satisfaction.

The Satversme Court (the Constitutional Court)³
Judgments having explicit reference to ICESCR

The Satversmes Court in its judgment of 25 February 2002 in the case No.2001-11-0106 declared the requirement to spouses of Latvian citizens, non-citizens, or foreign or stateless persons having obtained permanent residence permit in Latvia to have a permanent residence permit in order to obtain the status of unemployed person contained in the first paragraph of Article 6 of the *Law On Employment* as being incompatible with Articles 91 (prohibition of discrimination) and 109 (right to social security in case of unemployment) of the *Satversme*, and thus null and void from the date of publication of the judgment.

The Satversmes Court noted that social human rights are regarded as specific human rights, which in constitutional law and international instruments are defined as general state obligations. Therefore, the regulating mechanism to guarantee the above is elaborated by the national legislator. The notion of social security, guaranteed by Article 109 of the *Satversme*, is specified in the *Law On Social Security* and refers to "all persons whose place of residence is in the territory of Latvia".

The Satversmes Court established that any employee, who has been compulsory insured against unemployment and whose place of residence is Latvia, has the right to social security in case of unemployment, as guaranteed by Article 109 of the *Satversme*.

The Satversmes Court further concluded that even though persons without permanent residence permit are included into the Latvian social insurance system, the disputed legal norm envisages that a foreign citizen (a stateless person) may obtain the status of unemployed person only if he/she has received a permanent residence permit in Latvia.

In its turn the *Law On Insurance for the Case of Unemployment* envisages that the right to unemployment benefit is granted only to those persons, who have obtained the status of

³ Please note that these are just few examples of the *Satversmes Court* judgments commenting on rights guaranteed under ICESCR. Full text of judgments of *the Satversmes Court* are available at its official website www.satv.tiesa.gov.lv, also in the English language.

unemployed person, are insured against unemployment and who have the determined length of insurance.

The national law allows to employ foreign citizens (stateless persons) if their arrival and stay in Latvia is legal. Anyone having permanent residence permit, a temporary residence permit or a special visa is considered to be staying legally in Latvia.

The *Law On the Entry and Residence of Foreign Citizens and Stateless Persons in the Republic of Latvia* determines that "a temporary residence permit is a document received by a foreign citizen or a stateless person, if his/her stay in Latvia is for a limited time period". Out of categories of persons, who may claim temporary residence permit, spouses of Latvian citizens, non-citizens or foreign citizens (stateless persons) having permanent residence permit have significantly different objective of their stay in Latvia from other persons having temporary residence permits. Namely, their final objective is a permanent stay in Latvia. The national law further distinguishes the mentioned category of persons by automatically granting them free of charge a work permit for the duration of their residence permit. Therefore, the mentioned category of persons is nearer to the status of a person holding a permanent residence permit than to the status of a foreign citizen (stateless person), who has arrived to be employed just for some time.

The Satversmes Court found that even though the spouse, who has received a temporary residence permit, for the first five years he/she spends in Latvia, does not have the right to obtain a permanent residence permit, in the employment and social security sector he/she shall be placed on the same level as a foreign citizen (stateless person) whose permanent place of residence is Latvia.

The Satversmes Court also invited the Latvian legislator to evaluate whether employees having temporary residence permits (guest workers) who have joined the social insurance system shall be subject to social insurance in case of unemployment.

The Satversmes Court in its judgment of 25 July 2001 in the case No.2001-03-04 declared the 18 March 1999 Cabinet of Ministers Regulation No.128 *On the State Stock Company "Diplomatic Service Agency"* (in the part on incorporation of the property investment – the real estate at No.6 Mārstaļu street in Riga – into fixed assets of the Diplomatic Service Agency and its registration with the Land Book) as being in compliance with Article 19 of the *Law On the Protection of Cultural Monuments* and Article 9 of the *Law On the Objects of Education, Culture and Science of State Significance and National Sport centres*.

The Satversmes Court examined the contested provision in the light of Article 15 of the ICESCR, noting that it shall be applied together with Article 2 of the Covenant, which in its turn envisages that the States parties undertake to take the steps, individually and through international assistance and co-operation, to the maximum of its available resources with a view to achieving progressively the full realisation of the rights recognised in the Covenant by all appropriate means, including the adoption of legislative acts.

The Satversmes Court concluded that the scope, contents and mechanism of implementation of the above activities shall be determined by the legislator – through adoption of corresponding laws. The *Satversme* and the Covenant grant the legislator a margin of appreciation in determining what activities are necessary for the conservation, development and dissemination of scientific and cultural achievements. The legislator of Latvia has adopted several legislative acts to determine the tasks of the State in the cultural sector, including the mechanism of their implementation. Among the acts are also *the Law on Cultural Institutions, the Law of the Culture Capital Foundation and the Law on the Protection of Cultural Monuments*.

By applying the above mentioned principles in the present case, *the Satversmes Court* concluded that although the contested provision created certain difficulties to the applicants, yet it did not amount to an interference with their rights guaranteed under national or international law.

The Satversmes Court in its judgment of 13 March 2001 in the case No.2000-08-0109 declared Item 1 of the Transitional Provisions of the *Law On the State Social Insurance* which defined that only those persons for whom social insurance premiums have actually been paid may be considered as socially insured persons as being incompatible with Article 109 of the *Satversme* and thus null and void as of the day of publishing the judgment with regard to those socially insured persons who pay the social insurance premiums through other person's mediation or for whom other persons pay the premiums. When examining the disputed provision's compatibility with Article 109 of the *Satversme* that protects individual right to social security in cases of old age, disability, unemployment and other cases *the Satversmes Court* interpreted the mentioned provision in the light of Article 22 of the Universal Declaration of Human Rights, Articles 2 and 11 of the ICESCR. In particular, *the Satversmes Court* concluded

“[D]uring the period of validity of these international instruments, viewpoints on the legal nature and binding force have advanced. For example, 1986 Limburg Principles on the Implementation of the Covenant (*see Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights, U.N. Commission on Human Rights, U.N. ESCOR, 43rd Session, U.N. Doc. E/CN 4/1987/17*) determined a new approach to the legal aspect of the rights and the obligation of states to ensure these rights. In compliance with the above principles, all the States parties to the Covenant, regardless of the level of development of the state, shall immediately undertake measures, employing all the necessary standards, to ensure implementation of these rights at least on the minimum level. As to measures on the national level – they shall be understood not only as legislative, but also administrative, juridical, economical, social and educational measures. It is pointed out that the laws, which limit employment of any social right, shall not be unjust or discriminative. UN Committee on Economic, Social and Cultural Rights, which supervises implementation of the Covenant, in its comment (*see The Nature of States Parties Obligations /Art.2, par.1/: 14/12/90, CESR General comment 3., U.N. Doc. E/1991/23.; The domestic application of the Covenant: 03/12/98, CESR General comment 9*) has stressed that the measures, undertaken to reach the objective, shall be implemented in a reasonably short time after the Covenant has taken effect in a State party and that every State party has the obligation of securing implementation of the most essential liabilities at least on the basic level.

Not doubting the close connection of implementation of the social rights with the feasibility of every state, the following human rights' conclusion shall still be taken into consideration – if some social rights are included in the fundamental law, the State cannot relinquish them. These rights do not have just a declarative nature.”

The Court further concluded that upon commencing his/her employment, the employee is actually incorporated into the system of social insurance. These persons with their work create material preconditions for social insurance – employers have an obligation to calculate the salary, a part of which makes social insurance compulsory premiums. Besides, the premiums, which are to be paid by the employee are deducted by the employer and on a certain date paid into the state social budget. The employee cannot exert influence on this procedure; he/she can neither stop the employer from deducting the premiums, nor make the payment himself/herself. The Law does not envisage an obligation or a possibility of the insured person to control the employer – the performer of the social insurance payment. It is in fact the responsibility of the State Revenue Service and several other state institutions, institutions having the necessary jurisdiction, as well as means and tools at their possession to ensure the collection of taxes, including imposing sanctions for violations of the respective tax laws.

The persons subject to social insurance, in their turn, can neither influence the activity of the employer nor of the relevant state institutions, and thus need not suffer simply because other persons do not perform their duties and tasks determined by law or perform them insufficiently. Any conclusion to the contrary would lead to the situation when the mechanism created to implement constitutional rights will not correspond to its objective.

The Satversme Court (the Constitutional Court) in its judgment of 9 July 1999 in the case No.04-03(99) found that the state stock company the Real Estate Agency Regulation *On the*

Procedure of Renting Free Apartments in the Dwelling Houses under the Management of the Real Estate Agency, adopted by the 29 April 1997 Agency's Board decision were not in compliance with the Law *The Structure of the Cabinet of Ministers*, as well as with Articles 2, 10 and 11 of the Law *On Housing Support Granted by the State and Local Government*, Article 40 of the Law *On Rent of the Dwelling Space*, item 4 of the Transitional Provisions of the Law *On the Privatisation of State and Local Governments Apartment Houses* and null and void from the moment of its adoption. The Court based its findings that the Real Estate Agency lacked the necessary authority under the domestic law to adopt the said Regulation on the general constitutional and administrative law principle of separation of powers and hierarchy of legal norms. Moreover, *the Satversme Court* noted that

“[i]n the sector of housing rights, the element of social care for people is of great importance. The right to a dwelling space is an internationally declared social right (Article 25 of the Universal Declaration of Human Rights, Article 11 of the International Covenant on Economic, Social and Culture Rights).

By taking into consideration the interest of the society, the rental right is obtaining not only a private disposition, but also that of public rights. Legislative acts on dwelling space, containing mostly imperative legal norms, may envisage certain limitations on property rights.

(...) Unlawfully adopting the disputed Regulation, the Agency determined such criteria for receiving rental rights in state owned apartment houses, which were not in compliance with the existing laws. The Regulation was not published and thus was not accessible to all persons interested in the issue. Contrary to the interests of the state, the Agency subjectively, wilfully and on its own judgment chose persons with whom to sign rental agreements. In fact the persons were divided into the following groups: "wealthy", "needy" and "important persons". Thus the constitutional principle, determining that all human beings shall be equal before the law, has been violated.”

Examples of cases, in which principles enshrined in ICESCR have been examined without explicit reference:

The Satversmes Court in its judgment of 11 December 2006 in the case No.2006-10-03 found provisions of 7 December 2004 CM Regulation Nr.1003 and 8 August 2006 CM Regulation Nr.644, establishing that a child-care allowance may not exceed the amount of 392 LVL per month as being compatible with Article 91 of the *Satversme* (prohibition of discrimination). *The Satversmes Court* concluded that, although the child-care allowance depends on the social insurance contributions, it should still be seen as a mean of social assistance, not social service. The Court noted that the implementation of social rights is depending on the possibilities of the state budget, meaning that the state may determine the minimum and the maximum amount of the benefit that is being paid from the state budget. The legitimate aim of limiting the amount of possible benefit is not the protection of the state budget as such, but protection of the rights of other persons. The right to receive social assistance services is not only to persons applying to receive child-care allowance. There are eight other types of benefits, either regularly or one-off paid. Thus, significant increase in the amount of one benefit may endanger the rights of other persons applying to receiving benefits of other type. Moreover, the purpose of the child-care allowance is not the full replacement of the person's previous income, but to ensure satisfactory conditions of life to its recipient, which the present maximum amount ensures. Finally, the maximum amount of the child-care allowance is being regularly reviewed.

The Satversmes Court in its judgment of 2 November 2006 in the case No.2006-07-01 found that provisions of amendments to the Law on State Social Allowances providing that full employed parents having children under one years of age receive the same amount of child-care benefit as those parents that are on child-care leave as being incompatible with Article 110 of the *Satversme* (protection of family and children), while those provisions of the said amendments that provide the same right to part-time employed parents as being compatible with Article 110 of the *Satversme*. *The Satversmes Court* interpreted Article 100 of the *Satversme* in the light of

Latvia's international obligations deriving from the 2000 ILO Maternity Protection Convention (no.183), the Universal Declaration of Human Rights, the 1979 Convention on the Elimination of All Forms of Discrimination against Women, the UN Convention on the Rights of the Child, the Beijing Declaration and Program of Action, the 1981 Workers with Family Responsibilities Convention (No.156), and other relevant instruments. *The Satversmes Court* concluded that the primary objective of the child-care allowance is to ensure proper care for the child during the first crucial year of his/her life, which in case of full time employment by a parent is not achieved. At the same time, *the Satversmes Court* recognized that the child-care allowance, although based on the possibilities of the State Budget and respect the margin of appreciation afforded to states, may not be sufficient to cover all the needs of families with lower income. Therefore, parents may have an objective need to find a part-time employment to ensure sufficient income to provide for the family. Therefore, *the Satversmes Court* concluded that providing similar treatment to the full-time and the part-time employed parents in the present circumstances is not justified and thus discriminatory, as they are placed in substantially different circumstances.

In addition, the following cases are currently **pending** before *the Satversmes Court* may be mentioned:

- compatibility of provisions of the Law on Income Tax, which differentiates non-taxable amounts of pension for persons who retired before and after 1 January 1996 with Article 91 of the *Satversme* (prohibition of discrimination) (decision to institute examination of 2 January 2007);
- compatibility of provisions on the *Law on Strikes*, providing that if before the scheduled date of strike a court receives an application requesting to recognize such a strike as being unlawful, the strike may not take place until the court judgment in the case enters into force, with Article 108 of the *Satversme* (right to a collective agreement, right to strike, right to form trade unions) (decision to institute examination of 12 December 2006);
- compatibility of Limbaži City Council 25 January 2006 Regulation concerning territorial planning, exploitation and housing schemes, which establishes limitations of exploitation of private land property, with Article 105 of the *Satversme* (right to property) (decision to institute examination of 21 November 2006);
- compatibility of provisions of the Law on Execution of Sentences foreseeing deductions from the employed convicts' salaries in the amount of 50 per cent of the established minimum wage in the country in order to cover expenses related to these persons' imprisonment with Articles 91 (prohibition of discrimination) and 107 of the *Satversme* (right to adequate remuneration, right to days off and vacation) (decision to institute examination of 17 November 2006);

2. *Please indicate whether the State Party has adopted a national plan of action on human rights in accordance with the Vienna Declaration and Programme of Action of 1993.*

On 24 January 1995, the Cabinet of Ministers at its session adopted the *National Programme for the Protection and Promotion of Human Rights*⁴, which was developed on the basis of the Vienna Declaration and Programme of Action. However, since then, the principles enshrined therein (as well as in other important binding and non-binding human rights documents) have been elaborated further in other human rights policy planning documents (short, medium and long-term) developed by ministries within the framework of their jurisdiction. At the same

⁴ See also http://www.ohchr.org/english/countries/coop/plan_action.htm

time, the Policy Planning Department of the State Chancery is responsible for monitoring and coordinating the policy planning process to avoid gaps and overlaps.

3. *Please provide case law, where possible, of court decisions on coercive expropriation of real estate (para. 23 of the report).*

As it has already been mentioned in paragraph 23 of the Initial report, coercive expropriation of real estate for state and public needs shall take place in the basis of a specific law. The 1992 framework Law on Coercive Expropriation of Real Estate for State or Public Needs that governs the process of coercive expropriation, provides that the owners of the expropriated property shall receive monetary compensation. As the fact of coercive expropriation if approved by a law, the owners of the property concerned may challenge expropriation as such by submitting a petition to the *Satversme Court*, which is competent to examine the compatibility of domestic laws with the *Satversme*, as well as international agreements binding upon Latvia (e.g., the European Convention on Human Rights and Fundamental Freedoms and Protocols thereto, which, *inter alia*, guarantee the right to peaceful enjoyment of possessions). In case owners of expropriated property are not willing to challenge the expropriation as such, but only the proposed compensation, they may do so by submitting a claim to a court of general jurisdiction.

By a law adopted on 5 February 1997, several land plots were expropriated for the needs of the airport "Rīga" from 25 private persons, each of whom received monetary compensation.

By a law adopted on 30 October 1997, several land plots were expropriated for the needs of the Riga Trade Free Harbour from two private persons, each of whom received monetary compensation.

By a law adopted on 6 June 2002, one land plot was expropriated for the needs of the Terehovas Border Control Post from a private individual, who received monetary compensation.

By a law adopted on 9 June 2005, four land plots and nine apartments were expropriated for the needs of the Latvian National Library from private individuals, each of whom received monetary compensation.

By a law adopted on 9 November 2006, one immovable property was expropriated for the needs of construction of a bridge across Daugava.

In all of the mentioned cases the Government and the former owners of the property were able to reach a settlement with respect to the amount of compensation to be paid either before or after adoption of the respective law. The only exception are the owners of the land plots, which were expropriated for the needs of the Riga Trade Free Harbour, who remained unsatisfied with the amount of the compensation received and thus submitted an application to the European Court of Human Rights, who has not yet pronounced its conclusions on the case.

4. *Please provide updated information on the general trend relating to the number of shareholders in the process of privatization (para. 49 of the report).*

Thanks to the program of public tender for privatization certificates, there are approximately 126,088 shareholders, the majority of whom are private persons. Therefore, shareholders constitute 5.53% of the total Latvia's inhabitants. With the help of the public tender program the privatization certificates for the total amount of 1,951 billion US dollars have been discharged.

5. *Please indicate the measures being undertaken by the State party to address the polarization of society which has widened the gap between the rich and the poor (para. 53 of the report).*

According to European social inclusion strategy since 2001 all EU member states once in two years elaborate national actions plans for social inclusion.

In 2003 in cooperation with the European Commission Latvia like the other EU Member states elaborated a pre-accession political document – Joint memorandum on Social Inclusion in Latvia (JIM) adopted by the CM on 2 December 2003 and signed on 18 December 2003.

JIM development was aimed to mobilize the capacity of state institutions and all involved partners to combat poverty and social exclusion and develop an integrated national strategy in the field. In JIM the economic and social situation in the state is reflected, there are identified major problems and main political aims, defined activities that are to be developed or implemented during next years.

Elaboration of JIM is a substantial step towards development of social inclusion policy in Latvia.

On 23 July 2004 by Ordinance No. 513 the Cabinet of Ministers has approved Latvia's first National Action Plan for Reduction of Poverty and Social Exclusion, covering years 2004-2006. On 26 February 2004 a working group was established comprising representatives of Secretariat of the Special Assignments Minister for Social Integration (SSAMSI), Ministry of Education and Science (MES), Ministry of Culture (MC), Ministry of Health, Ministry of Transport and Communications, Ministry of Economy, Ministry of Agriculture, Ministry of Environment, Ministry of Regional Development and Local Governments, Bureau of Information Society of State Chancery, State Probation Office and Central Statistical Bureau, as well as officials from the Union of Local and Regional Governments of Latvia, Free Trade Union Confederation of Latvia, Federation of Latvian Pensioners, "Sustento" the Latvian Umbrella Body for Disability Organizations, as well as the University of Latvia.

The Action Plan has been elaborated basing on goals and priorities interposed in Joint Memorandum on Social Inclusion prepared by Latvian Government in cooperation with European Commission that have to be implemented in long-term to reduce poverty and social exclusion in Latvia. The Action Plan defines goals and measures to be implemented during 2004-2006 in the field of employment, education, housing, health, social services, transport, legal assistance, culture and other fields.

The Action Plan has been elaborated complying with EU common goals defined in Nice in 2001 for reduction of social exclusion that include facilitation of employment, access to resources, goods, rights and services, support for vulnerable groups and mobilization of all stakeholders – state, local governments, social partners, non-governmental organizations, researchers - for development, implementation, monitoring and analysis of social inclusion policy.

The Ministry of Welfare shall submit an annual Informative Report on implementation of the Action Plan to the CM.

On 26 September 2006 CM adopted an informative report by the Ministry of Welfare "On National Report on Strategy for Social Protection and Social Inclusion (2006-2008)".

The main aim of the Report is to promote more effective coordination of policies implemented within social protection field what is attainable by developing coordinated policies in three particular fields – (1) social inclusion, (2) pensions and (3) health care and long-term care.

The Report also contained a new National Plan on Social Inclusion (Plan) that replaced the one adopted in 2004. Taking into account the poverty indicators in Latvia, problems and drawbacks in access of different services, goods, resources and rights to the most vulnerable groups identified in analysis by local governments and NGOs, during public discussions with NGOs as well as considering the aim to reduce the poverty risk by 11% until 2010 (in 2003 the figure was 16%, while in 2004 – 19%) defined in “Common Strategy for Latvian Economics”, the Ministry of Welfare has set three priority policy tasks:

Task 1: To improve the access of children and young people subjected to the risk of poverty and social exclusion to education and labour market services.

Task 2: To improve the accessibility of resources and services to families, particularly to large and single-parent families.

Task 3: To improve the accessibility of resources and services to retired persons subjected to the risk of poverty, in particular to those living alone.

Latvia also participates in the EU Peer Review Program aimed at promotion of mutual learning process among EU member states basing upon systematic evaluation of best practice examples reflected in national actions plans for inclusion and improvement of efficiency of national social inclusion policies.

The most major reforms conducted by the Ministry of Welfare include the reform of the pension (retirement benefit) system, improving support to families with children (e.g., increasing the amounts of various child care benefits), promotion of inclusion of persons with disabilities in the labour market, raising the level of minimum wage in the country, etc.

Personal income monthly average, Latvian Lats

	2003	2004	2005	2006
Average wages and salaries of the employed gross	192	211	246	302
Average wages and salaries of the employed net	138	150	176	216
public sector gross	224	243	285	350
public sector net	160	173	203	250
Private sector gross	172	192	224	277
Private sector net	124	137	161	199
Average size of old-age pensions of pensioners under the social welfare system	64	71	81	96
Value of minimum consumer basket of goods and services (complete) per capita	94	99	105	116

Source: Central Statistical Bureau

National minimum monthly wage, Latvian Lats

01.01.2003	70
01.01.2004	80
01.01.2005	80
01.01.2006	90
01.01.2007	120

Source: Central Statistical Bureau

II. Issues relating to the General Provisions of the Covenant (arts. 1-5)

6. Given that the present report covers the period from 14 July 1992 to 1 January 2002 (para. 1 of the report), the State party is requested to update the statistical information contained in paras. 86, 91 and 92 (on article 3) of the report.

Composition of the Saeima

	8 th Saeima (2002-2006)	9th Saeima (2006)
Saeima members, total	100	100
Male	82	81
Female	18	19
At age 21-40(years)	31	20
At age 41-50(years)	37	34
At age 51-60(years)	22	22
At age >60(years)	10	14

Source: Central Statistical Bureau

Election results of the European Parliament (elected in June 2004)

Number of candidate lists	16
Number of candidates	245
Number of candidate lists who won seats in the parliament	5
Elected members, total	9
.. at age 21-40 (years)	2
.. at age 41-50 (years)	3
.. at age 51-60 (years)	2
.. at age over 60 (years)	2
Of the total number, female	2

Source: Central Statistical Bureau

Composition of the Local Governments (elected in March 2005)

	Candidates	elected members
TOTAL	15678	4179
At age 18-30 (years)	1831	219
At age 31-40 (years)	4343	1032
At age 41-50 (years)	5426	1769
At age 51-60 (years)	2734	863
At age 61-70 (years)	1194	280
At age >70 (years)	150	16
Of the total number, women	7106	1766

Source: Central Statistical Bureau

Statistical data of employed persons according to their occupation and sex

		Population (thsd)				%			
		2003	2004	2005	2006	2003	2004	2005	2006
TOTAL	TOTAL	1006.9	1017.7	1035.9	1087.6	100	100	100	100
	Legislators, managers and senior state officials	89.9	104.8	101.4	95.6	8.9	10.3	9.8	8.8
	Professionals	110.9	119.4	120.5	140.5	11	11.7	11.6	12.9
	Technicians and associate professionals	125.7	118.1	134.5	151.8	12.5	11.6	13	14
	Clerks	55.9	60.8	61.3	60.1	5.6	6	5.9	5.5
	Service workers and shop and market sales workers	138.1	136.8	147.9	138.6	13.7	13.4	14.3	12.7
	Skilled agriculture and fishery workers	84.3	76.5	63.5	70	8.4	7.5	6.1	6.4
	Craft and related trades workers	149.7	158.6	166.2	185.8	14.9	15.6	16	17.1

	Plant and machine operators and assemblers	111.6	114.1	112.2	113	11.1	11.2	10.8	10.4
	Elementary occupations	139.6	127.1	126.7	129.1	13.9	12.5	12.2	11.9
Male	TOTAL	516.6	521.8	534.1	559.2	100	100	100	100
	Legislators, managers and senior state officials	54	60.8	58.9	56.1	10.4	11.7	11	10
	Professionals	39.8	43	40.3	44.3	7.7	8.2	7.6	7.9
	Technicians and associate professionals	45	41.8	48.6	62.3	8.7	8	9.1	11.1
	Clerks	9.4	12.6	14.2	10	1.8	2.4	2.7	1.8
	Service workers and shop and market sales workers	33.3	32.8	38	31.5	6.4	6.3	7.1	5.6
	Skilled agriculture and fishery workers	46.5	39.8	35.7	38.6	9	7.6	6.7	6.9
	Craft and related trades workers	119.5	129	138.2	150.2	23.1	24.7	25.9	26.9
	Plant and machine operators and assemblers	93	93.3	92.3	96	18	17.9	17.3	17.2
	Elementary occupations	75.1	67.3	66.1	67.9	14.5	12.9	12.4	12.1
Female	TOTAL	490.2	495.9	501.8	528.5	100	100	100	100
	Legislators, managers and senior state officials	35.9	44.1	42.5	39.5	7.3	8.9	8.5	7.5
	Professionals	71	76.4	80.1	96.2	14.5	15.4	16	18.2
	Technicians and associate professionals	80.7	76.3	85.9	89.5	16.5	15.4	17.1	16.9
	Clerks	46.5	48.2	47.1	50.2	9.5	9.7	9.4	9.5
	Service workers and shop and market sales workers	104.8	104	110	107.1	21.4	21	21.9	20.3
	Skilled agriculture and fishery workers	37.8	36.7	27.8	31.4	7.7	7.4	5.5	5.9
	Craft and related trades workers	30.1	29.6	28	35.6	6.1	6	5.6	6.7
	Plant and machine operators and assemblers	18.6	20.8	19.9	17.1	3.8	4.2	4	3.2
	Elementary occupations	64.6	59.8	60.5	61.3	13.2	12.1	12.1	11.6

The total number includes army forces and persons with unspecified occupation.

Source: Central Statistical Bureau

Enrolment of children in general schools

Academic year	Total number of students	Of which male	Of which female
2005/2006	283,947	141,602	142,345
Primary schools	7,083	3,609	3,474
Basic schools	69,181	36,127	33,054
Secondary schools	197,992	95,827	102,165
Specialized schools/classes	9,691	6,039	3,652
2004/2005	300,667	149,879	150,788
Primary schools	7,580	3,872	3,708
Basic schools	74,272	38,701	35,571
Secondary schools	209,022	101,214	107,808
Specialized schools/classes	9,793	6,092	3,701
2003/2004	312,489	155,900	156,589
Primary schools	8,238	4,224	4,014
Basic schools	78,326	40,716	37,610

Secondary schools	216,103	104,862	111,241
Specialized schools/classes	9,822	6,098	3,724

Source: Data of the Statistical Bureau of the Ministry of Education and Science

Article 1: Self-determination

7. Please provide information on the practical implementation of the Law on Privatization of Land in Rural Areas and the Law on the Land Reform in the Cities, especially with regard to the distribution of such lands, disaggregated according to the categories cited in para. 13 of the report.

The 20 November 1991 Law On the Land reform in the Cities of the Republic of Latvia has been amended to broaden the category of persons, who may become owners of urban land in accordance with the Civil Law and other laws. Those persons are:

- (1) Citizens of Latvia;
- (2) State and local governments, state and local government enterprises;
- (3) Enterprises registered in the Latvia or in another Member State of the European Union, providing that
 - (a) more than one half of their statutory capital belongs to citizens of Latvia or citizens of the European Union, Latvian state or local government; either to one of these persons or to several of them jointly;
 - (b) more than one half of their statutory capital belongs to the natural persons or legal entities from the states with which Latvia has concluded international agreements on promotion and mutual protection of investments approved by the *Saeima* until 31 December 1996 (this provision applies also to natural persons or legal entities from those States with which international agreements have been concluded after 31 December 1996, if these agreements provide for the right of natural persons or legal entities registered in Latvia to acquire land ownership in the respective State);
 - (c) more than half of their statutory capital belongs to several persons mentioned in (a) and (b) jointly;
 - (d) they are public join-stock companies whose shares are being quoted at the stock exchange;
- (4) Religious organizations that were registered in Latvia until 21 July 1940;
- (5) State and local government high schools.

Total cadastral objects registered in the Information System of the State Cadastre (as of 1 March 2007)

Nr.	Immovable property, legal possessions, use, free state land, references (in cities) and rent		
	Cadastral objects	amount	acreage, ha
1	Total land properties and legal possessions together	506,871	4,079,833
	Renewed property rights	96,783	1,456,949
	Property acquired for remuneration	157,274	921,831
	Acquired as a result of a transaction	213,567	1,377,493
	State and local government property	39,247	323,560
	Including state and local government dwelling houses	17,528	6,319
	Total use, references (in cities), free state land, land under the jurisdiction of the state and local governments	176,088	2,370,840

	Use	160,791	2,313,132
	References (in cities)	6,778	39,610
	Free state land	3,418	5,660
	Land under state jurisdiction	1,568	7,179
	Land under local government jurisdiction	3,533	5,259
3	Land properties, legal possessions, use, reference, free state land, land under the jurisdiction of the state and local governments (together 1+2)	682,959	6,450,673
	Which makes 99,9 % of the total territory of Latvia		
4	Building property (rented land)	39,352	X
	Apartment property (except for those privatized through summary procedure)	509,282	X
6	Apartments (privatization through summary procedure before the privatization of the dwelling house)	41,190	X
7	Rent (land)	6,036	23,089

Source: State Land Service

Article 2.2: Non-discrimination

8. Please provide examples, if any, of court cases dealing with: i) racial discrimination (paras 57-58 of the report); and ii) granting of Latvian citizenship (para. 61 of the report).

On 19 June 2006 the Jelgava court adopted a judgment by which it established the fact of discrimination in employment relationship against a person based on her Roma ethnicity. The court awarded compensation of 1,000 Latvian lats for non-pecuniary damages. The judgment entered into force.

In addition, there have been significant legislative amendments in order to introduce the requirements of the **EU Council Directive 2000/43/EC** implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and the **EU Council Directive 2000/78/EC** establishing a general framework for equal treatment in employment and occupation. Amendments have been introduced to the Labour Code, the Social Security Law, the Code of Administrative Offences, the Law on Consumer Protection, and several other laws, introducing the definition of direct and indirect discrimination and harassment, as well as prohibition of instruction to discriminate and victimization. Amendments to the Civil Law to the same effect are still pending.

On 21 October 2006 amendments to Article 48 of the Criminal Law were adopted, introducing racist motivation as an aggravating circumstance of a crime.

Article 78 of the Criminal Law Violation of national or racial equality, restriction of human rights recognizes that any action manifesting itself as “an action deliberately aimed at inciting racial hatred or enmity, a deliberate direct or indirect restriction of economic, political or social rights of a person or a direct or indirect granting of advantages to a person because of his/her race of his race of ethnicity” is punishable under criminal law”.

Criminal cases instituted under Article 78 of the Criminal Law

2000	2001	2002	2003	2004	2005	2006	2007
1	1	1	1	1	13	14	4

Source: Security Police

Status of the criminal cases instituted under Article 78 of the Criminal Law 2000-2007

Total	36
Terminated	7
Sent to the Prosecutor Office for prosecution	17
Re-qualified and sent to the State Police for investigation	3
Under investigation	9

Source: Security Police

According to the information provided by the Security Police, out of the criminal cases instituted under Article 78 of the Criminal Law in 2005, 4 persons have been sentenced (2 persons have been sentenced by means of an agreement with the Prosecutor Office to 6 months of probation, while in 2 cases a prosecutor's order of fine was issued⁵).

Out of the total number of criminal cases initiated by the Security Police under Article 78 of the Criminal Law in 2006 6 persons have already been sentenced (in 2 cases – by a fine, in 2 cases – by probation, while in 2 cases the court has decided to sentence the accused to 6 and 8 months of imprisonment).

No other relevant domestic cases have been registered within the national legal system.

Article 3: Equal rights of men and women

9. *Please clarify the legal definition in the State party of equality between men and women, as provided for in article 3 of the Covenant. In this regard, please elaborate on the concept of gender equality as stated in para. 94 of the report.*

The Ministry of Welfare bases its activities in the area of mainstreaming gender equality on the following notions:

Gender Equality - entails the concept that all human beings, both men and women, are free to develop their personal abilities and make choices without the limitations set by stereotypes, rigid gender roles, or prejudices. Gender equality means that the different behaviours, aspirations and needs of women and men are considered, valued and favoured equally. It does not mean that women and men have to become the same, but that their rights, responsibilities and opportunities will not depend on whether they are born male or female.

Resources - are means and goods, including those that are economic (household income) or productive (land, equipment, tools, work, credit); political (capability for leadership, information and organization); and time.

Access to resources - implies that women and men are able to use and benefit from specific resources equally (material, financial, human, social, political, etc).

Control - over resources implies that women can obtain access to a resource as and can also make decisions about the use of that resource. For example, control over land means that women

⁵ Agreement on sanction and order of a sanction are the powers given to the Prosecutors Office in summary proceedings cases, i.e., in cases where there are no dispute as to the facts and applicable law, if the accused person has admitted his/her guilt and agreed to the sanctions applied. In any event, the sanction determined by the Prosecutors Office is being approved by the court, which may decide differently.

can access land (use it), can own land (can be the legal title-holders), and can make decisions about whether to sell or rent the land.

Benefits - economic, social, political and psychological retributions derived from the utilization of resources, including the satisfaction of both practical needs (food, housing) and strategic interests (education and training, political power etc)

Equal opportunities – The absence of barriers to economic, political and social participation on the grounds of sex.

Gender – refers to the array of socially constructed roles and relationships, personality traits, attitudes, behaviours, values, relative power and influence that society ascribes to the two sexes on a differential basis. Whereas biological sex is determined by genetic and anatomical characteristics, gender is an acquired identity that is learned, changes over time, and varies widely within and across cultures. Gender is relational and refers not simply to women or men but to the relationship between them.

Sex – refers to the biological characteristics which define humans as female or male. These sets of biological characteristics are not mutually exclusive as there are individuals who possess both, but these characteristics tend to differentiate humans as males and females.

Gender Mainstreaming – is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women 's as well as men 's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated.

Gender Budgeting – is an application of gender mainstreaming in the budgetary processes. It means a gender – based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality.

Gender perspective – The consideration and attention to the differences in any given policy area/activity.

De iure gender equality – legal gender equality that is provided by legislation

De facto gender equality - actual gender equality that is realized in practical life

Discrimination – Any sex based distinction, exclusion or restriction whose goal or result is to impair or destroy the recognition, enjoyment or exercise by women, regardless of their marital status, on the basis of equality between men and women, of their human rights and basic liberties in the political, economic, social, cultural, civil and any other area.

Direct discrimination – any treatment, act or omission having a detrimental effect where the dominant or ultimate determining factor is the discrimination to be eradicated, in this case the person's sex.

Indirect discrimination – shall exist when an apparently neutral provision, criteria or practice affects a substantially higher proportion of members of the same sex, except when said

provision, criteria or practice is appropriate and necessary and can be justified by objective criteria which are unrelated to sex.

Positive discrimination – refers to measures that specifically favour a particular category of people – in this case, women – in order to make up for their consistent under-representation in society. They are usually applied in relation to employment but also in public office and others positions of representation.

Violence - the term „Violence against women” is to be understood as any act of gender based violence, which results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. This includes violence occurring in the family or domestic unit, including inter alia, physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or occasional partners and cohabitants, crimes committed in the name of honour, female genital and sexual mutilation and other traditional practices harmful to women, such as forced marriages.

Domestic violence - Domestic violence is one of the most serious and pervasive forms of violence against women. It exists and occurs at all levels of society. Domestic violence is most often perpetrated by men against former or current intimate partners, although it is recognized that violence is also perpetrated by women and occurs in same-sex relationships. Violence is reinforced by establishing control over another person’s life through isolation, manipulation and by placing limits on personal choices and freedoms. A typical pattern of violence may also involve economic abuse by denying financial independence and controlling economic decisions. It is mainly perpetrated against women because they are women, it constitutes a form of gender-based violence.

III. Issues relating to specific provisions of the Covenant (arts. 6-15)

10. *Given that the present report covers the period from 14 July 1992 to 1 January 2002 (para. 1 of the report), the State party is requested to update the statistical information contained in paras. 134, 150, 151, 160, 162, 173 (art.7); 213, 252, 264, 269, 270 (art. 9); 290, 326 (art.10); 385, 386, 397 (art.11); 430, 433, 435, 451, 454, 455, 472-4, 478, 479, 481, 484, 485, 489 (art. 12); 519, 523, 529 (art. 13) of the report.*

See reply to the question 5 for information concerning monthly wages.

Employed persons by employment status and sex

Employed in the main job	TOTAL	TOTAL	Population in thousands				%			
			1006.9	1017.7	1035.9	1087.6	100	100	100	100
		Employees (workers)	876	885.9	915.3	961.5	87	87	88.4	88.4
		Employers (owners)	32.2	34.6	35.9	37.3	3.2	3.4	3.5	3.4
		Self-employed	61.4	62.9	60.8	72.4	6.1	6.2	5.9	6.7
		Unpaid person who helps another member of family in his enterprise or priv.practice,craft,farm work	37.3	34.3	23.9	16.3	3.7	3.4	2.3	1.5
	Males	TOTAL	516.6	521.8	534.1	559.2	100	100	100	100
		Employees (workers)	439.6	448.6	461.9	484.6	85.1	86	86.5	86.7
		Employers (owners)	23	22.5	24.2	23.3	4.5	4.3	4.5	4.2

		Self-employed	35.8	35.4	34.4	42.4	6.9	6.8	6.4	7.6
		Unpaid person who helps another member of family in his enterprise or priv.practice,craft,farm work	18.2	15.3	13.6	8.7	3.5	2.9	2.5	1.6
	Females	TOTAL	490.2	495.9	501.8	528.5	100	100	100	100
		Employees (workers)	436.4	437.2	453.5	476.9	89	88.2	90.4	90.2
		Employers (owners)	9.2	12.1	11.6	14	1.9	2.4	2.3	2.6
		Self-employed	25.6	27.5	26.4	29.9	5.2	5.5	5.3	5.7
		Unpaid person who helps another member of family in his enterprise or priv.practice,craft,farm work	19	19.1	10.3	7.6	3.9	3.8	2.1	1.4
Employed in the secondary job	TOTAL	TOTAL	75.4	65.8	62	62.6	100	100	100	100
		Employees (workers)	53	46.5	41.8	43.1	70.3	70.7	67.3	68.8
		Employers (owners)	2.7	2.9	...	...	3.5	4.4	...	...
		Self-employed	11.5	9.5	20.1	19.5	15.2	14.5	32.7	31.2
		Unpaid person who helps another member of family in his enterprise or priv.practice,craft,farm work	8.2	6.9	...	...	10.9	10.5	...	...
	Males	TOTAL	...	...	...	...	...	...	...	...
		Employees (workers)	...	...	...	...	...	...	...	...
		Employers (owners)	...	...	...	...	...	...	...	...
		Self-employed	...	...	...	...	...	...	...	...
		Unpaid person who helps another member of family in his enterprise or priv.practice,craft,farm work	...	...	...	...	...	...	...	...
	Females	TOTAL	...	...	...	...	...	...	...	...
		Employees (workers)	...	...	...	...	...	...	...	...
		Employers (owners)	...	...	...	...	...	...	...	...
		Self-employed	...	...	...	...	...	...	...	...
		Unpaid person who helps another member of family in his enterprise or priv.practice,craft,farm work	...	...	...	...	...	...	...	...
Employed in the secondary job:										
Information on employed in the secondary job down by sex is not available, as the sample of the current survey does not provide for the preparation of data in such a level of detail.										
TOTAL:										
The total number includes persons who have not declared the employed										

Source: Central Statistical Bureau

Employees by monthly net wages (after taxes) in the main job

SEX	Wage Latvian lats	Population in thousands	%
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		2003	2004	2005	2006	2003	2004	2005	2006
TOTAL	TOTAL	876	885.9	915.3	961.5	100	100	0	0
	Under 60.00	175.1	...	...	...	20.5	...	...	...
	Under 64.00	...	112.6	...	...	...	12.9	...	...
	Under 73.00	...	...	139.4	110.7	...	...	15.7	12.1
	Under 81.00	...	...	...	...	...	...	...	...
	60.01-100.00	247.6	...	...	...	29	...	...	...
	64.01-100.00	...	0	7000	...	...	...	35.7	...
	73.01-100.00	...	...	...	215.2	...	...	...	24.3
	81.01-100.00	...	...	...	...	117.5	...	...	...
	100.01-150.00	12.2	201.3	199.1	187.3	214.1	23.6	22.7	21.1
	150.01-200.00	22.3	114.5	121.9	143.7	195.1	13.4	13.9	16.2
	200.01-300.00	20.3	54.1	59.9	84	171.2	6.3	6.8	9.5
	300.01-500.00	17.8	20.4	20.1	35.7	79.6	2.4	2.3	4
	500.01-1000.00	8.3	4.4	6.2	13.2	20.6	0.5	0.7	1.5
	1000.01 and over	2.1	1.7	1.5	2.3	3.6	0.2	0.2	0.3
Males	TOTAL	3.7	425.6	439.6	448.6	485.7	100	100	100
	Under 60.00	100	62	...	...	...	14.6	...	...
	Under 64.00	...	...	41.5	...	...	...	9.4	...
	Under 73.00	...	...	...	47.6	...	...	...	0
	Under 81.00	7.8	...	...	...	...	32.6	...	...
	60.01-100.00	...	6.7	104.5	...	...	...	24.6	...
	64.01-100.00	...	...	...	121.7	...	...	...	27.7
	73.01-100.00	...	...	...	...	76.8	...	...	...
	81.01-100.00	16.6	...	...	...	...	39.4	...	...
	100.01-150.00	...	8.1	108.9	112	0	3	95.7	25.6
	150.01-200.00	22	22.8	19.7	74.2	88.1	92.2	104	17.4
	200.01-300.00	19.6	20	21.4	37.7	56.2	67.8	105.1	8.9
	300.01-500.00	12.5	14.7	21.6	15.2	24.4	31	53.7	3.6
	500.01-1000.00	5.4	6.7	11.1	3.7	9.5	11.9	15.6	0.9
	1000.01 and over	2.1	2.6	3.2	...	...	...	...	...
Females	TOTAL	6.2	6.4	4.5	427.1	437.2	453.5	475.8	100
	Under 60.00	100	100	100	113.1	...	...	...	26.5
	Under 64.00	...	...	...	...	...	...	...	...
	Under 73.00	...	...	...	...	91.8	74.6	...	...
	Under 81.00	21	16.4	...	...	...	...	61.8	...
	60.01-100.00	...	...	13	143.1	...	...	...	33.5
	64.01-100.00	...	...	...	...	...	...	...	...
	73.01-100.00	...	...	...	...	129.9	117.8	...	...
	81.01-100.00	29.7	26	...	...	...	...	78.2	...
	100.01-150.00	...	...	16.4	92.5	88.7	104.5	118.4	21.7
	150.01-200.00	20.3	23.1	24.9	40.3	55.6	59.9	91.1	9.4
	200.01-300.00	12.7	13.2	19.1	16.3	27.8	40.5	66.1	3.8
	300.01-500.00	6.4	8.9	13.9	5.2	11.3	15.4	25.9	1.2
	500.01-1000.00	2.6	3.4	5.4	...	3.7	4.2	5	...
	1000.01 and over	0.9	0.9	1	...	...	...	...	...
Under 64.00:									
Net wage under 64.00 (of the minimum gross wage LVL 70).									
Under									

73.00:									
Net wage under 73.00 (of the minimum gross wage LVL 80).									
Under 81.00:									
Net wage under 81.00 (of the minimum gross wage LVL 90).									
Sex:									
TOTAL:									
Net wage: 1000.01 and over: Indicator: Population (thsd): Year: 2003: Data are based on the responses given by a small number of respondents.									
Sex:									
TOTAL:									
Net wage: 1000.01 and over: Indicator: Population (thsd): Year: 2005: Data are based on the responses given by a small number of respondents.									
Sex: Females:									
Net wage: 500.01-1000.00: Indicator: Population (thsd): Year: 2003: Data are based on the responses given by a small number of respondents.									

Source: Central Statistical Bureau

According to the information provided by the State Labour inspection, the total number of accidents at work was 1,568 in 2005, of which 275 were severe accidents and 56 accidents with lethal outcome. Comparing to the data concerning accidents at work that registered in 2004, the total number of accidents increased by 166 (by 11%), the number of severe accidents increased by 21 (18%), while the number of accidents having lethal outcome has decreased by 5 (8.2%). However, there has been no significant change in the the proportion of accidents at work per 100,000 employed

Breakdown of accidents at work by years

	2002	2003	2004	2005
Total number of accidents at work	1,404	1,330	1,402	1,568
Of which having lethal outcome	56	39	61	56

Source: Ministry of Welfare

The available data shows that men more often than women suffer in accidents at work, which is explained by the fact that men are more often employed in jobs involving high risk (e.g., construction, woodworking, etc.). An important role is also played by the professional experience (seniority) of the employees. As the statistics show, employees with the shorter professional experience (seniority) more often suffer in accidents at work, the largest number of accidents being registered involving employees having the shortest professional experience (seniority) (less than 3 years).

Breakdown of data on victims of accidents by gender, age and professional experience (seniority)

	2002	2003	2004	2005
Victims of accidents at work by gender	1,404	1,330	1,402	1,568
Female	394	412	431	531

	Male	1,010	918	971	1,037
Victims of accidents at work by age		1,404	1,330	1,402	1,568
	Less than 18	15	7	8	15
	18 to 24 years	218	202	215	214
	25 to 34 years	307	263	303	307
	35 to 44 years	313	308	303	345
	45 to 54 years	343	344	338	368
	56 to 64 years	187	175	189	261
	Older than 65	21	31	46	58
Victims of accidents at work by professional experience (seniority)		1,404	1,330	1,402	1,568
	Up to 1 year	460	469	465	530
	1 to 3 years	434	429	431	489
	4 to 10 years	290	261	330	323
	11 to 15 years	64	47	56	90
	16 to 20 years	49	38	42	39
	More than 20 years	107	86	78	97

Source: Ministry of Welfare

There have been no changes in the legal regulation concerning part-time working day.

Average number of de facto working hours per week for part-time employees in their basic activity by gender and area of activity

	2004			2005		
	total	male	female	Total	male	female
Total part-time working hours	10.4	7.6	13.3	8.4	3.3	10.6
	2004		2005			
	1000	%	1000	%		
De facto working hours per week in basic activity:	1,017.7	100	1,035.9	100		
0 hours	39.4	3.9	32.9	3.2		
1-39 hours	176.3	17.3	156.0	15.1		
40 hours	510.6	50.2	570.6	55.1		
41 hours and more	291.3	28.6	276.4	26.7		

Source: Ministry of Welfare

Since 1999 there has been a stable trend of having deficit in social insurance special budget, while in 2001 the deficit reached the amount of 73.8 millions Latvian lats. In order for the State Social Insurance Agency to be able to ensure the provision of the social insurance services (payment of pensions, benefits) in the amounts and deadlines provided for by the national law, a loan has been taken from the state main budget subject to interest rates (in 2001 the annual interest rates were 3.5% for short-term loans and 9.32% for long-term loans). As of 2002, the social insurance special budget every year has been closed with a surplus, which allowed accumulating a budget reserve.

Social Insurance Budget

	Millions Latvian lats		% GDP	
	Revenues	Expenditures	Revenues	Expenditures
2002	536.5	534.9	9.3	9.3
2003	578.9	560.6	9.1	8.8
2004	658.0	606.8	8.9	8.2
2005	769.2	678.1	8.6	7.6

Source: Ministry of Welfare

Comparing to the data of 2002, there has been an increase in expenditures for sickness benefits from 11.7 millions Latvian lats to 26.8 million Latvian lats in 2005, as well as there has been an increase in the average daily amount paid in sickness benefit from 3.84 Latvian lats in 2002 to 5.13 Latvian lats in 2005 (see table below). In 2005, the average amount of sickness benefit per case was 170.13 Latvian lats.

Quantitative indicators of sickness insurance	2002	2003	2004	2005
Expenditures in millions Latvian lats (in actual prices)	11.7	14.2	21.5	26.8
Number of paid sickness days (average per month, in thousands)	252.7	307.3	372.8	430.1
Average amount of sickness benefit per day	3.84	4.11	4.60	5.13

Source: Ministry of Welfare

The ratio of unemployment benefit against the total GDP expenditures constituted 0.32% in 2005. The same year, the average number of persons receiving unemployment benefit was 37.9 thousands per month. In 2005, the average salary subject to social insurance payments was 171.19 Latvian lats, while the average amount of granted unemployment benefit was 63.73 Latvian lats (see the table below).

Quantitative indicators of insurance against unemployment	2002	2003	2004	2005
Expenditures in millions Latvian lats (in actual prices)	21.1	23.7	27.1	29.0
Number of recipients of the unemployment benefit (monthly average, in thousands)	41.5	38.9	39.7	37.9
Average unemployment benefit in Latvian lats per month	42.51	50.93	57.07	63.73

Source: Ministry of Welfare

Taking as a basis 1.5% of the GDP in 2005, the expenditure for personal income tax relief for a dependent child, as well as the expenditure for family state benefit in 2005, the amount of family state benefit for each child should be 15 Latvian lats. Currently, the family state benefit in Latvia is as follows:

For the first child – 6 Latvian lats
For the second child – 7.2 Latvian lats
For the third child – 9.60 Latvian lats
For the fourth and following children – 10.80 Latvian lats

Source: Ministry of Welfare

The ratio of expenditures for the family state benefit and the personal income tax relief for a dependent child against GDP:

2002	~ 0.74 %
2003	~ 0.78 %
2004	~ 0.66%
2005	~ 0.61 %
2006	

Source: Ministry of Welfare

The identification of families, which do not exert sufficient effort to ensure the development and upbringing of the child, where the child is not prepared for useful activity or parents abuse their parental power, is within the competence of Orphans Court and the Parish Court. The mentioned courts decide on suspension of parental power.

Reasons for the placement of children at social care institutions

	Social care centers for children – orphans				Children homes – shelters, family and NGO children homes				Specialized social care centers for children			
	2002	2003	2004	2005	2002	2003	2004	2005	2002	2003	2004	2005
Orphans	6	9	7	5	226	226	178	164	1	1	1	1
Right of social care of a child withdrawn	345	289	233	172	1629	1403	1162	789	14	14	7	30
Right to care over a child withdrawn	17	57	39	45	396	510	678	928	14	10	2	12
Abandoned children	-	79	77	68	-	37	32	37	-	11	8	7
Social conditions	-	47	40	36	-	118	78	55	-	12	17	0
Due to illness	-	159	148	141	-	24	12	25	-	237	324	306
Other reasons for placement	263	7	20	18	272	64	42	42	372	82	0	0

Source: Ministry of Welfare

In accordance with the *Law on Maternity and Sickness Insurance*, the maternity benefit shall be granted in the amount of 100% of the average insurance contribution wage of the beneficiary. The amount of maternity benefit in 2005 more than two times exceeded the minimum requirement established pursuant to Article 67 of the ILO Convention No.102. The average insurance contribution wage for the calculation of the maternity benefit is determined on the basis of the insured person's insurance contribution wage – for employees for a period of six calendar months, ending the period two calendar months before the month when the insurance case occurred while for the self-employed - for a period of 12 calendar months, ending the period three calendar months before the quarter of the year when the insurance case occurred. On 13 November 2003 amendments to the *Law on Maternity and Sickness Insurance* entered into force, which abolished the previously established the maximum amount of average insurance contribution wage per calendar day to be taken into account when calculating the insurance benefit. The previously established limitation that the average insurance contribution wage of the calendar day for the purpose of calculating benefits shall not exceed 50% of 1/365 of the annual maximum amount of the state social insurance compulsory contribution object that was in effect on the date when the insurance case occurred was applied in order to reduce state social insurance special budget deficit that was continuously in place. The adoption of the mentioned amendments the contradiction with the general principle underlying state social insurance, providing that the state social insurance service received shall be proportionate to the contributions made, was eliminated. The provision previously in force was recognized as incompatible with Article 91 of the *Satversme* by the *Satversme Court* in its 14 January 2004 judgment. Presently, the average insurance contribution wage per calendar day for the purpose of calculating benefits shall not exceed 1/365 of the annual maximum amount of the state social insurance compulsory contribution object that was in effect on the date when the insurance case occurred.

Quantitative indicators of maternity insurance

Quantitative indicators of maternity Insurance	2002	2003	2004	2005
Expenditures (in million LVL, in actual prices)	6,8	8,1	11,7	14,4
Number of paid maternity days (average per month, in thousands)	112,9	123,8	128,4	140,9
Average maternity benefit amount per day	4,96	5,85	7,28	8,47

Source: Ministry of Welfare

The task of the social assistance benefits is to provide short-term support. The benefit is only one form of social assistance and is efficient only in combination with the social work service. Since 2003 the national law defines the aim of the social assistance – to assist a person, a family or a group of persons to define, solve or diminish social problems, through developing the resources of the person concerned and involving the system of support.

During recent years there has been a gradual increase in local governments expenditure for social assistance benefits (see the table).

Local governments expenditure for social assistance benefits (thousands Latvian lats)

Type of social assistance benefit		2000.	2001.	2002.	2003.	2004.	2005.
Benefit to ensure the state guaranteed minimum income level, or low-income family benefit		1,065.4	1,066	897.3	2,556.6	3,497.1	3,404.5
One-off benefit in extraordinary situation		596.8	605	649.9	902.6	1,113.8	875.8
<i>Benefits defined by law, total</i>	<i>Thsds, Latvian lats</i>	<i>1,662.2</i>	<i>1,671</i>	<i>1,547.2</i>	<i>3,459.2</i>	<i>4,610.9</i>	<i>4,280.3</i>
	<i>%</i>	<i>11.7</i>	<i>10.8</i>	<i>9.7</i>	<i>22.1</i>	<i>24.8</i>	<i>21.9</i>
Apartment benefit		4,549.2	4,820.5	4,854.8	4,673.3	5,123.0	5,953.1
Benefit for paying for medical services		1,503.6	2,067.3	2,337.4	2,166.4	1,843.1	2,915.4
Benefit for child upbringing		1,184.7	582.7	636.8	661.9	450.7	642.8
Benefit for covering transportation expenses					878.5	748.3	543.7
Benefit for orphans and foster families			10.1	10.2	131.0	175.5	244.9
For other purposes		5,360.2	6,338.7	6 586.4	3 650.3	5 639.9	4 965.4
<i>Benefits defined by the binding regulations of the local governments, total</i>	<i>Thsds, Latvian lats</i>	<i>12,597.7</i>	<i>13,819.3</i>	<i>14,425.6</i>	<i>12,161.4</i>	<i>13,980.5</i>	<i>15,265.3</i>
	<i>%</i>	<i>88.3</i>	<i>89.2</i>	<i>90.3</i>	<i>77.9</i>	<i>75.2</i>	<i>78.1</i>
Total		14,259.9	15,490.3	15,972.8	15,620.6	18,591.4	19,545.6

Source: Ministry of Welfare

In order to ensure that the system of social assistance benefits provided by the local governments is aimed directly at the low-income residents of the local government concerned, to avoid marginalization of society, social exclusion and inherited poverty, the work commenced in 1999 to change the system of social assistance benefits provided by the local governments. The concept On Ensuring Minimum Income to Low-income Residents was developed and adopted on 8 February 2000. Based on the adopted Concept, between 1 July and 31 December 2000 (i.e., for 6 months) 20 local governments were involved in a pilot project introducing the benefit to ensure the state guaranteed minimum income level. Feedback received during the mentioned pilot project was used when amending the national law in 2003. The state guaranteed minimum income level is reviewed each year by the CM in connection with the annual state budget, following negotiations between the Ministry of Welfare and Association of Local Governments. The state guaranteed minimum income level is defined in accordance with the financial resources of the local governments and expectations of society concerning the aims of the social assistance (see the table below).

Place and role of the benefit to ensure the state guaranteed minimum income level in the social assistance system

Year	Total expenditure for social benefits, thousands Latvian lats	Incl., benefit to ensure the state guaranteed minimum income level, thousands Latvian lats	Ratio of benefit to ensure the state guaranteed minimum income level in total expenditure for social assistance by the local governments, %	Monthly amount of benefit to ensure the state guaranteed minimum income level, Latvian lats per person	Recipients of benefit to ensure the state guaranteed minimum income level, thousands persons	Average annual amount of benefit to ensure the state guaranteed minimum income level, Latvian lats per person
2000	14,259.9					
2001	15,490.3					
2002	15,972.8					
2003	15,620.6	2,556.6	16.4	15	68.5	37.3
2004	18,591.4	3,497.1	18.8	18	74.7	46.8
2005	19,545.6	3,404.5	17.4	21	58.2	58.5
2006				24		
2007				27		

Source: Ministry of Welfare

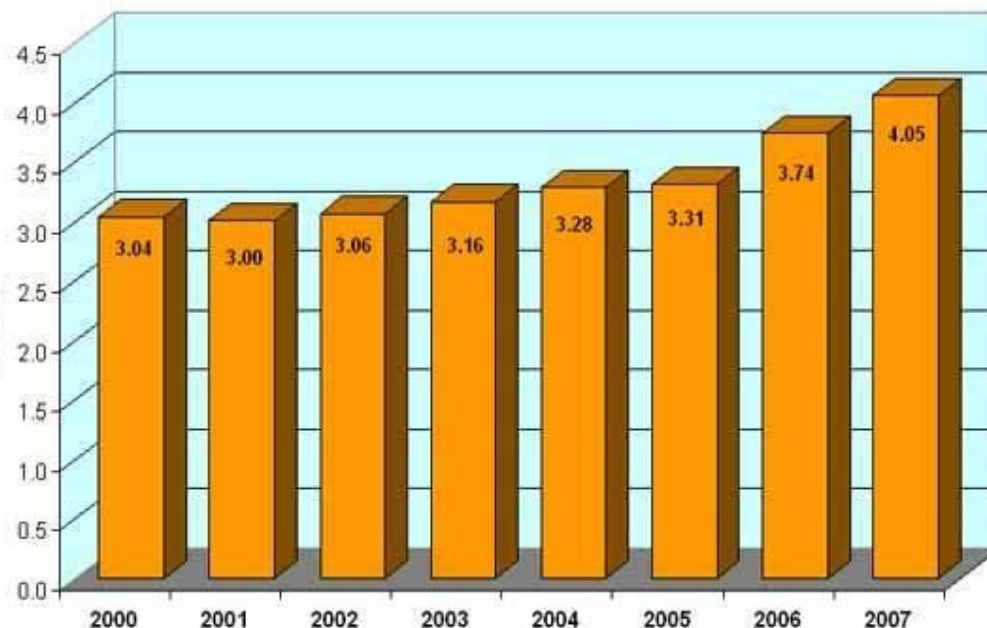
If the Orphan's Court has failed to find a possibility for an orphan or a child deprived of parental care to grow up in a family environment, it adopts the decision on placing the child in a care and education establishments. Children receive social care services at care centers for orphans, specialized social care centers for children and children's homes-shelters depending on their health condition and age. Care centers for orphans are financed from the state budget and care is provided to children under the age of two and to children with disabilities under the age of four. Specialized social care centers for children are also financed from the state budget and care is provided to disabled children with severe mental disorders. Orphanages are financed from the local budgets and care is provided to children from the age of 2 to 18 (see the distribution of children among various care institution in the table).

Number of persons who have been admitted and who have left social institutions for children during a year

		2001	2002	2003	2004	2005
Social care centers for children	admitted	365	297	327	343	293
	left	433	338	311	390	372
Children homes – shelters, family and NGOs children homes	admitted	631	556	626	794	883
	left	575	637	772	956	1013
Specialized social care centers for children	admitted	31	25	30	29	32
	left	65	43	64	37	35

Source: Ministry of Welfare

Health care budget, % of GDP



Source: Ministry of Health

Infant mortality

	2003	2004	2005
Number of infant mortality cases	198	191	168
Per 1,000 live births	9.4	9.4	7.8

Source: Ministry of Health

Although in 2005 the rate of mortality during perinatal period has not changed, as compared to 2004, the ratio has increased due to increase in the number of births (from 10.5 to 9.9 per 1,000 births). In 2005, the births rate has reached the highest point during the last seven years – 9.4 births per 1,000 inhabitants (the figures were 8.8. in 2004 and 9 in 2005 accordingly).

	2004	2005
Live births 0-6 days	20,349	21,534

Source: Ministry of Health

Infant mortality						
	Total	0 days	1-6 days	7-27 days	28 days up to 1 year	Per 1,000 births
2001	217	29	74	40	74	11.0
2002	197	20	58	37	82	9.8
2003	198	17	70	33	78	9.4
2004	191	20	55	41	75	9.4
2005	168	17	64	40	47	7.8

Source: Central Statistical Bureau

As compared to 2004, in 2005 the incidence of tuberculosis has decreased from 59.4 to 53.8 cases per 100,000 inhabitants. Comparing to the 2001 figure, in 2005 the number of registered cases has decreased by roughly 26%.

The incidence of all forms of tuberculosis per 100,000 inhabitants

	2004			2005		
	Male	female	total	male	Female	total
0-14 years of age	33.3	32.4	32.8	17.5	22.0	19.7

15-17 years of age	14.5	41.7	27.8	18.1	20.9	19.4
18 years and older	100.7	38.5	66.4	97.7	32.9	62.0

Source: Ministry of Health

The incidence of active tuberculosis						
	2000	2001	2002	2003	2004	2005
Tuberculosis cases occurring for the first time						
Total	1,715	1,729	1,540	1,481	1,373	1,238
Per 100,000 inhabitants	72	73	66	64	59	54
Including diagnosis – tuberculosis of respiratory organs						
Total	1 641	1 647	1 477	1 451	1 325	1 196
Per 100,000 inhabitants	69	70	63	62	57	52
Number of patients (at the end of the year), which were registered with medical preventative institutions						
Total	2 570	2 631	2 247	2 101	1 939	1 774
Per 100,000 inhabitants	109	112	96	91	84	77
Notes:						
In 2004, out of the total number of tuberculosis cases registered for the first time, in 68% of cases secretion of tuberculosis microbacteria were registered.						

Source: Central Statistical Bureau

Main oncologic indicators

	2002	2003	2004	2005
Incidence of malignant tumors per 100,000 inhabitants	381.2	391.8	431.1	432.9
Mortality from malignant tumors per 100,000inhabitants	240.6	245.1	248.3	253.2
Patients surviving for five years after diagnosis (%)		58.6	57.5	58.0
Lethality in the first year after diagnosing with a cancer (as of 1 January of the respective year)	34.6	34.0	34.0	35.5
The ratio of IV-stage cancer among the total number of oncologic patients (%)		24.1	23.9	24.1
Cases of oncologic pathology established during preventive examinations (%)				0.8

Source: Ministry of Health

Although in comparison to the previous years there has been a slight improvement of early cancer diagnosing, it is still considered as being low, as almost one third (29%) of visual localization tumors are in III-IV stage.

The most frequently found malignant tumors for males in Latvia in 2005 were trachea, bronchial tubes, lungs – 19.5%, prostate – 17%, stomach – 8.1%, skin – 6.8%.

The most frequently found malignant tumors for females in Latvia in 2005 were breasts – 19.7%, womb body – 7.5%, large intestine – 7%, ovaries – 6.2%, stomach – 6.1%.

The rate of mortality from the most common malignant tumors in 2005 (per 100,000 inhabitants) was as follows: lungs cancer – 46.3, stomach cancer – 23.7, large intestine cancer – 17.8,

mammary gland cancer – 17.5, pancreas cancer – 16.1, lymph haematogenic tissues cancer – 15.8, prostate cancer – 15.2, rectum cancer – 11.7, kidneys cancer – 8, ovaries cancer – 7.7.

Cancer screening has been included as part of the preventative examination program approved by 19 December 2006 CM Regulation Nr.1046 *Procedure of Organizing and Financing Health Care*. The Regulation foresees:

- Once in three years, cervix uteri onco-cystologic examination as a screening test for cervix uteri cancer for women aged 25 to 70 years;
- Once a year, Family Medical Doctor's practice of Lab performed hidden blood in faeces test (from three consequent bellybound faeces) for patients as of 50 years of age;
- Once in two years, breasts cancer screening by means of mammography for women aged 50 to 69 years.

16,616 women underwent preventive cancer screening examination by means of mammography from 1 January until 31 December 2006.

5,709 men underwent preventive cancer screening examination by means of prostate-specific antigen screening from 1 January until 31 December 2006.

Life expectancy of newborns (years)

	Total		Cities		Rural areas	
	Male	Female	Male	Female	Male	Female
2000	64.9	76.0	66.0	76.6	63.5	75.8
2001	65.2	76.6	65.6	77.9	64.2	75.9
2002	65.4	76.8	66.2	77.4	64.6	75.0
2003	65.9	76.9	67.1	77.2	64.8	75.9
2004	67.1	77.2	67.9	77.8	64.9	75.5
2005	65.6	77.4	66.5	78.5	64.8	75.0

Source: Central Statistical Bureau

Anticipated remaining life expectancy of people who have reached 60 years of age in Latvia.

	2000		2001		2002		2003		2004		2005	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
60	14.8	21.3	15.4	21.5	15.1	21.8	15.1	21.5	15.9	21.6	15.0	21.8

Source: Central Statistical Bureau

Number of persons who have been admitted and graduated from educational facilities, as well as practicing persons

Speciality	2004					
	Riga Stradiņš University			University of Latvia		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Doctors	..	62	55	..	21	7
Paediatric	..	1	1	X	X	X
Dentistry	..	42	19	X	X	X
Rehabilitation	..	72	28	X	X	X
Society health	..	16	2	X	X	X
Nursing (second grade professionals)	..	49	1	..	51	..
Speciality	2005					
	Riga Stradiņš University			University of Latvia		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Doctors	..	63	42	77	19	6
Paediatric	..	12	..	X	X	X
Dentistry	..	43	23	X	X	X
Rehabilitation	..	63	23	X	X	X
Society health	..	23	2	X	X	X
Nursing (second grade professionals)	..	72	1	91	58	..
Speciality	2006					
	Riga Stradiņš University			University of Latvia		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Doctors	285	95	63	122	19	9
Paediatric	..	10	..	X	X	X
Dentistry	63	44	17	X	X	X

Rehabilitation	108	75	32	X	X	X
Society health	19	17	1	X	X	X
Nursing (second grade professionals)	148	128	..	74	53	..

Educational establishment	Nurses								
	2004			2005			2006		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Riga Medical College	117	67	48	96	61	35	144	64	27
Medical College of the Red Cross	60	51	25	105	46	17	64	41	27
Liepāja Medical College	69	24	17	71	33	20	31	24	14
Paul Stradiņš Health and Social Care College	50	31	15	60	59	37	50	41	16
Riga First Medical College	30	16	13	21	19	13	30	19	12
Daugavpils Medical College	40	19	13	52	..	..	30	25	15

Educational establishment	Assistant Doctors								
	2004			2005			2006		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Riga Medical College	28	..	..	33	..	..	36	..	..
Medical College of the Red Cross	60	..	..	61	..	..	60	..	..
Liepāja Medical College	..	..	..	..	..	..	39	..	..

Paul Stradiņš Health and Social Care College	70	..	..	60	..	..	52	..	..
Riga First Medical College	47	13	9	33	7	4	60	20	2
Daugavpils Medical College	..	..	..	..	..	..	22	..	..

Educational establishment	Assistant Nurses								
	2004			2005			2006		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Riga Medical College	86	51	64	30	56	61	..	30	27
Medical College of the Red Cross	151	127	49	144	151	71	130	144	49
Liepāja Medical College	81	48	39	76	46	28	31	46	24
Paul Stradiņš Health and Social Care College	..	55	46	..	..	..	..	..	..
Riga First Medical College	..	..	..	32	..	..	104	24	9
Daugavpils Medical College	92	31	21	84	94	88	30	32	25

Speciality	Riga First Medical College								
	2004			2005			2006		
	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing	Admitted	Graduated	Practicing
Assistant Dentist	28	28	15	32	25	12	35	32	9
Dental Nurse	29	33	15	32	27	9	30	21	8

Dental Technician	27	22	6	26	17	2	25	20	6
Midwife	20	14	9	20	19	8	20	14	9
Assistant Pharmacist	40	31	..	35	26	..	30	25	..

Source: Ministry of Health

The ratio of Family Medical Doctors, Paediatrists and Internists in the Ministry of Health establishments – 7%, in the establishments of local governments – 15%, in the private establishments – 38%.

The system of primary health care doctors in Latvia is as follows:

2004 – 14% Paediatrists, 22% Internists, 64% Family Medical Doctors;

2005 – 13% Paediatrists, 22% Internists, 65% Family Medical Doctors.

Comparing the data of 2005 to the ones of 2004, the total number of outpatient examinations by doctors (excluding examinations by doctors at health points and examinations at paramedics-midwife health points) has increased by 392,804 examinations, or by 3.4%. In 2005, the total number of outpatient examinations by doctors was 11,908,544. There has also been an increase in the ration of outpatient examinations per one inhabitant, which in 2003 was 4.7, in 2004 – 5, in 2005 – 5.2.

The number of outpatient examinations at paramedics-midwife points and paramedics health points, 2004-2005

	2004	2005
Outpatient examinations by medical personnel with secondary medical education	462.9	458.4
Per one inhabitant	0.20	0.20

Source: Ministry of Health

The amount of ambulance work: the number of visits in 2004 – 504,435, in 2005 – 443,929. The ratio per 1,000 inhabitants in 2004 – 218.1, in 2005 – 193. The number of outpatient services provided per 1,000 inhabitants in 2004 – 3.2, in 2005 – 2.2.

The number of persons served at ambulance stations and departments, 2004-2005

	2004	2005
The total number of visits performed by ambulance stations and departments (thousands)	508.7	447.9
Per one inhabitant	0.22	0.19
The total number of persons served by ambulance stations and departments though outpatient care (thousands)	7.4	5.2
Per 100 inhabitants	0.32	0.22

Source: Ministry of Health

The number of surgeries performed in outpatient institutions and the number of patients, who underwent surgery in outpatient institutions 2004-2005

	2004	2005
Total number of surgeries	122,577	118,273
- surgery of ocular organs	13,109	11,807
- surgery of ear, throat and nose	6,267	6,043
- blood-vessel surgery	1,364	2,636
- abdominal cavity organ surgery	154	203
- female genital organs surgery	6,775	6,792
- abortions	5,490	4,527
- bone-muscular system surgery	11,457	7,044
- mammary gland surgery	98	175
- skin and under-skin tissue surgery	61,954	57,522
- other surgery	15,909	21,524

The number of patients who underwent surgery	110,012	109,046
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Source: Ministry of Health

In 2004 there were 14,725 medical personnel having secondary medical education, while in 2005 the number has slightly increased to 14,927.

In 2005 the average ratio of medical personnel having secondary medical education per doctor was 1.8. Doctors, as well as medium-level medical personnel usually are employed in side-jobs. For example, 12% nurses are employed in two jobs, while 2-3% of nurses are employed in three and more jobs. This factor has a negative influence on the quality of work and health care of patients.

The number of nurses in 2005 was 9,898, making the ratio per 10,000 inhabitants 43.1.

	2002	2003	2004	2005
The ratio of medical personnel having secondary medical education per doctor	1.8	1.9	1.8	1.8

Source: Ministry of Health

The number of inhabitants per one doctor was 285 in 2004 and 280 in 2005.

	2004	2005
The ratio of nurses in the total number of medical personnel employed in the health care system*	36,2%	35,9%
The ratio of outpatient establishments' nurses in the total number of nurses having secondary medical education	25,6%	24,8%
The ratio of certified nurses in the total number of nurses having secondary medical education	75,7%	78,6%

* the total number of persons engaged in the health care employed in the main job

Source: Ministry of Health

	2004	2005
The number of inhabitants per medical personnel having secondary medical education	157	154

Source: Ministry of Health

General education establishments

	2006./2007.m.g.	2005./2006.m.g.	2004./2005.m.g.
General educational establishments	1,008	1,017	1,026
Of which: day schools	910	919	929
general evening (shift) schools	34	34	33
specialized schools	64	64	64
Number of students in the general educational establishments	279,872	298,516	315,633
Of which: day schools	256,735	274,256	290,874
general evening (shift) schools	13,761	14,569	14,966
Specialized schools	9,376	9,691	9,793
Division of students by education level			
Basic education level – first level,			
grade 1-4	75,704	78,796	84,369
grade 5-6	45,641	50,572	57,469

Basic education level – second level, Ggrade 7-9	90,210	98,373	103,111
Secondary education level grade 10-12	68,317	70,775	70,684
General and specialized schools by language of instruction			
Latvian as language of instruction	743	741	737
Bilingual Latvian/Russian as language of instruction	110	117	128
Russian as language of instruction	148	152	155
Polish as language of instruction	4	4	4
Ukrainian as language of instruction	1	1	1
Belorussian as language of instruction	1	1	1
English as language of instruction	1	1	-
Number of students in general education and specialized schools by language of instruction			
Latvian as language of instruction	204,366	215,620	225,272
Russian as language of instruction	74,308	81,609	89,108
Polish as language of instruction	788	860	891
Other languages of instruction (Belorussian, English, Ukrainian)	410	427	362
Number of pedagogical staff working at general educational establishments			
Of which teachers	33,937	34,420	34,515
	27,690	28,261	28,556

Source: Ministry of Health

Enrolment by type of school

	Enrolment, total	Preschool establishments	General schools	Vocational schools	Higher education institutions and colleges
2002/03	574,979	69,194	340,308	46,533	118,944
2003/04	572,114	70,311	327,358	46,789	127,656
2004/05	563,994	73,004	315,633	44,651	130,706
2005/06	547,346	74,968	298,516	42,737	131,125
2006/07	527,092	77,278	279,872	40,439	129,503
At the beginning of the school year.					

Source: Central Statistical Bureau

Article 6 : the right to work

11. Please update the information provided in paras. 105-110 of the report.

Average annual number of the employed population by activity (in thousands)

	2002	2003	2004	2005
Total	989	1,007	1,018	1,036
Agriculture	147	135	132	122
Fishery	6	3	2	3
Industry	193	198	191	179
Construction	60	74	87	91

Trade	148	153	151	158
Hotels and restaurants	24	25	26	28
Transport, storage and communications	86	95	96	95
Financial mediation	13	16	18	20
Transactions with real estate; rent and other commercial activity	39	42	40	49
Public administration, defence and compulsory social insurance	68	67	73	82
Education	88	79	83	91
Health and social care	60	59	54	58
Other facilities, social and individual services	53	57	60	58

Source: Ministry of Welfare

Unemployment rate in Latvia at the end of the reporting period (%)

	2002	2003	2004	2005	2006
Jan	7.9	7.7	8.8	8.6	7.5
Feb	8.2	7.9	9.0	8.7	7.5
Mar	8.2	8.9	9.2	8.6	7.4
Apr	8.1	8.8	9.0	8.4	7.3
May	8.0	8.7	8.7	8.1	7.0
Jun	7.9	8.6	8.7	7.9	7.0
Jul	8.0	8.5	8.7	7.8	6.9
Aug	7.9	8.5	8.7	7.8	6.9
Sep	7.8	8.5	8.7	7.7	6.8
Oct	7.7	8.5	8.5	7.5	6.6
Nov	7.7	8.5	8.5	7.5	6.6
Dec	7.6	8.6	8.5	7.4	6.5

Source: State Employment Agency

Number of unemployed women at the end of the reporting period

	2002	% of the total number of unemployed	2003	% of the total number of unemployed	2004	% of the total number of unemployed	2005	% of the total number of unemployed	2006	% of the total number of unemployed
Jan	53,482	57.0	53,538	58.5	53,962	58.1	54,106	58.6	47,196	59.5
Feb	54,880	56.6	54,484	58.2	54,751	57.7	54,425	58.6	4,7255	59.3
Mar	55,241	56.6	54,739	58.2	55,701	57.6	53,903	58.9	46,758	59.4
Apr	54,932	57.0	54,584	58.4	55,669	58.0	52,980	5.3	46,168	59.8
May	54,071	57.2	53,480	58.4	54,480	58.4	51,251	59.5	44,950	60.1
Jun	54,355	58.1	53,326	58.9	54,651	58.7	50,721	60.1	45,095	60.6
Jul	55,296	58.5	53,275	59.2	54,684	59.0	50,302	60.5	44,772	61.1
Aug	55,470	58.9	53,608	59.4	55,082	59.3	50,515	60.6	44,850	61.4
Sep	54,404	59.1	53,061	59.1	54,883	59.3	49,545	60.5	43,961	61.3
Oct	53,994	59.3	53,018	59.3	54,401	59.6	48,554	60.7	43,029	61.4
Nov	53,681	59.1	53,308	59.1	53,914	59.5	48,054	60.5	42,819	61.4
Dec	52,690	58.7	52,957	58.5	53,528	59.0	47,005	59.9	41,980	60.9

Source: State Employment Agency

Number of unemployed young people aged 15-24

	2002	% of the total number of unemployed	2003	% of the total number of unemployed	2004	% of the total number of unemployed	2005	% of the total number of unemployed	2006	% of the total number of unemployed
Jan	13,304	14.2	12,702	13.9	12,237	13.2	11,886	12.9	11,370	14.3
Feb	13,991	14.4	13,225	14.1	12,537	13.2	11,998	12.9	11,575	14.5
Mar	14,010	14.4	13,192	14.0	12,940	13.4	11,791	12.9	11,459	14.5
Apr	13,573	14.1	12,844	13.8	12,582	13.1	11,506	12.9	11,163	14.5
May	13,057	13.8	12,269	13.4	11,826	12.7	11,027	12.8	10,587	14.2
Jun	12,525	13.4	11,905	13.1	11,547	12.4	10,616	12.6	10,501	14.1
Jul	13,267	14.0	11,990	13.3	11,893	12.8	10,657	12.8	10,525	14.4
Aug	13,420	14.3	12,048	13.4	12,031	13.0	11,107	13.3	10,597	14.5
Sep	13,115	14.2	12,142	13.5	12,106	13.1	11,252	13.7	10,525	14.7
Oct	12,937	14.2	11,995	13.4	12,015	13.2	11,227	14.0	10,186	14.5
Nov	12,765	14.1	12,037	13.3	11,812	13.0	11,231	14.1	10,006	14.4
Dec	12,507	13.9	12,011	13.3	11,611	12.8	11,058	14.1	9,671	14.0

Source: State Employment Agency

Unemployed women as of age 50 and older and men as of age 55 until the retirement age as prescribed by the Law on State Pensions

	2002	% of the total number of unemployed	2003	% of the total number of unemployed	2004	% of the total number of unemployed	2005	% of the total number of unemployed	2006	% of the total number of unemployed
Jan	14,675	15.6	15,185	16.6	16,534	17.8	17,609	19.1	15,384	19.4
Feb	15,090	15.6	15,455	16.5	16,830	17.7	17,623	19.0	15,350	19.3
Mar	15,264	15.6	15,718	16.7	17,083	17.7	17,516	19.1	15,269	19.4
Apr	15,296	15.9	15,806	16.9	17,145	17.9	17,192	19.2	15,112	19.6
May	15,237	16.1	15,773	17.2	16,968	18.2	16,699	19.4	14,837	19.8
Jun	15,341	16.4	15,731	17.4	17,180	18.5	16,330	19.4	14,872	20.0
Jul	15,392	16.3	15,695	17.4	17,220	18.6	16,139	19.4	14,739	20.1
Aug	15,331	16.3	15,857	17.6	17,267	18.6	16,071	19.3	14,719	20.1
Sep	15,052	16.3	15,800	17.6	17,167	18.6	15,702	19.2	14,469	20.2
Oct	14,897	16.4	15,785	17.7	17,001	18.6	15,340	19.2	14,329	20.5
Nov	14,952	16.5	16,003	17.7	17,059	18.8	15,421	19.4	14,495	20.8
Dec	14,838	16.5	16,061	17.7	17,310	19.1	15,303	19.5	14,467	21.0

Source: State Employment Agency

Number of unemployed persons with disabilities at the end of the reporting period

	2002	% of the total number of unemployed	2003	% of the total number of unemployed	2004	% of the total number of unemployed	2005	% of the total number of unemployed	2006	% of the total number of unemployed
Jan	1,843	2.0	2,015	2.2	3,213	3.5	3,347	3.6	3,451	4.3
Feb	1,942	2.0	2,069	2.2	3,284	3.5	3,474	3.7	3,569	4.5
Mar	1,972	2.0	2,253	2.4	3,437	3.6	3,527	3.9	3,589	4.6
Apr	1,972	2.0	2,453	2.6	3,368	3.5	3,595	4.0	3,555	4.6
May	2,021	2.1	2,595	2.8	3,216	3.4	3,569	4.1	3,474	4.6
Jun	1,966	2.1	2,725	3.0	3,231	3.5	3,499	4.1	3,453	4.6
Jul	1,974	2.1	2,747	3.1	3,169	3.4	3,442	4.1	3,374	4.6

Aug	1,948	2.1	2,761	3.1	3,217	3.5	3,415	4.1	3,388	4.6
Sep	1,922	2.1	2,796	3.1	3,289	3.6	3,450	4.2	3,419	4.8
Oct	1,972	2.2	3,027	3.4	3,267	3.6	3,405	4.3	3,381	4.8
Nov	1,988	2.2	3,141	3.5	3,265	3.6	3,444	4.3	3,382	4.9
Dec	1,977	2.2	3,165	3.5	3,292	3.6	3,391	4.3	3,404	4.9

Source: State Employment Agency

12. Please describe the measures undertaken by the State party to encourage employers to hire persons with disabilities.

Article 7 of the 2001 Labour Law provides that everyone shall have equal rights to work, to just and safe, as well as harmless for health conditions of work, and the right to just remuneration. These rights shall be secured without any direct or indirect discrimination based on the person's race, colour, sex, age, disability, religious or political beliefs, sexual orientation or other ground. The mentioned Article also provides positive obligations for employers to create a friendly environment (in terms of conditions of work, promoting employment, promotion at work, ability to improve professional qualification etc.) for employing persons with disabilities in order to ensure equality in the implementation of the mentioned rights with respect to persons with disabilities. At the same time, the Labour Law provides that the implementation of the mentioned positive obligation should not place a disproportionate burden on the employer.

Regulation Nr.125 of 26 March 2002 *Requirements for Work Protection at Work Places* provides that, when reconstructing or modernizing work places, if necessary, they shall be adapted to the needs of employees with special needs (disabilities).

Pursuant to the *Law on Unemployed and Job Seekers*, as well as its supporting bylaw (Regulation Nr.309) State Employment Agency organizes for unemployed persons with disabilities subsidized employment, with a purpose to improve the unemployed person's professional skills by creating temporary work places partly financed from the state budget. In order to participate in the mentioned program an employer may receive from the State Employment Agency a monthly grant to remunerate the work of the unemployed person(s) with disabilities in the amount of minimum monthly wage as set in the state, a monthly grant to remunerate the work of a supervisor guiding the work of the unemployed persons, as well as a one-off grant to adjust the work environment to the needs of a person with disabilities.

13. Please provide information on the impact of the national employment plan (para. 107) and the strategies taken to improve employment.

Following its accession to the European Union, Latvia joined the EU employment policy coordination mechanism. Thus, between 1999 and 2004 Latvia developed an annual National Action Plan on Employment (NAPE), which was the tool for the implementation of the EU employment policy. In 2005 the CM adopted Latvian National Lisbon Program 2005-2008, which aim is to promote national development and employment. The program is a policy planning document based on the decision taken at the European Council of June 2005 to renew the impetus of the Lisbon Strategy, focusing on the goals of Growth and Employment. The Program sets up the following priorities:

- promotion of inclusive labour market, by increasing the amount of active employment measures;
- promotion of economic activity in underdeveloped regions, by improving business environment, promoting commercial activity and self-employment;

- active seeking of the solution of undeclared job problem and stimulate inhabitants to formally engage in economic activity;
- broadening of education and training possibilities, in particular for persons with low qualification, as well as development of life-long education, at the same time improving the quality of education and developing measures of professional orientation.

Active measures for development of inclusive labour market are aimed at groups facing risk of social exclusion – young people age 15-24, long-term unemployed, persons returning to labour market after taking care of the child, unemployed approaching retirement age, persons with disabilities.

The number of persons taking part in active employment activities financed by the state and the European Social Fund is gradually increasing. In 2002 the number was 51,076, in 2003 54,629, in 2004 – 77,026, in 2005 – 179,599, while in 2006 – 166,450 persons.

The *Law on Unemployed and Job Seekers* provides a possibility to organize in active employment activities for young people age 15-24, long-term unemployed, persons returning to labour market after taking care of the child, unemployed approaching retirement age, persons with disabilities, persons released from imprisonment after serving the sentence, as well as other for other persons. The Law also determined the competence of the state and local government institutions in developing the system of support to the unemployed and job seekers.

In accordance with the legal acts of Latvia a person may hold simultaneously several positions and may be employed in several workplaces, of which one is the principal place of work. In many cases people who are employed in several work places, alongside with their basic occupation work at educational establishments or are involved in research, as well as act as experts in specific areas where the number of respective specialists in Latvia is comparatively small.

Article 7 : the right to just and favourable conditions of work

14. Please indicate if the “subsistence minimum” established by the State party under arts. 83 and 84 of the Latvian Labour Code is sufficient to provide a decent living for all workers and their families (para. 131 of the report).

The minimum monthly wage has been raised periodically (see the table). Prior to raising the minimum monthly wage (the basic salary) the issue is coordinated at the National Tripartite Cooperation Council (employers, the state and trade unions). The main factor influencing the amount of the minimum monthly wage is the possibilities of the national budget that determine the increase in the minimum monthly wage of employees working at institutions financed from the national budget. It should be noted that in the event of raising the minimum wage, the monthly salary scales of employees, financed from the national budget, should be reviewed and increased, resulting in a considerable increase in the amounts of required budgetary funds.

Raising the amount of the minimum monthly wage remains one of the priorities of the Ministry of Welfare. The *Labour Law*, which replaced the *Latvian Labour Code* provides that the minimum wage may not be lower than the subsistence minimum established in the state. The minimum monthly wage for work during regular working hours, as well as minimum hourly rate is set by the CM. On 27 May 2003 the CM adopted a concept *On Minimum Wage* that foresees a seven-years-long period of transition to achieve the increase of the minimum wage to the ratio of 50% of the preceding year’s average monthly gross wage of the employed. The mentioned

principle has also been incorporated in the CM Regulation Nr.413 of 22 July 2003 *On Procedure for Establishing and Reviewing Minimum Monthly Wage*. The planned increase of the monthly wage's ratio as compared to the preceding year's average monthly gross wage of the employed as estimated by the Ministry of Finance: in 2004 – 43%, in 2005 – 44%, in 2006 – 46%, in 2007 – 47%, in 2008 – 48%, in 2009 – 49%, in 2010 – 50%. Pursuant to the mentioned Regulation, the decision concerning amount and the date of introduction of the (reviewed) minimum monthly wage should be based on the economic situation in the country.

Remuneration, minimum monthly salary and the subsistence minimum

Year	Average monthly wage, Latvian lats	Average subsistence minimum, Latvian lats	Ratio of the minimum monthly wage to the subsistence minimum, %	Average minimum monthly wage of persons employed in the national economy, Latvian lats	Ratio of the minimum monthly wage to the average minimum monthly wage of persons employed in the national economy, %
1993	12.50	37.59	33.3	47.23	26.5
1994	22.00	51.50	42.7	71.87	30.6
1995	28.00	63.82	43.9	89.50	31.3
1996	35.50	73.78	48.1	98.73	36.0
1997	38.00	78.78	48.2	120.03	31.7
1998	42.00	82.15	51.1	133.30	31.5
1999	50.00	83.18	60.1	140.99	35.5
2000	50.00	84.47	59.2	149.53	33.4
2001	55.00	86.93	63.3	159.30	34.5
2002	60.00	89.29	67.20	172.78	34.7
2003	70.00	94.77	73.86	192.49	36.4
2004	80.00	100.30	79.76	210.95	37.9
2005	80.00	109.80	72.86	245.75	32.5
2006	90.00	121.83	73.87	283.00	31.8

Source: Ministry of Welfare

15. Please provide information on measures taken to instruct employers on the labour safety protection measures (para. 159 of the report).

Pursuant to the law in force employers are responsible for labour safety issues at work place. Presently, there is no requirement that employer shall be trained on the labour safety issues, unless s/he himself/herself performs the functions of labour protection. CM regulation Nr.323 of 17 June 2003 *Regulation on Training concerning Labour Protection Issues* establishes the procedure for training labour protection specialist, trustees and employees, as well as levels of trainings on labour protection and the respective rights of labour protection specialists.

16. Please indicate whether the State party has considered ratifying the ILO Convention No.174 on major industrial accidents.

The mentioned Convention has not been ratified.

17. Please indicate what measures have been undertaken by the State party to address the high incidents of labour accidents. In this regard, please update the data provided in para. 160, disaggregated by gender, age and ethnic origin.

Statistics concerning accidents at work has been provided in reply to question 10 above. In order to decrease the number of victims of accidents at work, the state each year increases the number of labour inspectors in order to facilitate proper monitoring of labour safety. Trainings are also being organized in order to improve the knowledge concerning labour safety issues; specialized consultative seminars are being organized for employers and employees to inform about the general situation in Latvia concerning accidents at work and their investigation; informative campaigns and seminars are being organized to inform employers and employees about the risks at work and ways of protecting oneself against possible accidents

18. Please provide information on cases of discrimination with regard to the application for vacancies in the offices of civil servants, if any (para. 166 of the report).

No cases have been registered.

Article 8 : Trade Union rights

19. Please identify the difficulties encountered, if any, in the implementation of the numerous laws regarding trade unions, their membership and operations.

Up until this moment, no difficulties have been encountered.

20. Please provide information on whether there are any plans to reduce the minimum number of members for a trade union to be registered (para. 187 of the report).

Presently, the Government is not planning any activities aimed at reducing the minimum number of members for a trade union to be registered, as there has been no indication by the national trade unions that there are any difficulties or problems with the existing procedure.

Article 9 : Right to social security

21. Please indicate the categories of workers (i.e. employees and self-employed, domestic, part-time and other specific groups of workers) covered by social security and the benefits guaranteed to each category of workers so as to enable a comparison of persons covered and benefits granted. In this regard, the State party is requested to bring together information provided in the report on social security and social assistance, under articles 9, 10 and 11.

Social security

Social security system in Latvia is organized by the Ministry of Welfare. State social insurance benefits and pensions are administered by the State Social Insurance Agency, which operates under supervision of the Ministry of Welfare. The agency also keeps individual insurance records.

State Social Insurance Agency pays out benefits and pensions in case of the following risks: old age, disability, survivors, unemployment, sickness, maternity, employment injuries and occupational diseases, additional expenses related to family.

There are 5 branches of state social insurance in Latvia:

- State pension insurance;

- Social insurance against unemployment;
- Social insurance against work injuries and occupational diseases;
- Disability insurance;
- Maternity and sickness insurance.

State social insurance system in Latvia is based on 2 principles:

1. generations solidarity - current benefits and pensions are financed from the current social insurance contributions;
2. benefit amount depends on contributions made.

Social insurance benefits and pensions are financed by social insurance contributions made by the following individuals:

1. persons subject to compulsory social insurance (employees, self employed persons);
2. persons who have joined to social insurance on a voluntary basis.

The contribution rate in **2005** for employees who are covered by all types of social insurance is **33,09%** of gross earnings where employers part is 24.09% and employees part – 9% where:

- Pension insurance – 25.26%;
- Unemployment insurance – 1.80%;
- Employment injuries and occupational diseases insurance – 0.09%;
- Disability insurance – 3.17%;
- Maternity and sickness insurance – 2.77%.

Social insurance contribution rate for persons who have joined pension insurance voluntarily is equal to the rate for pension insurance – 25.26 % in 2005.

Spouses of self-employed persons are covered against old-age, disability, maternity and sickness. The contribution rate for this category is the total sum of the rates for pension insurance, disability insurance and sickness and maternity insurance – 33.2 % in 2005.

The CM sets up the maximum amount of incomes (earning ceiling) and minimum amount of incomes for self employed and voluntarily insured persons from which social insurance contributions are payable for each calendar year.

In 2005, the maximum amount of income from which social insurance contributions are paid is 19,900 Latvian lats per year. The minimum amount from which contributions must be paid is 1,320 Latvian lats per year.

Self-employed persons and voluntarily insured persons themselves declare their contribution object taking into account the above mentioned minimum and maximum amount.

Rate of compulsory social insurance contributions **as of 1st January, 2006** is as follows:

- if the employee is insured for all social insurance kinds (also disabled people belonging to the I or II disability group) – **33.09%** (including insurance contribution rate due to job accident that makes 0.09% this year), where the employer pays 24.09% and the employee - 9%;
- if the employee has reached an age that entitles to receive an old age pension – **27.38%** (distribution between the employer and the employee accordingly makes 19.93% and 7.45%);
- if the employee is a beneficiary of long service pension or a disabled person belonging to the group III– beneficiary of the state special pension – **30.41%** (distribution between the employer and the employee accordingly makes 22.14% and 8.27%);

- for an employee engaged by employer of the other EU member state or EEA country (and for the employee who is applied by the legislation of the Republic of Latvia according to Articles 13., 14., 15., 16. and 17 of Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community) the compulsory contribution rate is defined in Articles 1., 2. and 3;
- for self-employed persons (also for disabled persons belonging to the I or II disability grup) – **30.2%**, while for self-employed persons who have reached an age that entitles to receive the state old-age pension, the contribution rate is **27.13%**;
- for owners of real estate registered as taxpayers of income gained from economic activities – **27.82%**;
- for non-resident employees by non-resident employer the contribution rate is **30.98%**.

Voluntary contribution rate for the person who has joined to pension insurance on a voluntary basis is **24.79%** from the voluntary contribution object but for person who has joined to pension insurance, disability insurance, maternity and sickness insurance on a voluntary basis - **30.98%** from the voluntary contribution object.

Maximum amount of the contribution rate in 2006 is 20,700 Latvian lats per year, while the minimum amount of the contribution rate for self-employed persons and persons insured voluntary 1,320 Latvian lats.

As of 1 April, 2005 amendments to the *Law On State Social Insurance* came in force giving retroactive effect to the provision, according to which a person shall be considered as socially insured if s/he is employed, regardless of whether the employer has fulfilled his/her duty of making social insurance contributions for his/her employees, by applying it to the period of time from 1 January 1991 until 13 March 2001. The mentioned principle was introduced on 14 March 2001 following 13 March 2001 judgment of *the Satversme Court* in the case No.2000-08-0109 (see reply to question 1 above).

Social services and social assistance

On 31 October 2002, the Law on Social Services and Social Assistance was adopted by the Saeima, taking effect as from 1 January 2003.

The law defines the principles of social work, social care, provision and receipt of services of social rehabilitation and social assistance, the range of persons entitled to receive these services and assistance, as well as the principles of payment for and funding of social care and social rehabilitation services.

Social services are the set of measures aimed at recreation or improvement of social functioning capability of persons in order to ensure their integration into society and satisfaction of basic needs of persons having objective difficulties to take care of themselves due to old age or functional disorders and include services at place of residence and in social rehabilitation institutions.

Social services include social care, the purpose of which is to ensure the not lowering of life quality for persons being not capable to ensure it by his or her own efforts due to old age or functional disorders, and social rehabilitation, the purpose of which is to eliminate or reduce the negative social consequences in the life of a person caused by negative influence of disability, working capacity, addiction, and other factors.

Main forms of social services – social care services at place of residence of a person, long term social care and social rehabilitation institutions, social rehabilitation services at place or residence of persons, vocational rehabilitation services, as well as provision of technical aids.

Basic principles of provision of social services:

- provision of services at the client's place of residence or as near to it as possible;
- provision of social care and social rehabilitation in long-term social care rehabilitation institutions in case the amount of social services is not sufficient for the client;
- evaluation of individual needs and resources of a person;
- provision of interinstitutional and interdisciplinary cooperation for institutions in providing of social services;
- participation of a person in the decision making process;
- a child care in a family like environment.

Social assistance is a financial or in-kind benefit granted depending on the assessment of subsistence resources of the persons (families) which do not have sufficient means to satisfy the basic needs (food, clothing, housing, health care, mandatory education). Therefore "social assistance" means income tested benefits of local governments, namely, it is a system of granting benefits on base of assessment of income and tangible situation of clients. Municipal social benefits are not universal – their granting is not based upon the client belonging to a specific social group (as single parent, or pensioner, or disabled person). In Latvia, municipal social assistance benefits are being paid from the budgets of local governments.

State benefits

State social insurance benefits guarantee a person a certain substitute for income - becoming unemployed, in the event of sickness, during prenatal and postnatal (maternity) period, accident at work or contraction of an occupational disease, death of a breadwinner, as well as in other cases.

State social insurance benefits or pensions:

- *Old-age pension*
- *Unemployment benefit*
- *Sickness benefit*
- *Maternity benefit*
- *Paternity benefit*
- *Funeral allowance*
- *Compensation for loss of working capacity*
- *Compensation for loss of breadwinner*
- *Compensation due to accident at work and occupational disease*
- *Compensation for additional expenditures and services during the treatment period*

State social benefits, when State provides financial support for certain groups of population in situations related to the onset of social risks and situations linked to a reduction in income:

- 1) for those persons who are not socially insured, or whose made contributions are not sufficient for receipt of insurance benefits and pensions;
- 2) in cases related to the arising of additional expenditures, in which the social insurance system does not provide for security (for example, state family benefit, child care and child birth benefits, state social security benefit, that provides security due to old age, disability or in case of loss a provider for persons who are not socially insured etc.).

The state social benefit system includes both benefits that are payable on a regular basis as well as lump-sum benefits.

State social benefits:

- *Child birth benefit*
- *Child care benefit*
- *Family State benefit*
- *Additional payment to family state benefit for disabled child*
- *Compensation for the guardian for the performance of the guardian's duties*
- *Allowance for Performing Guardian's Duties*
- *State social security benefit*
- *Allowance to Compensate Transport Expenses of Persons with Mobility Disabilities*
- *Funeral allowance*
- *Social State Benefit to a Participant of Mitigation of Consequences of Chernobyl NPS or His/Her Family*
- *State allowance to children of persons who were lost during Latvian independence restoration*

There are also benefits paid from the local governments budget, including benefit to ensure the state-guaranteed minimum income level.

For more information concerning existing benefits, as well as relevant statistical data see replies to question 10 above.

State social benefit and allowances (Thousands units)

	2002	2003	2004	2005	2006
State social maintenance benefit- number of beneficiaries	15	15.2	15.8	16.3	16.6
Birth allowance - number of allowances	20	21	20.7	21.2	21.6
Child care benefit for a child aged under 3 years - number of beneficiaries	47	46	44	34	38
For a child under 1 years	24	25	25	17	17
For a child aged 1 to 2 years	22	21	18	17	21
Benefit for two or more children born in one birth	-	-	-	0.4	0.4
State family allowance - number of allowances	452	441	431	411	395
Supplementary payment to the state family allowance for a disabled child - number of allowances	10.3	10.3	9.6	8.6	8.1
Sickness allowance - number of paid disability days	3100	3769	4566	5257	6344
Maternity benefit - number of paid disability days	1355	1486	1540	1691	1845
Paternity benefit - number of paid disability days	.	.	44	55	66
Funeral allowance: number of allowances	27.8	28	27.6	28	27
State social maintenance benefit- number of beneficiaries: Until 1995 inclusive, social pension was granted to the recipients of state social security benefit and to disabled children.					
For a child under 1 years: Until 2005 benefit for nursing of children in age up to 1.5 years					
For a child aged 1 to 2 years: Until 2005 benefit for nursing of children in age from 1.5 to 3 years					
Supplementary payment to the state family allowance for a disabled child - number of allowances: According to amendments to the law <i>On Social Assistance</i> enacted on 1 July 2002 supplementary payments are also granted to disabled children aged 16-18 years.					
Sickness allowance - number of paid disability days: Paid from the social insurance budget.					
Maternity benefit - number of paid disability days: Paid from the social insurance budget.					
Paternity benefit - number of paid disability days: Paid from the social insurance budget.					

Source: Central Statistical Bureau

Average amount of state social benefits and allowances (Latvian lats)

	2002	2003	2004	2005	2006
State social maintenance benefit granted (per month)	31.73	35.38	43.92	44.1	47.95
Birth allowance - paid (per month)	184.37	184.6	204.17	295.12	418.46
Child care benefit granted for a child aged under 3 years (per month)	19.16	19.87	20.51	51.19	68.94
For a child under 1 years	30	30	30	87.41	113.73
For a child aged 1 to 2 years	7.5	7.5	7.5	30	30
Benefit for two or more children born in one birth	-	-	-	38.35	36.87
State family allowance payable for one child (per month)	5.65	7.21	7.22	7.3	7.3
Supplementary payment to the state family benefit granted for a disabled child (per month)	35	50	50	50	50
Sickness allowance (per day) – paid	3.07	3.26	3.63	4.08	4.72
Maternity benefit (per day) – paid	4.96	5.85	7.28	8.47	9.88
Paternity benefit (per day) – paid	x	x	7.65	8.5	10.38
Funeral allowance – paid	133.1	138.02	153.94	172.81	203.37
State social maintenance benefit granted (per month): Until 1995 inclusive, social pension was granted to the recipients of state social maintenance benefit and to disabled children.					
For a child under 1 years: Until 2005 benefit for nursing of children in age up to 1.5 years					
For a child aged 1 to 2 years: Until 2005 benefit for nursing of children in age from 1.5 to 3 years.					
Sickness allowance (per day) - paid: Paid from the social insurance budget.					
Maternity benefit (per day) - paid: Paid from the social insurance budget.					
Paternity benefit (per day) - paid: Paid from the social insurance budget.					

Source: Central Statistical Bureau

22. Please indicate the measures taken by the State party, whether through financial support, or access to health services, to assist mothers who are not entitled to benefits because they do not contribute to the compulsory contribution system.

As mentioned in reply to the previous question above, there are a number of benefits that are paid regardless of the fact whether the person concerned (**either a mother or a father**, depending on who takes care of the child) has participated in the social insurance system.

2005 figures show that 73.4% of the total number of women giving birth to a child receive maternity benefit. Speaking of paternity benefit, the figures are as follows: in 2004 22% of fathers of the newly born child received the benefit, in 2005 – 25,5%, in 2006 – 29.5%.

Article 10 : Protection of the family, mothers and children

23. Please provide more information on the competence and activities of the Orphans' Court (para. 290 of the report).

On 22 June 2006 the Saeima adopted a new law on Orphans' Court. An Orphan's court is a guardianship and trusteeship institution established by a county, city or parish local government. The relevant local government council (parish council) shall assign financial resources for the operation of an Orphan's court. If several local governments jointly establish an Orphan's court, it shall be financed in accordance with the agreement of the relevant local governments.

Orphan' Court has jurisdiction over the following issues:

- Defence of the interests of a child (permission to enter into marriage, granting full capacity, decision concerning disbursement of social benefits, etc.);
- Dispute settlement (concerning name, surname, nationality of the child, disputes with parents and guardians/custodians);
- Recognition of paternity;
- Protection of property interests of a child;
- Removal and renewal of child care and custody rights;
- Adoption;
- Foster families (suitability of a family to become a foster family, granting the status, placing the child in a foster family);
- Issues related to guardianship;
- Placing a child in an institution of long-term social care and social rehabilitation, as well as monitoring the proper implementation of his/her rights while there;
- Appointment and supervision of trusteeship;
- Other issues.

Full text of the Law on Orphan's Court in English is available on the website of the Ministry for Children and Family Affairs http://www.bm.gov.lv/eng/regulatory_enactment/regulatory_enactment/?doc=6426.

In 2003 1,538 persons were deprived of parental care rights by a decision of an Orphan's Court. In 2004 the number was 1,672, while in 2005 – 1,598. The number of children affected was 1,700 in 2003, 1,918 in 2004, and 1,943 in 2005. The parental care rights were renewed to 439 persons (affecting 595 children) in 2003, 643 persons in 2004 (affecting 832 children), and 687 persons in 2005 (affecting 956 children).

For statistical data on reasons for the placement of children at social care institutions please refer to replies to question 10 above.

24. Please indicate whether there has been any progress in the provision of the maternity benefit (para. 327 of the report).

The Government kindly invites the Committee to take into account that the right to receive a benefit in case of a child birth is enjoyed by the parent taking care of the child (**a mother or a father**).

Taking as a basis Article 67 of the ILO Convention No.102 Social Security (Minimum Standards), in 2005, the amount of maternity benefit in Latvia was more than two times higher than the minimum standard established thereby.

	Amount of benefit using as a basis the minimum standard set by ILO Convention No.102*	Amount of monthly benefit as provided for by the Latvian law, Latvian lats**
Maternity benefit	98.07 Latvian lats	254.1 Latvian lats

Source: Ministry of Welfare

* 45% of the person's deemed typical of skilled labour wage (a man with a wife and two children). Pursuant to the provisions of ILO Convention No.102, the person deemed typical of skilled labour shall be a person employed in the major group of economic activities with the largest number of economically active male persons protected in the contingency in question, or of the breadwinners of the persons protected, as the case may be, in the division comprising the largest number of such persons or breadwinners. Based on the data of the Central Statistical Bureau, in Latvia the relevant group to be taken into account are industry workers, whose gross monthly salaries in 2005 were 217.93 Latvian lats.

** State Social Insurance Agency data of 2005.

In 2002, expenditure from the state budget for maternity benefits were 6.8 millions Latvian lats, while in 2005 the figure increased to 14.4 millions Latvian lats, thus reaching the ratio of 0.16% of GDP.

As of 1 January 2004 the Latvian legislation provides that fathers are entitled to paternity leave of 10 days following the birth of a child, as well as to a paternity benefit amounting to 80% of the beneficiary's average social security contributions wage. Paternity benefit is granted to all persons, which have been participating in social insurance system on the day of the insurance case. The average social insurance contribution wage for the calculation of the paternity benefit is determined on the basis of the insured person's insurance contribution wage – for employees for a period of six calendar months, ending the period two calendar months before the month when the insurance case occurred while for the self-employed - for a period of 12 calendar months, ending the period three calendar months before the quarter of the year when the insurance case occurred.

Quantitative indicators of paternity benefit	2004	2005
Expenditures in millions Latvian lats (in actual prices)	0.350	0.475
Number of paternity benefit recipients (per year)	4,500	5,460
Average daily amount of paternity benefit (Latvian lats)	7.65	8.50

Source: Ministry of Welfare

For more information concerning maternity and paternity benefits, the Committee is invited to refer to replies to questions 10, 21 and 22 above.

25. Please indicate whether the State party has considered ratifying the ILO Convention No. 182 on the worst forms of child labour.

The 1999 C182 Worst Forms of Child Labour Convention was ratified on 2 June 2006.

26. Please provide information on the legal framework to combat domestic violence, including spousal rape, and on measures taken to prevent acts of domestic violence, such as awareness-raising campaigns and restraining orders for abusive partners. Please also provide information on assistance provided to victims of domestic violence, including special shelters for battered women and children.

Article 51, *Protection of the Child from Illegal Activities, of the Law on Protection of the Rights of the Child* stipulates that

“(1) For violence against a child, encouraging or forcing a child to take part in sexual activities, exploitation or involvement of a child in prostitution, the persons at fault shall be held liable as prescribed by law.

(2) A child who is a victim of a criminal offence, exploitation, sexual abuse, violence or any other unlawful, cruel or demeaning acts, shall, in accordance with procedures prescribed by the Cabinet, be provided with emergency assistance free of charge, in order that a child may regain physical and mental health and reintegrate into society. Such medical treatment and reintegration shall take place in an environment favourable to the health, self-esteem and honour of a child, carefully guarding the child’s intimate secrets.

(3) Every person has the duty to inform the police or another competent institution regarding violence or any other criminal offence directed against a child. For failing to inform, the persons at fault shall be held to liability as prescribed by law.”

Article 52, *Child Victims of Violence or Other Illegal Acts of the Law on Protection of the Rights of the Child* stipulates that

“(1) Special institutions or sections in general medical institutions shall be established and special resources allocated in the State budget for the medical treatment and rehabilitation of a child who has suffered as a result of violence. Expenditures for the medical treatment and rehabilitation of the child shall be covered by the State and shall be collected from the persons at fault by subrogation procedures.

(2) Special medical treatment shall be provided for a child who has become ill with a sexually transmitted disease. The adults at fault for the illness of the child shall be held liable as prescribed by law and the costs of the medical treatment shall be collected from them.

As of 2000, a child who is a victim of criminal acts (a criminal offence, exploitation, sexual abuse, violence or any other illegal, cruel or humiliating action) is provided assistance, financed by the national budget, which is necessary for the child to recover physical and mental health and to integrate into the community.”

Article 253 of the Criminal Procedure Law provides for a possibility for official in charge of investigation to impose a restraint order upon a suspect or accused to approach a person or a place closer than the established limit, or to establish a physical or visual contact, or means of communications to get in contact with the person under protection.

In order to develop institutional support system and to provide families, including women, a possibility within the State program from improving the situation of family and children in cooperation with local governments and NGOs. Within the framework of the mentioned program more than 20 family support and crisis centers have been established and are operating across Latvia. There is also a number of NGO crisis and support centers, providing social psychological and legal assistance both to victims and perpetrators.

Within the action plan 2004-2013 of the *State Family Policy Document* it is foreseen to establish every year one new regional center that would provide complex assistance in crisis situations, including providing temporary shelter for mothers with children in a crisis situation.

As of 2008, the Ministry of Family and Children Affairs is planning to start the project of providing social rehabilitation to pregnant women – victims of violence and pregnant girls, as well as young mothers in crisis situation. Presently, the Ministry is financing free consultations by a psychologist in Riga, Valmiera, Gulbene and Tukums.

As of 2008, the Ministry of Family and Children and Family Affairs is planning to become involved in the provision of rehabilitation services to the perpetrators of domestic violence in order to decrease the risk of recidivism.

Number of children–victims of violence who have received social rehabilitation

Year	Number of children	
	Institutional	At place of residence
2003	473	839
2004	560	941
2005	562	872

Source: Ministry of Welfare

Budget allocated for the social rehabilitation for children–victims of violence

Year	Budget (LVL)		
	Institutional	At place of residence	Total
2003	114,705.71	40,260.73	154,966.44
2004	132,140.11	45,172.82	177,312.93
2005	151,498.63	41,865.60	193,364.23

Source: Ministry of Welfare

Training for specialists assisting children who have been subjected to violence is provided from the State budget. In 2003, 2,164.27 LVL were allocated for these training needs.

27. Please provide updated statistical data on the number of women and children who are trafficked to, from and in transit through the territory of the State party. Please also indicate whether there is a coordinated national approach to counter-trafficking programmes.

Legislation

At present, the legislation of the Republic of Latvia as regards the combat against human trafficking has become very progressive and might serve as an example for other countries. The legislation defines all most important aspects as to the suppression of trafficking in people, as well as a criminal penalty mechanism, which would prevent persons from committing potential crimes, has been developed. Since restoration of its independence, Latvia has assumed the international obligations in relation to the combat against trafficking in people, ratifying the Palermo Convention and the UN convention on suppression of trafficking in people, as well as participating in the EU activities in this area.

In 2004, the legal regulation that allows classifying crimes committed in the territory of Latvia that conform to the notion of human trafficking as human trafficking (amendments to Section 154.1 ‘Human Trafficking’ of the Criminal Law) was implemented. Furthermore, the legal regulation pursuant to which aliens and stateless persons who do not have permanent residence permits for the Republic of Latvia and who have committed especially serious crimes in the territory of another state which have been directed against the Republic of Latvia or against the interests of its inhabitants, shall be held criminally liable in accordance with the Criminal Law (amendments to Section 4 (3) of the Criminal Law. The time of imprisonment for sending a person for sexual exploitation has been increased over 5 years, thus making it a severe crime, the purpose being to ensure the right to special procedural protection for victims, witnesses,

suspects, defendants, persons on trial, sentenced persons (amendments to paragraph one of Section 165.1 of the Criminal Law).

The legislation is being improved continuously. Amendments to the Criminal Law have been prepared and passed to the *Saeima* in order to supplement it with new definitions of crimes in order to stipulate criminal liability for the following violations: maintenance, management or intended financing of a brothel, or participation in the financing of a brothel; and intended rent of a building or other premises or part thereof for prostitution.

Criminal cases instituted under Article 165¹ of the Criminal Law *Sending a Person for Sexual Exploitation*

TOTAL	110
2000	1
2001	12
2002	13
2003	13
2004	26
2005	17
2006	22
2007	6

Source: Ministry of Interior

Criminal cases instituted under Article 154¹ of the Criminal Law *Human Trafficking*

TOTAL	23
2003	3
2004	4
2005	5
2006	6

Source: Ministry of Interior

Children involved in sexual exploitation, including prostitution, pornography and trafficking and a number of those children provided with access to recovery, reintegration services and other forms of assistance

	2003	2004	2005
The number of underage victims in cases under Article 154 ¹ of <i>Criminal Law, Human trafficking</i>	-	3	-
The number of underage victims in cases under Article 165 ¹ of <i>Criminal Law, Sending a Person for Sexual Exploitation</i>	1	2	-

Source: Ministry of Interior

Following the amendments to *the Latvian Criminal Law* in 2000, the number of underage persons involved in prostitution and number of underage persons sent abroad for human trafficking has decreased. In 2005, there were no children trafficking cases in Latvia and no cases of children being sent abroad for sexual exploitation.

On 3 March 2004 the *State Program for Elimination of Trafficking in Humans (2004-2008)* was adopted by the Cabinet of Ministers. The Ministry of Welfare is one of the ministries responsible for implementation of the program. The Ministry of Welfare is responsible for implementation of activities included in the section “*Support services for victims of human trafficking (rehabilitation)*” aimed at ensuring inclusion of victims of human trafficking into society by providing coordinated interinstitutional social support services. In order to achieve

this aim, on 17 June 2004 amendments were adopted to the *Law on Social Services and Social Assistance* introducing provision that “the State shall ensure the social rehabilitation of victims of the traffic in human beings”.

Another aim of the *State Program Against Human Trafficking for 2004-2008* is to facilitate implementation of Article 20 of the *Law on Protection of the Rights of the Child*, which require that cases concerning the alleged abuse of children’s rights should be examined by specially trained specialists. The Program foresees an increase in the number of the staff in the Inspection of Juvenile Affairs of the State Police to reach 164 staff members. In 2004, 180,072 Latvian lats were allocated from the state budget to implement this Program. In 2005, the total amount allocated was less that actually needed. According to the *Law on the 2005 State Budget* to facilitate development of Inspection of Juvenile Affairs of the State Police the amount of 8,784 LVL was allocated for additional 2 staff posts.

The Resource Center for Women “Marta”, is one of the institutions rendering the support for victims within framework of various projects. Between end of 2003 and May 2005, the Center has provided social rehabilitation for 26 persons. As of 2006, the Center is providing state-financed social rehabilitation for victims of trafficking.

During January-September 2006 four persons have used the opportunity to receive state-financed social rehabilitation for victims of trafficking, while the available state budget for this purpose was enough to pay for the rehabilitation of 14 persons. At the same time, 15 persons received rehabilitation services available from other resources. The Ministry of Welfare estimates that in 2007 30 persons will be able to receive state-financed social rehabilitation services.

28. Please describe the impact of preventive and educational measures taken by the State party to address child abuse (paras 409 to 411 of the report).

Reported cases of child abuse

Year	2003	2004	2005 (Jan-Sep)
Number of reported cases of child abuse received by Prosecutor General Office	55	68	34
Number of cases of child abuse forwarded to other institutions	20	17	8
Number of cases of child abuse forwarded to Public Prosecutor Offices	4	5	8

Source: Prosecutor General Office

Number and percentage of reports which have resulted in a court decision or other form of follow-up

Year	2003	2004	2005 (Jan-Sep)
Number of reports which have resulted in court decision or other form of follow-up	32	42	22
Number of reports which have resulted in court decision or other form of follow-up and decision has defined the violation of the law	4	14	5

Source: Prosecutor General Office

The Ministry of Family and Children Affairs supported the informative campaign *For Secure Childhood* organized by the center against violence “Dardedze”. The campaign was aimed at drawing the adults’ attention to their attitude towards children and promote positive upbringing

of children. The campaign run simultaneously in several Eastern European countries – Bulgaria, Latvia, Lithuania, Moldova, Poland, the Former Yugoslav Republic of Macedonia and Ukraine.

Within the framework of the mentioned campaign a number of informative seminars and events took place, where various important issues were discussed, such as violence against children, trafficking in children and their sexual exploitation, justification of violence by the mass media. In order to provide continuous information about this issue, the Ministry of Family and Children Affairs regularly publishes on its official website information and methodological aids.

As a result of informative campaigns there has been an increased interest and understanding in society of the violence against children, which in its turn, facilitates identification of victims of violence and provision of timely support and assistance.

Article 11 : the right to an adequate standard of living

29. Please indicate whether the State party has adopted an official poverty line.

Since 1998, the Latvian Government has declared its intention to combat poverty and social exclusion. This political will resulted in acceptance of *the Joint Inclusion Memorandum (JIM)*. On 18 December 2003 the Minister of Welfare signed JIM in Brussels thus approving the commitment of the Latvian government to combat poverty and social exclusion. *The National Plan for Reduction of Poverty and Social Exclusion for 2004-2006* was approved in 2004 and supported by the national and EU Structural Funds funding.

In Latvia, official poverty line is not defined. At the same time, in order to define groups of population subject to the risk of poverty, Latvia is using the EU developed indicators – the Laeken indicators. The poverty risk index is defined as 60% of income median of the equivalent household member; it is calculated for the entire state and is not linked to any social groups, including to families with children. The mentioned poverty risk threshold has an illustrative value only and may not be used for determining poverty level, as well as it is not related to the implementation of state social policies.

The index is identified since 2000 by the Central Statistical Bureau. In 2004, the relative poverty line was established at 105 EUR per one equivalent consumer.

Index of the risk of poverty in different groups of population (%)

	2000	2001	2002	2003	2004
<i>Of the total population</i>	16	...	16	16	19
Respectively by gender and age					
<i>Male</i>	17	...	16	15	18
<i>Female</i>	16	...	16	17	21
<i>Age 0 – 15 years</i>	...	...	19	19	21
<i>Age 16 – 24 years</i>	...	...	18	19	21
<i>Male</i>	...	...	18	19	21
<i>Female</i>	...	...	18	20	20
By housekeeping type					
<i>Single household</i>	...	...	21	25	40
<i>Single household age 65 years or older</i>	...	...	17	28	53

<i>Housekeeping type of 2 adults under the age of 65 without dependent children</i>	...	...	15	14	15
<i>Housekeeping type of 2 adults aged under 65 years, while other older 65 years, without dependent children</i>	...	...	7	10	13
<i>Other housekeeping types without dependent children</i>	...	...	10	12	14
<i>Incomplete family with 1 or more dependent children</i>	...	...	35	35	41
<i>2 adult, 1 dependent child</i>	...	...	14	13	11
<i>2 adult, 2 dependent children</i>	...	...	19	13	17
<i>2 adult, 3 and more dependent children</i>	...	...	22	32	32
<i>Other housekeeping types with dependent children</i>	...	...	15	18	19

Source: Ministry of Economy

For more information concerning income and assistance to low-income families the Committee is invited to refer to the reply to questions 5, 10 and 21 above.

30. Please provide a general overview of the extent to which equal access to adequate food is guaranteed in the State party, in particular for the disadvantaged and marginalised individuals and groups, including immigrants, ethnic minorities, children, the youth and older persons.

The right to adequate food is being guaranteed through providing support and benefits to vulnerable groups of society to ensure that their income level is not lower than the minimum subsistence level established in the country. For more detailed information the Committee is invited to refer to replies to questions 5, 10, 21 and 29 above.

31. Please indicate the extent of homelessness and forced evictions in the State party. Please also provide information on the measures taken by the State party to address these issues, in accordance with the Committee's General Comments 4 & 7.

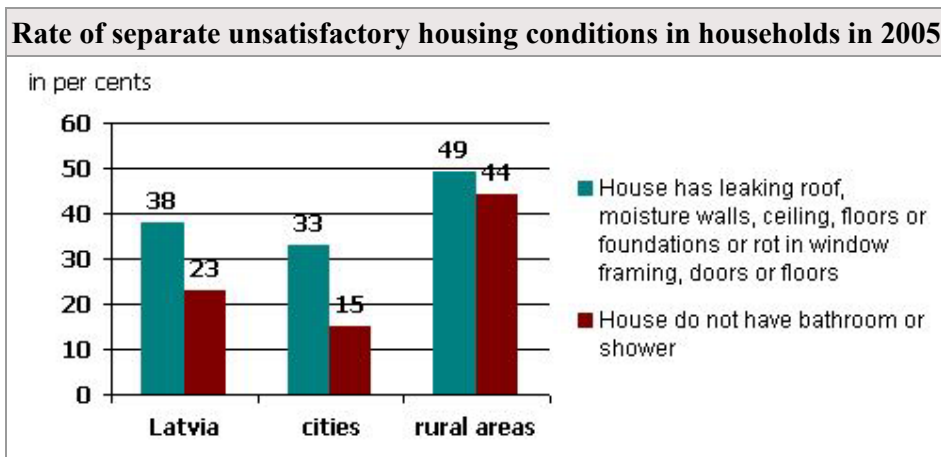
32. Please provide information on the number of persons currently classified as living in inadequate housing conditions.

The existing legislation of Latvia does not define the term „living in inadequate housing conditions”. However, the *Law On Residential Tenancy* determines that a residential space fit for living shall be a premise having light and heat suitable for long-term human shelter and placement of household items, as well as it shall comply with the construction and hygiene requirements specified by the CM Regulations.

Approximately 51% of households are facing problems with the quality of housing conditions. According to the information gathered by the Central Statistical Bureau of Latvia, there are the following most common housing problems:

- house have leaking roof; moisture walls, ceiling, floors or foundations or rot in window framing, doors or floors
- it is too dark, lack of light;
- house do not have bathroom or shower;
- house do not have sewerage.

It is considered that a household is exposed to unsatisfactory household condition risk, if at least one of the above mentioned quality problems occur. Households situated in rural areas more often face housing quality problems; average each second household has defects in its walls, ceiling, floor and foundations, though also in cities on third of households mentioned problems of the same character.



Source: Ministry of Economy

It must be noted that more than 85% of housing fund in cities of Latvia and more than 97% of housing fund in rural areas are private property.

33. Please provide information on the existence of any laws affecting the right to housing.

The key laws regulating housing-related issues are the *Law on Renting of Dwelling Space*, the *Law on Privatization of State and Municipal Residence Houses*, the *Law on Apartment Property* and the *Law on Municipal Assistance in Solving Apartment-related Problems*.

The legislation in force contains provisions that protect vulnerable groups of society against the loss of housing:

1. Since 2002, the national law does not allow the eviction of families with children on the basis of unsettled rent and public utilities payments without providing another dwelling;
2. Since 1997, the status of social housing has been defined along with the criteria and procedure for assigning such housing;
3. Since 1995, the obligation of municipalities is to grant housing benefits to families who are unable to fully cover rental and utilities' payments;
4. It is the duty of municipalities to ensure housing for persons who have been released from imprisonment and for children without parental care, who return from long-term residence in social care institutions after coming of age (from children's shelters and orphanages).
5. Starting from 2006, municipalities may apply for State financial support to solve housing-related matters – the State aid is for the construction of residential houses, the renovation of non-rented residential houses, the conversion (reconstruction) of buildings into residential houses, the completion of newly erected apartment houses (the construction work of which has been suspended) or the acquisition of separate apartment properties for the ensuring of the permanent function of local governments – the provision of assistance to residents in the solving of apartment matters .

Law On Residential Tenancy

The Law regulates the provisions for renting out residential space regardless of who owns the residential space, as well as the legal relations between the lessor and a tenant, specifies their rights and duties, as well as governs the procedures for entering into, amending and terminating residential tenancy agreement.

Law On Assistance In Solving Apartment Matters

The Law prescribes which persons have the right to receive assistance in solving residential space matters, as well as the procedures by which the assistance is provided for inhabitants in solving apartment matters.

34. Please indicate the role of international assistance in the full realisation of all the rights enshrined in article 11. In this regard, please provide information, including statistics on a disaggregated basis, as to how this assistance benefits the various sectors in the State party.

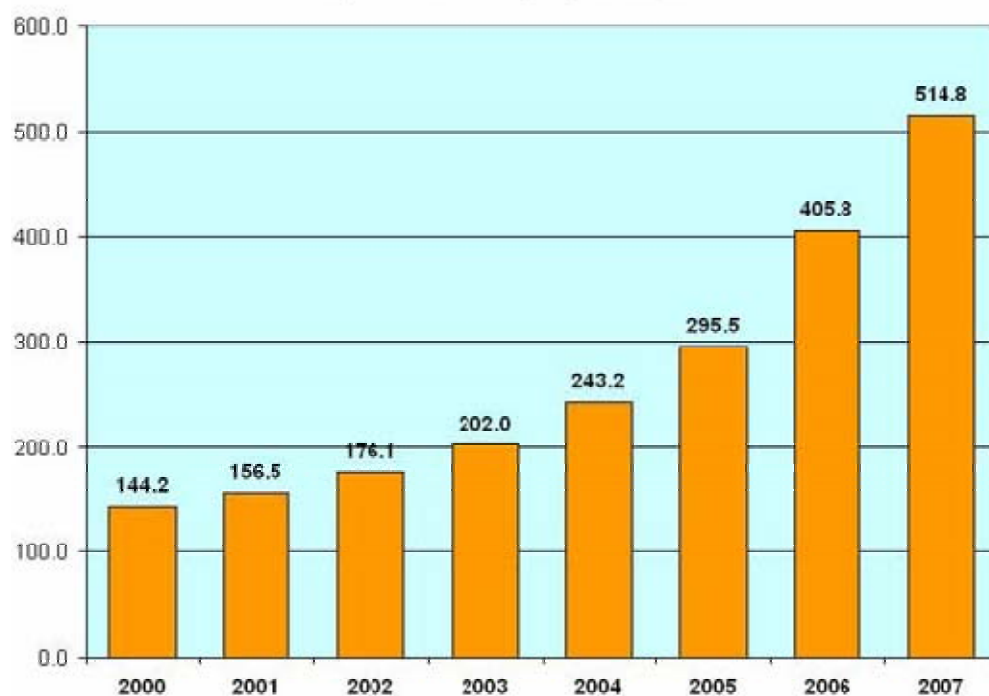
No activities in this area have taken place during the reporting period.

Article 12 : the right to physical and mental health

35. Please explain the reasons behind the decrease in the government financing for healthcare (para. 430 of the report).

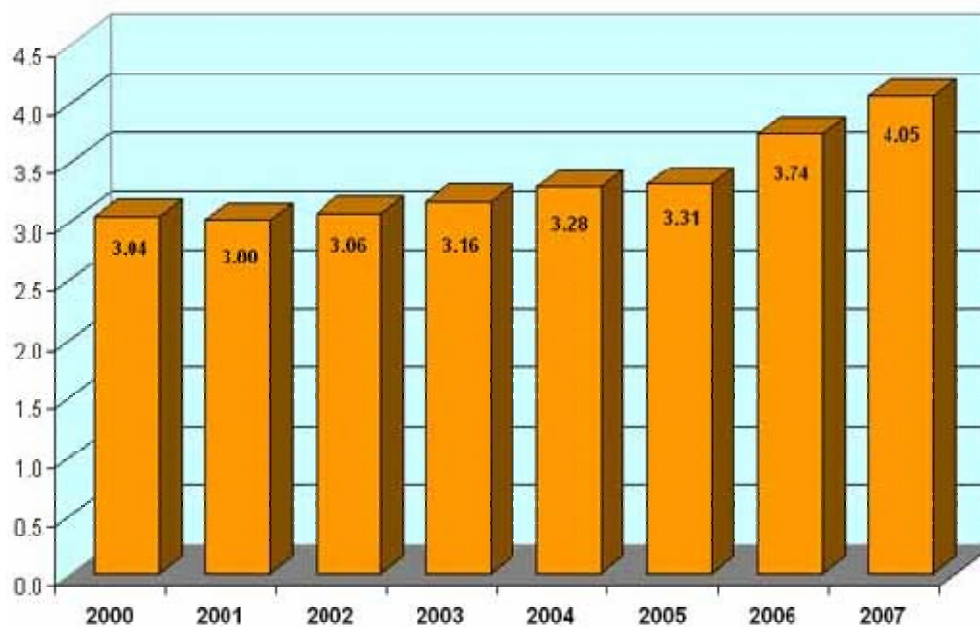
Since 2000 there has been a gradual annual increase of the state healthcare budget. If in 2000 the state healthcare budget was 144.2 millions Latvian lats (3.04% GDP), then in 2007 the figure was 514.8 millions Latvian lats (4.05% GDP).

State healthcare budget (millions Latvian lats)



Source: Ministry of Health

State healthcare budget (% GDP)



Source: Ministry of Health

36. Please provide detailed information on the results of the reform of the health system which began in 1993 (para. 431 of the report), in particular, on equal access to health care and medical services for disadvantaged and marginalised individuals and groups.

Presently, the Ministry of Health has set up the following priorities in its work:

- Improve accessibility of the healthcare services for inhabitants, by developing healthcare infrastructure (paying specific attention to the primary healthcare and emergency medical assistance) and improving the quality of healthcare services;
- Modernize emergency medical assistance service;
- Provide and develop human resources of the healthcare system.

In order to reach the set priorities, a number of policy planning documents have been drafted and adopted. For example, the *In-patient and Out-patient Healthcare Service Development Program* adopted by the CM on 20 December 2004 foresees optimization of the number and location of providers of out-patient, in-patient and emergency assistance medical services in order to equalize the level of the healthcare services across the Latvian territory. Within the framework of the mentioned Program, it is foreseen to decrease the number of hospitals from 112 to 46 by merging them, re-structuring or closing the existing hospitals, in order to more efficiently use the available limited financial resources.

The out-patient and in-patient healthcare service development program also foresees establishment of 20 new primary care medical doctors (Family Medical Doctors) practices, as well as restructuring of and improving 50 existing primary care medical doctors (Family Medical Doctors) practices, in order to bring healthcare services as close as possible to the inhabitants.

In order to develop high-quality accessible emergency medical assistance service system, in accordance with the mentioned Program and the *Basic Principles of Emergency Medical Assistance Service Development* adopted by the CM on 19 July 2005, it is planned to introduce a unified system of ambulance and operational management, as well as management of the sick and injured hospitalization system in the state to introduce the principle of the “closest available ambulance unit” with the purpose of ensuring that the patient is brought as fast as possible to the closest relevant hospital. The *Basic Principles of Emergency Medical Assistance Service Development* foresee the establishment of 34 new emergency medical assistance stations and 48

new ambulance teams, as well as to provide the emergency medical assistance service with high-quality means of communication and quick response medical vehicles, to develop remuneration system and social guarantees for its employees.

In order to introduce out-patient and in-patient healthcare service development program, emphasis is being made to the issue of human resources, as it is not enough to set up a new Family Medical Doctor's practice, but also to find competent medical personnel that would work there. Rural areas pose a specific problem in this regard.

In order to ensure the long-term development of the human resources in the healthcare system on 18 May 2005 the CM adopted a framework document *Development of Healthcare Human Resources*, while on 6 November 2006 the CM adopted another policy planning document *Development of Healthcare Human Resources 2006-2015*.

Work is being done in facilitating development of pharmaceutical care and accessibility of medicine, in particular for the residents of rural areas, as well as development of efficient and rational system of compensation of expenses for medicine, which should specifically facilitate development of out-patient care for persons with chronic or serious diseases.

A number of activities are taking place in order to improve the accessibility of healthcare services for vulnerable groups of society, for example, children under 18 years of age, low-income persons, former politically repressed persons, persons who suffered from the consequences of eliminating the consequences of Chernobyl accident, persons having tuberculosis (when undergoing examinations to determine diagnosis), mentally ill persons (when receiving psychiatric treatment), as well as state or local government social care centers' residents are being released from patient's fee.

Discounts are being available for patient's fee to persons having disability group I, as well as to persons older than 80 years of age (for home visits by Family Medical Doctors), as well as to the retired persons whose monthly pension does not exceed 60 Latvian lats (for attending a medical doctor-expert).

Taking into account that continuous medical treatment may create the risk of poverty to the patient, the state has established the patient's fee "ceiling"; after reaching which the patient is being released from the patient's fee. The total amount of a single hospitalizing may not exceed 80 Latvian lats, while the total amount of patient's fee for in-patient and out-patient healthcare services may not exceed 150 Latvian lats per year.

Patients having certain diagnosis are being compensated (100%, 90%, 75% or 50%) for expenses for medicine in accordance with the principle of the reference price, namely, the state compensates for the cheapest of the equally efficient medicine, applying compensation rate that allows compensating expenses to the largest possible amount of patients. Pursuant to the state budget priorities for 2006, the compensation budget for medical expenses was 42.69 millions Latvian lats, which was by 8.35 millions Latvian lats more as compared to the same budget of 2005.

37. Please indicate the causative factors for the insufficient number of medical personnel, which according to para. 489 of the report, is a serious problem in the State party. Please describe what measures are being implemented by the State party to address this situation.

The key factor for insufficient number of medical personnel is comparatively low remuneration. While since 2002 there has been a gradual increase in the number of medical personnel, the

problem of remuneration has not been fully resolved, as well as additional problem of labour force migration appeared.

In order to define priorities in developing human resources of the healthcare system on 18 May 2005 the CM adopted a framework document *Development of Healthcare Human Resources*. On 6 November 2006 the CM adopted another policy planning document *Development of Healthcare Human Resources 2006-2015*, which identifies the following problematic areas:

- Shortage of the healthcare personnel, their gradual ageing;
- Unequal distribution of the healthcare personnel across the territory of Latvia;
- Inability of the education system to meet the increasing needs of labour market and human resources development in the healthcare branch;
- Insufficient remuneration and social guarantees system of the healthcare personnel.

In order to provide a solution to the above mentioned problems the document *Development of Healthcare Human Resources 2006-2015* foresees the following plan of action:

- *Efficient planning of the healthcare human resources*, by adopting such planning methodology (calculation of the ratio of the number of beds, number of patients to the minimum medical personnel for the in-patient healthcare institutions), developing planning methodology for different healthcare levels, as well as implement the mentioned planning and perform further analysis to identify areas that need improvement;
- *Ensuring the necessary number of healthcare personnel having necessary qualifications in places where the shortage arises*, by facilitating the involvement of the employers in the Latvian regions in planning development of the healthcare human resources, collect information and data concerning human resources' trends in medical institutions, facilitate participation of the employers and local governments in attracting young specialists to work in the healthcare system in the regions, as well as promote the positive image in society of the healthcare-related professions;
- *Development of the education system* (high, vocational and continuing education) responding to the needs of the healthcare system's labour market, including improvement of living and studies environment, remuneration of the teaching personnel, improvement of the quality of education, etc.;
- *Improving remuneration and social guarantees for the healthcare personnel*, by making remuneration competitive with other sectors of the national economy, defining professional risks, providing insurance of civil liability, as well as developing the necessary legislative basis setting up the system of remuneration and social guarantees.

Providing that the mentioned activities are implemented, in 2009 the wage of medical doctor will be 2.5 higher than the average wage of an employee in the national economy, the number of healthcare personnel age 25-40 years will increase by 5%, 70% of persons having received medical education will continue working in the healthcare sector, as well as the quality of provided healthcare services and availability of healthcare personnel across the territory of Latvia will be improved.

38. Please indicate the causative factors for the problem of the poor quality of drinking water in many areas in the State party. Please describe what measures are being implemented by the State party to address this situation.

No studies have been conducted to identify the reasons of the poor quality of drinking water. At the same time, the national law defines the standards that the water has to meet in order to be fit for drinking.

29 April 2003 CM Regulation Nr.253 *Compulsory Requirements for the Harmlessness and Quality, Procedure of the Monitoring and Control* defines the quality requirements for the water to be used for drinking, cooking, household needs, as well as in trade and production.

The Public Health Agency, which is an institution under the supervision of the Ministry of Health, conducts monitoring of the drinking water by regular laboratory tests of the drinking water to examine its harmlessness and quality.

In 2005 within the framework of auditmonitoring program 554 samples (80%) of the water delivered to consumers were tested providing the following results:

- 402 samples (72.6%) showed incompatibility of their chemical indicators with the standards set by the 29 April 2003 CM Regulation Nr.253;
- 19 samples (3.4%) showed incompatibility of the microbiological indicators with the standards set by the 29 April 2003 CM Regulation Nr.253.

Following an analysis of the results of the mentioned auditmonitoring, 37% of the Latvian residents receive water that meets the established standard of harmlessness and quality.

The incompatibility of water's chemical indicators with the established standard may be explained by the geological specificity of the region concerned.

39. Please provide detailed information on measures taken to improve the sexual and reproductive health of women.

Prophylactic examination program:

1. Once a year – general health examination by the Family Medical Doctor, except in cases if examination is performed during the sickness period;
2. Once a year – gynaecological examination by the Family Medical Doctor or a gynaecologist;
3. Immunoprophylaxis in accordance to the vaccination schedule;
4. Cancer screening:
 - Once in three years – cervix uteri onco-cystologic examination as a screening test for cervix uteri cancer for women aged 25 to 70 years;
 - Once a year – Family Medical Doctor's practice of laboratory performed hidden blood in faeces test (from three consequent bellybound faeces) for patients as of 50 years of age;
 - Once in two years – breasts cancer screening by means of mammography for women aged 50 to 69 years;
5. In accordance with the procedure for providing assistance in childbirth established by the national law – prenatal and postnatal care.

Examinations performed during prophylactic examination program are being covered by the state budget and they are not being subject to the patient's fee. Gynaecological examination may be performed either by a Family Medical Doctor or a gynaecologist. No appointment by the Family Medical Doctor is necessary in case a woman is willing to undergo the mentioned prophylactic gynaecological examination at the gynaecologist. In order to undergo mammography, a woman needs an appointment by a Family Medical Doctor or a specialist, which is done with a purpose of regulating the patients' flow.

There is no financial limit to the state guaranteed prophylactic examination program. For the moment, the available financial resources are not being fully used due to some organizational shortcomings and low participation by the residents.

Education of society and promotion of health activities 2004-2006

1. A number of *Parents-to-be Schools* have been established, where parents-to-be may obtain knowledge and skills concerning baby health;
 2. A survey has been conducted concerning breastfeeding experience among Latvian women;
 3. Within the framework of breastfeeding promotion program each year a training course is being organized for the healthcare personnel on promoting breastfeeding that also include information about prophylaxis of breast cancer. The training course is attended also by members of the *Mothers' Support Group*;
 4. A chain of breastfeeding promotion specialists, who coordinate the work and training of specialists and support groups in the region concerned, as well as consult on breastfeeding issues;
 5. Within the framework of addiction prophylaxis program for mothers-to-be, Family Medical Doctors and nurses are being trained on issues of addiction prophylaxis during pregnancy;
 6. A number of other activities, including trainings, information campaigns and publications have taken place to promote the knowledge and necessary skills during prenatal and postnatal period, breastfeeding and baby health;
 7. A number of training, information campaign and publications have taken place to inform about breast cancer, including publication of leaflets *What is breast cancer? What to do in order to prevent it?*, *Regular Gynaecological Examination?*; a number of publications by oncologists concerning diagnosing and treating breast cancer; a scientific conference concerning mammary gland and cervix uteri cancer; trainings and lectures for Family Medical Doctors concerning various oncology issues, etc;
 8. Training healthcare specialists on providing friendly healthcare services to young people;
 9. Developing informative materials targeting young people about safe sex, prevention of pregnancy, which are available free of charge in healthcare institutions, as well as organizing special informative campaigns for young people and trainings for teachers concerning gender education;
 10. Training program for teachers about HIV and STD prophylaxis for young women, as well as HIV and STD prophylaxis project for young people (an informative campaign, including video and audio clips).
40. *Please provide information on the legislation and practice, including disaggregated data, concerning persons with mental health problems or intellectual disabilities, with particular regard to: i) procedure for involuntary admission in psychiatric and mental health facilities; ii) cases in which medical treatment can be administered without the prior informed consent of the person; and iii) existing review procedure for detention on ground of mental disability.*

The *Medical Treatment Law* states the following cases, when outpatient or inpatient examination and medical treatment against the will of a patient may be performed:

- if due to a mental disorder the behavior of the patient is dangerous to his or her health or life, or to the health or life of other persons;
- if due to a mental disorder or its clinical dynamics the psychiatrist foresees such behavior of the patient becoming dangerous to his or her health or life or to the health or life of other persons; or,
- if the mental disorder of the patient is such as preventing him or her from taking informed decisions, and refusal to undergo medical treatment may lead to a serious deterioration in health and social status, as well as to public disturbances.

The *Medical Treatment Law* provides that if a patient is hospitalized against his or her will, a council of psychiatrists shall examine the patient within a 72-hour period and take a decision on

further medical treatment. The council shall without delay inform the patient of its decision, his or her family members, but if such do not exist, the closest relatives or legal representatives (trustees, guardians). If the mentioned persons may not be found without delay, a written notice shall be sent to them, making an according entry in the registration card of the patient.

The Ministry of Health has drafted amendments to the *Medical Treatment Law* which have not come into force yet. The amendments provide that the final decision concerning compulsory detention and treatment shall be made by the court. The draft amendments also envisage that every time the court is to decide whether to order compulsory detention it shall ask the Council of Sworn Advocates to appoint a legal representative to the patient concerned.

The draft amendments list the following cases when psychiatric treatment without the consent of a patient or his legal representative may be performed:

1. if a person has threatened or threatens, has tried or tries to cause himself or other person bodily injuries or has acted or acts forcibly against other persons and the medical practitioner ascertains that such person is suffering from mental disorders which may lead to serious bodily injuries of the patient or other person;
2. if a person has showed or shows no ability to take care of himself and the medical practitioner ascertains that such person is suffering from mental disorders which may lead to unavoidable and serious deterioration in physical health of the person;
3. if there is a court decision ordering person's compulsory treatment.

The draft amendments also foresee that the judge shall within 72 hours after receiving the advice of the health care institution review the submitted material, hear the information provided by the representative of the health care institution and the counsel of the patient, and order the compulsory treatment of the patient at a psychiatric hospital for a period of up to two months or refuse to order forced treatment. A week before the end of the period indicated in the judge's decision, the council of psychiatrists shall examine the patient and adopt one of the following decisions:

1. on the need to continue compulsory treatment at a psychiatric hospital;
2. on termination of forced treatment at a psychiatric hospital.

If the council of psychiatrists has decided that compulsory treatment should be continued, the health care institution shall advise the judge without delay. The judge, on the basis of the advice of the health care institution, within 72 hours adopts a decision to prolong the treatment up to 6 months or terminate the treatment.

Compulsory hospitalization and treatment

		2004	2005	2006
1.	Persons who underwent compulsory treatment following medical restraint measures and have been released:			
	1.1. in general psychiatric hospital (State Mental Health Agency)	5	5	11
	1.2. under guard (Latvia)	10	14	12
2.	Persons continuing treatment:			
	2.1. in general psychiatric hospital (Latvia)	92	99	98
	2.2. under guard (Latvia)	44	41	45

Source: Ministry of Health

Articles 13 and 14 : the right to education

41. How does the State party provide for free and compulsory primary education?

The Committee is invited to refer to paragraphs 495-527 of the Initial Report.

42. Please provide statistical information on literacy in the State party, disaggregated by sex, age and ethnic origin.

**Population 10 years of age and over by literacy, age and sex
(2000 Population and Housing Census data)**

	BOTH SEXES			
Age (years)	Total	Literate	Illiterate	Not stated
Total, 10 and over	2,133,257	2,127,981	5,276	0
10 - 14	186,222	185,874	348	0
15 - 19	177,528	177,070	458	0
20 - 24	160,983	160,587	396	0
25 - 29	164,446	164,122	324	0
30 - 34	158,746	158,488	258	0
35 - 39	176,259	176,019	240	0
40 - 44	174,755	174,557	198	0
45 - 49	154,928	154,737	191	0
50 - 54	139,208	139,026	182	0
55 - 59	142,030	141,783	247	0
60 - 64	146,069	145,754	315	0
65 - 69	120,498	120,095	403	0
70 - 74	105,557	105,242	315	0
75 - 79	66,308	66,012	296	0
80+	59,720	58,615	1,105	0

Comment:
 Level of literacy in Latvia is very high. As 2000 Census data show, only 0.25% of all population aged 10 and over are illiterate.
 Level of illiteracy for females is slightly higher compared with the same for males, 0.28% and 0.21%, respectively. The highest level of literacy (99.89%) have population aged 40-44.
 Level of illiteracy for rural population is higher compared with the same for urban population, 0.48% and 0.14%, respectively.

Source: Central Statistical Bureau

**Population 10 years of age and over by literacy, age and sex
(2000 Population and Housing Census data)
(continued)**

	MALE				FEMALE			
Age (years)	Total	Literate	Illiterate	Not stated	Total	Literate	Illiterate	Not stated
Total, 10 and over	970,122	968,111	2,011	0	1,163,135	1,159,870	3,265	0
10 - 14	95,255	95,051	204	0	90,967	90,823	144	0
15 - 19	90,536	90,268	268	0	86,992	86,802	190	0
20 - 24	81,670	81,452	218	0	79,313	79,135	178	0
25 - 29	82,900	82,716	184	0	81,546	81,406	140	0
30 - 34	78,722	78,568	154	0	80,024	79,920	104	0
35 - 39	85,917	85,771	146	0	90,342	90,248	94	0
40 - 44	84,077	83,974	103	0	90,678	90,583	95	0
45 - 49	72,556	72,447	109	0	82,372	82,290	82	0

50 - 54	63,217	63,136	81	0	75,991	75,890	101	0
55 - 59	62,037	61,932	105	0	79,993	79,851	142	0
60 - 64	61,034	60,898	136	0	85,035	84,856	179	0
65 - 69	46,561	46,435	126	0	73,937	73,660	277	0
70 - 74	34,882	34,809	73	0	70,675	70,433	242	0
75 - 79	16,834	16,794	40	0	49,474	49,218	256	0
80+	13,924	13,860	64	0	45,796	44,755	1,041	0

Source: Central Statistical Bureau

**Population 10 years of age and over by literacy, age and sex
(2000 Population and Housing Census data)
(continued)**

Age (years)	URBAN POPULATION				RURAL POPULATION			
	Total	Literate	Illiterate	Not stated	Total	Literate	Illiterate	Not stated
Total, 10 and over	1,469,084	1,467,026	2,058	0	664,173	660,955	3,218	0
10 - 14	118,799	118,647	152	0	67,423	67,227	196	0
15 - 19	118,583	118,352	231	0	58,945	58,718	227	0
20 - 24	110,948	110,810	138	0	50,035	49,777	258	0
25 - 29	113,465	113,348	117	0	50,981	50,774	207	0
30 - 34	108,076	107,971	105	0	50,670	50,517	153	0
35 - 39	121,248	121,166	82	0	55,011	54,853	158	0
40 - 44	123,316	123,247	69	0	51,439	51,310	129	0
45 - 49	111,971	111,917	54	0	42,957	42,820	137	0
50 - 54	102,091	102,031	60	0	37,117	36,995	122	0
55 - 59	97,839	97,765	74	0	44,191	44,018	173	0
60 - 64	102,897	102,815	82	0	43,172	42,939	233	0
65 - 69	82,126	81,994	132	0	38,372	38,101	271	0
70 - 74	74,333	74,224	109	0	31,224	31,018	206	0
75 - 79	44,964	44,837	127	0	21,344	21,175	169	0
80+	38,428	37,902	526	0	21,292	20,713	579	0

Source: Central Statistical Bureau

43. Please provide statistical information on the school drop-out rates on a disaggregated basis (by age, sex, urban and rural areas, nationality and ethnic origin).

Dropout in general full-time schools

Academic year	Total	Of which	
		Boys	Girls
2003/2004	10,242	6,000	4,242
2004/2005	10,838	6,438	4,400

Source: Central Statistical Bureau

Pupils repeating the year in general full-time schools

Academic year	Total	Boys	Girls

2003/2004	5,856	4,313	1,543
2004/2005	8,485	6,194	2,291

Source: Central Statistical Bureau

44. *How does the State party monitor private education establishments, in particular their curriculae?*

45. *What has been the impact on members of linguistic minorities to enjoy the benefits relating to the right to education, in particular, the Russian speaking students, of the Education Law of 1998 which has made Latvian the compulsory language of instruction?*

Replies to questions 44 and 45 have been merged below.

The education reform means continuance of those educational projects that were started in the mid-nineties by introducing in general education curricula a special type thereof – a national minority curricula (as provided in Article 41 of the *Education Law*). On 5 February 2004 Sub-paragraph 3 of Article 9 of the Transitional provisions of the *Education Law* were amended with a requirement – starting with the 2004/2005 school year at state and local government general education secondary educational facilities implementing national minority curricula, starting in Grade 10, instruction shall be in the state language in accordance with the state secondary education standard. The standard, in turn, stipulates that instruction in the state language is ensured in not less than three fifths of the total lesson load during the school year, including foreign languages. In grades 10 to 12 the number of subjects taught in Latvian shall increase gradually. The first cycle shall begin in the 2004/2005 school year and shall continue until the 2006/2007 school year. As of 2007 content of state written tests shall be in Latvian.

As of 1 September 2004 general secondary educational facilities implementing national minority curricula began to implement a curriculum of increased Latvian language percentage. Pursuant to the *Education Law*, in grades 10 – 12 of state and local government educational facilities the number of subjects taught in Latvian increased from three to five. Thus, 40% of all subjects are taught in the national minority language.

On 13 May 2005, *the Satersme Court* delivered a judgment in the case No. 2004-18-0106⁶ „On compliance of sub-paragraph 3 of Article 9 of the Transitional provisions of the Education Law with Articles 1, 91 and 114 of the *Satversme*, Article 2 of Protocol 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Article 14 (in relation to Article 2 of Protocol 1), Articles 26 and 27 of the International Covenant on Civil and Political Rights, Article 5 of the International Convention on the Elimination of all Forms of Racial Discrimination, Articles 2 and 30 of the Convention on the Rights of the Child, and Article 18 of the 1969 Vienna Convention on the Law of Treaties”. *The Satersme Court* concluded that sub-paragraph 3 of Article 9 of the Transitional provisions of the *Education Law* complies with Articles 1, 91 and 114 of the *Satversme*, Article 2 of Protocol 1 to the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Article 14 (in relation to Article 2 of Protocol 1), Articles 26 and 27 of the International Covenant on Civil and Political Rights, Article 5 of the International Convention on the Elimination of all Forms of Racial Discrimination, Articles 2 and 30 of the Convention on the Rights of the Child, and Article 18 of the 1969 Vienna Convention on the Law on Treaties.

⁶ The full text of the Constitutional Court judgment is available at [http://www.satv.tiesa.gov.lv/LV/Spriedumi/18-0106\(04\).htm](http://www.satv.tiesa.gov.lv/LV/Spriedumi/18-0106(04).htm).

The case was initiated on 22 July 2004 by twenty members of the 8th *Saeima*, who indicated that the provision stipulating that at state and local government general secondary educational facilities teaching national minority curricula, starting in grade ten, instruction shall be given in the state language in accordance with the state general secondary education standards; at state and local government professional educational facilities, as of the first year, instruction shall be given in the state language in accordance with the state professional education standard or state professional secondary education standard, does not comply with the aforesaid international standards. The authors of the application alleged that the contested provision violated the principle of equality before the law. Considering the initial differences between the ethnic Latvians and national minorities, the principle of achieving full equality with respect to national minorities demands a different approach. Therefore, before introducing any restriction, its proportionality to the legitimate aim should be considered. The applicants claimed that the benefit resulting from implementation of the reform is less than the disadvantage caused to a person's rights and lawful interests; by applying the contested norm, rights of persons belonging to national minorities to take advantage of their culture together with other members of their relevant group, practice their religion and use their language have been interfered with.

The Satersme Court in its judgment concluded that the contested provision is a gradual step towards eradication of the school division that was created during the Soviet times, as well as towards strengthening the use of the state language. *The Satersme Court* also concluded that the contested provision, by introducing one of the methods of bilingual education, does not violate person's rights to preserve his/her identity and culture. To the contrary, the contested provision is the basis of and facilitates high quality knowledge that may be effectively used further, as well as the integration of society. The state language not only should be learned as a separate subject, but also used in acquiring the substance of teaching.

At the same time, *the Satersme Court* pointed out that there must be a mechanism, which could evaluate changes in the quality of education process. Moreover, the quality control mechanism must be impartial, versatile, professional, regular, as well as based on scientific conclusions and methods. It is the duty of the State to provide for the collection of such data, which evaluation may lead to the adoption of considered decisions, as well as provide the society, students and their parents with information about changes in the quality of education process, as well as the course of education process. Based on opinions obtained during the preparation and adjudication of the case *the Satersme Court* expressed its doubts as to the effectiveness of the mechanisms existent at the time.

Following the 2003/2004 public debates and start of the reform the question of quality of general education became a public priority. Monitoring the quality of education became one of the most important MES tasks.

The most important activities in this area are as follows:

- In 2005 a National Agency for Monitoring Quality of General Education was established. It draws up instruments for measuring the quality of education. One of its most important tasks is to follow up on the quality of implementing national minority curricula.
- Each year MES compiles information on indicators characterizing development of education. The Centre for educational content and examinations compiles data on students' achievements during state exams.
- The National Education Inspectorate monitors compliance of school work with the requirements of legislative acts, including issues of national minority education.
- In 2005 MES took part in organizing and holding 6 regional seminars and 2 conferences. Meetings were held with school directors, heads of regional bilingual education support centers to discuss the bilingual education process, and facilitate exchange of positive

experience. The problems mentioned by heads of schools are not related to the use of the language of instruction but rather the need for new teaching material.

- In 2005 MES organized a conference on issues of bilingual education and the conference „Language in education: opportunities and challenges” in co-operation with the State Language Commission and the State Language Agency. The following issues were discussed: language policy in Latvia and world experience, bilingual education and the integration process.
- Involvement of society in positive debates and exchange of information is ensured by MES Consultative Council on National Minority Education Issues. In 2005, four meetings took place to discuss mainly the question of quality of education. In 2006, two meetings have taken place to discuss questions of training of teachers of national minority schools.

Development of the Latvian education reform has been at the centre of attention of international organizations for some years. On 20 – 21 April 2006 the OSCE High Commissioner on National Minorities Rolf Ekeus visited Latvia, met with representatives of various institutions and heard the views on national minority issues. He welcomed the process of the education reform and indicated the need to establish a closer dialogue with the public. On 20 – 21 March 2006 a member of the CoE Parliamentary Assembly Committee on Legal Affairs and Human Rights, Adrian Severin, visited Latvia, who also welcomed the Latvian education process during his meeting at the MES.

At present there are more than 200 national minority schools operating in Latvia – 179 Russian schools, 7 Polish schools, 2 Jewish schools, one Ukrainian, one Estonian, one Lithuanian and one Byelorussian school, as well as Roma classes in a number of schools. Paragraph 2 of Article 2 of the General Education Law provides that „a general secondary education programme of the corresponding direction may be combined with the educational programme for national minorities, including therein the native language of the national minority, the educational content related to the identity of the national minorities, as well as integration of national minorities into Latvian society”.

MES determines subjects of the national minority curricula, which must be taught in the state language. MES has drawn up four models of national minority curricula, which differ depending on the national minority and proportion of the number of subjects taught in Latvian. Thus, the national minority curricula provide representatives of national minorities with opportunities to learn Latvian language and culture without losing awareness of their own national identity. Libraries in Latvia traditionally attempt to include in their collections books and other publications in the languages of the Latvian national minorities. Historically it has happened that the dominant percentage of the published literature next to Latvian has been Russian; also at present the latter makes up 40 – 45% of the total volume of library collections. Libraries close to the Lithuanian border have a wide selection of books in Lithuanian, to the Estonian border– in Estonian, to the Russian border– in Russian. Publications in different languages are offered to the residents of Riga by specialised public libraries – the foreign language library at the Congress building, and library of the literature of the Nordic countries. Books in Hebrew and Yiddish are concentrated at the library of the Riga Jewish community. Books in other languages (English, German, French, Swedish, Danish etc.) make up about 10% of the total volume of library collections.

46. Please provide updated information on the problem described in para. 600 in the report regarding factors relating to the shortage of qualified teachers. In this regard, what are

the effective measures undertaken by the State party to ensure the continuous supply of teachers for all levels of education, in particular, at the primary level?

The following measures have been taken:

1. to ensure the continuous supply of teachers for general education at the secondary education level, the state has drawn a list of priority subjects: natural sciences (physics, chemistry and biology), mathematics, information technologies, and foreign languages by providing purposed grants for pedagogues and students which study or combine studies at pedagogue arrangement programs with work in school;
2. to increase the role of mentoring to assist new teachers to get used to the school environment. A survey has been conducted showing that new teachers are nor always warm welcomed at the school;
3. a system of state paying off study loans (subject to an annual regulation by the CM). State pays off a study loan if a pedagogue works in school, accordingly to obtained qualification;
4. some local governments provide new pedagogues with a dwelling;
5. some local governments assist with the reimbursement of transportation expenses for pedagogues who have to travel to work;
6. some banks reduce mortgage interest rates for buying a house (an apartment) to some targeted professions, including pedagogues.

Article 15 : Cultural rights

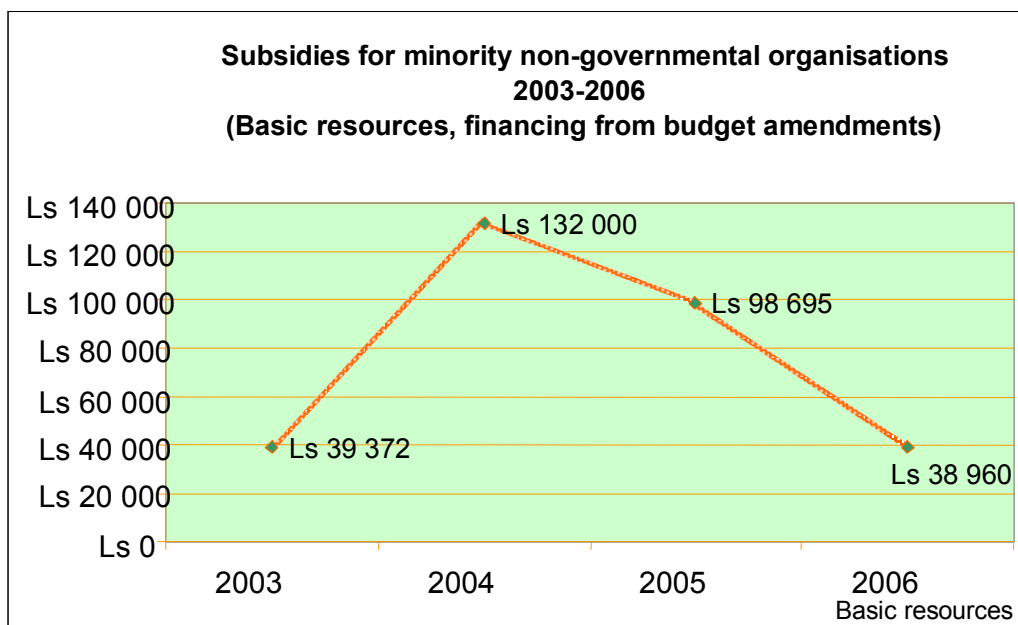
47. Please provide information on the initiatives taken by the State party in the form of cultural support and cultural consultation for the Russian speaking persons who consist of approximately 40% of the population of the State party.

One of Secretariat's of the Special Assignments Minister for Social Integration (SSAMSI) activities is to provide support for the work and activities of national minority non-governmental organizations from the national budget. The SSAMSI has improved the system of financing for this purpose. Now it can study the needs of national minority development in an optimal and regular way. The SSAMSI also does regular work on improving government policies vis-à-vis national minorities. Subsidies are available to organizations, which are registered with the SSAMSI and have defined the following goals in their statutes:

- Defending the rights of national minorities;
- Preserving and developing the ethnic identity and cultural heritage of national minorities in Latvia;
- Promoting inter-ethnic dialogue.

NM NGOs may receive subsidies on the basis of a respective system of awarding and supervising subsidies from the national budget. Applications for funding can be submitted to SSAMSI four times a year.

In 2003, subsidies for NM NGOs in the total amount of LVL 39,372 were provided. In 2004, the sum was increased to LVL 132,000, while in 2005, NM NGOs received LVL 98,695. The total planned amount in 2006 is LVL 38,960.



Source: SSAMSI

The Russian speaking persons have a possibility to attend theatrical performance in Russian at the M.Čehova Riga's Russian Theatre (RRT), which is the oldest professional theatre of Latvia and the oldest Russian Drama theatre outside of Russian Federation. Thanks to the high standards of direction, clear thematically aimed repertoire, good level of acting mastery of the company creative successes of the theatre received wide acknowledgement. It has received many awards on festivals. Four times the theatre has been acknowledged as the best company in Latvia. There are also performances in the Russian language at the Latvia's Puppet Theatre and the Daugavpil's Theatre (the second largest Latvian city having large proportion of the Russian speaking population).

Some national minorities residing in Latvia issue their own newspapers, bulletins and magazines. For instance, the Ukrainian Diaspora issues the newspaper "Вісник" in the Ukrainian language 6 times per year since 2004. The newspapers edition is 1,000 copies; it is sponsored by the Ministry of Foreign Affairs of Ukraine and partially also the SSAMSI. The newspaper is distributed in all regions of Latvia, Ukraine, and in partnership organizations abroad. The Belarusian community issues the newspaper "Прамень" (1,000 copies, 8-9 times per year) with the help of sponsors. The Armenian community's newspaper "Арапат" (2,500 copies per month, in Russian) is also issued in Riga, as well as old believers' newspaper "Меч духовный" and the magazine "Поморский вестник". The Polish community in Riga issues the newspaper "Polak na Lotwie" (6 times per year, edition 650 copies) and in Daugavpils – the monthly newspaper „Słowo polskie” (edition around 1,000 copies). The Gypsy (the Roma) community newspaper „Nēvo Drom” (in the Latvian language) is the first newspaper of the Roma community in Latvia. The newspaper is issued in Tukums in 5,000 copies. Part of national minority publications is financed from the national budget.

The Latvian Radio-4 is broadcasting a program "News from the national cultural societies."

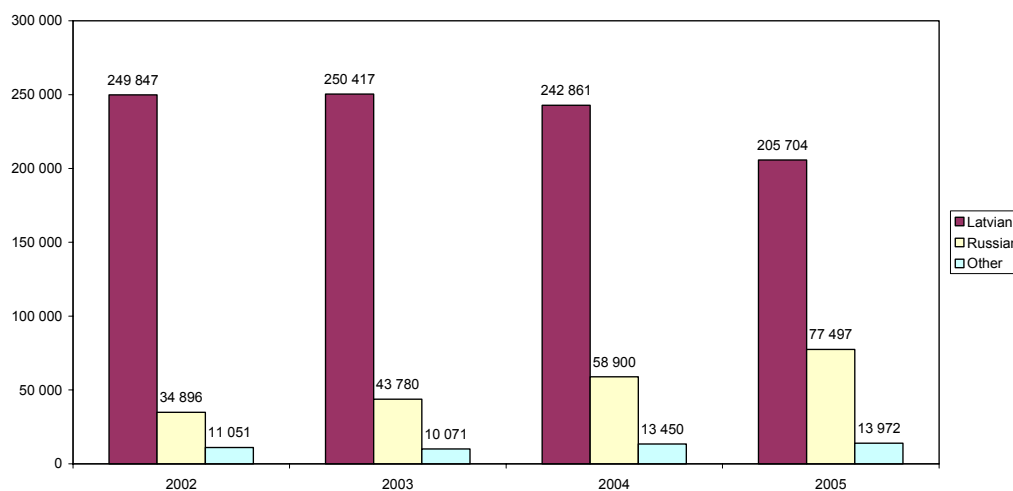
Currently there are 30 commercial radio broadcasting organizations in the territory of Latvia, 9 of which are broadcasting 100% in foreign languages (in Russian), 26 commercial television broadcasting organizations, where the broadcasts with the target audience for national minorities are being made in the TV broadcasting organizations („TV 5 Riga”, "First Baltic Channel", transmitted in all the three Baltic states, „TV Million”), and 40 cable television broadcasting

companies, with main programs being broadcasted in Russian. The largest cable television operator in Daugavpils “Dautkom TV” offers five programmes in Latvian, 20 programmes in Russian, and one programme in the Ukrainian and Polish languages. Latvia’s largest cable television operator “Baltcom” offers six programmes in Latvian, one in Polish and 33 in Russian as part of its basic programme package for Riga. The second largest operator in Latvia “Izzi” offers 54 programmes, five of them being in Latvian, one in Ukrainian and in Polish, and 28 in the Russian language. In Liepaja, the cable operator “Ostkom” offers 46 programmes, five - in Latvian, one in Polish, and 22 in Russian⁷.

The 4th programme of the state radio broadcasting organization “Latvijas Radio”, which is also considered to be an integration programme, broadcasts mainly in the Russian language. However, it also offers programmes by national culture associations in 12 other languages: in Estonian, Lithuanian, Polish, Belarusian, Ukrainian, Hebrew and Yiddish, Georgian, Armenian, Azerbaijani, Greek, Tatar-Bashkir and German. The main subjects dealt with by these programmes are the issues of culture, national traditions, current news concerning the activities of the associations and links with the ethnic motherland. The total audience of Latvijas Radio 4 is 260,000 listeners.

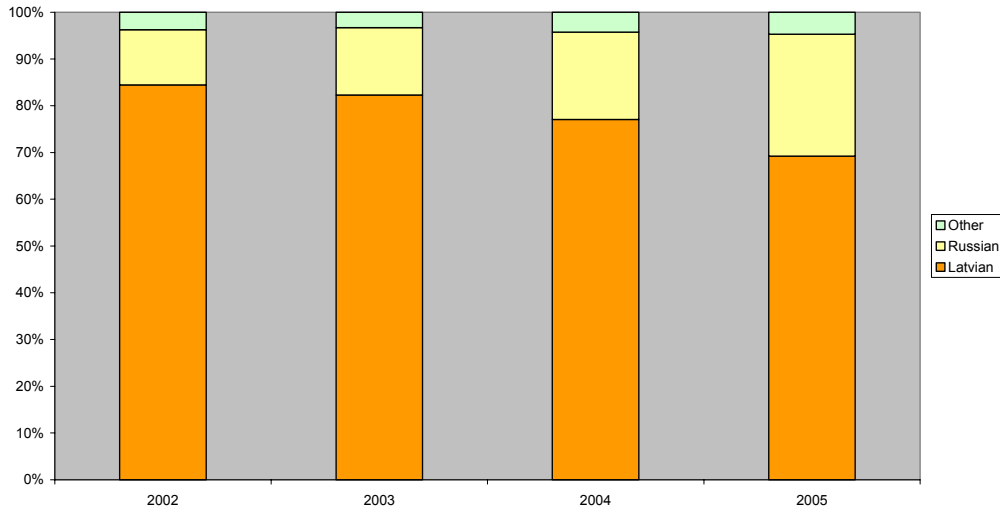
As regards the languages used in the radio and television programmes, there is a clear tendency for the reduction in the number of the programmes transmitted in Latvian, whereas the absolute and proportional amount of programmes in the Russian language tends to increase:

**Radio Broadcast Hours by Language
2002 - 2005**
(Source: Central Statistical Bureau)



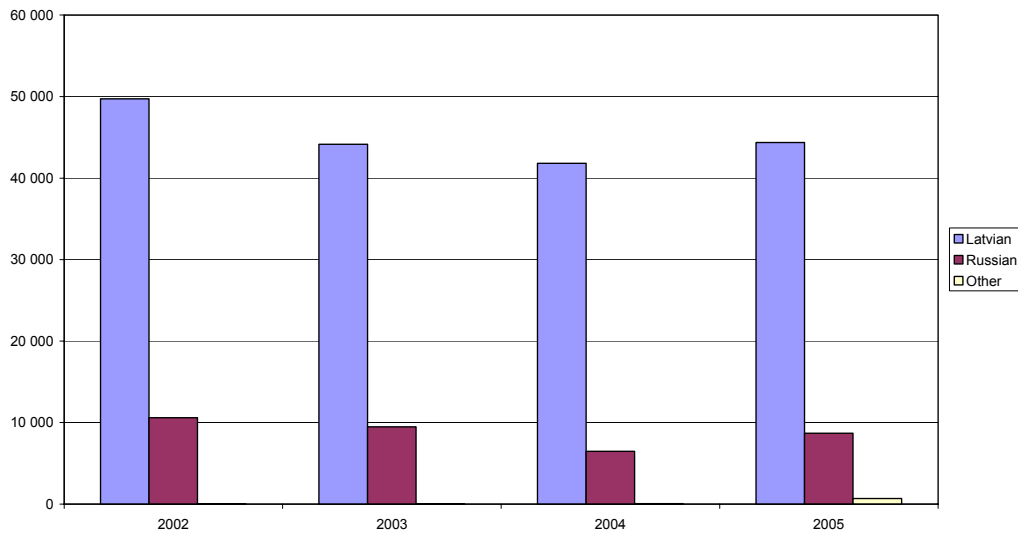
⁷ Source: National Radio and Television Council and operators’ websites

**Radio Broadcast Hours by Language
2002 - 2005**
(Source: Central Statistical Bureau)



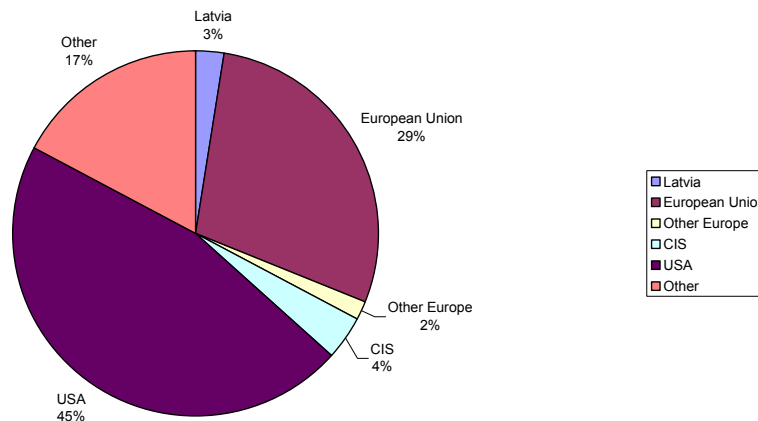
The situation with the overground television is different:

Television Broadcast Hours by Language 2002 - 2005
(Source: Central Statistical Bureau)



Notable is the division of the broadcasted films by their country of origin. The films produced in the CIS exceed the amount of films produced in Latvia:

Films shown on TV in 2005 by Country of Origin
(Source: Central Statistical Bureau)



Between public broadcaster, who do receive subsidies from the state budget (Television of Latvia and Latvia's Radio), and state representation in the National Radio and Television Council person, there has to be concluded agreement of public subscription. The goal is to meet interests and needs requirements for the whole audience of the state, including Russian speaking. Therefore, the one Latvia's Radio channel – "Latvia's Radio 4 – Doma laukums", has been allocated for programs in Russian only, for its part Television of Latvia, where are two channels, in one of them – LTV 7, part of programs are in Russian, mostly current news and author programs.

48. Please provide information on the budgetary support for cultural establishments that provide services using minority languages

There is a possibility to receive a financial assistance for creative actions, including, creative grants, without reference to the ethnic background from the State Culture Capital fund (*Valsts Kultūrkapitāla fonds*). Latvia's litterateurs who write in Russian also receive regularly a creative grants and assistance for publishing from the State Culture Capital fund. There are more than 20 Russian writing litterateurs, who are members of the Latvia's Writers' Union. New authors, who write in Russian, have an option to receive a consultation with litterateur-consultant. Those consultants are hired workers with the state grant in the Latvia's Writers' Union. Literary magazine "Daugava" (10,000 Latvian lats in 2006) and new generation Russian litterateur almanac "Orbīta" (4,893 Latvian lats in 2006) also receive a state financial assistance.

Latvia's residents associating themselves with the Russian culture have a possibility to receive a state grant for separate project implementation from the State Culture Capital fund, for example, in 2006 Daugavpils Russian Culture center "Kaļistratova nams" received funding for publishing the provincial almanac "Hronos" from the State Culture Capital fund, but for publishing spiritual poetry collection - Ivana Zavoloko Old-believer Union. International Theater festival for the children and youth competition "Russian Classic in Latvia" (organized by "Multi-national Children and Youth Cultural Center) regularly did receive a state grant from the State Culture Capital fund

At all the State Culture Capital fund competitions each project application, without reference of applicant ethnic background or language, are estimated following artistic value factor of quality. Therefore, talented and professional Russian and other minority members regularly receive in all cultural areas a state grant from the State Culture Capital fund, including areas, where language does not play a significant role, like a visual art, music and dance. For example, financial support was provided for the creation of the Livs language version portal www.livones.lv (1,200 Latvian lats); publication of anthology “Nowadays Russian poetry in Latvia” (1,600 Latvian lats).

There are no restrictions for Russian children’s to attend Latvia’s art and music schools. In places like, Rīga and Daugavpils, are more children than elsewhere in the culture-education schools because of the larger number of Russian speaking children’s.

Latvia is expanding with Russian cooperation in cultural matters. On 3 December 2006, in Moscow Cooperation Program 2007-2009 between Ministries of Culture was signed. The Cooperation Program was based on the agreement between Latvia’s Ministry of Culture and Russian Federation’s Ministry of Culture, signed on 14 March 2002. The Cooperation Program provide exchange of culture and other activities in all cultural areas, including, organization of mutual cultural days at the end of 2007 beginning of 2008.

The budgetary support for cultural establishments:

1. M.Čehova Riga’s Russian Theatre (RRT)
2005 – 195,924 Latvian lats
2006 – 292,101 Latvian lats
2007 – 617,699 Latvian lats
2. Latvia’s Puppet Theatre, having Latvian and Russian company
2005 – 137,235 Latvian lats
2006 – 201,540 Latvian lats
2007 – 378,244 Latvian lats
3. Daugavpils Theatre, having Latvian and Russian company
2005 – 150,682 Latvian lats
2006 – 237,027 Latvian lats
2007 – 430,686 Latvian lats

The budgetary support is regularly provided to I.Kozakeviča’s Latvian National Cultural Association (12,000 Latvian lats in 2006).

List of abbreviations

CIS	Commonwealth of Independent States
CM	the Cabinet of Ministers
EU	European Union
JIM	Joint memorandum on Social Inclusion in Latvia
MC	Ministry of Culture
MES	Ministry of Education and Science
NAPE	National Action Plan on Employment

NGO	Non-governmental organization
NM NGO	National minority non-governmental organization
OSCE	Organization for Security and Cooperation in Europe
<i>Saeima</i>	the Parliament of Latvia
<i>Satversme</i>	The Constitution of the Republic of Latvia
SSAMSI	Secretariat of the Special Assignments Minister for Social Integration
STD	Sexually transmitted disease
<i>The Satversmes Court</i>	The Constitutional Court of the Republic of Latvia
UN	United Nations

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