



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the second periodic report of Latvia*

I. General information

1. Please provide information on the status of the International Covenant on Economic, Social and Cultural Rights in the domestic legal order and the cases in which the provisions of the Covenant have been invoked before and directly enforced by the courts, other tribunals or administrative authorities, including statistical data on and examples of such cases. Please also provide information on training provided for judges, lawyers and law enforcement officials on the provisions of the Covenant and their justiciability. Please indicate the steps taken to ratify the Optional Protocol to the Covenant.

2. Please provide information on the measures taken by the State party to further strengthen the independence and effectiveness of the Ombudsman's Office, in light of the observations and recommendations made in March 2015 by the Sub-Committee on Accreditation of the International Coordinating Committee of National Human Rights Institutions (now known as the Global Alliance of National Human Rights Institutions). In particular, please indicate the steps taken to ensure that sufficient human and financial resources are allocated to enable the Ombudsman's Office to carry out its mandate effectively.

3. Please provide information on the legal aid programmes that exist to assist indigents, migrants, asylum seekers, Roma and members of ethnic minorities to claim their economic, social and cultural rights and on the resources allocated to such programmes during the reporting period. Please also provide information on the steps taken to review the amendments made in 2016 to the Civil Procedure Law aimed at imposing the cost of interpretation in court on litigants.

4. Please provide information about the national emission reduction targets adopted by the State party under the Paris Agreement and about the progress achieved towards achieving climate neutrality by 2050. Please provide information on the measures taken by the State party to mitigate the adverse effects of climate change on the enjoyment of economic, social and cultural rights, in particular by disadvantaged and marginalized individuals and groups.

* Adopted by the pre-sessional working group at its sixty-fifth session (21–25 October 2019).



II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Maximum available resources (art. 2 (1))

5. Please provide information on the evolution, over the past 10 years, of:
- (a) The proportion of persons living below the poverty line and the level of inequality, defined as the ratio of the total income accruing to the richest decile of the population to the total income of the poorest 40 per cent of the population;
 - (b) The proportion of public revenue that is generated through taxes;
 - (c) The tax rates levied on corporate profits and on personal income, the value added tax rate (excluding taxes on luxury items, on tobacco and alcohol, on sugared drinks and snacks and on gasoline) and the percentage of total revenue generated from the personal income tax collected from the richest decile of the population;
 - (d) Public expenditure as a percentage of the gross domestic product and the proportion of the total public expenditure that is allocated to social spending (social security, food, water and sanitation, housing, health and education);
 - (e) Absolute levels of social spending adjusted for inflation.
6. Please indicate whether the State party has conducted an assessment of the impact of the austerity measures taken during the economic and financial crisis on the enjoyment of economic, social and cultural rights, particularly by disadvantaged and marginalized individuals and groups and, if so, indicate the main findings. Please provide information on the steps taken to mitigate the negative impact of such measures. Please also provide information on the steps taken to phase out austerity measures.
7. Please provide information on the measures taken to combat corruption and on cases of corruption, including those involving high-level officials who have been convicted.

Non-discrimination (art. 2 (2))

8. Please provide information on the steps taken to enact comprehensive anti-discrimination legislation in accordance with article 2 (2) of the Covenant, providing full protection from discrimination and defining the failure to provide reasonable accommodation as a form of discrimination. Please also indicate any efforts made so far by the State party to review non-discrimination provisions with a view to ensuring their compliance with the Covenant.
9. Please indicate the areas in which so-called “non-citizens” do not enjoy the rights enshrined in the Covenant on an equal footing with Latvian citizens and the measures taken by the State party to address the situation. Please provide information on the number of applications for naturalization that have been made since the enactment of the amendments to the Citizenship Law in 2013 and on the achievements and challenges faced in enforcing the legislation. Please also provide information on the measures taken to facilitate the granting of Latvian citizenship to children of stateless persons, including “non-citizens”, who are unable to transmit their citizenship to their children and indicate whether the State party considers introducing the automatic recognition of Latvian citizenship at birth to these children. Please also provide annual statistical data, disaggregated by sex, age group and ethnicity, on stateless persons in the State party, including their numbers, the numbers of applications for citizenship and the numbers of persons granted citizenship.
10. Please provide information, including statistical data, on the situation of asylum seekers, refugees and beneficiaries of subsidiary protection in the State party. Please also provide: information on the living conditions of asylum seekers in detention facilities, including on access to employment, health-care services, education and other basic services; statistical data disaggregated by sex, age, disability and country of origin; and information on the number of asylum seekers in detention facilities and the duration of their detention. Furthermore, please indicate any differential treatment between refugees and beneficiaries of subsidiary protection in terms of accessing social security benefits, health-care services

and education and the reasoning behind such differential treatment. Please also provide information on cases in which refugees and beneficiaries of subsidiary protection have been denied access to health-care services and other public services, on investigations carried out into such cases and the outcome of the investigations.

11. Please provide statistical data indicating the level of enjoyment of Covenant rights by the Roma population and information on the steps taken to adopt a framework policy to improve the economic, social and cultural rights of Roma in the State party. Please provide information on the measures taken to address the low level of education of Roma and its consequent impact on their employment and on targeted measures to address the disproportionately high unemployment rate among Roma. Please also provide information on the steps taken to address the high school dropout rate among Roma students and the reportedly high prevalence of Roma students in special needs schools or classes, as well as statistical data on the number and the proportion of Roma students in such schools or classes during the reporting period. Please provide information on specific measures taken to ensure support for Roma students in mainstream classes, including the hiring of Roma teaching assistants and Roma mediators, and the outcome of these measures.

12. Please indicate whether the State party has taken any measures: (a) to regulate the procedure and conditions for gender reassignment; (b) to adopt a legal framework recognizing same-sex partnerships; and (c) to combat prejudice and discrimination based on sexual orientation and gender identity, particularly in educational institutions. Please provide detailed information on investigations with regard to cases of harassment of or discrimination against lesbian, gay, bisexual, transgender and intersex persons.

Equal rights of men and women (art. 3)

13. Please provide specific information on the assessment of various measures taken to mainstream a gender perspective into laws and policies, as indicated by the State party (E/C.12/LVA/2, para. 33), particularly as regards gender budgeting, and indicate any challenges faced by the State party. Please also provide information on women's representation in decision-making positions in the public sector, including the legislature, the executive and the judiciary, at the national and municipal levels, as well as in the private sector, particularly in the companies listed on the stock exchange, during the reporting period.

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

Right to work (art. 6)

14. Please provide information:

(a) On the impact of measures taken by the State party, including the action plan for the development of the Latgale region 2015–2016, to address the large regional disparities in employment and standard of living;

(b) On the efforts made to ensure that vocational training and education programmes prepare young people to meet the requirements of the labour market and, specifically, on the efforts made to reform the content of vocational education opportunities and the outcome of those efforts;

(c) On the measures taken, including in respect of vocational training and education and the adoption of employment quotas, to improve the employment prospects of persons with disabilities and on the impact of the project on subsidised jobs for the unemployed to increase the employment of persons with disabilities (E/C.12/LVA/2, paras. 65–67);

(d) On any specific measures taken by the State party to address the deteriorating employment situation of persons aged 50 years and older and the impact of those measures;

(e) On labour market participation, employment, unemployment and underemployment, including annual data on those topics disaggregated by sex, disability and ethnicity, during the reporting period.

15. Please provide information on the measures taken to preclude any discriminatory impact that the language requirements of the Law on State Language may have on the employment of persons belonging to linguistic minorities, particularly Russian-speaking persons. Please also provide the list of occupations for which the use of the official language is required under section 6 (2) of the Law, if any.

16. Please provide information on the enforcement of the amendments made to the Labour Law in 2018 (E/C.12/LVA/2, para. 46). Please also clarify how the right to employment of employees who have joined a trade union for less than six months or who have been sick for a long time has been protected since the 2018 amendments to the Labour Law.

Right to just and favourable conditions of work (art. 7)

17. Please provide information on the coverage of the minimum wage and the enforcement of the minimum wage, the indexation of the minimum wage to the level of inflation and the measures taken or envisaged to increase the minimum wage to a level that provides workers and their families with a decent living.

18. Please provide information on the measures taken or envisaged to reduce the gender pay gap and, in particular, to remove horizontal and vertical gender segregation. Please clarify whether the principle of equal pay for work of equal value is incorporated into labour-related legislation and whether specific provisions on this principle are included in collective agreements. Please also provide information on the concrete measures taken to implement the principle, including as regards the classification of occupations. Furthermore, please indicate whether information on pay and promotion structures is accessible by employees and trade unions in the public and private sectors.

19. Please provide information:

(a) On the measures taken to curb the increasing number of occupational accidents, particularly serious and lethal accidents and accidents among workers with less experience, and updated statistical data on occupational accidents;

(b) On occupational diseases, including their number and main causes, and the measures taken to prevent them;

(c) On compliance by employers with the obligation set out in paragraph 58.1 of Cabinet of Ministers regulation No. 219 on procedures for the performance of mandatory health examinations;

(d) On the measures taken to strengthen the State Labour Inspectorate;

(e) On the turnover rates in the State Labour Inspectorate, the number of labour inspectors, the funding allocated to the Inspectorate and the number of labour inspections carried out, on an annual basis during the reporting period.

Trade union rights (art. 8)

20. Please provide information on cases of dismissal or discrimination based on membership of a trade union. Please indicate the steps taken by the State party to prevent and punish discriminatory acts and dismissals or reprisals for trade union activities. Please also provide information on the measures taken to promote collective bargaining in the public and private sectors.

Right to social security (art. 9)

21. Please provide information on the social insurance system reform, in particular:

(a) On which groups of persons are not covered by the social insurance system or are making contributions in reduced amounts, including annual statistical data on their numbers, and the measures taken to increase the coverage of the social insurance system;

- (b) On the measures taken by the State party to increase the amount of the social security benefit to a level that ensures recipients a decent living;
- (c) On pick-up rates for each social security benefit programme and on the measures taken to make it easy for recipients to claim their benefits;
- (d) On the number and percentage of individuals receiving an old-age pension and on the adequacy of the old-age pension to provide recipients, especially those who live solely on this pension, with a decent living;
- (e) On the measures taken to ensure the equitable provision of social assistance services and housing allowance (apartment benefits) across municipalities in the State party and the social assistance services and housing allowances provided by municipalities;
- (f) On the reasons for the significant decrease in the total expenditure by municipalities on social assistance and the cessation of State co-financing (E/C.12/LVA/2, annex 5, table 12) and on the steps taken to reverse the trend;
- (g) On the steps taken to unify pensions, which are regulated under nine special laws, or to integrate them into the compulsory social insurance scheme;
- (h) On the steps taken to expand the coverage of unemployment benefits and to increase the amount of the benefits;
- (i) On the implementation of the Law on Solidarity Tax, particularly after the judgment of the Constitutional Court of 20 October 2017.

Protection of the family and children (art. 10)

22. Please provide information on the outcome of the measures taken by the State party to ensure work-life balance (E/C.12/LVA/2, para. 47). Please clarify whether the State party's legislation prohibits discrimination based on family status and provide information on the cases of discrimination based on family status, including the number of cases filed and the outcome of those cases, as well as the main areas of discrimination, during the reporting period.

23. Please provide information:

- (a) On the measures taken by the State party to protect the rights of children living and working on the street and the impact of those measures;
- (b) On the measures taken by the State party to ensure compliance by employers with section 37 (4) of the Labour Law and section 3 of Cabinet of Ministers regulation No. 206/2002 and on the labour inspections carried out by the State Labour Inspectorate and the State Inspectorate for the Protection of Children's Rights over the conditions of children working under these provisions, including the numbers of establishments and of children inspected, as well as the number of cases involving a breach of labour legislation and the penalties imposed on employers, during the reporting period;
- (c) On the impact of measures taken by the State party to ensure that children living in institutional settings are provided with quality services and are protected from discrimination and abuse, including sexual abuse, and the impact of those measures.

24. Please clarify whether the State party has adopted specific legislation on domestic violence that includes provisions on the criminalization of acts of domestic violence. Please also provide information on the measures taken to enhance the reporting and investigation of cases of domestic violence, as well as the prosecution of those responsible for such violence, and to improve the remedies and support provided to victims.

Right to an adequate standard of living (art. 11)

25. Please provide information on the levels of subsistence income, guaranteed minimum income, income of needy persons and income of low-income persons (E/C.12/LVA/2, para. 132) and on the steps taken, if any, to introduce a mechanism to adjust them. Please also provide information on the measures taken to address the continuously high poverty rates in the State party, particularly among older persons, the

unemployed and single-parent households and an assessment by the State party of the effectiveness of the measures, particularly the social security scheme, including the old-age pension, in combating poverty. Furthermore, as mentioned in paragraph 14 (a) above, please provide information on the impact of measures taken by the State party, including the action plan for the development of the Latgale region 2015–2016, to address the large regional disparities in the enjoyment of the rights to an adequate standard of living and other Covenant rights.

26. Please provide information:

(a) On the legislative and other measures taken to ensure that evictions are used as a last resort, on measures taken to safeguard the rights of persons evicted, including by providing adequate alternative housing, if necessary, and on the specific conditions under which evictions can occur;

(b) On the measures taken to increase the number of social housing units provided by municipalities and to improve the quality of social housing, including relevant statistical data disaggregated by region on the number of social housing units provided, the number of persons on waiting lists and the average waiting time, during the reporting period;

(c) On the extent to which support and services, including social housing, have been provided to homeless people and any measures taken or envisaged by the State party to collect data on the extent of homelessness in the country.

Right to physical and mental health (art. 12)

27. Please provide information on the coverage of the mandatory health-care insurance scheme, including the number of those who are not covered by the scheme and the measures taken or envisaged to cover them.

28. Please provide detailed information on the measures taken by the State party as part of its reform of the health-care system (E/C.12/LVA/2, para. 154) and the outcome of such measures, particularly to address:

(a) The constantly low level of funding allocated to the health-care sector;

(b) The high reliance of public health care on funding from the European Union and the international community;

(c) The limited coverage of health-care services by public funding and the high proportion of out-of-pocket payment by patients;

(d) The annual quota system;

(e) The acute shortage of doctors and nurses, particularly in public and local hospitals;

(f) The wide inequalities in accessing health-care services by region, education and income level.

29. Please provide information:

(a) On the budget allocated to the mental health sector during the reporting period;

(b) On the measures taken to transform mental health services from a form of institutional care to community-based care and the outcome of those measures, in light of the Committee's previous recommendations;

(c) On the measures taken to improve the treatment and care of persons with mental illness and the steps taken to move away from institutionalization in favour of community-based care;

(d) On the measures taken to ensure a sufficient number of mental health professionals in all municipalities, including child psychiatrists, neurologists and nurses, and the number of mental health professionals by region;

(e) On analyses undertaken of the root causes of the high suicide rate, particularly among men, and the measures taken to address this situation and their effectiveness.

30. Please provide information:

(a) On the measures taken to reduce the high maternal mortality rates and their effectiveness;

(b) On the measures taken to ensure free and easy access to reproductive education and services, including contraceptives, particularly by women and adolescents;

(c) On the measures taken to reduce teenage pregnancies;

(d) On the measures taken by the State party to tackle the reportedly growing number of new cases of HIV and hepatitis C;

(e) On the use of drugs, particularly among children and adolescents, and the prevention measures taken and assistance provided to drug users.

Right to education (arts. 13–14)

31. Please provide information:

(a) On the measures taken to increase the budget allocated to the education sector;

(b) On the impact of the rationalization of the education sector, particularly the significant decrease in the numbers of educational institutions and teachers at the primary and secondary levels and on the availability, accessibility and quality of education, particularly in rural areas;

(c) Including statistical data disaggregated by sex, disability and ethnicity, on school enrolment rates at all levels of education, with particular reference to Roma students;

(d) On the measures taken to address the shortage of public preschool educational institutions in some municipalities and the situation in which the educational expenses of children who attend a private institution due to a lack of places in public institutions are not fully covered by municipalities;

(e) On the measures taken to ensure equal access by children with disabilities to education and on the implementation of inclusive education;

(f) On the measures taken to enhance the accessibility and availability of education that is adapted to the linguistic and social needs of students whose mother tongue is not Latvian;

(g) On the steps taken to ensure that unaccompanied minors have access to education beyond basic education.

Cultural rights (art. 15)

32. Please provide information:

(a) On the measures taken to address the digital divide, for example by increasing access to the Internet and digital literacy, including data disaggregated by income, region and age;

(b) On the accessibility of cultural sites to persons with disabilities, including statistical data disaggregated by type of disability;

(c) On the impact of the measures taken to protect and preserve the culture, history, tradition and languages of minorities and to ensure that persons belonging to minority groups, including Roma, take part in cultural life and activities.