

COMMITTEE ON THE RIGHTS OF THE CHILD
Forty-second session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 44 OF THE CONVENTION

Concluding observations: Latvia

1. The Committee considered the second periodic report of Latvia (CRC/C/83/Add.16) at its 1124th and 1126th meetings (see CRC/C/SR.1124 and CRC/C/SR.1126), held on 16 May 2006, and adopted at its 1157th meeting, held on 2 June 2006, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's comprehensive periodic report, as well as the detailed written replies to its list of issues (CRC/C/LVA/Q/2), which provided a better understanding of the situation of children in the State party. It further notes with appreciation the frank and open dialogue with the delegation of the State party, which included experts from relevant State institutions.

B. Follow-up measures undertaken and progress achieved by the State party

3. The Committee notes with appreciation the ratification of international treaties relevant to the protection of children's rights, including:
 - a) the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict on 19 December 2005;
 - b) the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography on 22 February 2006; and
 - c) Hague Convention No. 33 on Protection of Children and Cooperation in Respect of Intercountry Adoption on 9 August 2002.
4. The Committee also welcomes the various measures taken as a follow-up to the Committee's Concluding Observations (CRC/C/15/Add.142) after the consideration of the first report on the implementation of the Convention such as:
 - a) the establishment of the Ministry for Children and Family Affairs;
 - b) the long-term policy planning document, the Principal Positions Latvia Fit for Children (2004-2015), based on the outcome document of the Special Session

of the United Nations General Assembly in May 2005, “A World Fit for Children;” and

- c) the establishment of a Subsistence Guarantee Fund in 2004.

C. Factors and difficulties impeding the implementation of the Convention

- 5. The Committee recognizes the economic and social difficulties facing the State party, including the dramatic drop of the GDP, caused mainly by the dissolution of the European Council for Mutual Economic Assistance, which has negatively impacted the situation of children and has impeded and continues to impede full implementation of the Convention.

D. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 4, 42 and 44, paragraph 6 of the Convention)

Committee’s previous recommendations

- 6. The Committee notes with satisfaction that various concerns and recommendations (CRC/C/15/Add.142) made upon the consideration of the State party’s initial report (CRC/C/11/Add.22) are referred to throughout the State party report and have been addressed through legislative measures and policies. However, it regrets that some of the concerns it expressed and recommendations it had made regarding, inter alia, coordinated policies and institutional mechanisms relating to the rights of children, the allocation of adequate budgetary resources for family benefits, health services and education and the expansion of family-like alternative care provisions, have been insufficiently addressed.
- 7. **The Committee urges the State party to make every effort to address the recommendations issued in the concluding observations on the initial report that have not yet been implemented, and to address the list of concerns contained in the present concluding observations related to the second periodic report.**

Legislation and implementation

- 8. The Committee notes with appreciation that the State party has taken steps to develop a legal framework for the protection of children’s rights. It welcomes the adoption of legislative measures related to the rights of children, including amendments to the Law on the Protection of the Rights of the Child and on the Law on Social Services and Social Assistance and revised by-laws. The Committee is concerned, however, that there is a gap between law and practice, particularly in the areas of education, health care, juvenile justice and protection from violence.
- 9. **The Committee recommends the State party revise or amend laws where necessary and to take the necessary measures, inter alia, by providing adequate human and financial resources to ensure the implementation of the laws in order to bring them in full compliance with the Convention.**

Coordination and National Plan of Action

10. The Committee welcomes the establishment of institutional mechanisms focused on the rights of children, including the Ministry for Children and Family Affairs which is mandated to develop, coordinate and monitor implementation of a national policy related to the protection of children's rights, and the creation of the State Inspectorate for the Protection of Children's Rights to, inter alia, ensure compliance with the Law on the Protection of the Rights of the Child and other legislation. The Committee also notes that a number of policies, strategies and action plans explicitly refer to the rights of children, including the Principal Positions Latvia Fit for Children. However, the Committee is concerned that there is still a lack of coordination of the various institutional mechanisms and entities to monitor implementation of the Convention throughout Latvia, including between the national and local level. The Committee is also concerned at the absence of a comprehensive national plan of action for the implementation of the long-term policy Latvia Fit for Children.

11. The Committee encourages the State party to:

- a) strengthen the mandate of the Ministry for Children and Family Affairs to coordinate and monitor implementation of a national policy related to the protection of children's rights;**
- b) develop a National Plan of Action for the full implementation of the Principal Positions Latvia Fit for Children that specifies goals and objectives and establishes a clear time frame and that fully incorporates the principles and provisions of the Convention and of the law;**
- c) situate all other action plans and programmes under the National Plan of Action to avoid fragmentation and unnecessary overlap; and**
- d) provide the mechanisms, regulations and budgetary and human resources necessary for the effective implementation of this plan of action.**

Independent monitoring

12. The Committee welcomes the establishment of various mechanisms including the Section for Protection of the Rights of the Child in the Latvia National Human Rights Office which deals, inter alia, with complaints related to violations of children's rights and the draft law on Public Advocate, an ombuds-type of institution meant to broaden the human rights protection and secure the observance of the principle of good governance by State institutions. The Committee is nevertheless concerned that this section of the National Human Rights Office is inadequately mandated to monitor, regularly evaluate or report on implementation of the Convention. The Committee regrets that despite its previous recommendation, the State party has not established a post of Ombudsperson for Children.

13. The Committee recommends the State party to continue its effort to strengthen the work of the Section for Protection of the Rights the Children within the Latvian National Human Rights Office by ensuring the provision of adequate human and financial resources and to promote and strengthen accessibility for children to the Section. It also recommends the State party to ensure effective coordination and cooperation between this Section and the new Public Advocate

and to consider the possibility of developing this Section into an independent Ombudsperson for Children, taking into account the Committee's General Comment No. 2 on the role of independent national human rights institutions, and the Paris Principles (General Assembly resolution 48/134, annex). The Committee encourages the State party to involve NGOs in its ongoing efforts to monitor implementation of the Convention.

Allocation of resources

14. The Committee welcomes the increases in budgetary resources allocated to education and maternal and child health-care. The Committee is nevertheless concerned that these allocations are inadequate to ensure effective implementation of the Convention, including the numerous programmes and reforms that are planned or in place.
15. **The Committee recommends that the State party:**
 - a) **develop a comprehensive strategy and an adequate monitoring system to ensure that budgetary allocations effectively improve the situation of the most vulnerable groups and reduce regional disparities; and**
 - b) **undertake a study on the impact of the Government's budgetary resources allocated for children and their families to assess their effectiveness.**

Data collection

16. The Committee takes note of the State party's progress with regard to the collection of statistical data and notes with appreciation the detailed and updated information provided by the State party in its Written Replies. However, the Committee remains concerned that there is still a lack of systematic and comprehensive data that has been disaggregated that would enable analysis of the factors determining the situation of, in particular, vulnerable groups of children.
17. **The Committee recommends that the State party undertake measures to develop a systematic and comprehensive collection and disaggregation of data that is consistent with the Convention, and can be used for the development, implementation and monitoring of policies and programmes for children. Particular emphasis should be placed on gathering data relating to children who need special attention, including non-citizens, stateless and refugee children and children of minorities. Consideration should be given to conducting analytical in-depth studies on children who are particularly vulnerable, such as child victims of abuse, neglect, or ill-treatment, street children, children with disabilities and special needs, children in long-term institutional care and residential boarding schools.**

Dissemination of the Convention

18. The Committee notes with appreciation that in response to its previous recommendations, the State party included information about children's rights in school curricula and projects and translated into Latvian and published the Implementation Handbook for the Convention on the Rights of the Children. The

Committee also acknowledges the efforts of the State party to train professionals working for and with children, however is concerned that professionals working with children, parents and children themselves have limited awareness of the Convention.

- 19. The Committee recommends that the State party:**
- a) continue its efforts to disseminate the Convention in all relevant languages, and also through the use of child-friendly materials and school curricula in primary and secondary schools;**
 - b) expand its programmes to sensitize children and parents about the Convention; and**
 - c) increase its efforts to provide adequate and systematic training on children's rights for professionals working with and for children, including judges, lawyers, law enforcement personnel, teachers, health care professionals and social workers.**

**2. General principles
(arts. 2, 3, 6 and 12 of the Convention)**

Non-discrimination

20. The Committee welcomes the declaration of the Government that all children in Latvia enjoy the same rights irrespective of their citizen-status and the decision to remove the mandatory requirement to record ethnic origin in passports. It reiterates, however, its previous concern that the principle of non-discrimination is not fully implemented in Latvia for children belonging to minorities, including Roma children, children with disabilities and children living in rural areas, in particular, with regard to their access to adequate health and education facilities.

- 21. The Committee recommends that the State party:**
- a) undertake effective measures to ensure that all children within its jurisdiction enjoy the rights enshrined in the Convention, in accordance with article 2, including through the adoption of legislation which specifically prohibits all forms of discrimination;**
 - b) undertake comprehensive public education campaigns to prevent and combat negative social attitudes and behaviour based on sex, age, race, nationality, ethnicity, religion, disability; and**
 - c) include information in the next periodic report on the measures and programs relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and taking account of Committee's General Comment No. 1 on the aims of education (2001).**

Best interests of the child

22. The Committee welcomes the assertion of the State party that priority is given to the implementation of children's rights, but is concerned that the best interests of the child are insufficiently addressed under the pressure of the economic transformation and the consequences of an aging population.
23. **The Committee recommends that the State party:**
- a) **ensure that the general principle of the best interests of the child is a primary consideration and is fully integrated into all legislation relevant to children; and**
 - b) **ensure that this principle is applied in all political, judicial and administrative decisions as well as projects, programmes and services which have an impact on children.**

Respect for the views of the child

24. The Committee notes with appreciation the measures undertaken to promote respect for the views of the child, including through active participation in student government, on school boards and in the recently established children's council. It is concerned, however, that children from a disadvantaged background are not included to the same extent in these structures. The Committee regrets that little information was provided on the attitudes towards children's views and proposals and to what extent their views have been sought, expressed or integrated in all institutions attended by children at the local level and in the family.
25. **In light of article 12 of the Convention, the Committee recommends that that State party:**
- a) **strengthen its efforts to ensure that children have the right to express their views freely in all matters affecting them and to have those views be given due weight in schools and other educational institutions as well as in the family and reduce the discrepancies in the opportunities for the participation of students from different social and regional backgrounds;**
 - b) **develop community-based skills-training programmes for parents, teachers and other professionals working with and for children, to encourage children to express their informed views and opinions by providing them with proper information and guidance;**
 - c) **ensure that children be provided with the opportunity to be heard in any judicial and administrative proceeding affecting them, and that due weight be given to those views in accordance with the age and maturity of the child;**
 - d) **systematically ensure the effective participation of children's organizations in the development of national, regional and local policies or programmes affecting them, including educational reforms; and**
 - e) **provide more detailed on this issue in the next periodic report.**

3. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37(a) of the Convention)

Nationality

26. The Committee welcomes the various steps taken by the State party to expedite the naturalization process of non-citizen and stateless children. The Committee remains concerned, however, that despite the 1998 amendment of the Citizenship Law which entitled children born in the period 1992-2005 to citizenship, and is granted upon application, a considerable number of children in Latvia still do not yet have Latvian citizenship or are stateless.
- 27. The Committee recommends that the State party strengthen its efforts to accelerate the naturalization process for those who wish to gain citizenship with the goal of eliminating the transitional legal status of non-citizens. The Committee encourages the State party to provide more information and support to the parents of non-citizen and stateless children to ensure that all children in Latvia can easily acquire citizenship.**

Access to information

28. The Committee appreciates the measures taken by the State party to encourage reading among children, in particular, through educational and library programmes. The Committee also notes steps that have been taken by the State party to consider issues related to access to media and information technology, including the protection of children from harmful Internet sites. However, the Committee is concerned that certain harmful materials published in the media and available through the Internet are easily accessible to children, including sites which present violent and pornographic material, incite racial hatred and promote drug abuse.
- 29. The Committee recommends that, through cooperation with radio and television broadcasters, mechanisms be established to monitor and improve the quality and suitability of media programming produced primarily for children. The Committee also recommends, in light of article 17 of the Convention, that the State party take all necessary legal, educational and other measures, including advisory campaigns directed to parents, guardians and teachers, and cooperation with Internet service providers, to protect children from being exposed to harmful material, such as violence and pornography, transmitted through the media and Internet.**

Corporal punishment

30. The Committee welcomes the explicit prohibition of corporal punishment in the Law on the Protection of the Rights of the Child, however, is concerned that corporal punishment and other degrading practices continue to be practiced within schools and in other institutions. The Committee is also concerned that while regional inspectors are mandated to investigate cases of corporal punishment, the sanctions they impose may not always be adequate, and that it is difficult to suspend or dismiss the offenders.

31. **The Committee reiterates its previous recommendation to ban from practice corporal punishment and other degrading practices in all settings, and to encourage the State party to strengthen measures to promote alternative forms of discipline in schools and other institutions for children, inter alia, by strengthening sanctions and bringing offenders to justice, including through the suspension of offenders from schools and institutions.**

**4. Family environment and alternative care
(arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)**

Children deprived of family environment

32. The Committee notes with appreciation the increased emphasis of the State party placed on the alternatives to institutional childcare, including foster families and adoption. The Committee is concerned that temporary or permanent suspension of parental rights has become a frequently applied measure, and that most of the children are sent to institutions. While recognizing that steps have been taken to increase the number of children in family-type care, the Committee is concerned that large numbers of children continue to remain in long-term residential care, including children who have been left behind by parents seeking employment outside the country. The Committee is concerned about the limited number of foster families and that the foster care system is insufficiently regulated and resourced. It is further concerned that the necessity and appropriateness of institutional care is not subject to regular, periodic review, so that children who could return to their families remain in institutions.
33. **In light of articles 20 and 25 of the Convention, the Committee recommends that the State party:**
- a) **ensure that care for children separated from their parents is provided with priority given to a family or a family-type setting, i.e. foster families, adoptive families or extended families;**
 - b) **undertake a study on the consequences for children of parents leaving Latvia for reasons of employment abroad or for other reasons and, based on the outcome of the study, develop adequate mechanisms of support for children, where appropriate;**
 - c) **ensure that the institutionalization of a child is a measure of last resort and only occurs when family-type measures are considered inadequate for a specific child, and that institutionalization is subject to regular review with a view to reassess the possibility for reunification; and**
 - d) **undertake an examination of the different laws applied to children without parental care in order to ensure that procedures are in conformity with the principles and provisions of the Convention, emphasizing the best interests of the child, and taking into account the recommendations of the Committee at its day of general discussion regarding children without parental care (2005).**

Adoption

34. The Committee is concerned that the number of children adopted domestically remains significantly lower than the number adopted through intercountry adoptions.
35. **The Committee recommends that the State party take steps to encourage domestic adoptions, including through the dissemination of accessible information related to the conditions for adoption, offering preparatory assistance to persons willing to adopt and working groups for adoptive parents. The Committee also recommends that the State party ensure that the best interests of the child is the primary consideration for adoption and that preference is given to domestic adoption over intercountry adoption.**

Abuse and neglect, maltreatment, violence

36. The Committee notes with appreciation the steps taken to address violence against children including the development of an information campaign and the training of specialists working with children in crisis situations, as well as the establishment of a toll-free hotline service for children. However, the Committee is concerned at multiple reports, including from children themselves, that violence against children remains a widespread problem in Latvia. While police investigations are reportedly carried out for the most serious cases of physical and sexual abuse of children, the Committee is concerned that there is a general belief that violence in the home should be considered as a private matter. The Committee is also concerned about the lack of systematically collected data on the extent of violence against children and the absence of appropriate measures and mechanisms to address the problem.
37. **The Committee urges the State party to:**
- a) **strengthen existing legislation on the protection of children from all forms of violence and ensure the systematic collection of data on violence against children;**
 - b) **continue and strengthen its awareness-raising and education campaigns with the involvement of children and develop strategies and interventions to prevent and combat all forms of child abuse, including through school-based education programmes aimed at raising awareness and skills among children to address different forms of violence;**
 - c) **establish an effective reporting system for cases of child abuse and neglect to be used by professionals, children and the public at large and ensure that, in particular, children in institutions and other forms of alternative care have easy and safe access to this system and bring the perpetrators to justice;**
 - d) **provide care, full physical and psychological recovery and social reintegration for child victims of violence; and**
 - e) **ensure accessibility of the toll-free national helpline including by increasing its hours of operation to 24 hours daily, creating an easy-to-remember 3-digit toll-free number that is equally accessible from mobile**

phones and from rural and remote areas, and cooperate with NGO hotlines and services for children in emergency situations.

- 38. In the context of the Secretary-General's in-depth study on the question of violence against children and the related questionnaire to Governments, the Committee acknowledges with appreciation the written replies of the State party and its participation in the Regional Consultation for Europe and Central Asia held in Ljubljana from 5 to 7 July 2005. The Committee recommends that the State party use the outcome of this regional consultation in order to take action, in partnership with civil society, to ensure the protection of every child from all forms of physical or mental violence, and to generate momentum for concrete and, where appropriate, time-bound actions to prevent and respond to such violence and abuse.**

**5. Basic health and welfare
(arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)**

Children with disabilities

39. The Committee is concerned that there is currently no legislation in place which specifically addresses the rights of persons with physical or mental disabilities. The Committee notes that despite increased financial assistance for day centres and home care for children with physical or mental disabilities, it is concerned that children with mild to moderate disabilities are frequently institutionalized due to a lack of capacity to care for the child and that families often face discriminatory attitudes from professionals and the local community. The Committee is also concerned that in spite of the declared inclusive policy of the State party, the majority of children with disabilities attend special schools and that an unknown, but allegedly high number of children do not attend school at all.
40. **The Committee recommends that the State party:**
- a) **adopt legislation to protect the rights of children with disabilities in conformity with internationally accepted standards;**
 - b) **provide early childhood education and care and primary and secondary education for children with disabilities in a way that corresponds to the needs of these children, preferably in mainstream educational facilities, and is conducive to the child's achievement of the fullest possible social integration and individual development and provide adequate support, supervision and training to persons working with children with disabilities, including teachers in mainstream schools, and pay special attention to children not attending school;**
 - c) **undertake efforts to establish and implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes and home-based care;**
 - d) **undertake awareness-raising campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of**

children with disabilities and combating negative societal attitudes towards children with disabilities; and

- e) **remove physical barriers to enable effective access of children with disabilities to schools and other institutions and services.**

41. **The Committee also urges the State party to review existing policies and practice in relation to children with disabilities, giving due attention to the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the recommendations adopted by the Committee on its day of general discussion on the rights of children with disabilities (see CRC/C/69).**

Health and health services

42. The Committee notes the increase in budgetary allocation to national health-care for children. Despite the introduction of measures to expand the availability of basic health services, including near-universal immunization programmes for children, many children have limited access to medical care as a result of financial or geographic restrictions. The Committee is concerned at the high rates of newborn, infant and child mortality in Latvia, and increasing rates of tuberculosis and hepatitis and the reports of the continued prevalence of iodine deficiency and malnutrition. The Committee notes that steps have been taken, including by the police, to increase awareness of safety among children in Latvia and to reduce accidents, it is concerned that the rates of child mortality in Latvia due to factors such as violence, fires, traffic and other accidents have increased.

43. **The Committee recommends that the State party take steps to:**

- a) **ensure that all children have access to basic health-care services;**
- b) **allocate appropriate resources to establish health-care services accessible and affordable for all children, including the Action Plan for the Implementation of the Strategy for Healthcare of Mother and Child 2004-2007;**
- c) **address iodine deficiency and potential malnutrition through education and the promotion of healthy eating practices; and**
- d) **increase efforts and allocate adequate resources to conduct national and regional campaigns focused on youth safety to reduce accidents endangering the lives of children.**

Adolescent health

44. The Committee is concerned about rates of adolescent pregnancy and the reliance on abortion as a contraceptive method, particularly among young women aged 15-17 years. The Committee is concerned that mental illness is inadequately treated and that individuals committed to institutional care for mental illness suffer arbitrary restrictions on their freedoms. The Committee is also concerned at the rate of suicide among youth, particularly boys aged 14-17 years.

45. **The Committee recommends that the State party, taking account of General Comment No. 4 (2003) on adolescent health and development:**
- a) **strengthen its reproductive health education programme(s) for adolescents in order to prevent adolescent pregnancy and the spread of STIs. Such programmes should provide access to sexual and reproductive health services, including family planning;**
 - b) **ensure the full protection of the rights of children committed to institutional care for mental illness, including access to family members and the establishment of an independent complaints process; and**
 - c) **intensify its measures to raise awareness about and prevent suicide among adolescents, including by providing adequate resources for the implementation of the programme, and by strengthening its mental health-care and outreach services.**

HIV/AIDS

46. The Committee notes that while the total number of newly reported cases of HIV is decreasing, the proportion of heterosexual transmissions, particularly among female adolescents, has increased in recent years. The Committee welcomes strategic initiatives undertaken by the State party, including the Programme of the Ministry of Health on Elimination of Dissemination of the Human Immunodeficiency Virus (HIV) and AIDS 2003-2007. The Committee is nevertheless concerned at apparent discrepancies in reported rates of HIV infection.
47. **The Committee recommends that the State party, taking into account its General Comment No. 3 on HIV/AIDS and the rights of the child (CRC/GC/2003/3) and the International Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37):**
- a) **pay greater attention to strengthening its reproductive health education programme(s) for children and adolescents in order to prevent the spread of HIV/AIDS;**
 - b) **take steps to increase awareness among adolescents, particularly among those belonging to vulnerable and high-risk groups, including drug users, adolescent sex workers and street children about the risks of HIV/AIDS; and**
 - c) **fully respect the rights of children to privacy and non-discrimination in offering HIV-related information, voluntary counselling and testing, knowledge of their HIV status, confidential sexual and reproductive health services, and free or low-cost contraceptive methods and services, as well as HIV-related care and treatment if, and when, needed including for the prevention and treatment of health problems related to HIV/AIDS, such as tuberculosis and opportunistic infections.**

Standard of living

48. The Committee recognizes that children and their families are severely impacted by the economic and social transformation process that was initiated after Latvia regained independence. It is concerned that in spite of remarkable growth rates, a large number of families live in economic hardship, near or below the level of subsistence, especially families headed by single-parents, families with three or more children and families in remote areas. The Committee is also concerned at regional disparities between rural and urban areas, and marked social inequality within the population. The Committee welcomes the adoption of measures, including financial benefits and additional care facilities to assist families in extreme adversity and with children at risk. The Committee is, however, particularly concerned that assistance to families is not sufficient to prevent the circumstances related to evictions of families with children from their places of residence by court order, which often further deteriorates the living conditions of children and their families. The Committee also takes account of the numbers of job-seeking adolescents and is concerned at the difficult transition from school to the labour market experienced, in particular, by children who dropped out before graduation.

49. **The Committee recommends that the State party ensure that:**

- a) **ensure that its budgetary allocations to key areas for children, particularly support for disadvantaged families, health and education, keep pace with increases in economic growth;**
- b) **the financial support system provided to families living under difficult economic conditions is expanded and that day-care centres and schools assist disadvantaged families with regard to child care and education;**
- c) **disadvantaged families are provided with adequate and affordable housing, and that adequate, alternative housing arrangements are available in the event of their evictions; and**
- d) **adolescents are assisted in their efforts to find employment.**

6. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education, including vocational training and guidance

50. The Committee welcomes the fact that education is one of the priorities of the National Development Plan 2007-2013 and notes with appreciation an increase in the enrollment rates of children in education. It is, however, concerned at reported rates of non-attendance from primary, secondary and vocational schools as a result of, inter alia, hidden costs, poverty, inadequate transportation, closure of schools in sparsely populated areas, voluntary truancy, the lack of parental interest in education and bullying. The Committee also expresses concern regarding unsatisfactory conditions of State boarding schools for children with special needs or who are deprived of parental care.

51. **The Committee recommends that the State party take immediate steps to allocate appropriate financial and human resources to:**

- a) **ensure that all children from all areas of the country, without distinction, including children in pre-trial custody and detention, have equal access to quality education, including human rights education;**
- b) **strengthen measures aimed at decreasing drop out and repetition rates in primary and secondary education in all regions and ensure that all children have equal opportunities to complete their education;**
- c) **expand measures to prevent bullying among children at school;**
- d) **take measures to inform parents of the importance of education, and where appropriate, provide incentives to families to encourage children to attend school, including financial assistance for educational supplies and the provision of school lunches; and**
- e) **improve the standard of living, the disciplinary treatment and quality of education for children attending residential boarding schools and schools in rural and remote areas, and reduce disparities in allocated resources and facilities.**

**7. Special protection measures
(arts. 22, 30, 32-36, 37(b)-(d), 38, 39, 40, of the Convention)**

Refugee children

52. The Committee welcomes the entry into force of the new law on asylum, yet is concerned that asylum-seekers and their children may be held at the border at inadequate detention facilities without access to medical care and deported without access to legal counsel. The Committee is concerned that children born to parents who are asylum-seekers cannot be issued formal birth certificates. It is also concerned that the definition of “family” found in Section 29 of the Asylum Law limits opportunities for family reunification, particularly in the case of separated or unaccompanied children whose parents are deceased or whose whereabouts are unknown.

53. **The Committee recommends that the State party:**

- a) **undertake measures to ensure the availability of adequate facilities for refugee children in Latvia, including access to legal counsel and medical care and the availability of education, irrespective of the status of the refugee child;**
- b) **ensure that asylum-seeking children, including separated children, are only detained when it is necessary to protect their best interest and for the shortest time possible, and take into account article 37 of the Convention and General Comment No. 6 on the treatment of unaccompanied and separated children outside their country of origin (2005);**
- c) **ensure that the births of children born to asylum-seekers are immediately registered in accordance with article 7 of the Convention;**

- d) **take steps to broaden the definition of “family” in the Asylum Law to promote family reunification; and**
- e) **create training programmes related to the principles and provisions of the Convention for border guards, police and judiciary.**

Child labour

54. The Committee welcomes information that the Saeima has approved the ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
55. **The Committee encourages the State party to complete the ratification process by depositing an instrument of ratification with the Secretary-General, as soon as possible.**

Street children

56. The Committee notes that support for street children falls within the framework of the Improvement of the Status of the Child and Family programme, and regrets that little information is provided regarding street children in Latvia. It is concerned that in light of the economic difficulties faced in Latvia, there is no systematic, comprehensive strategy to provide these children with adequate assistance.
57. **The Committee recommends that the State party:**
- a) **undertake a study on the causes and scope of the situation of street children and develop and implement a comprehensive strategy with the aim of preventing and reducing this situation and protecting children;**
 - b) **ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, to support their full development; and**
 - c) **ensure that these children are provided with recovery and reintegration services, including psychosocial assistance for physical, sexual and substance abuse, and where possible, when in the best interests of the child, services for reconciliation with a view to reintegration with their families.**

Sexual exploitation and trafficking

58. While the Committee recognizes the existence of legislative measures to address sexual exploitation and trafficking of children, including the national programme on the Prevention of Trafficking in Human Beings 2004-2008, and training of law enforcement personnel, the Committee is concerned that a general lack of awareness and economic hardship faced by many young people in Latvia increases their vulnerability.

59. In order to prevent and combat trafficking in children for sexual and other exploitative purposes, the Committee recommends that the State party:
- a) develop adequate systems of early-prevention of sexual exploitation and trafficking and strengthen its efforts to identify and investigate cases of trafficking;
 - b) review and revise the 2002 National Action Plan to Combat Trafficking in Persons and strengthen legislative and other measures to prevent and combat sexual exploitation and trafficking in children and ensure that perpetrators are prosecuted and that strong penalties are applied;
 - c) conduct nationwide awareness-raising campaigns to improve understanding of the issues of trafficking and recognize the root causes and factors that place children at risk of such exploitation;
 - d) provide adequate programmes of assistance, recovery and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children; and
 - e) conduct training for law enforcement officials, migration officials and border police on the causes, consequences and incidence of trafficking and other forms of exploitation to enable them to identify and support children at risk of becoming victims of trafficking or commercial sexual exploitation.
60. The Committee also reiterates the 2004 recommendation of the Committee on the Elimination of Discrimination against Women (A/59/38) that the State party further its efforts through increased international, regional and bilateral cooperation.

Administration of juvenile justice

61. The Committee welcomes the reduction in drug-related offences, however is concerned at the reported increase in alcohol-related offences. The Committee is also concerned that juveniles are often held in pre-trial detention for long periods without judicial oversight and about allegations of mistreatment in detention.
62. The Committee recommends that the State party ensure the full implementation of juvenile justice standards, in particular, articles 37, 40 and 39 of the Convention, in light of the recommendations adopted by the Committee on its day of general discussion on juvenile justice (CRC/C/46, paras. 203-238), and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty, and the Vienna Guidelines for Action on Children in the Criminal Justice System. The Committee also recommends that the State party undertakes more specific measures in order to:

- a) **ensure that juveniles in detention and pre-trial detention have access to legal aid and independent and effective complaints mechanisms and have the opportunity to remain in regular contact with their families;**
- b) **provide educational instruction for juveniles in detention and pre-trial detention and significantly improve the living conditions in these facilities;**
- c) **ensure that deprivation of liberty, including pre-trial detention, is used as a measure of last resort, for the shortest time possible as authorized by the court through strengthening of procedures to facilitate expedited processing in accordance with internationally accepted guarantees for the right to a fair trial; and**
- d) **develop and implement alternatives to deprivation of liberty, including probation, mediation, community service or suspended sentences and measures to effectively prevent and address drug- and/or alcohol-related delinquency.**

Children belonging to minority groups

63. The Committee notes that bilingual education for minorities will be provided until the ninth grade only (end of primary education), and that comprehensive and professional secondary education, as well as vocational education, will be provided in Latvian language only, with the exception of subjects related to language, identity, and culture of minorities, which can be taught in the minority language. While the State party declares that it is carefully monitoring this process, the Committee remains concerned that those children required to learn in a new language may experience difficulties in following the instruction.

64. **The Committee recommends the State party:**

- a) **continue to provide information to children and their parents about the shift to Latvian language in secondary education;**
- b) **assist children who have language deficits;**
- c) **train teachers to ensure that children are not disadvantaged by the new medium of instruction; and**
- d) **continue to monitor and include information on the implementation of the language policy in the educational system in the next State party report.**

8. Follow-up and dissemination

Follow-up

65. **The Committee recommends that the State party take all appropriate measures to ensure full implementation of the present recommendations, inter alia, by**

transmitting them to the members of the Cabinet of Ministers, the Saeima, and to the local authorities for appropriate consideration and further action.

Dissemination

66. The Committee further recommends that the second periodic report and written replies submitted by the State party and related recommendations (concluding observations) adopted by the Committee be made widely available in the languages of the country, including through the Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups, and children in order to generate debate and awareness of the Convention, its implementation and monitoring.

9. Optional Protocols to the Convention on the Rights of the Child

67. The Committee encourages the submission of its initial reports under both Optional Protocols in a timely manner, and if possible, at the same time, to facilitate the review process.

10. Next report

68. The Committee invites the State party to submit a consolidated 3rd and 4th report, by 13 May 2009 (that is 18 months before the due date of the 4th report). This is an exceptional measure due to the large number of reports received by the Committee every year and the consequent delay between the date of submission of a State party's report and its consideration by the Committee. This report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.
