



2023 Annual Report

2024

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Dear readers,

What is the first word that characterises 2023? Continuation. This marks not only the institution of the Ombudsman and its office, but also global events. Interestingly, other adjoining words are also important. When we talk about the bright and beautiful things, we are happy for continuation. When we talk about the sad and painful, we hope that it will come to an end and it will not continue. The continuation itself does not provide a solution. The solution requires work, and sometimes it is quickly accomplished, but sometimes it is long and persistent. In the Ombudsman's Office, we experience various situations, and 2023 showed that our current work is often a long-standing continuation.

Last year, Latvia held the Presidency of the Council of Europe, and we had the honour, at the same time, the opportunity, in cooperation with other institutions, to reiterate huge human rights problems to the wider public. Already in 2022, I highlighted freedom of expression and its fragile border with hate speech. Continuing to keep the topic up-to-date, last year freedom of expression came into the spotlights at the conference "The pen is mightier than the sword? Meeting today's challenges to freedom of expression and the safety of journalists'. Together with colleagues, psychiatrists and lawyers from European National human rights institutions at the symposium and conference on promoting autonomy in mental health care we exchanged experiences to jointly find solutions for an inclusive society in which the autonomy of people with mental disabilities is respected.

As regards healthcare, I would also like to highlight the situation with access to reimbursable medicines in atypical cases. There are patients not eligible for reimbursable medicinal products, because medical consilium has prescribed such medicines that are not included in the national list of reimbursable medicinal products for the specific diagnosis. This is the question that I am very harsh about, because by recklessly restricting state support to people's opportunities for treatment, we literally deprive them of the opportunity to continue to live, enjoy and realise themselves in the country and the state. The solution has not yet been fully found, but it should continue to be sought until it becomes apparent that the state serves the human, not the diagnosis in the correct column of the table.

Last year, the Ombudsman's communication campaigns thoroughly shook the municipalities and the institutions under their supervision, as public involvement in the acquisition of information was requested. The campaign "How is life in a nursing home?" collected information about the real situation in social care centres or nursing homes. In conversations and additional inspections with colleagues of the Ombudsman's Office, we received confirmation of the concerns and observations to date, as well as new and sometimes even shocking information, as the situation in several nursing homes were violating human dignity and suppressing well-being. It was pleasant that some municipalities immediately tried to find solutions. Preventive work is our everyday life, but we see that seniors' lives in nursing homes improve too slow, and this feeling of continuation seems to be protracted.

Unexpectedly, but 2023 returned us to a ten-year-old story about education free of charge. The apple of Discord being teaching aids in municipal educational institutions. Unfortunately, even ten years after the amendments to the Education Law, many municipalities still act as entities independent of the state. The information provided by the parents reflected how differently the municipalities understood and implemented their responsibilities. We reminded them of their responsibilities, and some of the educational institutions withdrew or updated the lists of items to be provided by the parents. However, this struggle is not yet over, but I sincerely hope that soon parents will not have to cover the inaction of municipalities and they will grant what is needed for compulsory learning.

Looking back to the last year, I especially thank the responsiveness of seniors, parents of children, as well as employees of institutions, representatives of non-governmental organisations and the media, as the campaigns echoed loudly in the public space and it helped the work of local governments getting closer to human rights and good governance based approach.

In the song of Laimonis Vācizemnieks and Raimonds Pauls there are such significant words: "Everything comes and goes. And everything starts from the beginning.» Although we get tired repeating ourselves again and again, we will continue to observe and remind if it is necessary so that people in Latvia feel free, happy, full of strength, health and hope! My first reminder in 2024 – I look forward to the action of the responsible officials, so that this year the idea of the family court takes real shape, because children and families, even if they need the strong shoulder of the country, is the positive continuation that we want to see and experience in future Latvia!

Respectfully

Ombudsman Juris Jansons

Year in figures

Number of submissions

Division	2021	2022	2023
Civil and Political Rights Division	987	805	678
Social, Economic and Cultural Rights Division	688	577	625
Children's Rights Division	260	238	405
Other staff	10	14	10
Total	1945	1634	1718

Submission topics

Theme	2023 (n)	2023 (%)
Principle of good governance	326	16,18
Right to a fair trial	182	9,03
Right to property	133	6,60
Right to healthcare	112	5,56
Right to social security	106	5,26
Rights of prisoners	104	5,16
Prohibition of torture, inhuman and degrading treatment or punishment	90	4,47
Right to education	89	4,42
Rights of the child	87	4,32
Legal status of a person	81	4,02
Right to work	72	3,57
Right to respect for private and family life	69	3,42

Theme	2023 (n)	2023 (%)
Right to housing	61	3,03
Discrimination	58	2,88
Right to an enabling environment	56	2,78
Right to liberty and security	20	0,99
Rights of persons with disabilities	19	0,94
Freedom of speech and expression	12	0,59
Right to life	6	0,30
Right to freedom of thought, conscience and religion	2	0,10
Right to effective protection	2	0,10
Right to freely leave and return to the country	1	0,05
Freedom of association	1	0,05
Request for information	197	9,77
Other issues	90	4,47
Not within the jurisdiction of the Ombudsman	26	1,29
Submissions with unclear content	13	0,65
Total	2015	100

Replies to submissions

Division	2023
Civil and Political Rights Division	583
Civil and Political Rights Division, Prevention Unit	6

Division	2023
Social, Economic and Cultural Rights Division	546
Children's Rights Division	354
Total	1498

VA erification procedures

Division	Instigated verification procedures	Completed or terminated verification procedures
Civil and Political Rights Division	12	24
Social, Economic and Cultural Rights Division	26	30
Children's Rights Division	6	2
Of which on Ombudsman's initiative	3	0
Total	44	56

Correspondence documents received within verification procedures

Division	2023
Civil and Political Rights Division	32
Civil and Political Rights Division, Prevention Unit	0
Social, Economic and Cultural Rights Division	151
Children's Rights Division	31
Total	214

Implementation of Ombudsman's recommendations

	2021	2022	2023
Recommendations on the implementation of which information has been received	123	108	221
Number of recommendations implemented or partially implemented	94	78	171
Number of recommendations not implemented or pending	29	30	50
Proportion of implemented or partially implemented* recommendations	76.44 %	72.22 %	77.38 %
Recommendations for the implementation of which there is no information or time limit	64	65	81
Total number of recommendations	187	173	302

* Only recommendations regarding which replies have been received from the responsible institutions are counted. These data are constantly evolving, table contains information at the time of preparation of the 2023 annual report.

Consultations

Consultations	2021	2022	2023
By e-mail	1778	967	1044
By telephone	1379	1407	1412
On-site (in person)	3	52	70
Total	3160	2426	2526

Topics of legal consultations

Theme	2023 (n)	2023 (%)
Right to a fair trial	360	12,96
Right to education	360	12,96
Children's rights	216	7,78
Principle of good governance	185	6,66
Right to social security	153	5,51
Right to respect for private and family life	149	5,37
Rights of persons with disabilities	132	4,75
Prohibition of torture, inhuman and degrading treatment or punishment	128	4,61
Discrimination	75	2,70
Right to property	69	2,48
Right to work	68	2,45
Right to healthcare	60	2,17
Right to housing	55	1,98
Right to an enabling environment	48	1,73
Legal status of a person	24	0,86
Right to liberty and security	16	0,58
Freedom of speech and expression	16	0,58
Right to life	4	0,14
Rights of prisoners	4	0,14
Right to freedom of thought, conscience and religion	2	0,07
Right to effective protection	2	0,07

Theme	2023 (n)	2023 (%)
Right of free movement within the territory of the country	1	0,04
Right to vote and to be elected	1	0,04
Right to exercise public service	1	0,04
Freedom of scientific, artistic and other creation	1	0,04
Request for information	460	16,56
Not within the jurisdiction of the Ombudsman	112	4,03
Other issues	57	2,05
Unclear content	18	0,65
Total	2777	100

Ombudsman's opinions and conclusions

	2023
Opinions to the Constitutional Court	10
Conclusions to state institutions on draft legal acts	47

Awareness raising and participation in events

	2023
Publications	8707
News and press releases	127
Social media posts ("Twitter", "Facebook")	374

2023

Events, seminars, discussions organised by the Ombudsman	88
Lectures and number of students in the school program "Ready for Life"	36/806
Participation in events and discussions organised by other institutions, lectures	393
Participation in working groups and commissions	142
Surveys of foreigners to be returned	5

Discrimination and equal treatment

The principle of legal equality and the prohibition of discrimination are enshrined as fundamental rights in Article 91 of the Satversme and in the international law. Legal equality means that unequal treatment must be justified. This principle is infringed if the justification is insufficient or unacceptable.

Discrimination, on the other hand, constitutes a legally inadmissible difference in treatment, harassment, exclusion or limitation, as well as an instruction to discriminate on the basis of individual characteristics such as sex, social origin, disability, age, beliefs or other circumstances.

In order to establish discrimination, there must be a clear causal link between the disadvantage and one of the individual characteristics to be protected. Discrimination can mean not only different treatment of persons in a similar situation, but also equal treatment in different situations.

Characteristics of the reporting period

In 2023, the Ombudsman received 58 submissions on various aspects of discrimination and legal equality, which is slightly lower than in the previous reporting period, where 73 submissions had been received. As in the previous reporting period, there were more submissions for alleged violations of discrimination on grounds of sex and disability in 2023. The population also continued to complain about mobbing and bossing. As in the previous reporting period, there were more complaints about possible discrimination in employment and in the public sector. In all cases, the Ombudsman found unequal treatment or discrimination. It can be concluded that inappropriate or undesired behaviour or legislation, which is difficult to accept and which appears to be unduly constrained, tends to constitute discrimination. An important stumbling block for the purposes of these fundamental rights lies in the opposition to assume that different treatment of persons in the same and comparable situations may also be justified if it is based on an exceptional situation where there is an identifiable legitimate aim and the means used to achieve it are appropriate and necessary for society as a whole. The same applies to the justification of an apparently discriminatory situation in which persons are in substantially different circumstances but are treated in the same way.

In terms of gender equality, it is important to emphasise that Latvia has already adopted the Directive on work-life balance for parents and carers, but Member States have to transpose the Pay Directive by June 2026.

The Ombudsman has implemented a series of educational activities to promote public legal literacy on non-discrimination, as well as has actively worked on improving the regulatory framework of the European Union and the Council of Europe.

Review of the most important cases and opinion of the Ombudsman

On hostile treatment towards women in public positions

The Ombudsman [addressed](#) comments based on sexism and gender stereotypes against women in important public positions. In addition, the media should also avoid indiscriminate republishing of politicians' statements, thereby contributing to their proliferation. The Ombudsman also recalled the obligation of media platforms to monitor hate speech statements in the comment sections.

On gender discrimination in the club

[In verification procedure No 2023-31-26AB](#), the Ombudsman assessed the situation when the nightclub offered free entrance to women, while men had to pay for the entrance. At the same time, men are offered a discount for the purchase of non-alcoholic beverages. The regulatory framework prohibits different treatment on grounds of sex in access to goods and services. There are certain exceptions to which such situations may be allowed. In the particular situation, the Ombudsman did not identify a legal basis for price differences in the nightclub, finding a violation of the prohibition of discrimination on grounds of sex.

On violation of prohibition of discrimination on grounds of sex in the use of European Union structural funds

[In verification procedure No 2022-55-26D](#), the Ombudsperson assessed the right of female scientists employed in the implementation of European Union Structural Funds' projects to take maternity leave. It has been identified that the principle of gender equality and the obligation to conclude projects in accordance with the deadline laid down in the Regulation are in contradiction with the principle of gender equality in the implementation of the European Union Structural Funds within the framework of the post-doctoral programme. If the scientist takes maternity and parental leave, it is not possible to conclude the project in accordance with the time period laid down in regulatory enactments. However, if the project deadline is observed, it is not possible to take the maternity or parental leave in accordance with national regulations. Although the scientists employment contracts are with higher education institutions, their right to use maternity leave is determined by the Latvian Council of Science. As a result, a tripartite employment relationship is formed. The Ombudsman found a systemic violation of the prohibition of indirect discrimination on grounds of sex, preventing scientists from taking maternity and parental leave in accordance with national regulations.

On the right of worshipers (dievturi) to solemnise a marriage

The Ombudsman evaluated the restriction contained in Section 51 of the Civil Law, which only provides for the right of clergy of certain denominations to solemnise an officially recognised marriage, thus preventing them from solemnising into a worshipers (dievturi) clergy. The Ombudsman explained: the fact that such rights are granted only to certain religious organisations is not in itself unlawful. However, the European Court of Human Rights has emphasised in its practice that where a State provides for a status conferring additional privileges, it cannot be granted in a discriminatory manner.

In the autumn of 2023, the Saeima adopted amendments that grant the rights provided for in Section 51 of the Civil Law also to worshipers (dievturi) clergy.

Prevention of violence against women

Violence against a woman is a gender-based violent act that results in, or is likely to cause, physical, sexual or emotional harm or suffering to a woman. Violence also includes threats, coercive acts or arbitrary deprivation of liberty, whether in public or private life.

Domestic violence is a cyclical violent act that is most often directed against a woman and is carried out by a partner (a husband, a partner) with the aim of gaining control or power over her. However, other family members, including children and seniors, may also be victims of domestic violence. In Latvia, violence against women and domestic violence has not been eradicated and is a major social problem.

Characteristics of the reporting period

During the reporting period, five submissions were received from women who have experienced domestic violence. In their submissions, they expressed their dissatisfaction with the actions and decisions of the state authorities, mainly the State Police, in response to the information received on domestic violence. There is also dissatisfaction with certain issues related to the application of provisional protection against violence in court (reasonability of judicial decisions) and the assessment of evidence. There are situations when women have turned to the Ombudsman regarding events dating back several years or events that are based on protracted conflict situations between former partners to be solved by court. However, there have been cases where complaints have been made in relation to recent events. In some cases, the Ombudsman turned to the State Police in order to obtain information on compliance with the rights of these persons, while drawing attention to the situation of these persons. Complaints have also been received about insufficiently actions by the State Police in response to failure to comply with court rulings on temporary protection against violence.

When responding to victims of domestic violence, the Ombudsman informs them about the available redress mechanisms, as well as non-governmental organisations and opportunities to receive legal, psychological and other forms of assistance and support.

During the reporting period, the Ombudsman launched a study on the effectiveness of the temporary protection mechanism against violence. The study is based on the investigation of temporary protection cases in all regions of Latvia, obtaining statistical data, identifying examples of positive practice and practice to be improved, as well as listening to judges' opinions on problems detected in practice. The study is ongoing and is expected to be concluded in 2024.

Overview of major cases

Acceptance and assessment of evidence submitted in a foreign language

The Ombudsman received a submission that, according to the applicant, the court, when examining her application for temporary protection against violence, did not take into account the evidence submitted by her in a foreign language (prints of the transcript), which indicated the violence committed by her ex-husband, as they had not been translated and certified by a translator. After obtaining information from the court, the Ombudsman concluded that the general procedure for the submission of evidence in a foreign language applies to cases in this category. Most court judges accept documents in a foreign language if they understand the particular language, for example, Russian. The translation of documents may also be certified by the applicant before submitting them to the court. In the present case, no additional documents were accepted because they were not accompanied by any translation, and extensive evidence of similar content was already on the file and assessed. There was therefore no ground for a possible infringement of the applicant's rights.

On the ratification of the Istanbul Convention

At the beginning of the reporting period, the Ombudsman addressed a [letter](#) to the newly elected Saeima, pointing out that there are still several areas of law in which the human rights of residents of Latvia are not fully guaranteed, and the previous Saeima had not solved. Attention was also drawn to the need to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

The Ombudsman pointed out that the current legal framework was insufficient in the fight against violence. As an international instrument, the Istanbul Convention would help combat violence against women and domestic violence more effectively, as well as gradually eliminate various gender-rooted stereotypes. It should be noted that the Saeima ratified the Istanbul Convention on 30 November 2023.

Right to a fair trial

The right to a fair trial is an integral part of the functioning of a democratic and rule of law state. The State has a duty to ensure the effective exercise of these fundamental rights to any person whose rights and legitimate interests have been infringed. These fundamental rights are guaranteed to everyone both in Article 92 of the Satversme and in international human rights instruments, and it is precisely on the proper safeguarding of these rights that the protection of other fundamental rights also depends.

Characteristics of the reporting period

In 2023, the Ombudsman received a total of 182 submissions regarding fair trial, slightly more than in the last period (172 in 2022). In comparison to the previous period, the aspect related to access to the court has regained their topicality. In 2023, 11 submissions were received (four in 2022). Also, more often applicants in their submissions expressed dissatisfaction with the justification of the court ruling – lack of motivation (13 submissions received in 2023, 4 in 2022 and 34 in 2021). At the same time, the number of complaints about unfair substantive proceedings has halved (20 submissions in 2023 and 40 in 2022). However, it should be noted that some complaints were received regarding the court's refusal to accept complaints in administrative infringement proceedings, as well as the question of the admissibility of the written procedure in a situation where the COVID-19 pandemic has ended.

On the other hand, the number of submissions related to the availability and quality of legal aid, as well as the actions of judges is relatively unchanged. It should be noted that during the reporting period, the Ombudsman applied in certain cases to the Latvian Council of Sworn Advocates, asking for an evaluation of the work of lawyers. When analysing the content of complaints, it is difficult to highlight overall tendencies, because each situation that comes to the attention of the Ombudsman is to be assessed individually.

Review of the most important cases and Ombudsman's opinion

On multiple penalties of the owner or driver of a vehicle

The Ombudsman, continuing the issue raised in 2022 and referring to the discussion held in the Saeima on 28 February 2023, issued [opinion](#) on deficiencies in the application of Article 71(1) and (2) of the Road Traffic Law, as well as Article 26 of the Law on Administrative Liability. This is due to the multiple penalties of the owner or driver of the vehicle for the absence of a valid compulsory civil liability insurance policy or State roadworthiness test.

On the COVID-19 act

The Ombudsman addressed a [proposal](#) to the Parliamentary Defence, Home Affairs and Corruption Prevention Committee asking for clarification of Paragraph 8 of the Transitional Provisions of the draft law on the management of the spread of COVID-19 infection (No 340/Lp14), believing that its wording could create confusion in the application. The norm was improved.

The refusal to allow the appeal

The Ombudsman issued an [opinion](#) in verification procedure No 2023-28-4C on the court's refusal to accept a person's appeal in administrative infringement proceedings because the deadline for submitting it had been missed. In the present case, no violation of the rights of a person was established, however, the Ministry of Justice expressed an opinion on a possible imprecise wording of Section 228 of the Law on Administrative Liability and has prepared [a draft law](#) which will clarify the norm.

On sending documents to the court

The Ombudsman issued an [opinion](#) in verification procedure No 2022-26-4C, where it was necessary to assess whether the court had rightly restricted the applicant's right of access to the court by returning an electronic mail, the attached document of which exceeded the maximum size limit for electronic mail. No infringement was found in the present case either.

The failure to adjudicate on a preliminary ruling by the courts

On 8 May 2023, the Ombudsperson delivered an [opinion](#) on verification case 2022-54-4F,4O concerning the lack of judicial review by the Court of Justice of the European Union following a preliminary ruling. The Ombudsman informed the courts of the findings of the opinion.

Right to a fair trial in pre-trial proceedings

Ensuring the right to a fair trial in pre-trial proceedings is as important as during the trial. This affects a person's ability to protect their rights in cases where the law does not provide for the possibility of examining a particular issue in court or is limited. At the same time, improper observance of the rights of a person in pre-trial proceedings may lead to the failure of ensuring the right to a fair trial in court proceedings, preventing the suffered person from achieving a fair settlement of criminal law relations. Only a state in which individuals can rely on the legitimate, impartial and effective functioning of law enforcement authorities can be called legal and democratic.

Characteristics of the reporting period

The number of submissions regarding the right to a fair trial in pre-trial proceedings continues to decrease compared to the previous two years. In 2023, 32 submissions were received. It is noteworthy that 35 submissions were received in 2022 and 76 in 2021.

The problem expressed in the submissions remains similar as in previous periods, i.e., most submissions concern pre-trial investigation in general (6 submissions), actions of the person directing the proceedings (12) and decisions taken (3).

At the same time, during the reporting period a submission was received regarding the delay of criminal proceedings, four submissions regarding the application of unlawful investigative methods in the opinion of the submitters, six submissions regarding other violations. The applicants also had questions about failure to send summons in due time, failure to issue procedural documents, and professional competence of police officers. The applicants also point to shortcomings in the work of the investigating authorities, non-compliance with deadlines, violations of the principle of hearing. Often the opinion of private individuals regarding the legal nature of the offence, its qualification, the legality of a procedural decision differs from the point of view of the institutions (removal of property, attachment of property, determination of the restriction of rights).

Sometimes the applicants have indicated that the investigating authorities have not obtained, according to the applicants, significant evidence, did not take any procedural steps before a decision to impose a penalty is taken, or that the person liable for administrative liability is not offered partial immunity from the penalty. Information has been received regarding cases where the investigating authorities have not notified decisions in good time, refuse to renew the procedural time limit for submitting a complaint that has been missed.

In response, applicants are provided with information on their rights in the particular situation, including the available redress mechanisms.

At the same time, issues related to the seizure of property and confiscation, on which the Ombudsman also gave two views to the Constitutional Court, are still relevant.

Review of the most important cases and opinion of the Ombudsman

Opinions of the Ombudsman to the Constitutional Court on the attachment of property

The Ombudsman gave opinions to the Constitutional Court in cases No. 2022-32-01 and No. 2023-13-01 regarding the compliance of Section 124(6) and (7), Section 125(3) and Section 126(3¹) of the Criminal Procedure Law with the first and second sentences of Article 92 of the Satversme.

In his opinion in verification procedure No. [2022-32-01](#), the Ombudsman concluded that Section 126(3¹) of the Criminal Procedure Law does not restrict the right of the applicant to observe the principle of equality of the parties and to guarantee the presumption of innocence guaranteed by the first and second paragraphs of Article 92 of the Satversme, since its purpose is to regulate the issues of compensation after the criminal proceedings have ended.

In turn, Section 124(6) and Section 125(3) of the Criminal Procedure Law, insofar as it provides for a legal presumption of fact, complies with the first and second sentences of Article 92 of the Satversme, while the rights of the person guaranteeing the principle of equality of the parties are regulated by other provisions of this Law which have not been contested by the applicant.

In his opinion in [verification procedure No 2023-13-01](#), the Ombudsman did not find the seventh part of Section 124 of the Criminal Procedure Law incompatible with the first and second sentence of Article 92 of the Satversme.

Effectiveness of the Criminal Procedure Monitoring Mechanism

The Ombudsman issued an opinion in verification procedure No 2020-23-4AB, in which he assessed the effectiveness of the appeal mechanism for the decision to terminate criminal proceedings and the effectiveness of the investigation of criminal proceedings. The Ombudsman concluded that the mechanism for appealing against a decision terminating criminal proceedings was not effective, because the arguments put forward by the applicant in the complaints were not addressed, they were not rebutted, and the existing contradictions had not been eliminated. This constitutes a breach of the principle of sound administration by failing to ensure respect for the right to a fair trial.

As regards the effectiveness of the investigation, the Ombudsman found that the deficiencies identified by the prosecutors in the pre-trial procedure had not been remedied, no information was obtained on facts that would allow for a more objective assessment of the evidence. The victim's version of what happened was neglected without checking its reliability. The authorities did not obtain evidence on their own initiative, but only after the victim's complaints. Thus, the pre-trial investigation was not conducted in a sufficiently targeted, qualitative and timely manner, which led to an infringement of the right to a fair trial in pre-trial proceedings.

Enforcement of rulings

Enforcement of rulings is one of the basic guarantees enshrined in Article 92 of the Satversme. Ensuring the proper and timely enforcement of court decisions is an essential and integral part of a person's right to defend their rights and legitimate interests in a fair court. In order to respect this fundamental right, the State must ensure the effective enforcement of rulings by ensuring that the court ruling does not only remain on paper, but also materialises in life.

Each year the enforcement of rulings plays an important role in the daily work of the Ombudsman, and the public is increasingly becoming aware of its importance not only in relation to debtors whose interests it is to keep at their disposal as much money as possible, but also with regard to the collectors and their legal interest in obtaining the benefit awarded to them as soon as possible.

Characteristics of the reporting period

In 2023, the Ombudsman received six submissions relating to complaints on the enforcement of rulings in general, while 33 submissions were related to complaints about the actions or decisions taken by sworn bailiffs. Compared to the previous year, the number of submissions addressed as complaints about the activities of sworn bailiffs has increased (in 2022 there were only 20 submissions), but the number of submissions for enforcement of rulings has remained unchanged – six. Overall, it can be said that 2023 also showed a downward trend in the number of submissions, with a total of 40 submissions in 2021 and 52 in 2020.

At the same time, there is still a large number of in person and telephone consultations, as well as e-mail replies – in 2023, 15 consultations were provided on the enforcement of rulings, while 111 consultations were provided on issues related to the activities of sworn bailiffs. Also with regard to consultations provided, they are decreasing every year, with a total number of 218 consultations in 2021 and 160 in 2022.

Also in 2023, the highest number of complaints was directly about the activities of sworn bailiffs in enforcement of rulings, without retaining the funds specified in the law. The Ombudsman regularly informs applicants about the Ombudsman's limited competence in dealing with such matters and calls for recourse to national remedies.

During the reporting period, the [problem](#) of implementation of court rulings on detention and delivery of persons to an institution for deprivation of liberty, which was raised in 2022, had to be repeatedly encountered. In the present case, more than three years elapsed between the sentencing of a person and the transfer of a person to the deprivation of liberty institution, and in the meantime the person committed a new criminal offence. Although the State Police [replied](#) that the judgment can theoretically be enforced also within its limitation period, it can nevertheless be seen that one judgment has not been executed in time, the person lives further and commits new crimes. This issue will therefore continue to be actively followed up.

Review of the most important cases and Ombudsman's opinion

On the effective enforcement of court decisions and the amount of funds to be retained by the debtor

At the invitation of the Ministry of Justice, the Ombudsman issued an [opinion](#) on the draft amendments to Sections 594 and 599 of the Civil Procedure Law. The abovementioned amendments provide for the change of the procedure for recovery to the work remuneration of the debtor, as well as to settle the issue of the amount of funds to be retained by the debtor who is the performer of economic activity.

The Ombudsman conceptually supported these amendments, at the same time calling for a review of the amount of funds retained for a debtor with a dependant minor child as opposed to a debtor who has no dependant children. After coming to the Saeima, the Ombudsman actively follows it, taking part in the meetings of the Legal Affairs Committee of the Saeima.

On the amount of retention of arrested persons employed in prisons

The Ombudsman [addressed](#) a request to the Ministry of Justice to make amendments to the regulatory framework, so that the law clearly determines the amount of deductions for employed persons in custody, equating it to the amount determined by persons sentenced to deprivation of liberty. After discussing the issue in the inter-institutional discussion, the Ministry of Justice confirmed that the problem will be solved. In addition to this, there was also a conceptual agreement that the resources of the remission fund of convicted persons should be subject to 'ceilings' which could lead to the recovery of those funds.

Directing recovery from the maintenance of the debtor's child

During the reporting period, the Ombudsman [raised](#) the issue of directing recovery from the maintenance of the debtor's child, indicating that, contrary to what is currently laid down in the law, the amount of maintenance to be retained for the debtor should be determined based on the court decision or notarial act, rather than equating them to the minimum amount.

[The Ministry of Justice](#) and the [Latvian Council of Sworn Bailiffs](#) answered that the Ministry of Justice undertakes to organise an inter-institutional discussion on this issue. The Ombudsman will continue to actively follow up on this topic in 2024.

Right to liberty and security

The right to liberty and security may be restricted in accordance with the procedures and to the extent prescribed by law. Restriction or deprivation of liberty is an exception. The right to freedom in a broader sense includes the freedom to decide where a person wants to move, including the freedom to leave the country of citizenship. The right to liberty also includes the condition that a person cannot be held in captivity without a court judgment, without an adequate statement of reasons, and that, in the event of an increase in the duration of the deprivation of liberty, that statement of reasons must be of increasing importance.

The State has a positive obligation to make every effort to ensure that the person is subject to trial within a reasonable period of time and that the duration of their captivity is reduced, and the restrictions imposed are immediately lifted without delay. The person must have understandable reasons regarding their limited freedom. The right to security protects everyone against threats to their physical integrity. The state has a positive duty to take care of the safety of individuals and society and to protect from possible threats.

Characteristics of the reporting period

In 2023, the Ombudsman received 11 submissions on issues affecting a person's right to liberty. This is slightly lower than in 2022 (15 submissions) and significantly less than in 2021, when 29 submissions were received. Thus, the decreasing trend in the number of submissions continues.

Two submissions were received regarding the detention of a person, one – regarding the application of detention in pre-trial proceedings, two – regarding the forced placement of a person in a psychoneurological hospital, one – regarding the detention of an asylum seeker, while nine submissions were received on various other issues. During the reporting period, the Ombudsman drew attention to issues affecting a person's right to a regular review and justification of the detention order, finding a violation of the right to liberty in individual cases.

During the reporting period, the Ombudsman also engaged in the development of a new legal framework on issues relating to the safety of persons.

Review of the most important cases and opinion of the Ombudsman

Validity of the arrest warrant

In 2022, the Ombudsman initiated verification procedures No 2022-50-32 and No 2022-52-32 assessing whether the motivation included in court decisions was sufficient to justify the need for an arrest warrant and was in line with human rights. The verification procedures were closed finding that the arrest decisions did not contain information on specific criminal acts that the arrested person could rebut. The arrested person was also denied the right to get acquainted with the materials of criminal proceedings justifying the arrest and its further necessity, which is contrary to the principle of equality of the parties and prevented a person from rebutting the need for the application of the most severe security measure, making the defence formal. Thus, it was concluded that the rights guaranteed by the second paragraph of Article 5 of the Convention for the Protection of Human Rights and Fundamental Freedoms (to be informed of the grounds for arrest and the charges) were infringed and that the periodic review of the detention was formal.

Not removing on time the prohibition of leaving the State

A private individual applied to the Ombudsman expressing dissatisfaction regarding the denied possibility to leave the State due to a security measure or prohibition to leave the country applied in criminal proceedings. As a result, the person suffered material and non-material damage.

In the particular situation, the criminal proceedings were terminated, and the security measure had already been revoked five years ago, but a note in the Penal Register regarding revocation of a security measure had not been made by the Prosecutor's Office in due time. The Ombudsman informed the applicant about the mechanism of redress available to her and the right to claim compensation for the damage suffered.

Prohibition on leaving the State for vulnerable persons

The Ombudsman gave [opinion](#) on the draft law "Amendments to the Law on Police" (21-TA-1780), as well as participated in the related coordination meeting organised by the Ministry of the Interior. It examined the proposal to provide police officers with the right to take a decision to prohibit the vulnerable person from leaving the Republic of Latvia for a certain period of time. The aim of this regulation is to ensure the safety of persons and to prevent situations where persons are involved in trafficking in human beings without being aware of it. Discussions on the text of the draft law and the content of the annotation are still ongoing.

The right of the police to use special means

The Ombudsman gave [his opinion](#) on the draft law “Amendments to the Law On Police” (23-TA-1189), which envisaged granting police officers the right to use drones, anti-drone equipment, as well as explosives under conditions of increased risk. The aim of the draft law is to ensure the possibility for the State Police to prevent or stop high-risk threats more effectively and quickly in order to ensure the safety of persons and society, as well as national defence. The draft law has not yet been adopted.

Right to freedom of expression

Today, the right to freedom of expression is challenged by abuse of this right. Spreading populist ideas raises questions in which cases populism is pro-democracy and in which it is destructive. In controversial topics (e.g. sex education of children, ratification of the Istanbul Convention), populism has stifled the voices of individuals ready to express themselves professionally on these issues. Often so-called community leaders spread Russian propaganda and disinformation on the Internet, dividing society, causing ethnic hatred, or even supporting Russia's war crimes in Ukraine.

Characteristics of the reporting period

As in 2022, Ombudsman received 11 submissions regarding the right to freedom of expression during the reporting period. Experts gave several media interviews on various aspects of freedom of expression. A year had passed since limited access to Russian propaganda television and internet channels in Latvia. Although it is too early to assess the impact of these decisions, they are likely to have a positive impact on democracy as a whole in the long term.

At the political level, discussions were launched on the discontinuation of Russian content in public media after 2026. The Ombudsman expressed support for the continuation of high-quality content in public media beyond 2026, indicating that this would help avoid disinformation.

The Ombudsman together with the Ministry of Foreign Affairs, the Ministry of Culture and the Council of Europe organised international [conference](#) "The Pen is Mightier than the Sword? Meeting today's challenges to freedom of expression and the safety of journalists". In a panel discussion, the Ombudsman raised the issue of restrictions on freedom of expression during conflicts.

In 2023, tensions on ethnic issues persisted in society, fuelled by a number of adopted laws and planned legislative plans to limit the use of Russian language or symbols related to the Russian aggression in Ukraine. The Ombudsman replied to residents' e-mails on these questions. A [comment](#) was provided to the media on the announcement by the State Police of bringing persons to administrative liability for the indication of belonging to the Russian nationality on the vehicle.

During the reporting period, seven opinions were issued to law enforcement authorities on the limits of freedom of expression.

Review of the most important cases and opinion of the Ombudsman

On administrative responsibility for hate speech

On 2 May 2023, the Subcommittee on Criminal Law and Penal Policy of the Parliamentary Legal Affairs Committee held a discussion “On the proposal to provide for administrative responsibility for hate speech in relation to the incitement of national, ethnic and racial hatred, as well as on the incitement to social hatred and disbelief”. The Ombudsman [reiterated](#) the need to establish administrative responsibility for hate speech, emphasising that criminal liability should only be applied in the most serious cases where statements are related to violence or threats. At the same time, it would be signalled that there is also administrative responsibility for statements against vulnerable groups.

The requirement of loyalty

The Ombudsman submitted [a proposal](#) to the Parliamentary Committee regarding the planned amendments to the State Administration Structure Law, which included the requirement of loyalty of employees, calling for the exclusion of reference to other countries from the text of the norm. The Parliament (Saeima) supported the Ombudsman’s proposal.

Regarding the exhibition of Ukrainian artists

The Ombudsman gave [his opinion](#) on a possible hate speech at the National Library of Latvia in the exhibition called “We will win!” of sculpture and paintings by the Ukrainian artists group “TIGOIS project”. Any different interpretation of a work of art may be potentially subjectively offensive and consequently affect the coexistence of different groups of society, especially during warfare. However, respecting the freedom of art and creativity, the purpose of the exhibition and the overall political context of the war in Ukraine, according to the Ombudsman, the exhibition did not violate the boundaries of freedom of expression and there was no hate speech.

Regarding information for official use

The Ombudsman issued an [opinion](#) on several draft laws, the main purpose of which was to transfer information for official use from the Freedom of Information Law to the law “On Official Secret”, classifying it as an official secret. The Ombudsman pointed out that in the law “On Official Secret” it would be necessary to lay down clear procedures by which a private person, including a journalist, may request the issuance of information that has been granted the status of official secret, as well as the procedure for appealing the refusal.

The Parliament (Saeima) accepted the Ombudsman’s provisions.

Respect for private and family life

Article 96 of the Satversme provides that everyone has the right to inviolability of private life, home and correspondence. The content of the right to privacy consists of: personal identity, physical and mental integrity, including honour and dignity, personal living space, sexual and social relations, relations with other persons, including information about that relationship. This also includes the right to keep your private life secret from others. The State has a duty not only to unreasonably not interfere with the private life of individuals, but also to protect them from interference with other people and the media.

Characteristics of the reporting period

During the reporting period, the Ombudsman has reviewed the submissions of 69 private individuals. The number of submissions examined has not changed significantly in recent years (65 in 2022 and 77 in 2021). Most often, individuals turn to the Ombudsman about the exercise of access rights (32 submissions), as well as on data protection (22). Submissions mostly point to individual cases that do not reflect obvious systemic problems, but they point to residents' uncertainty about the content of rights and remedies. Individuals are interested in the legality of video surveillance, access to health data, journalists' data protection obligations, publication of personal data in public registers and the right to be forgotten.

In the opinion of the Ombudsman, it is necessary to continue educating the public about the content and protection of the right to privacy.

Review of the most important cases and opinion of the Ombudsman

On information to be published in the declaration of a public official regarding the maintenance received and the payer thereof

The Ombudsman issued an [opinion](#) in the verification procedure No 2023-16-5D and concluded that in those cases where the maintenance debtor is the State, it is necessary to ensure that the public official's publicly accessible part of the declaration does not indicate "maintenance" as a type of income and the administration of the Maintenance Guarantee Fund or a sworn bailiff is not indicated at the source of income. It was also concluded that the publicly available part of the declaration of a public official should not separate the type of income 'maintenance' at all, using the term 'other income' instead.

The Ombudsman concluded that an inter-institutional expert discussion was necessary in order to assess the compliance of the existing regulatory framework with Article 96 of the Satversme in all cases when, as a result of the publication of the declaration of a public official, data on other natural persons related to the official were disclosed.

Information to be published in the calendar of court hearings

The Ombudsman examined [verification procedure](#) No 2022-43-5F on infringement of the right to privacy or the protection of personal data. The private individual stated that, when examining a matter relating to the implementation of the sentence, his name and the articles and parts of the Criminal Law based on which the criminal prosecution had been brought were made public in the calendar of the court hearings, even though the criminal conviction in that criminal case concerned criminal acts against sexual inviolability committed by that person as a minor.

Given that the criminal case was previously heard in a closed hearing, such information on the person and the nature of the offence was not previously publicly available. The Ombudsman concluded that such restriction of the rights guaranteed in Article 96 of the Satversme was not proportionate.

Right to property

In Article 105 of the Satversme, the State guarantees everyone's right to property. However, they are not absolute. Ownership cannot be exercised against the public good. The State may restrict a person's right to property in accordance with the procedures laid down by law. If a person's rights are restricted, this restriction must have a legitimate aim and be proportionate.

Characteristics of the reporting period

In 2023, a total of 133 submissions were received regarding the right to property, which is much higher than in the previous reporting period (86 submissions in 2022). Of these, seven were related to the alienation of property, 22 – restriction of ownership, 16 – protection of ownership when the right to property is infringed by another person. A total of 24 submissions were received regarding the obligation to pay taxes, of which 8 were for personal income tax and 11 for real estate tax. Five submissions have been received regarding the implementation of the child's economic rights, four regarding waste management, 44 regarding other property-related topics.

Also in 2023, people mostly turned to the Ombudsman in cases of individual infringements, for example, about the boundaries of property, historical injustice in restitution of property, [provision of access to property](#), sharing of joint property, actions of the building authority, State Revenue Service, workload of the State Land Service in the performance of services, tax issues, especially regarding the calculation and application of personal income tax and increased real estate tax.

The Ombudsman has received complaints from several persons regarding red line encumbrances for property and transport infrastructure development, as well as a net payment system.

A large part of the submissions regarding possible infringement of property rights concern the area of private law, therefore the Ombudsman cannot assess such situations on the merits, however, can make a recommendation for a possible solution. For the most part, ignorance of laws and delays of deadlines or other wrongful conduct has led to loss of property or money. Thus, it is important for residents to be aware that their own timely action, possibly involving a legal aid provider, can contribute to a successful resolution of the situation.

Review of the most important cases and opinion of the Ombudsman

Regarding judge's error and losses caused

[In verification procedure No 2022-46-16A on](#) the judge's error and losses caused in relation to the period of time incorrectly indicated in the decision, regarding provisional maintenance to be recovered from the submitter, the Ombudsman concluded that, due to judge's error the submitter unduly had to transfer EUR 5400 to the applicant for provisional maintenance thus causing an infringement of his property right. The Ombudsman recommended that the submitter approach the bailiff with a request to extend payments in the amount of EUR 5400 to the implementation of a court ruling. It was suggested that the issue of overpaid maintenance should also be dealt with in the main proceedings, asking the court to rule on the issue together with the judgment.

On the obligation to remove collected snow and leaves from the territory adjacent to the property of public use

[In verification procedure No 2021-17-27L](#), the Ombudsman assessed the obligation to remove the collected snow and leaves from the territory of Riga State City Municipality adjacent to the property. The Ombudsman's recommendations to ensure collection of leaves from the territories adjacent to the properties on certain times free of charge and as close as possible to the properties, as well as for the local government to remove snow from the territories adjacent to its streets, where it obstructs pedestrian and transport traffic, have been implemented.

Opinion to the Constitutional Court on the prohibition of rearing of fur animals

When providing [an opinion to the Constitutional Court in case No. 2023-09-01](#) on the prohibition of rearing of fur animals, the Ombudsman recognised the legal order established by the contested norms as justified, proportionate and compatible with the interests of society as a whole. The Ombudsman concluded that the benefit to be gained by the company outweighs the harm caused to the rights and legitimate interests of the applicants, as no evidence to the contrary has been provided, even based on provisional calculations.

Opinion to the Constitutional Court on a norm of the Electronic Communications Law

The Ombudsman provided an [opinion to the Constitutional Court in case No. 2022-44-01](#) regarding the right of an electronic communications merchant to transfer or lease only the rights of use of such restricted radio frequency bands, which it has obtained as a result of a tender or auction for a fee. The Ombudsman concluded that the contested norm is incompatible with Article 105 of the Satversme, because there are no convincing arguments that would allow to conclude that such an absolute prohibition to transfer or lease the rights of use acquired free of charge would provide society with such benefit that is greater than the harm caused to the rights and interests of a person.

Right to work

Work is not only a source of a person's existence, but also an essential element of individuality and self-expression. Occupation helps an individual realise the potential, knowledge, skills and talents of their personality, as well as integrate into society, actively participate in its processes by providing social and economic input.

The fundamental rights of a person in the field of employment are included in Articles 106, 107 and 108 of the Satversme. They are also regulated by the Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Economic, Social and Cultural Rights, the Charter of Fundamental Rights of the European Union, the Revised European Social Charter and other international law binding on Latvia.

Characteristics of the reporting period

The submissions received by the Ombudsman show that the topicality of employment-related issues in 2023 has remained unchanged compared to 2022 and 2021. Persons often turn to the Ombudsman with complaints about protracted and unresolved conflicts at work, considering them as mobbing or bossing, as well as submissions related to employment, but by nature do not fall within the Ombudsman's competence. In response to such submissions, the Ombudsman explains the limits of its competence, indicating that not every conflict at work automatically qualifies as psychological terror and, if possible, provides the person with information on the means of protection of rights and interests available to them.

Review of the most important cases and opinion of the Ombudsman

On the employer's right to propose the termination of an employment relationship

The Ombudsman assessed the change in the employer's attitude after the applicant, as an employee of a public institution, signed an open letter to the State officials regarding COVID-19. The Ombudsman did not establish objective facts or circumstances that would indicate unequivocally and convincingly that actions have been taken against the applicant with the aim for their termination of office and would qualify as mobbing, bossing, unequal treatment or discrimination.

The actions of the applicant when signing the open letter, in which the information expressed did not correspond to the actual situation, contradicted the state policy in the field of epidemiological safety, affected the competence of the employer and misinformed the society, reduced confidence in the purpose, meaning and essence of the institution's activities, weakening its authority, image and reputation in the eyes of the public. Consequently, the employer, faced with such a situation and the difference in opinion maintained by the applicant, was entitled both to make an offer to terminate the employment relationship and to carry out an assessment of the circumstances in the context of disciplinary proceedings in relation to the infringements at the applicant's disposal.

On the right of teachers to work and the examination of knowledge of the State language

In [verification procedure No 2023-13-15H,27L](#) in relation to changes to Section 48 of the Education Law, the Ombudsman received several submissions due to concerns about the full-fledged provision of the teaching process, when, following the inspection carried out by the State Language Centre, the school management at the same time suspended several teachers. The Ombudsman identified shortcomings in the practice of the State Language Centre, which may disproportionately restrict persons' right to work, as well as unjustifiably restrict a person's access to the mechanisms for the protection of rights within the framework of the administrative procedure, and made recommendations for their elimination.

Implementation of the Constitutional Court Judgment of 15 December 2022 in case No 2021-41-01

The representative of the Ombudsman actively participated in the inter-institutional working group for the implementation of the judgment of the Constitutional Court of 15 December 2022 in case No 2021-41-01. The main objective of the working group was to develop amendments to the law "On Judicial Power" regarding restrictions that prevent a person from becoming a candidate for the office of a judge. At the same time, the working group agreed to carry out a similar assessment for prosecutors, taking into account the requirements of the Office of the Prosecutor Law.

As a result of the activities of the Working Group, amendments to the Law "On Judicial Power" and the Office of the Prosecutor Law were developed, recognising that it is possible to carry out an individual assessment only in cases where a person has committed a criminal offence through negligence and it is classified as a criminal offence or a less serious crime.

On 21 December 2023, the Parliament (Saeima) adopted amendments to the laws drawn up by the working group in its final reading eliminating the shortcomings of the regulatory framework identified in the judgment of the Constitutional Court.

Right to social security

The right to social security is very important and, at the same time, specific human right, as the exercise of these rights is closely linked to the financial capacity of each State. At the same time, the State has a duty to achieve the fullest possible implementation of social rights within the maximum resources available, with the help of adequate resources at a growing pace.

The right to social security is guaranteed by Article 109 of the Satversme, and the purpose of this right is, as far as possible, to ensure a dignified existence. In order to exercise this right, a social insurance system has been developed in Latvia, which includes pensions, sickness, unemployment and other benefits, state social benefits, as well as a social assistance system, the main task of which is to provide support in situations where a person is unable to earn income. The social assistance system includes social assistance benefits and services provided by the municipality.

Characteristics of the reporting period

A total of 106 submissions have been received on the right to social security, which is not substantially different from 2022 with 108 submissions. 35 submissions were received regarding pension insurance, two regarding unemployment insurance, six regarding disability insurance, two regarding sickness insurance, and one regarding parental insurance. Five submissions were received regarding state social insurance contributions, 14 regarding state social benefits, four regarding municipal social services, 22 regarding municipal social benefits, and 13 regarding other social security topics.

During the reporting period, the Ombudsman has mainly explained the procedures for granting and calculating pensions, social security benefits or social assistance.

Review of the most important cases and opinion of the Ombudsman

Reporting on the unratified articles of the European Social Charter

The Ombudsman provided the Council of Europe with an [alternative report](#) on the Second report of the Republic of Latvia on the unratified articles of the European Social Charter. The Ombudsman gave an insight into Latvia's situation in relation to the provisions of Articles 4 (right to fair remuneration), 12 (right to social security), 23 (right to social protection of older people) and 31 (right to housing) of the Charter.

In general, the Ombudsman joined the government's vision that the situation in Latvia has still not reached such a level as to ratify the previously unratified articles of the Charter.

Opinion to the Constitutional Court in a case regarding the right to old-age pension for persons permanently residing in a foreign state

The Ombudsman provided an [opinion to the Constitutional Court in case No. 2023-12-01](#) “On Compliance of Section 3(1) of the Law “On State Pensions” with the First Sentence of Article 91 and Article 109 of the Satversme of the Republic of Latvia”. Namely, a provision that prohibits the right to an old-age pension for persons whose permanent residence is not in Latvia at the time of applying for a pension. During the adjudication of the case, the Saeima amended the law “On State Pensions”, providing that the right to an old-age pension exists also in case a person resides in a foreign state, thus preventing the violation of this right.

Opinion to the Constitutional Court in a case on minimum income threshold

In December 2022, when providing an [opinion to the Constitutional Court in case No 2022-34-01](#) on minimum income, the Ombudsman indicated that the legislator had not implemented the positive obligation of the State to periodically review the amount of social assistance, therefore the contested norms were incompatible with the Constitution. In oral opinion, the Ombudsman indicated that the new contested norms (in the version in force from 1 July 2023) are incompatible with Article 109 of the Satversme, because the set minimum income threshold does not correspond to the socio-economic situation, it does not ensure a dignified life.

On amendments to the Law on Social Services and Social Assistance

The Ombudsman [called on](#) the Parliament to take action to avoid delays and that draft laws regarding supported decision making service and palliative care be adopted by September 2023. The Ombudsman pointed out that it is necessary to adopt a regulation to improve the system of palliative care in order to ensure the availability of this service at least from 1 January 2024.

Verification procedure on the calculation of maternity benefit

In verification procedure No 2023-06-17AF on the calculation of maternity benefit in a situation when a person had been employed in another Member State of the European Union during the period of calculation of the average insurance contribution wage, a settlement was reached, and the State Social Insurance Agency prevented the violation of the person’s rights.

Compliance of the conditions for the social scholarship “Studēt gods” with the principle of equality

In the [verification procedure No 2023-14-26C](#) on the social scholarship “Study gods”, the Ombudsman recommended that the Parliament make amendments to the Law on Higher Education Institutions by 1 June 2024, providing that a student from a large family who is studying in a higher education institution outside Latvia has the right to receive the social scholarship “Studēt gods”.

Right to housing

The right to housing means the right to live in safety, peace and dignity. International human rights instruments set a minimum standard for these rights, which the State must provide within the resources available to it. At the same time, the right to housing cannot be interpreted narrowly, meaning only the right to “the roof above one’s head”. According to General Comment No. 4 of the UN International Covenant on Economic, Social and Cultural Rights, the minimum standard of the right to housing consists of: Legal security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location and cultural adequacy.

The State must prioritise those persons who, due to objective reasons, are unable to exercise their right to housing. In national regulation, one of the main criteria for receiving assistance is person’s low income. Thus, the level of income and the fact that a person cannot support themselves and objectively acquire housing on the real estate market is a reason for a person to apply for State-guaranteed assistance. However, a person’s right to housing does not mean that the State is obliged to provide housing to everyone at their request and wish, but rather that a minimum standard of that right must be ensured.

Characteristics of the reporting period

In 2023, Ombudsman received a total of 61 submissions on the right to housing, which is slightly lower than in the previously (68 in 2022). Submissions do not indicate new or systemic problems. Most topics of the complaints have previously come to the attention of the Ombudsman. Also, during the reporting period, no deficiencies in the regulatory framework in any matter have been identified, however, an explanation of legal norms regarding the procedure for their application has been frequently provided when assessing the possible violation of fundamental rights.

An analysis of the statistical data shows that submissions regarding assistance from local governments have been received invariably in accordance with the procedures laid down in the Law on Assistance in Solving Apartment Matters. Complaints have been about local government refusing to provide assistance, the procedure for receiving, as well as the quality of the received housing. In 2023, there have been significantly less complaints regarding the actions of local governments in changing the rental contract of residential premises in accordance with the Residential Tenancy Law. As before, the Ombudsman provided explanation regarding the validity of a rental agreement for a fixed period of time. It should be noted that most of the submissions (26) were directly related to the management of residential houses. The complaints are mainly based on the validity of the invoices issued by the house manager, the issues of building repairs, as well as the manager's communication with the residents of the house about the extent of the parties' rights and obligations.

Review of the most important cases and opinion of the Ombudsman

Conference on housing "Mājoklis 2023"

In June 2023, the Ombudsman participated in the conference on housing "Mājoklis 2023" organised by the Latvian Association of Apartment Owners' Societies. The aim of the conference was to inform about changes in house management regulations, to discuss the role of apartment owners' associations, co-responsibility of local government in housing policy, as well as waste management as part of the Green Deal. In his speech, the Ombudsman called on policy makers to consider international human rights standards and to address the issue of housing to the merits when planning housing policy.

Although more than 20 years have passed since privatisation of residential houses, there is still a large number of apartment owners who do not realise their duties and direct influence in matters of house administration, because, when assessing the complaints received at the Ombudsman's Office, it is recognised that they directly correlate with the form of management of the house.

It can be concluded that some apartment owners still have the long-established perception of the Soviet years that there is a separate house management entity, which must eliminate all technical and legal troubles, not considering if all current payments have been covered, if there are any savings for the house for repairs, etc.

Bad governance in addressing person's housing matters

There was an unusual case in Aizkraukle municipality, where until late autumn the responsible municipal authority had not noticed that an elderly man was living in the tent in the territory of the city. When the Ombudsman received this information, immediate communication with the local government client centre and responsible officials was carried out until the person was placed in the crisis residential apartment, where he could stay for one month. Towards the end of the term, the person turned to the Ombudsman again, because the employees of the crisis centre offered him a residential space that was not suitable for living.

Although the situation was resolved, it must be concluded that this attitude from the local government towards its inhabitants is unacceptable and is an example of bad governance.

Right to health protection

The right to health protection is guaranteed by Article 111 of the Satversme and is also enshrined in Articles 25 and 28 of the UN Universal Declaration of Human Rights, Article 12 of the UN International Covenant on Economic, Social and Cultural Rights, and Articles 11 and 13 of the European Social Charter.

Characteristics of the reporting period

In 2023, Ombudsman received a total of 113 submissions regarding the right to health protection, which do not differ significantly from the previous reporting period (123 submissions in 2022). Most topics of submissions have previously come to the attention of the Ombudsman. People continue to point to systemic problems such as (un)availability of health-care services, high co-payments (especially in cases of oncological diseases and rare diseases), expensive medicines, poor quality of treatment, the process of examining complaints about the quality of treatment, the attitude of medical practitioners towards the patient.

Compared to the previous reporting period, the number of submissions on the availability and volume of medicinal products and medical supplies has increased.

Review of the most important cases and opinion of the Ombudsman

Mechanism for individual reimbursement of medicinal products

The Ombudsman found that the existing legal framework that does not allow granting compensation in atypical cases within the framework of the individual compensation mechanism, where the State-prescribed reimbursable medicinal products are not suitable for the treatment of the patient's diagnosis and the doctors' council has prescribed other medicinal products that are not included in the national list of reimbursable medicinal products for the specific diagnosis. The Ombudsman concluded that such regulation does not ensure a balance in the implementation of the right to health protection of society and the individual, and [invited the Cabinet](#) to make amendments in legislation by including atypical cases in the individual compensation mechanism.

Price difference of medicines in the Baltic States

In 2023, the Ombudsman raised the issue of the cost of medicines in Latvia and the differences in the prices of medicines in the Baltic States and [invited the Cabinet](#) to advance the solutions included in the Conceptual Report on the Financial Availability of Medicines prepared by the Ministry of Health in 2022, which would allow addressing the problem of the cost of medicines. At the end of 2023, the Ministry of Health [drew up an Information Report on the financial availability of medicines](#), which set out a number of tasks to be carried out in 2024 and beyond to reduce the prices of medicines for the Latvian population.

Right to an enabling environment

Article 115 of the Satversme provides that the state protects everyone's right to live in a favourable environment by providing information about the state of the environment and taking care of its preservation and improvement. In order to ensure the right to a favourable environment, the state has many obligations, including refraining from environmentally degrading activities; adopt an environmental policy that contributes to the preservation of the natural environment and the improvement of the quality of the environment; protect people from environmental risks posed not only by the State, but also by individuals; limit pollution, including air, water, land and noise.

Last year environmental protection issues became more topical both in Latvia, in Europe and globally. In Europe, there are ongoing discussions on the adoption of the [Nature restoration law](#), which would finally provide for specific nature restoration and conservation measures in the Member States in seas, forests, bogs, meadows and inland waters.

Characteristics of the reporting period

In 2023, as in many countries, Latvia worked on the [Climate Law](#), and public consultations took place in the autumn. In the summer, the Parliament reviewed and adopted the draft law "Law on the establishment of a military landfill "Sēlija"" in a great hurry. The Ombudsman gave [his opinion](#) on the draft law, emphasising the need to balance both the interests of State security and the public interest towards a favourable and health-friendly environment.

During the reporting period 56 submissions were received regarding the right to a favourable environment. This is significantly higher than in previous years, with 35 submissions in 2022 and 34 submissions in 2021.

Of all submissions received, 19 were regarding territorial planning, nine regarding noise, 11 regarding air pollution and 17 others. Most submissions were received on spatial planning and public participation in the reception of these issues.

The right to public participation in environmental decision-making is also linked to participation in public consultations. The Ombudsman's observations show that there are still differences of opinion among those implementing the intention, residents and institutions on the purpose of such consultations. This may give rise to public doubts as to the correctness of the decision taken by the institution, which undermines trust in the public administration. For example, such disagreements between residents and projects supported by local governments were recorded in the [verification procedure No 2022-36-27G](#) on the construction of a cult building for the provision of funeral services in Salgale parish of Ozolnieki municipality, as well as examining the submission for the construction of a cogeneration plant in Dreilīņi of Ropaži municipality.

In their submissions, residents often referred to problems related to tree felling, access to information on environmental issues, road infrastructure repair and maintenance, air pollution, etc. A significant number of complaints have been received about nuisances caused by air traffic in the vicinity of the airport, roads, industrial and business activities such as restaurants, nightclubs and gaming halls, as well as visitors to these entertainment venues.

On their own initiative, representatives of the Ombudsman's Office participated in the working group, which issued [recommendations](#) for the development of legal framework regarding entertainment noise. Since 2014, when the Constitutional Court passed the judgment [in case No 2013-21-03](#), this issue has been left with some legal uncertainty. Although, following the activities of the citizens' initiative "[night peace for Riga](#)", the Parliament amended the [law](#) by providing for administrative liability for entertainment venues (legal persons) for noise, although, the issue of a broader legal regulation of entertainment noise remains unresolved. The Ministry of Economics has provided a report to the Cabinet of Ministers on the next steps in solving the problem, which, according to the Ombudsman, does not provide a comprehensive and relatively quick solution.

Review of the most important cases and opinion of the Ombudsman

Failure to provide information on tree felling in state forests

In [verification procedure No 2022-19-27M,22F](#), the Ombudsman concluded that the joint stock company “Latvia’s State Forests”, refusing to provide environmental information to a non-governmental organisation for environmental protection, unjustifiably classifies it as restricted access information with reference to business secrets. Environmental information shall be recognised as generally available. For habitats of European Union importance, a feature of conservation is formed if a special area of conservation or a micro-reserve is established. Environmental information on the management objectives and types of forest stands with specially protected habitats of European Union importance should be publicly available.

Regarding air quality on Stērstu Street in Riga

In the [verification procedure No 2023-24-22C,27L](#), the Ombudsman concluded that dust pollution on Stērstu Street in Riga is potentially harmful to the health of the residents of the surrounding area, as well as lowers their quality of life.

In order to accurately determine the level of pollution and its impact on the health and well-being of the surrounding population, measurement of the concentration of dust particles is necessary. In the opinion of the Ombudsman, the actions of the local government in the particular case did not comply with the principle of good governance, as it was not actively involved in solving the problem. The Ombudsman asked the local government to take the necessary actions to improve the situation.

Rights of children and youth

Children's rights are a set of fundamental rights and freedoms that must be guaranteed to every child without any exception. The child has limited capacity to act and also some specific rights related to their age, family situation and other circumstances. As a physically and intellectually immature person, a child needs special protection and parental care or persons replacing them, including adequate legal protection. In any relationship and in the work of the institutions and legislators affecting the child, the rights and legal interests of the child shall be prioritised.

Characteristics of the reporting period

The Children's Rights Division of the Ombudsman's Office works exclusively in the field of children's rights in the composition of five lawyers. As a full member of the [European Network of Ombudspersons for Children \(ENOC\)](#), the Ombudsman participated in the ENOC 27th Annual conference "Power of Independent National Children's Rights Institutions: respect for the rights of the child in Europe" and at the General Assembly meeting, which adopted the ENOC position [report](#) on "Strengthening independent children's rights institutions and recognising their unique role".

The reform of the State Inspectorate for the Protection of Children's Rights (since 1 January 2024 – Child Protection Centre) by the Ministry of Welfare should be noted as an important fact in 2023, initially stating that it should abandon its monitoring and penal function. The Ombudsman considered this [reform](#) cautiously. Both areas, namely methodological management and coordination of cooperation and monitoring, are of equal importance. Furthermore, the need for a monitoring function is laid down in Article 3(3) of the UN Convention on the Rights of the Child: Member States should ensure that competent supervision is carried out. The amendments to the Law on the Protection of the Children's Rights providing for a change in the name and competence of the Inspectorate, address concerns about the renunciation of the supervision function – it has been maintained to the current extent. It is important that the planned vacancies of the Child Protection Centre will be filled with highly qualified specialists as a result of the competition and the planned reform improves the situation of children in the country.

It is also important to mention that a new inter-institutional cooperation programme “Barnahus” has started operating in Latvia, which is provided by the Child Protection Centre. The programme is intended to support children suffered from violence and their non-violent relatives. Moreover, in order to enable criminal proceedings to be carried out, the introduction of the Barnahus is an important contribution to supporting child victims. The Ombudsman actively participated in the Barnahus working group.

Year 2023 highlighted the inefficiency and lack of rights’ protection mechanism in cases of ethics’ breaches of Orphan’s and Custody Courts. The general principles of ethics and standards of conduct of the employees of Orphan’s and Custody Courts, developed by the Latvian Orphan’s and Custody Association, were not available on a reliable website, there was no uniform procedure for examining ethics’ violations, and in several local governments the procedure for examining ethical violations had not been established at all. The most striking [case](#) was the conduct of the Orphan’s and Custody Court of Balvi Municipality in a meeting with client, which was confirmed by the record submitted by the applicant. Following the Ombudsman’s recommendation, the Code of Ethics was published on the website of the Latvian Association of Local and Regional Governments. The Parliamentary Committee on Human Rights and Public Affairs submitted a draft law on amendments to the Law on Orphan’s and Custody Courts (No 483/Lp14) providing for a uniform procedure for examining ethics’ violations.

There has been a significant increase in the number of submissions regarding rights of children and adolescents (1493 submissions received in 2023; 1024 in 2022; and 1210 in 2021). Of which 405 were written submissions, three received from children (238 in 2022, one from a child; 260 in 2022, five from children) as well as a 1088 telephone and email consultations (786 in 2022; and 950 in 2021). The increase in the number of submissions is related to the Ombudsman’s [information campaign](#) regarding the right to obtain education free of charge inviting parents to report on the lists of school supplies and the request for other payments compliant with regulatory enactments.

The number of submissions regarding access rights has increased to 213 in 2023 (131 in 2022; and 153 in 2021) as there has been no improvement in this area. Similarly, the number of submissions regarding suspension/renewal of custody rights has also increased to 109 in 2023 (69 in 2022 and 108 in 2021). This could indicate a more active response to violations of children’s rights in the family.

Submissions regarding non-availability of pre-school education have remained at the previous level – 41 in 2023 (32 in 2022; and 43 in 2021). In 2023, 6110 children in 23 municipalities were queued to the place in pre-school. The Ombudsman's proposal to solve the long-standing problem by supplementing the right to receive education free of charge with pre-school education laid down in Article 112 of the Satversme has not yet gained responsiveness.¹

System for the protection of children's rights

Protection of children's rights shall be implemented in cooperation with family, State and local government institutions, civil society organisations and other natural and legal persons. Everyone's duty is to provide assistance to the child in need. The Orphan's and Custody Court shall defend the personal and property interests and rights of the child. The rights and best interests of the child must be ensured as a matter of priority in all actions concerning the child.

Characteristics of the reporting period

Orphan's and Custody Courts still have difficulties in the implementation of decisions if the person to whom the decision relates does not execute it voluntarily. For example, if a parent refuses to execute a decision of an Orphan's and Custody Court regarding suspension of custody rights and does not transfer the child to the other parent. Orphan's and Custody Courts have a different approach regarding implementation of a decision in accordance with the provisions of the Administrative Procedure Law.

¹ More detailed information on the Ombudsman's educational activities for children can be found in other thematic sections of this report.

The State Inspectorate for the Protection of Children's Rights were invited to prepare methodological recommendations for Orphan's and Custody Courts for ensuring the enforcement of decisions by which a child is separated from a parent, guardian or foster family, except for a single decision of an Orphan's and Custody Court. The Inspectorate is also recommended to prepare methodological recommendations for Orphan's and Custody Courts regarding the enforcement of decisions of other Orphan's and Custody Courts if they are not executed voluntarily. The Inspectorate supplemented the Handbook for Orphan's and Custody Courts available on its website, including a section on the enforcement of decisions of the Orphan's and Custody Courts in the explanatory material "Methodological recommendations to Orphan's and Custody Courts on drawing up decisions of the Orphan's and Custody Court".

Review of the most important cases and opinion of the Ombudsman

State Police raids in educational institutions

During the reporting period, the issue of the procedure for the conduct of police raids and further administrative violation proceedings was raised. Ombudsman's verification procedure [No 2023-09-27N](#) highlighted a number of shortcomings in the work of the State Police. Children are not given full information about their rights and obligations, the property is inspected publicly, officials are late with informing legal representatives, etc.

The Ombudsman recommended the State Police to draw up internal regulatory enactment (guidelines) for such raids, to create uniform written information in child-friendly language regarding their rights and obligations in administrative violation proceedings, as well as to promote employees' understanding of the actions to be performed in administrative violation proceedings and children's rights.

Ombudsman's conclusions have also been sent to the municipal police for information.

Child' right to submit an application

A child has the right to submit an application independently to any State and local government institution. If a child turns to the institutions for help, they are obliged to provide assistance in every case. Laws and regulations do not prescribe age limit and the consent of the legal representative to submit an application. In practice, however, a case has been established when the official of the State Police ignored this obligation by refusing to accept a child's submission regarding telephone theft without the presence of a legal representative. After informing the State Police about what happened, an internal examination has been carried out, the official has received admonition. In turn, the head of the department has been instructed to promote understanding of subordinate employees regarding the rights of the child to submit an application independently.

Specialised knowledge for legal aid providers

State legal aid providers are not among those persons who, pursuant to of Section 5¹ Paragraph 1 of the Law on the Protection of Children Rights, are required to acquire special knowledge regarding protection of children's rights, even if legal aid is provided in cases related to children. The Ombudsman [invited](#) the Ministry of Justice to include legal aid providers in this provision, as well as to provide in Section 30 Paragraph 1 of the State Ensured Legal Aid law that a contract for the provision of legal aid in matters which affect or may affect the rights of the child may be concluded with a person who has acquired special knowledge in children's rights protection.

Information System for the Support of Minors

In order to facilitate cooperation between authorities, rapid exchange of information and timely assistance to the child, the Information System for the Support of Minors (NPAIS) has been established. It was supposed to be used as of 25 May 2012. Ombudsman in the [verification procedure No 2017-42-27K](#) identified significant deficiencies in the regulation and use of NPAIS in practice, and issued recommendations to the authorities.

According to the Cabinet of Ministers, the Ministry of Welfare took the leading role in ensuring the functioning of NPAIS. At the beginning of 2022, the Ministry informed that the draft information report was being clarified. The draft is still in process— a legislative file was created on 1 November 2021, but there has been no further progress with the document. No improvement in the use of NPAIS has been identified. The Ministry of Welfare is hindering the improvement of the functionality of NPAIS.

Child's right to identity

There are many identity building elements that are important for a child to be aware of, such as knowledge of their own origin, race, culture, religion, language, citizenship, name, family ties and perception of their body, mental and moral qualities. Measures to protect children's rights must be carried out in such a way that children can develop fully and harmoniously as personalities, while retaining all the elements of their identity.

From a child's right to know their parents derives the parents' obligation to establish paternity. It is important for every child to be raised by both parents. In addition, a child without paternity is prevented from receiving state aid in certain situations, for example, maintenance, social security benefit or survivor's pension in the event of the death of a parent.

Characteristics of the reporting period

About 3% of children born every year are without paternity. In practice, cases have been identified when the Orphan's and Custody Court or the social services know the child's father due to information provided by child's parents. The person has confirmed being the child's father, is living with the family, takes care of children. Paternity is most often not legally recognised due to everyday circumstances – at the time of registration of the child the father was abroad, he did not have a valid identity document, etc.

In the Guidelines for the Development of Children, Youth and Family 2022-2027, one of the goals of action is strengthening equal opportunities for children without paternity. It is recommended to Orphan's and Custody Courts and social services to explain to parents their obligation to determine the paternity of the child and to inform how it is done. Social services are invited to provide material support to parents if they do not have sufficient money to apply for personal identification documents, to get to the institutions to receive documents or to establish the child's paternity. The authorities are also advised to inform parents about the possibility to receive legal advice on paternity matters or the possibility to receive state-funded legal aid in the municipality. In turn, Orphan's and Custody Courts are invited to exercise their right to submit a claim to a court in the best interests of the child to determine the child's paternity or to find the fact of paternity, if the persons who have the right to submit a claim to the court do not do so and their motivation to determine paternity has failed.

Review of the most important cases and opinion of the Ombudsman

Determination of paternity and maintenance for children born as a result of a crime

In situations where a child is conceived as a result of a crime, most often the child's paternity is not legally determined – the birth register of the child does not record the father. In such cases, the child's biological father is in fact exempt from the maintenance obligation. On the other hand, it is not possible for the child's mother to receive maintenance either from that person or from the Maintenance Guarantee Fund.

The Prosecutor General's Office [took the view](#) that the opinion of an expert-examination on the determination of paternity in criminal proceedings could serve as evidence in civil proceedings and that such an action would have to be examined in a written procedure. However, for ethical reasons, the child's mother may not want the biological father to appear in the child's birth register, so solutions should be sought to ensure maintenance, including before the child's father is found guilty of an offence by a final decision in criminal proceedings.

The Ombudsman will continue to update the provision of rights for children without paternity.

Citizenship of a child in out-of-family care

During the reporting period, after deprivation of custody rights, a five-year-old child, a non-citizen of Latvia, came to foster family until being adopted by foreign citizens. Although for more than four years the child's legal representative was Orphan's and Custody Court, it did not take action for the child to obtain the status of a citizen of Latvia. After adoption, parents asked the Office of Citizenship and Migration Affairs to grant citizenship to the child, but received a refusal because the parents themselves do not have Latvian citizenship.

Neither the Orphan's and Custody Court, nor the Office of Citizenship and Migration Affairs assessed the best interests of the child and did not ensure a fundamental aspect of the identity of the child – citizenship. Currently, the parents' dispute with the Office of Citizenship and Migration Affairs has been referred to the administrative court for review, and the Ombudsman has provided an opinion in this case.

Children's access rights

The child has the right to maintain personal relations and direct contact with any of the parents, brothers, sisters and grandparents, as well as other people with whom the child has lived in a single household for a long time (access rights). For parents, contact with the child is not only a right, but also an obligation. Access does not fall within the scope of rights of custody.

Characteristics of the reporting period

During the reporting period, several submissions highlight a new aspect of court rulings on determination of the procedure for exercising access rights in the impossibility of enforcement. In particular, the decision is unenforceable in cases where it is ignored by the parent who has brought the action before the court and asked for contact with the child. The child wanted to be together with the separated parent at the time specified by the court, therefore the second parent applied to the sworn bailiff for the enforcement of the court judgment, but received a refusal to accept the writ of implementation. The refusal is based on the fact that the applicant has a certain right, but not an obligation to have contact with the child at a certain time. The applicant is not required to perform certain acts, nor is there a time limit within which they must be carried out.

The Council of Sworn Bailiffs of Latvia has also pointed to a tendency the increase in the number of cases where a parent with whom the child lives together applies to the bailiff. However, the procedure for the enforcement of a court judgment laid down in the Civil Procedure Law is provided for the enforcement of only one type of ruling, i.e., if the contact is not ensured by the parent with whom the child lives. In cases where rights of access are not exercised by the parent for whom they are granted, these rules shall not apply. Lack of regulation hinders the exercise of children's right to contact with separated parents.

The Council encouraged the Ministry of Justice to discuss the problem identified by the Ombudsman, as well as to solve other communication issues. The Ministry of Justice has started work on this problem, specialist discussions are ongoing. However, access cases generally concern a wide range of problems – both in the enforcement of court rulings, in understanding the rights and obligations of the child to implement the court's decision and in the application of legal norms.

Review of the most important cases and opinion of the Ombudsman

Service to improve and restore the relationship between the child and parents

There is still no service in place to help improve the relationship between the child and parents, to improve the knowledge and skills of separated parents to be the best possible parents. In order to ensure the rights of the child in parental disputes, the Ombudsman [already in 2021 invited](#) the Ministry of Welfare to assess the need to establish a state-funded social service with certain content and provision of specialists in order to improve and restore the relationship between a child and a separated parent or to offer another effective solution to achieve this goal.

Rights' protection mechanism in access cases

The European Court of Human Rights recognised in the case “E.K. v. Latvia” that State authorities were unable to take the necessary measures in time for the exercise of the father’s right of access to his daughter in order to remove the obstacles created by the mother’s attitude and to reconcile the conflicting interests of the parties. After the judgment came into effect, the applicant applied to the Ombudsman informing that it is still impossible to enforce the court judgment and that the Orphan’s and Custody Court does not sufficiently engage in ensuring compliance with the rights and interests of the child. The applicant and the Orphan’s and Custody Court have been provided with recommendations to facilitate the implementation of the court ruling.

The judgment of the European Court of Human Rights clearly demonstrates systemic deficiencies in the mechanism for the protection of access rights, and the State has a duty to ensure, in the event of disputes, the right to respect for family life of both the child and the separated parent. Although the Ombudsman draws the attention of the Ministry of Justice and the Ministry of Welfare to the problems of the implementation of access rights every year, no improvement has been achieved so far. The Ombudsman will continue to promote the implementation of access rulings.

Rules for visitors at the foundation “Zantes Family Support Centre”

At the foundation “Zantes Family Support Centre” during social rehabilitation, parents could only meet children on working days during employees’ working hours from 9:00 to 17:00. Such arrangements create obstacles to children’s in-person contact with close people who, because of their work, are unable to attend at that time. In order to ensure children’s right to family life, the Ombudsman invited the Foundation to review the rules and ensure meetings also on working days after 17:00 and on weekends, as well as to publish the rules on their website. The Ombudsman’s recommendation was implemented.

Child's right not to be subjected to violence

Violence means all forms of physical or emotional cruelty, sexual exploitation, abandonment or behaviour that threatens or may endanger the health, life, development or self-esteem of a child.

Emotional violence is the harassment or psychological influence of a child's self-esteem, threatening, humiliating, violently treating their loved one in child's presence, or otherwise harming their emotional development.

Characteristics of the reporting period

In 2023, the Ombudsman informed the Ministry of Welfare about the different practices of social services in providing social services and assistance to both victims of violence and perpetrators in cases of domestic violence and the court had ruled on the application of temporary protection against violence. Cooperation between the perpetrator and the social service is not always seen as an obligation. The Ministry has undertaken to supplement methodological recommendations for the granting of a social rehabilitation service to victims of violence and adult perpetrators, including a section on the actions of the social services in cases where a court decision on temporary protection against violence and the interests of the child have been affected.

A lack of uniform understanding in the protection of children rights is also observed in the practice of Orphan's and Custody Courts in cases of domestic violence and temporary protection against violence ruled by court. Orphan's and Custody Courts hold discussions with parents, sometimes the social service is informed and asked to provide support to victims of violence. The conduct of the perpetrator is rarely assessed sufficiently, especially if the court has not ruled on the prohibition to meet with the child and be at or close to their place of residence. The social service is not always informed about the need to carry out social work with the perpetrator to reduce violent behaviour.

In order to solve the problem, upon invitation of the Ombudsman, the State Inspectorate for the Protection of Children's Rights informed the Orphan's and Custody Courts, recalling the available methodological explanation in relation to ensuring protection of the rights of the child in case of violence.

Violence among children in educational institutions is a growing problem. Submissions show that children lack non-violent conflict-solving skills, whereas schools – to detect children’s behavioural problems in a timely manner and to respond accordingly. As a result, the educational process is also significantly disrupted. The lack of regulatory framework was also hampered by the actions of educational institutions. With the amendments to the Education Law of 20 October 2022, the procedures laid down by the Cabinet of Ministers in cases where a student endangers their own or other persons’ safety ceased to be in force, and a new legal act entered into force only on 26 August 2023. To solve the problem, the Ministry of Education and Science began developing an action algorithm for educational institutions in cases of violence, the Ombudsman also participated. Later, the State Inspectorate for the Protection of Children’s Rights continued the development of the algorithm.

Already in 2022, so-called “violence amendments” to the Education Law were promoted, which would allow the head of an educational institution decide on the further education of the violent student in the family. At that time, the objections of the Ombudsman, the President and public organisations were heard, and the disputed draft law was suspended. However, a similar proposal was submitted in 2023. Currently, in accordance with the procedures laid down by the Cabinet of Ministers on safety in educational institutions, amendments are being made regarding the determination of learning in another classroom, at other times or remotely for the violent student. The regulation is conceptually supported. However, distance learning is not suitable for preschoolers and students with special needs. These children studied on site even during the COVID-19 pandemic. The Ombudsman intervenes in order to find a balance between the right to education of the child who has committed violence and the right of other persons involved in the education process to safety.

Review of the most important cases and opinion of the Ombudsman

Access to training for parents on non-violent disciplining methods

Parents’ skills to raise the child in a respectful and peaceful manner significantly reduce the risk of a child being subjected to emotional or physical violence. These skills do not arise naturally for all, they need to be developed, and there is a need for free access to family education. Positive upbringing also reduces the formation of violent behaviour in children.

Ombudsman's survey concluded that most municipalities do not see assistance in raising children as one of their mandatory functions. In their replies, they pointed out that no appropriate measures are taken to eradicate domestic violence. As a result of the [study](#), local governments have been given recommendations to improve access to learning – to provide training on the upbringing of children of all ages, to promote the demand for training, to use different sources of information, to provide separate financial resources for training, etc.

Safety in educational institutions

In 2023, the President and Members of the Parliament submitted draft laws encouraging the head of the educational institution to determine the right to search the student's personal property. The idea has led to wide-ranging discussions in the Parliamentary Committees and in the public. The Ombudsman conceptually supports the legislative initiative of the President of Latvia. However, the right of educational institutions to search student's property without serious and immediate security risks, such as finding smoking devices, is a matter of concern. In Ombudsman's opinion, however, the division of competences between institutions laid down in regulatory enactments should be maintained. The competence of educational institutions is education, whereas the competence of the police is prevention and detection of violations. If the educational institution suspects that prohibited substances or objects are brought to school, they must notify the police. Exceptions should be allowed when action is to be taken to address an immediate threat.

Child's right to health protection

Every child must receive health protection that meets their needs. Children have the right to free healthcare under the national programme. Treatment of children under the age of 14 is permissible with the consent of their legal representative (except in emergency situations). A child patient has the right to be heard and, according to their age and maturity, to receive understandable information and to participate in the decision-making related to their medical treatment. From the age of 14, a child may apply to a medical treatment institution and receive medical treatment services.

Characteristics of the reporting period

During the reporting period, the Ombudsman [concluded](#) that there are different opinions and also practice in the application of Section 49 Paragraph 3 of the Law on the Protection of Children's Rights, which provides that a child who has experienced mental or behavioural disorders due to substance abuse should be ensured mandatory treatment and social rehabilitation. In the opinion of the Ministry of Health, it is essential for the successful outcome of the treatment that the child is motivated to treat addictions, thus consenting to the treatment. The legal framework for the treatment of children with substance abuse if the child does not agree, differs in the Law on the Protection of Children's Rights and in the Law on the Rights of Patient. Even if the child does not consent to treatment, but the parent agrees, mandatory treatment is possible only if the doctor considers this to be in the child's best interests. Cooperation between authorities and doctors is needed to find a solution to help children whose life and health are at risk due to the substances abuse. The Ministry of Health, the Ministry of Welfare and the Ministry of Justice are invited to remedy shortcomings in regulatory enactments and to develop a regulation in accordance with the rights and interests of the child regarding the treatment of children, including mandatory treatment in cases of substance abuse. The Ministry of Welfare is invited to solve the implementation of social rehabilitation service in a social rehabilitation institution after completion of the course of the psychotherapeutic motivation treatment programme.

Practice shows that child's legal representatives are often not being informed about the possibilities of staying with the child in hospital during treatment. The presence of a loved one is very important for the child, as it provides emotional support and a sense of security, which also has a beneficial effect on the recovery. [The Ministry of Health explained](#) that the presence of an accompanying person at a 24-hour hospital is in many cases covered, for example, during painful procedures or up to the child's age of seven years. Medical treatment institutions must provide an opportunity for the accompanying person to stay with the patient 24 hours a day. Bed is mandatory. The state also pays for utility and other expenses (soap, toilet paper, etc.) incurred by the accompanying person's stay.

Review of the most important cases and opinion of the Ombudsman

Child's right to be protected from the effects of tobacco smoke

During the reporting period, the Ombudsman has received information on the situation when a neighbour, by smoking in an apartment near an open window, exposes a child living in another apartment to exposure to tobacco smoke. The father wanted to prevent the violation of the child's rights, but the rights' protection mechanism was ineffective due to institutions understanding of the regulatory framework – smoking is not banned at an open window in an apartment, but only on balconies of multi-apartment residential buildings. The Ombudsman [invited](#) the Ministry of Justice to propose amendments to Section 10 Paragraph 2 Clause 7 of Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids. In turn, the Ministry of Justice turned to the Ministry of Health, which committed to start improving the regulatory framework in 2024 by expanding people's right to smoke-free living environments, especially protecting children's interests.

Availability of early intervention service for children with autism spectrum disorders

In 2023, the number of treatment facilities providing early intervention services to children with autism spectrum disorders increased. It must be ensured that the child receives the first service within a month. The Ombudsperson found that the National Health Service also confirmed that the waiting time for the service of Children's Clinical University Hospital is three to four months. The situation is explained by the lack of specialists and the number of patients.

The National Health Service undertook to address queuing, for example, to review patient referral criteria and to encourage providers of psychiatric and rehabilitation services to start providing intervention service.

Children's psychoneurological hospital 'Ainaži' doctors council's conclusion

Having examined the conclusion of the doctors' council of the Children's Psychoneurological Hospital 'Ainaži' on the child's state of health, the Ombudsman found that two of the three authors of the conclusion were trainees. The doctors council's conclusion is taken into account in the subsequent treatment of the patient, however, it can also play a role in solving other important issues in a person's life, for example, when deciding on granting a suitable social service, etc.

The Health Inspectorate confirmed that the doctors' council should consist of certified psychiatrists. In the present case, the conclusion of the council is to be regarded as a single opinion of the certified psychiatrist, since trainees do not have the right to decide independently on medical treatment. At the request of the Ombudsman, the Inspectorate examined all the conclusions of the hospital doctors' council provided during the last year and instructed the hospital to prevent further shortcomings related to the operating of doctors' council.

Children's right to education

Everyone has the right to quality and inclusive education. The child has a duty to acquire pre-school and primary education. The Satversme guarantees state-funded primary education and secondary education. Each municipality is obliged to provide children with the opportunity to acquire pre-school education and primary education in the nearest municipal educational institution to the child's place of residence, secondary education, as well as to implement interest education. The child has a duty to study in accordance with their physical and mental development.

Characteristics of the reporting period

In 2023, the right to education was among the most popular topics with 360 consultations and 89 submissions. This is related to a number of national issues such as the Ministry of Education and Science's informative report "Complex Solutions for Provision of High-Quality Education" and the innovations it offers, the first centralised exam for grade 9 students, access to secondary education due to school reforms and admission criteria, the introduction of the new assessment system and remote learning for violent students, as well as the Ombudsman's information campaign on school supplies. Ombudsman assessed each of the questions in depth and continues monitoring them.

Since 2022, the Ministry of Education and Science has been called upon to improve the legal framework so that schools can make full use of Montessori's pedagogical method. However, when setting the criteria for establishing a sustainable network of educational institutions, the Ministry decided that it would not be allowed to organise joint classes in grades 1-6. As a result, Montessori's pedagogical method of creating mixed age classes should not be used in teaching. Following several Ombudsman's recommendations and the Ministry of Education and Science meeting with representatives of the Latvian Montessori Association, the Ministry improved the criteria of dispute, namely, educational institutions using alternative pedagogical methods throughout the teaching process will be allowed to form joint classes.

Along with the reforms of the municipal school network, it is important to get students to school. Municipalities often do not understand their obligation to provide school buses. Instead, compensation for fuel costs is offered, which is not a solution if the family does not own a car or does not have time to drive the child to school. Local governments offer to use public transport, although often their timetables and travel time are not in line with children's interests.

Riga State City Municipality had not changed the procedure for admitting children to grade 1 providing that six-year-old children whose parents believe that the child's state of health and psychological readiness allows them to start primary education and they would be included on the list of applicants equal to children aged 7, thus the Ombudsman [applied](#) to the Constitutional Court, and it initiated a case No 2023-43-03.

Review of the most important cases and opinion of the Ombudsman

Access to secondary education in Riga State City Municipality

Anyone who has obtained a primary education certificate is entitled to general secondary education programme without an age limit. However, the Education, Culture and Sports Department of Riga State Municipality imposed stricter requirements for admission to secondary school than for the acquisition of basic education provided for by law. Ombudsman received many complaints about children being denied access to secondary education in Riga.

Although the Ministry of Education and Science agreed that the municipality ignored child's best interests and the right to education, it failed [to achieve](#) the abolition of these regulations. Therefore, the Ministry undertook to develop a uniform procedure for admission to secondary school. The Ombudsman will contribute to the progress.

Regarding school supplies

The responses to Ombudsman's survey conducted in the summer of 2023 revealed an inappropriate practice of schools and pre-schools requiring parents to provide school supplies that the institutions have to provide. Almost all local governments have been given recommendations, as well as the [public](#) was informed about the requirements of regulatory enactments. However, parents continued to report irregularities, which the municipalities were then asked to address.

The Ombudsman also explained the issues of acquisition of school forms, fund money, gifts to teachers, and competence of the Parents' Council. For example, the [decision on school supplies](#) of the Council of Salaspils Secondary School No. 1 could only be cancelled with the involvement of the local government.

Right of a seven-year-old child to be admitted to Grade 1

Instead of giving an opinion on the most appropriate primary education programme, the Ropaži Pedagogical Medical Commission recommended that the child attend pre-school for another year. Ropaži Secondary School therefore refused to admit the child to Grade 1, even though the child had completed pre-school and reached the age of starting primary education. The Ombudsman assessed the situation as non-compliant with the law and recommended the Commission to observe the level of education on which an opinion is to be given. In turn, the Ombudsman explained the acquisition of primary education to the school as set in Section 32 of the General Education Law.

The child was admitted to Grade 1 and the Commission re-issued its opinion on the most appropriate primary education programme and support measures.

Right to receive a certificate regarding the acquisition of a primary education

In 2019, the applicant obtained primary education in a private educational institution, but the certificate of primary education was not issued due to the school fee debt. The Ombudsman assessed the refusal of the school to issue the certificate as a serious violation of the right to education – the applicant is prevented from continuing education. At the invitation of the Ombudsman, the educational institution prevented the violation and issued the certificate.

Child's right to social security

Every child has the right to full-fledged living conditions and a favourable social environment that ensures their physical and intellectual development. Every child must receive adequate nutrition, clothing and housing. Families with children receive various allowances and support in raising and educating children from the municipality and the State.

Characteristics of the reporting period

The Cabinet has determined the minimum amount of maintenance, which is linked to the minimum monthly wage and expressed as a percentage thereof. Each parent is obliged to provide monthly minimum maintenance of the following amounts: 1) for a child up to the age of seven years – 25 % of the minimum monthly wage or EUR 155 (in 2024 – EUR 175); 2) for a child from seven to 18 years of age – 30 % of the minimum monthly wage or EUR 186 (in 2024 – EUR 210).

If the parent does not provide maintenance, it is paid from the Maintenance Guarantee Fund. Since the creation of the Fund in 2004, State guaranteed maintenance has been at the minimum level. Previously, the amount of maintenance paid by the fund and the minimum maintenance paid by parents were the same. As of 1 January 2020, maintenance paid by the Fund is no longer linked to the minimum wage, but is a constant amount: 1) EUR 107.50 for a child up to the age of seven years; 2) EUR 129 for a child from the age of seven years. Thus, the difference with the maintenance paid by the Fund is EUR 47.50 per month (EUR 67.50 in 2024) for a child under the age of seven and EUR 57 per month (EUR 81 in 2024) for a child from the age of seven.

The amount of maintenance paid by the Fund has not been increased since it was set at a constant amount. In December 2023, the Fund provided 34906 children with maintenance, which means that these children do not receive minimum maintenance. The Ombudsman [called on](#) the government to align the maintenance paid by the Fund to the amount of minimum maintenance or to regularly review it in line with the increase in consumer prices. With amendments of 19 October 2023 to the Maintenance Guarantee Fund Law, the Cabinet of Ministers shall review the amount of maintenance to be disbursed from the Fund at least once every three years, taking into account the possibilities of the State budget. The wording of the law “at least once every three years” will give the Cabinet the right to review this amount also more often.

Review of the most important cases and opinion of the Ombudsman

Legal scope of school catering

School meals in grades 1-4 are financed by state and local government funds, but local governments may also set free meals for other learners. There are different practices of local governments in the allocation of free meals. There are municipalities where support is provided to all children in municipal schools; there are municipalities where support is granted only to students with declared place of residence therein, who belong to vulnerable groups (e.g., students with disabilities) and receive education in their municipal school. There are also municipalities where catering costs are financed for the students with declared place of residence therein from a vulnerable group and receive education in any municipal or state school.

During the reporting period, the Ombudsman [explained](#) to several local governments that they should primarily take care of the interests of their residents. If the local government covers the catering cost of certain group of students, it is essential that all students with declared place of residence in the municipality receive this support regardless of the educational institution they attend. In turn, local governments may agree on [covering](#) the catering costs for students with declared place of residence in the municipality who are studying in educational institution of another municipality by entering into an agreement regarding expenditures of the educational institution.

Free meals for children of large families in Riga

The Riga State City Municipality determined that the school catering is fully covered from the local government budget for students with social status. One of the social statuses is a large family included in the Family Support Register of Riga City Municipality. However, the local government did not include in the register all families corresponding to the term of a large family laid down in the Law on the Protection of Children's Rights, but only families with declared place of residence at one address in the administrative territory of Riga. Thus, some of the children of large families were denied the right to a free meals due to the declaration requirement.

According to the recommendation to remedy the deficiencies, the Education, Culture and Sports Department of Riga City Municipality started work on re-evaluation of the categories of students (including those corresponding to social statuses) whose catering costs are fully or partially covered by the municipality. On 27 September 2023, the Riga City Council adopted binding regulations No RD-23-237-sn "Procedures by which the Riga City Council ensures co-financing of the catering service of students". These regulation state that full amount of municipality co-financing is also determined for the student's family raising at least three children, including children placed in a foster family and under guardianship, and a valid Latvian Honorary Family Certificate is presented.

Child's ownership rights

A child, like an adult, can be the owner of movable or immovable property. Depending on age, the child has the right to conduct transactions on their own behalf or through their legal representatives and to exercise other ownership rights. Until the age of 16, the property of the child is in the hands of the parents, later the child has the right to freely manage everything that they have acquired through their work, transferred by the parents to child's free administration and granted by other persons. Protection of the child's ownership rights and interests is entrusted to Orphan's and Custody Courts.

Characteristics of the reporting period

In 2023, large-scale amendments were submitted to the Parliament for modernisation of the part of the inheritance rights of the Civil Law, including Section 295 of the Civil Law, stating that in future permission of the Orphan's and Custody Court is required only if the guardian wishes to renounce the inheritance of the child. However, acceptance of the inheritance may not be in the best interests of the child either, as additional burden may be placed on the child and worsened their state of well-being due to the obligation to cover the debts of the deceased and to settle the related matters.

Given that the inheritance may include shares, financial instruments, securities, various claims or rights, the guardian is not always able or willing to assess the risks associated with the acceptance of the inheritance in the long term. The Ombudsman made a proposal to the Parliamentary Committee on Legal Affairs that it is necessary to preserve the obligation of Orphan's and Custody Courts to decide both on the renunciation and on acceptance of inheritance, so that the inheritance can be accepted on behalf of the child.

Review of the most important cases and opinion of the Ombudsman

Delay with accepting inheritance on behalf of the child

In order for a notary to accept an application for inheritance submitted on behalf of a child, in accordance with Section 295 of the Civil Law, the legal representative must first obtain the permission of the Orphan's and Custody Court to accept the inheritance. The legal representative of the child applied late to the Orphan's and Custody Court with such request. The examination of the case in the Orphan's and Custody Court was appointed after the deadline for the application of the heirs determined by a sworn notary, ignoring that the notary will not be able to accept the application for inheritance after this deadline. Due to the delay of the Orphan's and Custody Court and also the legal representative, the child would have lost the opportunity to receive the inheritance. With Ombudsman's involvement the situation was urgently solved by assigning another sitting of the Orphan's and Custody Court in order to examine the case and ensure the right of the child to apply for inheritance. The Orphan's and Custody Court was recommended to prevent such deficiencies in the future.

Rights of orphans and children left without parental care

The State has a duty to take special care of orphaned children and children left without parental care as a socially vulnerable group of children. For these children, the stability and quality of the living environment are more at risk than those living in families, and they are more affected by the shortcomings of the system of children's rights protection. The State and local governments have a duty to provide social guarantees to orphans and children left without parental care.

Characteristics of the reporting period

The Orphan's and Custody Court shall inform young adult six months before reaching the age of majority regarding the right to receive housing assistance, reduction of transport fare, as well as support in obtaining education and starting an independent life. It has been found that this obligation is often implemented formally – young people are not informed about all types of aid, the information is provided in a difficult legal language.

The Ombudsman invited all Orphan's and Custody Courts to review the information provided to young people from out-family care, to improve it and to ensure that it was easy to understand. Only a few of the Orphan's and Custody Courts showed a genuine desire to ensure that young people are fully aware of their rights after out-family care.

Children under guardianship are raised and taken care of by both spouses. However, a spouse who has not been appointed the guardian has no rights or obligations in relation to the ward of the other spouse, including the representation of the child, and must obtain a power of attorney. The restriction on the appointment of both spouses as guardians laid down in Section 316 of the Civil Law is not in the best interests of the child and is a formal obstacle for the child to have two guardians who would fully perform the parental duties. The Ministry of Welfare promised to organise a discussion on the proposal to improve the institute of guardians, but the problem has not been solved. The Ombudsman continues to receive submissions on the matter.

Review of the most important cases and opinion of the Ombudsman

Regarding incentives for city public transport

By continuously addressing the Ministry of Transport, the Ministry of Welfare and the Ministry of Finance, as well as asking for the involvement of the Prime Minister, the implementation of the recommendations of the [verification procedure No 2022-09- 23DC](#) has been achieved – orphans and children left without parental care will restore the right to use city public transport free of charge. The Ministry of Transport has drawn up relevant amendments to Cabinet Regulation No 414 of 22 June 2021 “Fare Relief Regulations”, and funding has also been granted.

Support for orphans and children left without parental care

Already in 2022, the Ombudsman found different practices of local governments, providing for support to children under guardianship and guardians in their binding regulations. Namely, some local governments do not fulfil the obligation to cover the school catering costs for all children from out-family care (children under guardianship, in foster family and child care institution), if the child is placed in out-family care in the administrative territory of another municipality. The Ministry of Welfare has been informed about this. In 2023, the problem was addressed in the Permanent Subgroup of the Law on Protection of Children's Rights of the Children's Affairs Council, after which the Ministry of Environmental Protection and Regional Development sent a letter to all local governments calling for compliance with the existing regulatory framework.

Allowance for a child in a crisis foster family

Already in 2021, having established that only some municipalities has laid down the amount of the benefit and the procedure for granting it for the needs of a child placed in a specialised foster family, the Ombudsman invited local governments to review their binding regulations. Preiļi Orphan's and Custody Court had placed the child in a crisis foster family, but Preiļi Municipality had not paid the family one-time allowance for purchase of clothing and housing equipment as set in the regulations. This raised doubts as to whether children placed in crisis foster families until the time when the Ombudsman raised this question, received the one-time clothing and equipment according to regulations. In response to the call, the municipality examined payment of the allowance to other crisis foster families, found non-compliance and paid the allowance difference.

A more detailed overview of visits to long-term social care and social rehabilitation institutions for children can be found in the section on '[Preventive mechanism](#)' of this report.

Rights of children with special needs

A child with special needs is a child who, due to illness, injury or congenital disorders, requires additional medical, pedagogical and social assistance, regardless of whether there is a certain disability. A child with special needs has the same right to active life, the right to develop and acquire education in accordance with their physical and mental abilities and desires, as well as the right to participate in social life as any other child. The state and the municipality especially help children with special needs to participate in society.

Characteristics of the reporting period

In practice, there are still cases when a child with chronic illness in an educational institution is not provided with appropriate medical care or is prohibited from attending the institution at all because the educational institution cannot provide the child with medical care in accordance with the instructions of the attending physician. This was also the case in a pre-school in Riga – a child with diabetes was permanently denied the opportunity to attend, because none of the employees wanted to be involved in the care of the child's diabetes, despite the manager's discussions with the employees, the training provided and the support of the nurse. As a result, child's parents chose another pre-school.

The Ombudsman invited the Education, Culture and Sports Department of Riga Municipality to discuss with the heads of educational institutions requirements on support measures for children with chronic illnesses and access to first aid, as well as to motivate employees to participate in the care of these children offering additional salary, providing adequate funding for educational institutions. The recommendation has been implemented. In addition, it has been established that in the particular case the head of the institution already had funding for additional payment to salary.

With the adoption of Cabinet Regulation No 878 of 21 December 2021 on technical aids specialised car seat was included in the list of State-funded technical aids. According to the regulations, car seats are allocated to parents owning or possessing a vehicle with children aged four years and above 15 kg with limited or no head and torso control. Prior to the adoption of the regulations, the Ministry of Welfare was invited to repeal the restrictive age and weight criteria, as well as the condition regarding the right of ownership or possession of the vehicle. The recommendation was not taken into account. In 2022, after receiving the opinion of medical professionals the Ombudsman repeatedly [asked](#) the Ministry for a review of the criteria. The proposals were supported, but the amendments took almost one and a half years (adopted on 28 November 2023).

It is positive that the Ministry took into account the recommendation to exclude restrictive criteria. Although the Ministry should have spent less time clarifying the situation, drafting and implementing the amendments.

Review of the most important cases and opinion of the Ombudsman

Regarding the names of schools

Already in 2012, the Ministry of Education and Science, in cooperation with the State Education Quality Service brought up the issue of the names of special educational institutions, providing for the renunciation of the word “special” in school names as one of the tasks contributing to inclusive education. As a result, the names of most such schools were changed. However, in 2023 there were 10 educational institutions in the Register of Educational Institutions, whose name included the word ‘special’.

In order to prevent discrimination against children with special needs, the Ombudsman invited the Ministry of Education and Science to address changes in the names of educational institutions. The Ministry indicated that when organising the school network and developing inclusive education, the word “special” will no longer be used in the name of educational institutions. The Ombudsman addressed the relevant local governments, called for the non-conformity of the names of educational institutions with Section 26 of the Education Law and to exclude the word “special”. The names of six educational institutions have been changed, while four municipalities – Smiltene, Livani, Limbaži and Augstdaugava – are still considering changing the name of primary schools. The Ombudsman will follow up on the actions of municipalities.

Availability of speech therapists and psychologists in pre-schools

A pre-school in Riga where three of the four programmes are designed for children with special needs, had long been unable to provide specialists for children. They could not fill the vacancies due to the remuneration offered, and the problem was not solved also by informing the municipality.

Competitive remuneration is an important condition for attracting new specialists and retaining existing employees. After Ombudsman’s call to increase the funding for remuneration of these specialists, the Education, Culture and Sports Department of Riga City Municipality submitted a request the local government for funding to for additional job positions.

Right of children with mental health disorders to primary education

The Ombudsman [invited](#) Valmiera Municipality to implement a special education programme for pupils with mental health disorders (educational programme code 21015711). No educational institution in the municipality wanted to implement this special education programme. As a result, children, for whom a special educational programme had been recommended by the pedagogical medical commission, were not able to acquire compulsory primary education in any of the educational institutions in Valmiera Municipality.

From 2023/2024, a special primary education programme for students with mental health disorders has been implemented by [Valmieras Gaujas krasta vidusskola – Attīstības centrs](#).

Rights of people with disabilities

The protection of the rights of persons with disabilities is governed by Article 91 of the Satversme and the UN Convention on the Rights of Persons with Disabilities, the implementation of which is monitored by the Ombudsman. The protection of the rights of persons with disabilities includes areas such as non-discrimination, accessibility, the right to life, education, employment, healthcare, adaptation and rehabilitation, decent standard of living and social protection, participation in political, social and cultural life, sports, etc.

Characteristics of the reporting period

In 2023, the Ombudsman received 35 submissions related to the rights of persons with disabilities. The number of submissions has decreased compared to 2022 (47 submissions), but is similar to 2021 (37) and 2020 (32). In most submissions people pointed to the challenges of inclusive education, possible cases of discrimination, inaccessible environments, the granting of disability status and inhumane treatment in various closed-type institutions. The Ombudsman raised issues concerning the determination or review of restrictions on the capacity to act, the actions of trustees of persons under trusteeship, as well as representation and defence of persons with mental disorders in various institutions and legal proceedings.

The Ombudsman continued paying particular attention to the development of community-based social care services by carrying out visits at the newly established group homes. In order to inform the involved institutions about the Ombudsman's observations, a discussion was organised with participants agreeing on the importance of a common understanding and cooperation. It is also important that the group home service is not built according to the old institutional care model.

Following the publication of the Ombudsman's study '[Accessibility of Banking Services](#)' in 2022, during the reporting period there was intensive cooperation with the Association of the Financial Sector, the Ministry of Justice, the Ministry of Welfare, the association 'Resource Centre for People with Mental Disorders 'Zelda'', Orphans' and Custody Courts and representatives of the judiciary to ensure the accessibility of banking services for persons with limited capacity to act. As a result of these meetings, the challenges in the regulatory framework and practice have been identified, which create obstacles to development of a banking service acceptable to both persons with limited capacity and banks.

In 2023, the Ombudsman started developing guidelines covering all parties involved in the provision of banking services to persons with limited capacity, identifying and explaining each party's responsibilities and actions to be taken.

In addition, the Ombudsman has carried out various studies on the rights of persons with disabilities,² organised conferences to discuss the rights of persons with disabilities, as well as carried out various public information activities both in Latvia and abroad.³

Review of the most important cases and opinion of the Ombudsman

Failure to provide accessible environment in a dormitory

The Ombudsman [applied to](#) the European Commission for failure to provide accessible environment at the Smiltene Secondary School dormitory. It was previously found [in the verification procedure](#) that the Smiltene municipality rebuilt the three-storey building of the Smiltene Secondary School dormitory with the funds of the European Union, but did not provide accessible environment for people with reduced mobility in wheelchairs so that they could independently reach above the first floor of the dormitory.

After repeated calls from the Ombudsman, the municipality did not remedy the shortage.

Accessible environment in Ādaži Hospital

The Ombudsman [assessed the situation](#) when a senior with reduced mobility (not using a wheelchair) could not move across the floors of the medical institution due to limited accessibility. There were diverging opinions of the applicant, the Health Inspectorate and the medical treatment institution on the accessibility of environment and services of the institution, whether information was available on the procedure for applying for medical institution's assistant had been available on the day of the dispute.

If environmental accessibility is not ensured in a medical institution, information on how to receive an accessible service should be available. Accessibility must be assessed from the perspective of the recipient of the service. The Ombudsman found that the accessibility elements in the medical treatment institution are formal and, by nature, do not contribute to the inclusion of persons with functional impairments; its information and digital environment is not in line with the regulatory framework. The procedure is formal and does not comply with the regulatory framework.

² A more detailed overview is provided in the '[Research](#)' section of the report.

³ A more detailed overview is provided in the '[Information and involvement of the public](#)' section of the report.

The Ombudsman found a violation of the rights of the applicant with reduced mobility without providing her with an accessible service. The Ombudsman also found a violation of the principle of good governance in the activities of the Inspectorate by carrying out accessibility assessment of the hospital's environment.

Legal protection of persons with limited capacity to act in relation to the problems of trustees in municipalities

Already in 2022, the Ombudsman identified cases of long-term lack of trusteeship for persons with limited capacity, but this problem was exacerbated during this reporting period. Without representation in long-term, these people risk losing their home or property, cannot draw up inheritance and solve other material matters. The Ombudsman has [called on](#) the responsible institutions to find solutions that would provide equal support to trustees throughout the State territory, as well as to take other measures to ensure that the protection of the rights of persons with limited capacity to act is implemented more effectively.

Trustee's right to authorise a third party to represent a person under trusteeship

The Ombudsman applied to the Latvian Council of Sworn Notaries, asking to assess the conformity with legal norms of a notary's power of attorney issued by a trustee on behalf of a person with limited capacity. The Ombudsman saw that the scope of the rights included in the power of attorney's text is wider than the court's adjudicated limitation to which the trustee is entitled to represent the person.

The Ombudsman sent [a letter](#) to the Association of the Employees of the Latvian Orphan's and Custody Courts explaining the criteria of admissibility of the extent of the trustee's power of attorney in order to promote a common understanding among the employees of Orphan's and Custody Courts.

Adoption of the regulation regarding supported decision making service

Already in 2022, the Ombudsman concluding that the Republic of Latvia was still failing to fulfil its international obligations by ratifying the UN Convention on the Rights of Persons with Disabilities with regard to the provision of capacity support, had addressed the Prime Minister. The Cabinet of Ministers supported the introduction of the supported decision making service from 1 November 2023. In order to implement it, it was still necessary to make amendments to the relevant legislation. The Ombudsman found that the progress was too slow threatening the introduction of the service as of 1 November 2023. As the matter was already on the Parliamentary agenda, the Ombudsman addressed both the responsible [Parliamentary Committee](#) and the [Speaker](#), referring to the urgency of the necessary regulation. As a result, the necessary regulatory acts were adopted and the service is available as of 1 November 2023.

Conclusions and recommendations regarding election observation in psychoneurological hospitals

Based on the study of the regulatory framework and observation of elections of the 14. Saeima in psychoneurological hospitals, employees of the Ombudsman's Office [concluded](#) that, in general, the right to vote was ensured in these institutions, however, a number of shortcomings were also identified, which in certain cases restricted or could have restricted the possibilities for persons with mental disorder to fully exercise their electoral rights.

Rights of prisoners

Prisoners are fully subjected and at the same time under full protection of the State. Being in a closed environment and out of public visibility, with strict rules and restrictions of the regime and supervision, while there is public condemnation, the risk of violations of the rights established by the Constitution of these persons is particularly high.

The Ombudsman receives information on possible violations of rights from submissions of prisoners and visits to prisons. Although there have been some improvements in the implementation of detention, for example, in attitude of prison staff, improvement of living conditions, in some prisons there is still insufficient number of monitoring and resocialisation staff, as well as the number of medical staff and professional diversity still needs improvement.

The start of the construction of the new Liepāja Prison and work on the development of a new, progressive, individual approach-oriented Penalty Enforcement Law with involvement of a representative of the Ombudsman's Office is to be noted as positive in the reporting period.

Characteristics of the reporting period

In 2023, the Ombudsman received 248 applications regarding prisoners' rights, down from 2022 (396). Most of the applications are about ensuring various rights of prisoners, such as meetings, telephone calls, progress of the resocialisation, household problems (110 in 2023, and 176 in 2022), medical assistance (28 in 2023, and 22 in 2022), as well as requests for information (60 in 2023, and 74 in 2022). As previously, the number of submissions regarding inadequate housing conditions has decreased (12 in 2023, and 22 in 2022). In 2023, ten complaints have been received about inappropriate behaviour or abuse of office by prison staff (25 in 2022). No complaints have been received regarding the use of physical force against prisoners.

The submissions raised questions about limited opportunities to work to be able to pay for glasses or vitamins; the use of personal electrical equipment, as well as to cover the compensation to victims according to judgments. Information has been received regarding limitations for prison staff to be able to communicate with foreign prisoners who speak unknown language, such as Chinese. Ombudsman received information about cases of non-dispatching of correspondence in Riga Central Prison, prisons of Jēkabpils and Daugavgrīva.

For long time, the Ombudsman was receiving submissions regarding prisoners' self-government and violence in Jēkabpils Prison, thus an inspection was carried out resulting in a [report](#) pointing to a high risk of violence among prisoners and strong signs of self-governance. In addition, access to health care was also assessed in Jēkabpils Prison, and the [Ombudsman's report](#) was sent to the responsible institutions.

Review of the most important cases and opinion of the Ombudsman

Differences in the use of personal household appliances at the Latvian Prison Hospital

The Ombudsman [turned to the Ministry of Justice](#) regarding differences in the use of personal household appliances for prisoners at the Latvian Prison Hospital. The regulatory framework does not provide for the right to use a refrigerator or electric kettle there.

In Ombudsman's opinion, if prisoners placed in the hospital have the right to shop in the prison shop, it must also be possible to store products in a refrigerator and make hot drinks. The Ministry of Justice has taken this recommendation into account when drafting proposals for amendments to the Sentence Implementation Code of Latvia, at the same time planning amendments to the Law on the Procedures for Holding under Arrest.

Remuneration for convicted persons

The Ombudsman gave [his opinion](#) on the compliance of the remuneration for convicted persons laid down in Section 56¹⁶ of the Sentence Implementation Code of Latvia with the principles of non-discrimination and proportionality laid down in the [Directive \(EU\) 2022/2041](#). Although the Ombudsman concluded that the different minimum remuneration rates for convicted persons, as well as the procedures for making deductions comply with the requirements of the Directive, the legislator should aim to ensure fair remuneration for convicted persons, which is as close as possible to the remuneration received by persons employed in freedom for the same work.

Imposition of disciplinary sanctions

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, following a visit to Latvia in 2022, stated in its [report](#) that successive disciplinary measures leading to continuous placement in the penal isolator beyond the maximum period should be prohibited, as well as ensuring that self-harm acts no longer constitute a violation of the regime. In this respect, an inspection was carried out in the Grīva Division of the Daugavgrīva Prison, where no practice was found that convicted persons would be sentenced consecutively without interruption in the case of several sentences – placement in the penal isolator.

Despite this, the Ombudsman [recommended](#) the Ministry of Justice to make amendments to the regulatory framework in case of several punishments to prevent successive placement in penal isolator, as well as to develop a temporary regulation on action in cases where a prisoner performs self-harm in order to prevent punishment for such acts until the regulatory framework has been improved. [The Ministry of Justice informed](#) that amendments were planned in 2024 and they have sent a letter to the Prison Administration on a temporary solution without penalising self-harm.

Rights of foreigners and the stateless, legal status of persons

International agreements binding on Latvia state that every person, wherever they are, has the right to be recognised as a right-holder – so that the State grants them a certain status, a corresponding set of rights and obligations, as well as relevant identity documents. There are human rights guarantees to be granted to everyone regardless of status, such as the right to life, but other rights and obligations will depend on whether the person is a national, a permanent resident, a foreigner or an applicant for international protection.

The Ombudsman regularly receives submissions from foreigners regarding various possible violations of human rights. Recent geopolitical situation, such as the Russian invasion in Ukraine or the situation on the Latvian-Belarusian border and the related decisions of the Latvian authorities, have also affected the content of submissions addressed to the Ombudsman. At the same time, there are areas where systemic deficiencies have been observed for a long time, such as ensuring the rights of unaccompanied minors, financial support for asylum seekers, etc. The Ombudsman's activities in these areas are also aimed at continuing the work already under way or finding more effective solutions.

Characteristics of the reporting period

In 2023, the Ombudsman received 81 submissions on the rights of foreigners, the stateless and issues related to the legal status of persons and provided 24 oral and e-mail consultations. This is significantly higher than in the previous reporting period, when 27 submissions were received. The number of submissions increased mostly due to the amendments adopted to the Immigration Law, which affected former Latvian citizens or non-citizens who acquired Russian citizenship and reside in Latvia with a permanent residence permit. At the same time, issues that had already come to the attention of the Ombudsman in previous years were still relevant in both the submissions and other activities of the Ombudsman. These were, for example, respect for human rights on the Latvian-Belarusian border, ensuring the rights of unaccompanied minors, continuing support for Ukrainian civilians, conditions in accommodation centres for asylum seekers and detained foreigners.

Review of the most important cases and opinion of the Ombudsman

Ombudsman's inspection visit to the accommodation centre for detained foreigners 'Mucenieki'

On 12 May 2023, representatives of the Ombudsman's Office, together with medical professionals, went on a monitoring visit to the "Mucenieki" accommodation centre for detained foreigners. During the visit compliance of the conditions in the centre with the general human rights standards were assessed. Accordingly, Ombudsman issued several recommendations regarding improvement of the infrastructure, as well as staffing to include social workers and educators working with children, and other issues. In particular, the need to address the availability of medical practitioners in the centre was pointed out.

Legislative initiatives proposed by the Ombudsman

In 2023, the Ombudsman participated in the meetings of Parliamentary Committees, providing opinion on amendments to the Ukrainian Civilian Support Law and the Immigration Law, as well as, on his own initiative, prepared proposals for amendments to the laws and regulations necessary for the Saeima and the Cabinet of Ministers.

[On several occasions](#), the Ombudsman expressed his [opinion](#) on amendments to the laws and regulations related to the situation on the Latvian-Belarusian border, including by submitting [a proposal](#) for amendments to the State Border Guard Law calling for the prevention of possible non-compliance of the regulation with EU law regarding asylum.

The Ombudsman also sent a [letter](#) to the Prime Minister requesting to assess the risks indicated and to make the necessary amendments to the regulatory framework so that Paragraph 58 of the Transitional Provisions of the Immigration Law complies with the principle of good governance and Latvia's international obligations. The Ombudsman also addressed the Prime Minister with a [letter](#) on social security for asylum seekers. The letter focused on ensuring the rights of unaccompanied minors, as well as on the need to review the level of nutrition and daily subsistence allowances for asylum seekers, hygiene and basic necessities.

Opinions to the Constitutional Court

In 2023, the Ombudsman gave several opinions to the Constitutional Court on issues affecting the rights of foreigners and the legal status of persons. Regarding amendments to the Immigration Law, the Ombudsman has provided an [opinion](#) to the Constitutional Court in cases No 2023-04-01 and No. 2023-07-01 on the compliance of Paragraph 58 of Transitional Provisions of the Immigration Law and amendments to other laws with the Constitution. In addition, the Ombudsman also provided an [opinion](#) in case No 2022-36-01 on the compliance of Paragraph 7 of Transitional Provisions of the Citizenship Law with the Constitution.

Monitoring of forced return

In 2023, 47 decisions on the return of foreigners have been taken and 44 persons have been returned to their country of origin. Implementing the task laid down in Section 50.⁷ of the Immigration Law, representatives of the Ombudsman's Office surveyed five foreigners to be returned and participated in three return procedures during the reporting period.

In 2023, evaluation of the effective application of the Schengen acquis in the field of return was also carried out in Latvia, and the Ombudsman reported to the Commission on the implementation of the monitoring of forced returns between 2018 and 2023.

Preventing trafficking in human beings

Trafficking in human beings is one of the most serious potential human rights violations, a gross violation of human dignity and physical integrity, which, as a result of human vulnerability, helplessness, ignorance, and many other factors affects a large number of people, including the most vulnerable groups – children, women, the elderly, people with disabilities and socially vulnerable people.

The main purpose of trafficking in human beings is the exploitation of a person, usually for profit. Trafficking in human beings takes different forms, such as sexual exploitation, forced labour, forced crime or begging, servitude and forced sham marriages. However, the phenomenon of trafficking in human beings is evolving and becoming increasingly difficult to trace with every year, based on both new forms of trafficking (e.g. illegal adoption and exploitation of surrogate mothers) and the increasing impact of the digital environment.

Also in Latvia, human trafficking is not static, and if previously labour exploitation was the convincingly most wide spread form, then sexual exploitation and forced sham marriages are becoming more visible and more and more people suffer from it. At the same time, some new trends emerge, for example, a case has been established when a Latvian citizen has been recruited for forced begging in Poland, while in another case a person has been forced to commit a criminal offence.

According to the latest available data, 48 people were victims of trafficking in human beings in Latvia in 2020, 61 victims in 2021, but 26 in 2022. In comparison, 7155 victims of trafficking were registered in the EU in 2021, 10% more than in 2020 (6534).

Characteristics of the reporting period

Ombudsman does not receive submissions on human trafficking issues, as the investigation of this serious crime falls within the competence of the State Police, but the assistance to the victims is provided by social service providers - associations "Centrs MARTA" and "Shelter "Safe House"".

At the same time, after getting acquainted with the information available in the mass media on the investigation of the State Police in a case when a 15-year-old teenager was accused of inciting two girls to make pornographic material, the Ombudsman [applied](#) to the Prosecutor General's Office to ascertain whether the compliance of the minor girl with the status of a victim of trafficking in human beings had been assessed in criminal proceedings. The Prosecutor's Office replied to the Ombudsman that the evaluation had been carried out and no circumstances had been established that would indicate that the person was in conformity with the status of victim of human trafficking.

In accordance with his mandate to promote public awareness, the Ombudsman continued the activities started in previous years in public education.

The Ombudsman took part in the school programme “Ready for Life” giving lectures on human trafficking issues. A total of nine lectures were held for pupils and are expected to continue in 2024 in cooperation with the Ministry of Foreign Affairs.

During the reporting period The risks of trafficking in human beings in relation to asylum seekers, in particular unaccompanied minors, remained relevant. Therefore, the Ombudsman organised two-day training for Orphan’s and Custody Courts on the recognition of human trafficking risks. A total of 59 employees from 26 Orphan’s and Custody Courts were trained.

For the third year, employees of the Ombudsman’s Office continued to train various legal professionals (police officers, prosecutors, judges and sworn advocates) and psychologists on the topic “Children – Victims of Trafficking in Human Beings”. The training was organised by the Latvian Municipality Training Centre and a total of 14 lectures were conducted in 2023, significantly improving the ability of officials to recognise cases of trafficking in human beings in a timely manner.

In 2023, the staff of the Ombudsman’s Office in cooperation with the association “Centrs MARTA” continued the activity started in 2022 and visited 18 childcare facilities across Latvia to educate children about the risks of trafficking in human beings and to inform where to turn for help. A total of 140 young people aged 13 and above were educated. Additionally, two online lectures were delivered to the staff of the institutions training of around 70 employees.

Review of the most important cases and opinion of the Ombudsman

Guidelines for preventing the risks of trafficking in human beings and labour exploitation in public procurement

In 2023, the Ombudsman continued the previously launched topic on a human rights-based approach to public procurement procedures and, in cooperation with the Ministry of Interior and the Procurement Monitoring Bureau, started developing guidelines to prevent risks of trafficking in human beings and labour exploitation in public procurement.

The aim of the guidelines is to provide an insight into and raise awareness of labour exploitation and anti-trafficking techniques in public procurement, and the target group of these guidelines is state and municipal institutions, which publish procurements. The guidelines are expected to be finalised in 2024.

Business and human rights

In today's globalisation, business has an increasing impact on human rights. This can be positive, for example, creating new jobs, access to products in certain regions, etc., as well as negative, such as environmental pollution, inadequate wages, forced evictions.

With this in mind, in 2011 the UN Guiding Principles on Business and Human Rights (UN Guiding Principles) were approved which are based on the three pillars: protect, respect and remedy. The UN Guiding Principles set out the responsibilities of States and companies with regard to respect for and protection of human rights. Countries need to provide effective guidance to companies on how to respect human rights in all their activities. On the other hand, companies must respect all internationally recognised human rights. This means that they must avoid human rights violations and prevent negative human rights impacts.

Corporate Sustainability Due Diligence Directive is currently being developed in the EU, which also covers the assessment of human rights risks and the prevention of violations in companies' activities. The directive will mainly apply to large companies, but the Ombudsman has called on every business to pay attention to respect for human rights in the company's activities, without waiting for the directive to be implemented.

Characteristics of the reporting period

When working with topics concerning human rights, the Ombudsman sees more cases of violations in the business environment. Although the Ombudsman's duties are not directly related to monitoring the interaction between business and human rights, there are certain areas that have come to the agenda and where the Ombudsman has already provided his assessment, recommendations and support.

In spring 2023, the Ombudsman turned to the Prime Minister, indicating that business and human rights are poorly regulated in Latvia. A qualitative and long-term development-oriented solution must be found to remedy the situation by introducing a national action plan for business and human rights. It is important to note that Latvia is one of the few countries of the European Union where there is still no such plan. The necessity of the plan is determined by international human rights protection recommendations.

The Ombudsman has pointed out that the state must first of all promote respect for human rights in companies with which it carries out commercial transactions. For example, in cases where a company directly or indirectly carries out public procurement, such a company would in particular be expected to respect human rights in its activities. Number of problems can actually be hidden behind procurement and the cheapest offer. In situations where tenders differ significantly, there are grounds for suspecting potential human rights violations.

[In his letter to the Prime Minister](#), the Ombudsman emphasised what the government should do to arrange the situation:

- develop and adopt a national business and human rights action plan following the recommendations of the UN, the Council of Europe, other international organisations and also human rights organisations (e.g. the Danish Institute for Human Rights) and involving the public and stakeholders in this process;
- express a strong and unequivocal position that companies must respect human rights and not only the state, but also society;
- raise awareness at institutional level of the values and principles enshrined in the UN Guiding Principles, so that state power is exercised in a coherent and harmonious manner, with the aim of equally protecting all human rights;
- promote business and human rights research with academia;
- set an example of the implementation of the obligation to respect human rights by requiring state-owned enterprises and state and municipal capital companies, as well as companies that participate in public procurement or otherwise cooperate with the state or municipalities, to exercise due diligence with regard to human rights and to comply with the UN Guiding Principles in their activities;
- national legislation should be evaluated in order to identify how the protection of human rights should be further strengthened, for example, by providing for mandatory implementation of the process of duty of care also in other companies.

In November 2023, as part of the campaign on Business and Human Rights, the Ombudsman prepared and published informative materials aimed at raising the recognition and practical use of it in line with international standards. Campaign's info materials are available on Ombudsman's website under [Business and Human Rights](#) forming the basis for other activities, including the study of the situation in Latvia and the conference in spring 2024.

Good governance

The task of public administration is to serve private individuals, so the public administration should be polite and kind to all individuals. The individual must be respected and involved in a dialogue on issues affecting them and how best to ensure that the public interest is respected. Consequently, it follows from the principle of good governance that the public administration must act in an open, fair, proportionate and diligent manner, avoid undue delays, be polite and helpful, take due account of the individual circumstances of each case, recognise and apologise for its errors, and constantly improve its activities.

Characteristics of the reporting period

In 2023, the Ombudsman received 326 submissions related to good governance. There had been a similar number of submissions: 332 in 2022, and 334 in 2021. For good governance the reporting period can be characterised by diversity: the various issues in complaints of people and the diversity of manifestations of the principle of good governance (breach of freedom of information, lack of reasoning in decisions, unethical conduct, literal interpretation of legal norms, disregard of the public interest, etc.). There have been equal number of submission on violations of the principle of good governance both regarding state and municipal institutions.

When describing the work of municipalities, it should be noted that the Ombudsman often had to evaluate the actions and decisions of Ogre municipality. For example, the Ombudsman [criticised](#) the decision of the local government to ban the gathering of residents to support the activities of the Ogre Museum of History and Art and the [refusal](#) of the Ogre municipality to participate in the city festival in connection with person's statements about the municipality on Facebook. In addition, Ogre municipality committed a violation of the principle of good governance by suddenly changing the school bus route as a result a child could no longer get to school in the middle of the school year. In the verification procedure No. 2022-44-27L,27M, the Ombudsman also [found](#) unkind communication with the residents of Ogre Municipality and its institution.

Non-compliance with the principle of good governance was also noted in the work of other municipalities. For example, Riga City Council regulations on requirements for admission to secondary schools [were adopted](#) only two months before the end of the school year, without involving students and their parents in discussions on the new procedure.

[In verification procedure No 2023-24-22C,27L, the](#) Ombudsman concluded that Riga Municipality did not pay due attention to residents' complaints about dust pollution, which is potentially harmful to human health, as well as lowering the quality of life of the surrounding residents. The municipality did not take all possible measures to identify and prevent or reduce the presence of environmental factors that negatively affect the health and quality of life of the municipality's inhabitants.

Challenges with good governance were also seen in the functioning of public administration. In the aftermath of the COVID-19 pandemic, the [availability of institutions has become](#) a challenge. For example, people have to wait disproportionately long for on-site consultation at the State Revenue Service. The client does not have the opportunity to receive advice when arriving at the institution without prior appointment.

The State Labour Inspectorate found an inadequacy of internal communication between managers and employees of different levels on assessment of persons and remuneration. In turn, the joint stock company "Latvia's State Forests", [refusing to provide environmental information](#) to a non-governmental organisation for environmental protection, wrongly classified it as restricted access information with reference to the status of trade secrets in the opinion of the Ombudsman.

Once again, the Ombudsman pointed out as bad governance when analysing the actions of a State Police official who had imposed a fine on a child, and not coercive measures of a correctional nature in administrative violation proceedings. Although the State Police is generally aware of this problem, still some officials do not take it into account.

There were also **positive examples of good governance** during the reporting period. The Ombudsman receives regular submissions regarding school reform. From the point of view of good governance, there is a positive trend in this area. For example, when assessing the intention to close Variņi Primary School in Smiltene Municipality, it has been established that the local government has informed the residents about it in a timely and exhaustive manner. There had been extensive strategies, publications and meetings with residents.

At the request of the Ombudsman, Preiļi Municipality corrected the legal shortcomings of their decision and provided the applicant with a detailed explanation on the revocation of an illegal decision favourable to her on the real estate tax. The Ombudsman found ill-treatment of clients from the employee at Rēzekne City Social Service shelter, which the municipality tried to prevent.

Food and Veterinary Service, in response to a complaint received at the Ombudsman's Office regarding the availability of services at the Saldus division due to the limited working hours, undertook to provide the services individually outside the formal working hours.

At the beginning of the reporting year, the Ombudsman [invited](#) the Ministry of Finance, the Ministry of Welfare, the State Revenue Service and the State Social Insurance Agency to change the illegal practice regarding the withholding of personal income tax from employees when administering the solidarity tax, when the State has granted the employer (tax payer) "tax holidays". The authorities [implemented the Ombudsman's recommendations](#).

Assessing public administration's attitude towards good governance shows the authorities' willingness to correct their errors and to be more helpful.

Review of the most important cases and opinion of the Ombudsman

Ensuring of public interest in the construction process

[In verification procedure No 2022-36-27G, the](#) Ombudsman assessed the process of construction of funeral building in Jelgava municipality. The Ombudsman concluded that during the public consultations of the building, the building authority and the local government created the illusion that the society was involved in the adoption of a decision by which the intention to construct the building would be approved or rejected. Since the building authority involved the public in the adoption of amendments (additions) to a building permit already issued, it had to clearly disclose this intention to the public so that the residents would understand what decision they were participating in.

The Ombudsman also found that the customer and the building authority had not placed a construction board as a means of informing the public. The building authority did not see it as infringement, as the information was available in the Construction Information System. The Ombudsman pointed out that both the publication in the Construction Information System and the construction board are equally important and complementary forms of public information.

Access to generally available environmental information

[In the verification procedure No 2023-03-22F, the](#) Ombudsman concluded that Ropaži Municipality had unlawfully set restricted access information for tree felling permits, refusing to provide the resident with the relevant information. Tree felling permits constitute generally available environmental information. At the invitation of the Ombudsman, the local government apologised to the resident, issued information and undertook to comply with the principles of openness of information in the future.

Violation of the authorisation given by the legislator

The Ombudsman [in verification procedure No 2022-57K criticised the fact](#) that the State Revenue Service, contrary to the requirements of the law, had completed annual income return instead of residents and accordingly calculated the tax in place of the payers with retroactive effect. The institution did so in breach of the time-limit laid down by the legislature within which such action was permissible.

Contrary to the conclusions of the Ministry of Finance that the law has not been complied with, the State Revenue Service did not see any significant violations in its actions.

Inconvenience of the single tax account

[In verification procedure No 2023-29-27B](#), the Ombudsman found that the single tax account introduced in 2021 as an automated system is inconvenient for taxpayers. It does not include a mechanism to warn the taxpayer of long-term accumulated tax-exempt amounts. It was also found that the tax assessments made by the State Revenue Service were unclear to the taxpayer.

Preventive mechanism

The preventive mechanism is a unique national monitoring body that detects and prevents risks of ill-treatment in institutions where freedom of individuals is restricted or likely to be restricted. Secondly, it is an addition to international treaty organisations which have been granted the right to carry out inspection visits to closed-type institutions in Latvia.

The National Preventive Mechanism is established taking into account the requirements of the Optional Protocol to the [Convention](#) against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The overall objective of all visits is to prevent ill-treatment and its risks.

Characteristics of the reporting period

A total of 58 [visits](#) were carried out in 2023 (62 in 2022, 32 in 2021, and 40 in 2020), of which 30 were inspection and 28 educational visits.

In cooperation with the specialists of the association “Centrs Marta”, in 18 visits to long-term social care and social rehabilitation institutions young people have been educated on human trafficking issues.

Young people have also been informed about the national redress mechanisms and authorities to seek help if needed. During the reporting period, within the framework of educational visits, 10 educational institutions where children stay in a dormitory or boarding house were visited. During these visits, the employees of the preventive mechanism helped the children improve their knowledge of their rights and obligations. Particular attention was paid to the right of children to be protected from all forms of violence.

Inspection visits included such specialists as a certified psychiatrist, a certified physical and rehabilitation medical doctor and a representative from the association of disabled persons and their friends Apeirons. In 2023, employees of the preventive mechanism in cooperation with representatives of the Ministry of Welfare and the Health Inspectorate were on **inspection visits** to long-term social care and social rehabilitation institutions for seniors.

In 2023, the Ombudsman focused on ensuring human rights in long-term social care and social rehabilitation institutions for seniors. Therefore, in spring 2023, the Ombudsman organised a campaign regarding life in a nursing homes, [during which](#), the Ombudsman received both complaints and positive feedback. The collected information has been forwarded to the Ministry of Welfare, the Health Inspectorate, two Parliamentary Committees and the Latvian Association of Local and Regional Governments for evaluation and further action, as well as to the State Audit Office for information.

In order to improve the methodology for visits to long-term social care and rehabilitation or psychiatric institutions, the staff of the preventive mechanism participated in [an experience exchange visit](#) with colleagues from the National Preventive Mechanism of the Office of the Croatian Ombudsman. On 21 February 2023, a meeting took place with representatives of the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe and the UN Subcommittee on the Prevention of Torture discussing issues related to the implementation of the national preventive mechanism function. After this meeting, a decision was taken to work on amendments to the Ombudsman Law in cooperation with representatives of the Ministry of Justice. The aim of these amendments is to clearly define the role and tasks of the Ombudsman as the national preventive mechanism.

During the reporting period, the Ombudsman participated in the meeting of the Permanent Working Group on Criminal Penal Enforcement Policy of the Ministry of Justice. One of its agenda items was the recommendations contained in the [report](#) to the Government of Latvia on the visit of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment to Latvia from 10 May to 20 May 2022 and amendments to the laws and regulations necessary for their implementation. A letter with information on the questions raised by the Committee within the scope of the Ombudsman's competence has also been sent to the Ministry of Foreign Affairs. The information sent will be used to prepare the 7th State Report on the implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Latvia.

Inspection visits

Long-term social care and social rehabilitation institutions for adults

In 2023, 13 adult long-term social care and social rehabilitation institutions for adults were visited. During the visits, particular attention was paid to aspects of ensuring human rights, respect for the rights of residents, general housing conditions and access to social care and social rehabilitation services.

Unfortunately, in all the visited institutions the Ombudsman found: 1) adequate accessibility of the environment is not ensured for the needs of residents; 2) compliance with the principle of inviolability of the privacy of residents has not been ensured; 3) the lack of meaningful activities and meaningful leisure opportunities; 4) irregular walks in the fresh air (especially for residents with functional impairments); 5) the number of employees and division of competences existing in institutions is not consistent with the number of residents and the provision of social care and social rehabilitation services necessary for their objective needs in the long term.

It should be noted that during the campaign on life in nursing homes, information was received about violations in Kandava nursing home, which provides long-term social care and social rehabilitation services to persons and has not been registered in the Register of Social Service Providers of the Ministry of Welfare for several years. When visiting the Kandava nursing home, the information received was confirmed. On 2 October 2023, the State Police initiated criminal proceedings based on Ombudsman's [submission](#).

Detention centres for foreigners

During this reporting period, accommodation centre "Mucenieki" for detained foreigners was visited twice. The purpose of the visits was to obtain general information on the conditions of stay for detainees and their compliance with general human rights standards.

After the visit, recommendations have been made regarding: 1) staff, professional development and communication; 2) living conditions, leisure opportunities and activities; 3) prohibition of ill-treatment, encouraging the improvement of the legal framework, so that foreigners are not disciplinarily punished for intentional self-harm; 4) access to health care, finding that there is critical shortage of medical practitioners.

Prisons

During the reporting period, eight visits have been made to Jēkabpils Prison, Riga Central Prison, Ilģuciems Prison, Liepāja Prison, Valmiera Prison, Daugavgrīva Prison, Latvian Prison Hospital. The visits focused on a number of topics.

It had been established that there is still self-governance and hierarchy of prisoners in Jēkabpils prison, resulting in a high risk of violence among convicted persons. In this context, an anonymous survey of convicted persons was carried out. After the visit, the Ombudsman immediately informed the Prison Administration about a possible criminal offence against one convicted person committed by another convicted person. The Prison Administration initiated criminal proceedings.

Secondly, access to health care in Jēkabpils prison. It was not possible to conclude from the medical documents whether convicted persons can obtain medical advice. The available medical records were clearly formal, sometimes inaccurate, missing information suggesting a very formal approach by doctors. Given the absence of a medical practitioner on Sundays, it was found that the dispensing of medicinal products already on the previous day poses a risk that the convicted persons may collect medicinal products and use them for intoxication, overdose or sale to others. An analysis of the record book of medicinal products with inventory drugs showed that the convicted persons had been prescribed tranquilisers, such as alprazolam, phenazepam, bromazepam, clonazepam, diazepam, as well as clozapine, which is an antipsychotic. In several cases, convicted persons received medication for a long time. In some cases, there were no extracts or objective data why the drug was prescribed for regular long-term use. This visit further confirmed characteristics of self-governance and hierarchy of prisoners.

Thirdly, verification of information related to a previously announced hunger strike at the Latvian Prison Hospital, but no problems from the point of view of human rights were identified during the visit.

Fourthly, the practice of applying punishment – placement in a penal isolator – in Grīva Division of Daugavgrīva Prison. Ombudsman recommended improvement of legal framework: 1) in order to prevent the convicted persons from being repeatedly placed in the penal isolator with starting day being the same as the last day of the previous penalty; 2) temporary internal regulation is necessary (until amendments to the law come into force) so that prisoners are not disciplinarily punished for intentional self-harm.

During the reporting period, there were thematic visits regarding detainees spending a reasonable part of the day (eight hours or more) outside their cell.

Long-term social care and social rehabilitation institutions for children

During the reporting period, three visits were carried out to out-family care facilities. The visits focused on a number of topics. For example, a visit to the Children and Youth Centre “Sapni” of Tukums Municipality Social Service confirmed that the institution continues its activities even after it has been removed from the Register of Social Service Providers of the Ministry of Welfare. Children were found to be receiving an unregistered service since 12 January 2023. This situation had arisen because Tukums Municipality had not acted in accordance with the requirements of regulatory enactments and had committed such violations.

After a visit to the Family Support Centre “Lejasstrazdi” of the Dobele Municipality Social Service, recommendations were made regarding social rehabilitation; general housing conditions and compliance with hygiene standards; ill-treatment, e.g. if a child is a victim of violence, legal consultations must be received on the further safeguarding of the rights and best interests of the child; meaningful leisure activities; education and correction of children’s behaviour, such as the need to develop procedures for monitoring the acquisition of children’s education, including the identification of a responsible person who will monitor each child’s success and school attendance, as well as provide support in learning.

Psychoneurological Hospital for Adults

During the reporting period, a visit to Strenči Psychoneurological Hospital was carried out with the aim of obtaining information on the use of restrictive measures against patients. The visit provided comprehensive information.

Places providing sobering-up service

In 2023, two visits to sobering-up were carried out. The purpose of both visits was to find out whether human rights, including the right to freedom, were guaranteed during the sobering-up service. After the visits, the Ombudsman recommended not to restrict the freedom of a person without a procedure laid down by law and not to put obstacles to leaving the facility as soon as the person wishes and is able to do so.

Considering that sobering-up service lies within autonomous functions of the municipality, the Ombudsman asked the municipalities to provide information about it. 37 out of 43 municipalities replied regarding the provision of the service or indicating a contract with the adjacent service provider.

Group homes (apartments)

Visits to group homes (apartments) started in 2022 and ended with one visit during the reporting period. Summarising the findings from 2022 and 2023, a discussion was organised with representatives of the non-governmental sector, the Ministry of Welfare and service providers.

Financial resources and performance

The scope of the Ombudsman's Office – the protection of human rights of individuals – is financed from the State budget programme 01.00.00 'Ombudsman's Office'. The aim of the programme is to promote the protection of human rights and to the exercise of state power in a lawful and efficient manner and in accordance with the principle of good governance, as well as in compliance with the Constitution and international agreements binding on Latvia.

The structured explanation of the 2023 budget of the Ombudsman's Office [is available on the website of the Ministry of Finance](#). Detailed information on the implementation of the budget of the Ombudsman's Office for 2023 is [available on the State Treasury's website in the report](#) entitled 'Implementation of the State budget by institutions, budget programmes/sub-programmes and classification codes', and analysis of the implementation of the State budget [is available on the website of the Ministry of Finance](#).

Financing of the State budget and its use (in euro)

No.	Financial indicators	Previous year (actual implementation)	Approved for the reporting year by law	Actual enforcement in the reporting year
1.	Financial resources to cover expenditure (total)	1 935 406	2 621 250	2 742 995
1.1.	grants	1 935 406	2 618 250	2 602 649
1.2.	paid services and other own revenue	0	3000	17 759
1.3.	foreign financial assistance	0	0	119 989
1.4.	donations and gifts	0	0	0
1.5.	transfers	0	0	2598
2.	Expenditure (total)	1 935 406	2 621 250	2 713 593
2.1.	maintenance costs (total)	1 911 904	2 621 250	2 697 278
2.1.1.	current expenditure	1 900 229	2 609 435	2 685 463
2.1.2.	interest expense	0	0	0
2.1.3.	subsidies, grants and social benefits	0	0	0

No.	Financial indicators	Previous year (actual implementation)	Approved for the reporting year by law	Actual enforcement in the reporting year
2.1.4.	current payments to the European Community budget and international cooperation	11 675	11 815	11 815
2.1.5.	transfer of maintenance expenses	0	0	0
2.2.	capital expenditure	23 502	0	16 315

During the year, in the sub-programme 70.07.00 “Implementation of projects and measures of the World Regional Cooperation Fund” of the Ombudsman’s Office, the appropriation for the use of foreign financial assistance resources allocated to state budget institutions in the amount of EUR 119989 for the implementation of the EEA and Norway Grants and the World Regional Cooperation Fund programme project “Support to national human rights institutions in monitoring fundamental rights and Rule of Law aspects” has been increased.

In the sub-programme 70.06.00 “Reimbursement of travel expenses of representatives of Latvia to meetings of working groups of the Council of the European Union and meetings of the Council” the appropriation for the use of mutual transfers in the amount of EUR 2598 has been increased in order to ensure coverage of travel and hotel expenses for the staff of the Ombudsman’s Office when travelling to Council of Europe working groups.

Own revenue for the implementation of the project “Business and Human Rights” in the amount of EUR 140 00 from the Danish Institute for Human Rights were increased the budget programme 01.00.00 “Ombudsman’s Office”.

In 2023, the actual implementation of the State budget amounted to EUR 2.71 million. The budget of the Ombudsman’s Office increased by EUR 680.6 thousand compared to the previous year’s plan. As a result of the reallocation of budgetary resources, expenditure on goods and services channelled to capital investment – the purchase of hardware and conference equipment – was reduced by EUR 16.3 thousand. At the end of the year, budget appropriations in the amount of EUR 15.6 thousand were closed.

Performance indicators of the Ombudsman's Office in 2023

Output: informed public and timely prevention of infringements

Performance indicator	Plan for the reporting period	Implementation of the plan for the reporting period
Inspections organised in state and local government institutions (closed and partially closed institutions, Orphan's and Custody Courts, educational institutions, etc.)	80	43
Educational seminars, discussions and other events organised	45	88
Participation in events organised by other institutions – lectures on matters of the Ombudsman's competence	50	393
Publications prepared for the media	4500	8707

Output: respect for the principle of good governance

Performance indicator	Plan for the reporting period	Implementation of the plan for the reporting period
Opinions delivered to the Constitutional Court	15	10
Opinions issued to state institutions on draft legislation	45	47
Participation in working groups and commissions	90	142

Output: implementation of the Ombudsman's policy

Performance indicator	Plan for the reporting period	Implementation of the plan for the reporting period
Received (reviewed) submissions	1900	1718
Replies to submissions	2000	1498
Replies to submissions without initiation of verification procedures	500	673
Verification procedures initiated based on submission	50	44
Answers to e-mail questions within competence of the Ombudsman's Office	700	1044
Consultations:	7000	2526
➤ on-site	2000	1114
➤ telephone	5000	1412
Verification procedures initiated on the initiative of the Ombudsman	10	3

Performance indicator	Plan for the reporting period	Implementation of the plan for the reporting period
Surveys of foreigners to be returned	70	5

Additional funding allocated to priority actions

1. Increased funding – EUR 437422 – for the priority measure “Strengthening the capacity of the Ombudsman’s Office” in accordance with Paragraph 1 Part 2 of the Protocol No 2 of the Cabinet of Ministers sitting of 13 January 2023
2. Increased funding – EUR 36300 – for the priority measure “Research and analysis of the situation in the field of human rights” in accordance with the Paragraph 1 Part 2 of the Protocol No 2 of the Cabinet of Ministers’ sitting of 13 January 2023
3. Increased funding – EUR 2600 – for the priority measure “Covering the rent of premises” in accordance with the Paragraph 1 Part 2 of the Protocol No 2 of the Cabinet of Ministers’ sitting of 13 January 2023
4. Increased funding – EUR 154398 – for the cross-sectoral priority event of the Ministry of Foreign Affairs “Latvian Presidency of the Council of Europe in 2023” in accordance with the Paragraph 1 Part 2 of the Protocol No 2 of the Cabinet of Ministers’ sitting of 13 January 2023
5. Increased funding for the cross-sectoral priority measure of the Ministry of Finance “Covering the increase of rent and management costs of State real estate” in accordance with the Paragraph 1 Part 2 of the Protocol No 2 of the Cabinet of Ministers’ sitting of 13 January 2023
6. Increased expenditure of EUR 42747 for remuneration to ensure the Ombudsman’s remuneration in accordance with Section 6(2) of the Law on Remuneration of Officials and Employees of State and Local Government Institutions

Most characteristic performance indicators

	2022 Enforcement	2023 Enforcement	2024 Project	2025 Forecast	2026 Forecast
Implementation of Ombudsman’s recommendations, %	72,2	77,4	72	72	72
Dynamic index of clients served (base value 1.0 with 8727 customers, achievable value – 1.1 with 9600 customers)	1,0	0,9	1,1	1,1	1,1

Quality indicators

	2022 Enforcement	2023 Enforcement	2024 Project	2025 Forecast	2026 Forecast
Public trust rating, points (with “+” positive rating, with “-” negative evaluation” when conducting a population survey, SKDS/Independent research data)	No data	No data*	25	25	25
Claims satisfied by the Constitutional Court, %	100	No data**	94	94	94

* As of 2021, the SKDS study, which includes the Ombudsman’s rating, is no longer carried out, so a new quality indicator will be developed.

** One application has been submitted to the Constitutional Court, which has not yet been examined.

Research

According to the Ombudsman Law, one of the tasks of the Ombudsman is to conduct research and analyse the situation in the field of human rights. Thus, every year, the Ombudsman puts forward topics for in-depth research. Research allows for comprehensive conclusions to be drawn and proposals to improve the situation in the field. At the same time, research serves as a valuable tool for monitoring the human rights situation during comparative periods.

The Review [“How to understand the UN Convention on the Rights of Persons with Disabilities”](#) and its annex analyses the historical evolution of the rights of persons with disabilities resulting in a number of approaches of public awareness regarding persons with disabilities and their rights. The Ombudsman has found that restricting the rights of persons with disabilities is often the result of stereotypes and misunderstanding of the UNCRPD. This review therefore enables everyone to better understand the rights of persons with disabilities and to apply the UNCRPD.

The system analysis [“Right to travel in air transport with service dogs”](#) assessed how disabled persons can travel by air together with dogs providing assistance. The analysis of the system concluded that it was necessary to revise the terminology used to refer to different types of service dogs, as well as to amend the Latvian version of Regulation No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of persons with disabilities and persons with reduced mobility when travelling by air, by specifying the terms for service dogs.

Report [“The role of national human rights institutions in compliance with fundamental rights in the implementation of European Union funds: The situation of Latvia”](#) evaluated the possibility for the Ombudsman to actively participate in the assessment of the compliance with fundamental rights of the implementation of the European Union funds. The report analysed both the regulatory framework and the currently established system, so that the implementation of European Union funds would comply with fundamental rights, as well as interviewed state institutions involved in the implementation of the funds and the non-governmental sector. In general, it was concluded that there is currently a structure in Latvia for implementation of fundamental rights within the framework of EU funds, however, it would be necessary to pay more attention to practice. The implementation of fundamental rights is already possible with the currently involved institutions, and inviting the Ombudsman when necessary. In

addition to the abovementioned report, [A Guide to Applying the New Obligatory Charter Conditionality](#) with recommendations to the institutions involved in the implementation of EU funds.

During the reporting period, a [study](#) was also carried out on the national human rights structure in Latvia. It compiles information on state institutions, non-governmental organisations and various cooperation platforms involved in the implementation of the UN international human rights law binding on Latvia. In addition, information was analysed on the cooperation and interaction between stakeholders, the submission of national and alternative reports to UN bodies, assessing the effectiveness and shortcomings of these processes.

Upon the call of the European Union Agency for Fundamental Rights a [Baseline report on the potential to strengthen the situation of fundamental rights by making greater use of the EU Charter of Fundamental Rights: The situation of Latvia](#) was drawn up.

Personnel

On 31 December 2023, there were 54 employees in the Ombudsman's Office, it was the average number of personnel in 2023. During the reporting year, six employees were recruited and eight left the Office. The personnel turnover rate was 0.26.

Breakdown by gender

In 2023, seven men and 47 women worked at the Ombudsman's Office.

Breakdown by age

In 2023, there was one employee in the age group of 20-29 years; 15 employees in the age group of 30-39 years; 27 employees in the age group of 40-49 years; seven employees in the age group of 50-59 years; two employees in the age group of 60-69 years; and two employees in the age group of 70-79 years.

Employment areas

In 2023, employees of the Ombudsman's Office covered the following areas: 40 employees in legal analysis and counselling (including prevention); four employees in communication and international cooperation; eight in administration, financial, document and personnel management; and two in maintenance.

Education

In 2023, personnel of the Ombudsman's Office had the following education: 49 employees with a master's degree (including two PhD candidates); three employees with a bachelor's degree; and two employees with higher vocational education.

Information and involvement of the public

One of the main functions of the Ombudsman is to inform the public and raise awareness on human rights, good governance and rights' protection mechanisms, as well as the work of the Ombudsman.

Accessible content

One of the Ombudsman's communication priorities, namely the creation of accessible content, continued throughout this reporting period. It is content that everyone can access and perceive – including people with temporary or long-term difficulties in accessing or perception of information. Thus, the Ombudsman's communication channels focused on adding alternative texts to images and graphics, adding subtitles to videos, choosing the most user-friendly text formats and other accessibility solutions, employees regularly supplementing their knowledge about latest developments on the matter.

In practice, there were sign language interpreters and real-time subtitles in almost all events organised by the Ombudsman. It also included gradual creation of accessible resource database on the Ombudsman's website. Work continued on the development of the Office's internal guidelines to comply with accessibility standards and easy-to-read language principles in every document.

Publicity, media cooperation

In 2023, there were 127 posts published on the Ombudsman's website, 55 press releases were sent to the media and more than 200 answers were provided to media questions. There were 8707 media publications related to the Ombudsman's activities, while 374 posts were published on social media (Facebook and X). It should be noted that in the reporting year the number of followers of the Ombudsman's Facebook account increased by 85 % reaching 4800 followers.

In the field of civil and political rights, the Ombudsman actively explained the issues of freedom of expression, hate speech, human trafficking and temporary protection against violence throughout the reporting period, as well as continued to advocate for improving the quality of life of people with mental disorders and drew the attention of the responsible services to unacceptable living conditions in nursing homes.

The Ombudsman also commented in the media on the increasingly tense Latvian-Belarusian border situation and related protection of asylum seekers' rights. In the process of drafting laws, the position of the Ombudsman in relation to amendments to the State Administration Structure Law should be highlighted, providing for the release of unloyal employees from office duties, as well as the position on amendments to the Immigration Law and the need to ratify the Istanbul Convention.

In the field of social and economic rights, the Ombudsman actively drew media attention to the rights of people with disabilities, with particular emphasis on accessibility (including banking services), as well as the importance of accessible environments and adaptation of housing. A wide resonance in the public space was caused by the shortcomings detected by the Ombudsman in the implementation of the tax policy of the State Revenue Service. On several occasions, the Ombudsman publicly expressed his opinion on reducing prices of medicines and their availability, issues of good governance in municipalities, equal opportunities for receiving scholarships, (in)accessibility of services of the Office of Citizenship and Migration Affairs, as well as necessary changes to service pension system.

In the field of children rights protection, the Ombudsman informed the public about shortcomings in the acquisition of school supplies, and ethics violations in Orphan's and Custody Courts. The Ombudsman drew attention to the right of orphans and children left without parental care to use public transport free of charge, the importance of safe environment in educational institutions, adequate education of children in matters of sexual education, conflicting admission criteria in Riga secondary schools, and the need to find appropriate medical assistance for children with substance abuse. The Ombudsman also applied to the Constitutional Court so that six-year-old children would have equal rights to be admitted to schools in Riga.

Campaigns

Last year, the Ombudsman carried out several public awareness campaigns by publishing information on social media accounts and on his website. In February, the Ombudsman implemented an information campaign ["Nationality is an opportunity. Roma – one of us"](#) to show that people, regardless of nationality, have the same needs.

In March, the focus on nursing homes was intensified with the campaign ["How is life in a nursing home?"](#) to find out if the expectation of a cozy and safe environment for seniors under the supervision of good specialists and support staff has come true. In total, the Ombudsman received more than 100 replies about 65 nursing homes.

In June, emphasising the importance of children's rights, the Ombudsman carried out the campaign [“Help children be happy!”](#) which highlighted issues of great importance for children in different areas of life.

The most ambitious campaign of the year with very high public involvement was the Ombudsman's [research on school supplies](#), during which issues such as so-called fund money, teacher gifts, school uniforms, parents' councils and others were highlighted.

In October, the Ombudsman carried out a campaign dedicated to eradicating ageism [“Every age has its own spring!”](#) with the aim of showing that each age has its beauty and advantages, which are often dampen by public perceptions of age-appropriate life, thinking and abilities.

In November, the Ombudsman launched an information campaign [on Business and Human Rights](#) to talk about Latvian companies and their interaction with people in an unusual light.

Last year, the Ombudsman set basis for a series of talks dedicated [to the elimination of discrimination](#) [“Spark your empathy!”](#) presented to the general public in early 2024.

Events

Events organised

Traditionally, at the end of April, the traditional [Ombudsman's human rights moot court 2023](#) took place.

For the ninth year, on the International Day of Persons with Disabilities, the Ombudsman, in cooperation with the Association of Disabled Persons and their Friends “Apeirons” and the National Library of Latvia, awarded winners of the competition [“Annual Award for Supporting Persons with Disabilities”](#), as well as participated in the organisation [of the conference “Accessibility – the way we go”](#).

At the end of the year, the Ombudsman organised a legal experts' discussion [‘Charter of Fundamental Rights of the European Union in Latvian legal space’](#), regarding the role of the Charter as an instrument for the protection of human rights and its implementation in the Latvian legal system.

Participation in events

In total, specialists of the Ombudsman's Office participated in approximately 400 different types of events during the reporting period – conferences, seminars and discussions. In particular, participation in the [Garden Festival](#) organised by the Children's Clinical University Hospital and partners should be noted celebrating the International Day for the Protection of Children. Children were able to participate in various activities that allowed them to learn about their rights and Ombudsman's work.

The specialists of the Ombudsman's Office gave 36 lectures to students of Latvian general education [schools in the school programme 'Ready for life'](#), reaching more than 800 pupils. The Ombudsman offered classes on electoral literacy when students learned about the importance of elections in a democratic society. In the lesson of legal text literacy students got an idea of regulatory enactments, where to look for them and how to apply them to everyday situations. In the classes on freedom of expression and hate speech, students learned about the right to freedom of expression, their meaning and borders, and in the lectures "How not to Be a Victim of Trafficking in Human Beings?" – about the different forms of trafficking in human beings and the mechanisms for protecting their rights.

Lectures on the topic "Children – Victims of Trafficking in Human Beings" and the risks of trafficking in human beings in general, ensuring the rights and interests of the child in law enforcement institutions were continued for representatives of state and municipal institutions already started during the previous reporting period.

In general, during the year, the experts of the Ombudsman's Office mainly discussed topics such as hate speech and freedom of expression, trafficking in human beings, mobbing and bossing, ageism, protection of personal data, artificial intelligence, health protection, protection of children's rights and education, accessibility of websites, rights of people with disabilities, Roma rights, etc.

International cooperation and activities

In 2023, the Ombudsman and the Office continued to be actively involved in [global, European and regional organisations](#), including through participation in annual conferences, seminars and working groups.

The Ombudsman's Office is represented in several thematic working groups of international organisations: the Working Group on Gender Equality, Research and Data Collection, the Rights of Persons with Disabilities, Communication, Equality and Anti-Discrimination, Rights of Seniors, Artificial Intelligence, Asylum Seekers and Migration. In working group meeting the representatives of the Office share information on the topical issues of the Office and Latvia, analyse the experience of other countries in solving similar problems, as well as provide their opinion on regional, European and global issues.

Every year, the Ombudsman's Office participates in the preparation of the Rule of Law Reports of the European Network of National Human Rights Institutions (ENNHRI) and the European Commission, providing information on the situation of the rule of law, human rights and good governance in Latvia.

There is also bilateral international cooperation with ombudsmen and human rights commissioners from other countries, sharing information on the legal framework and its implementation in other countries (particularly in the Member States of the European Union) and on informing and engaging the public.

During the reporting year, the Latvian Presidency at the Council of Europe should be highlighted when the Ombudsman organised [two events](#): the symposium 'Autonomy and mental health care: a legal analysis' and an international conference 'Promoting autonomy in mental healthcare practice'. The Ombudsman was also involved in organising the international conference '[The pen is mightier than the sword? Meeting today's challenges to freedom of expression and the safety of journalists](#)'.

In spring 2023, the Ombudsman participated in the meeting of the Committee of Ministers of the Council of Europe in Strasbourg, France, to comment on the Council of Europe's recommendations to the State regarding the National Human Rights Institution in Latvia. The Ombudsman informed the participants of the meeting about the diversity of the mandate of the Ombudsman of the Republic of Latvia, his experience and his work in the position of Ombudsman.

During the reporting year, the Ombudsman also participated in an international conference on good governance in municipalities, where various aspects of good governance in local government activities were discussed, such as public participation, rule of law, smart financial management, operational efficiency, responsible development planning, etc.

At the end of March, European national human rights defenders met in Amsterdam at the office of the Commissioner for Human Rights of the Council of Europe, Dunja Miyatović, to discuss the growing impact of artificial intelligence on human rights. Representatives of the Ombudsman's Office also participated. The need to create a comprehensive and human rights-based approach to the use of artificial intelligence was stressed.

During the reporting period, in the meeting of the European Disability Forum a representative of the Ombudsman's Office made a presentation on Web Accessibility Directive, the obstacles to its implementation and the complaints mechanism. Representatives of the Office also participated in an international discussion on the implementation of the Web Accessibility Directive in the European Union and its Member States.

In September last year, the training sessions on the European Social Charter for the employees of the Ombudsman's Office and NGOs were organised by the Council of Europe.

It should be noted that during the reporting year, the Ombudsman participated in the Extraordinary General Assembly of the European Network of National Human Rights Institutions (ENNHRI) where its members voted in favour of the exclusion of Russia from the organisation.

During the reporting period, the Ombudsman also actively participated in the development of a number of European Union legislation by providing proposals for Directives of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, as well as equal treatment of persons irrespective of racial or ethnic origin, religion, disability, age or sexual orientation, etc. There is also a proposal for a Directive of the European Parliament and of the Council on combating violence against women and domestic violence. The Ombudsman also expressed his views on the draft Council of Europe Convention on Artificial Intelligence and a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (the so-called Artificial Intelligence Act).

Priorities for 2024

The Ombudsperson's Annual Action Plan and its priorities are based on the [Ombudsman's strategy](#). At the same time, it should be noted that changing living conditions and events in society every year mark new topical themes, the research of which is necessary, but which could not have been planned and anticipated beforehand. As a result, the Ombudsman reacts flexibly to events in society with the aim of preventing possible violations of human rights and the principle of good governance in a preventive manner. The thematic part of the report already highlights a number of key topics that have been launched and will be continued in the next reporting period. In addition, each year the Ombudsman selects new research topics.

In 2024, in line with the Ombudsman's strategy and topicality of the themes, the following topics have been identified as priorities.

In the field of **social, economic and cultural rights**, it is business and human rights, through research and discussions on assessing human rights risks and preventing abuses in business activities.



In the field of **civil and political rights**, a number of discussions and studies are planned on the effectiveness of redress mechanisms to combat various forms of violence.


In the area of **children's rights**, the focus will be on the provision of compulsory treatment and social rehabilitation for children with mental or behavioural disorders due to substance abuse identifying and addressing gaps in legislation and its application.

In the field of **discrimination prevention**, several studies are planned related to the determination of the level of discrimination in Latvia for different groups of society at risk of discrimination.


Ombudsman's recommendations and their implementation

The Parliament (Saeima)

Theme	Need to amend laws and regulations governing construction
Recommendation	<ol style="list-style-type: none"> 1. To provide for an obligation for building authorities to control whether and how the initiators of construction implement their public information obligation. 2. To exclude from the provisions of Section 14, Paragraphs seven and eight of the Construction Law, 'This measure is of an informative nature'. 3. To put in place effective instruments (legal, practical, etc.) by which building authorities can enforce the public information obligation to be carried out by the initiator of the construction work.
	The legislator has not informed about the decision taken on this matter.
Theme	Related draft laws 'Amendments to the Law on Official Secrets' (No 210/Lp14), 'Amendments to the Law on Freedom of Information' (No 211/Lp14) and 'Amendments to the Criminal Law' (No 212/Lp14) to the second reading
Recommendation	It is <u>necessary</u> to include in the Law on State Secrets a clear procedure by which a private individual, including a journalist, may request the issuance of information that has been granted the status of official secret, as well as the procedure for appealing a refusal, in particular by applying it to information for the needs of the service.
	<p>The recommendation has been implemented.</p> <p>The Law includes an appeal against refusal of service for the purposes of the Information Service.</p>

Theme	Draft law "On the recognition of the Law on the management of the spread of COVID-19 infection no longer in force" (No 340/Lp14)
Recommendation	To delete the word "first" in Paragraph 1 of the transitional provisions of the draft law after the words "Section 38". In Paragraph 8 of the Transitional Provisions of the draft law, after the word "continue" the words "in the appropriate instance" are added.
	The recommendation has been partially implemented. Clarification of the scope of the provision in relation to the second question.

Theme	Compliance of the conditions of the social scholarship "Studēt gods" with the principle of equality
Recommendation	To make amendments to the Law on Higher Education Institutions, providing that also a student from a large family who is studying in a higher education institution outside Latvia has the right to receive a social scholarship 'Studēt gods'.
Result	The recommendation has not reached the implementation deadline.

Theme	The progress of the draft law "Amendments to the Law on Social Services and Social Assistance" (No 222/Lp14)
Recommendation	To adopt the draft law "Amendments to the Law on Social Services and Social Assistance" in the final reading by September 2023, providing for supported decision-making service and palliative care services.
	The recommendation has been implemented.

Theme	Proposal for the 2nd reading of the draft law "Amendments to the Civil Law" (No. 331/Page 14)
Recommendation	To maintain the obligation of an Orphan's and Custody Court as laid down in Section 295 of the Civil Law to decide on acceptance or renunciation of inheritance, so that the inheritance may be accepted on behalf of the child.




The recommendation has been implemented, the proposal is supported.


Cabinet of Ministers

Theme	Development of a National Action Plan on Business and Human Rights
Recommendation	To confirm the necessity of drawing up a national action plan for business and human rights as a matter of urgency and nominate the authority responsible for drawing up this plan.
	<p>The recommendation has been partially implemented.</p> <p>The Cabinet of Ministers is ready to assess the possibility of establishing a working group for the development of a new national action plan.</p>


Theme	Norms regulating construction
Recommendation	<p>To amend the Construction Law and/or other laws and regulations governing construction in order to:</p> <ol style="list-style-type: none"> 1) provide for an obligation for building authorities to control whether and how the initiators of construction implement their public information obligation; 2) exclude from the provisions of Section 14, Paragraphs seven and eight of the Construction Law, 'This measure is of an informative nature'; 3) put in place effective instruments (legal, practical, etc.) by which building authorities can enforce the public information obligation to be carried out by the initiator of the construction work.
	No answer has been given.

Theme	Need to improve the individual reimbursement mechanism for medicinal products
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Recommendation	To extend the regulation on individual reimbursement of medicinal products by providing that persons for whom the use of a particular medicinal product is medically justified shall, by way of exception, be able to obtain reimbursement of the cost of purchasing those medicinal products.
	The recommendation has been partially implemented.




Theme	Measures to promote the financial availability of medicines and approval of the conceptual report on affordability of medicines
Recommendation	To advance the informative report for approval and take the necessary measures to ensure the financial availability of medicines to Latvian citizens.
	The recommendation has been partially implemented.


Prime Minister

Theme	Amount of maintenance
Recommendation	To align the amount of maintenance paid by the Maintenance Guarantee Fund to the minimum amount of maintenance determined by the Cabinet or to ensure regular review of the amount of maintenance paid by the State.
	<p>The recommendation has been implemented.</p> <p>The Parliamentary Committee on Human Rights and Public Affairs supported the proposal to review the scope of the amendments to the Law on the Maintenance Guarantee Fund.</p>


Ministry of Finance and Related Authorities


Ministry of Finance

Theme	Provision of maternity leave for scientists in European Union Structural Funds projects
Recommendation	To ensure that the European Commission's proposals on work-life balance are included in the regulatory framework if the "PostDoc Latvia" or other similar programme supporting young scientists is continued during the new budget planning period. The inclusion of these proposals in the regulatory framework cannot impair the access of female scientists to European Union funding.
	The recommendation has been implemented.
Theme	Withholding of PITs in the administration of the solidarity tax which does not comply with the legal order
Recommendation	<ol style="list-style-type: none"> 1. To put an end to the practice that the part to be transferred from the solidarity tax is collected from employees after the submission of annual income return. 2. To find a solution that prevents the shiftable part of the solidarity tax PIT for 2022 from being collected from employees following the submission of the annual income return in 2023.
	The recommendations have been implemented.
Theme	Information to be published in the declaration of a public official regarding the maintenance received and the payer thereof
Recommendation	To assess the need for amendments to laws and regulations so that information on the type of income 'maintenance' is transferred to the non-public part of the declaration, as well as the administration of the Maintenance Guarantee Fund and the sworn bailiff are not indicated at the source of income.
	Recommendations are in the process of implementation.

Theme	Illegal actions of the State Revenue Service in relation to the completion of annual income return of residents and calculation of tax
Recommendation	To assess the liability of officials of the State Revenue Service who have committed an infringement of the rights and interests of taxpayers as established in the opinion.
	No information has been received on the implementation of the recommendation. Commission on internal examination was set up to comprehensively clarify the facts of the case.

State Revenue Service

Theme	Information to be published in the declaration of a public official regarding the maintenance received and the payer thereof
Recommendation	To ensure that the publicly accessible part of the declaration of public officials does not indicate 'maintenance' as a form of income and does not indicate the administration of the Maintenance Guarantee Fund and the sworn bailiff as a source of income.
	The recommendation is in the process of implementation.


Theme	Unlawful conduct in relation to the completion of annual income return of residents and calculation of tax instead of the taxpayer
Recommendations	<ol style="list-style-type: none"> To annul all unlawful decisions taken in violation of Paragraph 152 and 153 of the Transitional Provisions of the Law On Personal Income Tax. To provide, before 1 March of each year, a broad explanation in the media on the mandatory submission of annual income return and related other issues affecting taxpayers' interests.
	The recommendations have not been implemented.

Ministry of Interior and Related Authorities

Ministry of the Interior and State Border Guard


Theme	Living conditions and leisure possibilities and activities in accommodation centres for detained foreigners
Recommendation	To review the norms laid down in Cabinet Regulation No 263 of 23 May 2017.
Result	The recommendation has not reached the implementation deadline.

State Security Service


Theme	Respect for the principle of good governance
Recommendation	To inform about the drawing up of amendments to Paragraph 20 of Cabinet Regulation No 829 "Procedures for Implementation of Preliminary Activity Inspection and Procedures for Issuing and Revocation of a Civil Aviation Aircrew and Airport Identity Card", providing for the possibility of extending the time limit of one month laid down therein in particularly difficult cases, as well as accordingly providing for a reasonable maximum time period for the State Security Service to provide its opinion.
	The recommendation has not been implemented.

State Border Guard

Theme	Special security premises in the accommodation centre for detained foreigners "Daugavpils"
Recommendation	1. To improve the regulation and determine the time period for placing a detained foreigner in a specially equipped room in the Immigration Law and in Chapter VII of Cabinet Regulation No 254 of 16 May 2017 (in the alternative also improving Annex 7).




	2. Assess the need to include alternatives to other types of penalties in the legal framework, which may make it easier to ensure internal arrangements in accommodation centres for detained foreign nationals, such as warnings.
	When working on the new regulations of the Cabinet of Ministers, the State Border Guard will take into account the recommendations of the Ombudsman.
Theme	Premises of the special protection regime in the accommodation centre for detained foreigners “Mucenieki”
Recommendation	To propose amendments to the legal framework so that the disciplinary proceedings of those detained for intentional damage to their health can no longer be penalised. Until such time as changes are made to the legal framework, a temporary framework should be established, for example in the form of guidelines or orders, on the conduct of officials and employees of detainees’ centres of foreigners in a situation where the foreigner has deliberately harmed his or her health.
Result	The recommendation has not reached the deadline for implementation.


Accommodation Centre for Detained Foreigners “Daugavpils”

Theme	Prohibition of ill-treatment
Recommendation	Regularly remind the staff of the Centre that detainees should be treated with dignity and not use uncensored words in everyday communication.
	The recommendation has been taken into account.

State Police

Theme	Accepting application from a child
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Recommendation	To promote employees' understanding of the right of the child to submit an application independently.
	The recommendation has been taken into account.
Theme	Familiarisation with the administrative violation case file
Recommendation	To take into account the Ombudsman's conclusions and organise work in accordance with the principle of good governance, ensuring full respect for the right to a fair trial of the persons involved in the proceedings.
	No reply has been received.
Theme	Imposition of a fine on a child
Recommendation	To promote employees' understanding of the priority of the application of coercive measures of educational nature.
	The recommendation has been implemented.
Theme	State Police raids in educational institutions
Recommendation	<ol style="list-style-type: none"> 1. To draw up procedures for the implementation of preventive control measures in educational institutions, also taking into account the findings of point 7.5 of the opinion. 2. Ensure that the decision to initiate administrative infringement proceedings is prepared at the moment when the official has determined the grounds for initiating it, and is immediately notified to the child and his or her legal representative. 3. To create written information to the child in a child-friendly language on his or her rights and obligations in administrative violation proceedings. 4. Ensure that police officers who have acquired expertise in the field of protection of children's rights participate in raids in educational institutions.

Result	The recommendations have not reached the implementation deadline.
Theme	On the death of a young minor in the structural unit “Ezermala” of the Children and Youth Centre of Riga Municipality
Recommendation	To carefully assess whether there are signs of a criminal offence or other violation of the law in the actions (inaction) of the Director of the Riga Municipal Children and Youth Centre and the head of the institution.
	The recommendation has been implemented, criminal proceedings have been initiated.

State Police Riga regional office department in Olaine


Theme	Investigation of alleged violence against a minor
Recommendation	Improve work in cases concerning the investigation of alleged violence against children. To act primarily in the best interests of the child.
Result	There is no deadline for the implementation of the recommendation.


State Police Internal Control Office

Theme	Breaches of ethical standards
Recommendation	To submit complaints regarding ethical violations to the Ethics Commission for review.
Result	There is no deadline for the implementation of the recommendation.


Ministry of Education and Science and Related Institutions

Ministry of Education and Science

Theme	Indication of the educational programme in the primary education certificate
Recommendation	In Annex 1 to Cabinet Regulation No 274 of 6 June 2023 on the procedure for issuing State-recognised general education documents, to exclude the requirement to indicate the name and code of the educational programme on page 3 of the certificate for general primary education; find the possibility for 2022/2023 graduates who have completed primary education in a special education programme to change their certificate of general primary education.
	The recommendation has not been implemented.


Theme	Improvement of the informative report
Recommendation	Improve the informative report “Complex Solutions for Provision of High-Quality Educational Services” so that educational institutions can use Montessori pedagogical method.
	The recommendation has been implemented.

National Centre for Education


Theme	Purchase of a science calculator (school supplies)
Recommendation	<ol style="list-style-type: none"> 1. Recall the information provided to the media that science calculators should be purchased by parents. 2. To inform local governments about the obligation to provide students with all the necessary learning tools for the acquisition of mandatory content.
	The recommendations have been implemented.

Ministry of Culture and Related Institutions

Latvian National Centre for Culture


Theme	Participation fee at the Song and Dance Festival
Recommendation	To evaluate the opportunity to reduce the participation fee in the trade fair of the XXVII Latvian Song and XVII Dance Festival's folk applied art, contemporary design subjects and craft skills, balancing them with the ability of potential participants to pay.
	The recommendation has been partially implemented.

Latvian National Symphony Orchestra

Theme	Good governance in the subordinate institution of the Ministry of Culture
Recommendation	To develop procedures for questioning, contesting and reviewing internal regulatory artistic performance assessment open to all orchestra artists.
	The recommendation has been implemented.


Ministry of Welfare and Related Institutions

Ministry of Welfare

Theme	Code of Ethics for Orphan's and Custody Courts
Recommendation	To update the Code of Ethics for the employees of the Orphan's and Custody Court developed by the Association of the Employees of the Latvian Orphan's and Custody Court and to ensure its public availability.
	The recommendation has been implemented.
Theme	Methodological management and supervision of Orphan's and Custody Courts

Recommendation	<ol style="list-style-type: none"> 1. To strengthen the capacity of the State Inspectorate for the Protection of Children's Rights to perform methodological management and functional supervision of Orphan's and Custody Courts in order to ensure a common understanding of the employees of Orphan's and Custody Courts regarding both the application of legal norms and procedural activities. 2. Ensure such resources of the institution to carry out the functional supervision of Orphan's and Custody Courts in a timely and immediate response to violations of children's rights.
Result	There is no deadline for implementation of the recommendations.

Theme	The right of the child to life and health
Recommendation	Eliminate deficiencies in regulatory enactments and provide social rehabilitation service in the institution after completion of the course of the psychotherapeutic motivation treatment programme.
Result	The recommendation has not reached the implementation deadline.


Theme	On State aid to trustees
Recommendation	Urgently address the issue of equal support for trustees of persons with limited legal capacity throughout the country.
	<p>The recommendation is in the process of implementation.</p> <p>Discussions have started on this issue, but no concrete decisions have been taken.</p>

Ministry of Welfare and Vaivari Technical Aids Centre

Theme	Availability of mobility equipment
Recommendation	To improve training for the use of technical aids and to ensure the availability of training for residents throughout Latvia.
Result	The recommendation has not reached the implementation deadline.

Child Protection Centre (formerly the State Inspectorate for the Protection of Children's Rights)

Theme	Review of Administrative Violation Proceedings and Violations of Ethics Standards
Recommendation	<ol style="list-style-type: none"> 1. To forward applications regarding possible violations of ethical norms of local government employees according to their competence, i.e. to the particular local government for examination by the Ethics Commission. 2. To inform persons in writing about the right to request recognition of a child as a victim and to explain the legal consequences of the procedural status.
Result	There is no deadline for implementation of the recommendations.


Theme	Implementation of the decision of the Orphan's and Custody Court
Recommendation	Prepare methodological recommendations for Orphan's and Custody Courts regarding the enforcement of decisions if it is not enforced voluntarily.
	The recommendation has been implemented.

Theme	Children without paternity
Recommendation	Pay attention to ensuring rights of children without paternity to know their parents.
Result	There is no deadline for implementation of the recommendation.

Theme	Application of legal provisions
Recommendation	Avoid making recommendations based on legal provisions to applicants that cannot be implemented in certain factual circumstances.
Result	There is no deadline for implementation of the recommendation.


Ministry of Transport and Related Authorities


The Ministry of Transport and Road Traffic Safety Directorate



Theme	Improvement of services of the Road Traffic Safety Directorate (CSDD)
Recommendation	<ol style="list-style-type: none"> 1. To consider and identify the possibilities of changing the name of the service “Assignment of the right to drive by issuing a driving licence” provided by the CSDD and amendments to the price list related thereto. 2. Indicate the description of the service referred to in the CSDD website “Issuing, changing or issuing a driving licence in a stolen/lost place” in each section of the vehicle category payments.
	The recommendations have been implemented.

Ministry of Justice and Related Authorities


Ministry of Justice


Theme	Proposals for Sections 594 and 599 of the Civil Procedure Law
Recommendation	Supplement the annotation in order to make the draft law more understandable for those applying the law, as well as to review and balance the amount of money retained by the debtor who is dependent on a minor child.
	The recommendation is partially implemented – the annotation has been improved.

Theme	The right of the child to live in an environment free from smoke
Recommendation	To propose amendments to Section 10, Paragraph two, Clause 7 of the Law on the circulation of tobacco products, herbal smoking products, electronic smoking devices and their liquids.
	The recommendation is in the process of implementation.


Theme	Special knowledge in the field of children's rights
Recommendation	<p>Propose amendments:</p> <ol style="list-style-type: none"> 1) The first paragraph of Section 5⁽¹⁾ of the Law on the Protection of the Rights of the Child, including providers of State-provided legal aid among those persons who have to acquire special knowledge in the field of protection of the rights of the child, if legal aid is provided in cases which affect or may affect the rights and legal interests of the child; 2) Section 30(1) of the Law on State Ensured Legal Aid provides that a contract on the provision of legal aid in matters which affect or may affect the rights and legal interests of the child may be concluded with a person who has acquired special knowledge in the field of the protection of children's rights.
	The recommendation is in the process of implementation.
Theme	The right of the child to health and life
Recommendation	To eliminate shortcomings in regulatory enactments and to develop a regulation on the treatment of children, including the use of compulsory, alcoholic, narcotic, psychotropic, toxic or other intoxicating substances.
Result	The recommendation has not reached the implementation deadline.
Theme	Consecutively imposed punishment – placement in the penal isolator – in the Grīva Division of Daugavgrīva Prison
Recommendation	To amend the legal framework by no longer allowing the sentenced persons to be re-imposed in the penal isolator, taking the last day of serving of the previous disciplinary punishment as the starting date of the punishment.
	The recommendation is in the process of implementation.

Ministry of Justice and Prison Administration


Theme	Imposition of a penalty for intentional self-harm
Recommendation	To establish temporary framework, in the form of guidelines or orders, on the conduct of prison officials and employees in cases of deliberate self-harm of prisoners.
	<p>The recommendation has been implemented.</p> <p>The Prison Administration has been informed that it is already possible not to apply punishment for self-harm of prisoners.</p>

Theme	Differences in the use of household appliances at the Latvian Prison Hospital
Recommendation	It should be possible to store the products purchased in the prison shop in a refrigerator and prepare the purchased hot drinks. If it is not possible to ensure this by using prison resources, amendments should be made to the regulatory framework to ensure the possibility for prisoners in the Latvian Prison Hospital to use a personal refrigerator and electronic water heater.
	<p>The recommendation is in the process of implementation.</p> <p>Accordingly, amendments are included in the draft law “Amendments to the Latvian Sentence Implementation Code” and in 2024 it is planned to advance such regulation also in the Law on Procedures for holding in custody.</p>


Ministry of Justice, Prison Administration and Jēkabpils Prison


Theme	Hierarchy of prisoners and violence
Recommendation	To reduce manifestations of the system of self-governance of prisoners and eliminate the resulting risks of violence among convicted persons.
	The recommendation is in the process of implementation.


More substantial changes in the prison system are under way and are also expected in the coming years, which will also contribute to the reduction of the informal hierarchy of prisoners. All these measures must, in general, result in a reduction in the conditions favourable to the existence of an informal hierarchy and in improving the situation.

Theme	Medications in Jēkabpils Prison
Recommendation	Not to abolish rapidly benzodiazepine medications for prisoners who have used them for a long time before imprisonment.
	<p>The recommendation has been implemented.</p> <p>A recommendation was given to the head of the medical department that if it has been established that the patient is using tranquilisers or other types of narcotic drugs for a long time, the patient should be transferred to the Latvian Prison Hospital for evaluation of therapeutic tactics and restriction of the use of uncontrollable narcotic drugs.</p>


Prison Authority

Theme	Access and quality of healthcare in Jēkabpils Prison
Recommendation	To carry out an examination of the shortcomings identified in the completion of the dossier, in the prescription of medicinal products and, possibly, in the unsubstantiated designation of sedatives. When identifying shortcomings, provide the necessary support to the employees of the Medical Department of Jēkabpils Prison in order to prevent them.
	<p>The recommendation is in the process of implementation.</p> <p>By letter dated 18 September 2023, the Ministry of Justice requested the Authority to carry out an extraordinary inspection in Jēkabpils Prison by 31 December 2023 and to inform the Ministry of Justice of the results of the inspection by 31 January 2024.</p>

Theme	Institutional Culture in Jēkabpils Prison and Prisoners Self-Government System
Recommendation	To prevent situations where the threat of applying for hunger strikes is used against the prison staff in order to prevent changes in the place of detention.
	<p>The recommendation is in the process of implementation.</p> <p>The Ministry of Justice and the Prison Administration have come to a common conclusion in the discussions that the report on the actions of staff in the case of hunger strikes of prisoners should be addressed by enshrining the relevant conditions of conduct in 2024 in regulatory enactments.</p>


Theme	Hierarchy of prisoners and violence in Jēkabpils Prison
Recommendation	To find immediate solution to personnel policy issues, including by increasing the number of staff and providing them with safe working conditions.
	<p>The recommendation is in the process of implementation.</p> <p>The management of the Prison Administration and Jēkabpils Prison shall take all possible measures to ensure the security and supervision functions of the prison facility.</p>

National Language Centre


Theme	Examination of the official language for teachers
Recommendation	To change the practice of the institution and, when carrying out an official language test for teachers, to follow the norms of the Administrative Procedure Law in future, and to record the conclusions obtained during the inspection in an administrative act in accordance with the requirements of the law, even before making an entry in the Register of Pedagogies.
	The recommendation has not been implemented.

Members of the judicial system


Prosecutor General's Office

Theme	Eliminate deficiencies in the application of Section 108, Paragraph 5 ¹ of the Criminal Procedure Law
Recommendation	To prevent interference with the rights of defence of a particular person and to take preventive measures in order to inform other prosecutors regarding the application of the norms of the Criminal Procedure Law. Inform about the Ombudsman's opinion.
	The recommendation has been implemented.

Public Prosecutor's Office of Eastern Latgale

Theme	Examination of criminal proceedings within a reasonable time
Recommendation	Assess whether the investigation of specific criminal proceedings does not allow for undue delay and, if necessary, take measures to prevent violations.
	The recommendation has been implemented.

Supreme Court

Theme	Publication of personal data in the calendars of court hearings
Recommendation	To promote a uniform practice in relation to the publication of personal data in court hearings calendars or to encourage the Ministry of Justice to improve Cabinet Regulation No 123 regarding the scope and content of information to be published in the calendar of court hearings, if issues related to the implementation of the imposed sentence are dealt with in the court.
	The recommendation has not been implemented.

Criminal Court Collegium of Riga District Court

Theme	Failure to refer to the Court of Justice of the European Union for a preliminary ruling
Recommendation	To use the findings of the Ombudsman 's opinion based on the case-law of the European Court of Human Rights and the Court of Justice of the European Union on a request for a preliminary ruling to be referred to the Court of Justice of the European Union for a preliminary ruling.
Result	There is no deadline for implementation of the recommendation.

Regional Administrative Court

Theme	Time limit for examining cases directly or indirectly affecting children
Recommendation	To ensure that all cases directly and indirectly related to the safeguarding of children's rights are dealt with expeditiously, paying attention to the time limits to be set by the court.
Result	There is no deadline for implementation of the recommendation.

Administrative District Court

Theme	Handling of cases concerning the safeguarding of the rights and interests of the child
Recommendation	To ensure that cases affecting the rights and best interests of the child are dealt with expeditiously.
Result	There is no deadline for implementation of the recommendation.

Vidzeme District Court

Theme	Actions of Vidzeme District Court in a civil case
Recommendation	To assess the disciplinary liability of a court employee and/or a judge for disclosure of undisclosed information – the opinion provided by the child to the Orphan's and Custody Court.



The recommendation has been implemented.


Latvian Council of Sworn Notaries

Theme	Actions of an assistant to a sworn notary
Recommendation	Evaluate the actions of a sworn notary in drawing up a notarial deed. To promote that sworn notaries in cases affecting the rights of the child explain their rights and obligations to the legal representatives of children in accordance with the provisions laid down in regulatory enactments.
	The recommendations have been implemented.

Ministry of Health and Related Authorities

Ministry of Health


Theme	People with disabilities
Recommendation	<ol style="list-style-type: none"> 1. To ensure re-evaluation (independent audit) of the environmental accessibility of all medical institutions by inviting organisations of persons with disabilities that have experience in assessing accessibility of the environment. 2. Submit a plan to end formalism in the work of the Health Inspectorate. 3. Review Cabinet Regulation No. 60 and its compliance with the principle of progressive implementation.
	The recommendations have been partially implemented.
Theme	Cabinet Regulation No 272 of 3 May 2022 on compensation for severe or moderate harm to a patient's health or life caused by adverse reactions to COVID-19 infections

Recommendation	Supplement the Cabinet Regulation by providing that the application for compensation is also examined in case the list of side effects of the COVID-19 vaccine does not contain a specific diagnosis or symptoms, but the doctors' consilience has recognised that the deterioration of the state of health, the specific diagnosis or symptoms are caused by a vaccine against COVID-19.
	The recommendation has not been implemented.

Theme	Ensuring the right of the child to health and life
Recommendation	To eliminate shortcomings in regulatory enactments and to develop a regulation on the treatment of children, including compulsory treatment in cases of substance abuse.
Result	The recommendation has not reached the implementation deadline.

Ministry of Agriculture and related institutions

Latvia's State Forests

Theme	Provision of environmental information
Recommendation	To improve the quality of access to environmental information on the specially protected nature values of the European Union.
	The recommendation has been implemented.

Municipalities and associated institutions

Balvi Municipality

Theme	Evaluation of the actions of the Orphan's and Custody Court
Recommendation	To assess the conformity of the actions of the employees of the Orphan's and Custody Court with the general ethical principles and standards of behaviour of the employees of the Orphan's and Custody Court.




The recommendation has been implemented.

Balvi Municipality and Balvi Municipal Police


Theme	Conditions at the sobering-up facility
Recommendation	To prevent the restriction of the individual's freedom without a statutory procedure and not to put obstacles to leaving the sobering-up facility as soon as the person is willing and able to do so.
Result	There is no deadline for implementation of the recommendation.

Dobele Municipality family support centre "Lejasstrazdi"


Theme	Ensuring children's rights in the family support centre "Lejasstrazdi"
Recommendation	Actively respond and seek solutions to solve problems of children's addictions, develop procedures for monitoring the process of acquiring children's education, also determining the responsible person for supporting each child in the educational process and learning substance, if it is necessary.
	The recommendation is in the process of implementation.

Gulbene Municipality and Gulbene Municipality Social Care Centre "Jaungulbenes Alejas"

Theme	Ensuring human rights in Jaungulbenes Alejas
Recommendation	1. To supplement the number of employees, including medical specialists, in order to ensure proper care for residents, daily walks, to draw up an assessment and social rehabilitation plan according to the inhabitants' abilities and health status.

	2. The local government should assess the need to increase the co-financing of the Centre in case of staff shortages due to insufficient finances for the introduction of new vacancies.
	Recommendations are in the process of implementation.

Jelgava Municipality and Jelgava building authority

Theme	Activities of the building authority and the organisation of public consultations
Recommendation	<ol style="list-style-type: none"> 1. To publish the decision of the building authority on the local government website and in the local newspaper. 2. To publicly apologise to the public for the unlawful actions of the Construction Board, organising a public discussion of the construction intention of the cult building after the issuance of the building permit. 3. Apologise to the applicant for the delay in replying.
	<p>The recommendations have not been implemented.</p> <p>The municipality does not admit their errors.</p>

Theme	Activities of the building authority and the organisation of public consultations
Recommendation	<ol style="list-style-type: none"> 1. To revoke the building permit on the basis of the relevant point of Section 86(2) of the Administrative Procedure Law, if the initiator of the construction does not agree to amend the category B permit, excluding scenario 2 and guaranteeing that the cult building will not be subject to increased danger in the future. 2. To find out the opinion of the building authority on the need to employ a lawyer and take appropriate action in order to ensure that the necessary legal aid is available to the building authority in a timely manner.



Recommendation 1 has not been implemented, recommendation 2 has been implemented.

Social care centre “Zemgale”

Theme	Ensuring human rights in the social care centre “Zemgale”
Recommendation	To assess the number of existing employees and the division of competences so that it is appropriate for the number of existing residents and their objective needs for the provision of social care and social rehabilitation services necessary in the long term.
Result	The recommendation has not reached the implementation deadline.


Jelgava City Municipality and Education Board of the Jelgava City Municipality

Theme	Right to work. Right to safe and healthy working conditions
Recommendation	To reduce stress among employees. In possible cases of mobbing, immediate action is important, which includes not only constructive conflict resolution skills, but also the possibility of inviting a mediator for conflict resolution if necessary.
Result	There is no deadline for implementation of the recommendation.


Jēkabpils Municipality and Jēkabpils Municipal Agency “Jaunāmuiža”

Theme	Ensuring human rights at Jēkabpils Municipal Agency “Jaunāmuiža”
Recommendation	Evaluate the possibility of providing more staff in the nursing home.
Result	<p>The recommendation is in the process of implementation</p> <p>It is important to note that this is not the case. It is planned to increase the number of employees gradually, taking into account the institution’s financial situation (situation).</p>


Kekava Municipality

Theme	Access to property. Removal of snow from the forest road
Recommendation	To conclude a cooperation agreement with joint stock company "Latvia's State Forests" on road cleaning in winter in order to ensure residents' access to their property.
	The recommendation has not been implemented. The municipality has no financial capacity to solve the problem.


Education Board of Liepaja Municipality

Theme	Evaluate the actions of a pre-school teacher
Recommendation	In cooperation with the foundation "Centrs Dardedze" to improve the competence of pre-school education institutions and teachers regarding the harmful sexual behaviour of children.
	The recommendation has been implemented.


Ogre Municipality

Theme	Meal allowance for children of large families in educational institutions
Recommendation	To exclude in points 5.1 and 6.3 of the Binding Regulation No 16/2021 of 26 August 2021 on catering allowance the condition "all household members are declared in the municipality, live in the same household", which unjustifiably imposes additional requirements for large families to receive the meal allowance.
	The recommendation has not been implemented.


Ogre Municipality and Ogre Municipal Agency “Ogre Communications”

Theme	Compliance with the principle of good governance in the allocation of accommodation
Recommendation	<ol style="list-style-type: none"> 1. To improve the standards of customer service, as well as to ensure that the principle of good governance is respected and ensured in the operation of all municipal institutions. 2. Contact the submitter and explain the possibilities and procedures for renting the apartment owned by the municipality. 3. To solve the issue of renting an apartment owned by a local government in accordance with the procedures laid down in regulatory enactments by entering into a lease agreement with the new tenant.
	No information has been received regarding the implementation of the recommendations.


Ogre Municipal Agency ‘Culture Centre of Ogre District’

Theme	Good governance in the municipal authority
Recommendation	<ol style="list-style-type: none"> 1. Apologise to a private individual for the situation experienced, explain the reason for refusal and opportunities for cooperation. 2. Review and improve the institution’s communication procedures and criteria for the participation of persons in events. 3. Ensure prior harmonisation of information within the institution before it is made public.
	<p>The recommendations have not been implemented.</p> <p>No information has been received from the Agency regarding the implementation of recommendations.</p> <p>The Ombudsman has received letter from Ogre Municipality stating that the municipality does not agree with the Ombudsman's opinion</p>


Preiļi Municipality

Theme	Observance of the principle of good administration in the calculation of immovable property tax
Recommendation	To provide a detailed statement of reasons to a private individual for the decision to revoke an unlawful administrative act favourable to the applicant and to issue a new administrative act.
	The recommendation has been implemented.

Rēzekne Municipality


Theme	Ensuring human rights at the health and social care centre “Viļāni”
Recommendation	Assess the need to increase the co-financing of the nursing home in the event of staff shortages due to insufficient finances for the introduction of new vacancies.
	The recommendation has not been implemented. The number of employees has not been increased.


Rēzekne Municipality health and social care centre “Viļāni”

Theme	Ensuring human rights in the care centre
Recommendation	To ensure adequate number of employees so that it is possible to maintain cleanliness in the rooms and to meet the basic hygiene needs of customers.
	The recommendation has not been implemented.

Rīga State City Municipality

Theme	Home care service
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Recommendation	To review the amount of material support laid down in Paragraph 46 of the Riga City Council Binding Regulation No. 3 of 6 March 2020 “Procedures for Receiving and Payment of Social Services Provided by Riga State Municipality” in accordance with the current socio-economic situation.
	The recommendation has not been implemented.

Theme	Availability of specialists in pre-school education
Recommendation	To promote attraction of speech therapist and psychologist to pre-school, to evaluate the possibility of increasing the local government funding for the remuneration of the mentioned specialists.
	<p>The recommendation has been implemented.</p> <p>The Department of Education, Culture and Sport of Riga State City Municipality has submitted a request for funding for additional job units in the draft budget of the City of Riga City Council for 2023.</p>

Theme	Right to property. The right to an enabling environment. Obligation to remove snow from adjacent areas
Recommendation	<ol style="list-style-type: none"> 1. To evaluate good practice of other local governments, to ensure collection of seized leaves free of charge directly from the territory adjacent to the properties. 2. To clarify Paragraph 4.2.3 of the Riga City Council Binding Regulation No 146 of 28 April 2015 “Binding Regulations for the Care of Riga City Territory and Maintenance of Buildings”, insofar as this obligation is performed by the local government. 3. To carry out snow removal from the sidewalks adjacent to the municipal streets, where it hinders pedestrian and transport traffic.



The recommendations have been implemented.

Theme

Tending of the area adjacent to the property

Recommendation

1. [Clarify](#) Riga City Council's Binding Regulation No 146 of 28 April 2015 "Binding Regulations for the Care of Riga City Territory and Maintenance of Structures", deleting the term "ditch" within three months, if they are not reviewed earlier in accordance with Paragraph 6 of the Transitional Provisions of the Law on Local Governments, which entered into force on 1 January 2023.
2. Take the necessary steps to submit, within six months, data on the drainage ditch located on the land in question.



The recommendations have been implemented.

Theme

Death of a young minor in the unit of Riga municipal children and youth centre "Ezermala"

Recommendation

To assess the compliance of the Director of the Riga Municipal Centre for Children and Youth and head of institution with the requirements of regulatory enactments, as well as to assess the compliance of the Riga Orphan's and Custody Court as a supervisory authority with the requirements of regulatory enactments.



The recommendation has been implemented.

The evaluation has been carried out without any irregularities being detected.

Theme

Legal protection of persons with limited capacity to act in Riga municipality

Recommendation

A call to consider immediate solutions to ensure legal representation of eleven people without trustees in Riga Municipality.



The recommendation has been partially implemented.

Rēzekne Municipality Social Service and Rēzekne Night Shelter

Theme	Conditions at the sobering-up facility
Recommendation	To prevent the restriction of the individual's freedom without a statutory procedure and not to put obstacles to leaving the sobering-up facility as soon as the person is willing and able to do so.
	<p>The recommendation is in the process of implementation.</p> <p>The Authority requests that the recommendation be addressed at the national level.</p>

Rēzekne City Municipality Pensioners' Social Service Centre

Theme	Provision of human rights in Rēzekne City Municipality Pensioners' Social Service Centre
Recommendation	Rēzekne City Municipality were invited to evaluate the current situation responsibly and to refrain from taking any decisions regarding the reduction of the number of employees in the centre.
Result	No reply has been received.


Riga City Municipality and its Education, Culture and Sports Department

Theme	Access to secondary education
Recommendation	Improve internal rules by abolishing uniform criteria for enrolment of students in general secondary education institutions, and ensure that students who have acquired primary education can acquire secondary education in person.




The recommendation has not been implemented.

Education, Culture and Sports Department of Riga City Municipality


Theme	Provision of care for children with diabetes in an educational institution
Recommendation	To promote awareness of the heads of educational institutions regarding the implementation of Cabinet Regulation No 474 on the provision of support measures for children with chronic diseases in an educational institution, to promote the motivation of employees to engage in the care of children with diabetes or other chronic diseases.
	<p>The recommendation has been implemented.</p> <p>The motivation of the employees of educational institutions to engage in the care of children with diabetes or other chronic diseases is already available to the head of the institution at the disposal of the head of the institution in order to determine an additional salary for an employee for additional work.</p>


Riga Orphan's Court

Theme	Home care service
Recommendation	To review the amount of material support laid down in Paragraph 46 of the Riga City Council Binding Regulation No. 3 of 6 March 2020 "Procedures for Receiving and Payment of Social Services Provided by Riga State Municipality" in accordance with the current socio-economic situation.
	The recommendation has not been implemented.

Ropaži Municipality

Theme	Covering catering costs
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Recommendation	To settle agreement with other municipalities regarding financing of the maintenance expenditure of an educational institution subordinate to the relevant local government, agree and cover also catering costs for students who acquire education in educational institution of another municipality, in the same amount as they are covered for students of Ropaži Municipality educational institutions.
	The recommendation has not been implemented.

Theme	Provision of environmental information and the principle of good governance
Recommendation	<ol style="list-style-type: none"> 1. Apologise to the applicant and provide him with a copy of the anonymised tree felling permit (i.e. by concealing personal data). 2. Not to define the status of restricted access information for tree felling permits issued by the local government, except for restricted access information contained therein, for example, data of natural persons. 3. To provide the information claimants with the necessary assistance by formulating or clarifying a submission requesting the issuance of environmental information, and to find solutions to situations so that persons can solve issues of interest to themselves without having to go to court.
	Recommendation 1 has been implemented, for the rest there is no deadline for implementation.

Salaspils Municipality

Theme	Good governance in the municipal authority
Recommendation	Restore fairness in a situation in which unjustifiable unequal treatment was found, namely to pay the worker the difference in pay for the period of unjustifiably different treatment.




The recommendation has been partially implemented.

A repeated letter has been sent because justice has not been restored.


Smiltene Municipality

Theme	Ensuring human rights in Gatarta's nursing home
Recommendation	Assess the need to increase the co-financing of a social care centre in case of staff shortages due to insufficient finances for the introduction of new vacancies.
Result	There is no deadline for the implementation of the recommendation.

Smiltene Municipality capital company 'Gatartas pansionāts' Ltd.

Theme	Ensuring human rights in Gatarta nursing home
Recommendation	Increase the number of employees, including nurses, to ensure the continuous presence of staff in the two homes.
	The recommendation has not been implemented. An increase in the number of employees is not possible.

Valmiera Municipality


Theme	Implementation of the special education programme
Recommendation	Introduce and implement a special education programme for students with mental health disorders (code 21015711 of the educational programme).
	The recommendation has been implemented.

All municipalities

Theme	Access to training for parents on non-violent methods of disciplining a child in local governments (study)
Recommendation	<ol style="list-style-type: none"> 1. Training programmes should be available to parents of all age groups (from birth to age 17) as well as to future parents. 2. Educational measures should be available to any parent, regardless of the difficulty of raising the child. 3. The supply of training needs to be adapted to demand.
Result	The deadline for the implementation of the recommendations is not specified.

Theme	Procedure and legal framework of police raids in educational institutions
Recommendation	To present the opinion in verification procedure No 2023-09-27N to local government police officers and to promote compliance with the recommendations made in the opinion, insofar as they relate to the competence of the municipal police.
Result	There is no deadline for the implementation of the recommendation.


All Orphan's and Custody Courts

Theme	Information on social guarantees
Recommendation	Improve the information to be provided to young people in order to make it understandable and ensure full awareness of the right to receive support after the end of out-family care.
	The recommendation has been implemented.

All Orphan's and Custody Courts and Social Services

Theme	Children without paternity
Recommendation	<ol style="list-style-type: none"> 1. Promote the right of the child to know his or her parents. 2. Provide material support to parents if they do not have sufficient money to settle personal identification documents or get to the institution for receipt of a personal identification document. 3. To inform parents about the possibility to receive legal advice in paternity issues or the possibility to receive state ensured legal aid in the municipality. 4. If paternity is not specified for a child in out-family care, but the Orphan's and Custody Court has information regarding the possible father of the child, apply to the court.
Result	The deadline for the implementation of the recommendations is not specified.

Legal persons governed by private law

Theme	Imposing restrictions on customers in the crisis centre for families with children "Paspārne"
Recommendation	Ensure that the right to communication by mobile phone is not restricted to adult customers. Explain to the person which of the services is provided, what is the status of the person in the service, what is the purpose, content and scope of receiving the service.
	The recommendation has been implemented.

Theme	Visitor Rules at the Family Support Centre
Recommendation	Review the visitor's rules and find the possibility to ensure the presence of the Centre's specialist/employee during a pre-announced visit also on working days after 17:00 and on weekends. Publish the terms and conditions for visitors on the Centre's website.



The recommendation has been implemented.

Theme

Discrimination on grounds of religion in the provision of medical services

Recommendation

Immediately stop discrimination on grounds of religion against patients in the provision of medical services.



The recommendation has been implemented.

Theme

Gender discrimination in access to club services

Recommendation

Immediately [stop](#) the practice of providing free entrance to women only and drink discounts only for men.



The recommendation has been implemented.

Theme

The term “service dog”

Recommendation

[Replace](#) the term ‘assistance dog’ with the term ‘service dog’ in accordance with Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air.



The recommendation has been implemented.

Theme


Accessible environment in Ādaži Hospital


Recommendation


Remove from the hospital’s website the information on the [accessibility of the environment](#) in the hospital. This information is misleading for patients and does not comply with the rules.




The recommendation has been implemented.




Theme	Accessibility of Ādaži Hospital website
Recommendation	Ensure accessibility of the hospital's website in line with the web accessibility requirements (WCAG 2.1 AA).
	The recommendation is in the process of implementation.

Theme	The concept of environmental accessibility of Ādaži Hospital
Recommendation	To develop and submit to the Ombudsman a plan on a unified concept of access to the environment in the hospital.
	The recommendation has not been implemented.

Theme	Accessibility of Ādaži Hospital for visually impaired
Recommendation	To ensure the recommendations indicated in the survey opinion and audit in order to improve the accessibility of the hospital for visually impaired people.
	The recommendation is in the process of implementation.

Theme	Premises Indications in Ādaži Hospital
Recommendation	Ensure the availability of information in the hospital, i.e. create a system of guidance, place information on doctors' offices next to the doors of the cabinets. Consult organisations representing persons with disabilities in order to meet accessibility requirements.
	The recommendation is in the process of implementation.

Theme	Information about the services of Ādaži Hospital
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Recommendation	Supplement the internal rules of procedure in accordance with Paragraph 4.2 of Cabinet Regulation No 60, i.e. by including information on which services are available and on which floors of the building.
	The recommendation has been implemented.
Theme	Information on the nearest available services
Recommendation	Supplement the procedure in accordance with Paragraph 4.2 of Cabinet Regulation No 60 by indicating information on the closest available services, which are analogous to those currently provided on the 2nd floor of the hospital. The same applies to the practice of doctors located on the 2nd floor of the hospital.
	The recommendation is in the process of implementation.
Theme	The rights of persons with disabilities. Accessibility
Recommendation	To supplement the procedure by determining the solution of the situation if a patient with reduced mobility has a need to visit the hospital on the 2nd floor during such visit, which is located on the 1st floor.
	The recommendation has been implemented.
Theme	The rights of persons with disabilities. Accessibility
Recommendation	1. Supplement the procedure by determining the solution of the situation if any of the accessibility elements has deteriorated on the day of the previously announced visit.

2. To supplement the procedure with conditions that in case of visits of persons with functional disorders in the records of the hospital, the assistant of the hospital shall be provided without the need for the patient to apply for it in advance; the hospital assistant can be applied for at the same time as a visit to the doctor; when applying for a visit to the doctor, persons are additionally informed about the possibility to receive the services of a hospital assistant free of charge.
3. Immediately stop using the ramps on the hospital's 2nd floor, given that they are dangerous for persons with reduced mobility.



The recommendations have not been implemented.