

Briefing of Ms Anete Ilves, the Head of Discrimination Prevention Division of the Ombudsman's Office of the Republic of Latvia

Dear members of the committee,

The Ombudsman is the only independent mechanism in Latvia that monitors the UN Convention on the Rights of Persons with Disabilities. Since the Ombudsman is a multi-mandated body, any member of the society can apply to the Ombudsman. It is important to note that persons with disabilities are one of the most active to submit applications to the Ombudsman.

All the topics covered by the Ombudsman's alternative report are equally important, but today the Ombudsman's Office would particularly like to draw the Committee's attention to 4 certain articles of the Convention in the implementation of which progress has not been made or has been slow.

### **1. Accessibility (Article 9)**

Formal system for the provision of accessibility is established, but in fact the system is not monitored, and it is also inconvenient for persons with disabilities to ensure their rights. This has also been acknowledged by the Senate of the Supreme Court of the Republic of Latvia in an ancillary decision of 7 June 2022, inviting the Cabinet of Ministers to evaluate the legal framework that provides for the monitoring of compliance with the requirements for accessibility in publicly accessible buildings. The result has not been achieved by September 2025.

Therefore, the Ombudsman calls for establishing the system that complies with Article 9 of the UN Convention and General Comment No 2.

### **2. Liberty and security of the person (Article 14)**

Inmates with disabilities or significant health problems often need help to meet their everyday needs. Assistance tends to be provided on a voluntary basis by other cell mates who are neither employed by the prison or the medical department, nor have they been trained or otherwise informed on how to carry out assistance. These inmates do not receive any remuneration for their work.

Therefore, the Ombudsman calls to ensure that an assistant service is provided in prisons, which, if necessary, would provide daily assistance to inmates with disabilities or significant health problems.

### 3. Living independently and being included in the community (Article 19)

Between 2015 and 2023, attracting €114 million of EU funds, the DI process took place. The established services for persons with mental disorders are very uniform –day centres, group apartments, special workshops and home care.

Almost no services are provided for persons with severe and very severe mental disorders. There are no services that would provide quality individual support. There is a tendency that persons with severe and very severe physical or mental disabilities are still offered life in an institution as the only service. **In 2020**, the Ombudsman repeatedly called on the government **to stop placing any new clients in** institutions as of 1 January 2024.

However, statistical data show that more than 3000 persons with disabilities live in institutions for clients with mental disorders (approx.1,6% of people with disabilities), in total more than 7000 persons with disabilities live in institutions, including those with the need for minimal care (approx.3,9% of people with disabilities). Also, several hundred new clients are placed in the institution every year, and several hundred are waiting for a place in the institution.

Therefore, the Ombudsman calls for the development of community-based services and for the aim of ensuring that new clients are not placed in institutions.

### 4. Inclusive education (Article 24)

The education reform has promoted the acquisition of special education in the municipality of the child's place of residence; however, more and more local governments do not provide even those special education programmes that do not require significant material investments. In educational institutions, information on the support the child needs is general and does not give an idea of whether and how a personalised approach is provided in the acquisition of education in accordance with the actual needs of the child.

Therefore, the Ombudsman calls to allocate adequate funding to educational institutions to ensure the implementation of the support measures for children with special needs and to promote the involvement of parents in the development of an individual education programme plan. Additionally, it is necessary to ensure supervision over the quality and implementation of developed individual plans for the acquisition of the educational program.

The Ombudsman's Office draws attention to the fact that these articles were also mentioned in the Committee's previous list of issues and concluding observations as a problem. Thank you for the opportunity to express the Ombudsman's opinion.