

Mapping child protection systems in the EU (27)

Latvia

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1. Legislative and regulatory framework and policies

1.1. Overview of normative and regulatory framework

Please provide an overview of the normative legal and regulatory framework of the national and sub-national child protection system. Include information on the scope of the child protection system, the specific needs it addresses, the human and financial resources allocated, and any relevant cultural, social, and historical factors. Please indicate the current priority areas in child protection.

Latvia has one overarching legal act on child protection and rights of the child – the Law on the Protection of the Children's Rights. It provides general rules concerning children, such as their rights, duties, organizations that protect them, requirements for the environment they are in etc. Another law that covers many spheres of the life of children is the Civil law. Especially important is the Family law section of it, which covers rights and duties of parents and their children, as well as basic rules on custody and guardianship. Other rights can be found in the special laws covering the relevant topic, for example, the rules on the involvement of children in legal proceedings are covered by the Law on Administrative Liability, Administrative, Civil and Criminal procedure laws, social rights of children can be found in the Law on Social Services and Social Assistance¹ etc.

The main state institution responsible for monitoring the protection of the rights of the child is the State inspectorate for protection of children's rights under the auspices of the Ministry of Welfare. Orphan's and custody courts operate regionally and are created by each municipality act as guardianship institutions for the protection of personal and property interests of children. Other institutions are responsible for specific topics, such as the Ministry of Education and Science covers all education related topics.

The current priority areas involve prevention and early intervention in issues relating to development of a child, violence against children, socio-economic problems, anti-social behaviours and other factors that might endanger wellbeing of children. For several years deinstitutionalisation of children that have lost the guardianship of their parents or are disabled and thus live in an institutionalized environment has been a hot topic in media, as it is not happening as fast as anticipated.

1.2. Legal provisions in constitutional, civil, criminal, and administrative law related to children in need of protection

Question	YES	NO	Comments
1.2.1. Does the constitution contain any provisions on children's rights and child protection?	X		Article 110 of the Constitution (<i>Satversme</i>) envisages that the State shall protect and support marriage – a union between a man and a woman, the family, the rights of parents and rights of the child. The State shall provide special support to disabled children, children left without parental care or who have suffered from violence.

¹ Latvia, [Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), 1 January 2003.

1.2.2. Is there a single legal instrument devoted to child protection and child rights, e.g. a Children's Act?	X		The Law on the Protection of the Children's Rights was adopted in 1998, but since has been amended several times, including, when implementing EU legal instruments.
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1.2.3. Please provide an inventory of key child protection related legislation, including hyperlinks, date of adoption and the areas covered. Please include civil, criminal, and administrative legislation covering different areas of child protection (please add rows, as needed).

Legislation	Date passed	Child protection areas covered
Protection of the Rights of the Child Law (<i>Bērnu tiesību aizsardzības likums</i>) ²	22 July 1998	<p>The purpose of this law is to set out very general rules on the rights and freedoms of a child, their protection and care, more specifically on:</p> <ul style="list-style-type: none"> ○ basic rights of the child and their permissible limitations; ○ child within the family; ○ out-of-family care; ○ living environment of children; ○ children with special needs; ○ liability of a child for violations of law and prevention of such violations; ○ organization of the protection system of the rights of child; ○ administrative liability for violations of the rights of child.
Law on Orphan's and Custody Courts (<i>Bāriņtiesu likums</i>) ³	1 January 2007	An orphan's and custody court is a guardianship and custody institution established by local municipalities. ⁴ The Law on Orphan's and Custody Courts sets out the general rules of functioning of the said institutions.
Civil Law (<i>Civillikums</i>) ⁵	28 January 1937	<p>Areas covered:</p> <ul style="list-style-type: none"> ○ determination of filiation of children ○ mutual relations and the rights of the parents and the children; ○ general rules on guardianship and adoption;

² Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998.

³ Latvia, [Law on Orphan's and Custody Courts \(*Bāriņtiesu likums*\)](#), 1 July 2007.

⁴ Latvia, [Law on Orphan's and Custody Courts \(*Bāriņtiesu likums*\)](#), 1 July 2007, Art. 3 (1).

⁵ Latvia, [Civil Law \(*Civillikums*\)](#), 28 January 1937.

		<ul style="list-style-type: none"> ○ mutual relations of guardians and wards, adoptive parents and adoptees.
Civil Procedure Law (<i>Civprocesa likums</i>) ⁶	1 March 1999	<p>Areas covered:</p> <ul style="list-style-type: none"> ○ procedural requirements in civil cases involving children (as plaintiffs, witnesses, ascertaining the child's opinion and best interests etc.); ○ cases regarding determination of the parentage of children; ○ cases arising from the custody rights and access rights; ○ provisional protection against violence; ○ procedural aspects of the approval of adoption.
Cabinet of Ministers Regulations No. 667 Procedures for Adoption (<i>Ministru kabineta noteikumi Nr. 667 Adopcijas kārtība</i>) ⁷	8 November 2018	<p>The procedures for the adoption of children including the Procedures for assessing the person who wishes to adopt a child.</p> <p>Pre-adoption and post-adoption care and supervision of the child.</p>
Cabinet of Ministers Regulations No. 354 Regulations for Foster Families (<i>Ministru kabineta noteikumi Nr. 354 "Audžuģimenes noteikumi"</i>) ⁸	1 July 2018	<p>Areas covered:</p> <ul style="list-style-type: none"> ○ procedures of granting and removal of the status of foster family; ○ mutual personal and property relations of the child and the foster family; ○ funding procedure of the foster family; ○ the procedure of handing the child to the foster family and ceasing the stay of the child in the foster family.
Criminal Law (<i>Krimināllikums</i>) ⁹	1 April 1999	<p>Areas covered:</p> <ul style="list-style-type: none"> ○ criminal liability rules for minors; ○ crimes against minors.

⁶ Latvia, [Civil Procedure Law \(*Civprocesa likums*\)](#), 1 March 1999.

⁷ Latvia, Cabinet of Ministers Regulations No. 667 of 30 October 2018 "[Procedures of Adoption](#)" (*Ministru kabineta 2018. gada 30. oktobra noteikumi Nr. 667 "Adopcijas kārtība"*), 8 November 2018.

⁸ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018.

⁹ Latvia, [Criminal Law \(*Krimināllikums*\)](#), 1 April 1999.

Criminal Procedure Law (<i>Kriminālprocesa likums</i>) ¹⁰	1 October 2005	Procedural requirements in criminal cases involving children (as defendants, witnesses, victims etc.).
Law on Application of Compulsory Measures of a Correctional Nature to Children (<i>Likums "Par audzinoša rakstura piespiedu līdzekļu piemērošanu bērniem"</i>) ¹¹	1 January 2005	Types and application of procedures of compulsory measures of correctional nature to children who have been found guilty of criminal or administrative offences.
Administrative Procedure Law (<i>Administratīvā procesa likums</i>) ¹²	1 February 2004	Procedural requirements in administrative cases involving children (as applicants, witnesses etc.)
Law on Administrative Liability (<i>Administratīvās atbildības likums</i>) ¹³	1 July 2020	Areas covered: <ul style="list-style-type: none"> ○ administrative liability rules for minors; ○ procedural requirements in administrative liability cases involving children (as defendants, witnesses, victims etc.).
Education Law (<i>Izglītības likums</i>) ¹⁴	1 June 1999	The law covers general aspects of the organization of education system, including: <ul style="list-style-type: none"> ○ rights and duties of educators; ○ rights and duties of educates; ○ education for children with special needs.
Immigration Law (<i>Imigrācijas likums</i>) ¹⁵	1 May 2003	Rules on immigration (entry in the country, residence, removal from the country etc.) for minors travelling alone or accompanying parents or other adults.
Asylum Law (<i>Patvēruma likums</i>) ¹⁶	19 January 2016	Rules on obtaining asylum or alternative status or temporary protection for minors traveling alone or together with an adult.

¹⁰ Latvia, [Criminal Procedure Law \(*Kriminālprocesa likums*\)](#), 1 October 2005.

¹¹ Latvia, [Law on Application of Compulsory Measures of a Correctional Nature to Children \(*Likums "Par audzinoša rakstura piespiedu līdzekļu piemērošanu bērniem"*\)](#), 1 January 2005.

¹² Latvia, [Administrative Procedure Law \(*Administratīvā procesa likums*\)](#), 1 February 2004.

¹³ Latvia, [Law on Administrative Liability \(*Administratīvās atbildības likums*\)](#), 1 July 2020.

¹⁴ Latvia, [Education Law \(*Izglītības likums*\)](#), 1 June 1999.

¹⁵ Latvia, [Immigration Law \(*Imigrācijas likums*\)](#), 1 May 2003.

¹⁶ Latvia, [Asylum Law \(*Patvēruma likums*\)](#), 19 January 2016.

Cabinet of Ministers Regulations No. 675 "Procedures for the Entry and Residence in the Republic of Latvia of Citizens of the Union and their Family Members" (<i>Ministru kabineta noteikumi Nr. 675 "Kārtība, kādā Savienības pilsoņi un viņu ģimenes locekļi ieceļo un uzturas Latvijā Republikā"</i>) ¹⁷	8 September 2011	Procedures for the entry and residence in the Republic of Latvia of citizens of the Union and their family members, including minors.
Law on Assistance to Ukrainian Civilians (<i>Ukrainas civiliedzīvotāju atbalsta likums</i>) ¹⁸	5 March 2022	In addition to general rules concerning all Ukrainian civilians fleeing the war in Ukraine, the law also contains several provisions that concern specifically children, such as their right to education and rules on the protection of unaccompanied minors.
Disability Law (<i>Invalitātes likums</i>) ¹⁹	1 January 2011	The law prescribes general rules of the support system for persons with disability, including children with disability.

1.3. Policy framework

Question	YES	NO	Comments
1.3.1. Is there a specific national or sub-national policy framework and/or a national or sub-national strategy on child rights and/or child protection? If yes , does it require an integrated approach to child protection?	X		At the end of 2022 Basic principles on the policy development of children, youth and family for the years 2022 - 2027 (<i>Bērnū, jaunatnes un ģimenes attīstības pamatnostādnes 2022. - 2027. gadam</i>) ²⁰ were adopted by the Cabinet of Ministers. This mid-term policy planning document was developed by the Ministry of Welfare in collaboration with other ministries, and it determines the overall goals of the family policy, directions of actions, their goals, policy results and resulting indicators.

¹⁷ Latvia, Cabinet of Ministers Regulations No. 675 of 30 August 2011 "[Procedures for the Entry and Residence in the Republic of Latvia of Citizens of the Union and their Family Members](#)" (*Ministru kabineta 2011. gada 30. augusta noteikumi Nr. 675 „Kārtība, kādā Savienības pilsoņi un viņu ģimenes locekļi ieceļo un uzturas Latvijā Republikā”*), 8 September 2011.

¹⁸ Latvia, [Law on Assistance to Ukrainian Civilians \(Ukrainas civiliedzīvotāju atbalsta likums\)](#), 5 March 2022.

¹⁹ Latvia, [Disability Law \(Invalitātes likums\)](#), 1 January 2011.

²⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnū, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022.

			The document requires an integrated approach as one of the basic principles of it is holistic and comprehensive approach towards child and family protection and support systems. It means that all sectors, institutions and organizations are jointly responsible for preserving and improving the development potential of children and youth by creating and strengthening an intersectoral early preventive support system. ²¹
1.3.2. Are there national or sub-national plans for action or policies targeting specific groups of children or particular areas, e.g. children with disabilities, children in care?		X	Although the abovementioned Basic principles on the policy development of children, youth and family for the years 2022 - 2027 differentiate between various specific groups of children, also by recognising their specific needs and goals to be achieved in the next periods, there are no specific policy guidelines that would cover an entire specific group of children. Additional plans can be found in other policy planning documents, for example, in Basic principles on the policy development of education ²² or Basic principles on the policy developments towards public health ²³ .
1.3.3. Are there national or sub-national child protection policies regarding children in the digital space and when using online media?		X	Although research shows that cyberbullying and online safety is a relevant issue among children in Latvia ²⁴ , there are no specific policies regarding children in the digital space. Also, the Basic principles on the policy development of children youth and family for the years 2022-2027 does not differentiate specific policies regarding children in the digital space and when using online media, but rather mentions it as one of the elements towards elimination of all types of violence. ²⁵ The document mentions cyberbullying, especially carried

²¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children youth and family for the years 2022 - 2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022. - 2027. gadam](#)), Rīga, 21 December 2022, p. 8.

²² Latvia, Ministry of Education and Science of the Republic of Latvia (*Latvijas Republikas Izglītības un zinātnes ministrija*) (2022) Basic principles on the policy development of education for 2021 - 2027: "Future skills for the future society" action plan for years 2021 - 2023 ([Izglītības attīstības pamatnostādņu 2021. - 2027. gadam: „Nākotnes prasmes nākotnes sabiedrībai” rīcības plāns 2021. - 2023. gadam](#)), Rīga, 3 November 2022.

²³ Latvia, Ministry of Health of the Republic of Latvia (*Latvijas Republikas Veselības ministrija*) (2022) Basic principles on the policy development of public healthcare for years 2021-2027 ([Sabiedrības veselības pamatnostādnes 2021. - 2027. gadam](#)), Rīga, 26 May 2022.

²⁴ Kvantē E., Pulmanis t., Pudule I., Velika B., Grīnberga D., Gobiņa I. (2016), 'Kibernirgāšanās izplatība Latvijas skolēnu vidū saistībā ar sociāli demogrāfiskiem faktoriem un nirgāšanos skolā', 2016.

²⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Rīga, 21 December 2022, pp. 26-30.

		<p>out by schoolmates, as an issue that needs to be tackled. It sets as a goal for the planning period to reduce discrimination and violence (including bullying) in society, educational institutions and the internet environment.²⁶ More in the context of fighting various addictions amongst youth and children, but still relevant regarding abuse online, another goal is to provide public information and education about children's safety on the Internet, the opportunity for everyone to consult about violation situations and receive recommendations for more effective problem solving, develop materials (including teaching materials for schools about Internet safety and increasing digital literacy).²⁷ There is no mention of online sexual abuse as a problem in the Basic principles on the policy development of children youth and family for the years 2022-2027.</p>
<p>1.3.4. Is there a (regular) child participation policy and/or mechanism and/or body related to child rights and/or other child-related governance at national or sub-national level to ensure children have a (direct) voice in or can indirectly influence policy making, e.g. children's rights forum, child surveys, child participation platform? If <u>yes</u>, are appropriate child protection and safety measures in place?</p>	<p>X</p>	<p>The system of child participation in decision making processes is decentralised and fragmented. A Youth Advisory Council (<i>Jaunatnes konsultatīvā padome</i>) was created in 2014 as an advisory body for the Cabinet of Ministers. The Council consists of representatives of various state institutions and at least 10 representatives of youth organizations (the law does not specify the age of these representatives, yet as they have to legally represent an organization, it is unlikely that they would be under 18 years of age)²⁸ there is no unified approach towards child participation policies in Latvia. Various decision-making levels offer various options for child and youth involvement, for example, Youth Parliament (<i>Jauniešu Saeima</i>) on national level, Youth Councils on regional level and School councils on local level. However, the creation of these youth bodies, their competencies and any child protection and safety measures within them are at the discretion of the particular decision maker.²⁹ The policy planning documents recognize that facilitation of youth involvement in decision making processes</p>

²⁶ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, pp. 28-29.

²⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 34.

²⁸ Latvia, Cabinet of Ministers Regulations No. 265 of 26 May 2014 "Regulations of the Youth Advisory Council" (Ministru kabineta 2014. gada 26. maija noteikumi Nr. 265 "[Jaunatnes konsultatīvās padomes nolikums](#)"), 4 June 2014.

²⁹ Latvia, [Youth Law \(Jaunatnes likums\)](#), 1 January 2009, Art. 5.

			should be one of aims targeted in the next planning period. ³⁰
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1.4. Particular groups of children: information on legislative and policy developments (if any) related to their protection

Please report on any significant developments in the last five years and comment briefly.

When answering you should consider all relevant civil, criminal, and administrative legislation, including regulations, ordinances, codes, ministerial decisions. On policy developments please include any relevant action plan, protocol, procedure, or guidance issued by competent authorities. Please always specify how children’s participation in any respective judicial (civil, criminal, and administrative) proceedings are regulated and supported (e.g. procedural safeguards to be in place, ensuring children’s right to be heard).

1.4.1. Children victims of abuse, exploitation, or neglect	
In the areas of online and offline sexual abuse, pornography, exploitation and child labour, trafficking; domestic violence and gender-based violence including harmful practices, such as genital mutilation, child/forced marriage, honour-related violence; abuse or discrimination; ICT and cyber bullying; school bullying; neglect and children at risk of abuse and neglect, including street children (begging or selling things)	
Policy developments	Legislative developments
One of the priorities enshrined in the National Development Plan of Latvia for 2021-2027 is strong families and a healthy and active population. ³¹ In order to achieve that, among other things, it is set as a goal to promote psychological and emotional well-being through support in crisis situations and reducing risks of deviant behavior. ³² The plan also envisages a reduction of bullying by schoolmates by 2% until year 2027. ³³	In 2016 Latvia signed the Council of Europe Convention on preventing and combating violence against women and domestic violence, however a ratification of this document in the Parliament has not followed ⁴² due to heavy discussions among politicians and in the society about the use of term “gender” and whether the document itself is not contrary to the best interests of a child. ⁴³ Several general amendments of law affect children as well:

³⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Rīga, 21 December 2022, p.11.

³¹ Latvia, Cross-Sectoral Coordination Center (*Pārresoru koordinācijas centrs*) (2020), [National Development Plan of Latvia for 2021-2027](#) (*Latvijas Nacionālais attīstības plans 2021.-2027. gadam*), Rīga, 2 July 2020, p.13.

³² Latvia, Cross-Sectoral Coordination Center (*Pārresoru koordinācijas centrs*) (2020), [National Development Plan of Latvia for 2021-2027](#) (*Latvijas Nacionālais attīstības plans 2021.-2027. gadam*), Rīga, 2 July 2020, p.18.

³³ Latvia, Cross-Sectoral Coordination Center (*Pārresoru koordinācijas centrs*) (2020), [National Development Plan of Latvia for 2021-2027](#) (*Latvijas Nacionālais attīstības plans 2021.-2027. gadam*), Rīga, 2 July 2020, p.20.

⁴² Council of Europe (CoE), [Chart of signatures and ratifications of Treaty 210: Council of Europe Convention on preventing and combating violence against women and domestic violence \(CETS No. 210\)](#), Status as of 1 March 2023.

⁴³ Luksa M. (2018), [‘Stambulas konvencija: dzinējspēks pret vardarbību vai Trojas zirgs? \(I\)’](#), *LVportāls*, 25 April 2018.

Basic principles on the policy development of children, youth and family for the years 2022-2027 further provide that by the end of the planning period the risks of violence in the family and among peers have been significantly reduced, monitoring of violence has been introduced and support has been provided to victims of violence and persons who have committed violence.³⁴ It should be achieved by reducing the number of children who have suffered from abuse in school and other environments and increasing the number of children and adults who have received rehabilitation from abuse.³⁵ The document notes the extremely high numbers of cases of bullying and violence in schools in Latvia³⁶, thus paying special attention to that environment, for example, by emphasizing the need to educate the educators on violence related aspects, creating guidelines on bullying in education institutions as well as early intervention programs to decrease the risk of bullying.³⁷ To ensure that the decision-makers have all the necessary information, it is planned to create an evidence based violence in education institutions monitoring system, as currently there is no one comprehensive way how to obtain statistics on violence in education institutions.³⁸

The Basic principles on the policy development of children, youth and family for the years 2022-2027 also provided for the creation of a child's house – a unified place where children who have suffered

In 2021, in Civil Procedure Law mandatory completion of a social rehabilitation course for reducing violent behaviour was added to the list of provisional remedies of violence that courts can impose on a person.⁴⁴ Until then the course was optional. If it appears from the case materials on provisional protection against violence that the interests of the minor child are being violated, the court sends the decision on provisional protection against violence or replacement or cancellation of the means of protection against violence to the orphan's and custody court and the social service at the child's place of residence to provide the necessary assistance. Specifically targeting domestic violence cases, amendments in the Law on Police provide that since 2022 the police can issue an order, without a written request from the victim, to an adult person who poses a threat, to leave the home where the protected person permanently lives, not to return and not stay in or near this home.⁴⁵

³⁴ See for example: Latvia, Ministry of Justice of the Republic of Latvia (*Latvijas Republikas Tieslietu ministrija*) (2016), Informative report "On the impact of the Council of Europe's May 11, 2011 Convention on preventing and combating violence against women and domestic violence on the regulatory enactment system of the Republic of Latvia" (*Informatīvais ziņojums "Par Eiropas Padomes 2011.gada 11.maija Konvencijas par vardarbības pret sievietēm un vardarbības ģimenē novēršanu un apkarošanu ietekmi uz Latvijas Republikas normatīvo aktu sistēmu"*), Riga, 10 May 2016.

³⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, pp. 17-18.

³⁶ Organisation for Economic Co-operation and Development (OECD) (2019), *PISA 2018 Results. Combined executive summaries*, OECD, 2019, p. 17.

³⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, p. 28.

³⁸ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, p. 30.

⁴⁴ Latvia, Amendments of the Civil Procedure Law (*Grozījumi Civilprocesa likumā*), 20 April 2021.

⁴⁵ Latvia, Amendments of the Law On Police (*Grozījumi likumā Par policiju*), 17 February 2022.

<p>from violence could meet all the involved parties, such as doctors, investigators, therapists etc. (project internationally known as Barnahus).³⁹ A pilot project was tested in 2017⁴⁰, the works on the building itself started in 2021 and in January 2023 the Cabinet of Ministers approved the proposed legislation needed for its functioning.⁴¹ In order to become a law the amendments of the Protection of the Rights of the Child Law must be approved by the Parliament, which can also make changes in the initial proposal.</p>	
<p>1.4.2. Children with disabilities</p> <p>Please include children with learning difficulties, autism, and mental health impairments / psycho-social disabilities, severe chronic illnesses that prevent them e.g. from attending onsite school or sports activities</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The National Development Plan provides that until 2027 the number of children who continue their education after the completion of the mandatory education level should be increased by 10%, among other things, by ensuring that more children with disabilities continue to educate themselves.⁴⁶ The field specific guidelines on education for 2021-2027 (<i>Izglītības attīstības pamatnostādnes 2021. – 2027. gadam</i>) also set as a goal to increase that number.⁴⁷ To move towards more inclusive education systems, legislative amendments were made to provide that all general education institutions can undertake special education programs for children</p>	<p>Last 5 years have seen a shift towards more inclusive education. In 2018 General Education Law (<i>Vispārējās izglītības likums</i>) was amended so that children with special needs may complete special education programmes at general education classes, special classes or groups of general education institutions. According to the law special education institutions should be used only in cases of severe disabilities.⁵⁴</p> <p>Several modifications to the list of social services available to children with disabilities have been made. Some of them are rather technical, such as, on the data transfers between the involved state</p>

³⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Rīga, 21 December 2022, pp. 29-30.

⁴⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Ex-ante assessment report (annotation) of the draft "Amendments to the Law on the Protection of Children's Rights" (*Tiesību akta projekta "Grozījumi Bērnu tiesību aizsardzības likumā" sākotnējās ietekmes (ex-ante) novērtējuma ziņojums (anotācija)*), Rīga, 2021.

⁴¹ Latvia, State Chancellery (*Valsts kanceleja*) (2023), Information on the Amendments to the Law on the Protection of Children's Rights, project ID 22-TA-697 (*Informācija par grozījumiem Bērnu tiesību aizsardzības likumā, Projekta ID ID 22-TA-697*),

⁴⁶ Latvia, Cross-Sectoral Coordination Center (*Pārresoru koordinācijas centrs*) (2020), [National Development Plan of Latvia for 2021-2027](#) (*Latvijas Nacionālais attīstības plans 2021.-2027. gadam*), Rīga, 2 July 2020, p.20.

⁴⁷ Latvia, Ministry of Education and Science of the Republic of Latvia (*Latvijas Republikas Izglītības un zinātnes ministrija*) (2022) Basic principles on the policy development of education for 2021 - 2027: "Future skills for the future society" action plan for years 2021-2023 (*Izglītības attīstības pamatnostādņu 2021.-2027. gadam: „Nākotnes prasmes nākotnes sabiedrībai” rīcības plāns 2021.-2023. gadam*), Rīga, 3 November 2022, p. 34.

⁵⁴ Latvia, [General Education Law](#) (*Vispārējās izglītības likums*), 14 July 1999, Art. 51.

with disabilities (see the table on Legislative developments). These changes were not applauded unanimously as many (e.g., principals and teachers of those institutions, parents, rights groups etc.) considered that the education system, but mainly the education institutions are not ready for them, because of the lack of the equipment, trained professionals and other resources.⁴⁸ To tackle this issue the field specific guidelines on education for 2021-2027 set as one of the goals to increase the support for those schools that carry out special education programs for children with disabilities.⁴⁹

The Basic principles on the policy development of children, youth and family for the years 2022-2027 do not provide a comprehensive plan for policies towards children with disabilities, but rather mention this group among other less protected groups in a number of places. The guidelines provide that more should be done to socially include children with disabilities as well as more state funding should be available to them, including social services and financial support for improvement of living conditions and continuing their education.⁵⁰ Children with disabilities who are left under institutional care are recognized as a problematic field, as they are less likely to be adopted or taken into foster families.⁵¹

Another area that has seen changes is connected with the formal recognition of the disability. State

institutions⁵⁵, but others are more substantial. For example, since 2021 children who have significant mobility impairments and who do not receive assistant services in the municipality can receive state paid assistant services to accompany the child outside their home.⁵⁶

⁴⁸ Baltic Institute of Social Sciences (2020), Final report of the study "Implementation of the United Nations Convention on the Rights of Persons with Disabilities" (*Pētījuma "Apvienoto Nāciju Organizācijas Konvencijas par personu ar invaliditāti tiesībām ieviešanas" gala ziņojums*), 30 June 2020, pp. 36-39.

⁴⁹ Latvia, Ministry of Education and Science of the Republic of Latvia (*Latvijas Republikas Izglītības un zinātnes ministrija*) (2022) Basic principles on the policy development of education for 2021 - 2027: "Future skills for the future society" action plan for years 2021-2023 (*Izglītības attīstības pamatnostādņu 2021.-2027. gadam: „Nākotnes prasmes nākotnes sabiedrībai” rīcības plāns 2021.-2023. gadam*), Riga, 3 November 2022, p. 51.

⁵⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, pp. 10., 95-96.

⁵¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, p. 53.

⁵⁵ Latvia, Amendments of the Cabinet of Ministers regulations No. 1607 of 22 December 2009 "Provisions on care allowance for a disabled child" (Ministru kabineta 2009. gada 22. decembra noteikumu Nr. 1607 "*Noteikumi par bērna ar invaliditāti kopšanas pabalstu*" grozījumi), 1 July 2021, Art. 1.5.

⁵⁶ Latvia, Cabinet of Ministers Regulations No. 805 of 23 December 2014 "*Regulations Regarding the Criteria, Time Periods and Procedures Determining Predictable Disability, Disability, and the Loss of Ability to Work*" (Ministru kabineta 2014. gada 23. decembra noteikumi Nr. 805 "*Prognozējamas invaliditātes, invaliditātes un darbspēju zaudējuma noteikšanas un invaliditāti apliecināša dokumenta izsniegšanas noteikumi*" , 1 January 2015.

Commission of Physicians for Health and Work Capacity Examination (*Veselības un darbspēju ekspertīzes ārstu valsts komisija*) with the support of EU funds at the beginning of 2017 launched an ESF project on the improvement of the children's disability determination (in order to determine the severity of disability and to formally recognize it) system in accordance with the principles of the Children and Youth version of the International Classification of Functional Disabilities and Health. The new approach takes into account the degree of functional limitations and the age of the child not only for assigning disability status, but also for making other decisions that may affect a child with a disability in mitigating the everyday consequences of disability.⁵²

When a child with formally recognized disability comes of age, the social services available to children are not accessible for them anymore. The support adults receive tend to be of a smaller amount than the one provided for children. To tackle this problem, it has been recognized that until 2027 the uneven transition from social services available to children to adult services should be tackled.⁵³

1.4.3. Children in the context of migration

Specific thematic areas: unaccompanied-separated children from third countries and within the EU; children in undocumented – irregular migrant families; asylum seeking children; refugee children

Policy developments

According to Immigration Law, during the deportation procedure, a minor foreigner who is unaccompanied by a parent or his legal representative is represented in personal and property relations by the orphan's and custody court or a guardian appointed by it, or the head of a child care institution.⁵⁷ Although this rule has been in force since the adoption of the law, only

Legislative developments

In March 2022 Law on Assistance to Ukrainian Civilians was adopted. The law contains general rules concerning all Ukrainian civilians fleeing the war in Ukraine and specifies some of the requirements towards people who wish to reside in Latvia that are set out in Asylum Law and Immigration law. . For example, the Asylum law contains general provisions on temporary

⁵² Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, p. 59.

⁵³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, pp. 59-60.

⁵⁷ Latvia, *Immigration Law (Imigrācijas likums)*, 1 May 2003, Art. 50.⁸ (2).

recently it has been interpreted to mean that this representative (usually representative of an orphan's and custody court) actually physically accompanies the child to the country where they are sent to.⁵⁸ A new Immigration law is in the process of drafting and the proposed law for now seems to emphasize the role of the orphan's and custody court in the deportation procedure even more.⁵⁹ However the law is not finalized and accepted by the Parliament yet.

protection measures, such as the right to reside in the country in general.⁶⁰ The Law on Assistance to Ukrainian Civilians then details these temporary protection rules for Ukrainian civilians in the Republic of Latvia within the meaning of the Asylum Law.⁶¹

For example, it sets the rules for obtaining education that are similar to the rules set out in the Immigration and Asylum Laws, but in more detail and in some aspects more favourably to the persons fleeing the war in Ukraine. More specifically, the Law on Assistance to Ukrainian Civilians specifically mentions the chance to obtain the basic education (up to 9th grade) in Ukrainian language.⁶²

The law also provides regulations on ensuring the personal and property rights and interests of minor civilians of Ukraine entering the Republic of Latvia without being accompanied by parents, the general rule being that the child should be assigned a guardian who would take care of them similarly to a foster family.⁶³

The Law on Assistance to Ukrainian Civilians also contains the rules for legal residence of Ukrainian nationals in Latvia. The Ukrainian nationals who wish to stay in Latvia for a prolonged period of time shortly after their arrival in the country have to apply for a temporary residence permit to the Office of Citizenship and Migration Affairs.⁶⁴ Upon issuing the permit, the data about the person is entered in the Register of Natural Persons.⁶⁵ The register, among other data, contains information about the date of birth of the person, their nationality and legal grounds of residence in Latvia.⁶⁶ As also confirmed by a representative of the Office of Citizenship and Migration Affairs, the

⁵⁸ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*) (2021), '[Nepilngadīgo bērnu, kuri ceļo bez pavadības, tiesību nodrošināšana izraidīšanas procesā](#)', study material, Riga, 2021.

⁵⁹ Latvia, Cabinet of Ministers (Ministru kabinets) (2021), Draft Law on Immigration (*Imigrācijas likuma likumprojekts*), Riga, 2021, Art. 77.

⁶⁰ Latvia, [Asylum Law](#) (*Patvēruma likums*), 19 January 2016, Chapter XI.

⁶¹ Latvia, [Law on Assistance to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), 5 March 2022, Art. 2.

⁶² Latvia, [Law on Assistance to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), 5 March 2022, Art. 13¹.

⁶³ Latvia, [Law on Assistance to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), 5 March 2022, Art. 18.

⁶⁴ Latvia, [Law on Assistance to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), 5 March 2022, Art. 3.

⁶⁵ Latvia, [Law on Assistance to Ukrainian Civilians](#) (*Ukrainas civiliedzīvotāju atbalsta likums*), 5 March 2022, Art. 2 (5).

⁶⁶ Latvia, [Law on the Register of Natural Persons](#), (*Fizisko personu reģistra likums*), 28 June 2021, Art. 11.

register would allow to obtain a list of Ukrainian minors who are registered in it.⁶⁷ At the same time also the municipalities holds some information on the Ukrainian children in their territories, as they also provide social assistance, including housing, to these persons.⁶⁸

Due to policies carried out by Belarussian government and the rising level of people trying to cross the Belarussian – Latvian border, an emergency situation was declared in the municipalities bordering Belarus by the Cabinet of Ministers on 10 August 2021.⁶⁹ The situation was prolonged for several times and, as per the submission date of this report, is in force until 10 May 2023.⁷⁰ Although the situation is not aimed towards children, it might impact them as, with few exceptions, the application of persons regarding granting the status of a refugee or alternative status shall not be accepted in the municipalities in question.⁷¹

After it was requested by the Ombudsman of the Republic of Latvia, the Law on State Social Allowances was amended to ensure that also families with alternative status can receive social allowances, such as childbirth allowance, childcare benefit etc.⁷² These amendments will enter into force in July 2023.⁷³

1.4.4. Children in alternative care

Specific thematic areas: residential – institutional care; foster care; adoption (including international adoption)

⁶⁷ Latvia, Office of Citizenship and Migration Affairs, Answers to expert questions by Deputy Director Madara Puķe, 12 April 2023, unpublished.

⁶⁸ Latvia, [Law on Assistance to Ukrainian Civilians \(Ukrainas civiliedzīvotāju atbalsta likums\)](#), 5 March 2022, Art. 2.

⁶⁹ Latvia, Order of the Cabinet of Ministers No. 518 of 10 August 2021 "[Regarding the Declaration of Emergency Situation](#)" (*Ministru kabineta 2021. gada 10. augusta rīkojums Nr. 518 "Par ārkārtējās situācijas izsludināšanu"*), 10 August 2021.

⁷⁰ Latvia, Order of the Cabinet of Ministers No. 518 of 10 August 2021 "[Regarding the Declaration of Emergency Situation](#)" (*Ministru kabineta 2021. gada 10. augusta rīkojums Nr. 518 "Par ārkārtējās situācijas izsludināšanu"*), 10 August 2021, Art. 1.

⁷¹ Latvia, Order of the Cabinet of Ministers No. 518 of 10 August 2021 "[Regarding the Declaration of Emergency Situation](#)" (*Ministru kabineta 2021. gada 10. augusta rīkojums Nr. 518 "Par ārkārtējās situācijas izsludināšanu"*), 10 August 2021, Art. 6.

⁷² Latvia, [Law on State Social Allowances \(Valsts sociālo pabalstu likums\)](#), 1 January 2003, Art. 4.

⁷³ Latvia, [Law on State Social Allowances \(Valsts sociālo pabalstu likums\)](#), 1 January 2003, Art. 6 of the Transitional provisions.

Policy developments	Legislative developments
<p>The National Development Plan provides that the number of children that are cared for by families should be increased.⁷⁴ The Basic principles on the policy development of children, youth and family for the years 2022-2027 specify that this should be done both – by reducing the number of children who are separated from their families and by deinstitutionalizing the children who are already cared for by institutions.⁷⁵</p> <p>To achieve that aim the abovementioned principles aim at reducing the number of children in risk of being neglected, are neglected or abused and the number of children who have been separated from their families by a state decision. At the same time the availability and use of mediation and other social services available in these kinds of situations should be increased.⁷⁶</p> <p>Deinstitutionalization of children who are separated from their biological families has been one of the aims in this field for more than a decade, but the execution of it has been slow.⁷⁷ Therefore the aim to ensure family environment for all the children that have</p>	<p>In 2018 a system of out-of-family care support centres were created by the amendments in the Law on the Protection of the Children's Rights.⁸² These centres must provide the support for the provision of out-of-family care services, such as provide training to the potential adopters, ensure psychosocial support to foster families, at any time of the day or night provide information to the Orphan's and custody court or the police regarding crisis foster families that can immediately accept a child into their care etc.⁸³ These tasks were previously carried out by the orphan's and custody court.</p> <p>In 2018 specialised foster families who receive increased support from the state – crisis foster families and foster families for children with serious disabilities - were introduced by the amendments in the Law on the Protection of the Children's Rights⁸⁴ and the adoption of the new Regulations for Foster Families⁸⁵.</p> <p>To ensure that children who are under the care of institutions live in family-like environment, the Regulation on Requirements for Social Service Providers requires that until 1 January 2023 all the child care institutions follow specific rules to create such environment, for example, not more than 24 children share one building.⁸⁶</p>

⁷⁴ Latvia, Cross-Sectoral Coordination Center (*Pārresoru koordinācijas centrs*) (2020), [National Development Plan of Latvia for 2021-2027](#) (*Latvijas Nacionālais attīstības plans 2021.-2027. gadam*), Riga, 2 July 2020, p.26.

⁷⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 10.

⁷⁶ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, pp. 19-20.

⁷⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2019), Informative report "On the implementation of the National Family Policy Guidelines for 2011-2017" ([Informatīvais ziņojums "Par Ģimenes valsts politikas pamatnostādņu 2011.-2017.gadam īstenošanu"](#)), Riga, 7 May 2019, p. 34.

⁸² Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 36¹.

⁸³ Latvia, Cabinet of Ministers Regulations No. 355 of 26 June 2018 "[Regulations Regarding the Out-of-family Care Support Centre](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 355 "Ārpusģimenes aprūpes atbalsta centra noteikumi"*), 1 July 2018, Art. 12.

⁸⁴ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 1 3).

⁸⁵ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018.

⁸⁶ Latvia, Cabinet of Ministers Regulations No. 338 of 13 June 2017 "[Requirements for Social Service Providers](#)" (*Ministru kabineta 2017. gada 13. jūnija noteikumi Nr. 338 "Prasības sociālo pakalpojumu sniedzējiem"*), 1 July 2017, Art. 42.

been separated from their families still persists for the planning period 2022-2027.⁷⁸

In December 2019, the Constitutional court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*) ruled that the absolute prohibition for a person, who has been punished for a criminal offence related to violence or threat of violence, to become an adopter of the spouse's child, is incompatible with the right to private and family life.⁷⁹ The Supreme Court of the Republic of Latvia later added that in each case a balancing test must be carried out to weight all the involved interests, especially taking into account the best interests of the child.⁸⁰

The State Inspectorate for Protection of Children's Rights was approached with questions regarding the state policies towards children from Ukrainian children houses. A representative of the inspectorate provided an answer that until now there is no information that such children have entered Latvia.⁸¹

1.4.5. Children affected by custody disputes, including parental abduction

Policy developments	Legislative developments
<p>The Basic principles on the policy development of children, youth and family for the years 2022-2027 emphasize the need of restoration of family functionality. In recent years mediation and therapy sessions have become more available in many municipalities, but not all of them.⁸⁷</p>	<p>Amendments were made in 2021 to the Civil Procedure Law regarding provisional decisions in cases affecting custody and contact rights. Their purpose is to prevent practices that do not meet the child's interests, namely, continuous amendments, additions, cancellations, and appeals of provisional decisions by the parties, thereby hindering the substantive consideration of the case in court. The amendments, via among other things, shortening application deadlines in some cases involving</p>

⁷⁸ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 54.

⁷⁹ Latvia, Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*), Case No. [2019-01-01](#), 5 December 2019.

⁸⁰ Latvia, Supreme Court Senate of the Republic of Latvia (*Latvijas Republikas Augstākās tiesas Senāts*), Case No. [SKA-34/2020](#), 31 January 2020.

⁸¹ Latvia, State Inspectorate for Protection of Children's Rights, Answers to expert questions by Chief Inspector Aelita Andrejeva, 10 April 2023, unpublished.

⁸⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 36-27.

The field specific guidelines on policy towards children and family for 2022-2027 do not contain specific provisions regarding this topic.	children, ensure the legal stability of the situation of a child whose parents cannot agree on custody and contact. ⁸⁸
1.4.6. Missing children	
Policy developments	Legislative developments
<p>There are no statistical data on the number of children that go missing. The police invite people to inform them as early as possible in each case of a missing child.⁸⁹</p> <p>There is no information about major policy developments in this field.</p>	There are no legislative developments concerning this topic.
1.4.7. Children at risk of poverty or social exclusion, or severely materially and socially deprived or living in a household with a very low work intensity (AROPE)	
Policy developments	Legislative developments
<p>The National Development Plan names reducing risk of poverty in families, especially one-parent families, families who care for a disabled person and families where a parent has lost their working abilities, as one of the priorities in the field.⁹⁰ The field specific policy guidelines provide that it should be done via such means as increasing social benefits, making housing more affordable and working on the accessibility on the day-care and other babysitting services.⁹¹</p> <p>In 2020, the Constitutional Court of the Republic of Latvia ruled that the legal regulation that determines the guaranteed minimum income level (a level of income that, if not reached by a person or family, is</p>	<p>In order to mitigate the negative impact of the spread of the COVID-19 infection and the tensions in families with children, the people who were raising a child during the declared emergency situation were ensured with a one-off aid in the amount of € 500 for each child.⁹⁴</p> <p>The amount and other rules of social allowances and benefits are reviewed from time to time with a tendency to grow. For example, in 2022 a reform of State family allowance was carried out, ensuring that families with more children receive bigger allowances when calculated altogether and per child.⁹⁵</p>

⁸⁸ Latvia, [Amendments of the Civil Procedural Law \(Grozījumi Civilprocesa likumā\)](#), 11 November 2021.

⁸⁹ Dzērve L., 'Nav statistikas par pazudušiem bērniem; institūcijas atgādina par vecāku atbildību', LSM.lv, 29 July 2016.

⁹⁰ Latvia, Cross-Sectoral Coordination Center (*Pārresoru koordinācijas centrs*) (2020), [National Development Plan of Latvia for 2021-2027 \(Latvijas Nacionālais attīstības plans 2021.-2027. gadam\)](#), Riga, 2 July 2020, p.24.

⁹¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 94-97.

⁹⁴ Latvia, [Law on the Suppression of Consequences of the Spread of COVID-19 Infection \(Covid-19 infekcijas izplatības seku pārvarēšanas likums\)](#), 10 June 2020, Art. 62.

⁹⁵ Latvia, [Law on State Social Allowances \(Valsts sociālo pabalstu likums\)](#), 1 January 2003, Art. 6.

<p>provided by the state) is not compatible with the Constitution, mainly due to fact that it is too low to guarantee a humane existence and that it is calculated in an unclear manner.⁹² At the beginning of 2023 the Cabinet of Ministers approved draft legislation that provides that the level of minimal guaranteed income should be determined taking into account minimum median income and reviewed twice a year.⁹³ This proposal has to be reviewed and approved by the Parliament for it to become a binding law.</p>	
<p>1.4.8. Children belonging to minority ethnic groups, e.g. Roma, Sami, etc.</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>There are no policy developments concerning this topic.</p>	<p>To better understand the context, it is important to note that, the biggest minority in Latvia is Russians. In addition, several other of the biggest minorities in Latvia, such as Belarussians and Ukrainians, use Russian as a language of communication in their families. According to the data available, in 2017 36 % of inhabitants of Latvia use Russian as their mother tongue. This number has not changed much in recent years.⁹⁶</p> <p>During the Soviet occupation education in Latvia was provided both - in Russian and in Latvian. After regaining independence, a decision was made to allow the Russian speaking minority to continue to use Russian in education and to create minority schools for that purpose. The last 5 years have seen several amendments in laws that aim to enhance the role of Latvian language in education, such as, 2018 amendments in the Education Law which limited the use of foreign languages in State and private general education institutions⁹⁷, Cabinet of Ministers regulation that, among other things, provides that Latvian should be used as the main language of communication in kindergartens and amendments in the Law on Higher Education Institutions (<i>Augstskolu likums</i>) which provide that only in exceptional cases a foreign language can be used as study language in universities and other</p>

⁹² Latvia, Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*), Case No. [2019-24-03](#), 25 June 2020.

⁹³ Latvia, *Law on Social Security (Likums par sociālo drošību)*, 5 October 1995, Art. 2².

⁹⁶ Latvia, Central Statistical Bureau of the Republic of Latvia (*Latvijas Republikas Centrālā statistikas pārvalde*) (2019), '60.8 % Latvijas iedzīvotāju dzimtā valoda ir latviešu', press release, 2 August 2019.

⁹⁷ Latvia, Amendments of the Education Law (*Grozījumi Izglītības likumā*), 16 April 2018.

	<p>institutions of higher education⁹⁸. Several cases were brought before the Constitutional Court of the Republic of Latvia to contest the compatibility of these norms with fundamental rights. In almost all of these cases the court found no violations of fundamental rights.⁹⁹</p> <p>At the end of September 2022 new amendments were made to the Education Law providing that starting from September 2023 schools have to gradually abandon special education programs in minority languages.¹⁰⁰ These amendments have also been contested before the Constitutional Court¹⁰¹, but the court is yet to make its judgement in the case.</p>
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1.4.9. Children involved in judicial proceedings as victims or witnesses or parties

Policy developments	Legislative developments
<p>Reducing the number of children who have been victims of a crime has been named as one of the goals set in the field specific guidelines of policy development.¹⁰²</p> <p>The Basic principles on the policy development of children youth and family for the years 2022-2027 also provide for creation of a child's house – a unified place where children who have suffered from violence could meet all the involved parties, such as doctors, investigators, therapists etc. (project internationally known as <i>Barnahus</i>).¹⁰³ A pilot</p>	<p>The Cabinet of Ministers has approved the proposed legislation needed for the functioning of a unified place where children who have suffered from violence could meet all the involved parties, such as doctors, investigators, therapists etc..¹⁰⁶ In order to become a law the amendments of the Protection of the Rights of the Child Law must be approved by the Parliament, which can also make changes in the initial proposal of the law.</p>

⁹⁸ Latvia, Amendments of the Law on Higher Education Institutions (*Grozījumi Augstskolu likumā*), 1 January 2019.

⁹⁹ Latvia, Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*), Case No. [2018-12-01](#), 23 April 2019; Latvia, Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*), Case No. [2018-22-01](#), 13 November 2019; Latvia, Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*), Case No. [2019-20-03](#), 19 June 2020.

¹⁰⁰ Latvia, Amendments of the Education Law (*Grozījumi Izglītības likumā*), 25 October 2020.

¹⁰¹ Latvia, Constitutional Court of the Republic of Latvia (*Latvijas Republikas Satversmes tiesa*), Case No. [2022-45-01](#), 27 December 2022.

¹⁰² Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, p. 19.

¹⁰³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Riga, 21 December 2022, pp. 29-30.

¹⁰⁶ Latvia, State Chancellery (*Valsts kanceleja*) (2023), Information on the Amendments to the Law on the Protection of Children's Rights, project ID 22-TA-697 (*Informācija par grozījumiem Bērnu tiesību aizsardzības likumā, Projekta ID ID 22-TA-697*),

<p>project was tested in 2017¹⁰⁴, the works on the building itself started in 2021 and in January 2023 the Cabinet of Ministers approved the proposed legislation needed for its functioning.¹⁰⁵ In order to become a law the amendments of the Protection of the Rights of the Child Law must be approved by the Parliament, which can also make changes in the initial proposal of the law.</p>	
<p>1.4.10. Children involved in judicial proceedings as suspects or accused persons</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>The field specific guidelines provide that one of the goals for 2022-2027 is to reduce the number of crimes that have been committed by minors. It is planned to achieve that through creation of social and support programs that would work on correcting antisocial behaviours, better education of those involved in child protection system and better data exchange between state institutions.¹⁰⁷</p> <p>In 2021, the Ministry of Justice presented its view that it is necessary to substitute the current administrative liability system for minors with a new one that would concentrate on correcting the antisocial behaviours and less on its punitive aspect. An institution in each municipality would look into</p>	<p>A new Administrative Liability Law was adopted, but the rules on administrative liability of minors were not changed much by it.¹⁰⁹</p> <p>In 2022, the Law on Application of Compulsory Measures of a Correctional Nature to Children was amended so that the enforcement of a compulsory coercive measure of an educational nature - placement in an educational institution of social correction - shall be terminated on 1 July 2022, and shall not be applied from 1 July 2022 till 31 December 2024.¹¹⁰ The amendments provide that local governments in each case will have to open a prevention case and develop a program of social correction of behavior for those children for whom the enforcement of a coercive measure of an educational nature will be terminated. The local governments should invite the State Probation Service, the orphan's and custody court and the State Inspectorate for the Protection of Children's Rights and ensure regular inter-institutional cooperation in crime prevention measures</p>

¹⁰⁴ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Ex-ante assessment report (annotation) of the draft "Amendments to the Law on the Protection of Children's Rights" (*Tiesību akta projekta "Grozījumi Bērnu tiesību aizsardzības likumā" sākotnējās ietekmes (ex-ante) novērtējuma ziņojums (anotācija)*), Rīga, 2021.

¹⁰⁵ Latvia, State Chancellery (*Valsts kanceleja*) (2023), Information on the Amendments to the Law on the Protection of Children's Rights, project ID 22-TA-697 (*Informācija par grozījumiem Bērnu tiesību aizsardzības likumā, Projekta ID ID 22-TA-697*).

¹⁰⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Rīga, 21 December 2022, pp. 40-45.

¹⁰⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam*), Rīga, 21 December 2022, p. 41.

¹¹⁰ Latvia, *Law On Application of Compulsory Measures of a Correctional Nature to Children (Likums "Par audzinoša rakstura piespiedu līdzekļu piemērošanu bērniem")*, 1 January 2005, Art. 6 of the Transitional Provisions.

administrative violations done by minors and decide about the consequences of them. ¹⁰⁸	for planning. By 31 December 2023, the Cabinet of Ministers will develop and submit to the Parliament the necessary amendments regarding the application and execution of a coercive measure of an educational nature - placement in a social correctional educational institution. ¹¹¹
1.4.11. Children at risk of harmful practices, including female genital mutilation; child /forced marriages, honour-related violence	
Policy developments	Legislative developments
These issues seem to be not very topical in the cultural context of Latvia. There are no policy developments concerning this topic.	There are no legislative developments concerning this topic.
1.4.12. Children whose parents are in prison/custody	
Policy developments	Legislative developments
There are no general policy developments concerning this topic. In 2020 the Ombudsman's office carried out a survey which showed that almost all municipalities in Latvia are ready to support children financially to visit their parents if they are in prison. In case the level of support is unclear, the children and parents can request the Ombudsman's office for further information. ¹¹²	There are no legislative developments concerning this topic.
1.4.13. Children who drop out of compulsory education and working children under the legal age for work	
Policy developments	Legislative developments
In order to reduce the number of early school leavers, the ESF project SAM 8.3.4 "Support for reducing early school leavers" is being implemented in 2017-2023, among other	There are no legislative developments concerning this topic.

¹⁰⁸ Latvia, Ministry of Justice of the Republic of Latvia (*Latvijas Republikas Tieslietu ministrija*) (2021), '[Bērna formāla administratīva sodīšana nemaina antisociālo uzvedību](#)', press release, 10 May 2021.

¹¹¹ Latvia, The Parliament of the Republic of Latvia (*Latvijas Republikas Saeima*) (2022), '[Saeima uz laiku aptur jauniešu ievietošanu sociālās korekcijas iestādē](#)', press release, 16 June 2022.

¹¹² Mače Z. '[Pašvaldības gatavas palīdzēt bērniem satikt vecākus cietumos](#)', LSM.lv, 12 March 2020.

<p>things via Regulation of the Cabinet of Ministers No. 460.¹¹³ Also, a new ESF project 2024-2027 is planned for the implementation of support systems for reducing the risk of exclusion in educational institutions and municipalities.</p> <p>The field specific policy guidelines on education for 2021-2027 recognizes as a problem that the environment in schools is often not inclusive and sometimes violent. Also, the differences between the accessibility of education within cities and the countryside have been named as another issue contributing towards more dropouts.¹¹⁴</p>	
<p>1.4.14. Please insert any other group of children that is not listed above, such as children with drug or alcohol addictions (<i>add rows as needed</i>)</p>	
<p>Policy developments</p>	<p>Legislative developments</p>
<p>By 2027 Latvia aims to reduce the number of children who have recently used alcohol, electronic cigarettes, drugs and who smoke regularly as well as to improve the statistics on gambling addiction and rehabilitation to all aforementioned groups. To achieve that, various information campaigns on the effects of addictions and on safety on the internet, targeted measures especially towards groups in risk (such as children living in boarding schools etc.) are planned.¹¹⁵</p>	

¹¹³ Latvia, Regulations of the Cabinet of Ministers No. 460 of 12 July 2016 "Rules for the implementation of the specific support objective 8.3.4 "Reduce early school leaving through prevention and intervention measures" of the Operational Programme "Growth and Employment"" (Ministru kabineta 2016. Gada 12. Jūlija noteikumi Nr. 460 "Darbības programmas "Izaugsme un nodarbinātība" 8.3.4. specifiskā atbalsta mērķa "Samazināt priekšlaicīgu mācību pārtraukšanu, īstenojot preventīvus un intervences pasākumus" īstenošanas noteikumi"), 21 July 2016.

¹¹⁴ Latvia, Ministry of Education and Science of the Republic of Latvia (Latvijas Republikas Izglītības un zinātnes ministrija) (2022) Basic principles on the policy development of education for 2021 - 2027: "Future skills for the future society" action plan for years 2021-2023 ([Izglītības attīstības pamatnostādņu 2021.–2027.gadam: „Nākotnes prasmes nākotnes sabiedrībai” rīcības plāns 2021.–2023. gadam](#)), Rīga, 3 November 2022, p. 22.

¹¹⁵ Latvia, Ministry of Welfare of the Republic of Latvia (Latvijas Republikas Labklājības ministrija) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Rīga, 21 December 2022, p. 18.

1.5. Contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards

Are there any contradictions, conflicts, or gaps between national legislation/policies on child protection and international / EU standards that have been pointed out by international bodies, national human rights institutions, ombudspersons, or civil society organisations? Please also refer to any contradictions within national and sub-national legislation.

In Latvia, the recommendations of the UN Committee on the Rights of the Child are still relevant, with a call, among other things, to reduce the gap between what is established in legislation and what is implemented in practice, to ensure an optimal institutional management model for the implementation of child and family policy as a cross-sectoral policy, as well as to pay special attention to preventive activities.¹¹⁶

As described below, fragmentation is an issue that contributes towards the lack of consequence in implementation of legal norms.

1.6. Orientation/fragmentation of national child protection policy and legislation

Based on the above information please assess and explain if the national child protection policy and legislation is fragmented and if the child protection system is oriented towards prevention and/or intervention.

The national policy towards child protection is very fragmented. Many competencies are divided among several ministries and their institutions, as well as municipalities, making policies inconsequent and regionally diverse. As recognized also by national policy documents, issues in cooperation between various state bodies is a big obstacle in implementing policies concerning families and children.¹¹⁷ In addition inefficient use of limited resources is one of the main losses caused by the lack of intersectoral cooperation.¹¹⁸

In Latvia, work with families with children has so far been primarily focused on preventing the consequences of unfavourable conditions for the child's development, rather than early recognition of these conditions and the problems they cause, providing a timely solution and early intervention. The policy planning documents drafted recently have recognized these issues¹¹⁹, but it is yet to be seen whether and how they will be tackled.

¹¹⁶ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles of the policy development of children, youth and family for the years 2022-2027 ([Bēnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 22.

¹¹⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bēnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 7.

¹¹⁸ Skubiņa, I. (2022), [Pētījums agrīnā preventīvā atbalsta sistēmas, profilakses un agrīnās intervences pakalpojumu groza izveidei Latvijā](#), Riga, 29 July 2022.

¹¹⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bēnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022, p. 12.

1.7. Development in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection legislation and policies in the past 8 years, incl. achievements and (persisting) gaps and challenges.

Some challenges, such as fragmentation of rules and liability towards protection of the children and lack of monitoring mechanisms persist. Some of the issues, such as lack of preventive mechanisms have been recognised but still wait to be solved. Other issues have been resolved completely. For example, the 2014 report describes the issue of Latvian citizenship for children of non-citizens born after the restoration of independence (21 August 1991). As per the Law on the Termination of the Granting of the Status of a Non-citizen to Children, starting from 2020 the status of non-citizens is not being granted to children – they are either citizens of Latvia or another country.¹²⁰

1.8. Promising practices

Please list and briefly describe any promising practice in child protection legislation and policies that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Although not a tangible result in itself, the shift towards proactive and preventive policies in the context of previous ones that were just dealing with negative consequences created by the lack of interest in supporting children and parents, should be considered a promising practice. Although only the policy-making documents¹²¹ have seen this shift this far and it is yet to be seen how these policies will be implemented in legislation or approaches of institutions, it is still a step towards the right direction.

Latvian legislator was quick to act in adopting a new law¹²² that provides support to Ukrainian children that are fleeing the war, for example, by creating opportunities for them to continue their schooling. The recognition of a problem group and the assistance offered is commendable.

Creation of a single safe space (the *Barnahus* model) where children who have suffered from violence could meet all the involved parties, such as doctors, investigators, therapists etc.,¹²³ will ensure the protection of best interests of children, as the trauma they have suffered will not be replicated by strange environments and persons they have to endure. The plan to implement the *Barnahus* model has also been praised by OECD.¹²⁴

With amendments in 2021, the Law on the Protection of Children's Rights was supplemented by determining the basic principles and criteria for determining the best interests of the child, which every legal and natural person must take into account when assessing the best interests of the child.¹²⁵

¹²⁰ Latvia, [Law on the Termination of the Granting of the Status of a Non-citizen to Children \(Par nepilsoņa statusa piešķiršanas izbeigšanu bērniem\)](#), 19 November 2019.

¹²¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022.

¹²² Latvia, [Law on Assistance to Ukrainian Civilians \(Ukrainas civiliedzīvotāju atbalsta likums\)](#), 5 March 2022.

¹²³ Latvia, State Inspectorate for the Protection of Children's Rights (2022) Support for the implementation of Barnahus in Latvia ([Atbalsts Barnahus ieviešanai Latvijā](#)), 9 December 2022.

¹²⁴ OECD, [Towards a Child-friendly Justice System in Latvia](#). Report, 13 April 2023.

¹²⁵ Latvia, [Amendments to the Law on the Protection of the Children's Rights \(Grozījumi Bērnu tiesību aizsardzības likumā\)](#), 11 November 2021.

2. Governance, coordination structures, and services

2.1. Primary institutions and main service providers responsible for child protection

Question	Yes	No	Comments
<p>2.1.1. Is there any lead institution/body (e.g. child protection agency, ministry, etc.) primarily responsible for child protection at the national level?</p> <p><u>If yes</u>, please provide the name in the comments box.</p>	X		<p>The Ministry of Welfare (<i>Labklājības ministrija</i>) is the leading state administration institution in the field of employment, social protection, the protection of the rights of the child, family rights, as well as the rights of the persons with disabilities, equal opportunities and gender equality.</p>
<p>2.1.2. Are there different structures sharing the primary responsibility (e. g. departments in the same or different ministries, different agencies etc.)?</p> <p><u>If yes</u>, please provide the name under the comments box and please also mention which body has the lead in coordinating child protection policies and actions.</p>	X		<p>Every institution has specific functions in the field of protection of the rights of the child.</p> <p>The state and municipalities organise and control the protection of the rights of the child.</p> <p>The Ministry of Welfare is the leading state administration institution in the field of the rights of the child and the family, which develops the rights of the child and the family policy, organises and coordinates the rights of the child and the family policy implementation. One of the autonomous functions of the municipalities is to implement the protection of the rights of the child for their respective territory.</p> <p>The Ministry of Welfare organises and coordinates the supervision over compliance to the normative acts in the field of child rights protection, while the Inspectorate for Protection of Children`s Rights (<i>Valsts Bērnu tiesību aizsardzības inspekcija</i>), which is under the administration of the Ministry of Welfare, is responsible for the oversight and control over the compliance to the Law on the Protection of the Rights of the Child and other relevant normative acts.</p>

			A person has the right to consult about what rights protection mechanism can be used and whether a child's rights have been violated in the relevant situation, also by contacting the Ombudsman, more precisely, Children's Rights Division of the Ombudsman's office (<i>Tiesībsarga Bērnu tiesību nodaļa</i>).
2.1.3. Are there child focal points or similar in different ministries or agencies? If <u>yes</u> , in which ministry are they located, what are they called, and what role/functions do they have? How do they coordinate?		X	

Please provide in the table below a list of the national/regional/local bodies or authorities having certain responsibilities related to child protection, e.g. child ombuds institution.

Please note: For the regional and the local levels please indicate only the type of body, do not list all different bodies at regional/local level in the country.

Name of the body	Level (national/regional/local).	Area of responsibility and roles in child protection <i>(for example coordination, legislation, policy making, training, monitoring, financing, implementing)</i>	Comments <i>(for example in case of ombuds institution, compliance with the Paris Principles)</i>
Parliament (<i>Saeima</i>)	National	Legislation	The legislative power belongs to the Parliament. ¹²⁶

¹²⁶ Latvia, [The Constitution of the Republic of Latvia](#) (*Latvijas Republikas Satversme*), 17 November 1922, Art. 64.

Cabinet of Ministers (<i>Ministru kabinets</i>)	National	Legislation, policy making	The Cabinet of Ministers develops draft normative acts for the protection of the rights of the child and issues necessary regulations, approves long-term state policy projects in the field of protection of the rights of the child. ¹²⁷
Ministry of Welfare (<i>Labklājības ministrija</i>)	National	Legislation, policy making	The Ministry of Welfare in cooperation with the State and municipal authorities and non-governmental organisations, develops draft long-term State policies in the field of the protection of the rights of children, organises and coordinates the monitoring of compliance with regulatory enactments in the field of protection of children's rights. ¹²⁸
Ministry of Justice (<i>Tieslietu ministrija</i>)	National	Policy making	The Ministry of Justice organises the training for judges with respect to the issues on the rights of the child. In addition, the ministry ensures that court work is organised so that priority consideration is applicable in the adjudication of matters related to the protection of the rights and the best interests of the child. ¹²⁹
Ministry of Health (<i>Veselības ministrija</i>)	National	Policy making	The Ministry of Health draws up State policy projects in the field of child health care, including in the field of medical rehabilitation. It also organises and coordinates child health care in

¹²⁷ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 61.

¹²⁸ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 62.

¹²⁹ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 64¹.

			accordance with the State programme, laws and other regulatory enactments. ¹³⁰
Ministry of Education and Science (<i>Izglītības un zinātnes ministrija</i>)	National	Policy making	The Ministry of Education and Science draws up State policy projects in the field of child education and sports and organises the implementation of approved projects, ensures the accessibility and quality of education as well as in cooperation with the Ministry of Welfare, draws up educational programmes in the field of protection of the rights of the child. In addition, the ministry ensures mandatory inclusion of the content of health studies in general education programmes, determines the qualifying requirements and criteria to be met by workers in education, and promotes the raising of the qualification level of workers in education, and together with the Ministry of Welfare and Ministry of Health draws up the State programme for the preparation of social workers, social educators, and teachers for work with children with special needs and children who require social and pedagogical correction of behaviour, and with the families of such children, and coordinates the implementation of State programmes.

¹³⁰ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 62¹.

			Finally, the Minister for Education and Science approves the annual State programme for youth policy. ¹³¹
Ministry of Interior (<i>Iekšlietu ministrija</i>)	National	Policy making	The Ministry of the Interior in cooperation with the Ministry of Welfare and other responsible authorities ensures that a draft programme is drawn up for a three-year period for the prevention of child crime and for the protection of the child from crime, and coordinates the implementation of such programme. In addition, the ministry in collaboration with other authorities takes measures in the fight against illegal relocation of children across the State border and non-return of children from foreign countries, and ensures special training for police officers for work with law-breakers who are minors and with minors who are victims of criminal offences, and with their families. ¹³²
Ministry of Culture (<i>Kultūras ministrija</i>)	National	Policy making	The Ministry of Culture draws up the State programme in the field of culture and education regarding culture and is responsible for its implementation. ¹³³

¹³¹ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 63.

¹³² Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 64.

¹³³ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 64².

The Office of Prosecutor General (<i>Ģenerālprokuratūra</i>)	National	Oversight	The Office of the Prosecutor General organises training for prosecutors with respect to issues on the rights of the child and ensures that the rights of the child are conformed to during pre-trial investigations. ¹³⁴
Ombudsman`s Office (<i>Tiesībsarga birojs</i>)	National	Monitoring	The Ombudsman informs the public of the rights of the child, examines complaints regarding violations of the rights of the child, paying particular attention to violations committed by State or municipal institutions and the employees thereof as well as submits proposals which promote the conformity with the rights of the child. ¹³⁵ In addition, the Ombudsman`s Office fully complies with the Paris Principles ('Principles Relating to the Status of National Human Rights Institutions').
Administration of the Maintenance Guarantee Fund (<i>Uzturlīdzekļu garantiju fonds</i>)	National	Implementing	The Administration of the Maintenance Guarantee Fund in accordance with the procedures laid down in the Maintenance Guarantee Fund Law, ensures the rights of the child to social security by paying out maintenance from the Maintenance Guarantee Fund as well as in accordance with the procedures stipulated by the Cabinet, issues

¹³⁴ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 64³.

¹³⁵ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 65².

			information from the Maintenance Guarantee Fund applicant and debtor register. ¹³⁶
Co-operation Council in Children Matters (<i>Bērnu lietu sadarbības padome</i>)	National	Coordination	The Co-operation Council in Children Matters is an advisory collegial body the objective of which is to promote a unified understanding on the conformity with the principle of priority of a child's interests in municipal and State action policies, and also to promote coordinated activity of authorities, including cooperation groups, in the protection of children's rights. The Co-operation Council in Children Matters is established, its tasks and composition is determined, and the by-laws of operation are approved by the Minister for Welfare. ¹³⁷
Inspectorate for Protection of Children's Rights (<i>Valsts bērnu tiesību aizsardzības inspekcija</i>)	National	Monitoring	The State Inspectorate for Protection of Children's Rights supervises and controls conformity with the laws and regulations in the field of protection of the rights of the child. Inspectors of the State Inspectorate for Protection of Children's Rights have the right to conduct negotiations and to interview children without the presence of other persons. The State Inspectorate for Protection of Children's Rights is under supervision of the Minister for Welfare. ¹³⁸

¹³⁶ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 65³.

¹³⁷ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 65⁴.

¹³⁸ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 65¹.

Municipalities (<i>Pašvaldības</i>)	Regional/local	Implementing, financing	<p>A municipality analyses the situation in the field of observance of the rights of the child and develops and implements a programme for the protection of the rights of the child in the administrative territory of the municipality.</p> <p>In accordance with the law, a municipality:</p> <ul style="list-style-type: none"> ○ provides assistance and support to families in which there are children, guaranteeing shelter, warmth and clothing, and nutrition appropriate to their age and state of health, for each child residing in the municipal territory; ○ provides out-of-family care for children who temporarily or permanently do not have a family or who in their own interest should not be left in the relevant family; ○ ensures the children's right to acquire secondary education and provide them with assistance in vocational education; ○ organises primary health care for mothers and children; ○ organises parental education; ○ provides for primary schools and extracurricular child institutions, public libraries, and organisation of child recreation; ○ draws up and implement programmes for work with street children;
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			<ul style="list-style-type: none"> o takes other measures ensuring the rights of the child.¹³⁹
Orphan`s and custody court (<i>Bāriņtiesa</i>)	Regional/local	Implementing	<p>Orphan's and custody courts as guardianship institutions ensure the protection of the personal and property rights of the child.¹⁴⁰</p> <p>More detailed competence is described in the Section IV of the Law on Orphan's and Custody Courts.¹⁴¹</p>
Municipal Social Service Offices (<i>Pašvaldību sociālie dienesti</i>)	Regional/local	Implementing	<p>The municipal social services conduct social work with the families, as well as provide social services or organise the provision of social services to the families with children, which have unfavourable conditions for the development of the children, as well as to the foster families, guardians, etc.¹⁴²</p>

2.1.4. Please indicate if there were in the past five years any important changes concerning the child protection mandate/roles/responsibilities and outline what caused or influenced these changes (for example, a transfer of responsibility for child protection from one ministry to another ministry or a body or merging of responsibilities, etc. Please indicate notably if an integrated approach has been sought and/or achieved.

¹³⁹ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 66 (2).

¹⁴⁰ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 66 (3).

¹⁴¹ Latvia, [Law on Orphan's and Custody Courts \(*Bāriņtiesu likums*\)](#), 1 July 2007, Chapter IV.

¹⁴² Latvia, [Law on Social Services and Social Assistance \(*Sociālo pakalpojumu un sociālās palīdzības likums*\)](#), 1 January 2003, Art. 11.

In 2017 and 2020, the amendments in the Law on the Protection of the Children's Rights entered into force, stipulating the establishment of Co-operation Council in Children Matters which is an advisory collegial body aimed to promote a unified understanding on the conformity with the principle of priority of a child's interests in municipal and State action policies.¹⁴³

In addition, the Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 “Regulations on the cooperation of institutions in the protection of children's rights” entered into force, that determine the organisation of cooperation between state and municipal institutions and non-governmental organisations and the procedure for implementing the protection of children's rights.¹⁴⁴ These regulations address the issue of insufficient cooperation among various organisations and ensure that the best interests of the child are respected by creating a mechanism of joint cooperation of all participating institutions, especially by developing and strengthening such inter-institutional cooperation at the municipal level.¹⁴⁵

2.1.5. Please indicate, in the table below, the major service providers at national level in the area of child protection. Include family support services /measures (i.e. counselling, financial assistance) that are part of the overall social protection/welfare system for children in risk.

Service providers	Type of services	Target groups	Funding
<i>(include the name and the type of institution i.e. public authority, NGOs, religious institutions, private)</i>	<i>(Include counselling, care institutions, day care centres, financial assistance, legal advice, rehabilitation services for victims, education awareness –training activities, etc.)</i>	<i>(For example, children with disability, children in risk of or living in poverty, immigrant children, children deprived form parental care, child victims of abuse or exploitation. When relevant, please indicate if third country nationals and irregular immigrants are entitled to such services)</i>	<i>(national budget, EU funded, other)</i>

¹⁴³ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 65⁴.

¹⁴⁴ Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 “Regulations on the cooperation of institutions in the protection of children's rights” (*Ministru kabineta 2017.gada 12.septembra noteikumi Nr.545 “Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā”*), 15 September 2017, Art. 2.

¹⁴⁵ Latvia, Annotation to the Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 Regulations on the cooperation of institutions in the protection of children's rights” (*Ministru kabineta 2017.gada 12.septembra noteikumu Nr.545 “Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā” anotācija*), 15 September 2017, p.1.

<p>Long-term social care and social rehabilitation institutions</p>	<p>Housing, full care and social rehabilitation.</p>	<p>Orphans and children deprived from parental care.</p>	<p>The state finances long-term social care and social rehabilitation services:</p> <ul style="list-style-type: none"> ○ for children with severe and very severe mental developmental disorders or children with severe and very severe physical developmental disorders, as well as children with combined severe and very severe mental and physical developmental disorders under the age of four, for whom it is not possible to provide family care due to functional disorders, with a guardian or foster family; ○ for children with severe and very severe mental disorders between the ages of four and 18, for whom it is impossible to provide care in the family, with a guardian or in a foster family due to the severity of the functional disorders; ○ for orphans aged up to two years - for the period until care with a guardian or in a foster family begins, but in total no longer than six months, this period not
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			<p>including the adoption process of the child, if it was started within the first six months after the child was placed in a long-term social care and social rehabilitation institution;</p> <ul style="list-style-type: none"> ○ for children under the age of two years left without parental care - for the period until the child returns to the family or his care with a guardian or a foster family begins, but in total no longer than six months, this period not including the adoption process of the child, if it was started within the first six months since placing the child in a long-term social care and social rehabilitation institution.¹⁴⁶ <p>Parents are obliged to pay for such services according to the Law on the Protection of the Children’s Rights. If the parents cannot pay for the child's out-of-family care, the fee for out-of-family care services in such cases is covered from the state or municipal</p>
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¹⁴⁶ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), Long-term social care and social rehabilitation services (*Ilgstošas sociālās aprūpes un sociālās rehabilitācijas pakalpojumi*), 21 April 2022.

			<p>budget, respectively, and then recovered from the parents.¹⁴⁷</p> <p>On the other hand, municipalities ensure the possibility to receive social services appropriate to the needs of the person for those persons who have declared their place of residence in the administrative territory of the municipality, incl. long-term social care and social rehabilitation services.¹⁴⁸ Municipalities that have not established the necessary social service providers conclude contracts with other social service providers in their territory or with other municipalities for the provision and payment of social services. These services are fully or partially financed from the municipal budget.¹⁴⁹</p> <p>The right to receive municipally funded long-term social care and social rehabilitation services is:</p> <ul style="list-style-type: none"> ○ for orphans and children left without parental care from 2 to 18 years of age, if it is not possible to
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¹⁴⁷ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 30.

¹⁴⁸ Latvia, [Law on Social Services and Social Assistance \(*Sociālo pakalpojumu un sociālās palīdzības likums*\)](#), 1 January 2003, Art. 9 (1).

¹⁴⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Long-term social care and social rehabilitation services ([Ilgstošas sociālās aprūpes un sociālās rehabilitācijas pakalpojumi](#)), 21 April 2022.

			<p>ensure their care and upbringing in a foster family or with a guardian;</p> <ul style="list-style-type: none"> ○ for children with severe functional disorders, if the amount of service required exceeds the amount determined for care at home or in a day care and social rehabilitation institution.¹⁵⁰ <p>Funding can be granted also in the framework of different projects and donations.</p>
Foster families (individuals – families or single persons)	Full care in a family or by a single person.	Orphans and children without parental care.	<p>National budget and municipal budget.</p> <p>The foster family receives remuneration for fulfilling the duties of the foster family. Compensation is paid by the State Social Insurance Agency. Benefit to foster family for child’s nutrition and for purchase of soft furnishing is paid from municipal budget (municipality which have agreement with foster family).¹⁵¹</p>
Youth home (structural unit of the children care institution)	Independent living arrangements for children (single or multi apartment type-rooms)	Orphans and children without parental care up to 15 years old.	Municipal budget, national budget, private funding.

¹⁵⁰ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 9.¹ (1).

¹⁵¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Informative material for foster families and specialized foster families ([Informatīvais materiāls audžuģimenēm un specializētajām audžuģimenēm](#)), 12 June 2020.

	established at the children care institution).		Municipality is responsible for the establishment of a youth home, which is a municipal institution or a structural unit of a municipal institution. ¹⁵²
Guardians (private persons)	Long-term childcare form.	Orphans and children without parental care.	Remuneration for fulfilment of guardian's obligations and guardian's benefit for child's hosting is paid from national budget. ¹⁵³
Providers of social rehabilitation for children who are victims of illegal offenses (including violence)	Rehabilitation of children victims of illegal offenses.	Child victims of abuse or exploitation.	National budget. ¹⁵⁴
Social rehabilitation for children with addiction to drugs, toxic or other intoxicating substances	Social rehabilitation.	Children with addiction to drugs, toxic or other intoxicating substances.	National budget. ¹⁵⁵
Day care centres (municipal institution or its structural unit, NGO, for-profit)	Provides social day care and social rehabilitation services, development of social skills, and leisure opportunities.	Children from low-income families and families with unfavourable conditions for child's development. Children with disabilities.	Municipal budget, national budget, private funding. The expenses for the creation and maintenance of the day centers are

¹⁵² Latvia, [Youth Law \(Jaunatnes likums\)](#), 1 January 2009, Art. 5 (7).

¹⁵³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Informative material for foster families and specialized foster families (*Informatīvais materiāls audžuģimenēm un specializētajām audžuģimenēm*), 12 June 2020.

¹⁵⁴ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 13 (1²).

¹⁵⁵ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 13 (1).

company, individual merchant)			financed from the state budget: in the year of establishment of the centers – 80 %, in the first year of operation – 60 %, in the second year – 40 %, in the third year – 20 %. The criteria for determining the costs of establishing and maintaining day care centers, as well as the procedures for granting state co-financing are determined by the Cabinet of Ministers. In the following years, these expenses in the amount of 100 percent are covered from the municipal budgets. ¹⁵⁶
Crisis centres (structural unit of local institutions, local institutions)	Short-term psychological and other assistance for persons in crisis situation.	Children in crisis situation.	Municipal budget. ¹⁵⁷
Local social services (local institution)	Provide social assistance, organise and provide social services to residents of municipality, including children.	Every minor in specific administrative area.	Municipal budget. ¹⁵⁸
Child care service providers (national or local institution, legal or physical person registered in the Children Monitoring Service Providers'	Monitoring and care service (may be provided for short period of time (up to four hours a day) or for	Children aged up to 7 years old.	National budget, municipal budget, co-funding of child's legal representative. State support is granted to private child care service provider (nannie) who is registered

¹⁵⁶ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 13 (4).

¹⁵⁷ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 9 (3).

¹⁵⁸ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 10 (2).

Register (<i>Bērnu uzraudzības pakalpojuma sniedzēju reģistrs</i>) ¹⁵⁹ (nannies))	full time – more than four hours a day). ¹⁶⁰		<p>according to legally established procedures and provides in-family pre-school care to a child from one and a half years old until the primary education if the child is registered for the admission to a pre-school education establishment in the municipality where the place of residence of the child is registered, but the service of pre-school education is not provided in the local education establishment.</p> <p>The municipality may ensure co-funding for child care service provider.</p> <p>Within an ESF project, Ministry of Welfare organised a subsidised childcare service with the aim of gradually transitioning to private - employer and employee - funding, as well as possibly state and municipal co-financing.¹⁶¹</p>
NGO Latvian Association for SOS Children Villages (<i>NVO "Latvijas SOS Bērnu ciematu asociācija"</i>)	Long-term family based care for children who have lost their parents; support to families with children, who are in risk of losing	Children without the care of biological parents; children with the risk of losing parents.	Municipal budget, funding within the framework of various projects, funding provided by sponsors.

¹⁵⁹ Latvia, State Education Information System, Children monitoring service providers' register (*Bērnu uzraudzības pakalpojuma sniedzēju reģistrs*), 1 March 2023.

¹⁶⁰ Latvia, Regulations of the Cabinet of Ministers No. 404 of 16 July 2013 "[Requirements for Providers of Child Supervision Services and Procedures for Registration of Providers of Child Supervision Services](#)" (*Ministru kabineta 2013.gada 16.jūlija noteikumi Nr. 404 "Prasības bērnu uzraudzības pakalpojuma sniedzējiem un bērnu uzraudzības pakalpojuma sniedzēju reģistrēšanas kārtība"*), Art. 4.

¹⁶¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Procurement of the Ministry of Welfare "On the right to provide a flexible childcare service" ([Labklājības ministrijas iepirkums „Par tiesībām sniegt elastīgu bērnu uzraudzības pakalpojumu”](#)), 19 August 2020.

	the care of their biological family and advocacy. ¹⁶²		
NGO Crisis Centre for Children and Families "Paspārne" (NVO <i>Krīzes centrs ģimenēm ar bērniem "Paspārne"</i>)	Social rehabilitation services for children who are victims of violence. ¹⁶³	Children victims of violence.	National budget, ¹⁶⁴ funding within the framework of various projects, funding provided by sponsors.
NGO Latgale Regional Support Center "Rasas pērles" (NVO <i>Latgales reģionālais atbalsta centrs "Rasas pērles"</i>)	Provision of social rehabilitation services for children who are victims of violence. Ambulatory consultations in cases when there is a need for support. Social rehabilitation services funded by the municipality. ¹⁶⁵	Child victims of violence.	National budget, municipal budget, funding within the framework of various projects.
NGO Family Crisis Center of Zante (Nodibinājums "Zantes ģimenes krīzes centrs")	Social rehabilitation services for children, who suffer from illegal activities. Accommodation in crisis situations paid by municipality: short-term, psychological and different kind of help for the child,	Child victims of violence.	National budget, municipal budget, funding within the framework of various projects.

¹⁶² Latvia, NGO Latvian Association for SOS Children Villages, [SOS Children Villages Latvia](#), 1 March 2023.

¹⁶³ Latvia, NGO Crisis Centre for Children and Families "Paspārne", Services for families with children ([Pakalpojumi ģimenēm ar bērniem](#)), 1 March 2023.

¹⁶⁴ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 13 (1) 4.

¹⁶⁵ Latvia, Latgale Regional Support Center "Rasas pērles", [About us](#), 2 January 2015.

	<p>as well as the adult accompanying the child.</p> <p>Psychological consultation and consultation of a social worker.¹⁶⁶</p>		
NGO Allaži Children and Family Support Center (NVO Allažu Bērnu un ģimenes atbalsta centrs)	Provision of social rehabilitation services for children victims of violence. ¹⁶⁷	Child victims of violence.	National budget, municipal budget, funding within the framework of various projects.
NGO “Shelter Safe House” (Biedrība “Patvērums Drošā māja”)	State funded social rehabilitation services for victims of trafficking in human beings, including children. ¹⁶⁸	Victims of trafficking (including child victims of trafficking).	National budget (the Ministry of Welfare has a procurement contract with the NGO “Shelter Safe House” for the social rehabilitation of victims of trafficking in human beings).
NGO Children’s Foundation of Latvia (<i>Nodibinājums “Latvijas Bērnu fonds”</i>)	<p>Organising social rehabilitation services for children, victims of violence:</p> <ul style="list-style-type: none"> ○ organisation of summer camps for children with special needs; ○ support for the treatment of severely ill children, 	Child victims of violence, children with special needs, children with severe illnesses.	National budget, funding within the framework of various projects.

¹⁶⁶ Latvia, NGO Family Crisis Center of Zante, The main directions of our activity ([Mūsu darbības pamatvirzieni](#)), 1 March 2023.

¹⁶⁷ Latvia, NGO Allaži Children and Family Support Center, Services ([Pakalpojumi](#)), 1 March 2023.

¹⁶⁸ Latvia, NGO Shelter “Safe House”, [About us](#), 1 March 2023.

	<p>low-income families with many children;</p> <ul style="list-style-type: none"> ○ scholarships for the families with many children, stipends for university students from families with many children and orphans, - stipends for the winners of competition "Talents for Latvia" from musical schools; ○ support of the rehabilitation and crisis centres; ○ organising Christmas and Easter charity event "Do not pass by" and free charity concert; ○ receipt and distribution of humanitarian aid.¹⁶⁹ 		
NGO "Center Dardedze" (<i>Biedrība "Centrs Dardedze"</i>)	Counselling sessions for children and families faced with abuse, as	The children who are victims of violence and children involved in criminal proceedings.	Funding within the framework of various projects, including EU projects.

¹⁶⁹ Latvia, Children's Foundation of Latvia, [About us](#), 1 March 2023.

	<p>well as provide support to every family with children.</p> <p>Develop and implement preventive programs to protect children from abuse.</p> <p>Conduct research, analyze legislation, publications, provide training and promote children's participation in decision-making.¹⁷⁰</p>		
NGO Crisis and Counselling Centre "Skalbes" (<i>biedrība, Krīžu un konsultāciju centrs "Skalbes"</i>)	Quality outpatient assistance for adults, children and families: psychologist, psychotherapist and legal consultations, in particular for crisis situations. ¹⁷¹	All groups of children.	Funding within the framework of various projects. The helpline is co-funded by the NGO "Skalbes" and the municipality of Riga.
Limited liability company "Children and Adolescent Resource Center" (<i>sabiedrība ar ierobežotu atbildību "Bērnu un pusaudžu resursu centrs"</i>)	Consultations for adolescents and their families, programme for adolescents with addictions and mental problems. ¹⁷²	Adolescents with various mental health risks and addictions.	National budget.

¹⁷⁰ Latvia, NGO "Center Dardedze", [Centre for a safe childhood](#), 1 March 2023.

¹⁷¹ Latvia, NGO Crisis and Counselling Centre "Skalbes", [About us](#), 1 March 2023.

¹⁷² Latvia, Limited liability company "Children and Adolescent Resource Center", [About the Center \(Par PRC\)](#), 1 March 2023.

NGO Children's Palliative Care Society (<i>Bērnu paliatīvās aprūpes biedrība</i>)	Comprehensive care for children with advanced chronic diseases for whom radical treatment options have been exhausted. ¹⁷³	Children with advanced chronic diseases for whom radical treatment options have been exhausted.	National funding, funding within the framework of various projects, including EU projects.
NGO "Latvian Children's Welfare Network" (<i>biedrība "Latvijas Bērnu labklājības tīkls"</i>)	Advocacy.	The association unites associations, foundations and other legal organizations and natural persons registered in Latvia, which operate in the fields of education, health, social or protection of children's interests. ¹⁷⁴	Funding within the framework of various projects, including EU projects.
NGO Fund "Plecs" (<i>Nodibinājums fonds "Plecs"</i>)	Consultations for families with various difficulties. ¹⁷⁵	Families with children, including adopted.	Funding within the framework of various projects, including EU projects.

2.1.6. Please indicate if any child participation or feedback mechanisms are part of child protection services.

Child participation or feedback mechanisms are part of child protection services, because Latvia, as a member state of the United Nations Convention on the Rights of the Child, is obliged to ensure the implementation and application of Article 12 of the Convention in all relevant procedures and mechanisms.

According to the second part of Article 20 of the Law on the Protection of Children's Rights, the child is given the opportunity to be heard in any judicial or administrative procedures related to him, either directly or through his legal representative or a relevant institution.¹⁷⁶

On the other hand, elsewhere, the legislator has provided the institution with the right to hear the child, but has not defined mandatory obligations. According to Article 65.¹ of the Law on the Protection of Children's Rights, state inspectors for the protection of children's rights have the right to negotiate and interrogate the

¹⁷³ Latvia, NGO Children's Palliative Care Society, [Aims](#), 1 March 2023.

¹⁷⁴ Latvia, NGO "Latvian Children's Welfare Network", [About us](#), 1 March 2023.

¹⁷⁵ Latvia, NGO Fund "Plecs", Services ([Pakalpojumi](#)), 1 March 2023.

¹⁷⁶ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 20.

child without the presence of other persons.¹⁷⁷ However, this norm should be read systematically in connection with the general principle of children's rights regarding the child's right to be heard.

According to the second part of Article 70 of the Law on the Protection of Children's Rights, the children themselves and other persons have the right to seek help from institutions for the protection of children's rights and other state and municipal institutions. These institutions, in every case, should take the actions provided for by the law to prevent a violation of the law, if such violation is found. Managers of child care, education, health care and other institutions where children are taken care of are obliged to determine the procedures for submitting and examining children's complaints and make them known and accessible to children. The State Inspectorate for the Protection of Children's Rights upon receiving information about violence in an educational institution, as well as when conducting inspections in child care institutions, pays attention to whether, first of all, the institution has developed a procedure for children, their legal representatives and educators to report violence, incl. anonymously, and whether there is a place for children to report abuse anonymously and how such reports are dealt with. The Inspectorate checks the completeness of the internal procedures of this institution.¹⁷⁸

According to the Regulations of the Children's Affairs Cooperation Council, it is also competent to serve as a feedback mechanism, since one of the Council's tasks is to examine and evaluate the proposals and opinions of the participating institutions, organizations and natural persons in matters related to the protection of children's rights. At the same time, the Council can create working groups and subgroups for the preparation of issues corresponding to the competence of the council, involving members of the council, representatives of non-governmental organizations and other invited experts.¹⁷⁹

The Ministry of Welfare indicates that it is necessary to continue the work in order to achieve that the competent institutions and responsible persons are more actively involved in the application of the principle "right to be heard" in the protection of children's rights. It should be noted that in those cases where the obligation to listen to the child's point of view is embedded in the legal norm, instructions, methodologies or teaching materials, the implementation of the mentioned principle is ensured in a more conscious, consistent way. On the other hand, in situations where there are no special norms or methodical, explanatory materials, stipulating that in the specific case the official is obliged to listen to the child's opinion, the practice is relatively uneven. At the same time, it should be noted that the wider incorporation of the obligation to find out the child's opinion in various regulatory provisions of the sector may not have the desired effect per se, if together with the changes in the legal framework, the education and understanding of the public and professionals about the meaning and essence of Article 12 of the United Nations Convention on the Rights of the Child is not strengthened.¹⁸⁰

¹⁷⁷ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 65.¹

¹⁷⁸ Information is received from the State Inspectorate for the Protection of Children's Rights by email.

¹⁷⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Regulations of the Children's Affairs Cooperation Council ([Bērnu lietu sadarbības padomes nolikums](#)), 10 January 2022.

¹⁸⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Answers to expert questions by Senior Expert Lauris Neikens, 14 April 2023, unpublished.

2.2. Civil society organisations active in the area of child protection. Please consider also including information on the role of religious institutions and groups active in the area of child protection.

Question	YES	NO	Comments
<p>2.2.1. Is there a registry of civil society organisations operating in the child protection area?</p> <p><u>If yes</u>, briefly provide information on the legislative-regulatory framework and the responsible authority.</p>		X	<p>There are several registers that can provide some information, but none of them exclusively lists all civil society organisations operating in the child protection area.</p> <p>The non-governmental organisations (associations and foundations) are registered in the Register of Associations and Foundations (<i>Biedrību un nodibinājumu reģistrs</i>)¹⁸¹, which includes information about the aims of the association or foundation, as well as the activity areas according to the classification established by the Cabinet of Ministers, if the inclusion of such information is envisioned by the law or if the association or foundation files for inclusion of this information. The Associations and Foundations Law determines that the classification is conducted along the lines of the areas of activity (thus, not the target groups such as children).¹⁸² The Register of Associations and Foundations is run by the Register of Enterprises.</p> <p>Private persons, state and municipal institutions, branches and structural units which provide social services according to the Law "On Social Services and Social Assistance", including for children, are registered at the state information system "Social Services Providers Register"¹⁸³ (<i>Sociālo pakalpojumu sniedzēju reģistrs</i>), administered by the Ministry of Welfare.</p>
<p>2.2.2. Is there a legal obligation for the accrediting; licensing; registering; inspecting the activity of any type of civil society organisations, e. g. NGOs, charities, church organisations, etc. in the area of child protection?</p>	X		<p>Yes, if the civil society organisation is a social service provider for children.</p> <p>If the civil society organisation wants to provide social services, it should register in the Social Services Providers Register administered by the Ministry of Welfare.</p> <p>Relevant procedures are determined by the Regulations of the Cabinet of Ministers No. 358 of 27 June 2017 "Regulations Regarding the</p>

¹⁸¹ Available: <https://www.ur.gov.lv/lv/specializeta-informacija/uznemumu-registra-vestie-registri/biedribu-un-nodibinajumu-registrs/>

¹⁸² Latvia, *Associations and Foundations Law (Biedrību un nodibinājumu likums)*, 1 April 2004, Art. 13.

¹⁸³ Available: <https://vspmis.lm.gov.lv/Public/PublicetsPakalpojums>

<p>If <u>yes</u>, which is the responsible authority? How frequent are reviews and inspections?</p>		<p>Registration of Social Service Providers Services Providers".</p> <p>Prior to taking the decision to register or re-register the service provider, the Ministry has the right to perform an inspection of the service provider at the place for the provision of the service regarding ensuring the requirements laid down in laws and regulations for the relevant social service provider.¹⁸⁴</p>
<p>2.2.3. Are there cooperation agreements/partnerships between government and the civil society at national or local level?</p> <p>If <u>yes</u>, What is the prevalence of this practice?</p> <p>Please provide <u>indicative examples</u> and information regarding the main areas covered, type of services targeted, and financial aspects of such partnerships (i.e. if done in view of accessing EU funds).</p>	<p>X</p>	<p>Since 2009 the Ministry of Welfare has signed 111 cooperation contracts with non-governmental organisations in the following fields: family policy, reduction of unemployment, labour relations, work safety, gender equality, equal opportunities for persons with disabilities, social work, social inclusion, social help, social care, social and professional rehabilitation and state social insurance and state social benefits.¹⁸⁵</p> <p>The goal of the agreements is to provide and develop mutual cooperation in the above-mentioned fields. According to the agreement provisions, the Ministry of Welfare is responsible for the evaluation of the proposals for the improvement in the cooperation field submitted by the cooperation partner, development of policy planning documents and draft legislation acts, as far as possible to involve the cooperation partners in the development of policy planning documents and draft legal acts and periodically inform about the most important issues and planned development perspectives in the fields of cooperation.</p> <p>The cooperation partners, in turn, are responsible for providing proposals for the improvement in the cooperation field, responding to the requests of the Ministry of Welfare to provide information at its disposal about the situation and topical issues in the cooperation field, responding to the requests of the Ministry of Welfare to participate in the development of policy planning documents and draft legal acts, provide opinion about the policy planning documents and draft legal acts developed by the Ministry of Welfare, as well as inform the representative society group about the</p>

¹⁸⁴ Latvia, Regulations of the Cabinet of Ministers No. 385 of 27 June 2017 "[Regulations Regarding the Registration of Social Service Providers](#)"(Ministru kabineta 2017. gada 27. jūnija noteikumi Nr. 385 "[Noteikumi par sociālo pakalpojumu sniedzēju reģistrēšanu](#)"), 12 July 2017, Art. 13.

¹⁸⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Cooperation partners ([Sadarbības partneri](#)), 11 June 2020.

		<p>most important topical issues and planned development perspectives in the cooperation fields.</p> <p>In addition, in the Law on Social Services and Social Assistance, several NGOs are indicated with delegated functions, e.g. NGO Children's Foundation of Latvia is responsible for organising the provision of social rehabilitation services.¹⁸⁶ To ensure these functions, state budget is foreseen as well.</p>
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2.3. Inter-agency cooperation in the area of child protection

Question	YES	NO	Comments
<p>2.3.1. Is there <u>coordination between national, regional, or local authorities</u> in developing and implementing policies and legislation in the area of child protection?</p> <p><u>If yes</u>, how is this done? Please comment on the strengths and weaknesses.</p> <p><u>For example</u>, is this cooperation – coordination regulated by the legislative framework? Does cooperation take place ad hoc, e.g. addressing specific issues and on specific thematic areas of interest or is it a key feature of the system?</p>	X		<p>In general, the coordination between national, regional and local authorities in developing and implementing policies and legislation is ensured by the Cross-Sectoral Coordination Centre (<i>Pārresoru koordinācijas centrs</i>) which is the leading state development planning and coordination institution under direct administration of the Prime Minister.¹⁸⁷ At the same time, Ministry of Welfare, while developing and implementing the policies and legislation on the area of child protection, ensures cooperation with other authorities and social partners by sending the draft of the policy documents or legislation for receiving opinions. The procedure for involvement of other public institutions and social partners is described in the Rules of Procedures of the Cabinet of Ministers.¹⁸⁸</p> <p>The main strength of this system is that any public authority, legal or natural person can provide their opinion of the developed policies or legislation. However, it takes a longer time (at least 3 months) to ensure harmonisation of the documents under the discussion. In addition, the social partners may not be informed about the policy document or legislation that is in the preparation stage. In general, various models or cooperations are being developed under the Cross-Sectoral Coordination Centre and the State Chancellery to ensure effective participatory process in decision making.</p>

¹⁸⁶ Latvia, [Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), 1 January 2003, Art. 13 (2¹).

¹⁸⁷ Latvia, Cross-Sectoral Coordination Centre, [Who we are](#), 1 March 2023.

¹⁸⁸ Latvia, Regulations of the Cabinet of Ministers No. 606 of 7 September 2021 "[Rules of Procedures of the Cabinet of Ministers](#)" (*Ministru kabineta 2021.gada 7.septembra noteikumi Nr. 606 "Ministru kabineta kārtības rullis"*), 9 September 2021.

<p>2.3.2. Is there inter-agency <u>cooperation between the relevant actors</u> having responsibility in the area of child protection (including civil society organisations)?</p> <p>If <u>yes</u>, please mention <u>how this is done</u> (for examples are there standing inter-agency committees or meetings, are digital tools used?). Which actor has a leading role?</p>	X	<p>The Law on the Protection of the Children's Rights determines that the protection of the rights of the child is realised in collaboration with the family, the State and municipal institutions, public organisations and other natural and legal persons.¹⁸⁹</p> <p>More specifically, the Law on Orphan's and Custody Courts prescribes the duty of the orphan's and custody courts to co-operate with other orphan's and custody courts, long-term social care and social rehabilitation institutions and health care institutions, social service offices and police in order to ensure the protection of rights and interests of a child, to inform a social service office of the municipality or other responsible institutions regarding the families, in which the development and upbringing of a child is not ensured sufficiently and which need assistance. The law includes an explicit duty of orphan's and custody courts to notify police on suspected cases of violence.¹⁹⁰ The effectiveness of this cooperation much depends on the municipality and competences of employees involved.</p> <p>Cooperation among various authorities is ensured via the Children's Affairs Cooperation Council that consists of representatives from the Ministry of Welfare, Ministry of Education and Science, Ministry of Interior, Ministry of Culture, Ministry of Environmental Protection and Regional Development, Ministry of Health, Ministry of Justice, State Inspectorate for the Protection of Children's Rights, Cross-Sectoral Coordination Centre of the Republic of Latvia, cooperation platform "Center for Demographic Affairs", Latvian Association of Municipalities, the NGO "Children's Welfare Network".¹⁹¹ The mandate of the Council is to ensure the policy coordination in the protection of children rights. The main strength of the Council is that all main institutions involved in the protection of the children rights are involved, public meetings are organised and the minutes of the meetings are publicly available. However, the meetings are held only 1-3 times per year. In addition, effective monitoring mechanism is not implemented to ensure the effectiveness of the Council.</p> <p>Another cooperation format is cooperation group - consultative collegial institution established by each municipality. Members of this institution include representatives of municipal police or State Police, municipal social service, municipal education board or</p>
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¹⁸⁹ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 6 (3).

¹⁹⁰ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 17 (4).

¹⁹¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Children's Affairs Cooperation Council ([Bērnu lietu sadarbības padome](#)), 5 October 2022.

		<p>education specialist, orphan’s and custody courts and other institutions. The cooperation group:</p> <ul style="list-style-type: none"> ○ Examines individual cases related to possible violations of children's rights, if quick action and cooperation of several institutions is required, as well as if the situation cannot be resolved within the framework of one institution or has not been resolved in a long period of time. ○ Analyses the situation in the field of protection of children's rights and provides proposals to the municipality for the development of the children's rights protection programme of the county or city of the republic, including the necessary measures for improving the cooperation system of institutions and coordinated and coordinated cooperation of institutions. ○ Submits proposals to the Ministry of Welfare for improvement of regulatory acts and improvement of cooperation in the field of protection of children's rights. The Ministry of Welfare forwards the mentioned proposals to the Children's Affairs Cooperation Council for consideration. ○ Informs the public about current issues of protection of children's rights.¹⁹² <p>To ensure the effectiveness of this cooperation form, the research on the inter-institutional cooperation for the protection of children's rights in municipalities was conducted in 2019. It was concluded that municipalities do not have enough resources to implement successful cooperation. In addition to that, the new administrative territorial reform that officially came in force in 2021, created additional issues in implementing various models of cooperation.¹⁹³</p>
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2.3.3. What are the main challenges regarding effective cooperation and coordination? *(For example, lack of clarity regarding responsibilities and roles of actors, overlaps of responsibilities, and communication between organisations is not adequately structured and resourced)?*

In the ex-post evaluation of the National Family Policy Guidelines 2011-2017 it was concluded that the family support policy is cross-sectoral and horizontal, which is closely related both to the successful

¹⁹² Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 “Regulations on the cooperation of institutions in the protection of children's rights” (*Ministru kabineta 2017.gada 12.septembra noteikumi Nr.545 “Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā”*), 15 September 2017, Art. 8.

¹⁹³ State Inspectorate for the Protection of Children's Rights (2019) Research “Inter-institutional cooperation in the protection of children's rights” (*Pētījums “Starpinstitūciju sadarbība bērnu tiesību aizsardzībā”*), p. 94.

development of other policy areas and to the overall economic situation in the country. A significant obstacle to the full implementation of family policy is the gaps in inter-institutional cooperation.¹⁹⁴

The wide range of responsible institutions (orphan's and custody courts, municipal social services, municipalities, out-of-family care service providers, sector ministries, youth workers, educational, cultural and medical institutions, state and municipal police, courts, bailiffs, SPD, social correctional institutions, prisons, non-governmental organizations), their different approaches to solving problems, as well as the different level of understanding of the specialists involved make the development of effective inter-institutional cooperation algorithms for solving complex children's welfare issues an essential task.¹⁹⁵

In Latvia, work with families with children has so far been primarily focused on preventing the consequences of unfavourable conditions for the child's development, rather than early recognition of these conditions and the problems they cause, providing a timely solution and early intervention. Until now, the principle of universal prevention and early intervention has not been prioritized according to its strategic importance in ensuring the process of positive development of children throughout the child's development path.¹⁹⁶

Question	YES	NO	Comments
2.3.4. Are child protection authorities engaging in <u>transnational cooperation</u> in the area of child protection, for example with regards to missing children, parental abduction, or migrant children?	X		<p>The Ministry of Justice implements international cooperation in the field of protection of the rights of the child, including cases of abduction. On 14 December 2017, the Ministry of Justice has signed inter-institutional cooperation agreement with the Ministry of Foreign Affairs, the State Inspectorate for the Protection of Children's Rights, the Office of the Ombudsman of the Republic of Latvia and Society "Association of Latvian Orphan's and Custody Court Employees" on the protection of children's rights of Latvian nationals abroad.¹⁹⁷</p> <p>The Ministry of Welfare implements international cooperation within the framework of 29 September 1993 Hague Convention. The Ministry of Welfare is the central body in Latvia for the implementation of the Convention.¹⁹⁸</p>

If yes, please briefly comment and include information on transnational agreements-protocols of cooperation as well as on the interaction between child protection authorities and other actors involved in transnational cooperation processes, for example law enforcement and judicial authorities, migration authorities, social services, Central Authorities under Brussels IIbis Regulation/Hague Convention, consular

¹⁹⁴ SIA "SAFEGE Baltija" (2018) Research "Ex-post evaluation of family state policy guidelines 2011-2017" ([Gimenes valsts politikas pamatnostādņu 2011.-2017.gada ex-post novērtējums](#)), p. 243.

¹⁹⁵ SIA "SAFEGE Baltija" (2018) Research "Ex-post evaluation of family state policy guidelines 2011-2017" ([Gimenes valsts politikas pamatnostādņu 2011.-2017.gada ex-post novērtējums](#)), p. 243.

¹⁹⁶ Skubiņa, I. (2022) Research "Creation of an early preventive support system, prevention and early intervention service basket in Latvia" ([Pētījums "Agrīnā preventīvā atbalsta sistēmas, profilakses un agrīnās intervences pakalpojumu groza izveidei Latvijā"](#)). Rīga, PKC., p. 189.

¹⁹⁷ Latvia, Ministry of Justice of the Republic of Latvia (*Latvijas Republikas Tieslietu ministrija*) (2023), Information on the protection of children's rights abroad ([Informācija par bērnu tiesību aizsardzību ārvalstīs](#)), 18 February 2023.

¹⁹⁸ Latvia, Law "On the Hague Convention on the Protection of Children and Cooperation in Matters of Intercountry Adoption" ([Likums "Par Hāgas konvenciju par bērnu aizsardzību un sadarbību starpvalstu adopcijas jautājumos"](#)), 9 November 2001, Art. 2.

or diplomatic authorities. Are there any challenges relating to transnational cooperation? Are the challenges different for cross-border cases among EU countries or with third countries?

Please provide information on main relevant agreements – cooperation schemes in two of the following areas: missing children, parental abduction, inter-country adoption, migrant children (family tracing-family reunification –return-relocation).

The Ministry of Justice implements international cooperation regarding child abduction cases within the framework of 1980 Hague Convention, and, in relation to the EU member states, also the Brussels II bis Regulation. The Ministry of Justice has not entered into international agreements about cooperation or cooperation programmes with other states.¹⁹⁹

In order to coordinate activities related to the protection of children of Latvian nationals abroad, a working group with the following composition has been created: Minister of Justice (head of the working group), Minister of Foreign Affairs, Minister of Welfare, Ombudsman, Head of the State Inspectorate for the Protection of Children's Rights.²⁰⁰

2.4. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection governance, coordination structures, and services in the past 8 years, incl. achievements and (persisting) gaps and challenges

In comparison with the previous research period (2014), the Ministry of Welfare has significantly improved coordination of cross-sectoral issues among national authorities as well as by engagement of social partners. In 2015, the Ministry of Welfare has created a working group to coordinate activities related to protection of children of nationals abroad. In addition, in 2017, the Ministry of Welfare coordinated the establishment of the Children's Affairs Cooperation Council where other ministries and social partners are represented.²⁰¹

Over the last years, the Ministry of Welfare was actively working on creating and strengthening an intersectoral early preventive support system for strengthening the development potential of children and youth. This approach envisages improving the institutional mechanism of the state administration for the systemic coordination of horizontal cross-sectoral issues of providing development support for children and youth. Also, this approach is defined as one of the main principles in the Basic principles on the policy development of children, youth and family for the years 2022-2027.²⁰²

As it was outlined in the previous research period, it is necessary to implement various inter-institutional cooperation models to tackle the issue of complex approach towards the needs of children and their

¹⁹⁹ Latvia, Ministry of Justice of the Republic of Latvia (*Latvijas Republikas Tieslietu ministrija*) (2022), Illegal removal/detention of children ([Bērnu prettiesiskā aizvešana/aizturēšana](#)), 14 June 2022.

²⁰⁰ Latvia, Order of the Prime Minister of the Republic of Latvia No. 380 “On the working group for the protection of children of Latvian nationals abroad” (Latvijas Republikas Ministru Prezidenta rīkojums Nr. 380 “[Par darba grupu Latvijas Republikas valstspiederīgo bērnu aizsardzībai ārvalstīs](#)”), 22 September 2015, Section 1.

²⁰¹ Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 “Regulations on the Cooperation of Institutions in the Protection of Children's Rights” (*Ministru kabineta 2017.gada 12.septembra noteikumi Nr.545 “[Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā](#)”*), 15 September 2017, Art. 3, 4.

²⁰² Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027.gadam](#)), Riga, 21 December 2022, p. 8.

parents in the early childhood. The Ministry of Welfare has considered this challenge and as one of the priorities has defined strengthening of early childhood policy by learning the developmental needs of early-age children and creating inter-institutional services in accordance with the complex needs of children and their parents in early childhood.²⁰³

In the context of existing challenges and gaps, it is necessary to work on a multi-level inter-institutional cooperation model throughout the country in order to implement a targeted policy for the prevention of violations of children's rights in the country as a whole, ensure effective exchange of information between specialists of different levels of the industry, ensure a long-term policy for the protection of children's rights based on common understanding.²⁰⁴

2.5. Promising practices

Please list and briefly describe any promising practice in governance, coordination structures, and services that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

As examples of good practice, the Ministry of Welfare has mentioned some new initiatives that are created following interdisciplinary and inter-institutional cooperation approaches in order to ensure the implementation of the principle of respecting the best interests of the child should be mentioned:

1) improvement of the support system for children victims of violence (inter-institutional cooperation program "Children's House" ; improvement of social rehabilitation services for children victims of illegal activities);

2) early introduction of preventive support for children (0-6 years old), looking at the child's needs and interests from a holistic point of view, promoting positive cooperation between family, medical and educational specialists in planning services tailored to the child's individual needs;

3) improvement of the support system for children left without parental care, including promoting the planning of sustainable support solutions for children who start an independent life upon reaching adulthood after leaving out-of-home care;

4) reforming the system of work with children who have committed offenses, ensuring that the child and family have access to the necessary support and services.²⁰⁵

As a separate promising practice could be mentioned Children's Affairs Cooperation Council that includes the possibility to create various working groups. In 2022, the Council decided to create 9 working groups to work on specific issues as well as to develop amendments to the Law on the Protection of the Children's Rights ("Improving state-paid services for children with autistic spectrum disorders", "Inter-institutional cooperation", "Monitoring data on violence against children", "Improving support for children who have anti-social behaviour", "Improving the alternative care system for children", "Health education of children and adolescents", "Improving the work of orphan's and custody courts", "Improving the quality of the educational environment", "European Guarantee for children").

²⁰³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnū, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027.gadam](#)), Riga, 21 December 2022, p. 9.

²⁰⁴ State Inspectorate for the Protection of Children's Rights (2019) Research "Inter-institutional cooperation in the protection of children's rights" ([Pētījums "Starpinstitūciju sadarbība bērnu tiesību aizsardzībā"](#)), p. 76.

²⁰⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Answers to expert questions by Senior Expert Lauris Neikens, 14 April 2023, unpublished.

The progress of these working groups is presented during the regular Council meetings.²⁰⁶ This is considered as a promising practice since the working groups serve as platforms where responsible employees from various institutions can discuss particular issues and find solution to address them.

²⁰⁶ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Children's Affairs Cooperation Council (*Bēnu lietu sadabības padome*), 5 October 2022.

3. Capacities (human and financial resources)

3.1. Information on budget allocation and funding

Question	YES	NO	Comments
3.1.1. Is budget allocation on child protection incorporated into legislative and policy instruments?	X		<p>As regards the legislative instruments, in the Law on the Protection of the Children's Rights, it is indicated that particular functions regarding child protection are covered by the State or municipal budget, e.g., the State Inspectorate for Protection of Children's Rights ensures the training sessions for various specialists listed in the law on the funds allocated to the state budget for the current year.²⁰⁷</p> <p>In turn, for the implementation of the main policy document (Basic principles on the policy development of children, youth and family for the years 2022-2027), where also the activities related to child protection are incorporated, the indicative funding (state funding, municipal funding, EU funds) is allocated in the amount of approximately € 260 million.²⁰⁸</p>
3.1.2. Is the budget allocated to child protection (alternatively on children's rights or on social welfare) clearly specified in the annual national budget? Please refer to the specific budget item allocated to this in 2022?	X		<p>The budget for child protection is allocated as part of the annual budget of the Ministry of Welfare. For example, for 2022, the budget items are as follows:</p> <ul style="list-style-type: none"> ○ state programme for improving the condition of children and families and state support for out-of-family care: € 4 161 930; ○ provision of the State Inspectorate for the Protection of Children's Rights, activities of the children's helpline provision, protection of children's rights and monitoring of compliance with normative acts of the orphans' and

²⁰⁷ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 5¹.

²⁰⁸ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Child, youth and family development guidelines for the following years have been adopted ([Pienemtas bērnu, jaunatnes un ģimenes attīstības pamatnostādnes turpmākajiem gadiem](#)), 20 December 2022.

			custody courts and the provision of control measures: € 1 216 218. ²⁰⁹
<p>3.1.3. What percentage of the total state budget was allocated to child protection in the last five years? If data is not available, please provide information on the budget allocated to social protection/social welfare in general.</p>			
<p>1) In 2018, € 3 690 801 were allocated for child protection or 0.0043 (0.43 %) of the total national budget € 8 954 188 268.²¹⁰</p> <p>2) In 2019, € 3 008 637 were allocated for child protection or 0.0032 (0.32 %) of the total national budget € 9 391 492 946.²¹¹</p> <p>3) In 2020, € 4 126 886 were allocated for child protection or 0.0041 (0.41 %) of the total national budget € 10 014 842 838.²¹²</p> <p>4) In 2021, € 4 118 106 were allocated for child protection or 0.0038 (0.38 %) of the total national budget € 10 764 811 284.²¹³</p> <p>5) In 2022, € 5 378 148 were allocated for child protection or 0.0043 (0.43 %) of the total national budget € 12 439 076 224.²¹⁴</p>			
Question	YES	NO	Comments
<p>3.1.4. Is the existing budget and funding of child protection services/institutions considered sufficient <u>and</u> sustainable (as compared to only project based for a limited period of time)?</p> <p><i>(Please consider available studies, reports at national level conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic</i></p>		X	<p>In 2020, the State Audit Office conducted a revision ""Problem children" – a mirror of adults' incompetence" (institutions included in the audit scope: Ministry of Welfare, Ministry of Justice, Ministry of Education and Science). Within the revision, it was concluded that many municipalities do <u>not</u> use the opportunities of various projects to attract the missing specialists in providing support to children or to finance their insufficient workload with project funds. Also, in the opinion of the auditors, the resources that are currently used for the work of municipality administrative commissions, examining violations committed by children, could be redirected to providing targeted</p>

²⁰⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Breakdown of 2021/2022 state budget expenditures by measures (euro) ([Valsts pamatbudžeta 2021.gada/2022.gada izdevumu sadalījums pa pasākumiem \(euro\)](#)), 1 March 2023.

²¹⁰ Latvia, Law "On the State Budget for 2018" ([Likums "Par valsts budžetu 2018.gadam"](#)), 1 January 2018.

²¹¹ Latvia, Law "On the State Budget for 2019" ([Likums "Par valsts budžetu 2019.gadam"](#)), 13 April 2019.

²¹² Latvia, Law "On the State Budget for 2020" ([Likums "Par valsts budžetu 2020.gadam"](#)), 1 January 2020.

²¹³ Latvia, Law "On the State Budget for 2021" ([Likums "Par valsts budžetu 2021.gadam"](#)), 1 January 2021.

²¹⁴ Latvia, Law "On the State Budget for 2022" ([Likums "Par valsts budžetu 2022.gadam"](#)), 1 January 2022.

<p>community, and other sources such as the concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</p>			<p>support to children (like targeted social rehabilitation programmes).²¹⁵</p> <p>In addition, the Ombudsman in his letter to all municipalities and orphan's and custody courts, sent on 30 June 2022, reacting to the complaints that the orphan's and custody courts consider the administrative cases under their competence for too long, even delaying the delivery deadline of various documents, stressed that it is crucially important to fulfil the duties of these courts and invited the heads of the orphan's and custody courts to contact the municipalities with a request to provide resources (including human resources) for the full-fledged work of the court.²¹⁶</p>
<p>3.1.5. Do EU funds play a substantial role in the funding of the national child protection system and/or related policies?</p> <p>Please provide information on the child protection areas and related services incl. providers that use EU funds (including what type of funds for which period of time).</p>	<p>X</p>		<p>Within the research period, several long-term projects have been implemented (or are in the implementation phase):</p> <ul style="list-style-type: none"> ○ ESF project "Improving professional qualifications in matters of children's rights protection and strengthening the responsibility of children's legal representatives" (project partnership: the State Inspectorate for the Protection of Children's Rights, the Ministry of Welfare, the State Administration School, 2022-2029, € 3 045 000);²¹⁷ ○ ESF project "Improvement of the support system for children with communication difficulties, behavioral disorders and family violence" (implemented by the State Inspectorate for the Protection of Children's Rights, 2016-2023, € 3 757 399);²¹⁸

²¹⁵ Latvia, State Control (2020) Summary of revision ""Problem children" – a mirror of adults' incompetence" (*Revīzijas ""Problēmbērni" – pieaugušo neizdarību spoqulis" kopsavilkums*), 20 September 2022.

²¹⁶ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter to all municipalities and Orphan's and Custody Courts (*Vēstule visām pašvaldībām un bārintiesām*), 30 June 2022.

²¹⁷ Latvia, State Inspectorate for the Protection of Children's Rights (2022) Improving professional qualifications in matters of children's rights protection and strengthening the responsibility of children's legal representatives (*Profesionālās kvalifikācijas pilnveide bērnu tiesību aizsardzības jautājumos un bērnu likumisko pārstāvju atbildības stiprināšana*), 29 December 2022.

²¹⁸ Latvia, State Inspectorate for the Protection of Children's Rights (2022) Improvement of the support system for children with communication difficulties, behavioral disorders and family violence (*Atbalsta sistēmas pilnveide bērniem ar saskarsmes grūtībām, uzvedības traucējumiem un vardarbību ģimenē*) 12 December 2022.

			<ul style="list-style-type: none"> EEZ project "Support for the implementation of Barnahus in Latvia" (project partnership: the State Inspectorate for the Protection of Children's Rights, the Ministry of Welfare, 2021-2024, € 2 070 000).²¹⁹
<p>3.1.6. Is corporate social responsibility developed at national level in relation to child protection services?</p> <p><u>If yes</u>, please provide information on major child protection national programmes and actions that are primarily funded by the private sector or by public-private schemes/synergies.</p>	X		<p>There is no national-level corporate social responsibility system developed in relation to child protection services. However, the private sector regularly donates funds to organisations implementing child protection measures, such as NGO Children's Palliative Care Society (<i>Bērnu paliatīvās aprūpes biedrība</i>)²²⁰ and NGO Latvian Association for SOS Children Villages (<i>NVO "Latvijas SOS Bērnu ciematu asociācija"</i>)²²¹.</p>
<p>3.1.7. Has the involvement of the private sector in child protection recently significantly increased? Are there projects or programmes receiving governmental funding which outsource protection services for children? Please include civil society organisations and private companies contracted by government/local authorities to provide services.</p> <p><u>If yes</u>, please explain the changes and the reasons hereof. Please provide information on the legal provisions regulating this and on the main services / groups of children that are</p>	X		<p>In general, over the last years, there is an increasing tendency of donations, including in the area of child protection. Experts claim that the main reasons to donate more are Russian invasion of Ukraine, and the fact that during the economic crisis citizens donate more to charity. At the time of submission of this report, mostly, citizens donate to Ukrainian refugees' children in Latvia.²²²</p> <p>The largest charity organisation and platform in Latvia "ziedot.lv" has organised following projects towards protection of the children:</p> <ul style="list-style-type: none"> support for Ukrainian refugee children in Latvia; support for children with mobility impairments;

²¹⁹ Latvia, State Inspectorate for the Protection of Children's Rights (2022) Support for the implementation of Barnahus in Latvia ([Atbalsts Barnahus ieviešanai Latvijā](#)), 9 December 2022.

²²⁰ Latvia, NGO Children's Palliative Care Society (2023) [Donate online](#), 1 March 2023.

²²¹ Latvia, NGO Latvian Association for SOS Children Villages (2023) [Donation](#), 1 March 2023.

²²² Latvia, Latvian Public Media (2022) Residents donate smaller amounts to charity this year, the number of donors has increased ([Iedzīvotāji šogad labdarībai ziedo mazākas summas, ziedotāju skaits ir palielinājies](#)), 23 December 2022.

<p>covered. Provide information based on indicative examples.</p>		<ul style="list-style-type: none"> ○ free massage course for seriously ill children; ○ early rehabilitation for babies; ○ practical help for families with children with special needs; ○ helping children with autism; ○ help for children and young people with mobility impairments; ○ treatment and rehabilitation of seriously ill children; ○ rehabilitation with Rysen 3D for Latvian children; ○ assistance to families in emergency situations; ○ support for talented children and teenagers; ○ support in critical situations and solving domestic problems.²²³ <p>By donating property or financial resources to the SOS Children's Villages Association, legal entities have the opportunity to receive an income tax discount. The same principle also refers to natural persons.²²⁴</p> <p>According to the Law on Social Services and Social Assistance, several NGOs and private companies are contracted by the government: NGO Crisis Centre for Children and Families "Paspārne" (NVO <i>Krīzes centrs ģimenēm ar bērniem "Paspārne"</i>), NGO Latgale Regional Support Center "Rasas pērles" (NVO <i>Latgales reģionālais atbalsta centrs "Rasas pērles"</i>), NGO Family Crisis Center of Zante (<i>Nodibinājums "Zantes ģimenes krīzes centrs"</i>), NGO Allaži Children and Family Support Center (NVO <i>Allažu Bērnu un ģimenes atbalsta centrs</i>), NGO "Shelter Safe House" (<i>Biedrība "Patvērums Drošā māja"</i>), NGO Children's Foundation of Latvia (<i>Nodibinājums "Latvijas Bērnu fonds"</i>),</p>
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²²³ Latvia, Ziedot.lv (2023) [Implemented projects](#), 1 March 2023.

²²⁴ Latvia, [Enterprise Income Tax Law \(Uznēmumu ienākuma nodokļa likums\)](#), 10 October 2018, Art.12.

			NGO Children's Palliative Care Society (<i>Bērnu paliatīvās aprūpes biedrība</i>), Limited liability company "Children and Adolescent Resource Center" (<i>sabiedrība ar ierobežotu atbildību "Bērnu un pusaudžu resursu centrs"</i>). ²²⁵
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3.2. Information on human resources, qualification requirements, and training

Question	YES	NO	Comments
<p>3.2.1. Are the allocated human resources in the area of child protection at all levels sufficient? (services, institutions etc.)?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		X	<p>The lack of human and financial resources in the child protection area has been emphasized by international observers, like OECD.²²⁶</p> <p>In 2022, the State Inspectorate for the Protection of Children's Rights admitted that many orphan's and custody courts are in a serious crisis of human resources, which has arisen due to insufficient and uncompetitive remuneration, as well as the high volume of work. The State Inspectorate for the Protection of Children's Rights called on municipalities to carefully evaluate the number of employees needed to ensure the operation of each specific orphan's and custody court, taking into account the actual situation of the municipality. Although even before the administrative territorial reform, the Inspectorate called on municipalities to carefully analyse the situation and allocate the funds necessary for the effective operation of orphan's and custody courts, it has not been done everywhere. As a result, a crisis situation has arisen in several municipalities – it is admitted that the employees of the orphan's and custody courts are overworked, cannot perform the duties stipulated in the regulatory acts with high quality, and there is also employee burnout.²²⁷</p> <p>Describing activities within the EU planning period 2021-2027, the Ministry of Welfare indicates that improvement of the children's rights protection system, including functional</p>

²²⁵ Latvia, [Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), 1 January 2003, Art. 13, 13¹.

²²⁶ OECD, [Towards a Child-friendly Justice System in Latvia](#). Report, 13 April 2023.

²²⁷ Latvia, LV Portal, Some orphan's and custody courts do not have the resources for effective work ([*Dalai bāriņtiesu nav resursu efektīvam darbam*](#)), 22 November 2022.

		<p>supervision of orphan's and custody courts, certification administration, methodical management and monitoring, will be ensured within the existing financial and human resources of the State Inspectorate for the Protection of Children's Rights, implementing the planned activities gradually, starting from 2020 and continuing to make changes until 2024. In order to ensure the change and improvement of the State Inspectorate for the Protection of Children's Rights direction of activity, active work will be carried out on the revaluation of the existing functions of the institution, change of operating methods, restructuring of financial and human resources, so that the planned change of the direction of the institution's activity can be fully and qualitatively implemented within the existing resources of the institution.²²⁸</p> <p>At the same time, the Ministry of Welfare indicates the main activities to increase the capacity of human resources within the EU planning period 2021-2027 are as follows:</p> <p>1st stage (2020-2021):</p> <ul style="list-style-type: none"> ○ audit of functions of orphan's and custody courts and social services (change of jurisdiction of functions); ○ reducing the number of orphan's and custody courts accordingly; ○ reorganization of the State Inspectorate for the Protection of Children's Rights to ensure the capacity building; ○ attracting EU financial resources for providing training. <p>2nd stage (2021-2022):</p> <ul style="list-style-type: none"> ○ development of education programmes for child rights protection specialists within ESF projects. <p>3rd stage (2022-2024):</p>
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²²⁸ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Informative system report "On improving the protection of children's rights" (*Informatīvais ziņojums "Par bērnu tiesību aizsardzības sistēmas pilnveidi"*), 18 June 2020, p. 34.

			<ul style="list-style-type: none"> ○ development of the certification model of orphan's and custody courts; ○ capacity building of social workers; ○ development of education programmes for child rights protection specialists within ESF projects; ○ implementation of the certification model pilot project.²²⁹
<p>3.2.2. Are the allocated human resources competent in the area of child protection and appropriately trained?</p> <p><i>(Please consider available studies, reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.)</i></p>		<p>X</p>	<p>The competence of human resources involved in the field of child protection has been highlighted in several evaluations of the field recently carried out by the Office of the Ombudsman and the State Audit Office, for example, in the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family".²³⁰</p> <p>In a research about the service provision for children in out-of-family care, it was concluded that the specialists of the involved institutions should be provided with further education possibilities in the field of pedagogy. The employees of the orphan's and custody courts, however, should be trained in the field of improvement of communication with child who is in an out-of-family care facility.²³¹</p> <p>The necessity to increase the competence of human resources is also stipulated in the policy documents. Within the Basic principles on the policy development of children, youth and family for the years 2022-2027, policy outcome No 1.4 is defined as follows: "Increased awareness of specialists and the public in the field of child and youth welfare and rights protection". Under this policy outcome, several</p>

²²⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Informative system report "On improving the protection of children's rights" (*Informatīvais ziņojums "Par bērnu tiesību aizsardzības sistēmas pilnveidi"*), 18 June 2020, p. 34.

²³⁰ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*) (2019), Results of the audit "Deprived childhood: Every child has the right to grow up in a family" (*Audits "Atnemtā bērnība: Ikvienam bērnam ir tiesības uzaukt ģimenē"*), 17 April 2019.

²³¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2018), Study of the University of Latvia "Development of services based on the child's needs to provide support for children in out-of-family care" (*LU pētījums "Bērna vajadzībās pamatotu pakalpojumu izstrāde ārpusģimenes aprūpē esošu bērnu atbalsta nodrošināšanai"*), 10 December 2018, p. 44.

		<p>indicators are defined with target values for 2027:</p> <ul style="list-style-type: none"> ○ proportion of specialists who have improved their knowledge, skills, and competencies in identifying and ensuring the developmental needs of children and young people (no base value; 2027 – increased); ○ the number of specialists who have improved knowledge, skills, and competencies in identifying children's developmental needs and providing early intervention services (base value 2021 – 250; 2027 – increased); ○ the number of specialists who have acquired knowledge in matters of protection of children's rights (base value 2019 – 1240; 2027 – 1500); ○ number of certified employees of the orphan's and custody courts (2027 – 900).²³² <p>In addition, the Ombudsman in his letter to the Ministry of Welfare on 17 February 2023, stressed that regular complaints are received about violations of ethical principles committed by the employees of the orphan's and custody courts, the lack of information about the mechanism for protecting rights in the event of such violations, and the unavailability of the code of ethics developed by the Association of Latvian Orphan's and Custody Court Employees and it indicates the non-observance of the principle of good governance.²³³</p> <p>In accordance with the information provided by the Ministry of Welfare, active work is being done on the reorganization or improvement of the existing system for the protection of children's rights at the national and local government levels. In 2021, large-scale</p>
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²³² Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (*Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027.gadam*), Riga, 21 December 2022, p. 18-19.

²³³ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter to the Ministry of Welfare on the Code of Ethics for Orphan's and Custody Court Employees (*Vēstule Labklājības ministrijai par bārintiesu darbinieku ētikas kodeksu*), 30 June 2022.

		<p>amendments to the Law on Orphans' and Custody Courts have been approved, including those aimed at improving the quality of decisions made by orphans' and custody courts, the creation of an education and qualification system for employees in child care institutions, and the functional supervision of child care institutions by the State Inspectorate for the Protection of Children's Rights. On the other hand, within the framework of institutional supervision, the State Inspectorate for the Protection of Children's Rights has been given the right to organize the establishment of a qualification commission, the purpose of which is to evaluate the professional activities of the chairpersons, the deputy chairpersons and other members of orphan's and custody courts, promoting their professional development and improving the quality of the work of orphan's and custody courts in general.²³⁴</p>
<p>3.2.3. Is there a <u>compulsory certification or licencing</u> process for social workers and other professionals who work for child protection?</p> <p><u>If yes</u>, briefly describe the process.</p>	<p>X</p>	<p>There is <u>no</u> certification of social workers in Latvia (the norm requiring the certification was excluded from the Law on the Protection of the Children's Rights in 2004).</p> <p>In the planning period 2021-2027, it was planned to attract additional EU funds for the development of certification model for the employees of the orphan's and custody courts. Provisionally, the validity period of the orphan's and custody court employee certificate could be 5 years, which would be administered by the State Inspectorate for the Protection of Children's Rights.²³⁵ It is planned, that by 2027, 900 employees of the orphan courts will be certified.²³⁶</p> <p>Later it was decided to introduce assessment of the 68 performance of the employees of the orphan's and custody courts [one of the possible options that is currently being considered in collaboration with the State Chancellery is the introduction of NEVIS - the Electronic Assessment Form Information System (in Latvian - <i>Novērtēšanas elektroniskās veidlapas</i></p>

²³⁴ Latvia, Ministry of Welfare of the Republic of Latvia (Latvijas Republikas Labklājības ministrija), Answers to expert questions by Senior Expert Lauris Neikens, 14 April 2023, unpublished.

		<p><i>informācijas sistēma</i>) currently used by the Latvian civil service].</p> <p>Private persons, state and local government institutions, branches and structural units which provide social services according to the Law On Social Services and Social Assistance, including for children, must be registered at the state information system "Social Services Providers Register" (<i>Sociālo pakalpojumu sniedzēju reģistrs</i>), administered by the Ministry of Welfare.</p>
<p>3.2.4. Are there any <u>selection criteria</u> (for example qualification requirements) and <u>vetting procedures</u> for volunteers working with children in various areas?</p> <p><u>If yes</u>, please describe briefly.</p>	<p>X</p>	<p>Volunteer work is being regulated by the Volunteer Service Law (in force from 1 January 2016). This law does <u>not</u> regulate specific cases regarding working with children. At the same time, Article 4 (5) indicates that special criteria for the selection of volunteers, up to age, conditions of engagement and training, <u>related to the specifics of the volunteer work</u> to be performed, may be provided for in other laws.²³⁷</p> <p>Article 72 (5) of the Law on the Protection of the Children's Rights stipulates that in child care, education, health care and other such institutions where children stay, in children's events and in such events in which children participate, persons may <u>not perform</u> voluntary work:</p> <ul style="list-style-type: none"> ○ who have been punished for criminal offenses related to violence or the threat of violence, - regardless of the expungement or removal of the criminal record - except for the case where, after the expungement or removal of the criminal record, the State Inspectorate for the Protection of Children's Rights has assessed whether it does not harm the interests of children, and has given permission to these persons (with the exception of pedagogues who are evaluated in accordance with the provisions of the Education Law) to work, perform voluntary work, as well as, in accordance with the concluded agreement, provide services in child care, education, health care and other

²³⁷ Latvia, [Volunteer Service Law](#) (*Brīvprātīgā darba likums*), 1 January 2016, Art. 4 (5).

		<p>such institutions where children stay, at children's events and such events in which they participate children;</p> <ul style="list-style-type: none"> ○ who have been punished for criminal offences against morality and sexual integrity - regardless of the expungement or removal of the criminal record; ○ to whom the court has applied coercive measures of a medical nature specified in the Criminal Law; ○ who have been fined for an administrative violation for physical and emotional violence against a child if three years have not passed since the day when the decision made by a competent institution or a court judgment entered into force and became non-appealable.²³⁸ <p>As regards the educational institutions and employment of teachers, to ensure that persons comply with the listed requirements, the head of the educational institution before establishing legal relations with a person, requests a statement from the Criminal Register maintained by the Information Center of the Ministry of the Interior, if there is an indication in the State Education Information System that the Criminal Register contains information about the relevant person.²³⁹</p>
<p>3.2.5. Is there <u>regular training</u> on issues related to the identification, referral, and intervention for children delivered to specialists involved in this area?</p> <p><u>If yes</u>, please include information on the training of law enforcement</p>	<p>X</p>	<p>Article 5¹ of the Law on the Protection of Children's Rights indicates the subjects who need special knowledge in the field of protection of children's rights:</p> <ul style="list-style-type: none"> ○ for the manager of out-of-home care institutions, social worker and social rehabilitator; ○ to the chairperson of orphan's and custody court, deputy chairperson of

²³⁸ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 72 (5).

²³⁹ Latvia, Regulations of the Cabinet of Ministers No. 414 of 3 September 2019 "The Procedure for Evaluating a Person's Suitability for the Position of a Teacher" ([Ministru Kabineta 2019. gada 3. septembra noteikumi Nr. 414 "Kārtība, kādā tiek izvērtēta personas atbilstība pedagoģa amatam"](#)), 7 September 2019, Art. 2.

<p>officials (judges, persecutors, police), health and education personnel (doctors, nurses, teachers, school counsellors).</p> <p>Please provide information on the mandatory nature of training, its frequency, funding, if it relates to specific needs of children, etc.</p>		<p>the orphan's and custody court, member of the orphan's and custody court, assistant to the chairperson of the orphan's and custody court, assistant to a member of the orphan's and custody court and a person, if he or she provides legal support to the orphan's and custody court in the preparation of a decision and in the performance of other tasks assigned to the orphan's and custody court by the municipal council;</p> <ul style="list-style-type: none"> ○ to the head and deputy head of the educational institution in educational work; ○ to a specialist of the Education Quality State Service; ○ to a specialist in youth affairs; ○ to a prison employee who works with minors; ○ to the chairman, deputy chairman and members of the municipal administrative commission or to the chairman, deputy chairman and members of the children's affairs subcommittee of the municipal administrative commission; ○ to the head of the municipal pedagogical medical commission; ○ to a municipal police officer who works with children and families; ○ to a social worker of the municipal social service who works with children and families; ○ to the prosecutor; ○ social pedagogue and psychologist who works with children; ○ to the head of the social service; ○ to the judge;
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			<ul style="list-style-type: none"> ○ to the official of the State Inspectorate for the Protection of Children's Rights; ○ to the head of the State Pedagogical Medical Commission; ○ to a State Police official who works with children; ○ to a general education, professional education and interest education pedagogue; ○ to an employee of the State Probation Service; ○ to a lawyer; ○ to a bailiff; ○ to an expert in forensic psychology, who conducts research into the psychological state of children; ○ to a sworn notary; ○ to any other person, if the child's rights and legal interests are or may be affected by an administrative decision (especially an administrative act), actual action or performance of other types of work or official duties.²⁴⁰ <p>Regulations of the Cabinet of Ministers "Regulation on the Procedure for Acquiring Specialised Knowledge in the Field of Protection of Children's Rights, the Content and Scope of this Knowledge" indicates that the specialists listed above acquire specialised knowledge in one of the following ways:</p> <ul style="list-style-type: none"> ○ in accordance with the regulatory enactments regulating the training of relevant specialists: <ul style="list-style-type: none"> ● chairperson of orphan's and custody courts, vice-chairperson of orphan's and custody courts and members of orphan's and custody
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²⁴⁰ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 5¹ (1¹).

		<p>courts - in accordance with the laws and regulations on the training of chairperson of orphan's and custody courts, vice-chairperson of orphan's and custody courts and members of orphan's and custody courts;</p> <ul style="list-style-type: none"> • youth affairs specialists - in accordance with the regulatory enactments on the training of youth affairs specialists; • pedagogues of general education, vocational education and interest education - in accordance with the regulatory enactments on the procedure for improving the professional qualification of pedagogues. <ul style="list-style-type: none"> ○ learning the professional qualification improvement programme; ○ participating in training organised by the employer.²⁴¹ <p>In addition, a specialist is expected to acquire the professional qualification improvement programme within a year after being hired, except for the case if they have learned the topics no earlier than five years ago, including while obtaining higher education or another formal education programme. Furthermore, a specialists improve their knowledge periodically every five years by studying a knowledge improvement education programme. The scope of the professional qualification improvement programme is 40 academic hours (on-site or remote classes), while the scope of the knowledge improvement educational programme is 24 academic hours (on-site or remote classes). Educational programmes are developed and, after coordination with the State Inspectorate for the Protection of Children's Rights, implemented by educational institutions and institutions subordinate to ministries,</p>
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²⁴¹ Latvia, Regulations of the Cabinet of Ministers No. 173 of 1 April 2014 "Regulations on the Procedure for Acquiring Special Knowledge in the Field of Protection of Children's Rights, the Content and Scope of this Knowledge" ([Ministru kabineta 2014. gada 1. aprīļa noteikumi Nr. 173 "Noteikumi par kārtību, kādā apgūst speciālās zināšanas bērnu tiesību aizsardzības jomā, šo zināšanu saturu un apjomu"](#)), 10 April 2014, Art. 2.

		<p>whose regulations provide for educational activities.²⁴²</p> <p>The topics and scope of the educational programme are determined according to the profession of the specialists trained in the specific programme and the specifics of professional activity. The curriculum may include the following topics:</p> <ul style="list-style-type: none"> ○ children's rights protection system, regulatory acts in the field of children's rights protection; ○ application of international legislation in the protection of children's rights; ○ rights and responsibilities of parents and children; ○ violence against a child, its types and signs; violence in the family of a child; ○ inter-institutional cooperation in ensuring the protection of children's rights; ○ principles when making contact with a child; ○ a minor in criminal proceedings, civil proceedings, administrative proceedings and administrative violations proceedings.²⁴³ <p>According to the Law on the Protection of Children's Rights, the State Inspectorate for the Protection of Children's Rights organises training in accordance with the funds allocated for the current year in the law on the state budget for these groups of persons:</p> <ul style="list-style-type: none"> ○ a prison employee who works with minors
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²⁴² Latvia, Regulations of the Cabinet of Ministers No. 173 of 1 April 2014 "Regulations on the Procedure for Acquiring Special Knowledge in the Field of Protection of Children's Rights, the Content and Scope of this Knowledge" ([Ministru kabineta 2014.gada 1.aprīļa noteikumi Nr.173 "Noteikumi par kārtību, kādā apgūst speciālās zināšanas bērnu tiesību aizsardzības jomā, šo zināšanu saturu un apjomu"](#)), 10 April 2014, Art. 3, 5, 10.

²⁴³ Latvia, Regulations of the Cabinet of Ministers No. 173 of 1 April 2014 "Regulations on the Procedure for Acquiring Special Knowledge in the Field of Protection of Children's Rights, the Content and Scope of this Knowledge" ([Ministru kabineta 2014.gada 1.aprīļa noteikumi Nr.173 "Noteikumi par kārtību, kādā apgūst speciālās zināšanas bērnu tiesību aizsardzības jomā, šo zināšanu saturu un apjomu"](#)), 10 April 2014, Art. 7.

		<ul style="list-style-type: none"> ○ a prosecutor ○ a judge ○ a State Police official who works with children ○ a lawyer ○ a sworn notary.²⁴⁴
<p>3.2.6. Are child rights and child protection topics included in the curriculum of studies for professionals other than social workers and psychologists involved in child protection systems? (Please include information regarding law enforcement officials, judges, prosecutors, lawyers, health, and education personnel)</p> <p><u>If yes</u>, please describe briefly.</p>	X	<p>The state does <u>not</u> ensure educational programmes on child protection topics. At the same time, training sessions or adult education programmes are implemented by the NGOs or private institutions. In some cases, state funds these institutions to offer training sessions.</p> <p>The Latvian Judicial Training Centre (<i>Latvijas tiesnešu mācību centrs</i>) regularly organises interdisciplinary seminars on children rights and children rights protection. E.g., in 2023, e-course "Combating violence against women and domestic violence" was organised for 28 judges.²⁴⁵</p> <p>The adult education centre Latvian Municipal Training Center (<i>Latvijas Pašvaldību mācību centrs</i>) organises online training sessions for educators and technical staff of educational institutions, state and municipal police officers, psychologists, for lawyers about protection of children's rights.²⁴⁶</p> <p>Also, the adult education centre European Center for Distance Learning (<i>Eiropas Tālmācības centrs</i>) provides courses in the "Protection of Children's Rights" programme for educators, teaching assistants and technical staff of educational institutions.²⁴⁷</p> <p>As regards higher education programmes, mostly bachelor or master level study programmes "Law" contain the course where</p>

²⁴⁴ Latvia, [Protection of the Rights of the Child Law \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 5¹ (1).

²⁴⁵ Latvia, Latvian Judicial Training Centre, The lessons of the e-course "Combating violence against women and domestic violence" have ended ([Noslēgušās e-kursa "Vardarbības pret sievietēm un vardarbības āģimēnē apkarošana" mācības](#)), 27 January 2023.

²⁴⁶ Latvia, Latvian Municipal Training Center, Protection of children's rights ([Bērnu tiesību aizsardzība](#)), 1 March 2023.

²⁴⁷ Latvia, European Center for Distance Learning, Protection of children's rights ([Bērnu tiesību aizsardzība](#)), 1 March 2023.

		child protection topics are included. E.g Riga Stradins University has a course “Protection of family and children's rights” (bachelor level, elective course, 3 ECTS). ²⁴⁸
<p>3.2.7. Are there <u>joint training activities</u> involving professionals and personnel from various disciplines in place?</p> <p>Please provide some examples.</p>	X	<p>Within the project “Improvement of the support system for children with communication difficulties, behavioral disorders and family violence”, the State Inspectorate for the Protection of Children's Rights organised extensive training session for various specialists (6 776 specialists in total) on how to prevent violence at home in period 2016-2023.²⁴⁹</p> <p>In turn, in the period 2023-2029, the State Inspectorate for the Protection of Children's Rights in cooperation with the Ministry of Welfare will organise training sessions for specialists whose professional activity is related to ensuring the protection of children's rights and legal interests within the framework of the project "Improving professional qualifications in matters of children's rights protection and strengthening the responsibility of children's legal representatives".²⁵⁰</p>
<p>3.2.8. Outline briefly the <u>main challenges and/ or gaps relating to human resources, qualification requirements and training</u> underlined the relevant authorities and/ or child protection civil society organisations.</p>		<p>In the Basic principles on the policy development of children, youth and family for the years 2022-2027, it is admitted that the wide range of responsible institutions is one of the main challenges to the improvement of family, youth and children's policy (orphan’s and custody courts, municipal social services, municipalities, out-of-family care service providers, the ministries of the respective policy branches, youth workers, educational, cultural and medical institutions, and municipal police, courts, bailiffs, social correctional institutions, prisons, non-governmental organisations), their different approaches to solving problems, as well as the different level of understanding of the specialists involved.²⁵¹</p>

²⁴⁸ Latvia, Riga Stradins University, Protection of family and children's rights ([Gimenes un bērnu tiesību aizsardzība](#)), 1 March 2023.

²⁴⁹ Latvia, The State Inspectorate for the Protection of Children's Rights, Improvement of the support system for children with communication difficulties, behavioral disorders and family violence ([Atbalsta sistēmas pilnveide bērniem ar saskarsmes grūtībām, uzvedības traucējumiem un vardarbību ģimenē](#)), 12 December 2022.

²⁵⁰ Latvia, The State Inspectorate for the Protection of Children's Rights, Improving professional qualifications in matters of children's rights protection and strengthening the responsibility of children's legal representatives ([Profesionālās kvalifikācijas pilnveide bērnu tiesību aizsardzības jautājumos un bērnu likumisko pārstāvju atbildības stiprināšana](#)), 29 December 2022.

²⁵¹ Latvia, Ministry of Welfare of the Republic of Latvia ([Latvijas Republikas Labklājības ministrija](#)) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027.gadam](#)), Riga, 21 December 2022, p.15.

In addition, it is indicated that it is necessary to increase the professional quality of orphan's and custody court employees, thereby within the EU planning period 2021-2027, it is planned to develop a certification model for orphan's and custody court employees, thus increasing the professional qualification of them, which should have a significant impact on ensuring the protection of children's rights in the country.²⁵²

3.3. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection capacities in the past 8 years, incl. achievements and (persisting) gaps and challenges

Since 2014, the Ministry of Welfare has attracted a significant amount of EU funds to strengthen the capacity of human resources involved in the protection of child rights. E.g. the Ministry of Welfare implements the ESF funded project No. 9.2.1.1/15/l/001 "Development of professional social work in municipalities" (April 2015 - December 2023; total funding € 10 535 395) where a number of training sessions were organised for social work specialists of municipal social services and social service providers established by municipalities, management-level specialists of social services, as well as persons who provide family assistant services. Within this project, the specialists were trained also in the field of protection of children rights.²⁵³

Another significant contribution to the improvement of competencies of specialists working in the child protection area was created within the ESF funded project No. 9.2.1.3./16/l/001 "Improving the support system for children with communication difficulties, behavioural disorders and domestic violence" (total budget € 3.9 million, 14 April 2016 – 31 December 2023) where:

- 1) support programmes were developed for 1,640 children with communication difficulties and behavioural disorders;
- 2) recommendations for the correction of children's behaviour were given to 3,690 specialists and legal representatives or caregivers of children with communication difficulties;
- 3) 8499 hours of family psychotherapy consultations were provided for families with children up to 18 years of age (not included);
- 4) at least 4 knowledge improvement educational programmes (in the amount of 24 hours) and at least 4 training methodologies were developed;
- 5) at least 4 professional qualification improvement programmes (40 hours) and at least 4 training methodologies were developed;

²⁵² Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Basic principles on the policy development of children, youth and family for the years 2022-2027 (Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027.gadam), Riga, 21 December 2022, p. 39.

²⁵³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2020), Development of professional social work in municipalities, No. 9.2.1.1/15/l/001 (Profesionāla sociālā darba attīstība pašvaldībās, Nr. 9.2.1.1/15/l/001), 30 June 2020.

6) 6,776 specialists have upgraded their professional qualifications in the field of protection of children's rights.²⁵⁴

At the same time, in 2022, the Ministry of Welfare admitted that as regards the development of the child protection capacities, the following existing deficiencies should be outlined in the EU planning period 2021-2027:

- 1) lack of common understanding on issues of children's rights between social services, educational institutions, police, orphan's and custody court, etc. institutions;
- 2) insufficient attraction of resources to improve the family situation;
- 3) insufficient response to possible violations of children's rights and interests;
- 4) raising the qualifications and professional level of employees of child rights protection institutions is delayed.²⁵⁵

The field of protection of children's rights is not an exception and is affected by the general aging trends of society, which accordingly also reduces the number of potentially available young specialists in the sector. The issue of raising the prestige of the field and relevant professions, as well as the relatively low level of salaries, must be mentioned. Taking into account the demographic situation and the aging of the society, an increasing number of professionals will be needed to provide support to seniors, and that will also affect the opportunities to attract employees to work with children and families. When thinking about the capacity of human resources, targeted cooperation with higher education institutions is necessary, so that study courses dedicated to the protection of children's rights are available in all main educational fields, programs, and not only as supplementary education.²⁵⁶

3.4. Promising practices

Please list and briefly describe any promising practice in child protection capacities that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

²⁵⁴ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), Improvement of the support system for children with communication difficulties, behavioral disorders and family violence (*Atbalsta sistēmas pilnveide bērniem ar saskarsmes grūtībām, uzvedības traucējumiem un vardarbību ģimenē*), 12 December 2022.

²⁵⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Informative report "On the European Union Cohesion Policy Program 2021-2027. for the year 4.3.6. of the specific support objective "Promote the social integration of people at risk of poverty or social exclusion, including the poorest and children" 4.3.6.1. implementation of the measure "Professionals whose professional activity is related to ensuring the protection of children's rights, improvement of professional qualifications and strengthening of the responsibility of legal representatives of children within the framework of the reorganization of the system of protection of children's rights" (*Informatīvai ziņojums "Par Eiropas Savienības kohēzijas politikas programmas 2021.-2027. gadam 4.3.6. specifiskā atbalsta mērķa "Veicināt nabadzības vai sociālās atstumtības riskam pakļauto cilvēku, tostarp vistrūcīgāko un bērnu, sociālo integrāciju" 4.3.6.1. pasākuma "Speciālistu, kuru profesionālā darbība saistīta ar bērnu tiesību aizsardzības nodrošināšanu, profesionālās kvalifikācijas pilnveide un bērnu likumisko pārstāvju atbildības stiprināšana bērnu tiesību aizsardzības sistēmas reorganizācijas ietvaros" īstenošanu"*), 27 September 2022, p. 3.

²⁵⁶ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Answers to expert questions by Senior Expert Lauris Neikens, 14 April 2023, unpublished.

Within the ESF funded project No. 9.2.1.3./16/l/001 "Improving the support system for children with communication difficulties, behavioural disorders and domestic violence", the capacity of the State Inspectorate for the Protection of Children's Rights was significantly improved. The Consultative Department at the Inspectorate was created (15 employees in total) who provides free advisory support to families with children, children with behavioural problems and communication difficulties, children's legal representatives or caregivers, and state and municipal specialists working with families with children. The consultative support includes the development of support programmes for children with behavioural problems and the preparation of recommendations for support providers - the child's legal representatives (caregivers) and specialists (educators of educational institutions, support specialists, social workers, etc.), which is carried out by a multidisciplinary team of specialists: social worker, clinical psychologist, psychiatrist, special educator, family psychotherapist and addiction prevention specialist.

In addition, the support is provided as a family psychotherapy consultations for families with children in all regions of Latvia. Each family with children can receive up to ten free family psychotherapy consultations (the total number of hours of counselling for one family must not exceed ten hours) under the supervision of the psychotherapy specialists of the Society of Systemic and Family Psychotherapists of Latvia.²⁵⁷

²⁵⁷ Latvia, State Inspectorate for the Protection of Children's Rights, About the Consultative Department ([Par konsultatīvo nodalu](#)), 25 November 2020.

4. Care

4.1. Prevention measures and services

4.1.1. Please provide information on the interaction between the child protection system and the social welfare and social protection system in place. Is there an inherent coordination of measures and interventions? Are responsible authorities and service providers the same or different?

There is an inherent interaction between the child protection system and the social welfare and social protection system in place.

The policy of protecting children's rights is developed by the Latvian Government, under the auspices of the Ministry of Welfare. The Ministry of Welfare is responsible for the implementation of child protection system and social welfare and social protection measures in Latvia. The Ministry of Welfare coordinates the cooperation of state and institutions of municipalities in issues related to the protection of the rights of children and family law.²⁵⁸

The Ministry of Welfare must in cooperation with the Ministry of Education and Science, the Ministry of the Interior, the Ministry of Justice, the Ministry of Culture and the Ministry of Health, and also other State and municipality authorities and non-governmental organisations, develop draft long-term State policies in the field of the protection of the rights of children, including draft State policies in the field of alternative care for orphans and children left without parental care. The Minister for Welfare has established the Co-operation Council in Children Matters which is an advisory collegial body the objective of which is to promote a unified understanding on the conformity with the principle of priority of a child's interests in municipality and State action policies, and to promote coordinated activity of authorities, including cooperation groups, in the protection of children's rights.

In the Latvian National Development Plan 2021-2027²⁵⁹ "Strong families, healthy and active people" with the directions of action "People-centered healthcare" and "Social inclusion" have been set as one of the first priorities.

The Cabinet of Ministers on 21 December 2022 issued the policy document on the Basic principles on the policy development of children, youth and family for the years 2022-2027.²⁶⁰ Also the Minister of Welfare has approved "The State Programme for the Improvement of the Situation of the Child and the Family" for every year,²⁶¹ which is the policy document in Latvia aimed at facilitating the improvement of the situation of the child and the family, as well as implement purpose-oriented measures for child protection.

²⁵⁸ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 62.

²⁵⁹ Latvia, The Parliament of the Republic of Latvia (*Latvijas Republikas Saeima*), National Development Plan 2021-2027 ([Latvijas Nacionālais attīstības plāns 2021.-2027. gadam](#)), 2 July 2020.

²⁶⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Basic principles on the policy development of children, youth and family for the years 2022-2027 ([Bērnu, jaunatnes un ģimenes attīstības pamatnostādnes 2022.-2027. gadam](#)), Riga, 21 December 2022.

²⁶¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), State Programme for the Improvement of the Situation of the Child and the Family 2021 ([Valsts programma bērnu un ģimenes stāvokļa uzlabošanai 2021. gadam](#)), 25 March 2021.

The child rights protection system is closely linked with a system of social assistance and social services. Social services and support to families and children are granted in accordance with the Social Services and Social Assistance Law. The obligation to ensure the possibility to receive social services according to person's needs lays on the municipality where the person has registered place of residence. The municipal social service has the function to fulfil social work with families, provide or organise provision of social services to families with unfavourable conditions for child's development, foster families and guardians.²⁶² The municipality can create the necessary social services, but if there are no such services, it can also make agreements with other social service providers on its territory or with other municipalities about the provision of social services and fee. Such social services are completely or partly funded from the municipal budget.²⁶³

In accordance with the Social Services and Social Assistance Law the social service office and the orphan's and custody court closely cooperate to ensure protection. If the municipality social service office has a reason to believe that a child has suffered as a result of violence, abuse of rights of a parent, guardian or foster family, the lack of proper care and the lack of supervision or another infringement of children's rights, it must, immediately but not later than on the following working day, notify the orphan's and custody court and State Police thereof.²⁶⁴

4.1.2. Is there evidence that families are supported in their role of primary caregivers? Is the primary position of families in child caregiving and protection recognised and supported through universal and targeted services and through every stage of the intervention, particularly through prevention? Which type of support (incl. financial, medical, psycho/social advice, legal advice, care staff, care equipment, guidance and training etc.) is available to families in need.

There is no evidence that families are supported in their role of primary caregivers. The lack of sufficient services and support has been recognized by the State Audit Office and confirmed by the Ministry of Welfare.

In the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family"²⁶⁵ and the audit report of the State Audit Office ""Problem children" – a mirror of adult incompetence"²⁶⁶ has been found that the municipal authorities do not have information about children who have behavioural problems or are at risk of developing them. Therefore, it is not possible to fully assess what kind of support is needed to develop services that meet their needs, as well as to provide them in the necessary extent.

The children with behavioral problems or the risk of their occurrence and their families do not have access to sufficient services either at the primary prevention level or at the secondary prevention

²⁶² Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003.

²⁶³ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 9 (4).

²⁶⁴ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 12 (2¹).

²⁶⁵ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atnemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019.

²⁶⁶ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Problem children – a mirror of adult incompetence (*Problēmbērni – pieaugušo neizdarību spoķis*), 19 October 2022.

level (when behavioral problems have already arisen and further work with the child and his family need more complex solutions).

According to the State Audit Office's surveys of municipalities, such essential preventive services for working with families as psychological support, addiction prevention and treatment service for parents, educational classes for developing parenting skills, family assistant service and crisis or family support center were available in only 22 of the former 119 municipalities that existed until the administrative territorial reform of municipalities. Even in those municipalities where they were available, the number of services provided was not sufficient. After the administrative-territorial reform of municipalities in 2021, the most essential services are available only in a third of the new municipalities, and not in the entire territory of the municipality. Similarly, in educational institutions, which play an essential role in identifying behavioral problems or potential problems of early childhood and providing preventive support, there is not enough support staff available. The children's behavior problems in municipalities are mainly solved with social work and psychologist consultations, but for children with addictions, with health care specialists - psychiatrists, narcologists, etc. – involvement and social rehabilitation services for reducing addictions. However, even these services are insufficient.

The Ministry of Welfare agrees with the conclusions of the State Audit Office that the pronounced fragmentation of service availability in municipalities remains, and the breakthroughs in the development of services in the most successful municipalities are also moderate. It is also recognized that when the service provider refuses to continue providing institutional rehabilitation services for young people with addiction problems, the situation has repeatedly arisen that tertiary level or services for young people with long-term and multiple problems are currently unavailable. The Ministry of Welfare will start work on the improvement of the existing service, as well as a new multidisciplinary support program (for families with children, including children with long-term behavior and addiction problems, according to the individual needs of the child, and providing both services provided in an institutional environment and in the child's natural environment, respectively combining this support with appropriate additional services) development. Also the Ministry of Welfare in cooperation with municipalities, continues to work on defining and implementing the basket of services available in municipalities. Amendments to the Law on Social Services and Social Assistance have been developed, which define a single minimum basket of social services that all municipalities, regardless of the size of the municipality and the number of their inhabitants, must provide to their residents.²⁶⁷

4.1.3. When a child in need of care is identified, who coordinates support to the family and the child to ensure protection and prevent abuse and/ or placement of the child and how?

The orphan's and custody court coordinates support to the family and the child to ensure protection and prevent abuse. If during an inspection of the living conditions of a child or otherwise it is detected that the child lives in conditions that are dangerous to health or life, as well as if further living of the child in the family may endanger health or life, the orphan's and custody court must take a unilateral decision to (1) terminate the child custody rights of the parents; (2) remove the child from the family of the guardian and suspend the guardian from fulfilment of duties; (3) remove the child from the foster family; (4) terminate pre-adoption care.²⁶⁸ The orphan's and custody court brings the child to

²⁶⁷ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Problem children – a mirror of adult incompetence (*Problēmbērni – pieaugušo neizdarību spoguļis*), 19 October 2022.

²⁶⁸ Latvia, *Law on Orphan's and Custody Courts (Bāriņtiesu likums)*, 1 July 2007.

a foster family, an institution of long-term social care and social rehabilitation, a hospital or other safe conditions.²⁶⁹

If the orphan's and custody court finds out that there is no reason to make the above decisions but a family needs assistance, the orphan's and custody court informs about it the social services unit of the relevant municipality that the family needs assistance.²⁷⁰ The social work specialist must verify the information as quickly as possible; audit the living conditions of the child, calling the police and the representatives of the orphan's and custody court if necessary; conduct other activities according to the competence of the social worker. If family lacks the skills in child care, upbringing and childminding, or if some other help is necessary, the social work specialist must develop individual rehabilitation plan for the family (the whole family or individual members), begin work with the specific family, such as the provision of help and assistance to the child. If the cooperation with the family is impossible, as well as in situations when the social work specialist working with the family concludes that the unfavourable circumstances are impossible to avert while the child is in the family, the social work specialist must submit this information to the orphan's and custody court, asking to evaluate the misuse of the parental rights by non-provision of care to the child, and assess whether the child should remain with the family, which could endanger their full-fledged physical and mental development.

4.1.4. What are the crisis emergency responses in place?

In 2017 the Cabinet of Ministers issued the "Regulations on the Cooperation of Institutions in the Protection of Children's Rights"²⁷¹. The cooperation group is established by each municipality, and its territory of operation is the administrative territory of the relevant municipality.²⁷² The cooperation group examines individual cases related to possible violations of children's rights, if immediate action and cooperation of several institutions are required, as well as if the situation cannot be resolved within the framework of one institution or has not been resolved over a long period of time.

The cooperation group is a consultative collegial institution established by a municipality. The cooperation group includes representatives from the police, social service, education board or education specialists and orphan's and custody court. At the initiative of the members of the cooperation group, the cooperation group may invite representatives from educational institutions, childcare institutions, prisons, municipal pedagogical and medical commissions, municipal administrative commissions, State Probation Service, non-governmental organizations.

Saldus municipality can be mentioned as a good example.²⁷³ The inter-institutional cooperation group has a clear and comprehensible operating regulation²⁷⁴ (includes the structure, composition and

²⁶⁹ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 23 (2).

²⁷⁰ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 17 (1).

²⁷¹ Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 "Regulations on the Cooperation of Institutions in the Protection of Children's Rights" (*Ministru kabineta 2017. gada 12. septembra noteikumi Nr. 545 "Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā"*), 15 September 2017.

²⁷² Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 "Regulations on the Cooperation of Institutions in the Protection of Children's Rights" (*Ministru kabineta 2017. gada 12. septembra noteikumi Nr. 545 "Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā"*), 15 September 2017, Art. 4.

²⁷³ Latvia, Litvins G., Kronberga I. Institutional cooperation for the protection of children's rights in municipalities (*Starpinstitūciju sadarbība bērnu tiesību aizsardzībai pašvaldībās*), 2021, p.19.

²⁷⁴ Latvia, Saldus municipality (*Saldus pašvaldība*), Regulation of the inter-institutional cooperation group for the support of children and young people exposed to social risk (*Starpinstitūciju sadarbības komisijas sociālajam riskam pakļauto bērnu un jauniešu atbalstam nolikums*), 28 September 2017.

management of the group; operational goals and tasks; rights and obligations; responsibilities; work organization). The cooperation group of Saldus municipality regularly informs the public about the examined cases of protection of children's rights and the results of operations, in compliance with data protection regulations.

If a member of the cooperation group has information about the crisis emergency in connection with possible violations of child's rights, the member proposes the issue of consideration of the relevant case at the meeting of the cooperation group. When considering any individual case, the members of the cooperation group provide and analyse the information at their disposal and coordinate the further action, agreeing on the measures to be taken by each represented institution according to their competence. The reached agreement is recorded in the minutes of the cooperation group meeting.

In an emergency situation the orphan's and custody court decides and places the child in out-of-family care, if it is impossible to isolate the guilty persons from the child. If necessary, the orphan's and custody court cooperates with a representative of the police or municipality social service. In such cases, the child is taken to a crisis foster family or to relatives, or, if necessary, to a hospital, to a childcare institution (crisis center), where the child is provided with accommodation 24 hours a day; social care and social rehabilitation, psychological assistance; assistance in acquiring education and developing social skills. Also, the orphan's and custody court immediately reports the situation to the police, initially orally, but no later than on the same day in writing. The initial provision of information to the police orally is necessary for the police to neutralize the alleged abuser, to stop physically influencing the child, to protect the child from repeated attacks and to stabilize the situation in the family. In 2014 amendments to regulatory acts entered into force in Latvia, providing for the possibility to set restrictions on a violent person in civil procedural and police procedures for the protection of victims of violence.²⁷⁵

If the orphan's and custody court has decided on out-of-family care, it informs the social service and asks to provide the necessary assistance to the child's parents. The law does not specify specific deadlines. The information is transferred to the social service immediately after the decision is made. The social service also immediately starts working with the parents. All these actions are carried out in such a way that the orphan's and custody court can decide within 15 days at the latest to restore the terminated custody rights to the child's parents.²⁷⁶

The orphan's and custody court has the right to refuse to notify the parents of a child and other persons regarding the location of the child or take a decision to restrict the right to maintain personal relationship and direct connection.

4.2. Identification and reporting procedures

Question	Yes	No	Comments
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²⁷⁵ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Handbook I for Orphan's and Custody Courts (*1. Rokasgrāmata bārintiesām*), 2023, p.27-33.

²⁷⁶ Latvia, *Law on Orphan's and Custody Courts (Bārintiesu likums)*, 1 July 2007, Art. 24 (1).

<p>4.2.1. Is there an identification/reporting obligation foreseen in the legislation?</p> <p><u>If yes</u>, please provide the relevant provisions and indicate authorities and/or individuals that have identification/reporting obligations.</p>	X	<p>Every person has an obligation to safeguard the safety of their own and other children and to inform not later than on the same day the police, the orphan's and custody court, or another institution for the protection of the rights of the child about negligence, any violence and criminal offence or administrative offence against a child, violation of the rights of the child or another threat to a child, and also if the person has suspicions that the child has articles, substances, or materials which may be a threat to the life or health of the child himself or herself or of another person.²⁷⁷ For failing to inform, the persons at fault can be held liable as laid down by the law.²⁷⁸ It is the obligation of any subject responsible for protection of the rights of the child to help in every case to a child who has need thereof, evaluating the needs of the child and the circumstances of the relevant situation.²⁷⁹</p> <p>Health care, pedagogical, social field, or police employees, and elected State and municipal officials who have received information on violations of the rights of the child and who have failed to inform the abovementioned institutions thereof, must be held liable as laid down in the law for such failure to inform.²⁸⁰</p> <p>Any submission and complaint that are related to the protection of the rights of the child must be examined without delay.²⁸¹ Matters that are related to ensuring the rights or interests of the child, also criminal matters in which the defendant is a minor, must be adjudicated in court by emergency procedure.²⁸²</p> <p>At the moment, if an official of an institution does not fulfill the reporting obligation, then they can be held disciplinary or criminally liable. However, as the Ombudsman points out, the administrative liability for failure to report is not defined in the</p>
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²⁷⁷ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 51.

²⁷⁸ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 51 (3).

²⁷⁹ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 70 (1).

²⁸⁰ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 73.

²⁸¹ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 20 (1).

²⁸² Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 20 (1).

		<p>law. Administrative liability is applied to violations of the law, the harmful consequences of which are not such as to determine criminal liability.</p> <p>Liability is only for failure to report, if it is known that a serious or particularly serious crime is being prepared or committed, and it is defined in Article 115 of the Criminal Law. The Ombudsman regularly receives information that the employees mentioned in the Law on the Protection of the Children's Rights do not report possible violence against a child. Establishing liability would encourage child abuse cases to be investigated.²⁸³</p> <p>Also the Ombudsman points out that one of the reasons for not reporting domestic violence is the consequences of reporting - termination of parental rights. In most cases, custody rights are terminated if information about domestic violence has been received. As a result, the child may end up in an institution. There are even cases when a caregiver cannot be found for a child for a long time, the child is initially placed in a crisis centre for abused children (a state-funded rehabilitation service), where education and contact with parents are not properly provided. Thus failure to report is sometimes seen as the lesser harm to the child. The second reason for not reporting violence is the reporter's reluctance to be involved in procedural actions in the event that a criminal proceeding is initiated - appearing to testify, appearing in court, etc. The third reason for not reporting violence is the employee being in a subordinate relationship with the head of the institution where the alleged violence was detected. For example, a school social worker or an educational psychologist does not report a fellow educator.²⁸⁴</p>
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4.2.2. Please describe available national and/or sub-national reporting procedures for cases of abuse, exploitation, violence, harassment, discrimination, or neglect against children in all available reporting mechanisms, including, helplines and hotlines. Include the legislative and regulatory framework, actors involved (e.g. police, child protection centres, victims support organisations), and timeframe.

²⁸³ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter of the Ombudsman to the Parliament of Latvia on the necessary improvements in the legal framework (*Vēstule Saeimai par nepieciešamiem uzlabojumiem tiesiskajā regulējumā*), 16 January 2023.

²⁸⁴ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter of the Ombudsman (*Tiesībsarga biroja vēstule*), 22 February 2023, No. 1-5/57. Unpublished.

Please provide details such as if there are common or different procedures or helplines/hotlines for specific issues. What is the profession of the staff receiving the reporting? Is the staff competent and trained for the purpose?

In situations where human life, health and safety is endangered children can use emergency number 112. Calling 112 provides call reception, processing and, if necessary, sending of operative services (State Fire and Rescue Service, the State Police, the Emergency Medical Services, gas emergency service Maritime Search and rescue coordination centre).²⁸⁵

Offences against children (including violence) are investigated by the State Police, which also has an anonymous hotline. National police hotline – 110. The hotline is designed for those cases where immediate police assistance is needed.²⁸⁶

In addition, the State Inspectorate for Protection of Children's rights has created a specialized helpline. At national level to inform about the possible cases of violence against the child one can call the children and teenagers helpline 116111. Children Helpline was established on 1 February 2006, with the aim to provide psychological support to children and teenagers who are in difficult situations. This goal – to hear out children and teenagers, teach them to talk about themselves and trust others – is still the most important work of the Children Helpline.

Children Helpline is one of the structural units of the State Inspectorate for Protection of Children's rights because it is every child's right to get advice on how to act in a crisis and receive support when a child is having issues and emotional difficulties.

Everyday Children Helpline receives many calls from children who need help or simply want to have a talk. In last couple of years there has been an increase in calls received from parents, grandparents, and legal guardians regarding children. Psychologists who work at Children Helpline have trained skills to talk with different people about all sorts of issues, amongst which the most common are relationship with peers, parents, and other family members, etc.

Children and teenagers can call Children Helpline around the clock, 24/7. Children Helpline is free of charge from fixed lines and mobile phones. It is possible to contact Children Helpline consultants via chat (works on workdays from 12:00-20:00 – find chat window on app "Uzticibas tālrunis" or on www.uzticibastalrunis.lv) or email uzticibaspastis116111@bti.gov.lv. Children Helpline has an app "Uzticibas tālrunis" (available for IOS and Android devices, free of charge).

If necessary, employees of the hotline would forward the information to relevant authorities. E.g., in 2021 there were 166 such cases when the employees of the hotline forwarded to the institutions (orphan's and custody courts, social workers, police etc) information about possible violation of child rights in the families, foster families or by guardians.²⁸⁷

There are several state and municipal institutions to which a complaint could be addressed: social service, orphan's and custody court, State Education Quality Service, State Inspectorate for Protection of Children's rights.

²⁸⁵ Latvia, State Fire and Rescue Service of the Republic of Latvia (*Valsts ugunsdzēsības un glābšanas dienests*), When to call the phone number 112 ([Kad zvanīt uz tālruna numuru 112](#)), 11 August 2020.

²⁸⁶ Latvia, State Police of the Republic of Latvia (*Latvijas Republikas Valsts policija*), [How to report to the police \(Kā ziņot policijai\)](#), 25 November 2020.

²⁸⁷ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Public report of State Inspectorate for Protection of Children's Rights ([Valsts bērnu tiesību aizsardzības inspekcijas publiskais pārskats](#)), 30 June 2022, p.26.

The complaints system is fragmented and not centralized. The State Inspectorate for Protection of Children's rights finds that the citizens are not informed about the competences of the institutions and do not know in which cases they should contact the specific institution.²⁸⁸

If the institution finds that the received complaint completely or in any part does not fall within the competence of this institution, it shall inform its submitter within seven working days after receipt of the complaint and, if possible, shall indicate the competent institution. If it is useful, the institution may forward this complaint to another institution within seven working days after receipt of the submission by informing the submitter thereof.²⁸⁹

Question	Yes	No	Comments
<p>4.2.3. Do children have the right to report independently?</p> <p>If <u>yes</u>, please provide information on the availability of <u>age-appropriate and child-friendly</u> reporting procedures (to whom and how children can report child rights' violations and abuse). Is the anonymity and confidentiality of the child in the reporting protected? Please comment briefly.</p>	X		<p>Children have the right to report independently. According to the Article 57 of the Law on the Protection of the Children's Rights, every child has the right to apply with a submission to institutions for the protection of the rights of the child. Such communications must not be censored.²⁹⁰ At the same time the laws do not determine the rules that reporting procedures must be age-appropriate and child-friendly.</p> <p>Article 70 of the Law on the Protection of the Children's Rights obliges institutions in various fields to ensure the establishment of a child-friendly complaint mechanism, however, in practice there is no difference between mechanisms for adults and children to submit complaints.²⁹¹</p> <p>The anonymity and confidentiality of the child in the reporting is protected. According to the Article 71 of the Law on the Protection of the Children's Rights, information on a child obtained by state or municipal institution must be confidential, and information which could in any way harm the future development of the child or the maintenance of the psychological balance of the child may not be disclosed.²⁹²</p>
<p>4.2.4. Are children informed of their right to report and</p>	X		<p>The heads of childcare, educational, health care, and similar institutions in which children reside have an obligation to determine the procedures</p>

²⁸⁸ Latvia, Rekšņa O. What institutions should be contacted if there are suspicions of violations of children's rights (*Kādās iestādēs jāvērsas, ja ir aizdomas par bērnu tiesību pārkāpumiem*), 10 June 2022.

²⁸⁹ Latvia, *Law on Submissions (Iesniegumu likums)*, 22 July 1998, Art. 4.

²⁹⁰ Latvia, *Law on the Protection of the Children's Rights (Bērnu tiesību aizsardzības likums)*, 22 July 1998.

²⁹¹ Latvia, Latvian Child Welfare Network (*Latvijas Bērnu labklājības tīkls*), Evaluation of children's participation. Latvian national report (*Bērnu līdzdalības novērtējums. Latvijas nacionālais ziņojums*), 2017, p. 35-36.

²⁹² Latvia, *Law on the Protection of the Children's Rights (Bērnu tiesību aizsardzības likums)*, 22 July 1998, Art. 71.

<p>how they can do it? If yes, by whom and how?</p>		<p>for submitting and processing children's complaints and make them known and accessible to children.²⁹³</p> <p>The Ombudsman and State Inspectorate for Protection of Children's Rights regularly organise information campaigns, promoting the helpline for children and teenagers on various issues, such as physical and emotional violence, safety on the internet.</p> <p>NGO "<i>Centrs Dardedze</i>", Latvian Child Welfare Network, Children's Foundation of Latvia and other non-state actors regularly promote publicly visible information and awareness raising campaigns about the rights of the child.</p>
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4.2.5. What are the main challenges and/or gaps relating to identification and reporting procedures underlined by relevant authorities and/or child protection civil society organisations?

The report of the Ministry of Welfare "On the improvement of the system of protection of children's rights"²⁹⁴ and the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family"²⁹⁵ have disclosed:

- lack of common understanding in matters of protection of children's rights between social services, educational institutions, police, orphanage, etc. institutions;
- insufficient attraction of resources to improve the family situation;
- insufficient response to possible violations of children's rights and interests;
- delay in raising the qualification and professional level of employees of child rights protection institutions;
- insufficient cooperation.

In addition, in the audit report of the State Audit Office ""Problem children" – a mirror of adult incompetence"²⁹⁶ mentions that:

- municipalities do not always have all the information about children with addiction or behavioural problems in the administrative territory of their municipality,
- institutions do not sufficiently share the information they have about children with addiction or behavioural problems, thus risks are not identified in time, possible violations of children's

²⁹³ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 39, 71.

²⁹⁴ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), Report on the improvement of the system for the protection of children's rights (*Informatīvais ziņojums "Par bērnu tiesību aizsardzības sistēmas pilnveidi"*), 18 February 2021.

²⁹⁵ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atņemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019.

²⁹⁶ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Problem children – a mirror of adult incompetence (*Problēmbērni – pieaugušo neizdarību spoķis*), 19 October 2022.

rights and interests are not adequately responded to, and involvement in solving problems is late.

4.3. Referral procedures(s) and investigation and protection

4.3.1. Please describe the referral mechanisms in place following reporting and identification procedures.

In the answer please include the legislative and regulatory framework, interagency protocols and guidelines, the actors involved and their role and responsibilities, as well as the applicable timeline. Please also specify the procedure, if different, for other groups of children (e.g. with disabilities, migrant, victim of a particular form of violence etc.)

If information about violence against a child is received by the police, then since 2014 the police have the right to decide on separation of the involved parties. The police decision on separation is made if there is an immediate threat that the person which is at a dwelling or nearby it can inflict harm on the life, freedom or health of a person who is permanently residing in this dwelling (the person in need of protection). That decision can impose an obligation on the adult person who poses a threat to leave the dwelling in which the person in need of protection resides permanently, not to return and not to stay inside or near this dwelling at a distance which is closer than that specified in the decision for a period of up to eight days from the moment when the decision was taken. The police decision on separation may also stipulate a prohibition for the person who poses a threat to contact the person in need of protection.²⁹⁷ The police inform the orphan's and custody court of the decision taken by the police on separation.²⁹⁸

If the orphan's and custody court finds out that a family needs assistance, the orphan's and custody court informs about it the social services unit of the relevant municipality that the family needs assistance.²⁹⁹

Once that information reaches the social work specialist (orally or in writing) and if the immediate removal of the child is unnecessary, the social work specialist must: 1) record the oral information in a protocol; 2) check the information as quickly as comprehensively as possible; 3) check the living conditions of the child, calling the police and the representatives of the orphan's and custody court if necessary; 4) evaluate the danger to the child's security, health and life; 5) listen to the view of the child; 6) conduct other activities according to the competence of the social worker. If the danger to the child's security, health and life was not identified, however, in evaluating the situation it was concluded that the family lacks the skills in child care, upbringing and childminding, or if some other help is necessary, the social work specialist must develop individual rehabilitation plan for the family, begin work with the specific family, such as the provision of help and assistance to the child. If the cooperation with the family is impossible, as well as if the municipal social service has reasons to believe the child has suffered from violence, abuse of rights or neglect by the parent, guardian or

²⁹⁷ Latvia, [Law on Police \(Likums "Par Policiju"\)](#), 4 June 1991, Art. 12.¹

²⁹⁸ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 51 (4).

²⁹⁹ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 17 (1).

foster family, the social service has the duty to report immediately, but no later than the next working day, to the orphan's and custody court and the State Police.³⁰⁰

An orphan's and custody court must take a decision to suspend the childcare rights from a parent. Risk assessment must be performed prior to the taking of a decision regarding the removal of child care rights for parents.³⁰¹ In performing risk assessment, the orphan's and custody court may invite the relevant professional persons and representatives of authorities or request the information at their disposal.³⁰² The risk assessment envisions concrete forms³⁰³ and specific criteria³⁰⁴, which includes such assessment factors as child's characterisation (age of a child, physical, mental and social development, behaviour, education, addiction, co-addiction, appropriate medical care, provision of basic needs, physical threat or dangerous objects at home or in the vicinity of the place of residence, self-defence, fear of parent (other persons) or a domestic environment, supervision of a child, parent's (other persons) violence against a child, level of physical injuries or damage, level of emotional damage, sexual abuse and exploitation, exploitation/use without a sexual nature, period of time within which a violence has occurred or insufficient supervision has been provided) and parents characterisation (mental, physical and emotional health of parents, addiction, co-addiction, skills and knowledge in child raising, mutual relations of the parents and child, parents' response to deviant behaviour of the child, protection of the child from a violent parent (other persons) or dangerous situations, violence or aggressive behaviour in the family, experience of violence or insufficient supervision acquired during the childhood of the parents, provision of basic need of parents, employment of parents, stress of parents, social support for parents, recognition of a problem, co-operation with the State and municipality institutions).

If during an inspection of the living conditions of a child or otherwise it is detected that the child lives in conditions that are dangerous to health or life, as well as if the subsequent living of the child in the family may endanger his or her wholesome development, the orphan's and custody court must take a unilateral decision (in oral form and drawn it up in writing within 24 hours) regarding: 1) terminate the child custody rights of the parents; 2) remove the child from the family of the guardian and suspend the guardian from fulfilment of duties; 3) remove the child from the foster family; 4) terminate pre-adoption care.³⁰⁵

The orphan's and custody court must deliver the child to the crisis centre or other safe conditions and only them as well as a person requesting the returning of the child or the representative thereof has the right to remove the child from the places referred to, in the presence of a representative of an orphans' court or bailiff.³⁰⁶

³⁰⁰ Latvia, [Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), 1 January 2003, Art. 12 (2¹).

³⁰¹ Latvia, Regulations of the Cabinet of Ministers No.1037 of 19 December 2006 "[Regulations for the Operation of an Orphan's Court](#)" (*Ministru kabineta 2006. gada 19. decembra noteikumi Nr. 1037 "Bāriņtiesas darbības noteikumi"*), 1 January 2017, Art. 73.

³⁰² Latvia, Regulations of the Cabinet of Ministers No.1037 of 19 December 2006 "[Regulations for the Operation of an Orphan's Court](#)" (*Ministru kabineta 2006. gada 19. decembra noteikumi Nr. 1037 "Bāriņtiesas darbības noteikumi"*), 1 January 2017, Art. 75.

³⁰³ Latvia, Regulations of the Cabinet of Ministers No.1037 of 19 December 2006 "[Regulations for the Operation of an Orphan's Court](#)" (*Ministru kabineta 2006. gada 19. decembra noteikumi Nr. 1037 "Bāriņtiesas darbības noteikumi"*), 1 January 2017, Annex 1.

³⁰⁴ Latvia, Regulations of the Cabinet of Ministers No.1037 of 19 December 2006 "[Regulations for the Operation of an Orphan's Court](#)" (*Ministru kabineta 2006. gada 19. decembra noteikumi Nr. 1037 "Bāriņtiesas darbības noteikumi"*), 1 January 2017, Annex 2.

³⁰⁵ Latvia, [Law on Orphan's and Custody Courts](#) (*Bāriņtiesu likums*), 1 July 2007, Art. 23 (1).

³⁰⁶ Latvia, [Law on Orphan's and Custody Courts](#) (*Bāriņtiesu likums*), 1 July 2007, Art. 23 (2).

An orphan's and custody court must convene a meeting within not more than 15 days after taking of an individual decision in order to take a decision regarding:

- to renew the terminated child custody rights for parents;
- to return a child to the family of the guardian or revoke the guardian, or dismiss the guardian from the fulfilment of duties;
- to return a child to the foster family or to terminate the residence in such family;
- on mandatory medical treatment of the child or receipt of social rehabilitation service;
- to return a child under care of the adopter or to terminate pre-adoption care for a child.³⁰⁷

If it is not possible to renew the parents' childcare rights, and the return of the child to the family of the guardian or foster family is not possible as well, an orphan's and custody court must take a decision regarding the provision of out-of-family care to the child in another family or at an institution of long-term social care and social rehabilitation.³⁰⁸

Question	Yes	No	Comments
4.3.2. Are there applicable standards in the form of legal provisions, guidelines, protocols, interagency agreements or regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures?	X		<p>The procedures of investigation and examination of administrative offences are determined by the Law on Administrative Liability, while the requirements of criminal procedures (including investigation) are determined by the Criminal Procedure Law. The Law on Orphan`s and Custody Courts determines the procedure whereby the orphan's and custody court, in the interests of the child, submits to the court an application asking for temporary protection against violence.</p> <p>The State Inspectorate for the Protection of Children's Rights has developed a document "The handbook for Orphan's and Custody Courts"³⁰⁹ which consist of guidelines and regulatory frameworks regarding investigation and assessment procedures following reporting and identification procedures.</p> <p>The handbook explains the provisions of the law, providing orphan's and custody courts with a broader insight into the content of the legal provisions. Therefore, facilitating the daily work of orphans' and custody courts and allowing for faster decisions in specific cases as the content of the legal provision and correct interpretations are</p>

³⁰⁷ Latvia, [Law on Orphan`s and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 24 (1).

³⁰⁸ Latvia, [Law on Orphan`s and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 24 (2).

³⁰⁹ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), *Hanbooks for Orphan's and Custody Courts (Rokasgrāmatas bārintiesām)*, 2023.

		<p>already available. For example, the handbook with a description of specific examples clearly indicates when the orphan's and custody court should make a decision on the termination of parental custody rights over the child and when it is not necessary to do so. This method is also applied for other issues.³¹⁰</p> <p>The State Inspectorate for the Protection of Children's Rights draws attention to the fact that the orphan's and custody court must obtain as comprehensive information as possible.³¹¹</p>
4.3.3. Is the assessment carried out by a multidisciplinary team of professionals?	X	<p>The Cabinet of Ministers Regulations No. 1037 "Regulations for the Operation of an Orphan's and Custody Court" lists several professionals that may participate in the meeting of an orphan's and custody court, including: participants of administrative proceedings; an interpreter invited for the case; a psychologist or another professional person invited for the case; a representative of the institution, in order to provide an opinion for the case in accordance with its competence; the State inspector for the protection of the rights of the child.³¹² Depending on the circumstances of each case, there could be representatives of different institutions (e.g. police) and different type of specialists (e.g. medical professionals, psychologists etc).³¹³</p> <p>The orphan's and custody court must conduct risk assessment prior to taking the decision regarding the removal of parents' child care rights or the renewal of the parental care rights. In performing risk assessment, the orphan's and custody court may invite the relevant professionals and representatives of authorities or request the information at their disposal.³¹⁴</p>

³¹⁰ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Handbook I for Orphan's and Custody Courts ([1. Rokasgrāmata bāriņtiesām](#)), 2023, p. 64.

³¹¹ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Handbook I for Orphan's and Custody Courts ([1. Rokasgrāmata bāriņtiesām](#)), 2023, p.27.

³¹² Latvia, Regulations of the Cabinet of Ministers No.1037 of 19 December 2006 "[Regulations for the Operation of an Orphan's Court](#)" (*Ministru kabineta 2006. gada 19. decembra noteikumi Nr. 1037 "Bāriņtiesas darbības noteikumi"*), 1 January 2017.

³¹³ Latvia, [Administrative Procedure Law \(Administratīvā procesa likums\)](#), 1 February 2004.

³¹⁴ Latvia, Regulations of the Cabinet of Ministers No.1037 of 19 December 2006 "[Regulations for the Operation of an Orphan's Court](#)" (*Ministru kabineta 2006. gada 19. decembra noteikumi Nr. 1037 "Bāriņtiesas darbības noteikumi"*), 1 January 2017, Art. 75.

		<p>The orphan's and custody court can ask to examine the individual case in cooperation group of the municipality. The Cabinet of Ministers has issued the regulations on the cooperation of institutions in the protection of children's rights³¹⁵. The cooperation group includes representatives from the police, social service, education board or education specialist and orphan's and custody court. At the initiative of the members of the cooperation group, the cooperation group may invite representatives from educational institutions, child care institutions, prisons, municipal pedagogical and medical commissions, municipal administrative commissions, State Probation Service, non-governmental organizations.</p>
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4.3.4. Please provide information on who is responsible to investigate and assess the situation of the child and the family and how this is done. Please provide information and describe the role and responsibilities of judicial authorities in the reporting and referral procedure.

If the municipal social service has grounds to believe that the child has suffered from violence as a result of parental, guardian or foster family abuse, inadequate care and supervision or due to another violation of the rights of the child, it is required without delay, but not later than the next working day to inform the orphan's and custody court and State police.³¹⁶ If the municipal social service has grounds to believe that due to inadequate care the child is not provided sufficient health care, it is required without delay, but not later than within three working days to inform the family doctor or another medical specialist.³¹⁷

An orphan's and custody court, based on the information acquired regarding the possible threat to the health, life or wholesome development of a child must immediately invite the parent, guardian, foster family or host family of the child to attend the orphan's and custody court or visit them in person and inform the parent, guardian, foster family or host family of the child about the possible threat to the child and regarding the criminal record of the person who is posing this threat, as well as provide information on the recommended action and the opportunities for receiving support services. A communication protocol must be drawn up regarding the informing of the parent, guardian, foster family or host family. A parent, guardian, foster family or host family must be warned of the liability in connection with the disclosure of the information to third persons.³¹⁸

If the orphan's and custody court receives information about possible violence against the child, it must check this information immediately. Living conditions must be checked, inviting the representatives of the social service as well if necessary. The threat to the security, life and health of

³¹⁵ Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 "Regulations on the Cooperation of Institutions in the Protection of Children's Rights" (*Ministru kabineta 2017. gada 12. septembra noteikumi Nr. 545 "Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā"*), 15 September 2017.

³¹⁶ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 12 (2¹).

³¹⁷ Latvia, [Law on Social Services and Social Assistance \(Sociālo pakalpojumu un sociālās palīdzības likums\)](#), 1 January 2003, Art. 12 (2²).

³¹⁸ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 44.¹ (2), (3).

the child is assessed, as well as the view of the child is heard, evaluating the child itself, the family and the environment resources and obstacles. If no threat is identified, yet it is concluded that the family lacks the skills in childcare and upbringing, the orphan's and custody court prepares a letter to the social service, indicating information about the conclusions of the check of the living conditions, and asking to conduct work with this family according to the competences of the service.

When necessary, the orphan's and custody court decides to terminate the custody rights of the parents, but the court is involved in the removal of the child's custody rights. According to the Civil Law, the custody rights are removed by a court judgment.³¹⁹ Upon removing the custody rights from one parent, the court must transfer the child into the separate custody of the other parent. If custody, which could be implemented by the other parent, would not protect the child sufficiently from endangerment or custody rights are removed from both parents, the court must assign the orphan's and custody court to ensure out-of-family care for the child. In such cases, care must be implemented by the other parent, but, if there are impediments to this as well, the orphan's and custody court must ensure out-of-family care for the child.

The orphan's and custody court has the right to decide regarding bringing an action to a court for removal of custody rights before one year period if it is in the interests of the child.³²⁰

No court decisions are necessary for the provision of out-of-family care to the child, including the placement in long-term social care institution – such decisions are taken by the orphan's and custody court.³²¹

Question	Yes	No	Comments
4.3.5. Are the roles and responsibilities of the various actors and professionals involved in these procedures (including civil society organisations) clearly stated in the legislative and regulatory framework?	X		<p>Each institution has a statutory role and responsibility.</p> <p>Law on the Protection of the Children's Rights clearly lists institutions involved in the protection of the children and defines their roles and responsibilities.³²² In addition, the competence of each participating institution is defined in the law that establishes and regulates the institution's work. For instance, Law on Police³²³, Law on Orphan's and Custody Courts³²⁴, Law on Municipalities³²⁵ all explain the roles of the respective institutions in respect of the protection of children.</p> <p>Consequently, there is a fragmented system. The State Inspectorate for Protection of Children's Rights has found that the citizens are not informed</p>

³¹⁹ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art. 199, 200.

³²⁰ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art. 200, 203.

³²¹ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 54 (1).

³²² Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 61-69.

³²³ Latvia, [Law on Police \(Likums "Par Policiju"\)](#), 4 June 1991, Art. 12.¹

³²⁴ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007.

³²⁵ Latvia, [Law on Municipalities \(Pašvaldību likums\)](#), 1 January 2023.

			about the competences of the institutions and do not know in which cases they should contact each of the institutions. ³²⁶
4.3.6. Are there any inter-agency cooperation protocols and agreements in place to strengthen cooperation between actors with responsibility in the referral procedure and enhance the efficiency of their actions?	X		There are no inter-agency cooperation protocols and agreements because this cooperation is defined by legislation. The Protection of the Rights of the Child Law ³²⁷ establishes the obligation to cooperate between police, social service, education board or education specialist, the orphan's and custody court, as well as educational institutions, child care institutions, prisons, municipal pedagogical and medical commissions, municipal administrative commissions, State Probation Service and non-governmental organizations. These institutions form the cooperation group in each municipality. The Cabinet of Ministers has issued a regulation on the cooperation of institutions in the protection of children's rights. ³²⁸ At the same time each institution can conclude cooperation agreements in accordance with State Administration Structure Law. ³²⁹
4.3.7. Is it likely that procedures will differ, depending on the migration – residential status of the child concerned? <i>Please also consider potential divergences depending on main actors involved.</i>		X	The State must ensure the rights and freedoms of all children without any discrimination – irrespective of race, nationality, gender, language, political party alliance, political or religious convictions, national, ethnic or social origin, place of residence in the state, property or health status, birth or other circumstances of the child, or of his or her parents, guardians, or family members. ³³⁰ If in accordance with international or national law a child is a refugee or a person to whom alternative status has been granted, the child must receive protection and assistance regardless of whether the child is together with parents or other adults or alone, in accordance with the Asylum Law. The orphan's and custody court together with the municipality social service office and immigration institutions must take measures to

³²⁶ Latvia, Rekšņa O. What institutions should be contacted if there are suspicions of violations of children's rights (*Kādās iestādēs jāvēršas, ja ir aizdomas par bērnu tiesību pārkāpumiem*), 10 June 2022.

³²⁷ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 6 (3).

³²⁸ Latvia, Regulations of the Cabinet of Ministers No. 545 of 12 September 2017 "Regulations on the Cooperation of Institutions in the Protection of Children's Rights" (*Ministru kabineta 2017. gada 12. septembra noteikumi Nr. 545 "Noteikumi par institūciju sadarbību bērnu tiesību aizsardzībā"*), 15 September 2017.

³²⁹ Latvia, [State Administration Structure Law](#) (*Valsts pārvaldes iekārtas likums*), 1 January 2003, Art. 54.

³³⁰ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 3 (2).

		find the parents of a child and to determine what possibilities there are for the child to return to their family. If it is not possible to find the parents of a child, the refugee child, and the child to whom alternative status has been granted must be provided with the same care as any other child who has been left without parental care. ³³¹
4.3.8. Are affected children heard as part of the procedures? If <u>yes</u> , are the hearings child-sensitive and designed age-appropriately and in child-friendly language? Do children receive information and support by competent and trained professionals?	X	<p>A child must be given the opportunity to be heard in any adjudicative or administrative proceedings related to the child, either directly or through a lawful representative of the child or through a relevant institution.³³² In determining the best interests of the child, hearing the opinion of the child must be ensured and it must be taken into consideration according to the age, maturity, ability of the child to formulate an opinion.³³³</p> <p>The hearing must be conducted in a child-sensitive manner and must be designed age-appropriately and in a child-friendly language. Before the hearing, the orphan's and custody court must evaluate several aspects - who will negotiate with the child (member of the orphan's and custody court, school teacher, social worker, psychologist), where the conversation is to be held, when to conduct a conversation, how to have a conversation with a child about violence, is it possible to find out the child's opinion about the fact of violence.³³⁴</p> <p>The Ombudsman points out that there is still a long way to go until children are heard in every situation that concerns them and that they can express their opinion freely without fear of adverse consequences.³³⁵</p> <p>Also NGO centre "Dardedze" (<i>Centrs Dardedze</i>) indicates that not all officials know what hearing a child means in practice. There are also no clear rules on who exactly is responsible for the hearing.</p>

³³¹ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 74 (3).

³³² Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 20 (2).

³³³ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 6 (2.¹).

³³⁴ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Handbook I for Orphan's and Custody Courts (*1. Rokasgrāmata bārintiesām*), 2023, p.26.

³³⁵ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), It is important for children and young people to be heard (*Bērniem un jauniešiem ir svarīgi tikt sadzirdētiem*), 31 May 2022.

			There are also certain prejudices about the child's ability to express a meaningful opinion. In addition, there is also a lack of the skills and abilities to assess and evaluate the child's opinion. ³³⁶
4.3.9. Are there mental health support services available for affected children? If <u>yes</u> , how are services working together? How is it ensured that the child is informed and can make use of these services?	X		<p>The state must ensure social rehabilitation services for children who have suffered from violence, including psychologist and a social worker service. The type, amount, and content of social rehabilitation services, the conditions for the receipt and granting of services are determined by the Cabinet of Ministers regulations "Procedures for Providing the Necessary Assistance to a Child who has Suffered from Illegal Activities".³³⁷</p> <p>A psychologist or a social worker must, within 10 days, provide an opinion upon request of the parent or guardian of the abused child, the head of the institution, the foster family, or the orphan's and custody court. The following information must be indicated in the opinion: whether the child has signs of psychological trauma; the necessary social rehabilitation measures; whether it is preferable to receive social rehabilitation at the place of residence of the child (hereinafter - place of residence) or at the institution, or at a social rehabilitation institution; whether the child needs a social rehabilitation course up to 30 days or a complex social rehabilitation course up to 60 days in a social rehabilitation institution; whether it is necessary that a family member of the child or a person who takes care of the child stays at the social rehabilitation institution together with the child, taking into account the psychological state and age of the child.</p> <p>At the same time in the audit report of the State Audit Office ""Problem children" – a mirror of adult incompetence"³³⁸ has been found that</p>

³³⁶ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Discussion "Listen to children and young people. They HAVE an opinion!" (*Diskusija "Ieklausies bērnos un jauniešos. Viniem IR viedoklis!"*), 1 June 2022.

³³⁷ Latvia, Regulations of the Cabinet of Ministers No.1613 of 22 December 2009 "[Procedures for Providing the Necessary Assistance to a Child who has Suffered from Illegal Activities](#)" (*Ministru kabineta 2009. gada 22. decembra noteikumi Nr. 1613 "Kārtība, kādā nepieciešamo palīdzību sniedz bērnam, kurš cietis no prettiesiskām darbībām"*), 1 January 2010.

³³⁸ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Problem children – a mirror of adult incompetence (*Problēmbērni – pieaugušo neizdarību spoqlis*), 19 October 2022, p.10.

		<p>service availability is insufficient. The services, such as psychological support, family assistant service and crisis or family support centres, are available only in a third of municipalities. In addition, these services are not available in the entire territory of these municipalities either. Also the educational institutions of many municipalities do not use the opportunities of various projects to attract the missing specialists in providing support to children or to finance their insufficient workload with project funds.</p>
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4.3.10. What are the main challenges and gaps in the referral and investigation highlighted by relevant authorities, child protection, and civil society organisations? Briefly describe.

The system does not promote uniform practice. For instance, administratively punishable violence against a child is examined by the institution depending on the perpetrator of the violence - the administrative violation process for the violence of a private person, including an employee of a private educational institution, is carried out by the state police, but examined by the municipal administrative commission. While the administrative process in the case of violence by an employee of a municipal institution is carried out by the State Inspectorate for Protection of Children's rights.³³⁹

The challenge for improving the system is the wide range of responsible institutions (orphan's and custody court, municipal social services, municipalities, out-of-family care service providers, educational, cultural and medical institutions, state and municipal police, courts, bailiffs, State Probation Service, social corrections institutions, prisons, non-governmental organizations), various appropriate approaches to solving problems and the level of understanding of the specialists involved.³⁴⁰

Emotional abuse against a child in the family, especially psychological influence, is often not investigated at all. Upon a parent's application regarding the other parent's emotional violence against the child, a decision is received on the refusal to initiate an administrative violation process, which states that there is a legal proceeding between the parents in a case arising from the right of custody, disputes must be resolved in court. It cannot be denied that there are cases when parents who are opposing parties in a civil case unjustifiably turn to the police for offenses committed by the other parent against the child, but this does not justify the police's careless attitude towards the reported cases.³⁴¹

In the report of the State Audit Office "Problem children" – a mirror of adult incompetence" has been found that there is a system to identify families with children with behavioural problems or at risk of developing them, however, the established system is not complete and does not achieve its goal in all cases. The municipalities do not conduct a study of the social environment to create a support system

³³⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), Report on the improvement of the system for the protection of children's rights (*Informatīvais ziņojums "Par bērnu tiesību aizsardzības sistēmas pilnveidi"*), 18 February 2021.

³⁴⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), Report on the improvement of the system for the protection of children's rights (*Informatīvais ziņojums "Par bērnu tiesību aizsardzības sistēmas pilnveidi"*), 18 February 2021.

³⁴¹ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter of the Ombudsman (*Tiesībsarga biroja vēstule*), 22 February 2023, No. 1-5/57. Unpublished.

that meets the needs of the children. Likewise, the responsible institutions of municipality - social services, orphan`s and custody court and Cooperation groups established for inter-institutional cooperation - do not sufficiently use the information already at their disposal, including the data stored in the information systems of the state and municipalities. Therefore, even children who initially only needed support in solving certain problems (for example, this was evidenced early on by being late to an educational institution), come to the attention of the responsible institutions only when they already commit various administrative violations and even criminal offenses and when, in response to the facts that have occurred, the responsible institutions must take specific actions for the correction of the child's behaviour provided for in the regulatory acts.³⁴²

4.4. Placement decisions – care orders

4.4.1. Following the investigation and assessment of the child's situation, who is responsible to decide upon issuing a care order/decision and the placement of the child in alternative care?

The orphan's and custody court must take the child to a foster family, an institution of long-term social care and social rehabilitation, a hospital, or other safe place.³⁴³
 The law does not specify the minimum ages of consent for adoption and hearing a child. Law on the Protection of the Children's Rights only gives a general guideline that should be taken into consideration according to the age, maturity and ability of the child to formulate an opinion.³⁴⁴

Question	Yes	No	Comments
<p>4.4.2. Are there legislative and or regulatory provisions clearly stating the criteria that should be taken into consideration in the assessment of the situation and in the decision-making process?</p> <p>Are there provisions specifying the criteria that should be considered when deciding to remove the child from its family? Are the principles of</p>	X		<p>The orphan's and custody court must primarily evaluate the possibilities for eliminating the threat to the life and health of the child upon his or her staying in the family. If it is not possible to eliminate it with means (temporary protection against violence, transfer of the child into short-term care of another person with whom the child has an emotional connection in safe circumstances, etc.) which are less restrictive on the rights of the child to grow up in a family, it must decide to separate the child from the family.³⁴⁵</p> <p>There are provisions specifying the criteria that should be considered when deciding to remove the child from their family. According to the Article 27 of the Protection of the Rights of the</p>

³⁴² Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Problem children – a mirror of adult incompetence (*Problēmbērni – pieaugušo neizdarību spoqulis*), 19 October 2022.

³⁴³ Latvia, *Law on Orphan`s and Custody Courts (Bārintiesu likums)*, 1 July 2007, Art. 23 (1).

³⁴⁴ Latvia, *Law on the Protection of the Children's Rights (Bērnu tiesību aizsardzības likums)*, 22 July 1998, Art. 6 (2¹).

³⁴⁵ Latvia, *Law on Orphan`s and Custody Courts (Bārintiesu likums)*, 1 July 2007, Art. 23.

<p>necessity and appropriateness considered?</p>		<p>Child Law a child must be separated from family, if:</p> <ul style="list-style-type: none"> ○ the life, health, or development of the child is seriously threatened due to violence or if there are justified suspicions regarding violence against the child, and also due to lack of care or due to the circumstances of his or her home (social environment); ○ the child is seriously threatening his or her health or development by using alcohol, narcotic, or toxic substances; ○ the child has committed a criminal offence. <p>A child should be separated from the family if it is not possible to allay the circumstances unfavourable to the development of the child if he or she remains in the family.</p> <p>The principles of necessity and appropriateness are considered. In determining the best interests of the child, it is necessary to aim for a solution that is sustainable for the situation of the child considering, the extent to which the measures to be taken ensure:</p> <ul style="list-style-type: none"> ○ emotionally close, permanent, family-like relationships for the child; ○ education corresponding to the needs and abilities of the child; ○ health protection corresponding to the needs of the child; ○ care corresponding to the age, emotional and physical needs of the child; ○ support for balanced mental and physical development of the child; ○ possibility for the child to develop his or her individuality, abilities, and interests; ○ participation of the child in decision-making processes related to him or her; ○ listening to the opinion of the child and taking it into consideration according to the age, maturity, ability of the child to formulate an opinion; ○ protecting of the child from a conflict of loyalty; ○ safe environment for the child to grow up and develop, protection from violence, threat, antisocial behaviour, and influence of addictions; ○ preservation of the identity of the child;
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		<ul style="list-style-type: none"> ○ forming of the sense of responsibility of the child; ○ other circumstances of significance to the development and welfare of the child. <p>During periods of out-of-family care necessary measures must be taken to ensure the re-unification of a child with his or her parents.³⁴⁶</p>
<p>4.4.3. Are there provisions requiring that the views of the child should be taken into consideration in the decision-making process?</p> <p><u>If yes</u>, please specify if this is mandatory or left to the discretion of the responsible authorities, and if there are age-related requirements.</p>	X	<p>There are provisions of Law on the Protection of the Children's Rights requiring that the views of the child should be taken into consideration in the decision-making process.</p> <p>It is mandatory to take the views of the child in account in the decision-making process taking into consideration the age, maturity and ability of the child to formulate an opinion.³⁴⁷</p> <p>The handbook for Orphan's and Custody Courts³⁴⁸ determines how to take children's views into consideration. Listening to the child's opinion must be carried out in several stages:</p> <ul style="list-style-type: none"> • Preparation - the persons who are responsible for hearing the child must ensure that the child is informed about his right to express an opinion in all matters that concern him. In addition, the child must be informed that he has the opportunity to communicate directly or through a representative. The child must be aware of the possible consequences of his choices. • Hearing - the circumstances in which the child uses his right to be heard must be encouraging, so that the child is convinced that the adult responsible for the hearing wants to listen and takes seriously what the child has to say. The child's opinion can be heard by an adult who is involved in an issue that affects the child (for example, a social worker), a decision-maker in an institution (for example, a chairman or a member of an orphan's and custody court) or a specialist (for example, a psychologist). The conversation should

³⁴⁶ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 6.

³⁴⁷ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 6 (2¹), 13 (1), 20 (2).

³⁴⁸ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), 1. Handbook for Orphan's and Custody Courts ([1.Rokasgrāmata bārintiesām](#)), 2023, p.169-170.

			<p>be conducted as an open dialogue, so as not to give the child the feeling of interrogation.</p> <ul style="list-style-type: none"> • Assessment of the child's abilities - the decision-maker must accept the child's opinion as essential, at the same time evaluating all factors that can affect the objectivity and independence of the child's opinion, the child's ability to express an opinion. <p>Information on the extent to which the child's opinion is taken into account (feedback) - information may encourage the child to insist, agree or express another proposal or, in case of legal proceedings or administrative procedure, to file an appeal or complaint</p>
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4.5. Types of care with focus on alternative care

Types of care existing in the country	Yes	No	Who is offering such services? (State, regional, local authorities, civil society, religious institutions)	Please make differences between the different types of care explicit
Foster care	X		<p>According to Article 1 of the Law on the Protection of the Children's Rights:</p> <ul style="list-style-type: none"> ○ foster family is a family or a person who ensures care for a child who has been temporarily or permanently removed from their family environment or in whose interests remaining in the family is not permitted until the moment when the child may return to their family or, if that is not possible, is adopted, guardianship has been established or the child has been placed in a child care institution; ○ specialised foster family is a foster family which ensures care for a child of a certain target group to whom special care is necessary. <p>The orphan's and custody court grants the status of a foster family, including the status of a specialised foster family, and takes care of entering into the childcare agreement with the foster family.³⁴⁹ The municipality assists foster families in the upbringing of children and ensures the</p>	

³⁴⁹ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 36.

		<p>necessary social services. A foster family can receive remuneration for the fulfilment of the duties of a foster family and an allowance for maintaining a child, as well as an allowance for the purchase of clothing and soft furnishing (for example, bed linen, blanket, pillow, mattress). The Cabinet of Ministers determines the amount of funds for the maintenance of the child and financial sources (municipal or state budget) for each aid.³⁵⁰ Unlike the other two types of care (guardianship and care in an orphanage), the orphan's and custody court continues to represent the property interests and rights of the child in the foster family.³⁵¹</p>
Residential – institutional care	X	<p>There are two type institutional care - child care institutions for orphans and children left without parental care and social correction educational and prophylactic institutions.</p> <p>The child care institution is an institution in which social care and social rehabilitation for orphans and children left without parental care, and also children for whom social rehabilitation is necessary or special care due to their state of health, is ensured. As prescribed by the law, an orphan and a child left without parental care should be placed in a childcare institution according to the decision of an orphan's and custody court or municipal social service office.³⁵² Placing a child in an institution of long-term social care and social rehabilitation is permissible if care in a family environment (foster family, guardianship) is not suitable for a particular child. If the orphan's and custody court has decided to place a child in such institution, the child's interests are represented by the head of the institution.³⁵³</p> <p>The social correction educational institutions are institutions in which children with socially deviant behaviour are placed and in which, if necessary, compulsory measures of a medical nature are applied. A child must be placed in a social correction educational institution if social correction of the behaviour of the child while located at his or her place of residence has not been successful or also the child has committed a criminal offence before attaining 14 years of age. A child may be placed in the institutions referred to pursuant to a court ruling in accordance with</p>

³⁵⁰ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018.

³⁵¹ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family ([Atnemtā bērniņa. Ikvienam bērnam ir tiesības uzaugt ģimenē](#)), 17 April 2019, p.62.

³⁵² Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 1, 37.

³⁵³ Latvia, Orphan's and Custody Court of Riga City (*Rīgas Bāriņtiesa*), Child care institutions ([Bērna aprūpes iestādes](#)).

		<p>procedures laid down in a separate law. A prophylactic institution is a unit of the State Police, where a child who has committed a violation of the law or a child with socially deviant behaviour is placed in the cases specified in the law. A child may be placed in a prophylactic institution for a short-term in the cases and according to the procedures laid down in the law. The police may place a child in a prophylactic institution in the cases referred to not longer than for five days.³⁵⁴</p> <p>In 2022 the Cabinet of Ministers liquidated the only educational institution of social correction "Naukšēni". By 31 December 2023, the Cabinet of Ministers must develop amendments to the law regarding the application and enforcement of a coercive measure of an educational nature - placement in a social correctional educational institution. The reform of the institute of social correction educational institution and the reform of the content of social correction will be carried out. The issue of the need for a separate institute of social correction educational institution as such will also be evaluated. If it continues to exist, questions about the location of the social correction educational institution, the provision of adequate personnel and the improvement of the social correction program will be evaluated.³⁵⁵</p>
Other forms of family-based or family-like care placements	X	<p>If it is not possible for the child to stay in the family, the most appropriate form of care for the child is care with a guardian, which, unlike a foster family, is a permanent solution for childcare.³⁵⁶ Unlike the foster family, the guardian not only takes care of the child, but also acts as the legal representative.</p> <p>The guardianship is established if, for instance, the parents of the child have deceased or declared to be deceased; the custody rights have been terminated or removed from the child's parents; the parents of the child are not able to provide sufficient care and supervision of the child due to illness.³⁵⁷</p> <p>Guardianship over children primarily devolves to their nearest relatives. If among the relatives no one capable is to be found, or those who are capable are unable to assume</p>

³⁵⁴ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 38.

³⁵⁵ Latvia, Cabinet of Ministers order No. 528 of 14 July 2022 "On the liquidation of the educational institution of social correction "Naukšēni" (*Ministru kabineta 2022. gada 14. jūlija rīkojums Nr. 528 "Par sociālās korekcijas izglītības iestādes "Naukšēni" likvidāciju"*), 14 July 2022.

³⁵⁶ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atņemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019, p.7.

³⁵⁷ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 26.

		<p>guardianship, or they are discharged or dismissed from the performance of the duties of a guardian, and also if children do not have any relatives, the guardian can be appointed from among other persons.³⁵⁸</p> <p>A municipality must, within the scope of its budget resources, ensure the training for guardians. The Minister for Welfare must approve a sample guardian training programme. The State Inspectorate for Protection of Children's Rights within the framework of the allocated State budget resources must provide the guardians with psychological assistance and informational and methodological support. The parents have an obligation to pay the maintenance to the guardian in the amount necessary for the child. If parents do not pay maintenance, the guardian has the right to bring an action to court.³⁵⁹</p>
Supervised independent living arrangements for children	X	<p>Deinstitutionalization is underway, the purpose of which is to eliminate care institutions and provide care for children in a family environment. Deinstitutionalization should prevent the situation where a child must move to a long-term social care and social rehabilitation institution. The state makes financial investments in social service providers, including family-friendly services and Youth homes.³⁶⁰ For example, in the city of Liepāja in January 2023, already a second children's support center house is under construction. There will be four bedrooms for 8 children. The living room, kitchen, technical room, utility building will be located outside, there will be a terrace and a playground. A place close to a family environment is being created, where children can receive services in small groups, so that children learn various skills - cooking, paying bills, and so on.³⁶¹</p> <p>Also, Latvian SOS Children Villages association, a non-governmental organisation, established Youth homes. The youngsters are staying in those homes from 14 years until the age of 18, but, if they continue their education they can stay until 24.³⁶² SOS Children's Villages Latvia is a charity organization that has been developing and supporting SOS families since 1997, for children who have been left without their parental care, as well it keeps helping families in crisis</p>

³⁵⁸ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art. 235.-236.

³⁵⁹ Latvia, [Law on the Protection of the Children's Rights \(Bērnus tiesību aizsardzības likums\)](#), 22 July 1998, Art. 35 (3).

³⁶⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Information about the deinstitutionalization project ([Informācija par deinstitucionalizācijas projektu](#)), 21 August 2022.

³⁶¹ Latvia, Ozola I. The orphanage in Liepāja is replaced by new houses and a family environment ([Bērnunamu Liepājā aizstāj ar jaunām mājām un ģimenisku vidi](#)), 13 January 2023.

³⁶² Latvia, SOS Children's Villages ([SOS Jauniešu māja](#)), 2023.

			situations in SOS family support centers. Since 2018 the organisation also supports foster and adoptive families and guardians in SOS out-of-family-care Support centres.																														
Question	Yes	No	Comments																														
4.5.1. Is there data available on the number of children in care (disaggregated by type of care, gender/age, length of placement, etc)?	X		<p>Every year the number of children in out-of-home care continues to decrease, which is related both to the overall demographic situation in Latvia, as the population continues to decrease, and to the implemented measures to improve the support system for families with children.³⁶³</p> <p>In 2020, 1,038 persons had their guardianship rights terminated for 1,170 children, while in 2021, 900 persons had their guardianship rights terminated for 1,009 children, which is 138 persons and 161 children less than the year before.</p> <p>In 2021, 312 children were placed in a foster family, a guardian was appointed for 518 children and 122 children were placed in childcare institutions:</p> <table border="1"> <thead> <tr> <th></th> <th>2017</th> <th>2018</th> <th>2019</th> <th>2020</th> <th>2021</th> </tr> </thead> <tbody> <tr> <td>In out-of-home care</td> <td>6 669</td> <td>6 438</td> <td>6252</td> <td>6004</td> <td>5910</td> </tr> <tr> <td>In foster families</td> <td>1173</td> <td>1 246</td> <td>1355</td> <td>1377</td> <td>1413</td> </tr> <tr> <td>Under guardianship</td> <td>4459</td> <td>4 398</td> <td>4276</td> <td>4059</td> <td>3983</td> </tr> <tr> <td>In care institutions</td> <td>1037</td> <td>794</td> <td>621</td> <td>568</td> <td>514</td> </tr> </tbody> </table>		2017	2018	2019	2020	2021	In out-of-home care	6 669	6 438	6252	6004	5910	In foster families	1173	1 246	1355	1377	1413	Under guardianship	4459	4 398	4276	4059	3983	In care institutions	1037	794	621	568	514
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³⁶³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), On proposals for improving the operation of specialized foster families and out-of-family care support centers (*Par priekšlikumiem specializēto audžuģimeņu un ārpusģimenes aprūpes atbalsta centru darbības uzlabošanai*), 29 November 2022.

Number of foster families	575	636	712	752	795
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Analysing the data provided by child care institutions, it can be concluded that children between the ages of 13 and 17, teenagers with behavioural disorders and addiction problems are mostly in the child care institution. Out of 514 children, 78 children are in state social care centres, namely children with severe functional disorders.

	Orphans and children left without parental care (on January 1, 2021)
	514
Age groups:	
0-3	18
4-12	185
13-17	311

The duration of a child's stay in a child care institution is mostly longer than 6 months, which indicates that children are in a child care institution for a long time.

In 2020, 514 children stayed in a child care institution for more than six months, and in 2021, 457 children, which is 57 children less than in 2020.

On the other hand, only 44 children (in 2020) and 35 children (in 2021) stayed in a child care institution for less than six months.

Age	2017	2018	2019	2020	2021
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			<table border="1"> <tbody> <tr> <td>More than 3 months:</td> <td>0-3</td> <td>14</td> <td>6</td> <td>5</td> <td>4</td> <td>1</td> </tr> <tr> <td></td> <td>4-12</td> <td>18</td> <td>12</td> <td>11</td> <td>20</td> <td>21</td> </tr> <tr> <td></td> <td>13-17</td> <td>18</td> <td>12</td> <td>16</td> <td>20</td> <td>13</td> </tr> <tr> <td>More than 6 months:</td> <td>0-3</td> <td>55</td> <td>13</td> <td>8</td> <td>12</td> <td>14</td> </tr> <tr> <td></td> <td>4-12</td> <td>401</td> <td>296</td> <td>205</td> <td>172</td> <td>156</td> </tr> <tr> <td></td> <td>13-17</td> <td>489</td> <td>411</td> <td>356</td> <td>330</td> <td>287</td> </tr> <tr> <td>Total</td> <td></td> <td>995</td> <td>750</td> <td>601</td> <td>558</td> <td>492</td> </tr> </tbody> </table> <p>The guardianship is the most common out-of-home care form, followed by foster care and care facility. Analysing the data provided by child care institutions, it can be concluded that children between the ages of 13 and 17, teenagers with behavioural disorders and addiction problems are mostly in the child care institution. Out of 514 children, 78 children are in state social care centres, namely children with severe functional disorders. Unfortunately, there are no accurate data on the age groups of children in guardianship and foster families.</p>	More than 3 months:	0-3	14	6	5	4	1		4-12	18	12	11	20	21		13-17	18	12	16	20	13	More than 6 months:	0-3	55	13	8	12	14		4-12	401	296	205	172	156		13-17	489	411	356	330	287	Total		995	750	601	558	492
More than 3 months:	0-3	14	6	5	4	1																																														
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Total		995	750	601	558	492																																														
4.5.2. Is there data available on the number of children placed in alternative care that disappeared and/or went missing from		X	The State Inspectorate for Protection of Children's Rights does not have such information.																																																	

residential care institutions?			
4.5.3. Is there a <u>national registry of foster care families</u> ? How many children can be fostered in one family?	X		<p>There is the Information System of Foster Families which is a component of the State information system "Integrated Information System of the Interior". The orphan's and custody courts must register information regarding children placed in a foster family and regarding foster families in this register. The objective of the Information System of Foster Families is to ensure the record-keeping of foster families and children placed in foster families to promote the protection of the personal and property interests of the children placed in a foster family.³⁶⁴</p> <p>Not more than three children may be placed into a foster family, or a crisis foster family at the same time, except for the case if brothers (half-brothers) and sisters (half-sisters) are being placed into the foster family. The total number of children that are present in the daily care of a foster family may not exceed six (including those under guardianship, adopted or one's own children), except for the case where six or more brothers (half-brothers) and sisters (half-sisters) are placed into a foster family at the same time.³⁶⁵</p>

4.5.4. How and by whom foster families are recruited, vetted, and trained? Provide information on the legal framework and responsible authorities, recruitment requirements, selection criteria, reimbursement of costs, etc.

The orphan's and custody court must grant the status of a foster family, including the status of a specialised foster family, and must take care of entering into the child care agreement with the foster family.³⁶⁶

The Cabinet of Ministers determines the criteria for the recognition of a family (person) as a foster family or specialised foster family, and the types of specialised foster families:

- the status of a foster family may be granted to the spouses (person), if at least one of the spouses (person) is a citizen or non-citizen of Latvia or a foreigner who has the right with approved relevant documents to reside in the territory of Latvia for not less than two years after submitting the submission;
- the spouses (person) have the right to apply for granting the status of a foster family if at least one of the spouses (person) is between 25 and 60 years of age. As an exception, if it is in the interests of a child, the spouses (person) who do not conform to the specified age may apply for granting of the status of a foster family;
- to recognise the spouses (person) as suitable for the fulfilment of the duties of a foster family, the spouses (person) must submit a submission and an opinion of a psychiatrist on the state

³⁶⁴ Latvia, [Law on Orphan`s and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 25.¹.

³⁶⁵ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018.

³⁶⁶ Latvia, [Law on the Protection of the Children`s Rights \(Bērnū tiesību aizsardzības likums\)](#), 22 July 1998, Art.36.

of mental health of the person and an opinion of a narcologist on the person being addicted to narcotic and psychotropic or other addictive substances.³⁶⁷

The orphan's and custody court must evaluate the documents, as well as evaluate the motivation of spouses (person) to become a foster family, the mutual relationship of family members, the knowledge and skills in care for a child; establish the financial situation of the family; check the living conditions of the spouses (person) and draw up an inspection deed of living conditions; request information from the Punishment Register, decide on the suitability of the foster family for the fulfilment of the duties of a specialised foster family in the relevant specialisation.³⁶⁸

The status of a foster family must not be granted if the following conditions have been applied in relation to at least one of the spouses (person), for instance the child custody rights have been discontinued or removed; the court has applied the compulsory measures of a medical nature specified in the Criminal Law.³⁶⁹

After the decision of the orphan's and custody court is taken on the suitability of the family or person for the status of a foster family, including the status of a specialised foster family, the State support centre must organise the training for foster families (66 academic hours (45 min.) training course). During the training, the foster family must acquire the knowledge and skills about the legal regulation of foster family, the development of the child, communication within the family and child care. Following successful completion of the training, the family receives certificate. Once in every three years the foster family has to complement their knowledge about the rights of the child by acquiring an additional 24-hour training programme. The psychological help and information and methodological support, as well as foster family training is provided by the State Inspectorate for the Protection of Children's Rights.³⁷⁰

The orphan's and custody court, in co-operation with an out-of-family care support centre must, not less than once a year, check the living conditions and evaluate the care of the child placed into the foster family or the specialised foster family and the compliance with his or her rights, evaluate the mutual relationship of the family members, the knowledge and skills in taking care of the child, and check the living conditions to make sure whether they have not changed, preventing the opportunity for the further fulfilment of the duties of a foster family or a specialised foster family.³⁷¹

A foster family must receive remuneration for the fulfilment of the duties of a foster family and an allowance for maintaining a child, as well as an allowance for the purchase of clothing and soft furnishing (for example, bed linen, blanket, pillow, mattress).³⁷²

A foster family depending on the number of children placed into the foster family receives remuneration for the fulfilment of the duties of a foster family (currently, if one child – € 171 per

³⁶⁷ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art. 12.,13., 15.2.

³⁶⁸ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art.15-16.

³⁶⁹ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art.14.

³⁷⁰ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art. 22, 35, 36.

³⁷¹ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art.3, 4.

³⁷² Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art. 76.

month; if two children – € 222.30 per month, if three or more children – € 273.60 per month).³⁷³ Additionally the foster family receives allowance for the maintenance of the child and allowance for the purchase of clothing and soft equipment are paid to the foster family from the budget funds of the municipality that has concluded an agreement with the foster family. The municipality determines:

- the amount of the allowance for the maintenance of the child, taking into account that it must not be less than: € 215 for a child up to the age of seven; € 258 for a child between the ages of seven and 18;
- the amount of the allowance for the purchase of clothing and soft equipment, as well as the procedure for its payment according to the child's needs. Instead of the mentioned benefit, the municipality can issue clothes, shoes and other things necessary for the child.³⁷⁴

The orphan's and custody courts must take a decision to remove the status of a foster family if the it is detected that the foster family does not fulfil their duties in accordance with the best interests of the child. If the family refuses to accept the child within 12 months since receiving the status of a foster family, the orphan's and custody court re-assesses whether the family is suitable to perform the duties of a foster family.³⁷⁵

4.5.5. Are any types of care (foster homes, residential care, other form of care arrangements) monitored once children are placed therein? If so, provide information on the applicable legislative provisions on monitoring procedures. Please specify the difference between the monitoring of different types of care. How frequently are they monitored, how and by whom?

The orphan's and custody court is required to monitor the care of the child and the observance of his rights and interests by the guardian, foster family and orphanage at least once a year.³⁷⁶ The established obligation for the orphan's and custody court to monitor the living conditions or make sure of the care of the child must not result only from a formal assessment of the physical environment, describing the arrangement of the home, but covers a wide assessment of the best interests of the given child.³⁷⁷

The monitoring procedures are established in Law on Orphan's and Custody Courts³⁷⁸ and relevant regulations of the Cabinet of Ministers³⁷⁹:

An orphan's and custody court must permanently supervise the actions of a guardian in ensuring of the personal and property rights and interests of a child, for instance by supervising whether a

³⁷³ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art. 77.

³⁷⁴ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018.

³⁷⁵ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 25.

³⁷⁶ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family ([Atnemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē](#)), 17 April 2019, p.9.

³⁷⁷ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Handbook II for Orphan's and Custody Courts ([2. Rokasgrāmata bārintiesām](#)), 2023, p.16-45.

³⁷⁸ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 31, 25, 36, 39.

³⁷⁹ Latvia, Cabinet of Ministers Regulations No. 354 of 26 June 2018 "[Regulations for Foster Families](#)" (*Ministru kabineta 2018. gada 26. jūnija noteikumi Nr. 354 "Audžuģimenes noteikumi"*), 1 July 2018, Art. 3.-4.

guardian provides for the upbringing of his or her ward with the same care as conscientious parents would provide for the upbringing of their child; by supervising that a guardian does not dispose of the property belonging to the child without the permission of an orphan's and custody court, if such permission is necessary in accordance with the Law; by inspecting the living conditions of a ward in the family of the guardian each year. An orphan's and custody court verifies the accounting submitted by a guardian each year, as well as upon the termination of guardianship. The Chairperson of the orphan's and custody court approves the accounting.

According to the Cabinet of Ministers "Regulations for Foster Families", an orphan's and custody court, in co-operation with an out-of-family care support centre must, not less than once a year, evaluate the mutual relationship of the family members, the knowledge and skills in taking care of the child, and check the living conditions to make sure whether they have not changed, preventing the opportunity for the further fulfilment of the duties of a foster family or a specialised foster family, as well as check the living conditions and evaluate the care of the child placed into the foster family or the specialised foster family and the compliance with his or her rights; at least once every six months, make sure of the child's psychophysiological development by evaluating the report prepared by the foster family; if necessary, request information about the contact between the child and the parents, the parents' spiritual and material support in raising the child.

Each year an orphan's and custody court must verify the care for a child placed in an institution of long-term social care and social rehabilitation. Also, an orphan's and custody court must request the accountings regarding the administration of the property of the child from the head of the institution of long-term social care and social rehabilitation. An orphan's and custody court must ascertain whether the head of an institution of long-term social care and social rehabilitation, in accordance with the procedures laid down in the laws and regulations regarding assistance in solving apartment matters, has informed the local government regarding the necessity to ensure the child with residential space after such child's reaching the legal age.

In the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family" found that in many cases, the supervision carried out by the orphan's and custody court is formal, as it mostly covers only checking the household conditions - whether the house is clean, whether the child has a bed, a wardrobe, whether there is food, etc. The child's opinion is not always clarified, as well as other issues important for the full care and development of the child. Currently, the supervision activities performed by the orphan's and custody courts are not sufficient to ensure the protection of the child's personal and property interests and rights.³⁸⁰

Question	Yes	No	Comments
4.5.6. Are children placed in foster care homes geographically <u>close to their biological families</u> , school, friends, and/or community?		X	Legal regulations do not require the orphan's and custody court to evaluate whether the foster family is situated close to the biological family of the child, to his or her school and friends. Every case of placement in a foster family is evaluated individually. However, in practice, this circumstance should be evaluated because according to the Law on the Protection of the Children's Rights during periods of out-of-family care necessary measures must be

³⁸⁰ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atņemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019, p.8.

		<p>taken to ensure the re-unification of a child with his or her biological parents.³⁸¹</p> <p>In the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family" it has been found that quite often municipalities choose to separate children from the same family and place them in different child care institutions, even in different regions. The State Audit Office has called for the child's best interests to be observed when choosing a child service provider, it is necessary to assess whether the particular child care institution is located in a place where it will be accessible to the children's parents or other relatives if they are looking for opportunities for family reunification. It is also necessary to assess whether the specific child care institution is able to take care of children of all ages, so that children of the same family do not have to be separated.³⁸²</p>
<p>4.5.7. Is there a <u>national registry</u> of residential institutions for children?</p> <p>If <u>yes</u>, please provide information regarding the existent number of residential institutions and their capacity (beds).</p>	X	<p>The social service providers, including institutions of long-term social care, are registered in the state information system "Social Services Providers Registry"³⁸³, overseen by the Ministry of Welfare.</p> <p>The list of registered service providers as well as the list of service providers excluded from the registry is published by the Ministry of Welfare on the internet.³⁸⁴</p> <p>The social services providers' registry does not provide information about the number of places in long-term social care institutions.</p>
<p>4.5.8. Are there <u>accreditation and licensing procedures</u> for residential institutions in place?</p>	X	<p>There is no annual accreditation and licensing procedures. In order to register a social services provider, a person (state, municipal government or private institution) must submit an electronic application to the Ministry of Welfare for the registration at the social service providers registry. The Ministry of Welfare receives and checks the necessary information about the service provider. Within a month following submission of the documents, the Ministry of</p>

³⁸¹ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998, Art. 6 (4).

³⁸² Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atnemtā bērība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019, p.59-61.

³⁸³ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Register of Social Service Providers (*Sociālo pakalpojumu sniedzēju reģistrs*), 2023.

³⁸⁴ Latvia, Regulations of the Cabinet of Ministers No. 385 of 27 June 2017 "[Regulations Regarding the Registration of Social Service Providers](#)" (Ministru kabineta 2017. gada 27. jūnija noteikumi Nr. 385 "[Noteikumi par sociālo pakalpojumu sniedzēju reģistrēšanu](#)"), 12 July 2017.

<p>If <u>yes</u>, please provide information on the legislative framework, the responsible authority and procedure.</p>		<p>Welfare makes the decision about registration and assigns the registration code and issues a registration certificate, or declines the registration application. Prior to taking the decision to register or re-register the service provider, the Ministry has the right to perform an inspection of the service provider at the place for the provision of the service regarding ensuring the requirements laid down in laws and regulations for the relevant social service provider. If within one month after receipt of the application from the service provider the Ministry does not request additional information and documents, does not take and notify the decision to refuse to register the service provider, it must be regarded that the service provider has been registered in the Register. A social service provider at least once in three years carries out internal self-assessment on the quality of the social services provided and their conformity with the requirements laid down in laws and regulations if the quality management system ISO 9001 has not been introduced and maintained.³⁸⁵</p>
<p>4.5.9. Are there <u>national applicable standards</u> relating to the operational framework of such institutions (requirements or quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children)?</p>	<p>X</p>	<p>The child care institutions must have the rooms and equipment necessary for the development of the child, as well as qualified medical and other personnel.³⁸⁶ More specifically, the requirements for institutions of care for orphans and children without parental care, as well as medical and sanitary requirements are prescribed by the Cabinet of Ministers regulation "Hygiene requirements of social care institutions"³⁸⁷ and "Requirements for Social Service Providers"³⁸⁸. The regulations envisage requirements and quality standards related to the personnel, the infrastructures, the living conditions, and daily care of children.</p>

³⁸⁵ Latvia, Regulations of the Cabinet of Ministers No. 385 of 27 June 2017 "[Regulations Regarding the Registration of Social Service Providers](#)" (*Ministru kabineta 2017. gada 27. jūnija noteikumi Nr. 385 "Noteikumi par sociālo pakalpojumu sniedzēju reģistrēšanu"*), 12 July 2017, Art. 5.-8., 14, 16.

³⁸⁶ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 37 (7).

³⁸⁷ Latvia, Regulations of the Cabinet of Ministers No. 431 of 12 December 2000 "[Hygiene Requirements for Social Care Institutions](#)" (Ministru kabineta 2000. gada 12. decembra noteikumi Nr. 431 "*Hiģiēnas prasības sociālās aprūpes institūcijām*"), 1 January 2001.

³⁸⁸ Latvia, Regulations of the Cabinet of Ministers No. 338 of 13 June 2017 "[Requirements for Social Service Providers](#)" (Ministru kabineta 2017. gada 13. jūnija noteikumi Nr. 338 "*Prasības sociālo pakalpojumu sniedzējiem*"), 1 July 2017.

4.5.10. How is the residential care staff recruited, vetted, and trained?

The head of an institution providing social services must have second-level professional higher education or academic higher education.³⁸⁹ The head of a child care institution, as well as social workers and social rehabilitators of the institution are required to have special knowledge in the area of child rights protection.³⁹⁰

The social services provider must ensure regular improvement of professional competence for employees:

- training (for the head of the institution, the head of the unit who is directly involved in provision and organisation of the social service, and a social worker - not less than 24 academic hours per year; for a social carer, a social rehabilitator, and a social assistance organiser - not less than 16 academic hours per year; for a carer - not less than eight academic hours per year; for other employees - as necessary);
- supervision (for a social work specialist, the head of the institution, and the head of the unit who is directly involved in provision and organisation of the social service - not less than 21 hours per year; for other employees - as necessary).³⁹¹

The Law on the Protection of the Children's Rights also stipulates who is prohibited to work, volunteer or provide services in the residential care institutions. Those are persons who, for instance have been convicted of criminal offences that are related to violence or threats of violence, have been convicted of criminal offences against morals and sexual inviolability or to whom the court has applied the compulsory measures of a medical nature specified in the Criminal Law.³⁹²

In hiring persons for work as managers or employees of childcare, educational, health care, and other such institutions where children are found, the employer should request for information regarding their previous activity, competence, and experience.³⁹³

It is an obligation of the manager of the childcare institution to ensure that its employees correspond to the requirements of the Law on the Protection of the Children's Rights. In hiring the persons, the manager has a mandatory duty to request from the Register of Convictions information regarding the correspondence of such persons to the requirements of the Law on the Protection of the Children's Rights, and to check such information at least once a year. Such information about the manager of the institution is requested by the employer.³⁹⁴

Suspending of the persons may be requested by the State Inspectorate for Protection of Children's Rights, if it has justified suspicions regarding potential violations of the rights of the child. The request

³⁸⁹ Latvia, [Law on Social Services and Social Assistance](#) (*Sociālo pakalpojumu un sociālās palīdzības likums*), 1 January 2003, Art. 17 (3).

³⁹⁰ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 5.¹.

³⁹¹ Latvia, Regulations of the Cabinet of Ministers No. 338 of 13 June 2017 "[Requirements for Social Service Providers](#)" (Ministru kabineta 2017. gada 13. jūnija noteikumi Nr. 338 "[Prasības sociālo pakalpojumu sniedzējiem](#)"), 1 July 2017, Art. 9.

³⁹² Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 72 (5).

³⁹³ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 72 (3).

³⁹⁴ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 72 (4).

of the State Inspectorate for Protection of Children's Rights must not be subject to contesting and appeal, it must be executed without delay.³⁹⁵

Question	Yes	No	Comments
<p>4.5.11. Are children placed in alternative care allowed to <u>lodge complaints</u> against the personnel /foster parents and care workers and report abuse or violations of their rights? Are these procedures child-friendly and respective of confidentiality?</p> <p>If <u>yes</u>, briefly describe to whom and how children can lodge complaints.</p>	X		<p>The children placed in alternative care are allowed in writing or orally to lodge complaints against the personnel, foster parents or care workers and report abuse or violations of their rights. The heads of child care, educational, health care, and similar institutions in which children reside have an obligation to determine the procedures for submitting and processing children's complaints and make them known and accessible to children.³⁹⁶ In any case, the child has the right to lodge complaints to an orphan's and custody court, the social service of the municipality, State police, State Inspectorate for Protection of Children's rights.</p>
<p>4.5.12. What is the <u>assistance available to adolescents that leave alternative care</u> to live independently?</p> <p>(e.g. financial, housing, vocational, educational, employment, life skills,</p>	X		<p>The social guarantees for orphans and children without parental care after the termination of out-of-family care are determined by the Cabinet of Ministers regulations "Regulations on Social Guarantees for an Orphan and a Child without Parental Care who is in Out-of-Family Care as well as after the Termination of Out-of-Family Care".³⁹⁷</p> <p>A long-term social care and social rehabilitation institution or the municipality must pay one-time allowance to a child who has reached the legal age monetary resources for the commencement of independent life - not less than 218.00 euros, and for persons with disabilities since childhood, not less than € 327.00. The expenses referred to must be</p>

³⁹⁵ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 72 (8).

³⁹⁶ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 70 (2).

³⁹⁷ Latvia, Regulations of the Cabinet of Ministers No. 857 of 15 November 2005 "[Regulations Regarding Social Guarantees for an Orphan and a Child Left without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care](#)" (Ministru kabineta 2005. gada 15. novembra noteikumi Nr. 857 "[Noteikumi par sociālajām garantijām bārenim un bez vecāku gādības palikušajam bērnam, kurš ir ārpusģimenes aprūpē, kā arī pēc ārpusģimenes aprūpes beigšanās](#)"), 18 November 2005.

<p>mental health services, social or emotional)?</p> <p>Briefly describe who is responsible for such assistance?</p>		<p>covered from the resources provided for the relevant institution for the current year.³⁹⁸</p> <p>The municipality in accordance with the procedures specified by legislation must provide to a child who has reached the legal age assistance in solving apartment matters.³⁹⁹ The orphan and child without parental care are provided a living space by the municipality were the child had registered residency before his/her transfer to out-of-family care.⁴⁰⁰</p> <p>The municipality grants the child a one-time allowance for the purchase of household items and soft furnishings in connection with starting an independent life. The amount of the mentioned benefit cannot be less than € 820.05, and it is intended to equip the home with the necessary household items and a minimum of soft inventory.⁴⁰¹</p> <p>If a child who has reached the legal age and has received general primary education continues without interruption his or her studies at a general secondary or vocational education institution and is a successful student, the municipality must pay to such child the benefit for monthly expenses that is not less than € 109.00, and for persons with disabilities since childhood, not less than € 163.00.⁴⁰²</p> <p>In the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family"</p>
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³⁹⁸ Latvia, Regulations of the Cabinet of Ministers No. 857 of 15 November 2005 "[Regulations Regarding Social Guarantees for an Orphan and a Child Left without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care](#)" (*Ministru kabineta 2005. gada 15. novembra noteikumi Nr. 857 "Noteikumi par sociālajām garantijām bārenim un bez vecāku qādības palikušajam bērnam, kurš ir ārpusģimenes aprūpē, kā arī pēc ārpusģimenes aprūpes beigšanās"*), 18 November 2005, Art.26-27.

³⁹⁹ Latvia, Regulations of the Cabinet of Ministers No. 857 of 15 November 2005 "[Regulations Regarding Social Guarantees for an Orphan and a Child Left without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care](#)" (*Ministru kabineta 2005. gada 15. novembra noteikumi Nr. 857 "Noteikumi par sociālajām garantijām bārenim un bez vecāku qādības palikušajam bērnam, kurš ir ārpusģimenes aprūpē, kā arī pēc ārpusģimenes aprūpes beigšanās"*), 18 November 2005, Art.28.

⁴⁰⁰ Latvia, [Law on Assistance in Solving Apartment Matters](#) (*Likums "Par palīdzību dzīvokļa jautājumu risināšanā"*), 1 January 2002, Art. 14 (4).

⁴⁰¹ Latvia, Regulations of the Cabinet of Ministers No. 857 of 15 November 2005 "[Regulations Regarding Social Guarantees for an Orphan and a Child Left without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care](#)" (*Ministru kabineta 2005. gada 15. novembra noteikumi Nr. 857 "Noteikumi par sociālajām garantijām bārenim un bez vecāku qādības palikušajam bērnam, kurš ir ārpusģimenes aprūpē, kā arī pēc ārpusģimenes aprūpes beigšanās"*), 18 November 2005, Art.30.

⁴⁰² Latvia, Regulations of the Cabinet of Ministers No. 857 of 15 November 2005 "[Regulations Regarding Social Guarantees for an Orphan and a Child Left without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care](#)" (*Ministru kabineta 2005. gada 15. novembra noteikumi Nr. 857 "Noteikumi par sociālajām garantijām bārenim un bez vecāku qādības palikušajam bērnam, kurš ir ārpusģimenes aprūpē, kā arī pēc ārpusģimenes aprūpes beigšanās"*), 18 November 2005, Art. 31, 31¹.

	<p>(2020) ⁴⁰³ it was found that the responsible institutions - orphan`s and custody court, social services and child care institutions - have not taken care in all cases to ensure that a child left without parental care receives support for starting an independent life after reaching the age of majority. The municipal institutions are passive and do not take the initiative in providing support.</p> <p>Also, the Ombudsman⁴⁰⁴ has found that after the end of out-of-family care, the young people who have reached the age of majority remain as a particularly vulnerable group of society, because they face several challenges at the beginning of starting an independent life.</p> <p>The ability of young people to function in this transitional phase largely depends on the support of the municipalities, because according to the laws and regulations, a large part of social guarantees for young people after the end of out-of-family care is provided by municipalities.</p> <p>In several municipalities, there is not enough housing stock to provide housing immediately after out-of-home care ends. It is often necessary to carry out cosmetic or capital repairs in residential premises, which require additional financial resources for young people.</p> <p>The social service lacks resources and social services to fully and comprehensively support young people. In several municipalities, there is a lack of understanding of how to provide psychosocial support for young people and what measures should be taken to integrate a child who has reached the age of majority into society.</p> <p>Young people are often not informed about their rights and are not oriented in legal matters. Consequently, young people do not know what kind of support they are entitled to receive and where to turn to receive it. There are limited opportunities to receive legal assistance free of charge, including assistance in arranging and compiling documents.</p> <p>There is insufficient cooperation between orphan`s and custody courts, social services and other municipal bodies, which are responsible for providing social guarantees and</p>
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⁴⁰³ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atņemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019, p.12-13.

⁴⁰⁴ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Report in inspection case No. 2018-35-23D on social guarantees after out-of-family care (*Atzinums pārbaudes lietā Nr. 2018-35-23D par sociālajām garantijām pēc ārpusģimenes aprūpes*), 17 April 2019.

			providing assistance to young people after the end of out-of-family care. ⁴⁰⁵
<p>4.5.13. What assistance is provided to families - while the child is placed to alternative care - to support the return of the child in the family? By whom? Who coordinates the assistance? Please briefly describe.</p>			
<p>The Law on the Protection of the Children's Rights envisages that during periods of extra-familial care necessary measures must be taken to ensure the re-unification of a child with his or her parents.⁴⁰⁶ A foster family, guardian and a child care institution must inform the parents regarding the development of the child and must encourage the renewal of family ties.⁴⁰⁷</p> <p>During the stay of a child left without parental care at a long-term social care and social rehabilitation institution, the municipality social service office and orphan's and custody court, in co-operation with the employees of the institution, must take measures to promote the return of the child to the family, to maintain contact between the child and parents or, if this is not possible, to seek a possibility to ensure care for the child in another family.⁴⁰⁸ While a child is in extra-familial care, the municipality must provide educational, social and other assistance to the parents of the child, in order to create conditions for renewal of care of the child within the family. The social service of the municipality carries out a family risk assessment and prepares an individual/family social rehabilitation plan, which determines the support the family needs and its amount, defines the tasks that the family must perform, and sets the deadlines for their execution. The social service monitors the performance of the tasks and assess whether the actions taken by the parents are sufficient to eliminate the problems that caused the child to be separated from the family. The state finances several types of support (psychiatrist, narcologist, psychologist, various rehabilitation programs). If the amount of service financed by the state is insufficient, then it must be provided by local governments.</p> <p>However, in the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family" (2019) it was found that not all municipalities have the necessary types of services and the number of paid services is insufficient.⁴⁰⁹</p>			
4.5.14. Is any <u>assistance</u> provided to children and families <u>upon return of the child in the family</u> ? Briefly describe.	X		<p>The social service of the municipality is the responsible institution that monitors the family and makes decisions on granting the necessary assistance.</p> <p>The social service develops and implements an individual social rehabilitation plan, which can include mandatory treatment of the child or receipt of social rehabilitation service for family members. The aim of the plan is to help solve interpersonal and social environment problems by</p>

⁴⁰⁵ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Report in inspection case No. 2018-35-23D on social guarantees after out-of-family care (*Atzinums pārbaudes lietā Nr. 2018-35-23D par sociālajām garantijām pēc ārpusģimenes aprūpes*), 17 April 2019.

⁴⁰⁶ Latvia, *Law on the Protection of the Children's Rights (Bērnu tiesību aizsardzības likums)*, 22 July 1998, Art. 6 (4).

⁴⁰⁷ Latvia, *Law on the Protection of the Children's Rights (Bērnu tiesību aizsardzības likums)*, 22 July 1998, Art. 44.

⁴⁰⁸ Latvia, *Law on Social Services and Social Assistance (Sociālo pakalpojumu un sociālās palīdzības likums)*, 1 January 2003, Art. 4 (5).

⁴⁰⁹ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atņemtā bērnība. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019, p.49-51.

<p>Who is responsible for such assistance?</p> <p>Is there any monitoring and follow-up of such cases?</p> <p>Who is coordinating assistance and support?</p>			<p>providing psychological and social support (services). Therefore, each case is evaluated individually and the needs and assistance to be received are defined for each person. State Inspectorate for Protection of Children's Rights indicates that there is a difference in the availability of services for those children who live in the capital Riga and those who live in other parts of Latvia.⁴¹⁰</p>
<p>4.5.15. Are decisions of placement in alternative care reviewed?</p> <p>If <u>yes</u>, please provide the applicable legislative provisions. How frequently is this done? By whom?</p> <p>Are the children's views taken into consideration?</p>	X		<p>According to the Civil Law⁴¹¹, Law on the Protection of the Children's Rights⁴¹² and Law on Orphan's and Custody Courts⁴¹³ if the parental care rights have been suspended, the orphan's and custody court within a year from the suspension must review the question of possible restoration of the parental care rights. If within a period of one year from the removal of care rights it is not possible to renew them, the orphan's and custody court must decide on the necessity to remove the care rights of the parent, except in cases where the care rights cannot be renewed due to circumstances independent of the parent. The orphan's and custody court has the right to decide regarding bringing an action to a court for removal of custody rights before setting in of the time if it is in the interests of the child.⁴¹⁴ The children's views must be taken into consideration according to the age, maturity, ability of the child to formulate an opinion.⁴¹⁵</p>
<p>4.5.16. Is there a <u>legal framework regarding adoption</u>? Briefly describe the core elements and responsible authorities, also considering differences between within-country and between-country adoptions. Is private adoption permitted in the country?</p>			

⁴¹⁰ Latvia, State Inspectorate for Protection of Children's rights of the Republic of Latvia (*Valsts bērnu tiesību aizsardzības inspekcija*), Answers on expert questions by Deputy Director Valentīna Gorbunova, 27 February 2023. Unpublished.

⁴¹¹ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937.

⁴¹² Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 42 (3).

⁴¹³ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 36.

⁴¹⁴ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art. 203 (3).

⁴¹⁵ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 6 (2¹).

Legal framework regarding adoption is determined by the Civil Law⁴¹⁶, Law on the Protection of the Children's Rights⁴¹⁷ and Law on Orphan's and Custody Courts⁴¹⁸, while adoption procedures are determined by Cabinet of Ministers regulations No. 667 "Procedures for Adoption"⁴¹⁹. The adoption of a minor child shall be permitted if it is in the interests of the child.⁴²⁰

The children left without parental care and the persons who are willing to adopt are registered in the Adoption Register maintained by the Ministry of Welfare. The Cabinet of Ministers must determine the data to be included in the Adoption Register on the children to be adopted, adopters, adoption process, and also the amount of such data, data processing regulations and procedures.⁴²¹

The person seeking adoption must submit to the orphan's and custody court adoption application and necessary documents.⁴²² The orphan's and custody court evaluates the submitted documents, examines the family at least six months and takes the decision about granting the person the status of adopter.⁴²³ When a child with disabilities is being adopted, the adopter must be informed about the health status of the child, developmental peculiarities and consequences, as well as about the special features of caring for the child.⁴²⁴ Adoption must be confirmed by a court.⁴²⁵

For two years after the confirmation of adoption the orphan's and custody court of the place of residence of the adopter must on a regular basis evaluate the care and supervision of the child in the family.⁴²⁶

Private adoption, when parents of the child come to an agreement with adopters about adoption of the child without the involvement of the state institutions – is not permitted in Latvia.

The Latvian legislation also determines the procedure of adoption abroad. A child may be adopted to a foreign country if the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption as well as the Convention on the Rights of the Child of 20 November 1989 is binding on this country and if Latvia has entered into a bilateral agreement with it which determines the nature of mutual legal cooperation in the field of intercountry adoption. A child may be adopted to a foreign country if the orphan's and custody court which decided on out-of-family care receives an opinion of the Intercountry Adoption Commission which includes a conclusion that the adoption process to a foreign country complies with the principles of protection of the rights of the child and the best interests of the child. The Cabinet of Ministers must determine the

⁴¹⁶ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937.

⁴¹⁷ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998.

⁴¹⁸ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007.

⁴¹⁹ Latvia, Cabinet of Ministers Regulations No. 667 of 30 October 2018 "[Procedures of Adoption](#)" (*Ministru kabineta 2018. gada 30. oktobra noteikumi Nr. 667 "Adopcijas kārtība"*), 8 November 2018.

⁴²⁰ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art. 162.

⁴²¹ Latvia, Cabinet of Ministers Regulations No. 667 of 30 October 2018 "[Procedures of Adoption](#)" (*Ministru kabineta 2018. gada 30. oktobra noteikumi Nr. 667 "Adopcijas kārtība"*), 8 November 2018, Art. 3.

⁴²² Latvia, Cabinet of Ministers Regulations No. 667 of 30 October 2018 "[Procedures of Adoption](#)" (*Ministru kabineta 2018. gada 30. oktobra noteikumi Nr. 667 "Adopcijas kārtība"*), 8 November 2018, Art. 17.

⁴²³ Latvia, Cabinet of Ministers Regulations No. 667 of 30 October 2018 "[Procedures of Adoption](#)" (*Ministru kabineta 2018. gada 30. oktobra noteikumi Nr. 667 "Adopcijas kārtība"*), 8 November 2018, Art. 23.

⁴²⁴ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 55 (4).

⁴²⁵ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art.171.

⁴²⁶ Latvia, Cabinet of Ministers Regulations No. 667 of 30 October 2018 "[Procedures of Adoption](#)" (*Ministru kabineta 2018. gada 30. oktobra noteikumi Nr. 667 "Adopcijas kārtība"*), 8 November 2018, Art. 39.

procedures for the establishment of the Intercountry Adoption Commission, its composition and competence.⁴²⁷

Discrimination based on a person's sexual orientation is not allowed. At the same time, same-sex couples cannot register their relationships in Latvia. Only spouses can adopt a child together.⁴²⁸ This means that in the case of a same-sex couple, only one partner can adopt the child, but the relationship between the child and the other partner will not be legally recognized, even though both partners live with the child, share a household and have a close personal relationship.

4.5.17. What are the main challenges encountered and gaps at the policy and legislative level in relation to alternative care? *Please consider available studies reports at national levels conducted by public or private institutions, child protection organisations, civil society, human rights institutions, academic community, and other sources such as concluding observations of the United Nations Committee on the Rights of the Child on country reports etc.*

In the audit report of the State Audit Office "Deprived childhood. Every child has the right to grow up in a family" it was found that there is positive development, because over the past two years, the orphan's and custody courts have increasingly created solutions to provide extra-family care for a child in a family environment - with a guardian or in a foster family.⁴²⁹

Currently, the possibility of orphan's and custody court to provide care for a child in a foster family is significantly affected by the increasingly insufficient number of foster families. State Audit Office believes that the most suitable form of care for the child's interests is care with a guardian, which, unlike a foster family, is a permanent solution for childcare. Therefore, to respect the best interests of the child, the orphan's and custody courts, using the powers granted by the regulatory acts, must use all the possibilities in finding a guardian. All the child's relatives - not only the closest, but also the most distant ones – are identified and checked. Sometimes, due to the lack of information, it is necessary to use the information of the Population Register than provides information about a very wide range of relatives.⁴³⁰

According to the Law on the Protection of Children's Rights, care in a child care institution is provided only in exceptional cases. The child's interests are not respected if, when making a decision to place a child in a child care institution, it is not assessed whether the chosen child care institution is suitable for a particular child, i.e. whether the location of the child care institution provides the child with the opportunity to maintain personal relationships and direct contacts with his family and other relatives, or the child care institution can provide care for all children of the same family, so that it is not necessary to separate them, etc.⁴³¹

⁴²⁷ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 31 (2).

⁴²⁸ Latvia, [Civil Law \(Civillikums\)](#), 28 January 1937, Art. 164.

⁴²⁹ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family ([Atnemtā bērība. Ikvienam bērnam ir tiesības uzaugt ģimenē](#)), 17 April 2019.

⁴³⁰ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family ([Atnemtā bērība. Ikvienam bērnam ir tiesības uzaugt ģimenē](#)), 17 April 2019.

⁴³¹ Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family ([Atnemtā bērība. Ikvienam bērnam ir tiesības uzaugt ģimenē](#)), 17 April 2019.

Also the State Audit Office has found that after a child is placed in out-of-family care, the supervision carried out by the orphan's and custody court is formal, as it mostly covers only the examination of household conditions. The child's opinion is not always clarified, as well as the other issues important for the full care and development of the child - whether and how the child's rights to health care, education, physical and emotional development, leisure time, property interests, as well as the right to contact with parents are respected and other loved ones.

Monitoring of the field of out-of-family care is also affected by the lack of uniform, accurate and up-to-date information about the children in out-of-family care and the decisions made about them. The data collected in any of the information systems is not complete, because not all orphan's and custody courts fulfil the requirements for information input stipulated in the regulatory acts, and no supervisory institution has undertaken control over the fulfillment of these requirements.⁴³²

There is no register of guardians in the country. There are people whose suitability for the status of guardian has been evaluated and a decision has been made regarding their suitability for fulfilling the guardian's duty, and there are children who need a guardian, but the guardian cannot be found, because they are not in the register and it is not known how to find them.⁴³³

4.6. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of the child protection care system in the past 8 years, incl. achievements and (persisting) gaps and challenges

Achievements

1. The out-of-family care system has been improved in recent years, for instance, two types of specialized foster families were introduced in 2018 (a crisis foster family and a foster family for a child with severe functional disorders). It is planned to introduce another type - a specialized foster family for teenagers with behavioral disorders.
2. The allowance for the maintenance of the child and compensation for the foster family for fulfilling their duties have been increased. Social insurance for foster families has been introduced (however, the amount from which these contributions are made is small).
3. In 2023, the deinstitutionalization process of child care must be completed - institutions changed to the 3x8 model, which means no more than 3 groups and no more than 8 children in a group in one institution.⁴³⁴
4. The number of children in institutions has significantly decreased. The number of foster families and the number of children in them has increased. Children of a younger age (up to 3 years of age) are placed in institutions in very rare cases.
5. Out-of-family care support centers have been established.
6. 2015 amendments to the Law on Orphans' and Custody Courts which stipulate that the orphan's and custody court, when initiating a case for the termination of a parent's custody rights, conducts a risk assessment, informs the parent of the consequences, and instructs him, in cooperation with the social service, to prevent conditions unfavourable to the child's development (not immediately interrupted).

⁴³² Latvia, State Audit Office of the Republic of Latvia (*Latvijas Republikas Valsts kontrole*), Deprived childhood. Every child has the right to grow up in a family (*Atnemtā bērniņa. Ikvienam bērnam ir tiesības uzaugt ģimenē*), 17 April 2019.

⁴³³ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter of the Ombudsman (*Tiesībsarga biroja vēstule*), 22 February 2023, No. 1-5/57. Unpublished.

⁴³⁴ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Deinstitutionalization process 2015-2023 (*Deinstitucionalizācijas process 2015.-2023.gadā*), 21 August 2020.

If the parent delays in eliminating the unfavourable conditions for the child's development within this period and the child's stay in the family may pose a threat to the child's life and health, the orphan's and custody court decides to terminate the parent's custody rights and separate the child from the family. This is a good mechanism to give parents the opportunity to improve the situation in the family and not have to separate the child from the family.⁴³⁵

7. On 12 September 2017 a new legal framework was introduced, based on which a platform for cooperation of specialists and institutions of various fields in the protection of children's rights was created.⁴³⁶

Disadvantages/challenges.

1. There are many foster families that have been granted foster care status, but no children have been placed in them. This has contributed towards the lack of foster families.
2. There is a lack of support for guardians and foster families in solving children's health and behavior problems, especially for teenagers.
3. Insufficient availability of services for children and families.
4. The knowledge and skills of persons involved in the protection of children's rights are insufficient. The cooperation can also be improved.

4.7. Promising practices

Please list and briefly describe any promising practice in the child protection care system that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

One of the most promising practice is Children's home project. Children's home projects in Latvia are still in the process of being implemented by the non-governmental organisation "Centrs Dardedze", which is experienced in the field of protection of children's rights. Child's home is a Nordic interdisciplinary model for working with child sexual abuse victims ("all under one roof"). The Lanzarote Committee recommends the "Children's House" as an effective solution for inter-institutional cooperation among the member states of the Council of Europe. In cases where the child has been the victim of sexual abuse, as well as in other difficult cases where the child has been abused or neglected, the work with the child victim (obtaining information from the child, questioning, medical examination, psychological support for the child and family, rehabilitation, child protection) will take place within the interdisciplinary and inter-institutional cooperation model of the Children's Home in premises specially designed or adapted for this purpose. In order to develop the implementation of the "Children's House" model in the regions of Latvia and to improve the knowledge of specialists working with children who have suffered from sexual abuse, "Centrs Dardedze" in cooperation with the Ministry of Welfare has participated in two projects supported by the European Commission. As a result of the project, it is planned to implement the Children's Home model in four regions of Latvia. The work is to be carried out jointly with four crisis centers in all regions of Latvia. The project will enhance cooperation practices with the State Police and social services, as well as exploring how to improve the "Children's Home" collaboration scheme in future.⁴³⁷

⁴³⁵ Latvia, Ombudsman of the Republic of Latvia (*Latvijas Republikas Tiesībsargs*), Letter of the Ombudsman (*Tiesībsarga biroja vēstule*), 22 February 2023, No. 1-5/57. Unpublished.

⁴³⁶ Kronberga I., Idrissi A.I. The Development of Child Protection Systems in the Post-Soviet States. A Twenty Five Years Perspective. Edit. Ilze Earner, Alexandra Telitsyna. Child Maltreatment. Contemporary Issues in Research and Policy. Volume 12. Springer, 2021, p.106-110.

⁴³⁷ Kronberga I., Idrissi A.I. The Development of Child Protection Systems in the Post-Soviet States. A Twenty Five Years Perspective. Edit. Ilze Earner, Alexandra Telitsyna. Child Maltreatment. Contemporary Issues in Research and Policy. Volume 12. Springer, 2021, p.108-110.

5. Accountability, data collection, and monitoring mechanisms

5.1. Accountability mechanisms

5.1.1. Are there accountability mechanisms in place regarding the functioning of the child protection system? Is there any independent monitoring or reporting mechanisms on the performance of the child protection system? What is the role of child's ombudspersons, child commissioners or other independent national human rights institutions in monitoring child protection?

In the field of the protection of the rights of children, the Ministry of Welfare among other things ensures the quality assessment of the process of the protection of the rights of children, analysis thereof and the preparation of proposals for improvement of the protection of the rights of children, ensures the preparation of the annual report on the condition of children in the State and the submission thereof to the Parliament and the Cabinet of Ministers, prepares a report on the condition of children in Latvia and the measures taken for the provision of the rights of children for submission to the Committee on the Rights of the Child of the United Nations.⁴³⁸

The State Inspectorate for Protection of Children's Rights is the body in charge of monitoring and controlling the implementation of legal acts in the field of child rights protection system. There is no separate child's ombudsperson in Latvia. The Office of the Ombudsperson has a separate Children's Rights Section working to secure, protect and facilitate the rights of the child. The competence of the Children Rights Section includes informing the society about the rights of the child, examination of complaints about the violation of the rights of the child, especially violations committed by the state and municipal institutions and their employees, as well as submission of proposals to facilitate the respect for the rights of the child.⁴³⁹

The orphan's and custody court provides a report regarding the operation thereof to the council of the relevant local government at least once a year.⁴⁴⁰ But a local government council has the right to request a report from the orphan's and custody court regarding the operation thereof at any time.⁴⁴¹ The State Inspectorate for Protection of Children's Rights supervises the operation of the orphan's and custody courts in the protection of rights and interests of a child and other person lacking capacity to act and provide them with methodological assistance. This role of the Inspectorate has been attained to it only since 2021 and it is hoped that it will improve the quality of work of orphan's and custody courts.⁴⁴²

5.1.2. How is the implementation of national action plans and strategies or other policy actions on child protection monitored? Briefly describe the established procedures and mention the actors involved and their roles.

There are no specific monitoring mechanisms developed specifically for the child protection mechanisms. The procedures of evaluation of the impact of policy planning documents are prescribed

⁴³⁸ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 62 (1).

⁴³⁹ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 65².

⁴⁴⁰ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 5 (4).

⁴⁴¹ Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 5 (5).

⁴⁴² Latvia, [Law on Orphan's and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 5 (1).

by the Cabinet of Ministers Regulations "Regulations for the development and impact assessment of development planning documents".⁴⁴³ Three types of evaluation are envisioned for policy planning documents: initial, mid-term and final impact evaluation.⁴⁴⁴ The initial impact evaluation is conducted as early as possible at the stage of development of the policy planning document, predicting possible consequences of the decisions or actions, and thus is conducted before the decision was made to approve the policy planning document.⁴⁴⁵ The goal of the mid-term evaluation is to monitor the process of the implementation of the policy document and timely identify any required changes,⁴⁴⁶ while the final impact evaluation assesses the degree of achievement of initially set goals and planned results, as well as the reasonableness of the usage of means invested in achieving the goals.⁴⁴⁷ The mid-term evaluation⁴⁴⁸ and the final impact evaluation are prepared as an information report by the same institution that had created the initial policy planning document.⁴⁴⁹ The document serves as a point of reference for the results achieved for the involved institutions themselves and others. There is no official review mechanism of these reports.

Planning document impact evaluation is conducted by the institution responsible for the development of the planning document. In the field of child protection the Ministry of Welfare develops policy documents, thus it is the one responsible for monitoring their implementation.

Question	YES	NO	Comments
5.1.3. Is there a child rights assessment existing or foreseen? Please note that child rights'	X		Assessment of the impact of proposed legislation is done according to the Cabinet of Ministers Regulations "The procedure for evaluating the initial impact of the draft legal act". ⁴⁵⁰ The instruction identifies several aspects to be assessed, including

⁴⁴³ Latvia, Cabinet of Ministers Regulations No. 737 of 2 December 2014 "Rules for the Development and Impact Assessment of Development Planning Documents" (*Ministru kabineta 2014. gada 2. decembra noteikumi Nr. 737 "Attīstības plānošanas dokumentu izstrādes un ietekmes izvērtēšanas noteikumi"*), 13 December 2014.

⁴⁴⁴ Latvia, Cabinet of Ministers Regulations No. 737 of 2 December 2014 "Rules for the Development and Impact Assessment of Development Planning Documents" (*Ministru kabineta 2014. gada 2. decembra noteikumi Nr. 737 "Attīstības plānošanas dokumentu izstrādes un ietekmes izvērtēšanas noteikumi"*), 13 December 2014, Art. 34.

⁴⁴⁵ Latvia, Cabinet of Ministers Regulations No. 737 of 2 December 2014 "Rules for the Development and Impact Assessment of Development Planning Documents" (*Ministru kabineta 2014. gada 2. decembra noteikumi Nr. 737 "Attīstības plānošanas dokumentu izstrādes un ietekmes izvērtēšanas noteikumi"*), 13 December 2014, Art. 36.

⁴⁴⁶ Latvia, Cabinet of Ministers Regulations No. 737 of 2 December 2014 "Rules for the Development and Impact Assessment of Development Planning Documents" (*Ministru kabineta 2014. gada 2. decembra noteikumi Nr. 737 "Attīstības plānošanas dokumentu izstrādes un ietekmes izvērtēšanas noteikumi"*), 13 December 2014, Art. 40.

⁴⁴⁷ Latvia, Cabinet of Ministers Regulations No. 737 of 2 December 2014 "Rules for the Development and Impact Assessment of Development Planning Documents" (*Ministru kabineta 2014. gada 2. decembra noteikumi Nr. 737 "Attīstības plānošanas dokumentu izstrādes un ietekmes izvērtēšanas noteikumi"*), 13 December 2014, Art. 42.

⁴⁴⁸ See, for example, Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2015), Information report "Assessment of the intermediate stage of implementation (2012-2014) of the family state policy principles for 2011-2017" (*Informatīvais ziņojums "Ģimenes valsts politikas pamatnostādņu 2011.-2017.gadam īstenošanas vidusposma (2012.-2014.gadā) novērtējums"*), Rīga, 5 May 2015.

⁴⁴⁹ Latvia, Cabinet of Ministers Regulations No. 737 of 2 December 2014 "Rules for the Development and Impact Assessment of Development Planning Documents" (*Ministru kabineta 2014. gada 2. decembra noteikumi Nr. 737 "Attīstības plānošanas dokumentu izstrādes un ietekmes izvērtēšanas noteikumi"*), 13 December 2014, Art. 44.

⁴⁵⁰ Latvia, Cabinet of Ministers Regulations No. 617 of 7 September 2021 "The procedure for evaluating the initial impact of the draft legal act" (*Ministru kabineta 2021. gada 7. septembra noteikumi Nr. 617 "Tiesību akta projekta sākotnējās ietekmes izvērtēšanas kārtība"*), 9 September 2021, Art. 9.

<p>assessment stands for the measurement of the impact of proposed or adopted legislation on children as a group. It is usually done at the parliamentary or ministerial level.</p>		<p>the impact on the best interests of child, social impact, impact on health and compatibility with international obligations and human rights. The assesment is carried out at a very early stage of legislative procedure – it must be finalized when a proposal for a new piece of legislation is finalized.⁴⁵¹ Accrding to the Constitution, draft laws may be submitted to the Parliament by the President, the Cabinet of Ministers, committees of the Saeima, by not less than five members of the Saeima, or in some cases by one-tenth of the electorate.⁴⁵² The impact assesment is carried out by the developer of the draft law. In case it is the Cabinet of Ministers, the assesment is carried out by the relevant ministry.</p> <p>The involvement of the society is encouraged throughout the development of the draft law and its impact assesment.⁴⁵³ Yet it does not include a requirement to include the perspectives of children themselves. In reality these perspectives are represented by youth organizations if they manage to learn about a piece of legislation in its development process and decide to participate in it.</p>
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5.1.4. Are there quality standards for child protection services set in the legislation (including prevention programmes)? (e.g. number of cases per case workers, requirements regarding infrastructures of residential care and number of personnel, performance, and fiscal accountability mechanisms) Please describe.

The Law on the Protection of the Children's Rights provides for liability of employees of child institutions and event organisers stating that they are liable for the protection of the health and life of the child, that the child be safe, that he or she is provided with qualified services and that his or her other rights are observed. The law also provides for a list of persons for whom working in child care and such like institutions is precluded (e.g., criminally punished for crimes connected with violence and such like).⁴⁵⁴ An administrative liability is also enshrined for failure to conform to the requirements for the provision of child supervision services.⁴⁵⁵

The Law on Orphan's and Custody Courts contains a rather general rule that the local governments should create the Orphan's and Custody Courts as big as necessary to fully ensure the protection of

⁴⁵¹ Latvia, Cabinet of Ministers Regulations No. 617 of 7 September 2021 "The procedure for evaluating the initial impact of the draft legal act" (*Ministru kabineta 2021. gada 7. septembra noteikumi Nr. 617 "Tiesību akta projekta sākotnējās ietekmes izvērtēšanas kārtība"*), 9 September 2021, Art. 8

⁴⁵² Latvia, [The Constitution of the Republic of Latvia \(Latvijas Republikas Satversme\)](#), 17 November 1922, Art. 65.

⁴⁵³ Latvia, Cabinet of Ministers Regulations No. 617 of 7 September 2021 "The procedure for evaluating the initial impact of the draft legal act" (*Ministru kabineta 2021. gada 7. septembra noteikumi Nr. 617 "Tiesību akta projekta sākotnējās ietekmes izvērtēšanas kārtība"*), 9 September 2021, Art. 7.

⁴⁵⁴ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 72.

⁴⁵⁵ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 84.

the rights and interests of children and persons under guardianship.⁴⁵⁶ It also provides educational requirements for all the members of the institution and sets up a Qualification Commission which assesses professional activities of those members and promotes their professional growth.⁴⁵⁷ A member of an orphan's and custody court can be suspended and possibly dismissed if they fail to comply with the requirements set out in this law.⁴⁵⁸

The requirements for child residential care services, municipal social services, crisis centers and other social service providers are prescribed in the Cabinet of Ministers Regulations "Requirements for Social Service Providers".⁴⁵⁹ These regulations set out a separate list of duties of each of these providers, including, what kind of services and environment they have to provide. The number of employees is determined by each social service provider.⁴⁶⁰

Question	YES	NO	Comments
5.1.5. Is consultation with children and families foreseen and/or taking place in the process of the evaluation of services and measures and in the development of child protection policies and legislation? If yes, at what level is this done? Please provide indicative examples.		X	There is no legal requirement to consult children and families in these processes. As stated earlier in this report, there is an obligation to assess best interests of children before a new law or new amendments of law are made. ⁴⁶¹ This evaluation can entail consultation with children and their families and in very rare cases it does. However, as recognized by the Ministry of Welfare themselves, the involvement of children in legislative or policy planning procedures is inconsistent at best. In practice such consultations are carried out only when a particular NGO carries it out itself. ⁴⁶² There are no guidelines on how children should be consulted, thus the methodology is decided by the NGOs themselves.
5.1.6. Is the responsibility for data collection on child	X		Law on the Protection of the Children's Rights provides that the Ministry of the Interior, the Ministry of Education and Science, the Ministry of Welfare, the Ministry of Environmental Protection and Regional

⁴⁵⁶ Latvia, [Law on Orphan`s and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 7.

⁴⁵⁷ Latvia, [Law on Orphan`s and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 10 (1).

⁴⁵⁸ Latvia, [Law on Orphan`s and Custody Courts \(Bārintiesu likums\)](#), 1 July 2007, Art. 13, 14.

⁴⁵⁹ Latvia, Cabinet of Ministers Regulations No. 338 of 13 June 2017 "[Requirements for Social Service Providers](#)" (*Ministru kabineta 2017. gada 13. jūnija noteikumi Nr. 338 "Prasības sociālo pakalpojumu sniedzējiem"*), 1 July 2017.

⁴⁶⁰ Latvia, Cabinet of Ministers Regulations No. 338 of 13 June 2017 "[Requirements for Social Service Providers](#)" (*Ministru kabineta 2017. gada 13. jūnija noteikumi Nr. 338 "Prasības sociālo pakalpojumu sniedzējiem"*), 1 July 2017, Art. 2.

⁴⁶¹ Latvia, Cabinet of Ministers Regulations No. 617 of 7 September 2021 "The procedure for evaluating the initial impact of the draft legal act" (*Ministru kabineta 2021. gada 7. septembra noteikumi Nr. 617 "Tiesību akta projekta sākotnējās ietekmes izvērtēšanas kārtība"*), 9 September 2021, Art. 9.

⁴⁶² Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Report on the state of children in the country in 2019 and 2020 ([Zinājums par bērnu stāvokli valstī 2019.un 2020.gadā](#)), Rīga, 30 November 2021, p. 38.

<p>protection determined in the legislative framework?</p>		<p>Development, the Ministry of Justice, the Ministry of Health, the State Inspectorate for Protection of Children's Rights and local governments within the scope of their competence, provides statistical information on the protection of the rights of the child in the State, on parents whose care or custody rights have been terminated or removed, and on families who together with children have been evicted from their dwellings, on child adoption, the placing of children in out-of-family care, the application of compulsory measures of an instructional or medical nature to children, children being held to criminal liability, on children who have attained the mandatory education age and who are not attending educational institutions, and on children who have become victims of negligence and violence and street children, and also submits an appropriate summary report to the Central Statistical Bureau. The Central Statistical Bureau compiles the abovementioned information annually and submits it to the Ministry of Welfare and the Ombudsman's Office.⁴⁶³ The information is available also publicly and the levels of its disaggregation differs from one indicator to other. For example, the analysis of deaths in infancy includes the total number of deaths as well as number of deaths per gender, per different age groups and per reason of death. Yet the number of children residing in social care centers can be further disaggregated down only to various reasons of the stay in these centers.⁴⁶⁴</p>
<p>5.1.7. Is there a single authority responsible for monitoring data collection and centralised coordination and data sharing at national level?</p> <p><u>If yes</u>, Is there a national database (a joint database for monitoring and tracking children) for collecting data in</p>	<p>X</p>	<p>The Central Statistical Bureau annually collects information provided by various state and municipal bodies about children rights protection issues as determined by the Law and submits this information to the Ministry of Welfare and the Ombudsman's Office.⁴⁶⁵</p> <p>As part of the State information system for the interior, an Information System for the Support of Minors holds the information on minors who need support and cases when preventive measures should be taken for the protection of the rights of children.⁴⁶⁶</p> <p>This information can be processed by various state institutions (such as, police, orphan's and custody</p>

⁴⁶³ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 67¹.

⁴⁶⁴ Latvia, Central Statistical Bureau of the Republic of Latvia (*Latvijas Republikas Centrālā statistikas pārvalde*) (2022), [Children in Latvia. Collections of Statistics](#), Riga, 2022.

⁴⁶⁵ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 67¹.

⁴⁶⁶ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 67².

the child protection area at the national, regional, or local level?			courts, municipal social services etc.) who work with the particular minors. ⁴⁶⁷
5.1.8. Are there common indicators in place to monitor the performance of the child protection system?		X	
5.1.9. Are there data protection protocols in place and adhered to?	X		In addition to the General Data Protection Regulation, field specific national legislation contains rules on data protection in their respective fields. For example, Cabinet of Ministers Regulations of the information system for the support of minors contain detailed list of information that can be stored in the system, as well as rules on who can access it, how long should it be stored and when deleted. ⁴⁶⁸
5.1.10. Are there any gaps in the data collection system related to child protection in the country, which have been identified by relevant child protection authorities/institutions, civil society organisations or other institutions active in the child protection field? Is there a systematic and consistent collection of data related to child protection at national, regional, or local level? Please mention if efforts are made to address these gaps.			
The issue indicated in the report of 2014 – lack of unified information system on minors - still persist. The issue has been recognized also by the national stakeholders and the Ministry of Welfare is planning to upgrade the Information System for the Support of Minors so that it would work as a preventive tool, rather than a system where information is added only after an issue has arisen. ⁴⁶⁹			

5.2. Developments in the past years: achievements, gaps, and challenges

Based on the output of the 2014 mapping exercise, please briefly describe the development of child protection accountability in the past 8 years, incl. achievements and (persisting) gaps and challenges.

No major changes have taken place since the previous reporting period. Some improvements include that as of 2021 the assessment on the best interests of children have to be made before adopting new pieces of legislation and attempts to improve the data collection system that would entail more information on more children than it does for now. At the same time the latter improvement is still in progress. Although the Ministry of Welfare seems to monitor the functioning of the whole child rights

⁴⁶⁷ Latvia, [Law on the Protection of the Children's Rights \(Bērnu tiesību aizsardzības likums\)](#), 22 July 1998, Art. 67².

⁴⁶⁸ Latvia, Cabinet of Ministers Regulations No. 157 of 25 March 2014 "Regulations of the Information System for the Support of Minors" (*Ministru kabineta 2014. gada 25. marta noteikumi Nr. 157 "Nepilngadīgo personu atbalsta informācijas sistēmas noteikumi"*), 28 March 2014.

⁴⁶⁹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), Informative report "On the improvement of the information system for the support of minors" ([Informatīvais ziņojums "Par Nepilngadīgo personu atbalsta informācijas sistēmas pilnveidi"](#)), Rīga, 23 April 2021.

protection mechanism, there is still need to establish coherent monitoring and accountability mechanisms.

5.3. Promising practices

Please list and briefly describe any promising practice in child protection accountability that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

The regulations on how the assessment of the impact of proposed legislation is done since 2021 also includes the assessment on whether and how the proposed legislation impacts the best interests of children. Such assessment allows to recognize any possible shortcomings and solve them even before the piece of legislation comes in force.

6. General education, promotion, and awareness raising

6.1. Education on child rights

6.1.1. Does education on child rights form part of the (national) formal school curricula? If yes, please provide details such as in which types of school and targeting which grade(s) (age group), as part of which school subject and for how many periods in a pupil's school career.

According to Article 63 (1) of the Law on the Protection of the Children's Rights, Ministry of Education and Science in cooperation with the Ministry of Welfare is responsible for drawing up educational programmes in the field of protection of the rights of the child.⁴⁷⁰

According to the recent standards of general education *Skola2030* (strategy School2030 that implements competence-based approach, covers grades from the 1st - 12th), child protection issues are included in the subject "Social Science and History" for the 6th grade, where pupils are expected to analyse the Law on the Protection of the Children's Rights (20-22 teaching hours). For example, during the sessions, pupils are expected to develop a mind map about the fragments of the law, analyse case studies, develop a poster "Save the children!".⁴⁷¹

In addition, a session on human rights protection is planned for the pupils of the 9th grade in the subject "Social Sciences" where pupils conduct analysis of main legal acts for the protection of human rights, review main historical events related to human rights as well as analyse case studies (10-12 teaching hours).⁴⁷²

6.1.2. Please provide an overview of the most important national and/or sub-national implemented programmes and activities aiming at educating children, parents, teachers, and/or society at large about child rights and/or child protection at national or sub-national level. By which actors were those commissioned, funded, and implemented?

In general, the state carries out such educational programmes as several unconnected campaigns instead of stable, long-term educational programmes. Some of the recent educational campaigns are listed below.

- National informative campaign about children's safety on the Internet. In anticipation of Safer Internet Day 2022, the State Inspectorate for the Protection of Children's Rights organised the campaign "I choose to speak" in February 2022. The main goal of the campaign was to promote public awareness of children's safety in the online environment, especially emphasizing the risks of emotional violence or cyber mobbing on the Internet. Target audience: children, teenagers, legal representatives as well as specialists who work with children on a daily basis.⁴⁷³

⁴⁷⁰ Latvia, [Law on the Protection of the Children's Rights](#) (*Bērnu tiesību aizsardzības likums*), 22 July 1998, Art. 63 (1).

⁴⁷¹ Latvia, *Skola2030*, 6.2. How are rights related to responsibilities? ([6.2. Kā tiesības ir saistītas ar pienākumiem?](#)), 1 March 2023.

⁴⁷² Latvia, *Skola2030*, 9.2. How and what laws protect human rights? ([9.2. Kā un kādi likumi aizsargā cilvēktiesības?](#)), 1 March 2023.

⁴⁷³ Latvia, State Inspectorate for the Protection of Children's Rights, There will be an informational campaign about children's safety on the Internet ([Notīks informatīvā kampaņa par bērnu drošību internetā](#)), 4 February 2022.

- National educational campaign on domestic violence. In July 2020, the State Inspectorate for the Protection of Children's Rights presented an educational interactive game "Hey, wake up!" as well as organised a discussion about issues of domestic violence with invited experts and target audience (children, their parents). The game is also available on Google Play and Apple Store.⁴⁷⁴
- Social campaign "Emotional abuse - invisible but real". In the period from 7 November 2022 to 16 December 2022, the Ministry of Welfare was implementing the public awareness campaign "Emotional violence - invisible, but real", the purpose of which was to promote awareness of emotional violence in the family, to encourage recognition of the signs of emotional violence and asking for help.⁴⁷⁵

As regards the non-governmental sector, several NGOs ensure educational activities in systemic way.

- Within the Human Rights Guide that serves as a European platform for human rights (inc. children rights) education. The Guide was founded by the Riga-based non-governmental organisation Baltic Human Rights Society as a Baltic initiative.⁴⁷⁶ The Guide is available in simple, thus as well child-friendly language and in a minority (e.g. Russian) language.
- Regular educational programmes and training sessions are provided by the NGO "Dardedze". These sessions are provided not only to specialists but also children and their parents. E.G. the NGO organises safety training for children (5-10 years) "Let's visit Jimba" (this activity is funded by the Ministry of Welfare).⁴⁷⁷
- NGO "Neklusē" (Don't be silent) organised educational activities (training sessions at schools, campaigns, mobile app) to combat mobbing at schools.⁴⁷⁸

6.2. Promotion and awareness raising

6.2.1. Please provide information on awareness raising and/or promotion campaigns or relevant activities on child rights (possibly including on the EU Charter of Fundamental Rights) and/or protection issues targeting the general public or children in general at national or sub-national level. Please provide information on the most recent and representative awareness raising campaigns, including information on the target groups, the thematic areas covered, the actors involved, funding, the method of dissemination chosen and the impact of the campaign, if assessed.

Awareness raising and promotion campaigns on child rights and protection issues are regularly organised by the Ministry of Welfare, State Inspectorate for the Protection of Children's Rights and NGOs. Although these campaigns cover the substance of various human rights, they have not made

⁴⁷⁴ Latvia, State Inspectorate for the Protection of Children's Rights, Interactive game "Hey, wake up!" ([Interaktīvā spēle "Hei, mosties!"](#)), 11 November 2020.

⁴⁷⁵ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Emotional abuse - invisible but real ([Emocionālā vardarbība - neredzama, bet īsta](#)), 26 October 2022.

⁴⁷⁶ Latvia, Baltic Human Rights Society, [Human Rights Guide](#), 1 March 2023.

⁴⁷⁷ Latvia, NGO Dardedze, Let's visit Jimba ([Cemos pie Džimbās](#)), 1 March 2023.

⁴⁷⁸ Latvia, NGO Neklusē, [What should I do in a case of mobbing?](#), 1 March 2023.

specific references to the EU Charter of Fundamental Rights or any of its Articles. Some examples of recent campaigns are listed below.

- National educational campaign on domestic violence, July 2020 (funded by ESF project). The State Inspectorate for the Protection of Children's Rights presented an educational interactive game "Hey, wake up!" as well as organised discussion about issues of domestic violence with invited experts and target audience (children, their parents). The game is also available on Google Play and Apple Store.⁴⁷⁹
- Social campaign "The Role of Father", June 2020 (funded by state budget). In order to strengthen the role of fathers in society and in the child's life as well as to promote a change in society's attitude regarding the distribution of women's and men's responsibilities in the family, while at the same time reducing stereotypes about divorced and single fathers, the Ministry of Welfare launched a communication campaign #tētisvar. Series of video were created as well as various informative and explanatory materials.⁴⁸⁰
- Social campaign "Emotional abuse - invisible but real", 7 November – 16 December 2022. The Ministry of Welfare implemented the public awareness campaign "Emotional violence - invisible, but real" (funded by state budget), the purpose of which was to promote awareness of emotional violence in the family, to encourage recognition of the signs of emotional violence and asking for help.⁴⁸¹ Various means and communication channels were used like social media, TV, radio, banners in the digital media.
- Social campaign "Stop being silent!" on the issue of sexual violence against children, 23-29 November 2021. The campaign was implemented by the State Inspectorate for the Protection of Children's Rights (funded by state budget). Its purpose was to provide an opportunity to report cases of sexual violence against children, to receive professional psychological counselling and support as well as the necessary information about possible signs of sexual violence and further action. During the campaign, children were invited to use the opportunity to contact the helpline specialists (by calling, sending an email, using the chat option or by downloading the free application).⁴⁸²
- Awareness raising campaign on mobbing at schools. The campaign is being implemented together with Httpool, Grizzly, Fox Consulting, Cālis.lv and inbox.lv in 2021. The campaign was funded by Global Shapers Riga Hub. Within the campaign, videos were created with personal stories as well as public discussions and training sessions at schools.⁴⁸³

6.2.2. Are there any awareness raising activities regarding complaint mechanisms at national or sub-national level, e.g. for the Optional Protocol to the Convention on the Rights on a communications procedure⁴⁸⁴? Please briefly describe.

⁴⁷⁹ Latvia, State Inspectorate for the Protection of Children's Rights, Interactive game "Hey, wake up!" ([Interaktīvā spēle "Hei, mosties!"](#)), 11 November 2020.

⁴⁸⁰ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2021), The Role of Father ([Tēva loma](#)), 14 April 2021.

⁴⁸¹ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*) (2022), Emotional abuse - invisible but real ([Emocionālā vardarbība - neredzama, bet īsta](#)), 26 October 2022.

⁴⁸² Latvia, State Inspectorate for the Protection of Children's Rights (*Valsts bērnu tiesību aizsardzības insoekcija*), The campaign raises the issue of sexual violence against children ([Akcijā aktualizē seksuālās vardarbības pret bērniem problēmu](#)), 22 November 2021.

⁴⁸³ Latvia, NGO *Neklusē*, [Please share your experience of mobbing](#), 1 March 2023.

⁴⁸⁴ URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-communications> [12/12/2022]

According to the second part of Article 70 of the Law on the Protection of Children's Rights, the child himself and other persons have the right to seek help from institutions for the protection of children's rights and other state and municipal institutions, and these institutions, in every case, take the actions provided for by the law to prevent a violation of the law, if such is found. Managers of child care, education, health care and other institutions where children stay are obliged to determine the procedures for submitting and examining children's complaints and make them known and accessible to children. The State Inspectorate for the Protection of Children's Rights upon receiving information about violence in an educational institution, as well as when conducting inspections in child care institutions, pays attention to whether, first of all, the institution has developed a procedure for children, their legal representatives, educators to report violence, incl. anonymously, and whether there is a place for children to report abuse anonymously and how such reports are dealt with. The Inspectorate checks the completeness of the internal procedures of this institution.⁴⁸⁵

In addition, the State Inspectorate for the Protection of Children's Rights has summarised the main responsibilities and rights of children on the website.⁴⁸⁶ However, the information is not available in child-friendly language and it is also not available in minority (e.g. Russian) languages. The Inspectorate also offers a helpline (also an email, chat box and application) for children and teenagers to provide psychological help to children and teenagers, as well as to find support in crisis situations.⁴⁸⁷ During various campaigns (described above), all information with contacts is presented and children are encouraged to use the most acceptable channel of communication.

6.2.3. Are there any awareness raising or training activities at national or sub-national level on digital literacy, privacy and online safety for children, parents, teachers, and other relevant professionals?

Awareness raising or training activities on digital literacy, privacy and online safety are regularly organised by state and non-governmental institutions. Descriptions on recent activities are listed below.

- National informative campaign about children's safety on the Internet. In anticipation of Safer Internet Day 2022, the State Inspectorate for the Protection of Children's Rights organised the campaign "I choose to speak" in February 2022. The main goal of the campaign was to promote public awareness of children's safety in the online environment, especially emphasizing the risks of emotional violence or cyber mobbing on the Internet. Target audience: children, teenagers, legal representatives as well as specialists who work with children on a daily basis.⁴⁸⁸
- Latvian Internet Association has established the Latvian Safer Internet Center. The Center regularly organises educational campaigns for children and youth about safety on the Internet. In 7 February 2023, the Center organised a campaign "You are what you do. Also on the Internet". Within the campaign, videos on topics such as respect for one another,

⁴⁸⁵ Information is received from the State Inspectorate for the Protection of Children's Rights by email.

⁴⁸⁶ Latvia, State Inspectorate for the Protection of Children's Rights, Your rights, your responsibilities ([Tavas tiesības, tavi pienākumi](#)), 11 November 2020.

⁴⁸⁷ State Inspectorate for the Protection of Children's Rights, Hotline information ([Informācija par uzticības tālruni](#)), 25 November 2020.

⁴⁸⁸ Latvia, State Inspectorate for the Protection of Children's Rights, There will be an informational campaign about children's safety on the Internet ([Notiks informatīvā kampaņa par bērnu drošību internetā](#)), 4 February 2022.

excessive passion for using social media, balance between the real and virtual worlds were developed.⁴⁸⁹

- CERT.LV (Information Technology Security Incident Prevention Institution) has summarised recommendations for children and youth regarding safety on the Internet (e.g. social media, online games).⁴⁹⁰ The information on the website is provided only in Latvian; also, in many cases, the text is not available in child-friendly language.
- The website of the State Police, where children can find the most important information about security, its risks and recommendations on how to protect themselves and their belongings. Information is grouped by age group (5-7 years, 8-10 years, 11-13 years, 14+ years). Various topics are discussed such as false identity, sending nude photos and videos, the content of social media, personal data, etc.⁴⁹¹ The information on the website is provided only in Latvian; at the same time, the text is available in child-friendly language (adapted to various age groups).
- In 2023, the State Inspectorate for the Protection of Children's Rights prepared a series of videos with advice on how to protect personal data (e.g. while texting with others, age-inappropriate content, excessive passion for using a smartphone).⁴⁹²
- Responding to the problem, the Latvian Safer Internet Center (drossinternets.lv), the State Police and the State Inspectorate for the Protection of Children's Rights were launching an educational campaign "Dangerous friendship on the Internet!". During it, children and teenagers as well as parents and educators were invited to fill out the self-help test developed by the experts at sos.drossinternets.lv in order to test how safe a child's friendship is on the Internet, learn how to recognize cases of seduction and where to seek help.⁴⁹³

6.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child rights and/or child protection outreach activities/measure targeting relevant groups of society or society at large that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

Taking into account the coverage of organised activities towards child protection outreach activities as well used innovative tools or approaches, these initiatives are recognised as promising practice.

1) Good practice was implemented by the State Inspectorate for the Protection of Children's Rights by developing the educational interactive game "Hey, wake up!". This game was a part of the national educational campaign on domestic violence in 2020. The game is also available on [Google Play](#) and Apple Store.

⁴⁸⁹ Latvia, Latvian Safer Internet Center, Campaign "You are what you do. Also on the Internet" (*Kampana "Tu esi tas, ko Tu dari. Arī internetā"*), 7 February 2023.

⁴⁹⁰ Latvia, CERT.LV, Children and the Internet (*Bērni un Internets*), 14 June 2022.

⁴⁹¹ Latvia, State Police, My safety: for children and youth (*Mana drošība: bērniem un jauniešiem*), 1 March 2023.

⁴⁹² Latvia, State Inspectorate for the Protection of Children's Rights, Ahead of Safer Internet Day, the "I choose to speak" campaign begins (*Pirms Drošāka interneta dienas sākas kampana "Es izvēlos runāt"*), 6 February 2023.

⁴⁹³ Latvia, State Inspectorate for the Protection of Children's Rights, A self-help test sos.drossinternets.lv has been developed to recognize child seduction on the Internet (*Izstrādāts pašpalīdzības tests sos.drossinternets.lv, lai atpazītu bērnu pavedināšanu internetā*), 8 February 2022.

2) The State Inspectorate for the Protection of Children's Rights regularly organises various competitions for children, e.g. in October 2022, the drawing competition "My safe world" (for pupils of 1-3 grades and for 4-6 grades)⁴⁹⁴; in December 2022, "Internet Savvy Challenge" (for pupils 7+ grade) - children are invited to create a lasting initiative/activity or educational material that would serve as a tool for pupils of younger grades, forming their safe Internet usage habits, as well as developing students' skills to recognise and stop cyber mobbing⁴⁹⁵; in September 2021, children's and teenagers' helpline competition where children were invited to download an application for the helpline, answer a question and win a price.⁴⁹⁶

3) The Latvian Safer Internet Center (*drossinternets.lv*), the State Police and the State Inspectorate for the Protection of Children's Rights launched an educational campaign "Dangerous friendship on the Internet!". During it, children and teenagers as well as parents and educators were invited to fill out the [self-help test](#) developed by experts at [sos.drossinternets.lv](#) in order to test how safe a child's friendship is on the Internet, learn how to recognize cases of seduction and where to seek help.⁴⁹⁷

⁴⁹⁴ Latvia, State Inspectorate for the Protection of Children's Rights, The winners of the drawing contest "My safe world" have been determined ([Noskaidroti zīmējumu konkursa „Mana drošā pasaule” uzvarētāji](#)), 19 December 2022.

⁴⁹⁵ Latvia, State Inspectorate for the Protection of Children's Rights, A competition is announced for students - Internet experts ([Izsludina konkursu skolēniem – interneta lietpratējiem](#)), 10 November 2022.

⁴⁹⁶ Latvia, State Inspectorate for the Protection of Children's Rights, Take part in the Children's and Adolescent Helpline competition! ([Piedalies Bērnu un pusaudžu uzticības tālruna konkursā!](#)), 21 September 2021.

⁴⁹⁷ Latvia, State Inspectorate for the Protection of Children's Rights, A self-help test [sos.drossinternets.lv](#) has been developed to recognize child seduction on the Internet ([Izstrādāts pašpalīdzības tests sos.drossinternets.lv, lai atpazītu bērnu pavināšanu internetā](#)), 8 February 2022.

7. Child participation and community engagement

7.1. Complaint procedures

Question	YES	NO	Comments
7.1.1. Are there independent child complaints procedures (e.g. an ombuds institution) that are fully compliant with the Paris Principles ⁴⁹⁸ in place, with an ability to hear, review and enforce individual complaints from children?	X		<p>In general, the child's right to file a complaint and the institution's duty to investigate and make appropriate decisions are defined in the second part of Article 70 of the Law on the Protection of Children's Rights.⁴⁹⁹</p> <p>The institution corresponding to the Paris principles is the Ombudsman (<i>Tiesībsargs</i>). Article 4 of the Ombudsman's Law⁵⁰⁰ stipulates that the ombudsman is independent in his activities and obeys only the law. No one has the right to influence the ombudsman in the performance of his functions and tasks.</p> <p>According to Article 65.² of the Law on the Protection of Children's Rights⁵⁰¹, the ombudsman examines complaints about violations of children's rights, paying special attention to violations committed by the State or municipality institutions and their employees. Article 13 (4) of the Ombudsman Law⁵⁰² also provides that the Ombudsman listens to the child's opinion without the presence of his parents, guardians, education or care and upbringing institution employee, if the child so wishes.</p>
7.1.2. Are there specialised Courts and compliant procedures with international standards in place for children in contact with the law and for children to access justice and seek redress and remedies for		X	<p>There are <u>no</u> courts specializing in children's rights. Issues of protection of children's rights are considered by an administrative court or a court of general jurisdiction. These courts do not have specialized chambers for children's rights issues, but there is a specialization of judges. The courts have judges who specialize in cases related to the protection of children's rights.</p>

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URL:

[https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20\(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness](https://ganhri.org/paris-principles/#:~:text=The%20Paris%20Principles%20(%27Principles%20Relating,are%20pluralism%2C%20independence%20and%20effectiveness) [12/12/2022]

⁴⁹⁹ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998.

⁵⁰⁰ Latvia, [Ombudsman Law \(*Tiesībsarga likums*\)](#), 1 January 2007.

⁵⁰¹ Latvia, [Law on the Protection of the Children's Rights \(*Bērnu tiesību aizsardzības likums*\)](#), 22 July 1998.

⁵⁰² Latvia, [Ombudsman Law \(*Tiesībsarga likums*\)](#), 1 January 2007.

violations of the child protection rights?			
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7.2. Feedback mechanisms

Question	YES	NO	Comments
7.2.1. Are there government support fora such as children's groups established at local/community level, and is a formal mechanism in place through which national/sub-national/local government receive and respond to the feedback and ideas from children and children's groups who have received child protection services?		X	<p>Provision of a child-friendly feedback mechanism for services provided by state or municipalities is not directly regulated in legal acts. In institutions of various fields, there is a weak understanding of the need for a feedback mechanism, as well as the ways of its practical implementation in order to find out children's opinion about various services. Most of the surveyed municipalities conduct an annual population survey, which can be completed by both children and adults. However, the results confirm that children do not fill in these surveys, a relatively small number of young people over 15 years of age use the opportunity to express their opinion. Most often, the various service providers do not consider the child as a full-fledged "customer", therefore, even if a customer satisfaction survey is implemented, the parents of the children are usually addressed, not the children themselves.⁵⁰³</p> <p>The Youth Advisory Council and the Youth Parliament operate at the national level.</p> <p>Persons aged 13 to 25 can work in the Youth Advisory Council. The Council is an advisory body established by the Cabinet of Ministers, the purpose of which is to promote the development and implementation of a coordinated youth policy, as well as the participation of young people in decision-making and public life.⁵⁰⁴</p> <p>The Youth Saeima is a project of the Parliament of Latvia, which gives people aged 15 to 20 the opportunity to express and defend their ideas, as well as to get to know the daily life of members of parliament more closely. Young people submit their ideas for elections, organize a campaign and collect votes in support of the idea. The 100</p>

⁵⁰³ Latvia, Latvian Child Welfare Network (Latvijas Bērnu labklājības tīkls), Evaluation of children's participation. Latvian national report (*Bērnu līdzdalības novērtējums. Latvijas nacionālais ziņojums*), 2017, p.53-54.

⁵⁰⁴ Latvia, *Youth Law (Jaunatnes likums)*, 1 January 2009.

	<p>young people elected to the Youth Saeima, whose ideas received the highest number of votes, gather for one day in the Saeima House to understand the specifics of the legislator's work through their own experience and to address their peers from the parliament's rostrum on current topics in society.⁵⁰⁵</p> <p>The municipality provides youth organizations and youth initiative groups (informal and unregistered initiative groups, interest associations) with the opportunity to participate in the discussion of municipal decisions affecting youth policy before they are adopted. In the municipality, work with youth is provided by a specialist in youth affairs. The municipality establishes a consultative commission for youth affairs, it includes municipal specialists who work with youth. If necessary, representatives of youth councils, youth organizations, youth initiative groups or other such associations and foundations that work with youth are included in the municipal youth advisory commission.⁵⁰⁶</p> <p>Although the necessary legal framework has been adopted so that the child's opinion can be given due attention in policy-making, in order to evaluate how the children's opinion is taken into account when planning, implementing, monitoring and evaluating policies related to children's rights, in practice the possibilities of this legal framework (possibilities monitoring how the child's opinion is taken into account when planning, implementing, monitoring and evaluating policies) are not fully used.</p> <p>No systemic evaluation is performed whether and how children's opinions have been taken into account. The above mentioned mechanisms are intended for general policy making regarding children's issues. However, they are not intended to provide an in-depth assessment of the quality of specific services. Therefore, the evaluation of specific services requires other mechanisms for receiving feedback. If children's opinions have been sought, then it has usually been carried out on the initiative of some NGOs, for example, the survey on children after leaving out-of-home care</p>
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⁵⁰⁵ Latvia, Youth Saeima (*Jauniešu Saeima*).

⁵⁰⁶ Latvia, *Youth Law (Jaunatnes likums)*, 1 January 2009, Art. 5.

			conducted by the association "Latvijas SOS Bērnu ciematu asociācija". ⁵⁰⁷
7.2.2. Are community-based mechanisms functional across the country where necessary and per applicability and per protocols and procedures? Is their effectiveness monitored by independent accountability mechanisms?		X	Community-based mechanisms do <u>not</u> function throughout the country, therefore there is no monitoring system either.

7.3. Promising practices

Please list and briefly describe any challenges and promising practice regarding child participation and community engagement that you come across. (if available please include references to documents or URLs in case of online tools/mechanisms)

In 2022, it was determined that when developing a legal regulation affecting a child, the legislator is obliged to evaluate its impact on the affected children's rights and must clearly justify the fact that the chosen solution corresponds to the best interests of the child, stating:

- 1) what is considered the best interests of the child in the process of developing the specific legal framework;
- 2) what criteria is the relevant assessment of the child's interests based on;
- 3) how the best interests of the child are weighed against other considerations.

In addition, the legislator must take into account the fact that in legal relations affecting the child and in all actions related to the child, his rights and best interests are a priority. The legislator must ensure that the adopted legal acts protect the legal interests of the child in the best possible way. In addition, the child's rights and legal interests are affected not only when the decision must be taken directly in relation to the child, but also when the decision may only apply to the child or may indirectly affect the child. Recognition of any other priority without a serious reason and justification is not allowed. Therefore, the new procedure also provides for the involvement of children in the legislative process.⁵⁰⁸ However, the new arrangement is not yet effective, because there is no effective way of actually involving children

Youth Law⁵⁰⁹ has been adopted (2008). The purpose of this law is to improve the quality of life of young people - persons from 13 to 25 years of age (at the beginning of 2022, there were 234,587 young people in Latvia, which is 12.51 % of the total population) - by promoting their initiatives, work ethic, patriotism,

⁵⁰⁷ Latvia, Ministry of Welfare of the Republic of Latvia (*Latvijas Republikas Labklājības ministrija*), Report on the situation with children in the country in 2019 and 2020 ([Zinojums par bērnu stāvokli valstī 2019.un 2020.gadā](#)), 21 December 2021, p.38.

⁵⁰⁸ Latvia, Regulations of the Cabinet of Ministers No. 617 of 7 September 2021 "The Procedure for Evaluating the Initial Impact of the Draft Legal Act" (Ministru kabineta 2021. gada 7. septembra noteikumi Nr. 617 "[Tiesību akta projekta sākotnējās ietekmes izvērtēšanas kārtība](#)"), 7 September 2021, Art.9.25.

⁵⁰⁹ Latvia, [Youth Law \(Jaunatnes likums\)](#), 1 January 2009.

and participation in decision-making and social life, and also by supporting youth work. The basic principles of the youth policy must be as follows:

- 1) the principle of participation - to ensure that young people have the opportunity to engage in the discussion of the decisions affecting the youth policy prior to the taking thereof;
- 2) the principle of availability of information - to promote the provision of information to young people that is appropriate to their development needs;
- 3) the principle of equal opportunities - to ensure that young people have the opportunity to participate actively in the activities of the public, political, cultural, and economic life without any discrimination;
- 4) the principle of respecting the interests of young people - to respect the interests, rights, needs, and opportunities of young people when solving matters related to young people;
- 5) the principle of favourable economic preconditions - to promote the formation of such conditions where young people have the opportunity to be economically independent inhabitants of Latvia;
- 6) the principle of integration of young people - to promote intercultural dialogue in all stages of the development and implementation of the youth policy;
- 7) the principle of mobility and international co-operation - to ensure that young people have the opportunity to be mobile, to acquire knowledge and skills outside their place of residence and to promote the exchange of the recommendations, and also best practices of other countries and their introduction into the youth policy of Latvia.

According to this law the Youth Advisory Council was established which is an advisory institution established by the Cabinet of Ministers. The objective of this Youth Advisory Council is to promote the development and implementation of the coordinated youth policy, and also the youth participation in decision-making and social life. Delegated representatives of the State administration, municipalities, and youth organisations must be included in the composition of the Youth Advisory Council. Delegated representatives of youth organisations must form at least half of the composition of the Youth Advisory Council.

In general, the formal and informal forms of participation are numerous and diverse, but despite the wide range of possibilities, the main problem is the actual involvement of the children themselves. There are various reasons why children do not participate, for instance no interest; lack of experience; lack of friends to attend specific activities with; lack of information about activities; age restrictions to participate in activities; free time management; fear of expressing one's opinion freely; socio-economic conditions.⁵¹⁰

⁵¹⁰ Latvia, Agency for International Youth Programs of the Republic of Latvia (*Jaunatnes starptautisko programmu aģentūra*), Well-being of young people in the Baltic States: research report (*Jauniešu labbūtība Baltijas valstīs: pētījuma ziņojums*), 2019.