

Universal Periodic Review
(24th session, January-February 2016)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Latvia

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	State party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	10/01/1995 Acceptance		N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	14/01/2005 Acceptance		N/A	Right to take part in cultural life
Convention on the	06/07/2007		N/A	Right to take part in

Protection and Promotion of the Diversity of Cultural Expressions (2005)	Accession			cultural life
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II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

1. NORMATIVE FRAMEWORK

1.1. Constitutional Framework:

1. **The Constitution of Latvia of 1922¹**, as **last amended in 2007**, enshrines the right to education in its **Article 112**, which prescribes that "everyone has the right to education. The State shall ensure that everyone may acquire primary and secondary education without charge. Primary education shall be compulsory."

2. According to **Article 91**, "All human beings in Latvia shall be equal before the law and the courts. Human rights shall be realized without discrimination of any kind."

With regard to Language, **Article 4** provides that "The Latvian language is the official language in the Republic of Latvia." However, **Article 114** adds that "Persons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity."

3. With regard to religion, **Article 99** specifies that "Everyone has the right to freedom of thought, conscience and religion. The church shall be separate from the State."

1.2. Legislative Framework:

¹ <http://www.saeima.lv/en/legislation/constitution>, Last accessed on 05/02/2015

4. “The Education Law adopted on 19 June 1991 and amended in 1995 and in 1998 has been the basis for the country’s educational policy. In 1991, the Education Law determined the main principles and aims of education. [...] A **new Education Law** was approved on 29 October 1998 replacing the 1991 Law; it was last amended in December 2010.”^{2,3}

5. **Section 3** of the Law enshrines the Right to Education. **Section 3.1** prohibits differential treatment, by stating that “(1) The persons referred to in Section 3 of this Law have the right to acquire education regardless of the material and social status, race, nationality, ethnic belonging, gender, religious and political affiliation, state of health, occupation and place of residence.”

6. With regard to compulsory education, **Section 4** states that “the preparation of children from the age of 5 for the acquisition of basic education and the acquisition of basic education, or the continuation of acquisition of basic education until reaching the age of 18, shall be mandatory.”

7. **Section 7** specifies that “Education target groups are aggregates of persons with similar needs, interests and abilities, which wish to acquire education or for whom the acquisition of mandatory education has been determined by law. The primary education target groups are comprised of: 1) children of pre-school age; 2) children and youths of mandatory education age; 3) youths; 4) persons with special needs; and 5) adults.”

8. With regard to language of education, **Section 9** provides that “(1) Education shall be acquired in the official language in State and self-government education institutions. (2) Education may be acquired in another language: 1) in private educational institutions; 2) in State and self-government educational institutions in which educational programmes for ethnic minorities are implemented. The Ministry of Education and Science shall specify in such educational programmes the subjects of study which are to be acquired in the official language; and 3) in educational institutions specified in other laws.”

9. With regard to education and religion, **Section 10** states that “(1) The educational system shall ensure freedom of conscience. Educatees shall have the option to acquire Christian religious instruction or ethics, or Christian religious instruction and ethics concurrently. (2) The Law On Religious Organisations shall regulate the relations between educational institutions and religious organisations.”

² <http://www.unesco.org/education/edurights/media/docs/ec272c12dcbfb616544538178284d514966ea0ef.pdf>, http://izm.izm.gov.lv/upload_file/en/laws/Education_Law.pdf, Last accessed on 05/02/2015

³ IBE, World Data on Education, 7th ed., 2010-2011, Latvia, pp. 2-3, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Latvia.pdf, Last accessed on 05/02/2015

10. With regard to educational fees, **Section 12** specifies that "(1) Fees for the acquisition of pre-school, basic and secondary education at an institution established by the State or self-governments shall be covered from the State budget or self-government budgets in accordance with the procedures prescribed by the Cabinet. A private educational institution may determine the fees for the acquisition of education. (2) For programmes of higher education, the State shall cover the fees for the acquisition of education for a specified number of student positions in accordance with the State procurement specified for the relevant year; for other student positions each institution of higher education may determine the fees for the acquisition of education. [...] (4) An alien or a stateless person shall pay for the acquisition of education in accordance with a contract concluded with the relevant educational institution. [...]"

11. "The **General Education Law of 1999, last amended in December 2010**⁴, regulates the activities of persons in public and self-government educational institutions and other persons involved in the process of implementation of general education, specifying their rights and duties."⁵

12. The **Vocational Education Law of 1999**⁶ aims "to implement the State vocational education policy and the operation, management and development of the vocational education system." (**Section 2(1)**). According to **Section 3**, "(1) The Law regulates implementation of vocational initial education, vocational secondary education and first level higher vocational education and the award of corresponding vocational qualifications. (2) The implementation of second level higher vocational education and the award of corresponding vocational qualifications shall be regulated by the Institutions of Higher Education Law, other laws and regulatory enactments."

13. "The **Law on Higher Education Institutions**⁷ adopted in November **1995** [...] regulates the higher education system (universities & colleges); amendments introduced in 2000 replaced the former five-year programmes with professional bachelor's and master's degrees, in line with the implementation of the Bologna process"⁸.

⁴ <http://www.unesco.org/education/edurights/media/docs/1ec4e2e97b3689407e5d5fda6bc1f161e512612a.pdf>, http://izm.izm.gov.lv/upload_file/en/laws/General_Education_Law.pdf, Last accessed on 05/02/2015

⁵ IBE, World Data on Education, 7th ed., 2010-2011, Latvia, p. 3, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Latvia.pdf, Last accessed on 05/02/2015

⁶ http://izm.izm.gov.lv/upload_file/en/laws/Vocational_Education_Law.pdf, <http://www.unesco.org/education/edurights/media/docs/8833c70fa25ec01abcd55e9ad041b0040ccc147f.pdf>, Last accessed on 05/02/2015

⁷ http://izm.izm.gov.lv/upload_file/en/laws/Law_On_Institutions_of_Higher_Education_.pdf, <http://www.unesco.org/education/edurights/media/docs/ce3eae5bd6a3eae77928cf32223183f00e598b0.pdf>, Last accessed on 05/02/2015

⁸ IBE, World Data on Education, 7th ed., 2010-2011, Latvia, p. 3, http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Latvia.pdf, Last accessed on 05/02/2015

14. The **Official Language Law**⁹ of December **1999**, which entered into force in September 2000, has the purpose “to ensure: 1) the maintenance, protection and development of the Latvian language; 2) the maintenance of the cultural and historic heritage of the Latvian nation; 3) the right to freely use the Latvian language in any sphere of life within the whole territory of Latvia; 4) the integration of members of ethnic minorities into the society of Latvia, while observing their rights to use their native language or other languages; 5) the increased influence of the Latvian language in the cultural environment of Latvia, to promote a more rapid integration of society.”

✓ **Justiciability of the right to education**

15. **Paragraph 5 Section 3 of Latvia’s Education Law**, establishes that “if in the case of a dispute a person points to factors which could have been the basis for his or her direct or indirect discrimination due to conditions referred to in Paragraph one of this Section [the right to acquire education regardless of: the material and social status, race, nationality, ethnic origin, gender, religious and political affiliation, state of health, occupation and place of residence], the implementer of the educational program has a duty to prove that the prohibition of differential treatment has not been violated. In turn, **Paragraph six** of this Section stipulates that, if the prohibition of differential treatment or the prohibition to cause unfavourable consequences is violated, a person is entitled to request elimination of the violation, to receive legal assistance in accordance with **the Ombudsman Law**, as well as to bring an action to court. A person is entitled to request compensation for losses and remuneration for moral detriment. In case of a dispute, the amount of moral detriment shall be determined at the discretion of the court.”¹⁰ Furthermore, “according to **Section 15 Paragraph 1** of the **Administrative Procedure Law**, in administrative proceedings, institutions and courts shall apply external regulatory enactments, the legal norms of international law and the European Union (Community). If a conflict between a legal norm of international law and a norm of Latvian law of the same legal force is determined, the legal norm of international law shall be applied. Thus the Convention is applicable in Latvian institutions and courts.”¹¹

✓ **Anti-Discrimination provisions**

16. “**Section 3, Paragraph 8 of the Education Law** contains the provision that “**discrimination**” and types thereof shall correspond to the terms used in the Consumer Rights Protection Law. **Section 3, Paragraph six of the Consumer Rights Protection Law** states that

⁹ <http://www.unesco.org/education/edurights/media/docs/379c1e69a983811cb9947050e70bef8fa0508e44.pdf>, http://izm.izm.gov.lv/upload_file/en/laws/Official_Language_Law.pdf, Last accessed on 05/02/2015

¹⁰ Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

¹¹ Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 3

direct discrimination is an attitude towards a person which on the basis of his or her sex, disability, race or ethnic origin in a comparable situation is, was and could be less favourable than towards another person. Indirect discrimination is a seemingly neutral provision, criterion or practice that creates or could create an unfavourable outcome on the basis of sex, disability, race or ethnic origin of a person, except for the case where such provision, criterion or practice is objectively substantiated with a legal purpose, for the achievement of which proportional means are chosen. As the aforementioned provisions of the Education Law are binding in the implementation of education at all its levels and in all types of education in accordance with Paragraphs 5 and 6 of the Education Law, as well as in the application of the norms of the **General Education Law, the Vocational Education Law and the Law on Institutions of Higher Education**, one could conclude that the Convention is being complied with in the implementation of the national educational policy.”¹²

✓ **Religious Education**¹³

17. “**Section 6 of the Law on Religious Organizations** states that anyone is entitled to acquire religious teachings, either individually or together with others at teaching establishments of religious organizations. Teachings of the Christian faith may be taught in State and local government schools to persons who have expressed a wish in writing to acquire this. Minors shall submit a request regarding a wish to acquire the teachings of the Christian faith with the **written agreement of a parent** or guardian. If a minor is younger than 14 years, a parent or guardian of this person shall submit a request on his or her behalf. Teachings of the Christian faith shall be taught according to a teaching program approved by the Ministry of Education and Science by teachers in the Evangelical Lutheran, Roman Catholic, Orthodox, Old-believer and Baptist denominations if there are at least 10 pupils in a school wishing to acquire the relevant teachings of the respective Christian denomination. Teachers are appointed by the leadership of the denomination, and they are subject to the same requirements as other educators in accordance with **Cabinet Regulation No 347 of 3 October 2000 “Regulations regarding the Requirements for the Necessary Education and Professional Qualification of Educators”**. Schools for ethnic minorities under the management of the State and local governments, in observance of the wishes of students or their parents or guardians may also provide religious teachings typical to the respective ethnic minority. Teachings of the Christian faith and ethical instruction shall be financed from the State budget.

18. In addition, we inform that **Section 14, Paragraph two of the Law on the Latvian Union of Parishes of the Seventh Day Adventists** states that the Church is entitled to provide instruction of

¹² Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 3

¹³ Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 26-28

the teachings of the Christian faith at State and local government educational institutions in accordance with the procedures prescribed in regulatory enactments, and **Section 12 of the *Law on the United Methodist Church of Latvia*** provides that the Church is entitled to provide instruction of the teachings of the Christian faith at State and local government educational institutions in accordance with the procedures prescribed in regulatory enactments. Considering the above, there exists a right in Latvia to provide instruction on the teachings of the Christian faith at State and local government educational institutions by educators of the Evangelical Lutheran, Roman Catholic, Orthodox, Old-Believer, Baptist, Methodist and Adventist denominations.

19. In accordance with **Section 15 of the *General Education Law***, the State **general education standard** shall determine the main purposes and tasks of general education programmes, the mandatory content of general education and the basic principles and procedures for the evaluation of the education acquired by students. In accordance with **Section 14, Clause 19 of the *Education Law*** and **Section 4, Clause 11 of the *General Education Law***, the Cabinet shall determine the State general education standards and the subject standards. In accordance with **Paragraph 2 of Cabinet Regulation No 1027 of 19 December 2006 “Regulations Regarding the State Basic Education Standard and Basic Education Subject Standards”** (hereinafter: Regulation No 1027), the primary objectives of basic education programmes shall be to provide a student with the basic knowledge and basic skills necessary for a social and personal life; to create a basis for the further education of a student; to encourage the harmonic formation and development of a student; and to promote a responsible attitude of a student towards himself or herself, the family, society, the surrounding environment and the State.

20. At this time, the acquisition of moral values promoting the responsible attitude of students towards him- or herself, the family and society by shaping an understanding of ethical values is provided by the academic subjects in Ethics and Christian Studies (Annexes 20 and 21 of the basic education standard). In accordance with **Sub-Paragraph 7.20 of Regulation No 1027**, students acquire the said subject from Year 1 to 3. In turn, **Paragraph 9** of Regulation No 1027 states that in basic education programs in Years 1 to 3 the students shall acquire ethics or Christian studies by parents' (guardians') choice. In the 2011/2012 academic year, 18% of pupils have opted to acquire Christian studies.

21. **Section 6, Paragraph one of the *Law on Religious Organizations*** provides that anyone is entitled to acquire religious teachings, either individually or together with others at teaching establishments of religious organizations. Section 10, Paragraph one of the *Education Law* states that the educational system shall ensure **freedom of conscience**. Students shall have the **option to acquire Christian religious** instruction or ethics, or Christian religious instruction and ethics concurrently. This legal norm observes the separation of the church from State, as well as an individual's right to religious freedom, considering that not all residents of the Republic of Latvia belong to Christian denominations.

22. Taking into account the provisions of **Section 7.¹ of the Law on Religious Organizations**, in order to achieve the objectives of religious activities stated in their articles of association, registered religious organizations may develop institutions whose purpose and activity are not profit-making: institutions for clerical training, monasteries, missions, deaconate institutions and institutions similar thereto, i.e., also educational institutions to provide education to children who belong to the respective denomination on its teachings and values. Thus, a diversity of religious instruction is ensured in Latvia, as religious organizations are entitled to establish their own educational institutions where students may be given instruction on the teachings of the respective religion. At the same time, regulatory enactments do not stipulate a duty for students to acquire specific religious instruction, in observance of the provisions of the Convention.

23. The **Section on Institutions of Higher Education of the Register of Educational Institutions of the Republic of Latvia** lists the following higher education institutions in which theological education may be acquired in accordance with the operational objectives of the respective institution: University of Latvia, Rēzekne Higher Education Institution, Latvian Christian Academy, Luther Academy, Riga Higher Institute of Religious Sciences affiliated to the Pontifical Lateran University, and Riga Theological Institute affiliated to the Pontifical Lateran University, of which three are higher education institutions founded by religious organizations.

24. **Section 3 of the Education Law** states that an educational institution established by a religious organization is entitled to base itself on a person's religious affiliation, readiness and capability to act in good faith and loyalty in relation to the teaching (doctrine) of the particular religion, as well as a set of moral and behavioural norms, principles and ideals which form the basis of the conviction of the believers thereof."¹⁴

✓ **Education for Asylum seeker**

25. "**Paragraph two** of [Section 3 of the Education Law] states that a minor child of an asylum seeker and a minor asylum seeker is entitled to basic education and secondary education, as well as the right to continue the commenced education after reaching the age of majority. Pursuant to **Paragraph three** of the same Section, a minor third-country national or a stateless person who has no legal basis to reside in the Republic of Latvia is entitled to acquire basic education during the time period specified for voluntary exit or during the time period for which the expulsion is suspended, as well as during his or her detention.

¹⁴ Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 26-28

26. **Section 8, Paragraph three, Clause 4 of the Asylum Law** states that the Cabinet shall determine the procedures by which a minor asylum seeker shall be provided with opportunities for acquiring education. On the basis of the foregoing, the Cabinet has issued **Regulation No 174 of 23 February 2010 “Procedures for the Provision of Minor Asylum Seekers with Opportunities for Acquiring Education”**.¹⁵

27. **Other legal normative instruments** that regulate the different spheres of education in Latvia are as follows:

- **Regulation No 174 of 23 February 2010 “Procedures for the Provision of Minor Asylum Seekers with Opportunities for Acquiring Education”**
- **Cabinet Regulation No. 709 of 3 August 2010 “Regulations Regarding the Guidelines for State Pre-School Education”**
- **Cabinet Regulation 994 of 12 December 2006 “Procedures for the Financing of Institutions of Higher Education and Colleges from the Funds of the State Budget”**
- **Cabinet Regulation No 740 of 24 August 2004 “Regulations regarding Stipends”**
- **Cabinet Regulation No 219 of 29 May 2001 “Procedures for the Allocation, Repayment and Cancellation of Study Loans from State Budget Funds”**
- **Cabinet Regulation No 220 of 29 May 2001 “Procedures for the Allocation, Repayment and Cancellation of a Study Loan and Student Loan from the Resources of Credit Institutions with a Government Guarantee”**
- **Cabinet Regulation No 146 of 22 February 2011 “Procedure for the Evaluation of the Professional Competence Acquired Outside the Formal Education System”**
- **Cabinet Regulation No 75 of 25 January 2011 “Regulations regarding the Procedures for Organizing and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for Selection of Implementing Bodies of Measures”**
- **Cabinet Regulation No 709 of 3 August 2010 “Regulations Regarding the Guidelines for the State Pre-School Education”**
- **Cabinet Regulation No 1027 of 19 December 2006 “Regulations Regarding the State Basic Education Standard and Basic Education Subject Standards”**
- **Cabinet Regulation No 715 of 2 September 2008 “Regulations Regarding the State General Secondary Education Standard and General Secondary Education Subject Standards”**
- **Cabinet Regulation No 2 of 3 January 2002 “Regulations regarding the State Standard for Academic Education”**
- **Cabinet Regulation No 141 of 20 March 2001 of 20 March 2001 “Regulations regarding the State Standard for First Level Professional Higher Education”,**

¹⁵ Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

- **Cabinet Regulation No 481 of 20 November 2001 “Regulations regarding the State Standard for the Second Level Higher Professional Education”**
- **Cabinet Regulation No 149 of 27 February 2007 “Procedures for the Development of Professional Standards and Vocational Standards”**
- **Cabinet Regulation No 650 of 30 August 2005 “Procedures for the Licensing of Higher Education Programs”**
- **Cabinet Regulation No 821 of 3 October 2006 “Procedures for the Accreditation of Institutions of Higher Education, colleges and Higher Education Programs”.**
- **Cabinet Regulation No 347 of 3 October 2000 “Regulations regarding the Requirements for the Necessary Education and Professional Qualification of Educators”.**
- **Cabinet Regulation No 461 of 18 May 2010 “Regulations regarding the Classification of Occupations, Basic Tasks and Basic Qualifying Requirements in Relation to an Occupation and Procedures for the Use and Updating of the Classification of Occupations”**
- **Cabinet Regulation No 836 of 28 July 2009 “Regulations regarding the Work Remuneration of Educators”**
- **Cabinet Regulation No 461 of 18 May 2010 “Regulations regarding the Classification of Occupations, Basic Tasks and Basic Qualifying Requirements in Relation to an Occupation and Procedures for the Use and Updating of the Classification of Occupations”**
- **Cabinet Regulation No 1027 of 19 December 2006 “Regulations Regarding the State Basic Education Standard and Basic Education Subject Standards”**
- **Cabinet Regulation No 852 of 14 September 2010 “Procedures by which Vocational Education Programs, Educational Institutions and Examination Centres are Accredited”.**

1.3 Policy Framework:

i) General information

28. “The Education Law is a legal basis for the development of the Strategy. The Strategy is designed according to the demands of the EU2020 Strategy and the National Development Plan of Latvia 2014-2020. The Strategy sets goals for the development of the whole education system of the country and the directions for their implementation, as well as the activity and political results, and performance indicators. The general aim of the Strategy is development of qualitative and inclusive education for personal development, human welfare and sustainable development

of the country. Three aims are: development of education environment, development of individual competences, and efficient governance.”¹⁶

29. “In January 2014, the government approved Education Development Guidelines 2014-2020 [...]. The document sets goals for the development of the whole education system and the directions for their implementation, as well as the activity and political results, and performance indicators. The Guidelines define general aim of education development policy in Latvia, which is: Qualitative and inclusive education for personal development, human welfare and sustainable development of the country.”¹⁷

30. In the Latvia National Development Plan (NDP) 2007-2013¹⁸ the following strategic goal has been defined: “Education and knowledge for the growth of the national economy and technology excellence”, and the following priorities have been set:

- “An educated and creative individual;
- Technological excellence and flexibility of companies;
- Development of science and research.”¹⁹

31. “‘Vocational education institutions network optimisation guidelines 2010-2015’ approved by the government on 6 January 2010 are being successfully implemented, ensuring further improvement of the vocational education system and its quality:

- by ensuring an optimal number of vocational education institutions and their location in the regions;
- by carrying out differentiation of vocational education institutions;
- by improving the infrastructure and modernising the material and technical equipment;
- by facilitating a more resource-efficient use of all kinds of resources.”²⁰

32. “Restructuring of vocational curriculum in accordance with the research results began in 2012, together with sectoral expert councils, based on an industry relevant occupational qualifications framework. Vocational education programmes with a modular approach will be

¹⁶ Eurydice, Overall national education strategy and key objectives, https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Latvia:Overall_national_education_strategy_and_key_objectives, Last accessed on 05/02/2015

¹⁷ Eurydice, Ongoing Reforms and Policy Developments, https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Latvia:Ongoing_Reforms_and_Policy_Developments, Last accessed on 05/02/2015

¹⁸ http://planipolis.iiep.unesco.org/upload/Latvia/Latvia_National_development_plan_2007-2013.pdf, <http://www.unesco.org/education/edurights/media/docs/4d204e83d1eaff2d40b8ebda64869552fa710487.pdf>, Last accessed on 05/02/2015

¹⁹ Latvia National Development Plan (NDP) 2007-2013, p. 13, <http://www.unesco.org/education/edurights/media/docs/4d204e83d1eaff2d40b8ebda64869552fa710487.pdf>, Last accessed on 05/02/2015

²⁰ Latvian Ministry of Education, Vocational Education, <http://izm.izm.gov.lv/education/vocational-education.html>, Last accessed on 05/02/2015

developed (a flexible, successive, particularly structured approach to programme development and educational process) to ensure the acquisition of vocational competencies. Modular approach is a way of structuring the educational process that is based on general study subjects, acquiring lifelong education competencies and vocational competencies for basic sectoral occupations, related sectoral occupations and specialisations. The project shall include development of 80 occupational standards (September 2012 – April 2013). Development of educational programs may be initiated only after the design and approval of occupational standards or basic vocational qualification requirements. Overall, the project will provide for the development of 20 vocational initial education programs and 35 vocational further education programs with a modular approach. Such an approach will potentially be provided in the best way by competence centres that possess relevant technical equipment and number of students. The project also provides for the development of the qualification examinations content for up to 30 vocational qualifications.”²¹

ii) Inclusive Education

33. “Inclusive education in Latvia ensures equal opportunities for all children and young people regardless of their needs and abilities, financial or social status, race, nationality, gender, religious and political affiliation, state of health, residence and occupation in an accessible, respectful and supportive environment, with their full involvement and participation in the educational process and the achievement of success. Every pupil can choose an educational institution irrespective of the language of instruction, as the Ministry of Education and Science develops uniform standards for academic subjects and sample curricula for all educational institutions. It needs to be stressed that the Ministry of Education and Science develops national tests in Latvian and minority languages alike – mainly in Russian and Polish – and analyses the results attained by pupils. Pupils or educational institutions may also opt to sit centralized examinations in a minority language.

Issues relating to inclusive education are also incorporated into the general section of the professional development courses for educators. The policy of inclusive education in Latvia helps every pupil, regardless of the school type or educational programme chosen, in preserving their ethnic identity and origin, in perfecting and developing their language and culture, and in treating the cultures, traditions and languages of other nationalities with respect. Non-governmental organisations contribute greatly to the shaping of the inclusive education policy, as do various associations of educators and cultural societies and the media. The studies and opinion polls conducted by NGOs are of particular importance.”²²

²¹ Latvian Ministry of Education, Vocational Education, <http://izm.izm.gov.lv/education/vocational-education.html>, Last accessed on 05/02/2015

²² Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 6

34. “Significant support has been received from the European Social Fund for the implementation of the project *Creation of a Support System for Students with Functional Disorders* in 2011-2013. Eight inclusive education centres have been established in Riga, Liepāja, Jēkabpils, Valmiera, Jelgava and Daugavpils. In Jūrmala and Balvi, students with functional disorders receive assistance and educators are trained.”²³

iii) Teachers

35. “The adoption of the new funding model has had a direct impact on teachers’ wages, as remuneration is now calculated on the basis of the number of students and not on working hours.”²⁴

iv) Quality education

36. “In order to create a unified and comparable content and procedures for general and trade education quality accreditation, a project ‘Accreditation quality procedures for general and trade education, as well as educational institutions and centres’ is being implemented in order to increase efficiency and quality, as well as an action plan for the implementation of IT technologies to increase the quality of education. This project has been approved for 2010-2013.”²⁵

v) Curriculum

37. “The Programme of Value Education and Socialization for 2009 – 2013 defines the most important values, which should be taught to students during the process of education, including lessons and *extracurricular* activities developing insight and positive attitude. These issues and values have been defined as follows: human and his personality, life, health and safety, spirituality and moral, respectful, accountable and indulgent relationship of people, knowledge and work for promotion of one’s own and society’s welfare, patriotism and civic participation, family, traditions and culture, as well as nature and environment for the sustainable development.”²⁶

²³ Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 6

²⁴ Human Rights Council, Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights – Mission to Latvia (14 to 18 May 2012), Cephias Lumina, 27 May 2013, p 16, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/139/56/PDF/G1313956.pdf?OpenElement>, Last accessed on 04/02/2015

²⁵ Latvian Ministry of Education, Vocational Education, <http://izm.izm.gov.lv/education/vocational-education.html>, Last accessed on 05/02/2015

²⁶ National report submitted to UNESCO in 2009 within the framework of the fourth consultation of Member States on the measures taken for the implementation of the UNESCO’s Recommendation concerning Education for

38. “Within the [Programme for the Promotion of *Tolerance 2009-2013 initiated by the Ministry of Children, Family and Integration Affairs*], it is planned to develop interactive materials linked to tolerance, Christian values education and social science classes in schools, to implement campaign against violence in schools “Class without abuse”, to organize annual camps for youth from different cultural environment, and to develop and publish informatively educational materials for promotion of tolerance as well.”²⁷

vi) Financing of education

39. “In 2012 a substantial reform of vocational education was performed, focusing the EU structural funds on sustainable projects: EU structural funds projects are continuing in 15 vocational education institutions within stage one of the activity project application selection round for a total amount of 22 million lats. Funding in an amount of 91 million lats was directed and focused at the second project selection round. These funds were used to fully complete a modern infrastructure, and training facilities will be provided at 11 vocational schools. Funds totalling 113 million lats have been directed at the improvement and modernisation of infrastructure of vocational education institutions. Based on the reform and concentration of the funding, Latvia will receive fully modernised and equipped, modern vocational education centres in all regions of Latvia.”²⁸

40. The Report of the Independent Expert Cephias Lumina about his visit to Latvia (14-18 May 2012) states that: “63. The education sector was also severely affected by the crisis, with a number of schools being shut down or merged, teachers retrenched and wages cut. In 2009, radical changes were implemented to the general education system, including through restructuring and rationalization of educational institutions and the adoption of the new funding model based on a fixed amount per student. These changes appear to have been justified by the need to “encourage savings and efficiency” in view of the facts that the Latvian population had declined by 15 per cent since independence, birth rates remained low and the country had “too many schools and teachers.”

40.1. Since the adoption of the stabilization programme, the student/teacher ratio has worsened and the number of available institutions has decreased. According to the Government, the student/teacher ratio has increased from 9.2 to 10 students per teacher with the

International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974) (covering the period 2005-2008), p. 2

²⁷ National report submitted to UNESCO in 2009 within the framework of the fourth consultation of Member States on the measures taken for the implementation of the UNESCO’s Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974) (covering the period 2005-2008), p. 2

²⁸ Latvian Ministry of Education, Vocational Education, <http://izm.izm.gov.lv/education/vocational-education.html>, Last accessed on 05/02/2015

implementation of the new funding model. The number of schools with a low number of students (from 30 to 70 students per school) has also decreased significantly [...].

40.2. The reduction in the number of educational institutions, teachers, and teachers' wages should be analysed against the context of far-reaching reforms and budgetary cuts to the public sector, including the education sector, as part of the stabilization programme. It is estimated that the total education and science budget was cut from 353 million lats in 2008 to 221 million lats in 2009. The Latvian education budget was cut by around 25 per cent for that period. [...].

40.3. Nonetheless, it is notable that the above-mentioned reforms also respond to demographic changes in the country's population, whereby the number of students has decreased on average by 5 per cent per year since 2008. [...].

40.6. After the 2011 parliamentary elections, the Government (a new three-party alliance that retained Valdis Dombrovskis as Prime Minister) announced its intention to undertake structural reforms to achieve further consolidation in line with its commitment to meet the Maastricht criterion to join the eurozone, which includes strict budget and inflation targets. Reforms in this context are expected to affect the education and health sectors. For example, a new privately financed model has been proposed for higher education which will consist of private loans for students backed by the State. [...]."²⁹

vii) Gender equality

41. "To reduce educational segregation, the Gender Equality Committee at the Ministry of Welfare established a Working Group which in 2013 developed recommendations "On the integration of gender equality aspects into process and content of all educational levels until 2020.""³⁰

42. "In 2012, the Ministry of Welfare, with the financial support from the Northern Council of Ministers, realized the project "Translation and publishing of the Danish children's books "Den Dag da Rikke var Rasmus" and "Den Dag Da Frederik var Frida" and the teaching material and the education for the personnel and parents to promote equal opportunities for boys and girls". The objective of the children's book is to produce discussions among children – for example –

²⁹ Human Rights Council, Report of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights – Mission to Latvia (14 to 18 May 2012), Cephias Lumina, 27 May 2013, p 16, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/139/56/PDF/G1313956.pdf?OpenElement>, Last accessed on 04/02/2015

³⁰ Some facts about Latvia and Latvians (also in the context of gender equality), <http://www.coe.int/t/dghl/standardsetting/equality/05conferences/2014NFPHelsinki/Speeches/Ineta%20Upeniece%20text.pdf>, Last accessed on 05/02/2015

about what girls do and what boys do; is it okay for girls to play football and for boys to play “family game” if they want to, etc.”³¹

2. COOPERATION:

43. Latvia **is a party** to the 1960 UNESCO Convention against Discrimination in Education since 16/06/2009.

44. Latvia **reported** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:

- **Sixth Consultation** of Member States (covering the period 1994-1999),
- **Seventh Consultation** of Member States (covering the period 2000-2005)
- **Eighth Consultation** of Member States (covering the period 2006-2011).

45. Latvia **reported** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **Fourth Consultation** of Member States (covering the period 2005-2008). However, Latvia **did not report** to UNESCO within the framework of the **Fifth Consultation** of Member States (covering the period 2009-2012).

46. Latvia **did not report** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the **First Consultation** of Member States (1993). However, **it did report** within the framework of the **Second Consultation** of Member States (2011).

47. Latvia **is not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

48. Freedom of expression is guaranteed under Chapter VIII, Article 100 of the Constitution of Latvia.³²

³¹ Some facts about Latvia and Latvians (also in the context of gender equality), <http://www.coe.int/t/dghl/standardsetting/equality/05conferences/2014NFPHelsinki/Speeches/Ineta%20Upeniece%20text.pdf>, Last accessed on 05/02/2015; <http://www.lm.gov.lv/text/2362>, Last accessed on 05/02/2015

49. The Law on Freedom of Information provides detailed rules on access to public information.³³

50. Section 156 of the Criminal Law regards defamation as a criminal offense, which is, however, punished by fines only.³⁴

2. MEDIA SELF-REGULATION

51. There are associations of journalists,³⁵ press publishers³⁶ as well as broadcasting organizations³⁷ in Latvia. The journalists' association has passed a code of ethics³⁸ and, thus, contributes to the self-regulatory process of the media.³⁹

3. SAFETY OF JOURNALISTS

52. UNESCO recorded no killings of journalists in Latvia. Journalists operate in a safe environment.

III. RECOMMENDATIONS

Right to education

53. Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)

³² See the Constitution of Latvia on the official website of the Latvian Saeima: <http://www.saeima.lv/en/legislation/constitution>.

³³ See the Latvian Freedom of Information Law on the website of the Latvian National Archives: <http://www.arhivi.lv/index.php?&1169>.

³⁴ See the Criminal Law of Latvia on the website of the United Nations Public Administration Network: <http://unpan1.un.org/intradoc/groups/public/documents/untc/unpan018405.pdf>.

³⁵ See their official website: <http://www.zurnalistusavieniba.lv/>.

³⁶ See their official website: <http://www.lpia.lv/>.

³⁷ See their official website: <http://www.tvradio.lv/index.php?page=49>.

³⁸ See the Code of Ethics on the journalists' association website: <http://www.zurnalistusavieniba.lv/?p=3519&pp=3768&lang=923>.

³⁹ See the report on freedomhouse.org from 2014: <https://freedomhouse.org/report/freedom-press/2014/latvia#.VQwYLOG3HZ0>.

54. In the Report of the Working Group on the Universal Periodic Review of July 11th 2011, various recommendations were made to Latvia.

55. The following recommendations enjoy the support of Latvia:

- i. 91.34. **Provide specific training to law enforcement staff to enable them to better understand and prevent domestic violence (Hungary);**
- ii. 91.43. **Prioritize training for the judiciary and the police on how to treat victims of trafficking as well as domestic violence (Norway);**
- iii. 93.29. **Provide general information about anti-discrimination and reform the school curricula to regularly emphasize information about gender equality, lesbian, gay, bisexual and transgender people and ethnic minorities (Norway);**
- iv. 93.34. **Engage in awareness-raising activities such as stressing diversity in school curricula in order to alleviate discrimination against lesbian, gay, bisexual and transgender persons (Finland);**
- v. 93.41. **Prevent violence against Roma women and girls, including harassment and abuse at school, and address the gaps in their formal education (Islamic Republic of Iran);**

56. The following recommendations enjoy the support of Latvia, which considers that they have already been implemented or are in the process of implementation:

- i. 92.6. **Take into account human rights education and training in its national education and training programs (Morocco);**
- ii. 92.14. **Adopt the necessary legislation to explicitly prohibit violence against children, including corporal punishment (Finland);**
- iii. 92.15. **Maintain State preschool and general education institutions with education/teaching in minority languages, including the Russian language (Russian Federation);**
- iv. 92.17. **Take measures to ensure the availability of adequate facilities for refugee children, including access to legal counsel, medical care and education (Poland).**

57. Analysis:

Latvia adopted several general measures to improve access to education for all. For students with special needs, it adopted the project “Creation of a support system for student with functional disorders 2011-2013”, established 8 inclusive education centers. Some projects have also been taken to reduce educational segregation on the basis of gender, such as the establishment of a working group or the translation of teaching material to promote equal opportunities. However, no specific measures have been taken to further address discrimination against lesbian, gay, bisexual and transgender persons, and to include further the human rights education in training and curricula, especially as regards Latvian police forces and law enforcement staff. In addition, no sufficient specific policies have been implemented to further encourage inclusion of students from minority groups.

58. Specific Recommendations:

1. Latvia should be strongly encouraged to further submit state reports for the periodic consultations of UNESCO’s education related standard-setting instruments.
2. Latvia could be encouraged to further promote inclusive education.
3. Latvia might be encouraged to further promote education for all, especially by implementing programmes to ban discrimination against lesbian, gay, bisexual and transgender persons.
4. Latvia may be encouraged to take additional measures to provide further education and training for its police forces and law enforcement staff.

Cultural rights

59. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)⁴⁰ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005),⁴¹ Latvia is encouraged to fully implement the relevant provisions that

⁴⁰ See UNESCO 2012. Latvia Periodic Report on the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage: <http://www.unesco.org/culture/ich/doc/download.php?versionID=18493>
See UNESCO 2014. Latvia Periodic Report on the status of status of elements inscribed on the List of Intangible Cultural Heritage in Need of Urgent Safeguarding:
<http://www.unesco.org/culture/ich/doc/download.php?versionID=33108>

⁴¹ See UNESCO. 2012. Latvia Periodic Report on the 2005 Convention on the Promotion and Protection of the Diversity of Cultural Expressions.

promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Latvia is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of opinion and expression

60. Latvia is encouraged to decriminalize defamation and place it within a civil code that is in accordance with international standards.⁴²

Freedom of scientific research and the right to benefit from scientific progress and its applications

61. **Latvia**, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers, is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. The 1974 Recommendation on the Status of Scientific Researchers sets forth the principles and norms of conducting scientific research and experimental development and applying its results and technological innovations in the best interests of pursuing scientific truth and contributing to the enhancement of their fellow citizens' well-being and the benefit of mankind and peace. The Recommendation also provides the guidelines for formulating and executing adequate science and technology policies, based on these principles and designed to avoid the possible dangers and fully realize and exploit the positive prospects inherent in such scientific discoveries, technological developments and applications. Following-up to its 2011-2012 report on the implementation of the 1974 Recommendation, in providing a progress report in 2015-2017 on this matter, **Latvia** is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation, such as: i) intellectual freedom to pursue, expound and defend the scientific truth as they see it, and

https://en.unesco.org/creativity/sites/creativity/files/periodic_report/Latvia_Report_Eform_EN_2012_0.pdf

⁴² See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

autonomy and freedom of research, and academic freedom to openly communicate on research results, hypotheses and opinions in the best interests of accuracy and objectivity of scientific results; ii) participation of scientific researchers in definition of the aims and objectives of the programmes in which they are engaged and to the determination of the methods to be adopted which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; iii) freedom of expression relating to the human, social or ecological value of certain projects and in the last resort withdraw from those projects if their conscience so dictates ; iv) freedom of movement, in particular for participation in international scientific and technological gatherings for furtherance of international peace, cooperation and understanding; v) guarantees of non-discrimination in application of rights to satisfactory and safe working conditions and avoidance of hardship; to access to educational facilities, occupational mobility, career development, participation in public life, and vi) right of association, etc.