**RESPONSE BY LATVIA**

***Referring to questionnaire on disability related policies***

***Rights of persons with disabilities in policies aimed at implementing and monitoring the SDG’s***

Latvia is ensuring careful consideration of the rights of persons with disabilities in policies aimed at implementation and monitoring of the Sustainable Development Goals (hereafter – SDG’s).

Latvia is taking a comprehensive approach – we are in the process of mapping our national mid [the National Development Plan of Latvia for 2014-2020] and long term [the Sustainable Development Strategy of Latvia until 2030] policy planning documents against all the SDGs and targets. All necessary changes will be made as part of the National Development Plan’s mid-term review in 2017. This exercise involves all line ministries, social partners and other relevant stakeholders.

Latvia has engaged civil society and the private sector in policy planning process, including regarding the 2030 Agenda. Regular discussions and information exchange has been guaranteed. For example, a monthly meeting takes place between the Prime Minister and the interested NGOs. Latvia’s plans of mainstreaming the SDGs in the planning process were presented and discussed at these meetings. NGOs will be providing information on their roles in implementing the National Development Plan of Latvia for 2014-2020, which already includes many targets in line with the SDGs.

***Legislative and policy framework concerning non-discrimination***

* *Legislation*

The legal framework in force in Latvia and international obligations assumed by Latvia provide that human rights are ensured without discrimination of any kind. Domestic legislation provides for administrative and criminal liability for violation of the non-discrimination principle.

On 29 October 2014, amendments to Article 1491 of the Criminal Law entered into force providing for criminal liability for discrimination on the grounds of racial or ethnic origin, nationality or religious affiliation or for the violation of the prohibition of any other type of discrimination, if substantial harm is caused thereby.

On 2 January 2013, the Law on Prohibition of Discrimination against Natural Persons– Performers of Economic Activities entered into force. The new law improves the current legal framework by providing for prohibition of different treatment in private and public sphere in relation to a natural person who is willing to perform or performs an independent activity for remuneration not only on the grounds of person’s gender, racial and ethnic origin, but also disability, sexual orientation and political, religious or other beliefs.

On 22 May 2013, amendments to the Electronic Mass Media Law entered into force, whereby Article 35 of the Law provides for prohibition in commercial announcements of incitement to hatred and inviting to discriminate against any person or group of persons based on sex, age, religious, political or other beliefs, sexual orientation, disability, racial or ethnic origin, nationality or other grounds.

On 1 January 2013, amendments to the Civil Law, the Civil Procedure Law, and the Law on Orphan’s Courts entered into force that abolished the complete removal of the capacity to act by substituting it with institution of restricted capacity to act. Total restriction of capacity to act is no longer possible. The future authorization is an alternative legal framework where a court does not need to restrict the capacity to act for a person; it is enshrined in the Civil Law and entered into force on 1 January 2013.

* *Policy planning*

Latvia has consistently worked towards a harmonized and coordinated activities of the institutions involved in the implementation of the rights of persons with disabilities, including the creation of an inclusive education system, as well as the accessibility of the environment and the implementation of social projects.

Latvia ratified UN Convention on the Rights of Persons with Disabilities (hereafter - Convention) in 2010. In order to implement the, Convention the Latvian Government has adopted a strategic policy planning document – “The Guidelines for the Implementation of the UN Convention on the Rights of Persons with Disabilities” (2014 – 2020). The Guidelines provides for a change of focus in disability policy – the document envisages the transition from a medical model that deals with disability and dependence on others to a social model that is based on human rights. Therefore the main emphasis is placed on the rights of persons with disabilities to live an independent life, participate in social processes and enjoy all their rights and freedoms thus improving their quality of life.For the purpose of implementing the rights of persons with disabilities, uniform and coordinated understanding and action regarding the rights and needs of persons with disabilities is required not only by the Ministry of Welfare, but also other line ministries and other involved institutions. In the course of developing policy planning documents and draft legislative acts, line ministries shall be responsible for integrating the principle of equal opportunities of persons with disabilities therein, thus ensuring the implementation of the rights of persons with disabilities and non-discrimination principle.

In compliance with the Law “On the Convention on rights of persons with disabilities”, the implementation of the obligations provided for by the Convention shall be coordinated by the Ministry of Welfare and the supervision of its implementation shall be ensured by the Ombudsman of the Republic of Latvia.

The Government regularly adopts action plans for implementation of the Guidelines. **The Action Plan for 2015-2017** envisages specific activities to improve and expand support measures and services for persons with disabilities, to improve accessibility and to enhance stakeholder awareness and involvement. It aims at advancing the right of persons with disability to live independently and with dignity in accordance with the principles of equal treatment. Latvia has defined four main priority sectors for disability policy: education, employment, social protection and public awareness-raising.

One of the channels through which it is possible to improve and promote equal opportunities for persons with disabilities is the National Council of Disability Affairs (Council). The Council was created-in order to promote co-operation between institutions and to involve non-governmental organizations in decision-making related to the integration of persons with disabilities, as well highlighting non -discrimination issues. Council is a consultative body, where persons with disabilities participate legislative document planning and implementation. The Council is also responsible for monitoring the Convention in accordance with article 33, paragraph 3.Council is held at least 4 times a year. During these meeting most topical sectoral issues are discussed – like, inclusive education, employment, health care, social services, accessibility of environment, including, digital, health accessibility and preventive measures.

Latvia has achieved steady improvements in a comprehensive equality policy over the last few years and will continue along this path in a constant dialogue with civil society.

***Legislative and policy framework concerning accessibility***

Since 2011 several services, including consultations of a psychologist for persons up to 18 year for whom the disability has been established, as well as their legal representatives for the first time (since January of 2011) , services of assistant for persons with an eyesight disability of I category and sign language interpretation for person who is acquiring an education program at a vocational basic education, vocational secondary education or higher education establishment (both for children and adults)( since September of 2011), have been introduced with the aim to reduce disability consequences and promote the access to services and daily activities.

At the moment Latvia is planning to implement a number of projects aimed at improving accessibility of the physical environment, transport, information and communication technologies (ICT’s) as well as other public objects and services, in order to ensure that persons with disabilities and parents who have children with disability can integrate into social processes, including labour market..

Additionally, particular attention is paid to the promotion of an inclusive labour market. Targeted and tailored active labour market measures are being implemented to support a sustainable participation of persons with disabilities in the labour market. For example, wage subsidies are being used extensively.

Amount of programmes and movies with subtitles and interpretations into sign language has increased gradually by publishing the accessible content on the home page of Latvian Television. The home page of the Latvian Radio offers the transcripts of the most current and popular broadcasts for persons with hearing disability. Special attention has been paid to the promotion of public awareness about disability issues by integrating themes related to rights and needs of persons with disabilities into content of Latvian Television and Latvian Radio broadcasts.

In the framework of coordination of horizontal principle “Equal Opportunities” (2007-2013) outsourced experts individually consulted the implementers of the European Regional Development Fund (ERDF) and the Cohesion Fund co-financed projects on environmental accessibility (360 consultations in total).

In 2011 the Ministry of Welfare developed Guidelines on environmental accessibility for persons with movement, hearing, visual and intellectual disability. The Guidelines are available on the websites of more than 25 institutions and it serves as an auxiliary material for architects, construction students, builders, municipal employees, ERDF project implementers.

In 2008 – 2015 the Ministry of Welfare provided 38 lectures "Universal design" for 1220 persons – employees of ministries and municipalities, project implementers, constructors, architects, etc.

In 2014 the Ministry of Economy, has developed and the Saeima (parliament) has adopted a new Construction Law, highlighting, the accesibility of the environment as one of the main principles of the construction.

Taking into account international obligations undertaken by Latvia upon ratification of the Convention and complying with the EU funds regulations and the Common Strategic Framework, in 2014-2020 programming period special attention is paid to improvement of accessibility of the physical environment, transportation, ICT’s and other planned public objects and services supported by the EU funds.

Also non-governmental organizations significantly contribute to promotion of environmental accessibility, for example:

* the “Latvian Railway” in cooperation with the non-governmental organisation for people with disabilities and their friends *“Apeirons”* and the Baby Room society launched the first mobile application for accessibility – *“Mapeirons”* (2014).  It offers information about accessible places/venues in Latvia, including institutions, shops, recreation and entertainment venues, as well as infrastructure and environment objects.
* In 2015 non-governmental organisation “Baltic Architecture Center” developed the Concept for Environmental Accessibility for the Municipality of Kuldiga. This project was awarded as a Good Practice 2015 (Design for All Prize) and is a candidate to the International Design for All Foundation Awards 2016.

***Support services***

In order to ensure community–based social services oriented on individual needs and promoting self-care and independent living opportunities, Latvia is committed to ensure effective social care system through developing purpose-orientated rehabilitation policy measures and deinstitutionalization practices. This is crucial also in the light of ensuring the rights to independent living as determined in the Convention.

On 27 October 2013, amendments to Article 11 of the Criminal Procedure Law entered into force providing that the right to use the language the person understands during the criminal proceedings and to use the assistance of an interpreter free of charge should also apply to persons with hearing, speech or visual impairments. In issuing procedural documents to such persons in the cases provided for by the law, the availability of such documents must be ensured in the language or the manner which such persons are able to perceive.

On 20 May 2014, the CM Regulation no.252 “Procedure for Police in Establishing if A Child has Special Needs, Inviting of a Competent Specialist, and Providing Conditions for Addressing of Child’s Special Needs” was issued.

To implement the deinstitutionalization in 2016 in collaboration with local municipalities started individual needs assessments and individual support plan development for persons with disabilities residing in long-term care institutions. At the same time it is intended to carry out analysis of the situation of social services and infrastructure at the local municipalities. Based on those analyzes plans defining social services territorial distribution for each region will be developed. As a result empowerment of independent living provides individual tailored support measures for a person to be able to live at home will take place.

In order to minimize the stereotypes and negative attitude of society to persons with mental disorders, living independently, the implementation of a new communication strategy will begin in 2016 as well.

As regards the field of education, since 2012 persons with disability are entitled to receive assistant services to support mobility, communication and self-care in institutions of preschool, general and vocational education school. In addition individual support mechanisms are provided to children with special needs aged 5 up to 18 years; these measures are incorporated in the individual education plans according to the child's needs and abilities. Furthermore the Disability Law provides for the right to receive State funded services of a sign language interpreter when acquiring vocational education and higher education programmes.

Since 2013 services of a special interpreter for persons with hearing impairment for the purpose of ensuring communication with other natural and legal entities are available.

In 2013 Latvia introduced a municipality based assistant service for persons with disabilities for performing activities outside home up to 40 hours a week. One of the target groups are children with disability aged 5 to 18 years in need of a special care due to severe functional impairments.

Persons with an visual impairment of I category who do not receive the state benefit for a disabled person in need of a special care are entitled to receive a benefit for the employment of an assistant for 10 hours a week.

Since 1 July 2014, Latvia has introduced several new or increased several the existing allowances intended to support the persons with disabilities and improve their material status. Allowance to persons with disability who need special care has been increased by 50%; the State social security benefit to persons with I disability group has been increased by 30%; to persons with II disability group – by 20%. In total, amount of allowances to persons with disabilities has been increased by 30%.

***Data collection***

In 2016 the research in the field of disability policy, co-financed by European Union Structural funds, will be carried out. The aim of research is to receive policy recommendations for Latvia’s disability policy in field of social protection, including improvement of inclusive education and inclusive labor market system. The research will also gather and analyze available administrative data and its adequacy for an effective monitoring of the Convention.

Additional information regarding the rights of persons with disabilities is available on the official website of the Ministry of Welfare: <http://www.lm.gov.lv/text/3219>

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