



**Meeting of the States Parties
to the Convention on the
Rights of the Child**

Distr.: General
23 May 2006
English
Original: French

COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-second session

SUMMARY RECORD OF THE 1124th MEETING (Room A)

Held at the Palais Wilson, Geneva,
Tuesday, 16 May 2006, at 10 a.m.

Chairperson: Mr. DOEK

SUMMARY

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES

(*continued*)

Second periodic report of Latvia

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee will be consolidated into a single corrigendum, to be issued shortly after the meeting.

The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES (agenda item 4) (*continued*)

Second periodic report of Latvia (CRC/C/83/Add.16; core document (HRI/CORE/1/Add.123); list of issues to be taken up (CRC/C/LVA/Q/2))

1. *At the invitation of the Chairperson, the delegation of Latvia took places at the Committee table.*
2. Mr. KARKLINS (Latvia) said that the presence of a minister at the head of the Latvian delegation was an indication of how important it was to his country to honour its reporting obligations and that the many experts making up the Latvian delegation would make for a professional and constructive dialogue with the Committee.
3. Even though Latvia was one of the poorest Member States of the European Union, it had increased the amount of the birth allowance and family benefits, while the most underprivileged families also received financial support from the local communities.
4. Latvia had recently ratified several international instruments relating to the rights of the child, including ILO Convention No. 182 on the worst forms of child labour, in April 2006.
5. Since 2004, the offices of regional child protection inspectors had been operating under the supervision of the ministry with responsibility for children and family affairs (SMSACFA), which had been set up in 2003 to replace the National Centre for the Rights of the Child. An active national policy was being pursued to avoid children's institutionalization and to restore family ties.
6. Latvia had enacted extremely liberal nationality laws and established the fastest naturalization procedure in the European Union. The OSCE High Commissioner on National Minorities had indeed welcomed its efforts on behalf of national minorities and had invited Latvia to share its experience with other countries having several language communities.
7. Examining magistrates received thorough training on the rights of the child, and national rules of procedure did not authorize juveniles' detention with adults or their trial on the same footing as adults.
8. No cases of malnutrition had been announced recently. Schools served meals and milk free of charge to children.
9. Progress still needed to be made, in particular to institutionalize fewer children and to sensitize government officials to international child protection standards.
10. Mr. KRAPPMANN (Rapporteur for Latvia) was pleased with the quality of the report presented by the State party, whom he asked for information on cooperation between public authorities and civil society.
11. Health and well-being indicators for the child population had remained very low in Latvia since its accession to independence, in 1991, and the living conditions of children in rural areas were worse than in the cities. The birth rate was dropping and the ageing of the population was accelerating. What was Government doing about that?

12. Though the law provided that any child born in Latvia was entitled to Latvian nationality, a certain number of children were still noncitizens in spite of the Naturalization Board's efforts to remedy the problem. The Committee would like to hear the delegation's view of the consequences of that situation for the children concerned.

13. The multiplicity of stakeholders in the child protection field was another problem; the delegation should give details on the coordination of the actions of the various ministries concerned. How was the implementation of the various policies evaluated and monitored? Was there any plan to appoint an independent Ombudsman for children?

14. It was of the utmost importance for any body with the responsibility of gather children's complaints to be easily accessible to them, and the Committee would like to know whether such was the case in Latvia. Did children know whom to go to when they considered that their rights had been violated? Did they know the Convention? And did the courts rule on the basis of the Convention?

15. Ms. AL-THANI noted that corporal punishment, though prohibited by law, remained very prevalent in Latvia, as the perpetrators of such acts did not risk prosecution; she would like to know, therefore, what measures were being taken, in particular vis-à-vis parents, to abolish corporal punishment completely, everywhere, and to prevent institutions, schools and teachers from continuing to inflict it.

16. She welcomed the Government's recent Legislative measures to deny children access to pornographic sites, but asked whether measures were being taken, or considered, with regard to other dangerous sites, such as those espousing racial hatred, violence, suicide or drugs.

17. Mr. KOTRANE was surprised that Latvia had not ratified ILO Convention No. 138 on the minimum age for admission to employment, particularly since some NGOs, in particular, had said that the problem did not seem to exist in Latvia. He asked whether the State party intended to ratify the European Charter for Regional or Minority Languages.

18. Referring to paragraph 64 of the report, he asked what protection was available to emancipated children if they were no longer subject to the Law on Protection of the Rights of the Child. What was the legal status of children of 17? In particular, if such children committed an offence, were they treated as adults?

19. One might wonder whether the child's best interests were really being served, given that the number of institutions was set according to financial criteria and the number of jobs involved.

20. The delegation might moreover indicate what the status of children born out of wedlock was, and what measures were taken to facilitate the establishment of their paternity.

21. Ms. OUEDRAOGO asked whether the results of the programmes for popularization of the Convention were evaluated and whether measures were taken to provide training on the Convention for health professionals.

22. She would like to know what was being done to sensitize the parents to the need to respect the child's opinion, and noted that children's ability to exercise that right still needed to be enhanced, in particular in the field of justice.

23. The children's councils that had been established by certain local authorities included only the most active children and were therefore unrepresentative of children in general, and particularly the most underprivileged; the delegation might indicate, consequently, how other children's points of view were taken into account.

24. Efforts were certainly being made to combat violence against children, but there was a need to take an integrated approach that would encompass all aspects of the phenomenon, for example domestic violence related to alcoholism, unemployment or poverty, and to analyse it. Another requirement was to publicize the legislation in force prohibiting such violence and to encourage children to report it. The delegation might also specify what was being done to combat hazing and physical and sexual abuse.

25. She asked whether there were any measures to promote reading and facilitate access to libraries, and whether measures had been taken to protect children from harmful information disseminated by the media and the newspaper industry.

26. Mr. SIDDIQUI asked what authority gathered and analysed statistical data relating to children, whether such data were regularly published, and whether disaggregated data was available so that comparisons could be made.

27. He welcomed the increase in the appropriations for children and asked for details on the spending control mechanisms instituted—for example, to keep the appropriations from being used to maintain a useless bureaucracy. The delegation might explain why the share of gross domestic product devoted to education had not increased, and indicate whether children and organizations caring for children had any say in the development of Latvia's budget.

The meeting was suspended at 11:00 a.m.; it resumed at 11:20 a.m.

28. Mr. BASTIKS (Latvia) recalled that Latvia's transition from a communist command economy to a market economy had severely affected the elderly and families with children. It was to cope with that situation that the decision had been made to appoint a Minister for Special Assignments for Children and Family Affairs (SMSACFA) having four major duties: the first was to enhance implementation of the rights of the child, in particular through the creation of a State inspectorate (one inspector in each region) and the bolstering of the National Human Rights Office by the addition of a section responsible for child protection.

29. The second duty was to replace orphanages with a childcare system centred on the family—biological, adoptive or foster. In that connection, over the last three years the number of children in orphanages had fallen by 22%.

30. The third duty was to help single-parent families, in particular financially, and the system now in place was working well.

31. The fourth duty was to stop the fall in the birth rate—very marked since 1992—and two wide-ranging measures had been taken for that purpose: an approximately 70% increase in the amount of the birth allowance and higher prenatal financial assistance—the result being a significant increase in the birth rate in 2005. Upcoming measures would relate, in particular, to assistance for families having three children or more or children with disabilities.

32. Ms. MAULINA (Latvia) said that in 2003, Latvia had adopted a national plan of action for 2004–2006 to eliminate poverty and social exclusion; it provided for

various activities, intended in particular to protect the most vulnerable and disadvantaged groups, including children and young people, and to support their access to education, social and health services, and transportation.

33. Ms. LIEPA (Latvia) added that with European Union support Latvia was implementing a programme aimed at subsidizing food supply to the most underprivileged groups. The State was also financing a school meals programme for children.

34. Some NGOs and children had been associated with the development of Latvia's report, in particular over the Internet, but the discussions had not been as numerous as they might have been. Latvia would be working on correcting that shortcoming in the future. Cooperation with civil society and NGOs was on several levels, through various councils, with participation by NGOs, teachers—including those at minority schools—, young people, children and specialists in the field of childhood and youth.

35. There were a number of mechanisms for coordination between the various institutions and local authorities. Thus, an annual report on the various child protection and family affairs activities was made to Cabinet and Parliament, which then decided what follow-up measures to take. Another mechanism consisted in alerting Cabinet and the ministries concerned to the need to take certain legal actions to better protect the rights of the child.

36. The connections between the central authority and local authorities took various forms. They could be financial, in the shape of subsidies and endowments that were subject to agreements with the central authority as to what it expected in return from the local authorities; many child protection activities could be undertaken on that basis. They could also, very commonly, be joint projects, in such fields as family assistance, the rights of the child, or verification of the legality of local institutions' activities.

37. The document "A Latvia Fit for Children" sketched the Government's general long-term policy principles and described a special programme setting out the broad outline of what it intended to do. There was a plan of action for 2006 that included practical elements on financial aspects and the institutions with responsibility for their implementation. It was supplemented by a very concrete plan of action for family assistance.

38. Child victims of violence could contact inspectors, who were empowered to take action against the perpetrators and, as required, to make a report to the police, the courts or any other appropriate authority. In addition, a telephone hotline was provided so that children could obtain information and assistance. Special information campaigns were being conducted to let children know whom to contact and where to turn if they were victims of violence and to provide them with information on the Convention.

39. Mr. KRAPPMANN believed that the Government had ended its support for the telephone hotline, which was not accessible all day nor from all parts of the country. More support for the service was needed so that children from all parts of the country could use it without difficulty.

40. Ms. LIEPA (Latvia) said the telephone hotline had 11 separate lines and had initially been organized and financed by NGOs. Thereafter, the Government had

taken financial responsibility for it, but it was staffed by volunteers. As it had been deemed to be of dubious effectiveness, the Government had in February 2006 set up another service, with specialists in various disciplines to give advice and psychological support to all children, but victims of violence in particular.

41. The CHAIRPERSON pointed out that the existence of an NGO-funded telephone hotline alongside another one managed by the Government could be confusing to children; therefore, it would be better to establish a single free service accessible at all times to all children in all parts of the country.

42. Ms. LIEPA (Latvia) said that the Government's telephone hotline operated from 8 a.m. to 11 p.m. The Government was in the process of assigning to it a three-digit number, instead of the current seven-digit one, to facilitate access, but some technical problems had still to be overcome. The hotline was free and accessible from all areas, even by mobile telephone, and had been coordinated with NGOs.

43. Mr. KOTRANE asked whether child protection inspectors ranked as criminal investigation officers, like factory inspectors. Was it mandatory for adults to report any case of ill-treatment or neglect that came to their notice? If so, were exemptions provided for the members of certain professions, in particular physicians, who were bound by professional secrecy?

44. Ms. OUEDRAOGO was concerned about the existence of more than one telephone hotline, and wondered about the quality of the services provided and the means of control available to the State.

45. Ms. LIEPA (Latvia) said that child protection inspectors were empowered to recommend sanctions to administrative tribunals and could interrogate subjects in the course of an administrative proceeding. Where a criminal offence had been committed, it was reported to the police. The inspectors were attached to SMSACFA but were independent.

46. The obligation to report any case of violation of the rights of the child was enshrined in the law. Discussions were ongoing on an amendment to the Penal Code that would, for example, enable a woman whose husband committed acts of violence against his children to report him.

47. The Government cooperated with NGOs and regulated the telephone hotlines to ensure they were as effective as possible.

48. A number of special programmes were implemented in schools to make children aware of the Convention.

49. An information campaign against sexual violence had been conducted in 2005, then again in 2006.

50. With respect to corporal punishment, the law prohibited any form of physical or emotional violence and called for administrative and penal sanctions.

51. The CHAIRPERSON asked what action the Government had taken to make parents understand that corporal punishment was not only harmful but was also prohibited by law. Who was authorized to refer such cases to administrative tribunals? And what means were available to the State to put an end to corporal punishment in institutions?

52. Ms. LIEPA (Latvia) said many awareness projects aimed at parents and foster families were being implemented. In 2005, a new programme had made it possible to train 28 public servants to deal with parents' education. A film denouncing violence had been screened in schools and to officials of childcare agencies to show how things used to be and the current situation, as well as the way they should proceed henceforth. As regards violence in institutions, it was up to child protection inspectors to apply administrative sanctions; thus, they could ask local authorities to suspend the person concerned. Unfortunately, there were sometimes problems, as local authorities could be uncooperative. Cases of family violence were a police matter.

53. Mr. KRAPPMANN asked whether it was common for parents to be prosecuted to get them to give up corporal punishment. From the discussions with children, it appeared that social attitudes were not favourable to the rights of the child. The Government and civil society certainly had different roles to play but they must cooperate more to promote the application of the Convention and to change attitudes with regard to children and their rights.

54. Ms. LIEPA (Latvia) agreed that it was necessary to involve civil society in the actions taken. However, Latvia had very few NGOs active in the field of defence of the rights of the child. The Government was nevertheless endeavouring to collaborate with them on various joint projects and public awareness campaigns and intended to continue those efforts in the future.

55. Ms. REINE (Latvia) said that cases of corporal punishment and other forms of violence were not statistically more frequent in Latvia than elsewhere. The problem lay in parents' abdication of responsibility for, and neglect of, their children. The Government was aware of that, as were NGOs and the media. Cases had been brought before the courts (72 in 2004, as against 66 in 2005) and some had led to the temporary or permanent suspension of parental rights. What was essential, therefore, was to continue the education programmes for institutions, and especially for parents, so that they would discharge their duties towards children by providing the care they needed, both in material and emotional terms.

56. Ms. DOMPALMA (Latvia) said that since 2000, any child victim of criminal acts had received assistance out of the national budget for his or her social rehabilitation and physical and mental recovery. Services were provided, at home or at a specialized centre, by professionals, in particular psychologists and social workers that had taken specialized training for that very purpose.

57. There were two types of training for health personnel. At the undergraduate level, intensive courses on children's health and nutrition were given. At the graduate level, specialized courses were given on child health and protection for doctors and other health professionals. The health budget had had a large increase (18%) in 2005 as compared to 2004.

58. Ms. LIEPA (Latvia) said that the strategy for 2008 was aimed at providing a new type of rehabilitation for the perpetrators of acts of violence, to avoid any repetition.

59. Budgetary appropriations went mainly to children, and very little to women, even though children's well-being was intimately bound up with the mother's. Support centers were co-financed by the Government, but the emphasis was on

infrastructure and not enough on rehabilitation as such. It was to be hoped that more would be done in future.

60. Three measures had been introduced to block access to inappropriate materials on the Internet. In schools, technical means had been taken to prevent pupils from accessing materials considered harmful. Then, a special home page giving information on how to use the Internet properly had been created. Finally, in 2005, discussions had been held with the special secretariat on electronic media to develop new programmes and suitable means of blocking access to harmful materials. It had to be recognized, however, that the technology was moving so fast that the Government did not always have a way of imposing such restrictions.

61. Ms. PRISPETJEVA (Latvia) said that police forces were striving in various ways to sensitize children to the need to obey the law and comply with security rules. Conferences were being organized in schools, among other purposes, to prevent delinquency, with the cooperation of the Ministry for Special Assignments for Children and Family Affairs, the Ministry of Health and the Ministry of Justice, and attended also by social workers and psychologists.

62. Competitions were being organized for children, in particular drawing competitions, under road safety programmes. Very young children in nursery schools were being initiated into the meaning of traffic lights. These measures, which were much appreciated by school boards, were in addition to the educational and control activities of police officers on the roads, the awareness activities conducted in the press, through television broadcasts or by means of CD-ROMs. For instance, computer programmes had been developed dealing with various traffic safety topics and to warn children about the danger of talking to strangers.

63. It should be noted that new specialized services for interviewing children had been created within the police force.

64. Mr. KRAPPMANN noted that the country's economic growth over the last few years had not resulted in any decline in poverty. The report indicated that in 2002, 39% of children had been in the first quintile of average incomes per capita, i.e. 31 lats, whereas the income needed to provide for an individual's minimum needs was 21 lats, according to the Government, but 108 lats according to some nongovernmental organizations, which had arrived at that figure on the basis of reliable data. A University of Riga study showed that 90% of all families with three children or more lived in poverty. In the light of these data, Latvia's family allowances, at 6 lats for the first child and 10.80 lats for each child after the third, were obviously insufficient.

65. Families unable to pay their rent could be evicted, and the measures to protect against evictions applied only to certain quite specific situations. The problem of evictions did appear to be widespread, although statistical data were not forthcoming, and families seemed to be rehoused in noncompliant apartments where the children's health and development were at risk.

66. In spite of unquestionable progress in vocational instruction, the unemployment rate among young people remained high. Had the causes of unemployment among young people been analysed? Who dealt with young people unable to find employment? This issue was complicated by the issue of the parallel labour market, since according to certain sources many young people, though they

had employment, were in fact working in the underground economy and so were not covered by the social security system.

67. Ms. ORTIZ asked for details on the alternative protection procedures, noting that to be in compliance with the Convention their priority should be to enable children to live in a family environment. Thus, she found it hard to understand how the director of a child welfare establishment could exercise his or her discretion to authorize a child to stay with its parents during the holidays even though the parents had been stripped of their parental authority. The legislative provisions were too many and too disparate and needed to be harmonized and the procedures made more transparent, the more so as the number of children concerned was far from negligible.

68. She noted with satisfaction that Latvia had ratified the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption and had brought its legislation in line therewith, but she did not quite see whether a child was declared adoptable by court order, and would like to know how and by whom adoptive families were chosen and qualified. What were the stages in an adoption judgement? How long did a child declared adoptable wait, in general, before being placed in a family?

69. Under what circumstances were children placed under guardianship? In what cases were they placed in a foster family? Both solutions were aimed at minimizing institutionalization, but the second seemed to promise better follow-up and control than the first. Again, how did Latvia intend, in future, to ensure that measures like these, taken on a provisional basis, did not become permanent, as now seemed to be a frequent occurrence?

70. Mr. SIDDIQUI would like to more know about the national plan to reduce poverty and social exclusion, and in particular whether it had been developed in consultation with nongovernmental organizations and whether it was financed by external funds or public funds. He could not quite see how the State party could go about combating poverty if it had no officially defined poverty line.

71. He noted with concern that education seemed quite variable in quality depending whether it was provided by a private school, attended by rich children, or by a public school, all the more if it was a rural school. Perhaps the delegation could clearly show how the State party planned to remedy those disparities.

72. Ms. AL-THANI said that the concerns expressed by the Committee about children with disabilities in its previous concluding observations were still germane. The inaccessibility of school buildings and the lack of specialized training for teachers remained major obstacles to the schooling of children with disabilities in regular establishments. Likewise, because there was neither training nor financial incentive for foster families, institutionalization of children with disabilities removed from their family environment remained the norm. The plight of persons with disabilities was even more worrisome in rural areas.

73. The infant mortality rate remained high compared to neighbouring countries; that called for some explanation. The rates of infection by sexually transmitted diseases, in particular HIV, also remained high, though there had been some improvement. Adolescents' health problems had been well identified, but sex education and adolescents' access to care structures suited to their needs and sensitivity still needed to be generalized.

74. Statistics showed that mental disorders remained very widespread. The rate of suicide among young boys was on the rise; it would be useful for the delegation to explain the causes of that, and also to give the reasons for the increase in the number of cancers.

75. Tobacco addiction and drug and alcohol consumption were also sizeable problems. Awareness measures and restrictions on access to alcohol were essential.

76. Ms. OUEDRAOGO noted that during the examination of State party's initial report, the issue of the number of street children had been raised; there was no specific mechanism to apply child protection provisions to them. She would like to know whether progress had been made in that regard since, whether the street children phenomenon had receded, and whether the triggering factors had been analysed. The fact that some street children were involved in more than one rehabilitation programme in one year might indicate that the quality of the services left something to be desired and that there were too few professionals working in the field.

77. Mr. KOTRANE pointed out that in spite of the real improvements made to refugee status, children waiting to receive that status had no designated guardian and asylum seekers' children too did not receive identity documents for quite some time.

78. He asked whether it was true that some minors could be held for up to a year in temporary detention. Perhaps the delegation could clearly indicate the maximum duration of pre-trial detention, specify whether the State party intended to develop alternative sentencing, and explain whether NGOs were involved in missions for the social rehabilitation of juveniles in conflict with the law.

79. The CHAIRPERSON would like to know what happened to juvenile offenders not arraigned, and to those who were arraigned but not convicted. He noted that as soon as a juvenile was placed in police custody, his or her parents must be so informed and access to a lawyer must be provided.

80. He asked whether corrective measures had been taken since the report of police brutality in Latvia by the Council of Europe's Committee for the Prevention of Torture.

81. Finally, details were needed on the "mandatory educative measures" imposed on children, as mentioned in paragraphs 398 and 399 of the report, and it should be explained why they were decreasing in number and whether compulsory measures of a *medical* or *correctional* nature were the responsibility of the same institutions.

The meeting rose at 1:05 p.m.