



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

#### List of issues in relation to the initial report of Latvia\*

##### A. Purpose and General Obligations (Art 1-4)

1. Please inform the Committee about progress to harmonize the scope of disability in the Disability Law with the object and purpose of the Convention. Please inform whether the ‘disability determination system’ (effective 1 January 2015), is based on individual needs and promotes the full inclusion and participation of persons with disabilities in society.
2. Please provide information on progress made to ensure that both existing and new legislation, including the *Disability Law*, complies with the Convention, and specifically how the national and 119 municipal governments have harmonized their existing and draft legislation, regulations, strategies and programs with the obligations under the Convention.
3. Please clarify whether legal definitions of the terms “reasonable accommodation” and “universal design” exist and explain to what extent these concepts are incorporated into national and municipal legislation and the requirements of public administration.
4. Please provide details on the mandate, composition and resources of the National Council on Disability Affairs, and the outcome of any assessment of its effectiveness in mainstreaming the rights of persons with disabilities into all sectors of public administration at the national and municipal levels.
5. Please provide updated information on the goals defined in the Guidelines for implementation of the Convention for 2014–2020, the extent to which these goals have been met, and the participation of organisations of persons with disabilities in its implementation and monitoring.
6. Please inform about the training of staff, policy makers and professionals on the rights of persons with disabilities in line with the Convention at the national and municipality levels.
7. Please inform about the number and outcome of cases of discrimination on the grounds of disability, as well as penalties for perpetrators and remedies for victims.

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\* Adopted by the pre-sessional working group at its seventh session (13-20 March 2017).

## **B. Specific rights (arts. 5-30)**

### **Equality and non-discrimination (art. 5)**

8. Please specify whether legal provisions to prohibit discrimination on the ground of disability are applicable to all persons with disabilities, including persons with intellectual and/or psychosocial impairments. Please explain measures taken to ensure non-discrimination of persons with disabilities by private actors.

9. Please provide statistics, disaggregated by age, sex, impairment and place of residence, on the number of cases brought by persons with disabilities alleging discrimination in employment, in the provision of accommodation, goods, products and services, and the penalties given to perpetrators of discrimination and remedies awarded to victims.

### **Women with disabilities (art. 6)**

10. Please inform on specific strategies to promote the active participation and equal rights of women and girls with disabilities especially in the areas of education, employment and health, including sexual and reproductive health, and to ensure their protection from gender based violence, including sexual violence.

11. Please inform on why the number of women with disabilities has, according to the State Party's initial report, increased significantly over the last 10 years.

### **Children with disabilities (art. 7)**

12. Please inform about the number of children with disabilities: (a) living in residential institutions and social care centres; (b) attending special schools; and, (c) that have been transferred into inclusive living settings and foster families.

13. Please inform on progress made in implementing the recommendations of the Committee on the Rights of the Child (see: CRC/C/LVA/CO/3-5, paras. 47 (a)-(d)).

### **Awareness-raising (art. 8)**

14. Please inform whether awareness-raising training programs to eradicate prejudices, specifically against persons with intellectual and/or psychosocial disabilities, are provided to members of parliament, and all administration of justice personnel and employees of the State and municipalities, since ratification of the Convention.

### **Accessibility (art. 9)**

15. Please provide an update on the development of a national accessibility strategy and whether monitoring, compliance and sanction mechanisms are established to ensure that persons with disabilities have access to the physical environment, to transportation, to information and communications, and to other public facilities and services, both in rural and urban areas. Further please explain to what extent the organisations of persons with disabilities are involved in its monitoring.

### **Right to life (art. 10)**

16. Please provide data, disaggregated by age, sex and impairment, on deaths occurring in institutions, including the outcomes of investigations into causes of death and prosecutions.

**Situations of risk and humanitarian emergencies (art. 11)**

17. Please inform on the inclusion of persons with disabilities in evacuation plans for emergencies, including the training of emergency personnel and provision of accessible services.

**Equal recognition before the law (art. 12)**

18. Please clarify whether amendments to the *Civil Law* are envisaged to fully restore all rights to persons with intellectual and psychosocial disabilities while unreservedly replacing the guardianship regime with supported decision-making mechanisms.

**Access to justice (art. 13)**

19. Please indicate measures taken to train administration of justice personnel, including judges, prosecutors, the police and prison staff, on the implementation of laws protecting and promoting the rights of persons with disabilities with sufficient safeguards, including through providing procedural accommodation, especially for persons with intellectual and/or psychosocial disabilities and those living in institutions.

**Liberty and security of the person (art. 14)**

20. Please inform on whether any reform is envisaged to repeal laws, policies and practices that permit the institutionalisation of persons with disabilities, including those with intellectual and/or psychosocial disabilities, and particularly where the inability to provide appropriate services in the municipality or specialised foster care serves as justification for institutionalisation.

21. Please inform how the State party has responded to cases where persons with disabilities undergo psychiatric treatment without their informed consent and measures taken to prevent such violations.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

22. Please inform how the rights of children with disabilities, especially those who are blind and visually-impaired, deaf and hearing-impaired, or with intellectual and psychosocial disabilities, are protected in cases where the child is conveyed by the police and deprived of his or her liberty, including in social correction institutions.

23. Please inform on progress made in implementing the recommendations of the Human Rights Committee and the Committee Against Torture (see: CCPR/C/LVA/CO/3, para. 16; CAT/C/LVA/CO/3-5, para. 23).

**Freedom from exploitation, violence and abuse (art. 16)**

24. Please provide data on the prevalence and trends of different forms of violence perpetrated against persons with disabilities, disaggregated by age, sex, impairment, and relationship of the perpetrator to the victim, indicating the outcome of any prosecutions.

25. Please inform how persons with disabilities are provided with reasonable accommodation in places of detention and the measures taken to prevent violence especially against persons with intellectual and/or psychosocial disabilities.

**Protecting the integrity of the person (art. 17)**

26. Please specify the number of forced abortions performed on women and girls with disabilities and the support, preventive and rehabilitation services offered to these women.

**Liberty of movement and nationality (art. 18)**

27. Please provide the assessment criteria for restricting the movement of persons with disabilities in institutions, including the duration of the restriction and ability to appeal.

**Living independently and being included in the community (art. 19)**

28. Please provide updated information on the deinstitutionalization schedule, measures taken to strengthen the municipalities' capacity to provide services in the community and to secure independent living for persons with disabilities, and whether it includes consultation with and participation of civil society,. Please explain continuing institutionalisation in select cases.

**Personal mobility (art. 20)**

29. Please provide updated information on the provision of quality technical aids and assistive technology throughout the State party, as recommended in the universal periodic review process (A/HRC/32/15).

**Freedom of expression and opinion, and access to information (art. 21)**

30. Please inform whether a legal regulation of Latvian sign language has been adopted recognizing it as an official language.

31. Please specify the measures taken to ensure the accessibility of information disseminated through the mass media and the Internet with particular reference to sign language interpretation for deaf persons.

**Respect for privacy (art. 22)**

32. Please inform whether the State party envisages revising the practice of maintaining a centralized register of detailed data on persons with intellectual and/or psychosocial disabilities.

**Respect for home and the family (art. 23)**

33. Please inform on the support available to: (a) parents with intellectual and/or psychosocial disabilities to nurture their children; and, (b) parents of children with disabilities.

**Education (art. 24)**

34. Please inform on the measures taken to implement inclusive education in the State party, on budgetary measures to train teachers in this regard, and to ensure the development of an inclusive curriculum. Please provide data disaggregated according to age, sex and impairment, on inclusion at all levels of education.

35. Please provide information on concrete measures to prevent and eliminate multiple and intersectional discrimination on the grounds of disability, age and sex, in accordance with targets 10.2 and 10.3 of Sustainable Development Goals.

**Health (art. 25)**

36. Please inform whether the State party envisages increasing its funding of health services in order to improve the availability and accessibility of care particularly for women with disabilities and persons with visual, hearing, intellectual and/or psychosocial disabilities.

37. Please inform on the measures taken to educate health-care personnel on the rights of persons with disabilities in accordance with target 3.7 of Sustainable Development Goals and how the impact is measured.

**Habilitation and rehabilitation (art. 26)**

38. Please provide the outcome of any assessment carried out on the accessibility and effectiveness of the rehabilitation system and services in the State party.

**Work and employment (art. 27)**

39. Please inform on policies and other support available to encourage the employment of persons with disabilities in the open labour market, including by ensuring reasonable accommodation is provided in the workplace and by offering incentives for employers. Please provide data disaggregated according to age, sex and impairment on persons with disabilities employed in the segregated and open labour market.

**Adequate standard of living and social protection (art. 28)**

40. Please provide data on the levels of poverty among persons with disabilities, especially children with disabilities, compared to adults and children without disabilities, and please provide information on social protection measures taken in this regard, including incentives utilized after the 2008 financial crises.

**Participation in political and public life (art. 29)**

41. Please inform on progress made in ensuring that all polling stations are accessible and that information about electoral processes is available in accessible formats for all voters with disabilities.

**Participation in cultural life, recreation, leisure and sport (art. 30)**

42. Please indicate progress made in the process towards the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

43. Please provide information on measures adopted to ensure that persons with disabilities have access to sporting activities on an equal basis with others and whether awards are given to accomplished athletes with disabilities.

**C. Specific obligations (arts. 31-33)**

**Statistics and data collection (art. 31)**

44. Please specify how the confidentiality and privacy of persons with disabilities is ensured in the process of collecting and maintaining the Disability Information System of the State Commission.

45. Please inform on the development and use of disability equality indicators in accordance with target 17.18 of Sustainable development Goals and on how the State party consults organisations of persons with disabilities in this regard.

**International cooperation (art. 32)**

46. Please inform on progress made and the participation of persons with disabilities in achieving the Sustainable Development Goals.

**National implementation and monitoring (art. 33)**

47. Please inform whether the Ombudsman of the Republic of Latvia is formally appointed as an independent monitoring framework to promote, protect and monitor the implementation of the Convention, in compliance with the Paris principles. Please inform whether it is allocated an adequate budget and ensures the full participation of persons with disabilities or their representative organizations in its work.

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