

**Universal Periodic Review (38th session)**  
**Contribution of UNESCO**

**Latvia**

**I. Background and framework**

<i><b>Title</b></i>	<i><b>Date of ratification, accession or succession</b></i>	<i><b>Declarations /reservations</b></i>	<i><b>Recognition of specific competences of treaty bodies</b></i>	<i><b>Reference to the rights within UNESCO's fields of competence</b></i>
<i>Convention against Discrimination in Education 1960</i>	16/06/2009	Reservation to this Convention shall not be permitted		Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	10/1/1995 Acceptance			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	14/1/2005 Acceptance			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)	6/7/2007 Accession	Declaration of the European Community in application of Article 27(3) (c) of the Convention indicating the competences transferred to the Community by the Member States under the Treaties, in the areas covered by the Convention.		Right to take part in cultural life

## **II. Promotion and protection of human rights on the ground**

### **A. Education**

1. The Constitution of Latvia of 1922<sup>1</sup> enshrines the right to education for all (Article 112) and contains a provision on equality and non-discrimination (Article 91). Furthermore the Education Law of 1999 recently amended (in 2019)<sup>2</sup> enshrines the right to education for all without discrimination (section 3), with basic education being free and compulsory and lasting nine years, and secondary education being free for three years. Pre-primary is also free and compulsory from five to seven years old.

### **B. Freedom of opinion and expression**

#### Constitutional and Legislative Framework:

2. Article 100, under Chapter VIII (Fundamental Human Rights) of the Constitution of Latvia, guarantees the freedom of expression and ensures the right to freely receive, keep and distribute information.<sup>3</sup> Art. 100 also explicitly prohibits censorship. Article 116 of the Constitution, however, prescribes that freedom of expression may be subject to restrictions in circumstances provided for by law in order to protect the rights of other people, the democratic structure of the State, and public safety, welfare and morals.
3. There is no encompassing media law, but several laws concerning individual aspects. The Law on Freedom of Information provides detailed rules on access to public information.<sup>4</sup> The Law on Electronic Mass Media<sup>5</sup> provides the procedures for the operation of electronic mass media under Latvian jurisdiction, also including prohibitions and restrictions, such as for instance endangering the public order or public safety.
4. Section 157 of the Criminal Law of the Republic of Latvia still regards defamation as a criminal offense, punishable by fines or community service. If defamation has taken place through mass media, Section 157 additionally prescribes the temporary deprivation of liberty as punishment.<sup>6</sup>

#### Media Self-Regulation:

5. There are associations of journalists (*Latvijas Žurnālistu Savienība*, the Latvian Journalists Union)<sup>7</sup>, press publishers (*Latvijas Preses izdevēju asociācija*, the Latvian Press Publishers

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<sup>1</sup> <http://www.unesco.org/education/edurights/media/docs/a4227a03b8175ecef29bc68ef0b57ea0f519b8c9.pdf>

<sup>2</sup> <http://www.unesco.org/education/edurights/media/docs/782911e15508be0931a953852621992833baaded.pdf>

<sup>3</sup> See the Constitution of Latvia (1998) on the official website of the Latvian *Saeima*:

<https://www.saeima.lv/en/legislative-process/constitution>

<sup>4</sup> See the Latvian Freedom of Information Law (1998, amended 2016): <http://www.arhivi.lv/index.php?&1169>.

<sup>5</sup> See the Latvian Electronic Mass Media Law (2010):

<https://www.neplpadome.lv/en/assets/documents/anglu/Electronic%20Mass%20Media%20Law%202018.pdf>

<sup>6</sup> See the Criminal Law of the Republic of Latvia (1998, amended 2018) : <https://likumi.lv/ta/en/en/id/88966>

<sup>7</sup> See their official website: <http://www.zurnalistusavieniba.lv/>

Association)<sup>8</sup> as well as broadcasting organizations (*Latvijas Raidorganizāciju asociācija*, the Latvian Broadcasting Association)<sup>9</sup> in Latvia. The journalists' association has passed a code of ethics for Latvian Journalists (*Latvijas žurnālistu ētikas kodekss*)<sup>10</sup>, contributing to the self-regulatory process of the media.

6. Regarding electronic mass media, the National Electronic Mass Media Council (*Nacionālā elektronisko plašsaziņas līdzekļu padome*, NEPLP) is an independent institution, representing the public interest and supervising the compliance of electronic mass media with the Constitution of Latvia. The members of the National Electronic Mass Media Council are elected by the Latvian Parliament, the *Saeima*.

#### Safety of journalists:

7. UNESCO has recorded no killings of journalists in Latvia since systematic reporting began in 2008.<sup>11</sup>

### **III. Review and specific recommendations**

#### **A. Education**

#### Recent changes in the education system:

- New standards for general upper secondary education<sup>12</sup> were adopted in September 2019 and should enter into force in September 2020. They will offer three levels of curriculum; changes are also foreseen in the organization and evaluation of national tests.
- An amendment was made to the regulation on pedagogues' work remuneration<sup>13</sup> to raise the minimum monthly salary rate for teachers.
- Finally, while an amendment to the Education Law and the General Education Law was approved by the Cabinet of Ministers in 2018 to lower the primary school age at six (instead of seven), this amendment was not approved by the parliament.

#### Gender equality in education:

- Latvia could be commended for its efforts to combat gender stereotypes in education by training approximately 4000 educators on gender equality principles and for the increasing

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<sup>8</sup> See their official website: <http://www.lpia.lv/>

<sup>9</sup> See their official website: <http://www.tvradio.lv/index.php?page=49>

<sup>10</sup> See the Code of Ethics on the journalists' association website:

<http://www.zurnalistusavieniba.lv/?p=3519&pp=3768&lang=923>.

<sup>11</sup> See UNESCO Observatory of killed journalists – Latvia:

<https://en.unesco.org/themes/safety-journalists/observatory/country/223755>

<sup>12</sup> <http://tap.mk.gov.lv/lv/mk/tap/?pid=40473585&mode=mk&date=2019-09-03>

<sup>13</sup> <https://likumi.lv/ta/id/283667-pedagogu-darba-samaksas-noteikumi>

number of women and girls enrolling in non-traditional fields of study.<sup>14</sup> However, the United Nations CEDAW committee has noted that there is still high drop-out rates among girls and that the majority of girls with disabilities attend special schools or home-based education.

- Furthermore, the Civil Code of 1992 provides that the legal age for marriage is 18, but a person may marry from 16 years old if his or her parents give their consent and the person he or she marries is at least 18.
- However, it is recognized that child marriage can affect their education, especially for girls.<sup>15</sup> Therefore, Latvia could be encouraged to modify its legislation in order to authorize marriage from the age of 18, and with the authorization of a judge and for exceptional legitimate reasons from the age of 16, as recommended by the joint general comment No. 31.

#### Minorities' right to education:

- The Education law has been amended in 2019, bringing changes in the multilingualism teaching. From September 2019, a gradual transition to teaching in Latvian-only will begin at secondary school level. "In 1st–6th grade, the learning of the educational content in minority education programmes in the State language will be ensured in amount no less than 50%, but in 7th–9th grade – no less than 80% of the total teaching hours in the academic year, including foreign languages. Starting from school year 2021/2022, the students of 10th–12th grade will learn all subjects, except foreign languages, in the State language. Minority students will still have the possibility to learn subjects related to the minority language, literature, culture and history in their mother tongue."<sup>16</sup>
- Latvia has taken effort to increase school enrolment of girls belonging to minority groups, however their number are stagnating. It is important that the State monitors the impact of the amendments on minority groups in order to ensure that it does not restrict access to education.

#### Covid 19 responses:

- During the Covid-19 pandemic, the government of Latvia adopted a number of precautionary measures, among which remote learning in all schools thanks to several online platform and TV channels. Surveys on the implementation of distance learning have

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<sup>14</sup> CEDAW Committee, Concluding observations on the combined fourth to seventh periodic reports of Latvia, UN. Doc CEDAW/C/LVA/CO/4-7, 2020, paras. 21 and 33.

<sup>15</sup> Joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices, CEDAW/C/GC/31/CRC/C/GC/18, November 2014, para. 20.

<sup>16</sup> Committee on Economic, Social and Cultural Rights, Second periodic report submitted by Latvia under articles 16 and 17 of the Covenant, due in 2009, E/C.12/LVA/2, April 2019, para 31.

been carried out in order to monitor and improve the effectiveness of distance learning. Support for incoming students staying in Latvia has also been provided.<sup>17</sup>

### **Specific recommendations:**

8. Latvia should be encouraged to:
  - Implement fully the provisions of the Convention against discrimination in education that Latvia ratified in June 2009
  - Participate in the current 10<sup>th</sup> Consultation on the implementation of the Convention against discrimination in education by submitting a national periodic report<sup>18</sup>
  - Collect data on drop-out rates of students and continue its efforts to prevent students from dropping-out, especially girls
  - Take measures to improve access to inclusive quality education for all, especially for children with disabilities
  - Continue its efforts to improve gender equality in education and ensure that more girls and women are choosing freely non-traditional fields of study at all levels
  - Ensure monitoring of the impact of amendments to the Education law on teaching the State language to ensure that it does not impact access to education for minority groups
  - Continue and strengthen its efforts in order to increase enrolment of minority children in the education system, especially girls
  - Submit regularly comprehensive national reports for the periodic consultations on UNESCO's education-related standard-setting instruments.
  - Share with UNESCO any relevant information to update its country profile on UNESCO's Observatory on the Right to Education.<sup>19</sup>

### **B. Freedom of opinion and expression**

9. Latvia is encouraged to decriminalize defamation and place it within a civil code that is in accordance with international standards<sup>20</sup>.
10. Latvia is recommended to update its Access to Information law in order to align it with international standards, particularly regarding the appeal mechanism and requesting procedures.

### **C. Cultural Rights:**

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<sup>17</sup> Ministry of Education and Science, Latvia, Situation caused by Covid-19 in Latvia, accessible at: <https://www.izm.gov.lv/en/highlights/3954-situation-caused-by-covid-19-in-latvia> (last accessed on the 30/04/2020)

<sup>18</sup> <https://en.unesco.org/themes/right-to-education/convention-against-discrimination/consultation>

<sup>19</sup> <http://www.unesco.org/education/edurights/index.php?action=countries&lng=en>

<sup>20</sup> See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87<sup>th</sup> 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.

11. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)<sup>21</sup>, the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)<sup>22</sup> and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005)<sup>23</sup>, Latvia is encouraged to fully implement the relevant provisions that 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.

#### **D. Freedom of scientific research and the right to benefit from scientific progress and its applications**

12. **Latvia** submitted its National Report on the implementation of the Recommendation on the Status of Scientific Researchers (1974) for the Second Consultation covering the period from 2013 to 2016 (<http://unesdoc.unesco.org/images/0025/002592/259256e.pdf>). **Latvia** reported that the guiding principles of the 1974 Recommendation, including the principles of respect for freedom of intellectual creation, scientific research and activities, as well as respect for intellectual property, equal access to employment in scientific research, promotion of scientific integrity, responsibility and freedom are fully respected and guaranteed. According to Law “On Scientific Activity” (05.05.2005): Section 3. Right to Perform Scientific Activity, “Any person, regardless of race, ethnicity, gender, language, age, political or religious conviction, social origin, or material, family or employment situation and other circumstances, has the right to perform scientific activity”. In future, **Latvia** is encouraged to report to UNESCO on the implementation of the newly adopted Recommendation on Science and Scientific Researchers (2017), which supersedes the 1974 Recommendation, on any legislative or other steps undertaken by it with the aim to ensure the application of this international standard-setting instrument paying a particular attention to the legal provisions and regulatory frameworks which ensure the implementation of human rights of scientific researchers, as well as human rights obligations related to science, the principle of non-discrimination, including urging the active promotion of women and girls entering scientific careers, as well as the scientists’ rights of autonomy, freedom of research, expression and publication.

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<sup>21</sup> Periodic Report available at: <http://whc.unesco.org/document/137745>

<sup>22</sup> Periodic Report available at: <http://ich.unesco.org/doc/download.php?versionID=47072>

<sup>23</sup> Periodic Report available at: <http://en.unesco.org/creativity/monitoring-reporting/periodic-reports/available-reports-33>