Ombudsman of the Republic of Latvia

Summary of Annual Report 2017

This summary, similarly to previous years, does not provide an exhaustive overview of the Ombudsman's Annual Report, yet it emphasises the main matters and issues that show systemic problems or are of particular importance for the public, at the same time giving an idea of the scope of work performed by the Ombudsman's Office in 2017. Certain sections feature Ombudsman's conclusions or theses regarding understanding of certain legal institute, if a problem has been established in relation thereto, as well as emphasise examples of good or bad practice with regard to the implementation of recommendations of the Ombudsman of Latvia.

Area of Children Rights

[1] In 2017, the Ombudsman's Office received 1043 (228 written (including three from children) and 815 oral and electronic) applications in relation to issues of the rights of children, including applications on possible violations of children's rights. There have been no significant changes in the total number of applications in comparison with 2016.

In 2017, nine verification procedures were initiated in order to examine the circumstances; four of these were initiated on initiative of the Ombudsman and five – on the basis of applications by private persons.

[2] Thematically, comparing the statistics of applications with the previous years, the number of applications on the implementation of the rights of access has significantly increased: 72 applications in 2016 and 139 – in 2017. This is related to difficulties in enforcement of court judgements establishing the procedure of access, and restriction of access without a legal basis. The right of orphans and children left without the parental care is still a topical issue: 110 applications in 2015; 106 applications in 2016; 99 applications in 2017. The number of applications is explained by the Ombudsman's active actions in bringing up to date infringements of the rights of the child under institutional care; however, since no considerable changes have been introduced to the system, the topicality of the problem persists.

The number of applications in relation to ensuring children's rights to acquire basic education remains unchanged: 81 applications in 2015, 87 applications in 2016 and 89 applications in 2017, and those are mostly related to the process of implementation of education and access to education (free school meals, amount of homework, etc.). The number of applications in matters of maintenance remains unchanged: 82 applications in

2015; 81 applications in 2016; 81 applications in 2017. Parents often want to change – increase or reduce – the size of maintenance or clarify maintenance-related issues.

During the reference period, the number of applications on the right of a child to grow up in a family, for example, on rights not to be separated from the parents without a legitimate reason, renewal of guardianship rights, etc. reduced significantly (108 applications in 2015; 113 applications in 2016; 74 applications in 2017). This is explained by the gradual enshrinement in practices of amendments to the Law on Orphan's Courts – when a case on suspension of guardianship rights is initiated, parents are warned about consequences and a deadline is set for them to eliminate all the disadvantages for their child's development in cooperation with social services. The orphan's court shall decide on suspension of guardianship rights and separate a child from his or her family only if the parents fail to eliminate disadvantages for their child's development within this period.

The number of applications on the right to pre-school education has also decreased: 63 applications in 2015, 79 applications in 2016 and 59 applications in 2017. If earlier complaints in relation to pre-school education were mainly related to access to education (lack of places in local government and payment for the acquisition of education in private kindergartens), then in the reference period those were more related to ensuring of rights in the institution (safe environment, calculation of the payment for meals, etc.).

[3] Starting from 1 January 2017, binding regulations of local governments should use a definition of a large family as per the Law on the Protection of the Children's Rights: "*A family, which cares for three or more children, including children placed in a foster family and children under guardianship. An adult person who has not reached 24 years of age shall be also deemed to be a child of a large family if he or she is studying to acquire general, professional or higher education.*" Moreover, it was stated in the abstract that binding regulations of local governments use very different definitions of the term "large family", therefore, the draft law provided for a specific period of time – by 31 December 2016, by which compliance of binding regulations of local governments with the new regulations had to be ensured.

Unfortunately, the complaints received by the Ombudsman's Office in the reference period suggest that although the law provided for such a transitional period, the largest Latvian local governments (Riga, Liepāja) have not done this within the set deadline justifying their actions by the statement that this definition of a large family is not binding, if laws do not provide that support to families must be provide to large families. The Ministry of

Environmental Protection and Regional Development shared this opinion. However, the Ombudsman believes that such an interpretation of this provision is contrary to the purpose of amendments made to the Law on the Protection of the Children's Rights, as well as is misleading the population about types of local government support to large families.

The Ombudsman has encouraged specific applicants to appeal decisions adopted by local governments within administrative proceedings.

[4] Section 5.[1]of the Law on the Protection of the Children's Rights lists subjects requiring special knowledge in the field of protection of the rights of the child. A sworn court bailiff is not mentioned among them, and the list of subjects is not exhaustive. Namely, the law provides that special knowledge in the field of protection of the rights of the child is required to "*any other person if the rights and legal interests of a child are or may be affected by an administrative decision (particularly administrative act) taken thereby, actual action or performance of work or service duties of another kind*".

The Ombudsman believes that Section 5.[1](1)(20) of the Law on the Protection of the Children's Rights should be applied as widely as possible, applying it also to sworn court bailiffs, because their job duties may also affect the rights and legal interests of a child, for example, when enforcing an judgement in a case arising from the right of guardianship and access.

Therefore, in 2017 the Ombudsman contacted the Latvian Council of Sworn Court Bailiffs and encouraged it to inform sworn court bailiffs about the need for the special knowledge and to promote its acquisition. The Latvian Council of Sworn Court Bailiffs took the Ombudsman's recommendation into account. Respectively, in 2017, sworn court bailiffs attended courses organised by the Local Governments Training Centre, but in 2018 the training will be organised by the Council itself.

[5] During the reference period, the Ombudsman has received several applications from Latvian nationals residing abroad in connection with violations of the rights of their children. Having reviewed these matters, the Ombudsman concluded that, until now, it has not been clear which institutions and when should be involved, and how representation of the Latvia in the cases related to children of its nationals abroad should be ensured.

In order to respond more effectively to the difficult situations affecting the protection of rights of Latvian children abroad in the future, in late 2017 the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Welfare, the State Inspectorate for Protection of Children's Rights, the Ombudsman and the Association of Employees of Latvian Orphan's Courts concluded an interinstitutional cooperation agreement on the protection of the rights of

children of Latvian nationals abroad. The purpose of the agreement is to ensure successful cooperation for successful protection of the rights of these children abroad, and it will help to rectify the unfavourable practices that existed so far, when institutions provide uncoordinated assistance.

[6] The rule of law provides for parental rights and for the duty to choose for a child that assistance in exercising of their rights, which would suit the best interests of the child. However, a situation where a child stays without a nationality of any country cannot be in his or her best interests. Therefore, if parents do not act in the best interests of their child, it is the responsibility of the state to intervene and to protect him or her, as it is happening now in other cases where parents do not act in the best interests of their child.

Taking account of the actual situation, when parents are inert in exercising their rights under the law themselves, the Ombudsman believes that improvements to the legal framework should be supported so that any child entitled to Latvian citizenship is granted it automatically at birth, unless parents of the child refuse it by choosing the nationality of another country. It is not permissible to register a newborn child without a citizenship, because it is a violation of his/her right to citizenship.

[7] During the reference period, the Ombudsman found that not only guardians, foster families, long-term social care and social rehabilitation institutions, but also boarding schools are designated as providers of out-of-family care services in Cabinet Regulation No.857 of 15 November 2005 "Regulations Regarding Social Guarantees for an Orphan and a Child Left without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care". Paragraph 2 of this Regulation provides that a child may be placed in the care of the director of the boarding school. However, it should be emphasised that a boarding school is an educational institution, the task of which is to implement education programmes. Out-of-family care for children is not ensured at the boarding school, and is not comparable to a childcare institution.

The Ombudsman called on the Ministry of Welfare to make proposals to the Government on the necessary amendments to Regulation No.857 eliminating their non-compliance with higher-ranking regulatory enactments and preventing the possibility of placing orphans and children without parental care in boarding schools, comparing them to long-term social care and social rehabilitation institutions.

To be noted, no such amendments were made by the end of 2017.

[8] In evaluating the responses provided by municipalities in a survey, it is concluded that there is a different practice in the provision of catering services to children in pre-school education institutions in municipalities. Part of municipal catering services are provided for their own resources (wages of cooks, economic expenses, etc.), and parents should only pay the cost of food. Part of the costs of the municipal institution's kitchen block is included in the total costs of the catering fee and is covered by parents. There are still municipalities outsourcing catering services, and parents pay actual costs.

In addition, municipalities also understand the duty to determine those students, whose school catering costs they should cover in different ways. Part of the municipalities have determined such groups of learners, part have not determined them or envisaged groups of learners, whose catering costs are covered in part by the local government.

It follows from the foregoing that there is no uniform system in the financing of the children's meals and the cost items included in the bill vary considerably depending on the family's place of residence. Therefore, this constitutes a violation of the principle of equal treatment.

During the research of the topic, the Ombudsman found that no regulatory enactment clearly determines what cost components should be part of the catering service. Given that local governments do not have a common methodology to use as a guide, the cost items of the catering service to be paid by parents vary considerably. At the same time, it is concluded that no regulatory enactment imposes on parents a direct obligation to cover the cost of their child's meal in pre-school education institutions.

Since the process of learning in a pre-school education is inextricably linked to the catering of children in the education institution, the Ombudsman believes that a common methodology should established for calculating the cost of the catering service and the costs to be charged to the local government budget and the parents of children should be clearly identified (by analogy with training aids). It is not permissible that parents bear costs like land tax, cook wages etc., when paying for their child's catering service. Economic costs must be charged to the local government budget.

In order to prevent unequal practices of municipalities in covering of the costs of the catering service, the Ombudsman called on the Ministry of Education and Science to develop amendments to the Education Law, clarifying duties of the local government and the parents of children in the provision of the catering service (payment) and to develop a common methodology for the calculation of the cost of the catering service. Unfortunately, the Ministry of Education and Science has not responded to multiple requests from the

Ombudsman to provide information on the measures taken to prevent unequal treatment and to determine clear criteria for the calculation of the catering fee before the preparation of this review report.

[9] During the reference period, the Ombudsman initiated a verification procedure regarding the determination of the amount of scholarships in various vocational basic education, vocational education and professional secondary education institutions. It was detected within the framework of the verification procedure that the education institutions referred to in the application were subordinate to various ministries. Students who acquire education in a vocational education institution subordinate to the Ministry of Culture are in equal and comparable conditions with those students who acquire education in a vocational education institution subordinate to the Ministry of Education and Science, because students in the educational institutions established by the state learn vocational education programmes equally in accordance with standards approved by the state, as well as external regulatory enactments provide for equal opportunities for receiving a scholarship, including its maximum amount.

During the verification procedure, it was concluded that the existing regulatory framework does not provide for an objective and reasonable basis for the different treatment of students, who learn vocational education programmes in educational institutions established by the state. Therefore, recommendations were made within the framework of the verification procedure. In response, the Ombudsman received a letter from the Ministry of Culture indicating that its request for priority measures for increasing the scholarship fund had been supported at an extraordinary meeting of the Cabinet of Ministers. It provides for equalisation of scholarships with educational institutions subordinate to the Ministry of Education and Science. The funding has been granted as of 1 January 2018.

In the letter, the Ministry of Culture also expressed gratitude to the Ombudsman for bringing the problem up to date, as the Ombudsman's opinion has contributed significantly in argumentation supporting the need for funding and reaching a positive result.

[10] During the reference period, the Ombudsman received an application regarding the violation of the rights of the child relating to early beginning of lessons at school. The applicant pointed out that her daughter, who was studying in form 7, had the first lesson beginning at 8.20, each week she also had a zero lesson beginning at 7.30. The applicant believed that the right of her child to good sleep and health were violated, i.e. without regulating the working time of educational institutions at national level, the health of children is harmed, because institutions themselves can set the beginning of lessons disproportionately

early. In the applicant's case, her child must get up at 6.00 for the zero lesson and at 6.40 for the first lesson in the educational institution to arrive on time. The need to get up so early does not allow the child to sleep properly, which in turn seriously harms her health and development and therefore constitutes a violation of the rights of the child.

The Ombudsman concluded that the existing external legislation does not set the starting time for lessons in educational institutions. The school can act freely in the development of internal regulatory enactments, thus also in determining the starting time of lessons.

The Ombudsman carried out a variety of available studies on the analysis of teenage sleep and concluded that too early beginning of lessons in educational institutions considerably increases various health risks. For example, insufficient sleep causes fatigue, concentration difficulties, irritability and difficulty to control impulses and emotions in children. Sometimes these types of symptoms may look like the attention deficit and hyperactivity disorder. Examples of studies that have been reviewed also indicate the relationship between children's sleep habits and learning results.

Based on the aforementioned, the Ombudsman called on the Ministry of Health and the Ministry of Education and Science to assess the possibility of setting a uniform earliest permissible time for the beginning of lessons for elementary and secondary school pupils.

[11] As it was already mentioned in the introduction to this summary, most applications in the field of child rights in 2017 were received in relation to the implementation of the right of access.

In the context of this subject, the Ombudsman emphasises that the law does not directly state that the best interests of the child are generally interpreted as regular contact with both parents (right of access). This stems from the principle enshrined in Article 18 of the UN Convention on the Rights of the Child that "*both parents have common responsibilities for the upbringing and development of the child*". Namely, both parents, even if they do not live together, play an active role in upbringing of their child, and the child also needs both parents. This should also be viewed in the context of Article 7 of the Convention – the right to know and be cared for by his or her parents.

Since growing in a single parent family can have a direct effect on the development of the child, it should be presumed that unless proven otherwise, the continued involvement of both parents in the child's life is in the best interests of the child. However, the practice shows that too often children lose the chance to maintain contact with the parent, with whom they do

not live together, for example, due to large distance or most commonly – because of a hostile relationship between parents.

Similarly, in practice, relatively frequently we face cases where, contrary to the regulatory framework, one of the parents of the child restricts access, thereby violating not only the rights of the other parent, but also the rights of the child. Moreover, access is often denied also after a court judgement determining the right of access has entered into force, despite the severity of the law which may, in such cases, be applied for failure to comply with the court judgement. It should be taken into account that the parent's right of access is an integral part of the right to family life. A decision restricting the right of access may be adopted by a court or, in certain cases, by an orphan's court or by an institution, rather than one of the parents of the child.

The Ombudsman has stated that the country has an established mechanism for the protection of the rights of the child, if the other parent fails to comply with a court judgement on the procedure of use of the right of access, but it is not efficient and there is no common understanding among professionals and no established practices in the application of a ban on access of parents or other close persons to the children separated from their families. In 2018, the Ombudsman will therefore focus on the problems of access of children placed in crisis centres to their parents and will contribute to the elimination of shortcomings in the application of the regulatory framework.

[12] During the reference period, the Ombudsman has identified cases where orphan's courts – a custody and guardianship institution established by the local government of a municipality or a republican city – during their office hours do not provide for visits of the population, availability of the employees of orphan's courts and the fulfilment of duties and notarial functions set out in the Law On Orphan's Courts due to long-term absence of their employees (leave, disease, etc.). Accordingly, inhabitants are unable to receive documents, consultations, telephone calls are not answered, including when inhabitants report possible violations of child rights, cases of violence. It is important to note that children and persons with limited capacity are unable to apply to an orphan's court during office hours in the cases where assistance is required, violence is used against them or their rights are being violated. Similarly, employees of the Ombudsman's Office, in the course of performance of their job duties, in certain cases were unable to contact employees of orphan's courts employees, because they were on vacation. It is acknowledged that this does not comply with the principle of good governance.

The Ombudsman has therefore called on the Ministry of Environmental Protection and Regional Development to inform the Latvian Association of Local and Regional Governments about the need to ensure continuity of work of orphan's courts during long-term absence of their employees, i.e. to ensure replacement of employees during their leaves, illness, etc. The Ombudsman also encouraged to pay attention to the need for institutions involved in local governments to agree on action in urgent situations outside office hours of orphan's courts and to inform the population thereof by publishing information making it readily available, for example, on the website of the local government or the orphan's court, in press, etc. Public awareness in each municipality has an essential role in the promotion of child safety. The Ombudsman also encouraged to provide methodological support to municipalities in the arrangement of this matter.

[13] When comparing the situation with 2016, during the reporting period it was stated that the number of younger children in state social care centres has decreased roughly by half, the quality of decisions taken by individual orphan's courts has improved showing a gradual change of attitude in the matter of placement of children in the institution. The decisions reflect the activities carried out by orphan's courts in finding child's relatives, who could become guardians, and in search of foster families. However, there are still orphan's courts, which find only one or few closest relatives of the child, and do not search for a foster family and justify child's placement in the institution in their decisions with interests of the child.

[14] Regulatory enactments clearly state that work with children for the prevention of violations of law shall be carried out by local governments in collaboration with parents of children, educational institutions, the State Police, public organisations and other institutions.

Specifically, Section 58 of the Law on the Protection of the Children's Rights provides: *a local government shall draw up a programme for social correction of behaviour for each child who has committed illegal acts set out in the Criminal Law, has committed illegal acts as set out in the Latvian Administrative Violations Code more than two times or performs other acts which may lead to illegal actions*.

If behavioural disorders are identified, the child needs a special, customised behavioural social correction program, because the child needs psychological and social support. It is necessary to be aware that the objective must be behavioural correction rather than punishment of a child, since the child's antisocial behaviour is a consequence of the violation of his or her right to full development in earlier childhood. The simplest solution is to use an administrative punishment and make them reassess their behaviour, but this does not provide any result – punishment does not help to change behaviour. The regulation allows

local governments discretion to delegate this duty and freedom of action in the choice of partners.

Unfortunately, during the reference period, the Ombudsman found that the majority of municipalities have been failing to perform this statutory obligation for a long time – they do not draft behavioural correction programmes for children with antisocial behaviour in a timely manner. In a timely manner is when the first signs appear and this usually happens at preschool age. However, the social services, for example, point out that families whose children have experienced behavioural problems in early childhood come to their notice very often, but the information is received only when the child has already committed an offence at the age of adolescence. The fact that the information comes to the notice of social services with a delay is also confirmed by real practice – in many places behavioural correction programmes are developed only on the initiative of the State Police, or when the child has come to the notice of the police. However, a police officer certainly was not the first person to notice behavioural disorders in the child.

In order to identify practices of this area, the Ombudsman re-examined the situation from time to time – in 2013, 2015 and 2017, and there results were presented at the Ombudsman's annual conference in 2017.

In 2011, the Ombudsman proposed that preventive work with children should be one of the priorities in the area of child rights. During monitoring visits, local government leaders were invited to improve preventive work, subjects of child rights protection were educated about the importance of preventive work. However, the practice shows that there is still a lot to be done. Moreover, the existing regulation is too general, it gives local governments a great deal of discretion in actions, if they understand the importance of this work, and a great deal of discretion in doing nothing, if they do not understand the need.

Therefore, the initiative of the Ministry of Justice to develop a draft law on anti-social behaviour of children is evaluated positively. This provides for greater clarity in the organisation of preventive work and, more importantly, also in public funding for the payment for certain services. Until now, funding for the implementation of behavioural social correction programmes was at the discretion of local governments, and any failure to perform proper preventive work could be justified by lack of resources.

Area of Civil and Political Rights

[15] The right to fair trial is always an area of human rights, in which most applications are received. Overall, 347 written applications were received from private

persons in 2017, which was the highest number in the last three years (293 applications in 2016).

[16] In comparison with 2016, the number of those applications has grown, in which private persons complain about the observance of the right to defence and attorney's actions, as well as complaints about access to justice. There has also been a significant increase in the number of applications on enforcement of judgements and actions of sworn court bailiffs. In 2017, 56 such applications were received (in 2016 – 33). Enforcement of court judgements has also been a frequent subject in personal and telephone consultations provided by employees of the Ombudsman's Office.

[17] Although the Ombudsman cannot assess the correctness of the judgements adopted by courts, many applications in the area of administrative law reveal situations, when the underlying dispute might have been prevented if the parties had been informed of their rights and obligations towards state and local authorities in a more timely manner, which is closely linked to good governance in the institutions' work.

[18] Every year, the Ombudsman finds problems with length of proceedings in courts and, similarly to the previous years, also in 2017, invites the parties to submit a complaint to the Chief Judges of the courts, who, in accordance with the Law on Judicial Power, are obliged to monitor the length of proceedings. Although the number of applications with such content has not significantly increased, in 2017, in certain situations, the Ombudsman still chose to apply to Chief Judges of the courts himself requesting an assessment of the work of certain judges, when a possible delay in the examination of a case was identified.

[19] In 2017, the Ombudsman received several complaints in relation to the decisions adopted pursuant to the procedures set out in Section 440.^{8}(7) and (8) of the Civil Procedure Law, indicating that they lack any justification for the court's findings. For example, in a case examined within the framework of a verification procedure, the Supreme Court had rejected a cassation complaint having examined it on the merits. However, the Supreme Court and courts of appeal frequently refuse to accept complaints from individuals in cases of certain categories for examination in the form of a resolution, essentially substantiating their refusal only with a reference to an applicable legal regulation.

Although the Ombudsman indicates to private persons that, in the light of the case law of the European Court of Human Rights and the Constitutional Court of Latvia and flexibility of the state in this area, a refusal to initiate appeal proceedings presented in a very laconic form of a resolution is not unlawful in itself, such practices, without any motivation in the

decision, still do not comply with the highest standard of human rights. The Ombudsman understands that a decision of an action hearing should not be very expanded, but it should still contain some motivation supporting the decision taken. Otherwise, the lack of trust in the decisions made by the court is growing in the society.

[20] In the reference period, in his replies to several applications, the Ombudsman has recognised that the right to defence may be subject to certain restrictions and has called on private persons to exercise their rights in good faith. For example, in a reply to a private person's application, the Ombudsman indicated that although the first sentence of Section 79(4) of the Criminal Procedure Law includes the requirement for ensuring a continued defence, however, it must be acknowledged that the continuity of defence as an element of human rights is not absolute. Objective criteria such as the right to the completion of criminal proceedings within a reasonable period of time, the caseload of courts and lawyers, the location of institutions in different cities, may limit the right to choose a preferred state defender.

[21] The Ombudsman has already emphasised in his report of 2016 that a number of measures have been taken in recent years to improve and make the judicial system effective, but these reforms have not increased the trust of the society in the court system in general. Similarly, since one of the quality indicators of the judicial system is access to justice, the Ombudsman has been pointing out for several years that vulnerable persons have limited access to justice and the state ensured legal aid is insufficient. However, these aspects have not been sufficiently brought to attention.

Taking into account the aforementioned, in 2018 the Ombudsman will pay particular attention to the matter of rights of vulnerable persons to effective and qualitative legal aid, unavailability of which may also restrict the right of these persons to fair trial.

[22] The Ombudsman advises persons on the pre-conditions for the State ensured legal aid and where a person may be granted state ensured legal aid on a regular basis. Also, a large number of applications are received annually criticising the quality of the legal aid provided to the persons. In 2017, the number of applications with such content has increased albeit slightly, and such complaints are also received during oral consultations. Individuals mostly complain about the quality of the state ensured legal aid provided by sworn advocates.

In view of the existing trend, the Ombudsman believes that it is essential to take care not only to improve the system of state ensured legal aid in general, but also to take specific steps to provide these services efficiently. Following amendments to the Administrative

Procedure Law and the State Ensured Legal Aid Law, persons are provided with the possibility to receive state ensured legal aid in administrative cases. Although the Ombudsman received applications, in which assessments of the person and the institution (court) of the degree of complexity of the administrative case are different, he still believes that granting of state ensured legal aid in administrative cases is a step in the right direction and the next area to be reviewed is receipt of legal aid in Constitutional Court proceedings.

The Ombudsman believes that failure to provide state ensured legal aid to deprived and disadvantaged persons, when they appeal to the Constitutional Court, disproportionately limits the rights guaranteed by Section 92 of the Constitution. In the 2017, the Ombudsman therefore contacted the Saeima (the Parliament) Legal Affairs Committee inviting it to submit proposals for amendments to the State Ensured Legal Aid Law, providing low-income persons with the possibility to obtain state ensured legal aid in filing of an action to and proceedings in the Constitutional Court.

It should be emphasised that persons wishing to file an action to the European Court of Human Rights seek help of the Ombudsman's Office on a regular basis, and the number of such applications increased in 2017. Latvian regulatory enactments do not provide for state ensured legal aid in filing of complaints to and proceedings in the European Court of Human Rights. Only if the complaint submitted by a person is accepted for review and further proceedings require qualified legal aid, its practical provision is solved with the assistance of the Latvian Council of Sworn Advocates.

Within the scope of its competence, the Ombudsman is trying to provide assistance to individuals and gives references to available information materials on the website of the European Court of Human Rights and on other websites. However, the Ombudsman Law does not provide for the right to represent a private person in the European Court of Human Rights or to provide legal aid in the preparation of a complaint, which is the most frequent request from individuals in detention facilities.

It should be noted that persons in detention have limited access to internet resources, and they are mainly provided access to the website of the European Court of Human Rights, *www.likumi.lv* and websites of Latvian courts. In addition, the previously identified problem that a number of useful information materials on the website of the European Court of Human Rights are not available in Latvian, which complicates preparation of a the complaint, was still topical in 2017.

[23] In 2017 there still was a comparatively large number of complaints received regarding the act or omission of sworn bailiffs in the process of execution of rulings. Overall,

in 2017, the Ombudsman received 15 applications relating to complaints about enforcement of rulings as such, while 41 applications were addressed directly in connection with complaints about the activities of sworn court bailiffs or rulings taken in the course of enforcement of the rulings. Similarly, we received many applications by email, about 90 oral consultations related to the matters of enforcement of rulings were provided in person or by phone.

Similarly to the past, in 2017 complaints mainly referred to the allegedly unjustified actions of court bailiffs like recovery of payments from the debtor, including payments equivalent to this and other amounts of money, without leaving the funds specified in the law or directing the recovery against the amounts of money, which cannot be recovered according to the law. At the same time, in comparison with previous years, the 2017 there was a growing number of complaints received in relation to the actions of court bailiffs, directing the recovery against debtors' funds, in particular the social assistance benefits and state social benefits referred to in Section 596 of the Civil Procedure Law.

For that reason, in 2017, the Ombudsman launched a study on the conduct of sworn court bailiffs, as they direct the recovery against the debtor's wage, the payments equivalent to it and the other amounts of money.

It should be noted that, during the reference period, the Ombudsman has also received several debtors' complaints regarding excessive tariff charges imposed by credit institutions or other payment service providers for acceptance of orders of sworn court bailiffs for seizure of funds for enforcement for execution and transfers to a sworn court bailiff's deposit account. In view of the fact that credit institutions or other payment service providers are subjects of private law, which consume their own resources for the execution of orders sent by the court bailiffs, their willingness to set their service charges for the activities to be carried out in the case are understandable. At the same time, within the framework of the study it was found that in individual credit institutions such service charges amount to several dozens of euros, therefore, in the event, when several enforcement cases are initiated against the debtor, the total tariff fee may exceed 100 euros.

[24] In 2017, the Ombudsman regularly received complaints of different nature, in which individuals referred to possible illegal decisions or actions of law enforcement bodies in the fulfilment of their service duties. According to the received applications, such complaints are most commonly expressed in respect of decisions taken by the State Police regarding refusal to initiate criminal proceedings or administrative violation proceedings, as well as on the conduct and decisions of officials within the framework of those proceedings.

The applicants indicate that they believe that the decisions do not evaluate substantial circumstances of the case, testimonies or other evidences. Unfortunately, it is often stated that the applicants have not used the arguments provided to the Ombudsman when contesting the decision taken, or have indicated them after the end of the deadline for appeal.

In evaluating the complaints submitted by individuals regarding pre-trial criminal proceedings, it is apparent that they are made by both persons who are victims of a criminal offence and persons who have the right to defence. Victims draw the Ombudsman's attention to an allegedly unjustified decision on the refusal to initiate criminal proceedings or a decision on the termination of criminal proceedings, which, in substance, provides that the perpetrator will not be punished, and therefore the victim will be denied any right to compensation for the suffered damage. In turn, persons who are entitled to defence most often pointed to allegedly unjustified initiation of criminal proceedings, wrong qualification of offences, procrastination in pre-trial investigation, interference in private life, conflict of interest and other aspects of conduct of the person directing the proceedings.

[25] In 2017, the Ombudsman received 34 applications, the circumstances of which should be viewed within in the context of the right to freedom and safety provided for by Article 5 of the European Convention for the Protection of Human Rights and Fundamental Freedoms – application of coercive measures and detention of persons.

In assessing the applications received in 2017 in the context of this topic, it is concluded that most of them were related to the legality of periodical control of detention. In response to the applications, the Ombudsman informs the detained persons that in accordance with the Criminal Procedure Law detained persons, their representatives or defenders have the right to submit a repeated application to the investigating judge or after initiation of the trial – to the court of first instance – to assess the need for further application of detention. And only if the conditions referred to in Section 281(3) of the Criminal Procedure Law set in, the application may be rejected without examination in oral proceedings. Moreover, Section 281(4) of the Criminal Procedure Law provides for a condition whereby the evaluation of the matter regarding the need for further detention, upon setting of certain circumstances, shall be carried out by the investigating judge or the court of first instance on their own initiative.

[26] In the area of civil and political rights the Ombudsman annually pays attention to ensuring rights of persons with mental disabilities. In 2016, the Ombudsman already expressed his opinion that more active actions of persons with mental disabilities or their relatives had been observed only in recent years, seeking ways and possibilities of protecting the rights and interests of the persons and, in certain cases, they had already managed to

receive a compensation for a possible violation. This trend has also preserved in the reference period.

Although the number of applications received by the Ombudsman's office from persons with mental disabilities regarding alleged violations has not significantly increased, the number of phone calls from neuropsychiatric hospitals and social care centres, as well as the number of consultations provided in person, has increased. Persons asked about their rights in the institution, legal consequences of the limitation of their capacity, reconsideration of the restrictions imposed, rights and duties of the appointed guardian, the right to freedom, private life, freedom of expression and other essential aspects of rights and interests.

Taking into account the aforementioned, in the reference period the Ombudsman has provided individuals with explanations about aspects of human rights and assessed alleged violations and formulated recommendations for institutions, in certain cases requested the Ministry of Welfare and the Health Inspectorate to carry out inspections, and has carried out verification procedures in individual institutions in which persons with mental disabilities reside.

In view of the fact that work in this sector is a difficult task for all categories of staff involved, the Ombudsman believes that any employee of a psychiatric medical institution involved in the treatment and care of patients should have a fundamental understanding of human rights standards in order to minimise the risks of bad treatment.

[27] In 2017, the Ombudsman's Office received several applications for data protection in court, mainly regarding processing of information in the Courts Information System.

In one of the applications, the person expressed an opinion that court institutions do not comply with the requirements of the Personal Data Protection Law and do not register data protection specialist for processing of sensitive personal data in the Data State Inspectorate.

In response to the application, it was explained that, in general, processing of data for judicial purposes does not need to be registered in the Data State Inspectorate, even if personal sensitive data may be processed in individual cases, since the obligation of registration is applicable only to the primary processing objective. However, the situation could be very different in essence, if sensitive personal data were processed in a court for purposes other than those related to a particular judgement and case handling function.

In the event of suspicions that processing of personal sensitive data during examination of a certain case is carried out the purposes exceeding those specified in the Law

On Judicial Power and other regulatory enactments regulating the functioning of courts, applicants were encouraged to file a complaint to the Data State Inspectorate, whose competence, in accordance with the Personal Data Protection Law, is to take decisions and examine complaints relating to protection of personal data.

[28] The Ombudsman invited the person to use the national data protection mechanism also in the case, where the person emphasised that storing of full (non-anonymised) court rulings containing the name, surname, personal code and personal data of the person relating to criminal offences and conviction in a criminal case in the Courts Information System should be considered a violation of data protection.

The applications received show that data protection issues in judicial work concern a wide range of individuals and a huge amount of personal data is stored in the Courts Information System, thus creating high risks of data protection violations. Any system can be improved in order to minimise as much as possible potential infringement of the right of private persons to private life. In addition, a General Data Protection Regulation will be applied from 25 May 2018, which will create new challenges for the data protection. Therefore, in 2018, the Ombudsman plans to focus more extensively on human rights issues related to the protection of personal data in court, inviting to discussion the institutions responsible for the compliance with data protection requirements and processing of data for judicial purposes.

[29] Human tissue and cell transplantation plays an important role in treatment of incurable diseases, but at the same time the patients' need for organ transplantation at global level is not secured. While countries are encouraged to take all necessary steps to increase the number of organ transplants, it is important to ensure that these measures are not only effective but also ensure human rights and fundamental freedoms of persons. Matters of human tissue and organ transplantation are closely linked to the protection of human dignity, identity and integrity as well as trafficking in human beings. The topicality of these matters is demonstrated by the cases adjudicated by the European Court of Human Rights, reports in the UN Human Rights Council, the cases examined in national courts, as well as a number of different legal documents.

This subject is particularly topical for Latvia, because the case law of the European Court of Human Rights on this matter is mainly based on cases against Latvia in which the court has recognised human rights violations. At national level, it is still important to answer the question whether after those cases lost in the European Court of Human Rights effective guarantees of protection of procedural rights have been established and exist in Latvia to

ensure the protection of the rights of persons against arbitrary removal and use of tissues and organs.

In order to find answers to the above-mentioned questions, in 2017 the Ombudsman carried out a study aimed at clarifying the necessary pre-conditions for removal of tissues and organs in Latvia with regard to the prior permission or prohibition given by a deceased donor and assessing their compliance with human rights standards.

In addition to the findings obtained, several voluminous recommendations were provided at the end of the study. For example, the Law on the Protection of the Body of Deceased Human Beings and the Use of Human Tissues and Organs in Medicine (Organs Law) currently contains conflicting provisions that raise doubts about the existing national consent system and action in cases where the will of the deceased person is unknown. In order to eliminate any doubts about the interaction between provisions of the Organs Law, its general part should include a direct indication that, in cases where the will of the person is unknown and has cannot be ascertained, the presumption that the person has authorised the use of his or her tissues and organs after death shall set in.

Similarly, the currently existing presumption of a person's willingness to become a donor, unless otherwise stated in the Population Register, is based on an abstract assumption of public wishes rather than specific data. Given that there is no legally enshrined obligation to inform the society about organ donation and there is no reason to believe that persons should be informed about the process of organ donation and their rights, it should be concluded that the state has not currently provided effective guarantees against arbitrariness. The Organs Law should therefore also state the obligation of the Ministry of Health to take all necessary measures to inform the public about transplantation of tissues and organs and to invite persons to discuss organ donation with their relatives.

The Ombudsman therefore raised the question of the need for public awareness measures on the use of the body, tissues and organs of the deceased in medicine after their death. Within the framework of these measures, it is necessary to explain the necessity and importance of donor's consent to donation of organs.

[30] The right to freedom of expression is a fundamental value of a democratic society, the protection of these rights is one of the priorities of the Ombudsman's work. Given that the right to freedom of expression covers both the right to freedom of opinion and the right to receive and disseminate information, the Ombudsman does not merely examine applications of persons, but, on his own initiative, is actively involved in protection of these rights.

In the reference period, the Ombudsman has received and examined 14 applications of private persons, which is more than in the previous year. The number of applications in relation to the right of the persons to express their opinions freely has increased significantly, reaching the highest number in the last three years. In contrast, the number of applications relating to the protection of freedom of the press has generally decreased, while the number of applications on the right of a person to receive and disseminate information freely has remained unchanged.

[31] During the reference period, the Ombudsman has provided his opinion in mass media regarding the communication of deputies with the public in social networks during working hours, more specifically during the meetings of the City Council.

The Ombudsman believes that it is important to emphasise that today social networks play an important role in communication with the society. Social networks often are the quickest and the most comfortable way of provision of important information to the population. The public administration should therefore become more modern, providing for the possibility to inform the public in different ways. If deputies use social networks to communicate with the population on topical issues on the Council agenda, such communication should be supported. Deputies are even obliged to answer questions of the population and to provide explanations about decisions taken at Council meetings. However, if social networks are used for entertainment during the meeting, such action should not be considered as an activity in the interests of the population and will not be supported.

[32] Last year, the Ombudsman concluded that the issue of legal status and content of local government's information editions had become more pressing in the society. It should be noted that council deputies file applications to the Ombudsman's office in relation to their right to express their opinion more often than residents of the municipality file applications on the right to receive information.

During the reference period, the Ombudsman has examined the verification procedure regarding the right of opposition deputies of the municipal council to express their opinions in the local government's information edition. Although no violation of Section 100 of the Constitution was stated in the verification procedure, the Ombudsman issued its opinion on several issues.

In particular, the Ombudsman found that local government's information editions fulfil a public relations rather than a journalism function. They do not have editorial independence under the Law on the Press and Other Mass Media. The main objective of these

local government editions is therefore to ensure public awareness, reflecting politically neutral content.

Residents of the local government area concerned must be informed about the content of local government functions, as well as on mechanisms and methods for the implementation of these functions. These tasks can be perfectly performed by the local government's information edition, which should not be considered as an information platform for the Chairman of the City Council concerned.

The principle of freedom of expression and pluralism require that the possibility is provided to publish view of both position and opposition in the information edition. Residents should also be allowed to speak about matters of importance for them in the edition to the extent possible. Regular failure to observe these principles without a justified cause may lead to a violation of freedom of expression.

[33] In total, more than 600 applications were received from detention facilities in 2017. In comparison with 2016, the total number of such application has dropped by about 100.

Invariably, most complaints are received on issues of different nature related to the practical ensuring of enforcement of detention or punishment. These include enforcement of various rights and obligations of prisoners in Latvian prisons, such as practical ensuring of daily needs, implementation of the right to contact with relatives, transfer to another prison or other cell within the same prison for various reasons, education and employment issues, etc.

In a constant volume, the Ombudsman continued to receive applications of prisoners, in which persons requested to provide information about state guaranteed goods and services, how enforcement of one or other right in the place of imprisonment is ensured, etc. At the same time, complaints were received regarding violations of the principle of good governance – no answers to the applications of persons are provided or they are not sufficiently motivated.

In comparison with the previous year, the number of complaints about the use of the physical force by prison officers or violence among cellmates, as well as about domination of the hierarchic system in prison has decreased. The reduction in the number of complaints about illegal actions of prison officers can be explained by the Internal Security Bureau established on 1 November 2015. Consequently, most complaints about the alleged offences of prison officers are addressed to this investigating body.

However, the Ombudsman continues to receive complaints about the unkind treatment of prison officers, intimidation of prisoners, moral pressure as a threat, and also offers of

different benefits and privileges. In such cases, the Ombudsman recommends the person to use the law protection mechanism developed by the state and to contact the prison governor or the Prison Administration. To be noted, the Ombudsman also received signals that, in general, prison administrations and the Prison Administration authority are not an effective complaint handling mechanism, so there are intentions to draw attention to this matter.

[34] In deciding on the budget for 2018, the Saeima supported the allocation of additional funding to the Ombudsman allowing to strengthen the capacity of the Ombudsman's Office in preventive visits to institutions, in which persons have or could have limited freedom to prevent torture and cruel, inhuman or degrading treatment. Accordingly, in 2018, the Ombudsman will regularly visit institutions where persons have or could have limited freedom.

At the same time, in 2017 the Ombudsman contacted international and national authorities, informing about the steps taken by the Government of Latvia closer to the ratification of the Optional Protocol to the Convention against Torture, at the same time pointing out that delays in the establishment of a national preventive mechanism in Latvia is not permissible, as well as calling for support to the need for ratification of that Optional Protocol, which would prevent human rights violations in institutions where vulnerable people are located in the future.

Currently, only two of the European Union Member States, one of which is Latvia, and the other Slovakia have neither signed nor ratified the Optional Protocol to the Convention against Torture. In turn, at national and international level, this creates misconceptions about the state's commitment to prevent potential torture and/or poor handling, or risks of punishment.

[35] Regulatory enactments and policy planning initiatives are developed at national level through cooperation between representatives of several ministries, national and law enforcement authorities, however, a far smaller role in policy planning is focused on local governments. However, local governments and their employees are those specialists who know most about the local population, their problems and needs. Both potential victims of trafficking in human beings and people who have already been exposed to trafficking apply to local government specialists. The competence and resources of these specialists may also depend on whether a person receives the necessary support that Latvia has undertaken to provide in the implementation of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims.

In 2017, the Ombudsman continued to engage in the evaluation of national policies on combating trafficking in human beings and presented a study "Understanding of Latvian local government social services, orphan's courts and branches of the State Employment Agency of their role in the process of identification of victims of trafficking in human beings". It was stated in the study that a large number of institutions basically see themselves as informants who report to the police for investigation of a criminal offence. When they perceive their role in this way, the aspect of social assistance is forgotten, which, according to the competence of the interviewed institutions, would have the most pressing role. This circumstance, together with the information provided on the institutional behaviour models, confirms that not all institutions understand the system of allocation of the social rehabilitation service to victims of trafficking in human beings in Latvia. As it is indicated in the study, special attention should be devoted to training of staff of the institutions, providing for more successful recognition of potential victims of trafficking in human beings, their needs and the possibility of providing support.

At the same time, the study also reflects a number of best practices in the work of Latvian local government authorities, and the Ombudsman hopes that they will also encourage other local governments to engage more actively in reducing the risks of trafficking in human beings in their administrative territory, as well as provision of support to the victims of trafficking in human beings, which have already been identified.

[36] During the entire last year, the Ombudsman repeatedly brought up to date the topic of non-citizens. Differences in the status of a Latvian non-citizen and a stateless persons were explained to Latvian and foreign journalists.

The Ombudsman deems it necessary to launch a discussion on the change of the term "non-citizen", because it is misleading and creates a negative connotation. To this end, in autumn 2017 the Ombudsman contacted the Chairwoman of the Saeima and the Prime Minister, providing specific proposals for tackling the problem of non-citizens. The Ombudsman emphasises that the status of a non-citizen was originally established as a temporary status. The Ombudsman, therefore, called on other state officials to set a certain deadline for Latvian non-citizens to decide whether they want to obtain citizenship through naturalisation or choose other country to apply for its citizenship.

The Ombudsman emphasised that although the Saeima has rejected the initiative of the State President "On the termination of granting of the status of a non-citizen to children", this discussion must certainly continue. If we succeed in ensuring that the status of a non-

citizen is no longer granted to children, it would put an end to granting such a status and stop the increase in the number of non-citizens.

[37] There has been an insignificant increase in the number of applications from foreigners in the Ombudsman's Office in the last four years. In general, 11 applications about possible restrictions of rights, granting or withdrawal of a status were received by the Office from nationals of other countries last year. Most of them were foreigners' questions about the scope and protection of their rights in Latvia. In contrast, in comparison with previous years, there has been a significant decrease in the number of complaints from the persons accommodated in the "Mucenieki" accommodation centre for asylum seekers.

When evaluating applications received from foreigners and persons receiving international protection living in the country, the Ombudsman emphasises the need to focus on the development of a long-term integration strategy at national level.

Similarly, the Ombudsman has previously expressed his position that the amount of the benefit does not comply with the primary needs of the persons receiving international protection, he still maintains the same position. In particular, the Ombudsman reiterates that state aid to persons receiving international protection is inadequate.

Area of Social, Economic and Culture Rights

[38] According to the Ombudsman's Strategy for 2017-2021, poverty and social exclusion was still topical in the reference period. The Ombudsman has previously pointed out that the social security system established in Latvia and the amounts of social allowances are below minimum and do not ensure worthy living. Amounts of allowances are not based on calculations; moreover, they have not been revised for several years; for example, social security allowance is still at the level of 2005, while the threshold of poverty – at the level of 2011. No significant improvements have been made in the reference period.

For nearly 20 years, the government is committed to reduce poverty, but still about a third of Latvian population is at risk of poverty. The envisaged support measures are unable to cover the increasing costs of basic needs of the population. The concept developed by the Ministry of Welfare "Determination of the Minimum Income Level" raises hopes that the situation in the area of social protection will improve, however, it still hasn't been introduced in 2017 and its implementation is postponed year after year.

Moreover, the Ombudsman draws attention to the fact that confidence of the population in Latvia's social insurance system is low. The large number of individuals who

pay reduced contributions or do not pay them at all (persons employed in special tax regimes – persons employed in micro-enterprises, self-employed persons, payers of royalty payment, etc.) is one of the main reasons of that. This exposes these persons to a potential risk of poverty in the future.

[39] The Ombudsman regularly receives complaints from the population about the quality of services provided by and possible violations of human rights in long-term social care and social rehabilitation institutions.

Therefore, one of the priorities set in the reference period was to ensure that the rights of customers living in the institutions were respected. During the year, employees of the Ombudsman's Office carried out verification procedures regarding aspects of respect for human rights in five institutions. During the visits, several identical conditions in violation of legislative and human rights standards were identified in all the institutions. For example, the requirements that an appropriate number of employees should be provided in the institution to enable customers to receive high-quality social care and social rehabilitation adequate for their needs are not observed.

The requirement that work in the institutions should be organised in such a way to make the institution environment closer to a family environment is also not respected. In particular, customers are not provided with necessary support in customising their living rooms, thus creating a pleasant micro-environment in the institution. Similarly, even the availability of necessary hygiene items – toilet paper, towels and soaps – in sanitary premises, etc. is not ensured.

[40] The development and protection of rights of persons with disabilities are currently being studied in detail in the European Union and in the world. The rights of persons with disabilities is a relatively new area of rights enabling scientists to be innovative and to provide support to national policy makers and to reduce the stereotypes in society about disabled persons.

There is no information at the Ombudsman's disposal on whether this area is studied in Latvian universities from the rights aspect assuming that persons with disabilities are full and equivalent subjects of the law rather than objects of charity. The Ombudsman believes that additional activities are necessary to promote research on persons with disabilities from the point of view of rights. Therefore, the Ombudsman has sent proposals for research work affecting matters of rights of persons with disabilities to a number of Latvian higher education institutions implementing education programmes in law.

[41] Both the UN Convention on the Rights of Persons with Disabilities and the national law, the Labour Law, oblige to ensure that reasonable adjustments are made to workplaces for persons with disabilities in order to facilitate the right of these persons to choose a workplace freely and to earn livelihoods in a working environment that is open, promotes integration and is accessible to persons with disabilities.

As regards an appropriate environment in the workplace, the matter of the attitude of the public or colleagues to persons with disabilities cannot be neglected. It is not always supportive from the very beginning. However, studies reflect that as the experience of personal contacts with people with different types of disabilities is growing, the number of barriers and prejudices becoming smaller. It is therefore necessary to provide as practical information as possible to the public, including employers, which could help to reduce stereotypes about persons with different types of disabilities, encouraging their inclusion in the society and in the labour market.

Taking into account the above mentioned, the Ombudsman has developed an information material for employers, which includes information on the culture of contacts with employees with different types of disabilities, to promote positive communication between employees with and without disabilities. The information material also provides practical information about ways of easy and convenient adaptation of the working environment and the work process for employees with different types of disabilities.

The information material was distributed to public and private sector employers and is available in electronic format on *www.tiesibsargs.lv*.

[42] During the reference period, the Ombudsman received an application stating that a person had a large family and two children under 18 years of age had a disability. Up to the end of 2014, the employer granted a supplementary leave to that person – 9 working days, on the basis of Section 151(1)(1) of the Labour Law (i.e., for each position – a large family and two children with disabilities under 18 years of age), while, when the employees responsible for the calculation of vacation days changed, the provision of that Law was translated in such a way that the person was entitled only to three additional days of supplementary leave, because the employer believed that the provision provided for exclusion conditions.

The Ministry of Welfare and the Free Trade Union Confederation of Latvia also believe that the number of days of supplementary leave to be granted does not depend on the number of children with disabilities below 18 years of age in the family, since the term "child with disabilities under 18 years of age" is used in singular in the Labour Law.

However, the Ombudsman believes that the interpretation of this provisions of law is incompatible with the policy of a socially responsible state and complicates the inclusion of families with children with disabilities in the society and does not ensure the rights of children with disabilities at the necessary level. Therefore, the Ombudsman has submitted proposals for amendments to the Labour Law, asking to change the wording of this provision as follows: "*Annual paid supplementary leave shall be granted to: employees having care of three or more children under 16 years of age or for each disabled child up to 18 years of age – three working days.*"

[43] The matter about the procedure of distribution of the water consumption difference under Cabinet Regulation No.1013 of 9 December 2008 "Procedures for the Settlements for Services Related to the Residential Property in a Multi-Apartment Residential House", which, in the opinion of the population, is unfair and inadequate, has still not been resolved in the reference period. In particular, it provides for the possibility to skip measures for identifying and preventing the causes of differences in water consumption for a long-time and allowing to distribute the difference in water consumption even to a single apartment property, thus imposing a disproportionately large payment on it.

The Ombudsman provided an opinion that the government regulation in its current version cannot realistically address the occurrence of difference in water consumption. Such regulation does not seek reasons of the problem and it still reoccurs as no effective prevention mechanism is foreseen. Therefore, the legal provisions included in the Cabinet Regulation have not achieved their objective and are not considered proportionate.

At present, the Ministry of Economy has established a working group which in relation to the matter of reducing water consumption difference assesses both the change of boundaries of public service provision, namely settlements only on the basis of water meters installed in apartments, and a discussion of the proposals submitted relating to the reduction of the water consumption difference has started. Similarly, in assessing the opinions expressed in the working group, the Ministry of Economics found that, when solving the matter of distribution of the water consumption difference, it is necessary to improve the regulatory enactments related to the provision and reception of the water management service by a multi-apartment residential house, and therefore a wider assessment of the regulatory enactments regulating housing policies should be carried out.

[44] The right to health protection is recognised as one of the fundamental rights of human beings. International legislation which Latvia has recognised as binding, provides that

everyone regardless of his or her financial situation must have access to the necessary health services without exposing their family to social and financial risks.

During the reference period, the Ombudsman set the right of the population to have access to health care within a reasonable period of time as one priorities of his work. In particular, since 2011, the Ombudsman has directed the attention of the Government and the Parliament of the Republic of Latvia to the situation in the area of health care – the funding allocated for health care remains insufficient, while direct payments of patients are among the highest in Europe. The availability of health care is not ensured as a result of insufficient funding.

This is evidenced by long waiting times and limited funding (so-called quotas) for receiving a state-paid elective health care service. Also, the reception of state-paid health care services, including drugs, is limited in the area of rare diseases and organ transplantation.

The situation is further complicated by the fact that there is a lack of human resources in health care. It is impossible to provide medical nurses and other medical practitioners in public and local hospitals, and it is not possible to provide qualitative primary health care, emergency assistance (in particular in admissions departments), obstetric assistance, etc.

In practice, a significant increase in the number of persons with disabilities is observed. This increase is affected by the unfavourable socio-economic situation in the country, unavailability of medical care (mainly lack of funds, month-long lines to examinations and specialists due to lack of quotas, untimely or no rehabilitation measures), as evidenced by the very severe disability identified in individuals.

[45] In 2017, a reform of the healthcare system has been launched, within the framework of which it is planned to achieve a funding increase to 4% of GDP in the next three years. However, while the planned level of funding has not been achieved in reality, there is no reason to believe that access to the healthcare system in Latvia will improve significantly.

As one of the priorities of the government and the parliament in 2017 was the reform of the healthcare system and the introduction of compulsory health insurance, in 2017 the Saeima adopted the Health Care Financing Law.

As regards this law, it should be noted above all that the Government had passed an absolutely low-quality draft law to the Saeima. Overall, it raised more questions than provided answers, therefore, the Ministry of Health still has to provide an extensive clarification, especially to the inhabitants, who have to join the system themselves. It is also not apparent from the draft law how the society in general will benefit from it, namely how

exactly the availability of the health care service will improve, what time of access to a service will be guaranteed, whether the new model will help to maintain and adequately reward medical practitioners in the sector, and so on.

In general, the Ombudsman takes a critical view that Latvia is planning to allocate only 4% of GDP to public health care in 2020. The Ministry of Health notes that funding for healthcare in OECD countries ranges from 5.1 to 16.4% of GDP. In Latvia, it was 2.9% of GDP in 2016. Namely, funding for healthcare in Latvia is substantially smaller than the smallest funding in any of the OECD countries. In Latvia, it is more than half smaller than funding for healthcare in the neighbouring country Estonia, where it reaches 6% of GDP. In this situation, it is unclear how Latvian politicians plan to make significant improvements in the sector, with the necessary funding remaining critically low.

Moreover, the Ombudsman believes that it is not socially responsible that, within the framework of its tax reform, the government has practically excluded from the healthcare system the population of Latvia working in state-recognised tax regimes. There is therefore no answer whether the population, who will have to join the health system themselves, will be able to make this payment, or it will increase the amount of emergency medical assistance and disability spending in this segment.

[46] In order to monitor compliance with regulatory enactments and to investigate the actual situation regarding a possible violation of the non-discrimination principle on the basis of gender and family situation in the field of employment, in 2012/2013 the Ombudsman conducted a survey for employers and mothers of small children on observation of the non-discrimination principle in the legal employment relationship.

In order to see whether the actual situation has changed since 2012, the Ombudsman repeatedly turned to the population in 2017 asking for an opinion on compliance with the principle of non-discrimination in the legal employment relationship.

Two different surveys were organised to achieve this goal: a survey of employers and a survey of small children's parents, on the basis of which the Ombudsman has reached certain conclusions. For example, most employers do not select employees of any particular gender and the gender ratio in institutions/companies is mostly accidental. However, in cases where more women than men are employed in the institution/company, this is largely due to the fact that low wages are offered in the workplace and men apply for such vacancies more rarely. This leads to the situation that women are employed in lower-paid jobs. This situation is not permissible within the framework of promotion of the gender equality policy.

Working on gender equality promotion and reduction of discrimination, equal pay or equal wages are a particularly problematic issue. With the gender pay gap of around 16% in the European Union, further developments in the implementation of the equal pay principle for the same job or job of equal value have not occurred. The discrimination caused by the gender pay gap is widespread, the gender pay gap also exists in Latvia. Accordingly, in order to facilitate the mitigation of this problem, the Ombudsman translated the European Network's handbook Equal Pay in 2017. The guide presents to practitioners – lawyers, judges, trade union representatives – information on how to deal with equal pay issues. The handbook has an informative nature and is not legally binding.

[47] In evaluating data from employers and small children's parents, the Ombudsman concludes that public awareness of the rights and obligations of employees and employers in the area of employment is important in addressing the challenges. Consequently, in order to raise public awareness of the rights laid down in regulatory enactments, the Ombudsman has developed and distributed certain information materials for both working pregnant women and parents of small children, and also specifically for employers.

[48] In the reference period, several residents of the capitals directed the Ombudsman's attention to the discriminatory regulations that are in conflict with the principle of legal equality in the Binding Regulations No.148 of the Riga City Council on 9 June 2015 "On the estate tax in Riga".

The Ombudsman has received a wide variety of complaints about these local government regulations. In particular, it should be noted that the local government has violated the rights of the population with several legal provisions in different aspects, which resulted in constitutional proceedings.

The Ombudsman's findings that the local government has infringed rights of the population with various legal provisions in different aspects deserve special attention as they resulted in constitutional proceedings.

[49] Already in 2016 the Ombudsman's Office received complaints from many persons about mass media reports that caused a public resonance with regard to raising cadastral values of immovable property, bringing it up to 85% of the market value, which would automatically increase the burden of the immovable property tax on the population, possibly making this tax seizable.

The Ombudsman addressed both the Ministry of Justice and the Ministry of Finance with a request for information on the need for raising the cadastral value of immovable

property and its proportionality with an expected increase in the tax burden in accordance with the Law on Immovable Property Tax.

When providing its explanation, the Ministry of Finance emphasised that the tax burden should be proportionate to the value of the property and the solvency of the person, but at the same time it is necessary to provide the municipality with income so that the tax changes do not jeopardise the provision of services to the population. In its opinion, the state is responsible for a reasonable tax burden in the country in general, but it cannot ensure that the respective tax burden is adequate for the solvency of each particular individual in question, if his or her income is small, while the immovable property is valuable.

According to the responses received from the institutions that the work on the methodology of the calculation of the cadastral value and the application of the related immovable property tax will continue, but according to the information at the disposal of the Ombudsman concept of non-taxation for only housing is currently not supported.

Undoubtedly, the right to housing means the right to live in safety, peace and dignity. The country must protect a person against the destruction of his or her housing or arbitrary turning out of housing. The availability of housing should also be seen from the point of view of expenses – the proportionality of housing expenses with the income level of the population. In such cases, local governments must also assess the possibility of extending the range of persons entitled to immovable property tax benefits.

The Ombudsman believes that currently in some cases the immovable property tax payment already causes a significant restriction of the right to property for a number of inhabitants. Moreover, in the context of the existing regulatory framework, if the cadastral values of immovable property that are currently taken as a basis for the calculation of the tax are raised there is a risk that the tax will become seizable. Tax policy makers therefore need to find a reasonable solution for alternative immovable property tax reduction models that have been repeatedly brought to attention by the Ombudsman.

[50] During the reference period, within the framework of a verification procedure, it was concluded that the state has established a mechanism ensuring the right of a person to live in a favourable environment in cases where the environment has unfinished structures and slums that endanger human safety. In this way, the state has allegedly fulfilled one of its obligations under Section 115 of the Constitution – to establish a mechanism for protection of the right to live in a favourable environment. However, in assessing the implementation of this mechanism in practice, the Ombudsman recognised within the framework of the verification procedure that the involvement of the state as a final solution to the problems of

unfinished structures and slums is a logical outcome for a decisive arrangement of the environment that is safe for human health and life, but it is important to consider two conditions. Firstly, the local government has a duty to participate in the resolution of his problem, as this arises from a number of regulatory enactments. Secondly, there must be a system to ensure that the country does not remain financially disadvantaged. In particular, there should be multilateral legal solutions for maximum recovery the funds that have been invested in arranging the environment (demolition of structures, slums, etc.).

Compliance with the Principle of Good Governance

[51] The principle of good governance is not only a guaranteed opportunity to exercise rights, but it also requires, above all, a forthcoming and respectful institution's attitude to a private person that manifests itself as actions of institution's staff in accordance with regulatory enactments and as constant improvement of the service provided.

In the summer of 2017, the Ombudsman conducted a survey of the population with a view to clarifying the public opinion whether the public administration respects the principle of good governance.

The results of the survey allowed making several conclusions to be drawn at the annual Ombudsman Conference. Firstly, by observing the overall trend, it is concluded that around 30% of respondents believe that good governance is respected, about half pointed out that good governance is ensured in part and needs to be improved, while 20% believed that good governance is not respected. Secondly, in the opinion of the population, lack of transparency and legal and impartial action in institutions that suggests minimum involvement population in decision-making is assessed the most critically. Moreover, in the opinion of the population, the functioning of the public administration is not transparent and there is excessive bureaucracy, but the least negative answers were received about polite and supportive attitude and availability, which suggests that the public administration has learned to be kind and encouraging in communication with the population.

Thirdly, the social area has been the most pressing for the population, therefore opinions on good governance in this area divide. Respondents frequently identified construction as the next negatively evaluated area. In terms of respect of good governance the least objections of respondents concerned the field of education.

According to the results of the survey and study, the Ombudsman establishes further strategy to promote compliance with the principle of good governance in national and local government institutions.

[52] The Ombudsman believes that the authority providing services must provide a customer with an accessible and understandable environment. An accessible environment is not only the possibility to access the institution, but also simple and understandable availability of the service. This means that the institution should, as far as possible, remove administrative burdens or inappropriate consumption of customer's time and resources primarily occurring when optimal service delivery processes are not ensured, and only secondarily results from the requirements laid down in the legislation.

[53] In view of the fact that the right to information has a constitutional ranking, in 2017 the Ombudsman collected and published the results of the previously conducted study name "Implementation of the right to information on websites of local authorities". In this study, the Ombudsman evaluated the compliance of the information on local government websites with the requirements and the principle of good governance of Cabinet Regulation No.171 of 6 March 2007 "Procedures by which Institutions Place Information on the Internet".

The Ombudsman concluded that assessing the compliance of local government websites with regulatory requirements in general, they are respected with some individual exceptions. Local governments are recommended to continue improving the availability of their websites by regularly and systemically updating their information. At the same time, by encouraging the improvement of local government websites in ensuring their availability to disabled persons, the Ombudsman encourages to check the current availability of websites and to make necessary improvements.

[54] In the reference period, when reviewing complaints that several local government authorities do not provide Latvian citizens with the possibility to sign for voters' draft laws registered in the Central Election Commission, namely no information on the time and place of signing such draft laws is provided, the Ombudsman emphasised that the right of voters to submit draft laws is an essential value of a constitutional democratic country, as defined in Section 101 of the Constitution that every citizen of Latvia has the right, as provided for by law, to participate in the work of the state and of local government. The right of Latvian citizens to sign for the draft laws is one of the ways envisaged in the Constitution to participate in political processes and to express their opinions on matters of importance for the people.

Therefore, the Ombudsman called on the Ministry of Environmental Protection and Regional Development and the Central Election Commission, in accordance with their competence, to take necessary steps to ensure that local governments provide accessible and

adequate information to the population about the place and time where the persons entitled to vote in Latvia can participate in the collection of signatures. In fulfilling the Ombudsman's recommendation, the Ministry of Environmental Protection and Regional Development informed that an informative letter was sent to all municipalities asking to comply with the Ombudsman's recommendation.

[55] During the reference period, the Ombudsman's Office received several complaints highlighting a single problem that persons in detention are not achievable in their legal relations with the state, because they are not objectively present in their declared place of residence, while the Population Register, which is the main information system used by state and local authorities to reach a private person in legal relations with the state, does not contain information that the person is in detention. Therefore, in certain cases, authorities receive incomplete or inaccurate information from the Population Register.

Within the framework of a verification procedure, the Ombudsman found that information on the detention place, where the person is located, is included in the Punishment Register and that information may also be requested by those authorities. However, the relevant authorities can obtain this information from the Punishment Register, only when they know that the person is in detention. This means that the principle of declaration of residence does not fully ensure that each person is reachable in the legal relationship with the state. The potential consequences for such incomplete or inaccurate information are the risk of restriction of a number of fundamental rights – right to fair trial, housing, honour and dignity, electoral rights, etc.

A similar situation was stated in respect of persons who were placed in a psychiatric medical institution without their consent, namely placed in such institution by force in accordance with Section 68 of the Medical Treatment Law or as a coercive measure of a medical nature in criminal proceedings.

The Ombudsman welcomed the fact that the Ministry of the Interior and the Office of Citizenship and Migration Affairs recognised the problem. At the same time, the Ombudsman acknowledged that the option for the solution of this problem supported by the Ministry of the Interior is financially the cheapest, but contains a conceptual shortcoming. Namely, as it provides for a voluntary obligation to declare a supplementary address in detention, involving the Prison Administration, it automatically means that there will be persons who will not do so. This means that the objective of Article 1 of the Declaration of Place of Residence Law is to ensure that every person is reachable in terms of legal relations with the state or local government.

With regard to the persons who are placed in psychiatric medical institutions without their consent, the Ombudsman pointed out that although the number of such persons is not large, it is evident that the average periods of stay of such persons in the hospital from a legal point of view are sufficiently important for the country to seek a solution to ensure that these persons are reachable to the state during the period concerned.

From the point of view of a legal state, it is not permissible that a state leaves one of the groups of individuals unreachable in their mutual legal relationship and does not address this issue only because the group concerned is small. This can be resolved in similar ways as in case of individuals who are in detention.

[56] In the context of the verification procedure about Binding Regulations No.27 of the Jurmala City Council of 4 September 2014 "Regulations on the Functioning and Maintenance of Municipal Cemeteries of the City of Jurmala", in so far as they impose an obligation to pay rent for the use of graves, the Ombudsman reminds that Article 15(2) of the Law on Local Governments (Local Government Law) provides that one of the autonomous functions of local governments is to look after the public services and facilities, and the sanitary cleanliness of their administrative territory, including establishment and maintenance of cemeteries. Having evaluated the Local Government Law in conjunction with the Law On Prevention of Squandering of the Financial Resources and Property of a Public Person the Ombudsman concluded that the establishment and maintenance of cemeteries is the autonomous function of the local government and its fulfilment should be financed from the local government budget, as well as local government property should be primarily used to meet the needs of residents of the administrative territory by transferring it to public use. Accordingly, if the property is not directly necessary to satisfy the needs of the population, it may be used by the local government for economic benefits, including leasing.

Cemeteries are municipal property transferred to public use, which serves the public needs under Section 77(2) of the Law on Local Governments. So cemeteries have a status of a public property like roads, streets, squares and parks.

In its decision of 20 November 2015 in case No.6-7-00148-15/5 SKA-1427/2015, the Department of Administrative Affairs of the Supreme Court indicated that the fee for the lease of a grave in essence should be considered a municipal duty rather than a rent. In turn, Section 12(1) of the Law on Taxes and Duties provides an exhaustive list of the cases where municipalities are entitled to collect duties.

Taking into account the above mentioned, the Ombudsman concluded that the municipality, in accordance with the applicable legal regulation, cannot impose a duty on the

use of a grave. The Ombudsman believes that although local governments have the right to issue binding regulations for the fulfilment of their autonomous functions, they must comply with the legal regulations. Since imposing a rent for graves is considered arbitrary, this does not comply with Section 1 of the Constitution; therefore, the Jurmala City Council has also violated Section 64 of the Constitution by issuing the binding regulations exceeding competence conferred upon it.

The Ombudsman believes that the right of a person to use public property is one of the ways, in which the state and local governments respect human rights, and it is understandable that the local government needs revenue for the fulfilment its autonomous functions, but it must be gained in a legal way in compliance with interests of its population.

[57] At the beginning of the reference period, the Ombudsman turned to the Director General of the State Revenue Service reporting his observations about challenges that need to be addressed in order to make the State Revenue Service a customer-oriented rather than a repressive institution.

First, the Ombudsman pointed out to the institution's communication style with customers. For example, the Ombudsman observed that the State Revenue Service was actively taking various forms of preventive measures to combat the shadow economy, trying to identify individuals who perform economic activity on the internet, renting apartments, etc., but do not register economic activities, and thus do not pay taxes. As part of these measures, the State Revenue Service sends private persons request for registration of economic activity, at the same time also informing about the liability for non-cooperation with the State Revenue Service or on non-registration of economic activity. The State Revenue Service has the right to act in this way. However, the public is interested how these rights are being used. Aren't actions of the State Revenue Service arbitrary when it exercises these rights?

In this context, the Ombudsman pointed out that it is largely related to how carefully State Revenue Service officials carry out the investigations of each individual case; how and what claims are used as evidence to address the taxpayer. The Ombudsman has observed that the State Revenue Service does not carry out a thorough investigation of all the cases, it even does not check legally relevant information and on the basis of assumptions disturbs taxpayers with notices of the need to register economic activity, provide explanations, etc. These and other cases suggest that the State Revenue Service has an insufficiently developed and identified preventive methodology for enforcement of the tax payment obligation even if it has been developed, but State Revenue Service officials do not perceive it in conjunction

with general principles of administrative proceedings and public administration. Unfortunately, this creates an idea that actions of the State Revenue Service seem almost arbitrary.

The Ombudsman also offered solutions: to review all internal regulatory enactments governing these preventive processes and to conduct training for employees.

Secondly, the Ombudsman paid the attention of the Director-General of the State Revenue Service on delayed deadlines for examination of appeals in audit cases, data compliance verification cases and administrative violation cases.

The Ombudsman's verification procedure confirmed that the deadlines are being delayed almost every month. The Ombudsman had previously reproached the State Revenue Service, but no significant improvements followed. Delays in such deadlines deteriorate legal interests of taxpayers and this does not comply with the principle of good governance.

The Ombudsman emphasises the need to find a solution for this matter, because there are no consequences for delays in these deadlines. For taxpayers and for the entire society, this gives a picture of impunity and irresponsibility in public administration, and this is not acceptable.

It should be noted that, after receiving this letter, the Director General of the State Revenue Service met with the Ombudsman personally and discussed the raised issues. Also, employees of the Ombudsman's Office and employees of the State Revenue Service had working meetings.

[58] Having analysed the fulfilment of previously made recommendations, the Ombudsman found during the reference period that, despite the fact that both the State Revenue Service and the Ministry of Finance agreed to the nature of the recommendation, it was fulfilled only two and a half years later. Namely, the Saeima adopted respective amendments to the Law on Taxes and Duties only on 16 November 2017. It is essential to note that, in parallel with the adoption of these amendments, which were in the interests of taxpayers, several other amendments to the Law on Taxes and Duties, which contained repressive regulations for taxpayers, were drawn up and adopted more urgently.

[59] Last year, the Ombudsman conducted a verification procedure on compliance with the principle of good governance in the activities of the State Revenue Service, the Enterprise Register and the Information Centre of the Ministry of the Interior in enforcement of administrative supplementary punishment – the withdrawal of the right to take certain positions.

In particular, in an administrative violation case of the State Revenue Service a person was imposed a fine and a supplementary penalty – the withdrawal of the right to take certain positions, i.e. positions of a record keeper in a partnership, a member entitled to represent a partnership, a member of the board of a capital company, a member of the council of a capital company, a proctor, a general commercial attorney, a representative in a branch, a liquidator of a commercial company, a controller and an auditor in a company, for 24 months. The Ombudsman found that despite the fact that the person had appealed the State Revenue Service's decision in the administrative violation case, the SRS did not stop the enforcement of the supplementary penalty, i.e. did not inform the Enterprise Register about the complaint, even though the law provided otherwise.

In the light of the findings in the case, the Ombudsman concluded: the State Revenue Service does not comply with the deadlines set in external and internal regulatory enactments in enforcing supplementary penalties; the State Revenue Service has no arranged internal processes for the enforcement of administrative violations penalties, which violates the rights of individuals not only in each particular case; the State Revenue Service is not sufficiently actively involved in the determination of a supplementary punishment (proceedings), if the supplementary has partially been fulfilled.

The specific case obviously highlights a problem that the service offered by the state (via the Information Centre) – to obtain electronic information from the Punishment Register – is not qualitatively provided in non-standard situations.

Firstly, it is obvious that the Punishment Register as a database in non-standard situations is technically incapable of ensuring reflection of correct and truthful information on *www.latvija.lv*. The Ombudsman proposed that a possibility to improve the database should be considered.

Secondly, the Ombudsman acknowledged that objectively technical shortcomings may exist, because all situations cannot be envisaged, but for this reason Section 21(1) of the Punishment Register Law envisages the duty of the Information Centre to clarify these shortcomings and to provide genuine information. The specific case showed that the Information Centre had not adequately ensured functioning of the system.

Information of Ombudsman's Office

[60] The functioning of the Ombudsman's Office – protection of rights of private persons is funded from the state budget. In 2017, the planned state budget funding was 1 million 375 thousand euros, but the actual result of the reference period was

1 million 344.7 thousand euros. As compared to 2016, the amount of funds used had increased by 1.2%, i.e. EUR 15.5 thousand. The increase is related to the additional funding allocated in 2017 for new policy initiative and other priority activities: for equipment of the Information Centre, transport expenses for the survey of persons to be expelled and equalisation of lowest monthly wages starting from 1 January 2017.

[61] The establishment of the Information Centre of the Ombudsman's Office started in 2016, in order to facilitate the access of both students and researchers, as well as the wider public to studies on human rights, good governance and legal equality, publications and literature on matters of human rights, latest cognitions, as well as to organise thematic seminars and to create an environment for creative exchange of thoughts. In 2017, the process of building of the Information Centre continued, the range of professional literature and electronic library stocks was extended.

[62] The Ombudsman's strategy for 2017-2021 was developed in the reference period, setting out the action lines for the Ombudsman and the results to be achieved. In order to evaluate progress towards achieving the objectives, lines and priorities of the strategy, individual performance indicators have been developed, effectiveness and relevance of which was reviewed, taking into account the experience gained in the course of fulfilment of the Ombudsman's strategy for 2014-2016, topicality and trends, such as proposing a verification procedure for extensive matters of importance for the general public, such as access to health care, etc.

[63] As regards employees of the Ombudsman's Office there are 46 positions including the Ombudsman; 44 of them were filled. Five men and 39 women are employed in the Ombudsman's Office.

32 of the employees work in the area of legal analysis and consulting, six employees – in provision of administration, document management, personnel and financial management function, two employees – in provision and management, another four – in issues of communication and international cooperation.

In 2017, three employees were hired, but legal labour relations with four employees were terminated.

[64] Implementing the duty of promoting public awareness and understanding of human rights, legal protection mechanisms and Ombudsman's role, functions and work, as set by the Law on Ombudsman, the Ombudsman's Office continued active communication with the public in 2017. The Ombudsman has not merely explained the findings of his verification

procedures, opinions and applications to the Constitutional Court, but also repeatedly expressed his opinion on the processes important for the society.

In total, the Ombudsman's Office organised 37 events: discussions, educational seminars, visiting consultations, etc. in 2017.

[65] In continuing the work for wider availability of persons to the Ombudsman also in municipalities, as well as information about the Ombudsman's work and human rights, employees of the Ombudsman's organised six trips outside Riga to Ventspils, Liepāja, Valmiera, Madona, Bauska and Balvi, in 2017. Consultations and seminars took place in municipal libraries, where all interested persons had been invited by previous announcement.

After the seminars organised by the Ombudsman's Office extensive information on their progress and consultation was reflected in local newspapers, which has led to greater activity of the population in asking the Ombudsman questions and confidence to the Ombudsman. Descriptions in newspapers about seminars and consultations in municipalities not only increase the popularity of the Ombudsman, but also provide inhabitants with a more accurate understanding of the specificities of the Ombudsman's work and the possibilities to help in difficult life situations. The consultations revealed that people often do not know whom to address a problem in the area of private law.

[66] In the reference year, students of several educational institutions had the opportunity to study Ombudsman's Office, because there is cooperation with higher education and professional capacity building educational institutions for public education purposes.

It should be noted that in 2017, the awareness of children about the Ombudsman, his work and a possibility for the child to apply to the Ombudsman on different matters was actively promoted. Within the framework of this, during the reference year the Ombudsman's Office organised a number of measures for children and young people to promote their understanding of human rights in general and the rights of children in particular. In addition, educational and informative events were organised in different schools, including in regions.

[67] Participation in international organisations and active cooperation with other national ombudsman and equivalent bodies from other countries continued in the reference year. The Ombudsman was actively involved in the work of various international and regional organisations, in accordance with his mandate and continuing the activities of the previous years. At international level, the Ombudsman was particularly active in cooperation with the United Nations.