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U.S. DEPARTMENT of STATE

## Latvia

### Country Reports on Human Rights Practices - [2006](#)

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The Republic of Latvia is a parliamentary democracy with a population of approximately 2.3 million; legislative authority is vested in the unicameral Saeima. The October elections for the 100-seat Saeima were free and fair. The civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens and the large resident noncitizen community. However, there were problems in some areas, including the following: police mistreatment and severe abuse of detainees; poor conditions at police detention facilities; poor prison conditions and overcrowding; judicial corruption; obstacles to due process; violence against women; child abuse; trafficking in women; violence against ethnic minorities; and societal violence and occasional government discrimination against homosexuals.

#### RESPECT FOR HUMAN RIGHTS

##### Section 1 Respect for the Integrity of the Person, Including Freedom From:

###### a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

###### b. Disappearance

There were no reports of politically motivated disappearances.

###### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and laws prohibit such practices; however, there were reports that government officials employed them.

In May 2005 the Council of Europe's Committee for the Prevention of Torture (CPT) released a report on its 2002 visit to the country. The CPT noted that its delegation received a considerable number of credible allegations of physical abuse by police throughout the country, particularly of juveniles, some of which the CPT felt were of sufficient severity that they could be considered to amount to torture. The majority of the allegations concerned mistreatment at the time of or immediately following arrest. While the government stated that it had not received any complaints of such mistreatment during the time period that included the CPT visit, it noted in its response to the report that it had already implemented a number of new policies and devoted additional resources that addressed the concerns which the CPT report raised. For example, a code of professional ethics for the State Police was introduced in 2003, an Internal Security Office was established to investigate alleged misconduct within units of the State Police in 2003, and police officers participated in a series of seminars focused on human rights and ethics issues.

The Latvian Center for Human Rights and Ethnic Studies (LCHRES) stated that severe abuse of persons in custody was a problem. Detailed statistics on reports of police mistreatment during the year were unavailable. In 2005 the state police initiated a criminal case against two police officers, Ivars Lastins and Dmitry Martinsons, who beat two individuals apprehended for public drunkenness. Both officers were convicted in February and received suspended sentences. State prosecutors appealed the suspended sentences, and the case was outstanding at year's end.

LCHRES expressed concern that victims underreported incidents of police mistreatment. In 2004 LCHRES conducted a study in which it operated a hot line to collect allegations of police misconduct from anonymous callers. Over a 3-day period, LCHRES received 283

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complaints regarding police misconduct, 130 of which referred to police brutality. LCHRES has not conducted a study since 2004. During the year the Latvian National Human Rights Office (NHRO) received approximately 30 complaints regarding misconduct, which was consistent with the amount of complaints from preceding years.

There were several instances of attacks against ethnic minorities throughout the year (see section 5).

#### Prison and Detention Center Conditions

Prison conditions remained poor. Prisons also continued to be overcrowded. Prison hospitals and general medical care were major concerns. There were 28 short-term facilities designed to hold detainees less than 72 hours. The NHRO stated that conditions such as poor ventilation and damp, dark, and unsanitary cells in at least half of these centers violated human rights standards. The NHRO added that persons with poor health cannot get adequate health care; that detainees for life sometimes spend 23 hours per day in their cell, causing psychiatric problems; and that in most detention centers there was only one psychiatric practitioner per facility.

In its May 2005 report, the CPT noted it found extremely poor material conditions at police detention facilities during its 2002 visit. The report stated that conditions were particularly bad at the Daugavpils, Liepaja, and Ventspils police headquarters, where cells were described as overcrowded, humid, dirty, and poorly ventilated. Sleeping and hygiene facilities were also described as falling short of European standards. Since that time the government has built a new police detention facility in Liepaja, which opened during February and which addresses the conditions described in the CPT report. The state police budget since the time of the visit also included increases to improve detention facilities.

The NHRO stated it received complaints of pretrial abuse during the year, although a large percentage of these complaints could not be substantiated.

The government permitted independent human rights observers to visit prisons and detention centers. During the year domestic groups, such as LCHRES, closely monitored prison conditions.

#### d. Arbitrary Arrest or Detention

The constitution and laws prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

#### Role of the Police and Security Apparatus

The security forces consist of the national police, the special immigration police, the border guards, and other services, who are subordinate to the Ministry of Interior; municipal police who are under local government control; the Military Counterintelligence Service and a protective service, which are under the Ministry of Defense; and the national guard, an element of the armed forces. Allegations of corruption and bribery within law enforcement ranks were frequent and affected the public's perception of police effectiveness.

In 2005 the Corruption Prevention and Combating Bureau (KNAB) initiated cases against the following members of the security forces: three members of the Riga city main police board (Oskars Berzins, Vjaceslavs Andrianovs, Edgars Bebriss) for allegedly demanding and receiving a bribe from a businessman to avoid inspections; a member of the traffic police for his role in an alleged attempt to falsify blood-alcohol tests; and a police inspector for extortion and bribery. These cases were still outstanding at year's end. On December 6, Riga City Police Board members Jevgenijs Nezincevs and Eduards Sabanovs were convicted for taking bribes; they received four years and three years in prison, respectively. In December the KNAB submitted documents for the prosecution of six high-ranking border guard officers, including the Head of the Procurement Department, for demanding and receiving bribes from businessmen for tender contracts with the border guard service. On July 20, the prosecutor general charged Ventspils' mayor, Aivars Lembergs, with bribery, money laundering, and abuse of office in connection with several different incidents over the previous 15 years. The case was still in the court system at year's end.

#### Arrest and Detention

The law requires that persons be arrested openly and with warrants issued by a duly authorized judicial official, and the government generally respected this requirement in practice. The law provides a person in detention with the right to a prompt judicial determination of the legality of the detention, and authorities generally respected this right in practice. Detainees were promptly informed of charges against them. The law requires the prosecutor's office to make a formal decision whether to charge or release a detainee within 48 hours after arrest. This requirement was followed in practice. A bail system exists; however, it was infrequently used and applied most often in cases of economic crimes. Detainees have the right to have an attorney present at any time; however, authorities did not fully respect this right in practice. If a detainee is indigent, an attorney is provided by the government. Detainees were allowed prompt access to family members. These rights are subject to judicial review but only at the time of trial.

In its May 2005 report, the CPT noticed that, during its 2002 visit, it appeared that the right of access to a lawyer was not fully respected in

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practice. The report noted that, in many cases, fulfillment of the right was delayed or in some case denied, to juveniles in particular. In 2003 employees of the state police participated in a number of training events focused on human rights and ethics. Also in 2003 a code of professional ethics for the State police was affirmed. A temporary detention cell at Riga Principal Police Office was terminated in 2003. In addition, in 2003 an Internal Security Office was established to investigate alleged misconduct within units of the state police.

The law limits pretrial detention to no more than 18 months from the first filing of the case. In its May 2005 report, the CPT noted that, during its 2002 visit, its delegation met a number of remand prisoners who had spent up to six years in prison awaiting the outcome of their trials and appeals. These persons had limited contact with outside NGOs or family and suffered under poor conditions. Upon passage of the Criminal Procedure Law in 2005, problems concerning pretrial detention decreased and mechanisms for bringing cases to court were simplified.

#### e. Denial of Fair Public Trial

The constitution and laws provide for an independent judiciary; the government generally respected this provision in practice though there were significant problems, including inefficiency and corruption.

The judicial system is composed of district (city) courts; regional courts, which hear appeals from district courts and can also serve as courts of first instance; a separate administrative court, which adjudicates administrative violations; the Supreme Court, which is the highest appeals court; and the seven-member Constitutional Court, which hears cases regarding constitutional issues at the request of state institutions or individuals who believe that their constitutional rights were violated. For more serious criminal cases, two lay assessors join the professional judge on the bench at the district and regional levels.

During the year the KNAB initiated 51 criminal cases against various government officials (including the judiciary), compared with 34 in 2005 and 30 in 2004. During the year the KNAB passed 41 criminal cases to the prosecutor's office for prosecution of 65 persons. In September 2005 the Supreme Court sentenced one former prosecutor, Stanislavs Nazarovs, to seven years in prison with confiscation of property for demanding and receiving a bribe in the amount of \$10,000 for withdrawing an appeal. Another prosecutor, Juris Pelss, received a suspended sentence for a term of four years and a probation term of two years for a similar offense. Criminal prosecution was started against six bailiffs. A time-consuming judicial process and a shortage of judges overloaded the courts.

On October 10, two district court judges, Irena Polikarpova and Beatrise Talere, were arrested and suspended from duty for allegedly taking bribes, and the Prosecutor General's Office launched a criminal investigation.

Steps have been taken to lessen conflict of interest within the government. Approximately 1,000 government officials attended training and seminars on various aspects of conflicts of interest and on internal controls against corruption during the year.

#### Trial Procedures

The constitution and laws provide for the right to a fair trial, and an independent judiciary generally enforced this right. Trials generally are public; however, they may be closed if government secrets might be revealed or to protect the interests of minors. Juries were used in some cases, but not in all. Defendants have the right to be present at their trial and to consult with an attorney in a timely manner. The government provided funds to indigent defendants for this purpose. Defendants have the right to read all charges, confront all witnesses, and call witnesses and offer evidence to support their case. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence and can make multiple appeals.

#### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

#### Civil Judicial Procedures and Remedies

Laws provide for an independent and impartial judiciary in civil matters, including access to a court to bring lawsuits seeking damages, or cessation of, a human rights violation. The government generally upheld the law concerning civil procedures.

#### Property Restitution

On November 23, the Saeima used a procedural motion to effectively reject a draft bill that would have provided financial assistance to the local Jewish community to compensate losses suffered during the Holocaust. The bill addressed Jewish communal properties and heirless private property last owned by members of the Jewish community that could not earlier be regained via the country's denationalization laws because there were no identifiable heirs for the property. Both President Vike-Freiberga and the local Jewish community expressed their disappointment over the vote.

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#### f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and laws prohibit such actions, and the government generally respected these prohibitions in practice.

### Section 2 Respect for Civil Liberties, Including:

#### a. Freedom of Speech and Press

The constitution and laws provide for freedom of speech and of the press, and the government generally respected these rights in practice. However, although the press law prohibits censorship of the press or other mass media, the media law contains a number of restrictive provisions regulating the content and language of broadcasts.

Primary broadcast radio and television stations are required to use the state language, Latvian, and secondary broadcasters are allotted up to 20 percent of total broadcast time for non-Latvian language programming, which should be simultaneously translated using subtitles. However, these laws only apply to terrestrial broadcasts. Non-Latvian language broadcasts were available on cable and satellite services.

The independent media were active and expressed a wide variety of views without restriction. On September 12, however, transcripts of a television investigative journalist's private phone conversations appeared in a daily newspaper. It was soon discovered that the finance police, who had requested the phone tap for an alleged investigation into organized crime activities, had leaked the information. The prosecutor's office launched an investigation. Four officials from the financial police were suspended for the duration of the internal investigation of the leaked information. On November 1, the judge who authorized the wire tapping received an official sanction from the Judicial Disciplinary Committee on procedural grounds. . The investigation was ongoing at the end of the year. In another incident on September 4, a court ordered a television station to reveal sources from a story on a search conducted in connection with criminal charges brought against an influential regional politician. The journalist refused to reveal her sources; and the case was on appeal at year's end.

#### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups engaged in the peaceful expression of views via the Internet, including by electronic mail. The Internet was widely used by the public.

#### Academic Freedom and Cultural Events

The constitution recognizes the freedom of scientific, artistic, and other creative works. There were no government restrictions on academic freedom or cultural events.

#### b. Freedom of Peaceful Assembly and Association

##### Freedom of Assembly

The constitution and laws provide for freedom of assembly, and the authorities may not prohibit public gatherings; however, organizers of demonstrations must provide advance notice to local authorities, who may change the time and place of public gatherings for such reasons as fear of public disorder. The law also requires protesters to remain specified distances from foreign diplomatic missions, the parliament, the Prosecutor's Office, and certain other public institutions. Numerous demonstrations took place peacefully and without government interference during the year. However, in July authorities denied a permit for a gay pride parade on grounds of unspecified security threats to the marchers. Parade organizers attempted to host a private event at a local hotel as an alternative to the denied march. This event was disrupted by protesters who opposed homosexuality (see section 5).

On November 23, the Constitutional Court ruled that several provisions in the law on meetings, parades, and picketing were unconstitutional and contravened the European Convention on Human Rights. The court ruled that demonstrators should only be required to inform a municipality of a planned event, rather than having to ask for permission, as the requirement to receive permission unnecessarily restricts the right of assembly.

##### Freedom of Association

The constitution and laws provide for freedom of association, and the government generally respected this right in practice; however, the law bars the registration of Communist, Nazi, or other organizations whose activities would contravene the constitution. Nevertheless, some nationalist organizations using fascist-era symbols, slogans, and rhetoric operated openly. Noncitizens may join and form political parties. Every party must have at least 200 citizens as members in order to register. At least half of the total membership must be citizens.

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### c. Freedom of Religion

The constitution and laws provide for freedom of religion, and the government generally respected this right in practice; however, bureaucratic problems for "nontraditional" religions persisted.

There is no state religion, but the government distinguishes between "traditional" (Lutheran, Roman Catholic, Orthodox, Old Believers, Baptist, and Jewish) and "new" religions. The "new" religions were subject to bureaucratic regulations and paperwork requirements not applicable to "traditional" religions and had more difficulties purchasing property.

Although the government does not require registration of religious groups, the law accords religious organizations certain rights and privileges when they register, such as a separate legal status for owning property or for other financial transactions, as well as tax benefits for donors.

According to Ministry of Justice officials, most registration applications were approved once proper documents were submitted. The law does not permit simultaneous registration of more than one religious group (church) in a single confession, and the government has denied the applications of splinter groups on this basis.

The government denied foreign evangelists and missionaries permission to hold meetings and to proselytize unless domestic religious organizations invited them to conduct such activities. Foreign religious denominations criticized this provision.

The law provides that only representatives of the Lutheran, Roman Catholic, Orthodox, Old Believers, Baptist, and Jewish religions may teach religion to public school students who volunteer to take the classes.

### Societal Abuses and Discrimination

During the year there were a few reports of harassment and discrimination against resident missionaries of the Church of Jesus Christ of Latter-Day Saints.

The Jewish community numbers approximately 11,000 and was largely secular and Russian-speaking. There was one synagogue operating in Riga. A newly renovated synagogue opened in Daugavpils in April. Unlike last year there were no reported incidents of violent attacks targeting Jews. However, there were reports of anti-Semitic graffiti painted on buildings in old town Riga. On March 16, Latvian Waffen SS veterans held a ceremony at the Cathedral in Riga and at a World War II cemetery near Riga in honor of their dead comrades. On the same day approximately 200 nationalists demonstrated near the Occupation Museum in Riga on behalf of a former Latvian Waffen SS unit despite a ban by the city authorities. A total of 65 persons were detained for participating in an unauthorized demonstration. On May 24, the Rezekne police reported that vandals had damaged a memorial which was scheduled to be unveiled on June 4 in memory of 120 local Jews who were killed during the Holocaust. In addition anti-Semitism continued to be expressed in Internet chat rooms and forums. In July the Ministry of Foreign Affairs hosted a conference entitled "Holocaust: Remembrance and Lessons" over which the president of the country presided. In 2005 a local NGO Education Development Center created educational materials about the Holocaust. The NGO regularly provided seminars to teachers to assist them in developing a methodology to teach about the Holocaust.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The constitution and laws provide for these rights, and the government generally respected them in practice.

The law stipulates that noncitizens are prohibited from owning land in the border zones.

The law prohibits forced exile, and the government did not employ it.

### Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. Eight persons requested asylum in the country during the year. In that time two persons were granted refugee status as per the 1951 Geneva Convention, as compared to none in 2005. In addition eight people were granted alternative status (subsidiary protection) during the year, as compared to none in 2005. In practice the government provided some protection against refoulement, the return of persons to a country where they feared persecution. However, there were reports that authorities systematically turned away persons attempting to enter the country at border checkpoints; it is unclear how many of these people may have been refugees or asylum seekers.

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Illegal immigrants held at the Olaine detention center did not have access to information about their rights, including their right to apply for asylum, and had limited recreation opportunities. In August 2005 seven Somali refugees were detained at the Olaine detention center. A court declared them to be illegal immigrants, but NGOs and a former government official claimed that the Somalis were not made aware of their legal rights or offered an opportunity to request asylum. In September the seven refugees were granted residency and work permits.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in assisting refugees.

### Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and laws provide citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic and generally free and fair elections held on the basis of universal suffrage.

#### Elections and Political Participation

Free and fair elections for the Saeima were held in October, and the new parliament will elect a new president in the first half of 2007. In March 2005 nationwide local elections were held; although largely free and fair, vote-buying scandals resulted in the election outcomes being challenged in the city of Jurmala and overturned in Rezekne. Both incidents prompted KNAB investigations in 2005. In March the Riga district prosecutor decided to close the Jurmala-related case due to a lack of evidence. On May 17, Juris Zacests, Grigorijs Bekasovs, and Olga Skutane were found guilty of various offences associated with the Rezekne vote-buying scandal.

In March the prime minister demanded the resignation of the transport minister, Ainars Slesers, who had been implicated in a corruption scandal related to the 2005 mayoral elections in Jurmala. The scandal involved attempts by politicians and business people to bribe a critical swing vote in the election of the Jurmala city mayor. Four persons were charged with bribery in connection with the scandal, and the investigation was ongoing at year's end. Slesers, against whom no criminal charges had been filed by year's end, returned to the transport ministry following the October parliamentary elections.

In November the KNAB also initiated an investigation into violation of campaign financing rules over a series of television commercials placed by individuals affiliated with the People's Party, the senior partner in the country's minority coalition government. The investigation was still in progress at year's end, although the Supreme Court ruled November 3 that the spending violated election law.

The election law prohibits the holding of elective office by persons who remained active in the Communist Party or various other pro-Soviet organizations after 1991 or who worked for such institutions as the former Soviet Committee for State Security.

There were 19 women in the 100-member Saeima, and there were four women in the 18-member Cabinet of Ministers. The president was a woman.

Members of minorities, including ethnic Russians and Poles, served in various elected bodies. According to the Saeima's Web site, there were 22 members of minorities in the 100-seat Saeima, including 15 ethnic Russians, one German, two Jews, one Karelian, and three others who declined to list their ethnicity.

#### Government Corruption and Transparency

There was a widespread perception of corruption throughout all levels of the government. During the year the KNAB initiated 51 criminal cases, compared with 34 in 2005.

A Cabinet of Ministers regulation provides a mechanism for public access to government information, and the government generally provided access in practice.

### Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

On April 25, a law to create an ombudsman as a separate office responsible for the protection of individual citizens' rights in relation to the government was enacted; it was scheduled to come into force on January 1, 2007. However, no person had been selected as ombudsman by the Saeima by the end of the year.

### Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

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The law prohibits discrimination due to race, gender, language, disability, or sexual orientation; however, violence against women and racial minorities, societal discrimination against women and homosexuals, child abuse, and trafficking in persons were problems.

#### Women

Violence against women, including spousal abuse, is against the law. Although domestic violence was a significant problem, the government did not effectively enforce the law, in large part because abuse was underreported. Victims of abuse often were uninformed about their rights and were reluctant to seek redress through the justice system. Human rights groups asserted that the legal system, including the courts, sometimes did not take domestic violence cases seriously and that police were often reluctant to make arrests. There were no shelters designed specifically for battered or abused women. Women who suffered from violence could seek help in family crisis centers; however, these centers had limited capacity and, therefore, gave priority to women with children. There were no dedicated rape or assault hot lines; however, NGOs managed approximately five general crisis hot lines, a number comparable to last year. In January the NGO Marta Center together with a Norwegian NGO launched a Web site that provided information for women who were victims of violence.

The law specifically criminalizes rape but does not recognize spousal rape. A local NGO, the Skalbes Crisis Center, reported that rape laws were ineffective and stated that rapes were underreported due to a tendency by police to blame the victim.

Prostitution is legal, although procuring is not. Prostitution was widespread and often was linked to organized crime. During the year the popularity of Riga as a sex tourism destination generated increased public and political debate over whether changes in the law were needed, although no action was taken.

Trafficking in women for sexual exploitation was a problem (see section 5, Trafficking).

Sexual harassment is illegal; however, in the absence of complaints, the government was unable to enforce the law. Sexual harassment of women in the workplace reportedly was common. Cultural factors tended to discourage women from coming forth publicly with complaints of harassment.

Women enjoy the same rights as men, including rights under family law, property law, and in the judicial system. The law prohibits employment discrimination; however, in practice women frequently faced hiring and pay discrimination, especially in the private sector. The law also prohibits women from performing "hard jobs or jobs having unhealthy conditions," which are specified in a list agreed by the Cabinet of Ministers.

The law prohibits work and pay discrimination based on gender and requires employers to set equal pay for equal work. Although the government agencies responsible for enforcing such laws lacked skills and resources to fully implement the law, some progress was made during the year. The Welfare Ministry implemented an awareness raising campaign using EU funds and staged numerous educational seminars.

#### Children

The government was committed to children's rights and welfare; however, authorities did not fully enforce constitutional provisions on children and the law on the rights of the child in practice.

Primary schooling is free, compulsory, and universal through the ninth grade (between the ages of seven and 16) and free through the twelfth grade (age 18).

Access to health care was universal, and there were no reports of discrimination based on sex.

A local NGO working with abused children, Dardedze Center Against Violence, reported that the number of child abuse cases, including sexual abuse, increased in the past several years. However, the NGO attributed this rise largely to better detection of child abuse due to increased awareness of the issue. Laws against child abuse were enforced effectively, although the same NGO noted that there was weak coordination among various institutions and law enforcement agencies involved in the protection of children's rights. Law enforcement authorities have won court suits to remove children from abusive parents and secured convictions in child molestation cases. Children from families that were unable to care for them had access to government-funded boarding schools that provided adequate living conditions; however, these schools had lower educational standards than regular state schools.

Police reported that, due to the imposition of severe penalties for rape and sexual exploitation of minors, the reported incidence of child prostitution declined in recent years.

#### Trafficking in Persons

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The law prohibits trafficking in persons; however, trafficking in women to, from, and within the country was a problem. In contrast to previous years, there were no reports that minors were trafficked.

The law provides for prison sentences of up to 15-years' imprisonment for trafficking. Most perpetrators, however, continued to be prosecuted under a statute that prohibits "pimping." This statute carries a lesser sentence of only up to six years. The legal definition of trafficking in persons includes internal trafficking.

The country was both a source and transit point for trafficked victims. The main countries of destination were Germany, Spain, the United Kingdom, Italy, Switzerland, and the Nordic countries. The number of cases reported by the government for this year was 24. This figure was similar to 2005, in which 23 cases were reported. However, law enforcement agencies reported that most victims insisted that they consented to participate in the sex industry and were not willing to cooperate with law enforcement officials. Many traffickers disclosed the sexual nature of the work they offered but concealed true information about working conditions, clientele, freedom of movement, and compensation. Many victims were not willing to cooperate with law enforcement officials.

NGOs reported that women from economically poor districts continued to be trafficked inside of the country for sexual exploitation to Riga, Liepaja, and Ventspils. However, no criminal cases have been initiated for trafficking in persons within the country.

Traffickers, primarily organized criminal groups, regularly lured victims through false offers of employment as dancers, bartenders, and babysitters in European countries. A large number of victims were drawn from the economically depressed areas of the country's eastern regions. While some victims were recruited through job advertisements or modeling and travel agencies, most victims were solicited through direct contact with the traffickers. Recruiting occurred most often at cafes and clubs, and victims themselves sometimes were enlisted to recruit new victims for the traffickers.

The government reported that during the year, five cases were prosecuted under the statute that criminalizes trafficking in persons; 23 cases were prosecuted under the statute that makes sending persons abroad for sexual exploitation a crime. Of these cases 40 people were convicted. Of those 26 received a conditional sentence, three received a prison sentence of five to 10 years, three received a prison term of three to five years, four received a sentence of less than three years, and the remaining four were fined. Additionally, from January to September, 34 persons, including 12 females, were convicted under the "pimping" laws. Of those 22 received sentences similar to probation, four received a prison sentence of not more than 12 months, six were given a prison sentence from one to five years, and two were fined.

Cooperation between the border guards, police, and NGOs improved efforts to identify trafficking victims and help them gain access to assistance programs. This cooperation contributed to the effective control of the border areas. International cooperation in investigations and prosecutions was well established with Germany and the Nordic countries.

Beginning in 2005 government funding was made available to cover rehabilitation costs for trafficking victims. During the year six trafficking victims qualified for government funded rehabilitation and 13 trafficking victims received rehabilitation services funded by other sources. In December the Ministry of Welfare announced that amendments to the eligibility criteria for trafficking victims to qualify for government-funded rehabilitation had been approved. As in previous years, most assistance to trafficking victims came from local NGOs and the International Organization for Migration (IOM). Marta Centers, operating in cooperation with the IOM, offered assistance to trafficking victims in the form of crisis counseling, professional referrals, and reintegration assistance. Additionally, the government provided shelter to trafficking victims in a government center as needed.

Training programs for combating trafficking and for victim's assistance continued during the year. Although these were principally organized by NGOs and the IOM, the government recognized it needed greater involvement. Marta Centers, in cooperation with the Ministry of Interior and other partners, continued its operations to educate adolescents. The Council of Youth Health Centers (CYHC) operated centers in Daugavpils and Liepaja. During the year the government jointly sponsored and funded training for law enforcement specialists and judges on investigation techniques applicable in trafficking cases as well as training on rehabilitation services for victims for social workers. The IOM and several NGOs also sponsored conferences on trafficking and introduced several antitrafficking education campaigns.

After two years of limited funding, the government began devoting financial resources to the National Action Plan to Combat Trafficking in Persons with financial assistance from local NGOs and international organizations. Despite the increased funding, budgetary constraints continued to impede overall progress. The performance of law enforcement agencies continued to be professional. Although only partial funding for planned anti-trafficking programs was directly provided in the state budget for the year, the government demonstrated commitment to implement the National Action Plan with the limited resources available.

#### Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, and the government effectively enforced these provisions. The law mandates access to buildings for persons with disabilities; however, most buildings were not accessible.

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In October LCHRES stated that the review procedure for detention on grounds of mental disability fails to meet human rights standards, the criteria for compulsory admission into psychiatric institutions were too broad, and the provisions on consent to treatment did not meet international principles.

The NHRO further stated that there were no restrictions on corresponding with relatives. However, institutions continued to restrict private correspondence and the number of visits a patient received per month.

#### National/Racial/Ethnic Minorities

The Ministry of Social Integration and the National Human Rights Office are responsible for the protection of minority rights.

During the year attacks against racial minorities were a problem. During the year there were 14 reported violent attacks against ethnic minorities, including one on June 10 against a member of the country's African-Latvian community NGO. The NGO member's attackers accosted him before a local police academy trainee intervened and helped the victim apprehend the two assailants. Both of the perpetrators were charged with incitement to racism, and the case was still outstanding at year's end. The Interior Ministry met with NGOs and minority groups to discuss their concerns. However, racial minorities expressed frustration that there was not greater police presence and patrolling in those locales where they felt most vulnerable to violence.

On December 27, one individual was sentenced to four years of conditional punishments and three years of probation in connection with an attack on a Sri Lankan medical student in 2005. The sentence was suspended because the perpetrator was a minor. This conviction was the first time that a case had gone from charge to conviction as a racially motivated crime.

There was limited improvement in the effectiveness of prosecution of such crimes; most perpetrators were charged with petty hooliganism, a misdemeanor offense.

The country's population of approximately 8,000 Roma faced high levels of unemployment and illiteracy, as well as widespread societal discrimination.

#### Other Societal Abuses and Discrimination

Societal violence and discrimination against homosexuals was a problem. On July 19, the Riga city government, after coming under pressure and criticism from various political parties and religious groups, denied a permit for a gay pride parade. The reasons cited for the cancellation were security considerations, although the specifics were never made public and all court hearings were closed to the press and public. On July 22, parade organizers attempted to host several private functions as alternatives to the cancelled march. Demonstrators opposed to homosexuality surrounded and harassed participants outside these events, throwing eggs, shouting aggressive insults, and dumping human excrement on them. Police arrested 14 people for public disorder. In late August the Riga Vidzeme District Court and Riga Central District court fined seven opponents of the gay pride events charged with causing public disorder. In addition all seven faced prosecution for inciting public disorder. These cases were outstanding at the end of the year. Human Rights Watch, Amnesty International, and the International Gay and Lesbian Human Rights Commission all voiced their concern during the year over the failure of authorities to protect the gay pride event participants as well as the imposition of a ban on the originally planned parade.

As of October 1, about 400,000 people in the country were classified as non-citizens. These individuals were primarily ethnic Slavs, most of whom were eligible for citizenship but had not pursued naturalization. These individuals had full rights for employment and access to most government social benefits, but they could not vote in local or national elections. The most often stated reason for not pursuing naturalization was perceived unfairness in the requirements for citizenship. The country did not grant automatic citizenship to those individuals who moved in during the Soviet occupation or to their descendants. Additionally, to qualify for citizenship, applicants must pass a Latvian language test, which ethnic Russians claimed was unfair. Since 1995 nearly 120,000 individuals have naturalized and the numbers of naturalizations, remained stable each year. The government defined as stateless only those individuals, estimated at under 1,000, who did not have a claim to foreign citizenship and were not eligible to apply for naturalization.

#### Section 6 Worker Rights

##### a. The Right of Association

The law entitles workers, except for the uniformed military and police, to form and join unions of their choice without previous authorization or excessive requirements; workers exercised this right in practice. As of January approximately 16 percent of the workforce was unionized.

##### b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law provides

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for collective bargaining, and workers exercised this right in practice. The law recognizes the right to strike, subject to limitations including prolonged pre-strike procedures and prohibition of some types of solidarity strikes and political strikes. Workers generally exercised the right to strike during the year, but labor regulations prohibit judges, prosecutors, police, fire fighters, border guards, employees of state security institutions, prison guards, and military personnel from striking. A labor law addressing disputes identifies arbitration mechanisms that unions and members of the professions forbidden from striking may use in lieu of striking. There are no special laws or exemptions from regular labor laws in the four special economic zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The law and policies protect children from exploitation in the workplace, including policies regarding acceptable working conditions, and the government effectively implemented these laws and policies in practice. The law restricts employment of those under the age of 18 by prohibiting night shift or overtime work. The statutory minimum age for employment of children is age 15, although children between the ages of 13 and 15 may work in certain jobs outside of school hours with written permission from a parent.

Inspectors from the Ministry of Welfare's State Labor Inspectorate were responsible for enforcing the child labor laws, and they enforced the laws effectively.

e. Acceptable Conditions of Work

The legally mandated monthly minimum wage of approximately \$156 (90 lats) did not provide a decent standard of living for a worker and family. As of September the actual average monthly wage was \$463 (267 lats). The State Revenue Service is responsible for enforcing the minimum wage regulations, and it effectively enforced them.

The law provides for a mandatory 40-hour maximum workweek with at least one 42-hour rest period weekly. There is a prohibition on excessive compulsory overtime. Maximum permitted overtime is 200 hours per calendar year. Premium pay is one of the ways workers may be remunerated for overtime. By law an employee performing overtime work must receive additional pay of at least 100 percent of the regular pay rate. An employer and employee can agree for a higher overtime rate as well.

The laws establish minimum occupational health and safety standards for the workplace, which were effectively enforced. Workers have the legal right to remove themselves from situations that endangered health or safety without endangering their continued employment; however, authorities did not enforce this right.