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Latvia

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The Republic of Latvia, with a population of approximately 2.3 million, is a parliamentary, multiparty democracy. Legislative authority is vested in the unicameral Saeima. Elections for the 100−seat Saeima in 2006 were free and fair. 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. These included: serious police abuse of detainees and arrestees; poor conditions at police detention facilities; poor prison conditions and overcrowding; judicial corruption; obstacles to due process; violence against women; child abuse; trafficking in persons; 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

The government or its agents did not commit any politically motivated killings; however, during the year there were four instances in which individuals were alleged to have died as a result of mistreatment by security forces. In one case, as reported by the media, a businessman died on June 18 in a detention cell of the Sigulda police station under circumstances that led to the detention of three officers and prompted the police Internal Security Bureau to order a pretrial investigation that was still ongoing at year's end. In a late December 2006 report, the nongovernmental organization (NGO) Latvian Center for Human Rights (LCHR) reported an increase in alleged instances of police mistreatment that resulted in death.

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

Reports of severe abuse of persons in custody by police continued. The ombudsman's office reported that it received 18 complaints alleging police violence, and independent local and international sources continued to voice their concerns about police behavior. However, internal police statistics listed only three cases of police violence.

Alleged mistreatment of former security officer Edgars Gulbis received broad public attention during the year. Authorities kept Gulbis in police custody for a month following accusations of involvement in a car-bombing attack against the chief antismuggling officer, then released him. Two weeks later they rearrested him, and while they were taking him to the police station, he left the police car and fell, jumped, or was pushed off a bridge into a river. Gulbis' spouse claimed that he was tortured during his interrogation while in police custody. Gulbis was returned to jail, where he remained at year's end awaiting possible trial amid charges and denials about his subsequent treatment in custody.

In May the commissioner for human rights of the Council of Europe (COE) reiterated his earlier concerns about allegations that police were mistreating detainees, primarily at the time of arrest and during custody and questioning. The commissioner also raised questions about the efficiency and independence of the Internal Security Office, which deals with public complaints of police misconduct. He noted that the office initiated only four disciplinary cases during 2005 and very few in total since its establishment in 2003. In its December 2006 report on prisons, the LCHR noted that there was a "high risk of ill-treatment of individuals by police forces."

Prison and Detention Center Conditions

Prison and detention cell conditions remained poor, as indicated in reports during the year by the COE human rights commissioner and the LCHR. The human rights commissioner reported that living conditions in prison had not improved significantly since his visit to the country in 2003, although he noted a small reduction in the prison population. The LCHR report on prisons and detention centers described conditions that ranged from good to terrible. The report described the key problems as prison overcrowding, violence among prisoners, health problems (a high incidence of tuberculosis, drug addiction, and HIV infection), and the absence of social rehabilitation. Following a November-December visit, the COE's Committee for the Prevention of Torture (CPT) noted progress in providing health care services to inmates, in particular the opening of a new prison hospital; however, the CPT asked authorities to improve prison living conditions, including employment and recreational opportunities for inmates.

The CPT observed improved conditions for detainees in several of the 28 short-term police detention facilities designed to hold detainees for less than 48 hours; however, conditions in some others, notably Daugavpils, Jekabpils, and Ventspils, remained poor. The report described cells in these facilities as overcrowded, humid, dirty, and poorly ventilated. Sleeping and hygiene facilities were also described as not meeting European standards.

The LCHR also reported poor conditions at the detention center for illegal immigrants, including degraded infrastructure with no ventilation system.

There were 14 deaths in custody. Authorities indicated that six were suicides, five resulted from natural causes, two from poisoning, and one person entered custody with severe bodily injuries that later resulted in death.

On August 1, the government opened a prison hospital designed to accommodate 200 inmates. The previous hospital had been closed for noncompliance with technical and human rights requirements.

Long periods of pretrial detention remained a concern. In March Supreme Court Chief Justice Andris Gulans publicly reproached judges for permitting excessively lengthy

detention. The majority of complaints submitted by Latvians to the European Court of Human Rights also related to lengthy pretrail detention.

The ombudsman's office stated that it received 65 complaints during the first six months of the year about conditions in detention facilities, although it added that a large percentage of these complaints could not be substantiated.

The government permitted independent monitoring of prisons and detention centers by local and international human rights groups, the media, and the International Committee of the Red Cross (ICRC). The CPT visited the country in November-December.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The national police, security police, special immigration police, border guards, and other services were subordinate to the Interior Ministry. Municipal police were under local government control. The Military Counterintelligence Service and a protective service, as well as the National Guard, were subordinate to the Ministry of Defense.

Allegations of corruption and bribery within law enforcement ranks were frequent and affected the public's perception of police effectiveness. During the year the Bureau for the Prevention and Combating of Corruption (KNAB) initiated investigations of several security officials for bribery or extortion. Among them was the head of a division of the Central Criminal Police Department of the State Police, whose trial began in the Riga Regional Court in December. The others, still in the pretrial stage at year's end, included the chief of the Riga City Traffic Police, his deputy, an officer of the Saldus District Criminal Police Board, and the deputy head of a prison.

On January 18, in a rare instance of formal punishment of police officers for abusive behavior, a court upheld the earlier conviction of two officers who beat two individuals apprehended for public drunkenness in 2005. The officers were each required to pay fines equal to four times the monthly minimum wage. In the view of some observers, the contrast between widespread allegations of police abuse and the infrequency and leniency of authorities' responses contributed to a climate of impunity.

In March then president Vike-Freiberga used her constitutional powers to block the entry into force of two laws passed by the Saeima that amended the oversight procedures over the security and intelligence services. The amendments, designed in part to provide greater legislative oversight of the bodies, would have given members of the Saeima access to operational details of law enforcement and anticorruption activities, which opponents asserted would allow political interference in investigations. The draft laws were put to a referendum, and voters rejected them by large majorities, but turnout was not high enough to validate the referendum. The Saeima subsequently withdrew the legislation.

Arbitrary 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 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 an arrested individual within 48 hours. This requirement was not always followed due to a backlog in the court system. 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. For indigent defendants the government provided an attorney. Authorities permitted prompt access to family members. These rights were subject to judicial review but only at the time of trial.

The law limits pretrial detention to no more than 18 months from the first filing of the case. Lengthy pretrial detention periods remained a concern of human rights groups; however, legal experts noted some progress during the year in choosing less restrictive security measures for detainees during the pretrial investigation period.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected this provision in practice; however, 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 involving constitutional issues at the request of state institutions or individuals who believe that their constitutional rights were violated.

In October 2006 two district court judges, Irena Polikarpova and Beatrise Talere, were arrested and suspended from duty for allegedly taking bribes, and the prosecutor's office launched a criminal proceeding. A trial was still ongoing at year's end.

Trial Procedures

The constitution and law provide for the right to a fair trial, and most judges enforced this right; however, the fairness of individual court decisions, and of judges and the court system in general, were questioned throughout the year.

Trials generally are public; however, they may be closed if government secrets might be revealed or to protect the interests of minors. Most cases are heard by a single trial judge, although for more serious criminal cases—-at the district and regional levels—-two lay assessors join the professional judge on the bench. In some criminal cases, "modified juries" consisting of randomly selected members of the public participate in the tribunal in a limited way. All defendants have the right to be present at their trials. At closed trials they are subject to criminal sanction if they reveal any details of the case outside the courtroom. All defendants have the right to consult with an attorney in a timely manner, and the government provided funds to indigent defendants for this purpose. Defendants have the right to read all charges, confront all witnesses, and may call witnesses and offer evidence to support their cases. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence and may appeal to the highest levels in the judicial system.

In April the Disciplinary Assembly of Judges issued a reprimand to regional court judge Zaiga Vrublevska for influencing judges to postpone hearing an appeal of a case related to the interests of Ventspils mayor Aivars Lembergs.

The book *Litigation Kitchen*, published by journalist Lato Lapsa in August, included a series of transcripts of allegedly wiretapped telephone conversations between prominent figures in the judiciary system from 1998 to 2000. The tapes detailed alleged conversations between high-profile lawyer Andris Grutups and high-ranking members of the judiciary and politicians that indicated Grutups regularly contacted judges and lobbied them to take his clients' side in particular disputes. A number of judges and politicians called for the court system to remove all judicial personnel guilty of such corruption, but all of the judges mentioned in the book remained on the bench. At year's end a special committee of parliament and the prosecutor's office were investigating the judiciary and judicial decisions mentioned in the book.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

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

Property Restitution

During the year the government and the Jewish community continued to consider a legislative solution to outstanding communal property claims. No tangible progress was made on this issue or on compensation for heirless private property last owned by members of the Jewish community that could not be regained earlier using the country's denationalization laws because there were no identifiable heirs to the property.

Foreign Jews have complained that the authorities, national and local, have delayed or ignored claims by Jews for the restitution of private property.

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

The constitution and law 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 law provide for freedom of speech and of the press, and the government generally respected these rights in practice.

Individuals could exercise their right to freedom of speech. In May the State Chancery asked the Security Police to examine whether a letter sent to Prime Minister Kalvitis contained threats to state security. In the letter, a retired woman from a regional town reportedly criticized some members of the government, particularly the prime minister, concluding that the people might turn against them if they did not improve the quality of governance. Human rights experts did not see any threats to state security in the letter and voiced their concern about the response of authorities. After an initial meeting with the author, there are no reports that security police took any further action.

The law criminalizes incitement to racial or ethnic hatred. In earlier years, this provision was invoked successfully in situations involving violence and against persons who posted racist comments on the Internet. On May 28, a Riga court found the publisher of an anti-Semitic and anti-Russian newspaper not guilty of interethnic incitement. The paper had published articles referring to Jews as "kikes" and containing numerous derogatory statements about Russians living in Latvia. In its decision the court ruled that in discussion of the interpretation of historical facts, interethnic relations, attitudes towards persons with distinctive skin color, religion and culture, as well as other sensitive issues, it is permissible and even necessary to have a variety of opinions, although it may be unpleasant and unacceptable to a part of the society. The court held that in this case, the complex linguistic, legal, and psychological expert opinions did not allow it to conclude without any doubt that the language used could be classified as incitement to racial and national hatred.

There was a state-owned television station, Latvian National Television (LTV) and a radio station, Latvian National Radio. A number of privately owned television and radio outlets thrived.

Independent media were active and expressed a wide variety of views without restriction. The three largest Latvian-language dailies were privately owned. Russian-language print media were also large and active. There was one government-owned newspaper, which primarily published official records of government actions and decisions. Other newspapers were widely believed to be associated with certain political or economic structures, but the laws do not ensure media ownership transparency, and information on the true owners of various media companies was not accessible.

The law governing broadcast media 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. Extensive Russian−language programming was available both on traditional channels and cable networks. These restrictions do not apply to the print media.

There was no official censorship of content of public or private media; however, media experts and the human rights community alleged that some journalists in the LTV news department were pushed out as punishment for investigating key political figures. The head of LTV resigned in December after he cancelled a planned documentary on Vladimir Putin that was critical of the Russian president. While never confirmed, there were widespread allegations that the government had pressed for the program to be scrapped following complaints from the Russian Embassy. The documentary was broadcast a few days later. The government denied exerting any pressure on LTV to pull the program.

In June LTV management demoted the director of a weekly analytical and investigative news program *De Facto*. The director had produced some programs that were sharply critical of the governing coalition. This move followed other actions that were widely viewed as politicized attempts to control LTV news products and raised concerns about the potential for politicians to censor and control state−owned media that criticized the ruling coalition. After several months of uncertainty, the downgraded director, together with several other LTV news journalists, left the public station and created an independent analytical program on a different station.

The government's appeal of an approximately $47,600 (100,000 lat) civil award for invading the privacy of LTV journalist Ilze Jaunalksne was pending before a court of appeals at year's end. In March 2006 Jaunalksne's investigatory journalism alleging that vote−buying in certain regions was an entrenched practice protected by prominent leaders at the highest level of government appeared on the *De Facto* television program. In September 2006 transcripts of Jaunalksne's personal telephone conversations appeared in a daily newspaper. In the ensuing investigation it was determined that the Financial Police obtained authorization for a phone tap on the pretext of investigating organized crime activities and then leaked the material to the press trying to embarrass and intimidate her. Four officials of the Financial Police were suspended for the duration of an internal investigation of the leaked information. The internal investigation was complete at year's end and the results sent to the prosecutor's office for review and a determination whether criminal conduct had occurred. In a subsequent civil case linked to the leak, the court ruled that the Financial Police had illegally tapped Jaunalksne's telephone and that the Finance Ministry and State Revenue Service had invaded her privacy.

Also on appeal was the conviction of several members of the news unit of LTV, which broadcast a story describing a "search in connection with criminal charges" brought against influential regional politician Aivars Lembergs. Authorities filed a case against the news unit after the journalists refused to reveal their sources.

In December the Senate of the Supreme Court reversed on appeal the demand of two lower courts that Rita Avize, a journalist of *Neatkariga,* reveal his sources for a September 2006 story that included information from seemingly illicitly taped phone conversations between a regional businessman and a former board member of the New Era political party.

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 could engage 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

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly, and authorities may not prohibit public gatherings except in very limited cases related to public safety; 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 to prevent public disorder. Numerous demonstrations took place peacefully and without government interference during the year.

In April the government enacted legislation that altered the law on meetings, parades, and picketing to remove the requirement that organizers of planned demonstrations request permission for such events. The change came in response to a November 2006 constitutional court ruling that the requirement for permission and several other provisions of the law violated the constitution and the European Convention on Human Rights. Some observers continued to criticize a provision requiring notification of a planned protest 10 days in advance and what they characterized as vague procedures for holding a protest without prior notice.

In contrast to 2006, authorities issued a permit for a gay pride parade that took place on June 3. However, in September authorities denied a permit for a march planned by the mainly ethnic-Russian Latvian Nationalist Democratic Party to demand citizenship for all residents, although the Party was allowed to hold a rally in a defined location. Authorities denied the permit to march on the grounds that the applicants had a record of activities instigating racial hatred and could endanger public safety. Many mainstream leaders in the Russian community supported the ban.

Freedom of Association

The constitution and law 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, for example, by advocating the overthrow of the existing form of government. Nevertheless, some nationalist organizations using fascist-era slogans and rhetoric operated openly. Noncitizens may join and participate in political parties, which must have 100 members, but at least half of the members of a political party must be citizens.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice. However, by law, "traditional" religious groups (Lutheran, Roman Catholic, Orthodox, Old Believer, Baptist, Seventh Day Adventist and Jewish) enjoy a number of specific rights not available to "new" religions. For example, representatives of traditional religious groups may teach their religion to public school students who sign up to take classes, conduct official marriages, provide religious services for the army, and have representation in the National Ecclesiastical Council, which provides advice on religious matters to the government. New religions did not have these rights and were subject to some bureaucratic regulations and paperwork requirements not applicable to traditional religions.

Although the government does not require religious groups to register, the law accords registered religious organizations certain rights and privileges, including separate legal status for owning property or for other financial transactions, and tax benefits for donors. Single congregations that do not belong to a registered religious organization must reregister each year for 10 years. Ten or more congregations of the same denomination and with permanent registration status may form a religious association. Only churches with religious association status may establish theological schools or monasteries.

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.

The law denies foreign evangelists and missionaries permission to hold meetings and to proselytize unless registered domestic religious organizations invite them to conduct such activities. Some foreign religious denominations criticized this provision.

Societal Abuses and Discrimination

The Jewish community numbers approximately 11,000 and is largely secular and Russian-speaking. There was one active synagogue in Riga and one in Daugavpils. There were no reported incidents of violent attacks targeting Jews. However, there were occasional anti-Semitic statements in public spaces such as Internet fora.

On February 2, unknown persons tossed a large stone through the window of the synagogue in Daugavpils. There were no reports of government follow-up by year's end.

In January the local Jewish community objected to a private showing of a play written by prominent lawyer Andris Grutups about the Beilis trial, which involved a "blood libel" accusation that occurred in early 20th-century Russia. The performance took place at the Latvian National Theater and was not open to the public. Nonetheless, spokesman for the organized Jewish community protested the holding of the play and particularly its performance at the theater where Latvian independence was declared in 1918. Grutups also published a book in September called *Scaffold* that discussed events during and after World War II. The book drew criticism from Latvian academics and the Jewish community as anti-Semitic.

On May 28, a Riga court found the publisher of an anti-Semitic and anti-Russian newspaper not guilty of interethnic incitement. The paper had published articles referring to Jews as "kikes" and containing numerous derogatory statements about Russians living in Latvia. In its decision the court ruled that in discussion of the interpretation of historical facts, interethnic relations, attitudes towards persons with distinctive skin color, religion and culture, as well as other sensitive issues, it is permissible and even necessary to have a variety of opinions, although it may be unpleasant and unacceptable to a part of the society. The court held that in this case the complex linguistic, legal, and psychological expert opinions did not allow it to conclude without any doubt that the language used could be classified as incitement to racial and national hatred.

On July 4, authorities dedicated a monument to Zanis Lipke, who saved 40 Jews from the Riga ghetto during the German occupation during the Second World War.

For a more detailed discussion, see the 2007 *International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

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

Protection of Refugees

The law provides for granting 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. In the first 11 months of the year, the government received 33 applications for asylum; five were granted the status of refugees. In practice the government provided some protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. However, there were reports that authorities systematically turned away persons attempting to enter the country at border checkpoints without establishing whether they may have been refugees or asylum seekers.

The government also provided temporary protection ("alternative status") to individuals who might not qualify as refugees under the 1951 convention and 1967 protocol. During the year the government granted alternative status to three persons.

The LCHR's report on detention facilities noted that the failure of authorities to provide information to illegal immigrants and asylum seekers concerning their rights and governmental procedures for dealing with immigrants was a significant human rights problem. The LCHR also found shortcomings in legislation in this field; for instance, the law governing immigration does not provide clear provisions on immigrant detention and appeal procedures, resulting in a wide variety of court decisions in apparently similar cases. Neither does the law specifically regulate the protection of rights of detained illegal immigrants and asylum seekers.

In January police opened a criminal investigation following a violent attack by unidentified persons on two Somali refugees. The case was still under investigation by the Security Police at year's end.

Stateless Persons

Citizenship is derived from one's parents (jus sanguinis). According to UNHCR data there were 393,012 stateless persons at the end of 2006. In contrast to the UNHCR number, the Latvian Citizenship and Migration Office reported 440,000 noncitizens in 2007. The government recognized as stateless only those individuals, estimated at fewer than 1,000, who did not have a claim to foreign citizenship and were not eligible to apply for naturalization in Latvia. The stateless persons reflected in the UNHCR total consisted primarily of individuals of Slavic origin who moved to the country during the Soviet occupation and their descendents. They were not given automatic citizenship when the country regained its sovereignty in 1991. There are laws and procedures for granting citizenship to the noncitizen population, and more than 120,000 persons have become citizens through naturalization since the process became possible in 1995.

As of year's end, most of the remaining 440,000 noncitizens were legally eligible for citizenship but had not applied for it. Noncitizens most frequently said their reason for not applying was the perceived "unfairness" of the requirements and resentment at having to apply for citizenship rather than having it automatically granted at the time of the restoration of independence. The citizenship exam included a Latvian language test and examination on various aspects of the constitution and history of the country. Resident noncitizens have permanent residence status, consular protection abroad, and the right to return to Latvia.

Resident noncitizens have full rights to employment, except for some government jobs and positions related to national security, and to most government social benefits; however, they cannot vote in local or national elections and cannot organize a political party without the participation of an equal number of citizens. Authorities reported that the number of naturalizations dropped significantly in January after the European Union (EU) granted noncitizen residents visa-free travel and work rights within the EU. In contrast to 10,581 naturalization applications in 2006, there were only 6,069 during the first nine months of 2007. As of December 1, 2007, 6,545 persons were granted Latvian citizenship through naturalization.

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

The constitution and law 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 2006, and the new parliament elected a new president in May.

At year's end the KNAB was considering whether two political parties that considerably exceeded their campaign spending limits in the 2006 elections (the first parliamentary elections where political parties were subject to such limits) would have to return the excess expenditures, and in what amounts. The KNAB found that seven political parties, including all of the coalition parties, violated various norms for campaign expenditures, but the People's Party and Latvia's First Party/Latvia's Way were the largest violators--overspending the ceiling by approximately $1,112,958 (529,980 lats) and $843,381 (401,610 lats), respectively. The two parties planned to challenge the KNAB conclusion in court, but proceedings had not begun by year's end.

Citizens could organize political parties without restriction; however, the country's 440,000 noncitizen residents were prohibited by law from organizing political parties without the participation of an equal number of citizens in the party. The election law prohibits 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, from holding office.

There were 20 women in the 100-member Saeima, and there were four women in the 18-member Cabinet of Ministers.

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

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively. There was a widespread perception that corruption existed at all levels of government, and according to the World Bank's Worldwide Governance Indicators, government corruption was a problem. During the first half of the year, the KNAB initiated 23 criminal cases against government officials (including members of the judiciary), compared with 51 in all of 2006 and 34 in all of 2005. During the year the KNAB forwarded 10 criminal cases involving 20 individuals to the prosecutor's office. During the first half of the year, 14 officers of various law enforcement bodies were suspects in corruption-related cases, most on suspicion of taking bribes.

In May the Kuldiga District Court found Ventspils mayor Aivars Lembergs not guilty of charges of abuse of power and making false statements in connection with the

operation of the Ventspils port. The government's appeal was being reviewed by the Kurzeme Regional Court at year's end.

In a separate case, Lembergs was charged during the year with large-scale money laundering, bribery, abuse of office, and failing to declare property for tax purposes. He was taken into custody on March 14 and incarcerated for several months. After several appeals against detention, he was granted house arrest. The prosecutor's office suspended him from his position as mayor of Ventspils, but the city council refused to elect a new mayor. The case remained in the investigative stage at year's end. Several of Lembergs' business and political associates were arrested and charged with related crimes.

The KNAB stated that it had forwarded evidence to the prosecutor's office accusing a division chief of the Daugavpils City Land Register of accepting 31 bribes. The prosecutor's office had not forwarded the case to the court at year's end.

In October the prosecutor's office forwarded to the court charges that Jurgis Liepnieks, former head of Prime Minister Kalvitis' office, and approximately 20 other individuals participated in a fraudulent scheme to secure an agreement with a foreign firm to introduce digital television. Liepnieks asserted that former Prime Minister Andris Skele was also involved in the scheme; however, no charges had been brought against Skele by year's end.

The law requires public officials to file income declarations once a year, and irregularities are carefully researched. During the summer there was a partial liberalization of rules on the acceptance of gifts by public officials. Limits were raised on the value of gifts permitted for acceptance outside the duties of public office. Anticorruption groups claimed that the new rules provided a major loophole that could allow officials, especially elected officials, to accept large gifts as long as there was no direct beneficiary relationship between the gift-giver and decisions taken by the official.

The state auditor annually reviews all governmental agency financial records, both classified and unclassified, and documents irregularities. Reports are forwarded to the prime minister. Overall, the KNAB is responsible for combating government corruption.

To combat corruption authorities arranged training and seminars for approximately 1,550 personnel during the year on various aspects of conflict of interest and internal controls against corruption.

A Cabinet of Ministers' regulation provides a mechanism for public access to government information, and the government generally provided access in practice to citizens. There were no indications that noncitizens and the foreign press were denied access.

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 met with domestic NGO monitors and responded to their inquiries; however, the government often lacked the political will or resources to act upon NGO reports or recommendations. A parliamentary Human Rights Committee did not enjoy the confidence of human rights NGOs.

There were only a few NGOs that claimed to address the broad range of human rights problems. Among the most visible was the LCHR, which is a member of the International Helsinki Federation for Human Rights (IHF). Several NGOs dealt with specific issues: Apeirons was concerned with persons with physical disabilities; Marta focused on the protection of women's rights; Providus, the Center for Public Policy, and Delna (the national branch of Transparency International) focused on combating corruption; and Zelda focused on mental disability. None of these NGOs were closely aligned with the government or political parties.

The government cooperated with international organizations and permitted visits by their representatives. A number of international organizations released their reports on Latvia during the year. Rene van der Linden, president of the Council of Europe's Parliamentary Assembly, visited in September, as did Doudou Diene, UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerance. In October there were visits by Thomas Hammarberg, COE commissioner for human rights, and

Andreas Gross, rapporteur of the Judicial and Human Rights Committee of the COE's Parliamentary Assembly (PACE).

The CPT carried out a periodic visit from November 27 to December 7; it did not release its findings by year's end.

The government created an ombudsman's office during the year in compliance with a 2006 law. The office is responsible for the protection of individual citizens' rights in relation to the government. On March 1, the Saeima appointed the first ombudsman. The IHF expressed concern over the new institution's independence and alleged lack of leadership. However, the IHF also noted that the initial budget of the ombudsman was four times larger than that of its predecessor organization. The ombudsman's office did not publish any reports, file any complaints with a court, or represent any individual's interests in court during its first year; however, it issued 29 recommendations on draft laws and topical issues.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, language, disability, or social status; however, violence against women and racial minorities, societal discrimination against women and homosexuals, child abuse, and trafficking in persons were problems.

Women

The law specifically criminalizes rape but does not recognize spousal rape. Criminal penalties vary depending on the nature of the crime, the age of the victim, and the criminal history of the offender. Such penalties range from probation to life imprisonment.

A local NGO, the Skalbes Crisis Center, reported that rape laws were ineffective and rapes were underreported due to a tendency by police to blame the victim. Police reported that the number of criminal cases involving rape had remained stable in recent years and that few rapes were committed by individuals who were strangers to the victims.

Violence against women is against the law; however, there are no laws that deal specifically with spousal abuse. Although NGOs and police agreed that domestic violence was a significant problem, the law was not effectively enforced 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, did not always take domestic violence cases seriously. Police stated they could only make arrests if either the victim or a neighbor agreed to file charges or if police actually caught someone in the act of committing the abuse.

There were no shelters designed specifically for battered or abused women. Women who experienced violence could seek help in family crisis centers; however, these centers had limited capacity and gave priority to women with children. There were no dedicated rape or assault hot lines; however, NGOs managed approximately five general crisis hot lines. The NGO Marta Center operated Web sites that provided information and legal assistance for female victims of violence.

Prostitution is legal, although procuring is not. Prostitution was widespread and often was linked to organized crime. Riga was an increasingly popular destination for sex tourism.

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 filing 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, particularly in the private sector. The law also prohibits women from performing physically demanding jobs in unhealthy conditions, which are specified in a list agreed upon 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; however, government regulatory agencies lacked the skills and resources to implement the law fully. Some progress was made during the year. The Welfare Ministry implemented an awareness-raising campaign that, for example, encouraged primary education teachers to portray more women as professionals and more men as childcare providers.

Children

The government was committed to children's rights and welfare; however, in practice authorities did not fully enforce constitutional provisions and laws related to children.

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). No data was available on the percentage of school-age children who were attending school.

Boys and girls had equal access to state-provided health care.

A local NGO working with abused children, the Dardedze Center against Violence, stated that the number of reported instances of child abuse, including sexual abuse, had increased in the past several years. However, the center attributed this largely to better reporting due to increased awareness of the issue. Laws against child abuse were enforced effectively, although the center observed that coordination among agencies involved in the protection of children's rights was weak. 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 expressed concern about an increase in the number of children subjected to commercial sexual exploitation and "traveling pedophiles."

Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, women were trafficked to, from, and within the country.

The number of trafficking victims was impossible to ascertain; NGOs active in combating trafficking estimated that it was several hundred per year. Latvia continued to be a source country for trafficking victims, primarily women lured into the commercial sex industry in Great Britain, Denmark, Norway, Spain, Italy, Germany, Switzerland, and Greece. Relaxed travel regulations within the EU allowed traffickers to target Latvian nationals more easily. Tens of thousands of men and women departed the country in search of economic opportunities created by Latvia's entry into the EU labor market. Reports indicate that some of these persons were being exploited by traffickers. Those most at risk were unemployed or marginally employed women from economically underdeveloped areas and persons coming from unstable families. One underage victim of trafficking was discovered during the year.

Police believed that most traffickers were small-scale criminal groups with well-established contacts in destination countries. They often included individuals of diverse nationalities. Of the 24 suspected recruiters detained in 2006, 18 were Latvian and the others were from a variety of other European nationalities. Law enforcement agencies reported that persons who began as trafficking victims often became recruiters. In 2006, 14 of the 24 recruiters detained were young females.

As authorities have increased their attention to trafficking, the methods of recruiters have become less overt. Recruitment over the Internet and through marriage agencies was popular. The country's antitrafficking squad reported that traffickers usually avoided threatening or applying force when recruiting their victims. Although trafficking victims often consented to being transported abroad, they were usually misled by recruiters with offers of marriage or jobs as dancers.

The law provides for prison sentences of up to 15 years for trafficking. Most perpetrators continued to be prosecuted under a statute that prohibits persons being sent abroad for sexual exploitation. This law, like the antitrafficking statute, carries a prison sentence of up to 15 years. The legal definition of trafficking in persons includes internal trafficking and trafficking for labor exploitation.

During the year 21 cases were investigated under Latvia's antitrafficking statues. Twenty-three cases tried in 2007 resulted in a conviction. Two of those convicted were sentenced to terms of five to 10 years, and two were given sentences of one to five years. The remaining 19 convictions resulted in suspended sentences.

There were no reports during the year that officials were involved in trafficking.

For the year the government allocated approximately $98,700 (47,000 lats) for rehabilitation assistance to trafficking victims. An additional $14,700 (7,000 lats) provided training for rehabilitation service providers. However, less than $9,217 (4,389 lats) had been expended for these programs by September 1. The funds provided rehabilitation services to six trafficking victims. Victims of trafficking in most cases were not well-informed about the available assistance, including legal counseling.

An interministerial working group developed programs to increase public awareness of trafficking and to provide assistance to victims. However, annual budget decisions by the government, including those made for 2007, left most of these programs consistently underfunded or not funded at all.

During the year the Baltic Institute of Social Studies conducted a survey to assess the quality and availability of rehabilitation services for trafficking victims. The survey concluded that, while the quality of services offered met international standards, the services were not available to victims in all regions of the country, and the mechanism for determining victims' eligibility for government-funded assistance was too cumbersome. The government's judicial training center cooperated with the NGO community, international organizations, and a foreign government to train law enforcement officers, prosecutors, and judges to identify trafficking in persons, make and prosecute cases, and render appropriate sentences. Staffing of the antitrafficking squad, which focuses exclusively on trafficking for sexual exploitation, increased from 14 to 17 persons. A Riga city police department unit tasked with preventing the involvement of minors in prostitution employed five police officers and conducted many active investigations.

In 2006 the government created an antitrafficking Web portal as part of a broader public awareness campaign. Also in 2006 the Welfare Ministry began conducting training courses in all regions of the country. As a result, 1,200 social workers received education on trafficking prevention and assistance to victims during the year.

The Ministry of Education, with the help of the Latvian Youth Initiative Center, developed training materials for teachers on how to prevent and explain trafficking. Local police specialists continued to carry out trafficking-prevention activities. In 2006-2007 local police specialists visited 94 percent of the schools to discuss trafficking and

other crimes that present dangers to young persons.

Persons with Disabilities

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

A report on "closed" institutions released during the year by LCHR summarized a number of problems in psychiatric hospitals and social care homes for persons with mental disabilities. Among them were limited rights of patients to information, inadequate patient involvement in determining methods of treatment, restrictions on privacy, violation of rights to private life, and inhumane treatment by personnel, ranging from negligence to emotional and physical violence.

On the night of February 23, 26 of 90 residents of a social care home for persons with mental disabilities in a rural district of Kuldiga were killed in a fire. Officials stated that the most likely cause was unauthorized use of heating devices. The incident gave rise to public discussion about the compliance of large social care facilities with human rights standards.

On March 1, the Saeima adopted legislation permitting a court to place individuals in psychiatric institutions against their will. According to human rights experts, the legislation was designed to provide minimum legal protections for persons with mental disabilities.

National/Racial/Ethnic Minorities

During the year attacks against racial minorities continued to be a problem. In the first eight months there were 11 registered complaints of abusive behavior against ethnic or racial minorities. Of these, four were violent attacks against ethnic minorities and seven involved hate speech. Most of the incidents involved persons of color

On January 23, a court sentenced two men who attacked a citizen of Rwanda in the center of Riga in June 2006 to six and eight months prison terms for instigating racial hatred. The State Police initially filed the report as a case of "hooliganism;" however, due to persistence of the victim and the NGO Afro−Latvian Association, the charges were recharacterized. It was the first time a court sentenced attackers to actual imprisonment under this law against instigation of racial hatred; in most cases prosecutors continued to charge perpetrators of violence against minorities with petty hooliganism, a misdemeanor offense.

In mid−October an allegedly racially motivated attack was committed by a group of 7−8 youths against two 13-year−old Romani girls who were kicked and called "blacks." Both sustained injuries and were placed in a children's hospital. This was the country's first publicly reported attack against Roma. The Chairman of the Latvian Roma Association voiced concern about the potential classification of the offence, which police did subsequently classify as hooliganism rather than a racially−motivated hate crime.

In August the European Agency for Fundamental Rights (formerly the European Monitoring Center on Racism and Xenophobia) released its annual report on racism and xenophobia in EU member countries in 2006. The report noted some slow progress in adopting antidiscrimination legislation that met EU standards. It reported a low number of registered complaints of ethnic discrimination, although other international organizations and local NGOs continued to report discrimination on ethnic grounds.

In a report released during the year the UN Economic and Social Council (ECOSOC) expressed concern that the law mandating the use of Latvian in all dealings with public institutions, including with local authorities, may discriminate against linguistic minorities, including the Russian−speaking minority that in 2007 constituted approximately 35 percent of the population. In particular, ECOSOC expressed concern that older members of linguistic minorities may be disadvantaged in receiving public services.

During a September visit to the country, PACE president Rene van der Linden criticized the government for what he termed discrimination against Russian−speaking residents and recommended that Latvia build better relations with Russia in order to address issues of concern related to the ethnic Russian minority.

The government acknowledged that the Romani community faced high levels of unemployment and illiteracy, as well as widespread societal discrimination. In January the government began implementing a national action plan to address problems faced by the country's 8,000 Roma with respect to employment, education, and human rights. During the first year of the plan's implementation a number of activities−−computer training, training seminars for teachers on inclusive education, and public discussion of inclusion of Romani children in mainstream classes−−aimed at addressing Roma integration issues. However, the National Action Plan has been criticized, primarily as lacking the funding necessary to achieve substantial changes in the situation of Roma.

Other Societal Abuses and Discrimination

In contrast with 2006, there were no reports of societal violence or discrimination against homosexuals; however, the population at large had little tolerance for homosexuality. On December 10, Roman Catholic Cardinal Janis Pujats delivered a speech criticizing homosexuality, in what some observers described as a call for gays to be banned from holding political office.

In contrast with 2006, when the Riga City Council cancelled a permit for a gay pride parade, a gay pride event and concert was held in a park in Riga in 2007 with permission from the city and under heavy police protection. There were reports of verbal harassment by opponents from outside the security perimeter, but there were no violations of public order.

Section 6 Worker Rights

a. The Right of Association

The law entitles workers, except for the uniformed military, to form and join unions of their choice without previous authorization or excessive requirements, and workers exercised this right in practice. As of August approximately 20 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 for collective bargaining, and workers exercised this right in practice. The law recognizes the right to strike, subject to limitations that include obligatory, prolonged pre−strike procedures and the 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.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children. Women and children were trafficked for commercial sexual exploitation. There were no reports of other forms of compulsory labor.

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 generally implemented these laws and policies in practice. However, there were reports that children were trafficked for commercial sexual exploitation. 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 are 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 $252 (120 lats) did not provide a decent standard of living for a worker and family. As of July the average monthly wage was approximately $817 (389 lats). The State Revenue Service is responsible for enforcing 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. The maximum permitted overtime is 200 hours per calendar year. Excessive compulsory overtime is forbidden. Premium pay is one of the ways workers may be remunerated for overtime. By law an employee working overtime receives premium pay that is at least equal to the regular pay rate.

The law establishes 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.

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