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Latland (81)

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LATVIA

Latvia is a parliamentary democracy, which regained its independence in 1991 after more than 50 years of occupation by the Soviet Union. The Prime Minister, as chief executive, and the Cabinet are responsible for government operations. The President, as Head of State, is elected by the Parliament (Saeima). The Saeima elected Vaira Vike-Freiberga to a 4-year term in June. The October 1998 elections for the 100-seat Parliament and the national referendum for amending the Citizenship Law to meet European standards were free and fair. The judiciary is independent but not well-trained, efficient, or free from corruption.

The security apparatus consists of: The national police and other services, such as the Special Immigration Police and the Border Guards, who are subordinate to the Ministry of Interior; municipal police under local government control; the military Counterintelligence Service and a protective service under the Ministry of Defense; and the National Guard, an element of the national armed forces, which also assists in police activities. Civilian authorities generally maintain effective control of the security forces. The Constitution Protection Bureau (SAB) is responsible for coordinating intelligence activities. However, Interior Ministry forces, municipal police, and intelligence personnel sometimes acted independently of central government authority. Some members of the security forces, including police and other Interior Ministry personnel, committed human rights abuses.

The economy is oriented toward the private sector. Almost all agricultural land is farmed privately. Three large enterprises (shipping, telecommunications, and energy) are scheduled to be privatized, but had not been by year's end. The currency remained stable and traded freely; unemployment was 10 percent, up from 8.6 percent in 1998; and annual inflation was 1.9 percent, down from 2.8 percent in 1998. Per capita gross domestic product was approximately \$2,612, continuing its increase that began in 1996.

The Government generally respected the human rights of its citizens and the large resident noncitizen community; however, problems remained in certain areas. An inebriated policeman killed two persons. Members of the security forces, including the police and other Interior Ministry personnel, sometimes use excessive force; police and prison officers beat and mistreated detainees and inmates. In most instances, the Government took disciplinary measures against those responsible. Prison conditions remained poor. The inefficient judiciary did not always ensure the fair administration of justice. Women are discriminated against in the workplace. Domestic violence, trafficking in women (including minors), and child prostitution and abuse, are significant problems.

In March the National Human Rights Office (NHRO) established an advisory council, which includes representatives from human rights nongovernmental organizations (NGO's). In April NHRO director Olafs Bruvers survived a vote of no confidence in the Saeima but the office continues to suffer from poor funding and a lackluster image. In July newly elected President Vike-Freiberga returned the proposed new language law to the Parliament for additional review, citing the law's inconsistency with the country's international obligations. The revised law, which met these standards, was passed on December 9.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political killings.

In March a member of the security police shot and killed two persons and injured three other persons during a bar fight in Jelgava. In October he was sentenced to 20 years in prison; he appealed to the Supreme Court, and at year's end, the appeal was pending (see Section 1.c.).

On April 20, a regional court convicted two soldiers based in Aluksne of manslaughter after they beat a local resident to death during a street brawl in August 1998. One soldier received a 3-year prison sentence and the other a 1-year sentence. Three others subsequently received lesser sentences. An additional four soldiers were disciplined administratively and fined by the armed forces.

In 1997 unknown assailants shot and killed Janis Riba, the leader of the ultranationalist group Aizargi. Riba's followers claimed that the killing was politically motivated; others speculated that rivals within the ultranationalist movement committed the murder. A police investigation continued at year's end. b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits torture; however, there were credible reports that police and prison personnel beat and mistreated prison inmates.

Several incidents were reported in which police officers shot civilians, including one incident in Jelgava in March when an officer under the influence of alcohol killed two persons and wounded three others in a bar (see Section 1.a.). Criminal charges were filed against the police officer. No military hazing incidents were reported during the year.

Prison conditions remained poor, although human rights groups noted some improvements during the year. Prison cells often are overcrowded severely. Inadequate sanitation facilities, persistent shortages of blankets and medical care, and insufficient lighting and ventilation are common problems, as is the shortage of resources in general. Detainees complain that they are subject to physical and psychological intimidation by prison guards. Most jails badly need renovation. The Government has taken some steps to upgrade certain facilities. Ministry of Interior personnel stated that prisoners accused of crimes spend an average of 1 year in prison before trial, but many have been there much longer. Human rights groups are alarmed by the increasing number of drug-resistant tuberculosis cases in the prisons, and the Government has received assistance from several foreign organizations to address this problem. The Government also has stated its intention to continue renovations as rapidly as its limited finances allow and has embarked on a program to upgrade the prison guard force by replacing the draftees who now perform such duties with full-time professional guards. As of January 2000, the prisons are scheduled to be administered by the Justice Ministry.

In conjunction with the Soros Foundation and the NHRO, the Ministry of Interior continued its programs for educating police officers in human rights matters. In June a local NGO established a free legal advisory service for prisoners and others who believe that they were victims of police abuse (see Section 4).

Detention facilities for asylum seekers improved with the opening of Mucinieki center in November 1998 (see Section 2.d.).

The situation for some imprisoned children, who are not always separated from adults,

remained poor. Children as young as 14 years of age were kept in unsanitary conditions, and suffered from disease and deprivation. Both boys and girls are subject to violence and possible sexual abuse. Educational facilities are poor or nonexistent.

The Government permits human rights monitors to visit prisons.

d. Arbitrary Arrest, Detention, or Exile

The law requires the prosecutor's office to make a formal decision whether to charge or release a detainee within 72 hours after arrest. Charges must be filed within 10 days of arrest. There were no known instances of arbitrary arrest. The responsibility for issuing arrest warrants was transferred from prosecutors to the courts in 1994. No detainee may be held for more than 18 months without the prosecutor presenting the case to the defendant and the court. Detainees have the right to have an attorney present at any time. These rights are subject to judicial review but only at the time of trial. There were credible reports that these rights are not always respected in practice, especially outside of Riga.

The law prohibits forced exile, and there were no reports of its use.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respects this provision in practice. However, the courts must rely on the Ministry of Justice for administrative support, and the judiciary is not well trained, efficient, or free from corruption.

The Supreme Court does not have a clearly established right to rule on the constitutionality of legislation or its conformity with the country's international obligations; however, in 1997 a constitutional court was set up to fulfill these functions. The seven-judge panel is authorized to hear cases at the request of state institutions (the President, Cabinet, Prosecutor, Supreme Court, local governments, or one-third of Saeima members) but not of individuals or courts. A project is currently underway to expand the jurisdiction of the Constitutional Court to include referrals from lower courts.

The Government continues to reform the judicial system. In 1995 it completed the establishment of regional courts to hear appeals of lower court decisions. For more serious criminal cases, two lay assessors join the professional judge on the bench. Corruption in the judicial system reportedly is widespread. In 1997 the judges appointed to preside over the trial of the president of the collapsed Bank Baltija, Aleksander Lavent, resigned from the case, citing alleged political pressure from the Government. The accusation came after the judges released Lavent to house arrest following a heart attack that he suffered in the courtroom on the first day of the trial. In December 1998, the courts determined that Lavent had recovered his health, and he was returned from house arrest to prison. The trial of Lavent and his alleged accomplices resumed briefly in the fall, but it was suspended again at year's end.

Most judges have inadequate judicial training, and the court system is too weak to enforce many of its decisions. A major difficulty in enforcing court decisions is the lack of an effective bailiff or sheriff system. In April a new criminal law went into force, which allows for more availability of alternative punishments, including community service.

Court decisions are not published systematically, nor is there a centralized index for those that are published. Trials may be closed if state secrets might be revealed or to protect the interests of minors. All defendants have the right to hire an attorney, and the State will lend funds to destitute defendants for this purpose. Defendants have the right to read all charges, confront all witnesses, and may offer witnesses and evidence to support their case. They may also make multiple appeals of adverse verdicts.

There were no reports of political prisoners.

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

The law requires that law enforcement authorities have a judicial warrant in order to intercept citizens' mail, telephone calls, or other forms of communication. The laws protecting privacy apply to citizens and noncitizens equally. There were no credible reports of the unsanctioned taping of the telephone conversations of public officials. Section 2 -- Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects this right in practice. The 1991 Press Law prohibits censorship of the press or other mass media. Most newspapers and magazines are privately owned. Newspapers in both Latvian and Russian publish a wide range of criticism and political viewpoints.

A large number of independent television and radio outlets broadcast in both Russian and Latvian, and the number of people receiving satellite television broadcasts continued to increase.

The Law on the Media, revised in October 1998, contains a number of restrictive provisions regulating the content and language of broadcasts. No less than 51 percent of television broadcasts must be of European origin, of which 40 percent should be in the Latvian language. However, these provisions are not always implemented. In addition foreign investment may not exceed 20 percent of the capital in electronic media organizations.

On November 9, the Riga District Court announced guilty verdicts against 10 former Soviet soldiers from the special forces unit OMON who participated in attacks on government buildings and the headquarters of Latvian Television in 1991. Seven of the men received suspended sentences of between 1 and 4 years and probation of up to 3 years; the other three were not sentenced. Five other former OMON officers have been charged; they are presumed to be in Russia and are expected to be tried in absentia.

There are no restrictions on academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for peaceful 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. In January 1997, the Saeima passed legislation on public demonstrations that requires protesters to remain specified distances from foreign missions, the Saeima, the Prosecutor's office, and certain other public institutions. While the law purports to imitate Western European statutes, independent human rights organizations in Latvia find its provisions contradictory and confusing. Numerous public meetings and political demonstrations took place without government interference, including a reunion of the Latvian Legion (veterans of the German army in World War II), commemorations of the Red Army victory in World War II, protests against the proposed language law by Russians celebrating the 200th anniversary of the birth of Pushkin, trade union marches against the new pension law, and demonstrations in front of NATO embassies against NATO actions in Kosovo.

The Constitution provides for the right to associate in public organizations; however, the Law on Registering Public Organizations bars the registration of Communist, Nazi, or other organizations whose activities would contravene the Constitution. On March 11, the Parliament rejected a proposal by a parliamentary group that would have allowed noncitizens who are permanent residents of the country to form political parties. However,

noncitizens can join and form political parties, but there must be at least 200 citizens in the party and at least half of the total membership must be citizens. More than 40 political parties are officially registered. Noncitizens are prohibited from forming political organizations.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. Although the Government does not require the registration of religious groups, the 1995 Law on Religious Organizations accords religious organizations certain rights and privileges only if they register. Under this law, the Justice Ministry has registered over 1,000 religious congregations, including congregations of the Church of Jesus Christ of Latter-Day Saints, whose previous lack of official registration had created difficulties in obtaining visas and residence status. Any citizen or permanent resident included in the inhabitant's register may register a religion. However, asylum seekers, foreign embassy staff, and those in the country temporarily or in special status cannot register a religious organization. Churches denied registration include the Latvian Free Orthodox Church, the Church of Christian Scientists, and the Rock of Salvation Church.

Foreign evangelists and missionaries are permitted to hold meetings and to proselytize, but the law stipulates that only domestic religious organizations may invite them to carry out such activities. Foreign religious denominations have criticized this provision.

The Law on Education stipulates that religious education may be provided to students in public schools on a voluntary basis only by representatives of Evangelical Lutheran, Roman Catholic, Old Believer, Jewish, Baptist, and Orthodox religious organizations. Students at state-supported national minority schools may also receive education in the religion "characteristic of the national minority." Other denominations may provide religious education in private schools only.

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

There are no obstacles to freedom of movement within the country, departure from it, or repatriation of citizens. Latvia has readmitted noncitizens who claimed refugee status in a foreign country, or who voluntarily abandoned their permanent residence, and then decided to return to the country to live and work. Noncitizens who left the country as refugees based on Soviet-era persecution have no difficulty returning on foreign refugee travel documents for business reasons or for family visits. The Government also extends protections to noncitizen residents who travel abroad.

The 1995 Law on the Status of Former Soviet Citizens stipulates that registered permanent resident noncitizens enjoy the rights to establish and change residences, travel abroad, and return to the country. Noncitizens can be granted amnesty. However, certain rights are denied to noncitizens. Noncitizens are prohibited from working as private detectives, armed guards, or certified attorneys. Noncitizens may own land in urban areas without undue complications but in rural areas only under complex procedures. The law also provides for the issuance of a noncitizen travel document verifying these rights. In April 1997 the CID began issuing a more secure aliens' passport to noncitizens. The slow pace in issuing aliens' passports led to public protests in March 1998, after which the Government took steps to speed the process. The CID was renamed the Citizenship and Migration Affairs Office and was reorganized in an effort to make it more streamlined and efficient. The NHRO and other human rights groups have noted its improved performance. The Government also completed the gradual phasing out of former Soviet external passports, which are no longer valid for travel to and from Latvia as of December 31, 1998.

As of September 1, 11 asylum seekers were housed at the Mucinieki refugee center. At the

Olaine detention center, which does not house asylum seekers, 23 aliens await a determination of their immigration status. An additional 33 persons, mostly criminal aliens, are housed at the Gaizina center. Twenty of these persons staged a hunger strike in April to protest the poor living conditions. The situation at Gaizina remains of concern. The Government is attempting to move this center to better facilities.

The Government works closely with the U.N. High Commissioner for Refugees, and the law on Asylum Seekers and Refugees complies with all provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. Special immigration police and border guards units are to help prescreen asylum requests. Decisions from the Citizens and Migration Affairs Office can be appealed to an asylum appeals board in the Ministry of Justice.

The issue of provision of first asylum did not arise during the year and never has arisen.

According to statistics provided by the immigration police, during the year, 1,541 aliens were detained for questioning. Of those, 222 were deported and 122 departed voluntarily. The Government has approached Russia and Belarus about concluding refugee readmission agreements, the lack of which poses a major barrier to effective control of the eastern border. However, at year's end, the agreements had not been concluded.

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

Citizens have the right to change their government. There were free and fair elections for Parliament in 1998, and in June the Parliament elected a national president. In the 1998 election, candidates from 6 of the 21 participating parties, representing a broad political spectrum, won Saeima seats, and 72 percent of eligible voters participated. Concurrently, 68 percent of the electorate participated in a popular referendum on revising the Citizenship Law.

The election law prohibits persons who remained active in the Communist Party or various other pro-Soviet organizations after January 13, 1991, or who worked for such institutions as the KGB from seeking elected office. It also let stand provisions preventing noncitizens from voting in local elections.

On December 15, the Supreme Court upheld a regional court decision that the extreme Russian nationalist of the Equal Rights movement and Riga city council deputy Tatyana Zhdanok was not eligible to run for public office due to her Communist past. The Riga City Council annulled her election, but Zhdanok said that she would appeal the decision and accused the prosecutor's office of fabricating evidence that she was engaged actively in the Communist Party after January 13, 1991.

In June the Parliament fulfilled its constitutional responsibility to elect an individual to serve as president. The Saeima chose Vaira Vike-Freiberga freely in a secret ballot.

Following the restoration of independence in 1991, citizenship was accorded immediately only to those persons who were citizens of the independent Latvian Republic in 1940 and their direct descendants. After independence the status of approximately 670,000 persons changed from citizens of the Soviet Union to noncitizen residents in Latvia. Owing to the Russification policy pursued during the Soviet era, ethnic Latvians constitute 56 percent of a total population of 2.5 million, and 78 percent of citizens. Ethnic Latvians do not constitute a majority in seven of the eight largest cities. Citizens of other ethnic origins number approximately 400,000, of which almost 300,000 are Russian.

The 1998 Latvian Citizenship Law includes a Latvian language and residence requirement for those seeking to naturalize, as well as restrictions on former Soviet intelligence and military personnel. The law requires applicants for citizenship to renounce previous non-Latvian citizenship, to have knowledge of the Constitution and Latvian history, and to

pledge allegiance to Latvia. At present, according to Naturalization Board figures, nearly 95 percent of applicants pass the citizenship tests on the first attempt.

In addition the October 1998 referendum brought the law into compliance with Organization of Security and Cooperation in Europe (OSCE) standards. Children of noncitizens born after August 1992 are entitled to citizenship upon application.

International observers, including the resident OSCE mission, credit the Government with establishing a competent and professional Naturalization Board with offices throughout the country to implement the law. In the estimation of the NHRO, the OSCE, and various NGO's, the Board has sought to apply the law fairly. Since the removal of the restrictive naturalization "windows" in November 1998, the number of citizenship applicants has increased significantly. Nearly as many persons applied for citizenship from late 1998 to October as in the previous 3 years combined. According to the Naturalization Board, 13,031 noncitizens submitted naturalization applications in the past 11 months. In contrast 13,814 persons applied for citizenship between January 1995 and November 1998. Overall, 19,728 of the country's 640,000 noncitizens have naturalized since the process began in 1995. The Naturalization Board still is processing another 7,000 applications. More than 66 percent of applicants are women; 21 percent of all applicants are in their forties.

International experts, government officials, and domestic human rights monitors agreed that Latvia must continue to place high priority on and devote sufficient resources to implementing the citizenship law in a fair and impartial manner, as well as seek ways to expedite naturalization and promote social integration. Working with the European Union and the U.N. Development Program, the Government also has implemented a long-term nationwide Latvian language teaching program for adults and children in non-Latvian schools.

There are no ethnic restrictions on political participation. Nonethnic Latvians, including ethnic Russians and the first Roma deputy in the Saeima, serve in various elected bodies. Noncitizen residents (the majority of whom are ethnic Russians) may not vote in local or national elections. Women still generally are underrepresented in government and politics. There are 20 women in the 100-member Saeima. One woman is a member of the Cabinet of Ministers. For the first time, the President of the country is female.

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

A growing number of NGO's devoted to research and advocacy on human rights issues, including prison conditions and women's and children's rights, operate without government restriction. Several organizations deal with issues of concern to local noncitizens and other nonethnic Latvians, presenting them to the courts and the press.

The Government demonstrated a willingness to engage in dialog with NGO's working on human rights issues. The Government continued to implement its national program for the protection and promotion of human rights, which was adopted in 1995 based on the recommendations of key international organizations. A resident OSCE mission continued to operate with a mandate to "address citizenship issues and other related matters."

The NHRO remained an independent institution with a mandate to promote human rights, provide information on human rights, inquire into individual complaints, and initiate its own investigation into alleged violations. However, its reputation has been tarnished badly by infighting between its permanent director, Olafs Bruvers, and members of his staff; by charges from international institutions, including its primary funder, the U.N. Development Program, that the Office has become inefficient and politicized; and by calls from international critics and domestic policymakers, including the Prime Minister and Foreign Minister, that Bruvers step down. In April Bruvers survived a vote of no confidence in the Saeima.

In June a foreign-funded local NGO received a grant to begin to operate a legal assistance center for those complaining of human rights abuses. The staff visits prisons and provides free legal counseling and representation to those who seek assistance in cases of police abuse (see Section 1.c.).

Section 5 -- Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

According to the 1922 Constitution, all citizens are equal under the law. In October 1998, the Saeima passed amendments to the Constitution, granting constitutional protections to fundamental human rights. The amendments supersede provisions of the 1991 Constitutional Law, which had served in the interim, and contain constitutional provisions for the exercise of the freedoms of speech, religion, association, the press, and other basic liberties. The amendments also provide protections from discrimination regardless of race, sex, religion, language, or disability. Only citizens can vote or hold government office. There are some restrictions on land purchases by noncitizens.

Women

Despite legal protections, international observers and human rights groups are growing increasingly concerned about problems facing women. Although no overall statistics are available, sources indicate that domestic violence against women, often connected with alcohol abuse, is a significant and underreported problem. Women who are victims of abuse often seem to be uninformed about their rights and reluctant to seek redress through the justice system. Human rights groups assert that the legal system, including the courts, tends to downplay the seriousness of domestic violence and that the police are sometimes reluctant to make arrests in such cases.

There are no shelters designed specifically for battered or abused women. There is one shelter in Riga where homeless women with children may reside for up to 2 months. Likewise, there are no specific rape or assault hot lines; however, there are two crisis hot lines managed by NGO's.

Police do not compile figures for domestic violence as a distinct category. Instead, episodes are placed under more general categories such as assault or battery. However, police figures on rape show a decrease in rape cases over the past 3 years. During the year, 69 cases were reported.

Both adult and child prostitution are widespread, often linked to organized crime, and abetted by economic problems. Prostitution in Riga is increasing, and trafficking in women for prostitution abroad also is increasing (see Section 6.f.). Although there is no official estimate of the number of prostitutes, unofficial figures suggest that 10,000 to 15,000 persons work as prostitutes. The NHRO reports that adult prostitutes have no legal protections. Engaging in prostitution is technically against the law; however, generally neither the prostitutes nor their clients are prosecuted. There are no state institutions to assist prostitutes. However, the private Latvian Center for Gender Problems provides medical help and social support for prostitutes.

Sexual harassment of women in the workplace is reportedly common. Cultural factors tend to discourage women from coming forth publicly with complaints of abuse.

Women possess the same legal rights as men. The Labor Code prohibits women from performing "hard jobs or jobs having unhealthy conditions," which are specified in a list agreed upon between the Cabinet and labor unions. Moreover, the code bans employment discrimination. In reality women frequently face hiring and pay discrimination, especially in the emerging private sector. According to the Central Statistics Bureau, the number of women in the lower income brackets exceeds that of men by 75 percent, while men outnumber women two to one in upper income levels. It is not unusual to see employment

advertising that specifically seeks men. Women apparently have not brought any discrimination suits before the courts. The Ministry of Welfare has designated a one-person office with responsibility for gender issues.

Women's advocacy groups are growing in size and number. They are involved in finding employment for women, lobbying for increased social benefits, assisting victims of domestic abuse, and opposing the hazing of military recruits.

Children

In June 1998, the Government adopted the Law on the Rights of the Child. In March the Cabinet of Ministers adopted the first annual National Program for the Improvement of the Situation of Children. The program included state funds for implementation. In December the Cabinet adopted the National Program for Preventing Sexual Violence Against Children for 2000-04. The National Center for the Protection of the Rights of the Child will supervise its implementation.

Evidence suggests that abandonment and child abuse, including sexual abuse, are relatively widespread, as is child prostitution. An estimated 12 to 15 percent of prostitutes are considered juveniles, that is, between the ages of 8 and 18. Although in theory the Constitution and the Law on the Rights of the Child protect children, these rights only are enforced sporadically in the case of child prostitutes. Schooling is mandatory and free through the ninth grade, that is, between the ages of 7 and 16. Despite the existence of laws on mandatory education, truancy is widespread and growing. A few children's advocacy groups are active, particularly in lobbying for legislation to protect children's rights and for increased welfare payments for children.

The Law on the Rights of the Child and the constitutional provisions on children are based on Western European models and provide various protections, including health care and legal protections against physical abuse. However, resources are not adequate to enforce observance of these provisions.

Although legislation has long provided for the establishment of special institutions for the rehabilitation and vocational training of juvenile offenders, the Government has made only sporadic efforts to reduce the number of juveniles who are housed in adult prison facilities, but who have committed relatively minor offenses.

There is no societal problem of abuse of children. Law enforcement authorities have won court suits to remove children from abusive parents and secured convictions in child molestation cases.

Trafficking in young girls for forced prostitution abroad is increasing (see Section 6.f.).

People with Disabilities

Part Two of the Constitution protects the disabled against discrimination; the 1992 Law on the Medical and Social Protection of Disabled provides for their right of access to public facilities. Provisions in the Labor Law and other laws protect the disabled from bias in the workplace and from job discrimination. In June 1998, the Cabinet of Ministers adopted a framework document entitled "Equal Opportunity for Everyone." The document is designed to coordinate the efforts of all branches of government in assisting the disabled. The Government supports special schools for disabled persons. It does not enforce uniformly a 1993 law requiring buildings to be accessible to wheelchairs, and most buildings are not. However, some larger cities, including Riga and Ventspils, have undertaken an extensive wheelchair ramp building program at intersections.

Religious Minorities

There was no progress reported in apprehending the perpetrators of the 1995 bombing of a Riga synagogue. In April 1998, another bomb exploded at the synagogue, causing considerable property damage. Then President Ulmanis, the Prime Minister, and others condemned the bombing and enlisted the assistance of foreign experts in the investigation. The Government also fired the State Police chief and other ranking police and Ministry of Interior officers for failing to protect the synagogue. In June 1998, two youths were arrested for painting anti-Semitic slogans on a wall opposite the synagogue. The youths were charged with hooliganism, but the Prosecutor returned the case to the police for further investigation, which remained pending at year's end. In 1998 there also were incidents in Liepaja and other locations in which Jewish monuments were defaced. In April an explosive device left at the Jewish Holocaust memorial at Rumbula just outside the city of Riga caused minor damage. Police have not yet identified the culprits.

In 1998 a politician belonging to Latvia's largest nationalist party, For Fatherland and Freedom, republished a Nazi era, anti-Semitic book, "The Horrible Year." (The book also appeared for sale in the party's bookstores in Riga, although party leaders claimed that they had not authorized its sale there.) The Government criticized the contents of the book and its reissuance and called on the State Prosecutor's office to investigate whether the book's publication violated the law. It subsequently was determined that technically it did not. Nevertheless, the leadership of For Fatherland and Freedom expelled the publisher of the book from the party.

In July then President Guntis Ulmanis convened the first meeting of the Latvian Historical Commission. Historians from five western countries attended. The Commission established four task forces to study key historical developments of World War II and the postwar period. These are: the Holocaust; the first Soviet occupation; the Nazi occupation, excluding the Holocaust; and the second Soviet occupation. Mechanisms are being established for historians to hold seminars with Latvian history teachers to improve teaching at the secondary level about the Holocaust.

National/Racial/Ethnic Minorities

Of the country's more than 2.5 million inhabitants, approximately 1.1 million persons are of non-Latvian ethnicity, including more than 765,000 ethnic Russians, 100,000 ethnic Belarusians, almost 70,000 ethnic Ukrainians, and more than 60,000 ethnic Poles. More than 70 percent of Latvia's inhabitants are citizens, including nearly 400,000 persons who belong to national or ethnic minorities. There are approximately 687,000 noncitizens, of which an estimated 65 percent are Russian; 12 percent, Belarusian; 9 percent, Ukrainian; and smaller percentages of Poles, Lithuanians, Jews, Roma, Germans, Tatars, Estonians, and Armenians.

The law provides for the basic human rights of noncitizens. It provides noncitizens who have been permanent residents continuously since July 1, 1992 with the rights to change residence, leave and return, and invite close relatives to join them for the purpose of family reunification. The law also provides for the issuance of travel documents reflecting these rights. It also requires the registration of noncitizens regardless of their housing status, helping to resolve cases of persons previously unregistered because they lived in former Soviet military or dormitory housing. The country's housing patterns now are based on private, rather than communal, ownership of property; no new cases involving this provision of the law were reported during the year. However, the Government has maintained the Soviet-era practice of requiring the holder's ethnicity to be printed in the passport. Groups such as Roma and Belarusians have complained that, because the passport is a basic form of identification in the country, this requirement has opened them to various forms of discrimination based on ethnicity.

In May 1998, the Cabinet of Ministers amended the regulations that distinguished between citizens and noncitizens in calculating social benefits. Various laws still prohibit the employment of noncitizens in certain categories. These include restrictions on

noncitizen employment as armed guards, private detectives, and certified attorneys. The NHRO found most of these practices to be consistent with international standards and practices that allow a state to limit government employment, political participation, and some property rights to those persons who are citizens.

On July 8, the Saeima passed revisions to the Language Law. The most controversial points in the Language Law, which did not meet international standards, were articles requiring that all public events be held in Latvian and that all billboards and signs in public places be displayed in Latvian only. President Vike-Freiberga sent the law back to the Saeima for revision on July 14. The revised law, which met international standards, was passed on December 9. OSCE experts worked closely with the Saeima on revisions to the Language Law that would bring it to international standards.

Some ethnic Russians also have complained of discrimination resulting from the property laws, which allow individual noncitizens to own rural land only under complicated procedures. Moreover, noncitizens were given fewer privatization certificates (which can be used to purchase shares of stock and to privatize apartments and land) than were citizens. However, the law allows land ownership by companies in which noncitizens own shares. The local Russian media and the Russian Government also voiced concern about acts of vandalism against Soviet army war memorials and cemeteries. There was no progress in the investigation of the April 1998 bomb near the Russian Embassy or the anti-Russian statements published by the For Fatherland and Freedom party. In July 1998, the police arrested Vilis Linins, the chief ideologue of the ultranationalist "Thundercross" organization, which was suspected of terrorist attacks against Soviet memorials and other targets. Linins was charged with sabotage and illegal possession of explosives and was awaiting trial at year's end. The two persons killed in the blast were the bombers. The "Thundercross" organization no longer exists.

For the time being, the Government has agreed to continue using Russian as the language of instruction in public schools where the pupils are primarily Russian speakers. It also supports schools in eight other minority languages. However, under the revised Education Law, the Government has begun to implement a bilingual education program at the elementary school level. The goal of this program is to facilitate the eventual transition to Latvian language secondary schools by the year 2004. Although all non-Latvian-speaking students in public schools are supposed to learn Latvian and to study a minimum number of subjects in Latvian, there are shortages of qualified teachers.

Most state-funded university education is in Latvian, and incoming students whose native language is not Latvian must pass a Latvian language entrance examination. However, there are several private institutions offering higher education in Russian.

Throughout the year, the Board of Naturalization sponsored a "town meeting" process to discuss the Government's proposed action plan for social integration, presented by the Integration Council, composed of representatives of the country's various ethnic groups. The revised plan was approved by the Government in December. The report is scheduled to be followed by specific programs to promote social integration, including extensive language training programs. Section 6 -- Worker Rights

a. The Right of Association

The Law on Trade Unions mandates that workers, except for the uniformed military, have the right to form and join labor unions of their own choosing. Union membership is currently about 30 percent of the work force. Free elections for union leadership are held every 4 years. In general the trade union movement is undeveloped and still in transition from the Socialist to the free market model.

The law does not limit the right to strike. There were several protests by trade unions during the year, including a major protest against the pension reform, which was attended by over 2,000 persons. The trade unions organized the collection of signatures for the

planned referendum on the pension law. The remaining state-owned enterprises (shipping, energy, and telecommunications) have not faced strikes, wage payment arrears, or any major labor problems in recent years. Almost all other businesses now are owned privately. The law bans dismissal of employees who have invoked the right to strike. There have been no reported cases of such dismissals.

Unions are free to affiliate internationally and have established contacts with European labor unions and international labor union organizations.

b. The Right to Organize and Bargain Collectively

Labor unions have the right to bargain collectively and are largely free of government interference in their negotiations with employers. The law prohibits discrimination against union members and organizers. However, some emerging private sector businesses threaten to fire union members. These businesses usually provide better salaries and benefits than are available elsewhere. The Government's ability to protect the right to organize in the private sector is weak.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and it generally is not practiced. Inspectors from the Ministry of Welfare's State Labor Inspection Board or Inspectorate enforce this ban. However, trafficking in women (including minors) for prostitution abroad is increasing (see Section 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The statutory minimum age for employment of children is 15 years, although children between the ages of 13 and 15 years may work in certain jobs outside of school hours. The law restricts employment of those under the age of 18; for example, by banning night shift or overtime work. Children are required to attend school until age 16. Schooling is free until age 18. State authorities are lax in their enforcement of child labor and school attendance laws. There generally is no evidence of forced or bonded labor involving children, which is prohibited by law (see Section 6.c.); however, trafficking in young girls for prostitution abroad is increasing (see Section 6.f.).

e. Acceptable Conditions of Work

The Government raised the monthly minimum wage to about \$86 (50 Lats), far below the amount that trade union officials describe as the bare minimum for survival. The Labor Code provides for a mandatory 40-hour maximum workweek with at least one 42-hour rest period weekly, 4 weeks of annual vacation, and a program of assistance to working mothers with small children. The laws establish minimum occupational health and safety standards for the workplace, but these standards frequently are ignored. Workers have the legal right to remove themselves from hazardous work situations, but these standards also frequently are ignored in practice.

f. Trafficking in Persons

Although there are no specific laws prohibiting trafficking in persons, the Government uses laws against prostitution, pornography, and illegal transport of persons across borders to fight such abuses.

There were instances of trafficking in women for purposes of forced prostitution. Prostitution is increasing in Riga, and there is evidence that trafficking in women (including minors) for prostitution abroad also is increasing. The country is primarily a

source or transit country rather than a destination. On May 18, representatives from youth health centers met at the Nongovernmental Organization Center in Riga to discuss problems related to sexual abuse and trafficking. The Government participates in the Council of Baltic Sea States task force on organized crime, which is addressing the trafficking of persons.

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