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USDOS – US Department of State

Country Report on Human Rights Practices 2018 - Latvia

EXECUTIVE SUMMARY

The Republic of Latvia is a multiparty parliamentary democracy. A unicameral parliament (Saeima) exercises legislative authority. Observers considered the elections on October 6 for the 100-seat parliament to be free and fair.

Civilian authorities maintained effective control over the security forces.

There were no reports of egregious human rights abuses.

The government took steps to investigate and prosecute officials who committed human rights abuses in some instances, although significant concerns remained regarding accountability on corruption-related issues.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

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

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The law prohibits such practices. In the first seven months of the year, the ombudsman received eight complaints from prison inmates of prison officials' using violence against them. These complaints were forwarded to the Internal Security Bureau for investigation. Separately, in the first six months of the year, the prison administration

received 27 complaints from prison inmates (four from the same person) of prison officials’ using violence against them. These complaints were also forwarded to the Internal Security Bureau for investigation. As in previous years, the Council of Europe’s Committee for the Prevention of Torture (CPT) reported in 2017 there were complaints of physical mistreatment of detained individuals.

Prison and Detention Center Conditions

The prison system overall had an aging infrastructure, but most facilities provided satisfactory conditions and met minimum international requirements. Some reports regarding prison or detention center conditions raised human rights concerns. Prisoners complained mostly about insufficient lighting and ventilation.

Physical Conditions: In 2017 the CPT noted that most of the prisoner accommodation areas in the unrenovated Griva Section of Daugavgriva Prison were in poor condition and severely affected by humidity due to the absence of a ventilation system. It also found the Valmiera Police Station to be in a “deplorable state of repair.” In the Limbazi Police Station, according to the CPT, custody cells had no natural light due to opaque glass bricks in the windows. In addition, the in-cell toilets were not fully partitioned, and most of them were extremely dirty. Health care in the prison system remained underfunded, leading to inadequate care and a shortage of medical staff. As of August, 6.5 percent of health-care positions were vacant.

Through August the ombudsman received eight complaints from prisoners regarding living conditions and 22 complaints about health care in prisons. Most patients in the Psychiatric Unit (located in the Olaine Prison Hospital), as well as the great majority of sentenced minimum security prisoners at the Daugavgriva and Jelgava Prisons, were locked in their cells for up to 23 hours a day.

Administration: Prison authorities generally investigated credible allegations of inhuman conditions and documented the results of their investigations in a publicly accessible manner.

Independent Monitoring: The government permitted monitoring by international human right monitors, including the CPT and independent nongovernmental observers.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, and the government generally observed these requirements.

Role of the Police and Security Apparatus

The State Police, Security Police, and State Border Guards are subordinate to the Ministry of Interior. Municipal police are under local government control. The armed forces, the Defense Intelligence and Security Service, Constitution Protection Bureau, and National Guard are subordinate to the Ministry of Defense. The State Police and municipal police forces share responsibility for maintaining internal security. The State Border Guard and the armed forces, the Defense Intelligence and Security Service, the Constitution Protection Bureau, and the National Guard are responsible for external security but also have some domestic security responsibilities.

The State Police are generally responsible for conducting criminal investigations, but the Security Police, the financial police, military police, prison authorities, the Bureau for Preventing and Combating Corruption (KNAB), the tax and customs police, the State Border Guard, and the Internal Security Bureau also have specific criminal investigative responsibilities. The Security Police are responsible for combating terrorism and other internal security threats.

Civilian authorities maintained effective control over the State Police, the Security Police, State Border Guards, the armed forces, the financial police, the military police, prison authorities, KNAB, and other security forces, and the government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment of Detainees

In most cases officials require a warrant issued by an authorized judicial official to make an arrest. Exceptions are specifically defined by law and include persons caught by police in the act of committing a crime, suspects identified by eyewitnesses, or suspects who pose a flight risk. The law requires prosecutors to charge detainees and bring them before a judge within 48 hours. In 2017 the CPT found that persons remanded to custody by courts were frequently held in police detention facilities well beyond the statutory limit of 48 hours, in one case for 29 days, pending their transfer to a remand facility.

Officials generally informed detainees promptly of charges against them. Detainees did not usually receive verbal information about their basic rights immediately upon arrest, but detained persons did receive an information sheet explaining their rights and duties. Nongovernment organizations (NGOs) complained that the information sheet used legalistic language that was difficult for a nonlawyer to understand and was often available only in Latvian, although many detainees spoke Russian as a first language. While a bail system exists, judges used it infrequently and did so most often in cases involving economic crimes.

Detainees have the right to an attorney who may be present during questioning. The government generally provided attorneys for indigent defendants.

Pretrial Detention: For the most serious crimes, the law limits pretrial detention to 15 months from the initial filing of a case. The maximum allowable detention including trial is 21 months. The ombudsman and the Human Rights Center continued to express concern about lengthy pretrial detention.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality. Most final court judgments were available online.

In individual instances, the fairness of judges’ verdicts remained a concern, and allegations of judicial corruption were widespread, particularly in insolvency cases. Through August the ombudsman received nine complaints concerning lengthy proceedings, eight complaints concerning excessive pretrial detention, and 12 complaints concerning detention without timely charges.

Trial Procedures

The constitution and law provide for the right to a fair and public trial, and an independent judiciary generally enforced this right. Defendants are presumed innocent and have the right to be informed promptly of the charges against them. Defendants are also entitled to an expeditious and, in most cases, open trial, although officials may close trials to protect government secrets or the interests of minors. Defendants have the right to be present at their trial as well as to consult with an attorney in a timely manner and, if indigent, to representation at government expense.

The law provides for the right to adequate time and facilities to prepare a defense. Defendants have the right to the free assistance of an interpreter if they cannot understand or speak Latvian, to confront prosecution or plaintiff witnesses, and to present witnesses and evidence in their defense. Defendants may not be compelled to testify or confess guilt, and have the right to appeal.

NGOs expressed concern that defendants often exploited these legal protections in order to delay trials, including by repeatedly failing to appear for court hearings and forcing repeated postponement. Several high-profile public corruption trials have lasted nearly a decade, and NGOs were concerned that this contributed to widespread public belief that high-level officials enjoyed impunity for corruption.

According to the Ministry of Justice, judicial delays significantly diminished after judicial territorial reforms, completed in March, streamlined the judicial caseload and increased judicial efficiency of nine courts of general jurisdiction with an average of 30 judges in each court. Defendants waited up to two months for an initial hearing in administrative courts during the year, down from up to five months prior to the territorial reform. The average civil case took four months in Riga courts and three months in district courts, down from six months and four months, respectively. The average criminal case required one month in Riga courts and one and one-half months in district courts.

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. It is possible for individuals and organizations to bring a lawsuit through domestic courts seeking civil remedies for human rights violations. After exhausting the national court system, individuals may appeal cases involving alleged government violations of the European Convention on Human Rights to the European Court of Human Rights.

Property Restitution

No Jewish communal property or restitution law is in effect, and Jewish communal property restitution dating from the Holocaust era remained incomplete. While the Jewish community estimated that approximately 270 properties still required restitution, government ministries maintained the number was much lower. Although a government working group exists and restitution mechanisms were discussed, little progress was achieved. Government officials were unwilling to reconcile the proposed list of properties with the Jewish community and officials from the World Jewish Restitution Organization. Some government officials asserted that the issue of restitution had been resolved by the return of five properties seized during World War II under legislation approved in 2016. The unrestituted properties identified by the Jewish community included cemeteries, synagogues, schools, hospitals, and community centers.

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

The constitution and the law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and the law provide for freedom of expression, including for the press, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for the press. There were legal restrictions on racial and ethnic incitement and denial or glorification of crimes against humanity and certain war crimes.

Freedom of Expression: Although the law generally provides for freedom of speech, incitement to racial or ethnic hatred and the spreading of false information about the financial system are crimes. The law forbids glorifying or denying genocide, crimes against humanity, and war crimes against the country perpetrated by the Soviet Union or Nazi Germany. Violation of these provisions can lead to a sentence of five years in prison, community service, or a fine. There are also restrictions on speech deemed a threat to the country's national security. The law criminalizes nonviolent acts committed against the state or that challenge its “independence, sovereignty, territorial integrity, or authority.”

Authorities charged several individuals with inciting national, ethnic, or racial hatred.

Press and Media Freedom: Independent media were active and expressed a wide variety of views with few restrictions. The law requires that 65 percent of all television broadcast time in national and regional electronic media be in Latvian or be dubbed or subtitled. Extensive Russian-language programming was also available. The restrictions on speech that incites racial hatred, spreads false information about the financial system, or glorifies or denies genocide, crimes against humanity, or crimes against the country by the Soviet Union or Nazi Germany also apply to the print and broadcast media, the publication of books, and online newspapers and journals.

The Latvian Journalists Association continued to express concerns regarding the independence and viability of local newspapers. Some municipalities provided funding to local newspapers in exchange for editorial control or even published their own newspapers, driving many independent competitors out of business. NGOs also expressed concern that opaque ownership of many of the largest media outlets posed a threat to media independence and transparency.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. Internet speech was subject to the same restrictions as other forms of speech and the media. According to the International Telecommunication Union data from 2017, 81 percent of the population used the internet.

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

The constitution and the law provide for freedom of peaceful assembly. The government generally respected this right, but there are some restrictions. Organizers of demonstrations typically must notify authorities 10 days in advance, although this requirement can be reduced to 24 hours if the longer advance notice is “reasonably impossible” to meet. Officials may deny or modify permits to prevent public disorder.

Freedom of Association

The constitution and the law provide for freedom of association, and the government generally respected this right. The law prohibits the registration of communist, Nazi, or other organizations that contravene the constitution or advocate the violent overthrow of the government.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/ (<http://www.state.gov/religiousfreedomreport/>).

d. Freedom of Movement

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

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system to provide protection to refugees.

Safe Country of Origin/Transit: The country adheres to the EU’s Dublin III Regulation, which permits authorities to return asylum seekers to their country of first entry into the EU if they arrive from other EU member states, except in cases involving family reunification or other humanitarian considerations.

Durable Solutions: Some observers expressed concern that the government did not take sufficient steps to integrate asylum seekers who had been granted refugee status in the country. Refugee benefits fell well below the country’s poverty line.

Temporary Protection: In the first six months of the year, the government also provided subsidiary protection status to approximately 22 individuals who may not qualify as refugees.

Stateless Persons

According to UNHCR, 233,571 stateless persons were in the country at the end of 2017. As of the beginning of the year, the Central Statistical Bureau (CSB) listed 214,206 persons as “noncitizen residents,” and the Office of Citizenship and Migration Affairs listed 176 persons as stateless. Noncitizen residents accounted for approximately 11 percent of the population. Although UNHCR included most of the country’s noncitizen population in the stateless category, the government preferred to designate this population as noncitizen residents, since they were eligible to naturalize under the law. The government recognized as stateless only those persons with no claim to foreign citizenship or noncitizen resident status.

Persons categorized by authorities as stateless may pursue citizenship through naturalization after obtaining a permanent residence permit and lawfully residing in the country for five years. According to the law, a child born to noncitizen residents in the country is automatically granted citizenship if requested by at least one parent.

Noncitizen residents, mostly persons of Slavic origin who moved to the country during the Soviet occupation and their descendants, did not automatically become citizens when the country regained independence in 1991. They have permanent residence status, equal protection in the country and consular protection abroad, the right to leave and return to the country, and the right to all government social benefits. They also have employment rights, except in some government and private-sector positions related to the legal system, law enforcement, and national security. Noncitizens may not vote in local or national elections and may not organize a political party without the participation of at least an equal number of citizens.

The law also establishes conditions whereby members of the noncitizen resident population can obtain citizenship, although the rate of application for citizenship by noncitizen residents remained low. Through July, authorities received 589 naturalization applications. In public surveys of noncitizen residents, the majority of respondents who did not seek naturalization reported that, in addition to language barriers, their reasons for not doing so included political objections to the requirement and their understanding that Latvian citizenship was not necessary for them to travel to Russia and EU-member states.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: International observers from the Organization for Security and Cooperation in Europe’s Office for Democratic Institutions and Human Rights assessed the October 6 parliamentary elections as free and fair.

Political Parties and Political Participation: Citizens may organize political parties without restriction. The law prohibits the country’s noncitizen residents from organizing political parties without the participation of at least an equal number of citizens. The election law prohibits persons who remained active in the Communist Party or other pro-Soviet organizations after 1991 or who worked for such institutions as the Soviet KGB from holding office.

On August 21, the Central Election Commission removed Tatjana Zdanoka, a member of the European Parliament and the leader of the Latvian Russian Union political party, from the party’s ticket for the 2018 parliamentary election. The decision was based on a court ruling from 1999 that found Zdanoka was an active member of the Communist Party after January 1991, which under the law made her ineligible to run in the parliamentary elections. Zdanoka unsuccessfully appealed the ban to the Administrative District Court.

Participation of Women and Minorities: No laws limit the participation of women and members of minorities in the political process, and they did participate. Approximately 31 percent of the ethnic minority population were noncitizen residents who could not participate in elections and had no representation in government.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not consistently implement the law effectively. Officials sometimes engaged in corrupt practices, and polling data consistently showed that the majority of the public believed corruption was widespread and officials were rarely held accountable.

Corruption: Corruption was a problem. NGOs expressed concern that prosecutions and convictions of government officials focused on minor violations rather than large-scale corruption.

In February KNAB began criminal proceedings against central bank governor Ilmars Rimsevics, who was suspected of soliciting and accepting a bribe of at least 100,000 euros (\$115,000). Businessman Maris Martinsons was suspected of aiding and abetting Rimsevics. For the duration of the investigation, Rimsevics was banned from performing his duties as the head of the central bank, from leaving the country, and from contacts with certain individuals. In June the prosecutor’s office began the criminal prosecution of Rimsevics and Martinsons. At year’s end, the criminal proceedings remained pending.

Financial Disclosure: The law requires public officials to file income and asset disclosures annually. Declarations are made public, and there are sanctions for noncompliance. While authorities investigated some irregularities, NGOs complained about the lack of effective oversight of the disclosures.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often cooperated with NGOs and responded to their views and inquiries.

Government Human Rights Bodies: The Office of the Ombudsman is responsible for monitoring the government's performance on human rights. The ombudsman received some cooperation from the agencies it monitored and operated without direct government or political interference.

NGOs continued to criticize the Office of the Ombudsman for lacking the institutional authority or capacity to investigate and act on allegations of discrimination. They complained that the office frequently put forward problems with little follow-through and often focused on cases that involved high-level officials. As required by law, the Office of the Ombudsman published an annual report describing its activities and making recommendations to the government.

A standing committee on human rights and public affairs of parliament met weekly during the parliamentary session. It considered initiatives related to human rights but generally focused on public media policy.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law specifically criminalizes rape. Spousal rape is explicitly considered rape with “aggravated circumstances.” According to the Ministry of Justice, however, no spousal rape case had ever been prosecuted in the country. When police receive a report of rape, they are required to open an investigation. Criminal penalties for rape range from four years’ to life imprisonment. Through July police initiated 36 criminal charges for rape, of which 11 were sent to the prosecutor’s office and nine to court.

Domestic violence remained a serious problem, and authorities prosecuted a number of cases. Domestic violence is an aggravating factor in certain criminal offenses. There are penalties for causing even “minor” bodily harm when the victim and perpetrator are spouses, former spouses, or civil partners. Through August the ombudsman received six complaints of domestic violence.

The law allows victims of domestic violence to request police officers to issue restraining orders and requires police and judges to respond to such requests within one business day. Once a restraining order is issued, it is in force until a court revokes

it. The law permits national and municipal police to require perpetrators to leave the home where the victim resides for eight days. It provides a broad definition of violence that includes physical, sexual, psychological, and economic violence.

On average police received approximately 8,000 calls per year on domestic abuse; these calls, however, rarely resulted in separation orders. In a pilot project in the town of Tukums, police use of protocols to report and investigate gender-based violence resulted in 17 family separations, compared with one a year before.

In the first six months of the year, police initiated 120 criminal proceedings for domestic violence and detained 52 persons; in the same period, police issued 402 restraining orders, which was similar to 2017. According to the Marta Center, courts rejected one application for a restraining order during the year. NGOs complained that, in some domestic violence cases, police were reluctant to act. In some cases, police hesitated to evict alleged perpetrators despite restraining orders. NGOs also criticized police for not arresting perpetrators until the victim signed paperwork, even if officers witnessed abuse.

There were no government shelters designated specifically for battered and abused women. There was one government-funded victim support hotline and several NGO-managed crisis hotlines; none was dedicated exclusively to rape or assault.

Sexual Harassment: Sexual harassment was prosecuted under discrimination statutes, and penalties range from a reprimand to imprisonment. Victims have the right to submit complaints to the Office of the Ombudsman and the State Labor Inspectorate. In 2017 the ombudsman received three complaints of sexual harassment.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for equal treatment of women. The government enforced its antidiscrimination laws effectively.

Children

Birth Registration: Citizenship derives from one's parents, and only one parent must be a citizen to transmit nationality to a child. Children born in the country to resident noncitizen parents are eligible for citizenship provided one parent requests it when the birth is registered.

Child Abuse: Violence against children was a problem. The law provides for protection of children against violence, exploitation, sexual abuse, involvement in prostitution, and serious threats to the life, health, or development of the child, such as hazardous conditions. Violation of the law is punishable by imprisonment, community service, or a fine and supervised probation for a period of up to three years. The law empowers courts to remove vulnerable and abused children from violent homes if parents or guardians cannot do so or are themselves perpetrators of the violence. Police

effectively enforced laws against child abuse, although NGOs observed that coordination among agencies involved in the protection of children’s rights was weak, in particular due to a failure to share information.

Early and Forced Marriage: The legal minimum age for marriage is 18. Persons younger than 18 may legally marry only with parental permission and if one party is at least 16 and the other is at least 18.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for prostitution, and practices related to child pornography. Authorities generally enforced the law. Through July police initiated 78 criminal proceedings for the sexual exploitation of minors younger than 16, a 20 percent drop, compared with the previous 12 months. The purchase, display, reproduction, or distribution of child pornography is punishable by up to three years in prison. Involving a minor in the production of pornography is punishable by up to 12 years in prison, depending on the age of the child. The minimum age for consensual sex is 16.

Institutionalized Children: In the first six months of the year, the State Inspectorate for Children’s Rights reported five cases of peer-on-peer physical, sexual, or emotional abuse in government-run orphanages and boarding schools for children with special needs. The inspectorate believed the actual figure was much higher, but cases were underreported due to infrequent visits by social workers and limited opportunities for observation.

In February the ombudsman reported serious violations at the Ainazi children’s psychiatric clinic, where, among other forms of abuse, children were found bound to beds for prolonged periods. As a result of the report, authorities initiated two criminal investigations for corruption, fraud, misuse of drugs, and violence against patients. The criminal case remained under review at year’s end.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/providers/legal-reports-and-data.html> (https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/providers/legal-reports-and-data.html).

Anti-Semitism

The CSB reported that there were 4,721 Jewish residents in the country. There were no reports of anti-Semitic attacks against individuals, although there were some anti-Semitic incidents and public references to stereotypes on the internet by some fringe groups.

On March 16, five members of parliament from the National Alliance party attended the annual march to commemorate Latvians who fought in German Waffen SS units against the Soviet Army in World War II. No Nazi symbols or insignia were seen at the march. Police arrested a man on the margins of the march for displaying a poster of soldiers killing Jews. Domestically, the march was generally viewed as a commemoration of national identity and remembrance of those who fought for independence, rather than as a glorification of Nazism.

On July 4, Jewish community representatives, government officials, and foreign diplomats attended the Holocaust commemoration ceremony in Riga.

Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>).

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, and the government generally enforced these provisions.

Although the law mandates access to public buildings for persons with disabilities, there was no corresponding law for private buildings, and most public buildings were not accessible. The NGO Apeirons reported that since 2016 all new public buildings in the country were accessible to persons with disabilities. New private buildings were not always accessible to persons with disabilities. Apeirons reported that only 3 percent of all buildings were fully accessible. Accessibility to state and local government buildings generally extended only to the first floor.

While children with disabilities were allowed to attend regular schools that could accommodate their needs, very few schools outside of Riga could accommodate them.

While health and labor services are provided as stipulated by law, NGOs stated that the majority of persons with disabilities had limited access to work and health care due to a lack of personal assistants, poor infrastructure, and the absence of specialized programs for such persons. NGOs also expressed concerns about the technical aid procurement service, which did not allow persons with disabilities to choose their own equipment, such as wheelchairs.

National/Racial/Ethnic Minorities

NGOs representing minority groups claimed that discrimination and harassment of national minorities was underreported to authorities. Through July the ombudsman did not receive any written complaints of racial or ethnic discrimination.

In the first six months of the year, police initiated two criminal cases for incitement of social hatred and enmity; both remained under investigation.

The Romani community continued to face widespread societal discrimination and high levels of unemployment and illiteracy. According to the CSB, there were 5,082 Roma in the country.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The country's antidiscrimination laws do not specifically prohibit discrimination based on sexual orientation or gender identity, but the labor law does. NGOs expressed concerns about the lack of explicit protection in criminal law against incitement to hatred and violence on grounds of sexual orientation and gender identity.

NGOs reported that intolerance of and discrimination against lesbian, gay, bisexual, transgender, and intersex persons continued to be widespread.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The International Trade Union Confederation criticized as excessive the requirement that a union may not have fewer than 15 members or less than 25 percent of the total number of employees in the company (which cannot be fewer than five). The law prohibits antiunion discrimination and employer interference in union functions, and it provides reinstatement for unlawful dismissal, including dismissal for union activity.

There were several limitations on these rights. Uniformed members of the military, members of the State Security Services, and border guards may not form or join unions. While the law provides for the right to strike, it requires a strike vote by a three-fourths majority at a meeting attended by at least three-fourths of the union's members. It prohibits strikes in sectors related to public safety and by personnel classified as essential, including judges, prosecutors, police, firefighters, border guards, employees of state security institutions, prison guards, and military personnel. The law prohibits “solidarity” strikes by workers who are not directly involved in a specific labor agreement between strikers and their employers, a restriction criticized by local labor groups. The law provides arbitration mechanisms for essential personnel not permitted to strike.

The government generally enforced applicable labor laws; however, such laws are weak and often ineffectual. Resources, inspections, and remediation were adequate under the law. Penalties for violations ranged from a few hundred to several thousand euros

and were insufficient to deter violations. Administrative and judicial procedures were subject to lengthy delays and appeals. Labor rights organizations expressed concern about employer discrimination against union members.

Freedom of association and the right to collective bargaining were generally respected. Some worker organizations were independent of, and others dependent on, the government or political parties, employers, or employers’ associations. One of the largest worker unions in the country, LABA, was controlled by the Riga City Council.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law, although staffing problems hindered more effective enforcement. Penalties range from fines to imprisonment and were generally sufficient to deter violations. The Ministry of Welfare’s State Labor Inspectorate, the agency responsible for enforcing labor laws, conducted regular inspections of workplaces and reported no incidents of forced labor. A 2016 study, however, uncovered consistent underreporting of forced labor and suggested the inspectorate lacked the resources necessary to carry out more extensive investigations. The inspectorate reported a high employee turnover, with approximately 15 percent of positions unfilled, a situation exacerbated by perennial wage issues.

Also see the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt (<http://www.state.gov/j/tip/rls/tiprpt>).

c. Prohibition of Child Labor and Minimum Age for Employment

The government effectively enforced child labor and minimum age laws, and penalties were sufficient to deter violations. The statutory minimum age for employment is 15. Children who are 13 or older may work in certain jobs outside of school hours with written permission from a parent. The law prohibits children younger than 18 from performing nighttime or overtime work. According to the law, children may not work in jobs that pose a risk to their physical safety, health, or development. There were no reports of labor abuses involving children. The State Labor Inspectorate conducted inspections throughout the year and reported seven cases of unregistered employment of youth who were 16 or 17, as well as one case of permanent employment of a child.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations prohibit discrimination, but employment discrimination on the basis of citizenship is not prohibited. Following Soviet-era russification and relocation programs and the creation of a sizeable Russian-speaking minority, the government requires the use of Latvian as the officially recognized language where employment activities “affect the lawful interests of the public.” Citing the continuing

political and economic threat posed by Russia to Latvia, the government restricted some sensitive civil service positions for candidates who previously worked for the former Soviet intelligence apparatus.

There were instances of hiring and pay discrimination against women, particularly in the private sector. Because this type of discrimination was underreported, during the first eight months of the year the ombudsman did not open any cases of employment discrimination.

Employment discrimination also occurred with respect to sexual orientation, gender identity, and ethnicity. Persons with disabilities experienced limited access to work due to a lack of personal assistants, poor infrastructure, and absence of specialized programs. The Romani community faced discrimination and high levels of unemployment.

e. Acceptable Conditions of Work

The law sets a monthly minimum wage of 430 euros (\$495), which exceeds the official estimate of the poverty income level of 330 euros (\$380). The government enforced its wage laws effectively.

The law provides for a maximum workweek of 40 hours. The maximum permitted overtime is 144 hours in a four-month period. The law requires a minimum of 100 percent premium pay in compensation for overtime, unless the parties agree to other forms of compensation in a contract; however, this was rarely enforced. The law specifies the maximum amount of overtime and prohibits excessive or compulsory overtime.

The law establishes minimum occupational health and safety standards for the workplace, which are current and appropriate for the main industries. While the law allows workers to remove themselves from situations that endanger health or safety without jeopardizing their employment, these regulations were not always followed. Workers may complain to the State Labor Inspectorate when they believe their rights are violated.

The State Labor Inspectorate is responsible for enforcing minimum wage regulations, restrictions on hours of work, and occupational health and safety standards. These standards were not always enforced in the informal economy. Penalties for violations are monetary and vary widely, depending on the severity and frequency of the violation, but they were generally sufficient to deter violations. The inspectorate had adequate resources to inspect and remediate labor standards problems and effectively enforced labor laws.

Through July the State Labor Inspectorate reported 31 workplace fatalities, the majority of which were classified as due to natural causes, and 53 serious workplace injuries. The State Labor Inspectorate commented that most of the injuries were not severe. The majority of workplace injuries and fatalities were in the construction, wood-processing, and lumber industries.

Real wage estimates were difficult to calculate in the sizeable informal economy, which, according to some estimates, accounted for approximately 22 percent of gross domestic product. Workers in low-skilled manufacturing and retail jobs as well as some public-sector employees, such as firefighters, were reportedly most vulnerable to poor working conditions, including long work hours, lack of overtime pay, and arbitrary remuneration.

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Austrian Centre for Country of Origin and Asylum Research
and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien

T (Telefon) +43 1 589 00 583

F (Fax) +43 1 589 00 589

info@ecoi.net

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