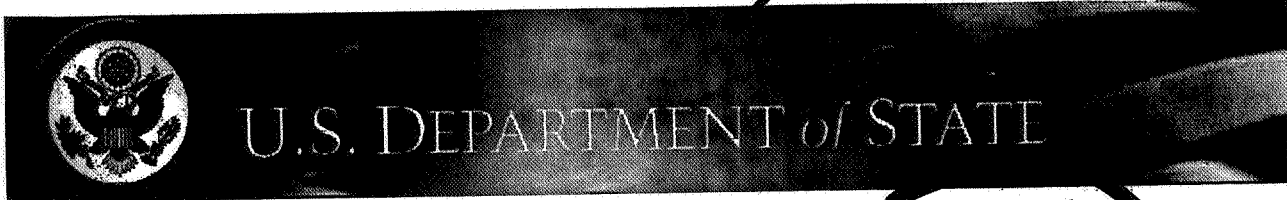


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Latvia

Country Reports on Human Rights Practices - 2003

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Latvia is a parliamentary democracy. 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, and Parliament elected Vaira Vike-Freiberga to a second 4-year term in June. The October 2002 elections for the 100-seat Parliament and the September national referendum on accession to the European Union (EU) were free and fair. The Constitution provides for an independent judiciary; although there was some improvement in the judiciary, significant problems, including inefficiency and allegations of corruption, remained.

Civilian authorities generally maintained effective control of the security forces, which consist of the national police and other services, who are subordinate to the Ministry of Interior; municipal police who are under local government control; the military Counterintelligence Service and a protective service, which are under the Ministry of Defense; and the National Guard, an element of the armed forces. Some members of the security forces, including police and other Interior Ministry personnel, committed human rights abuses.

The economy was largely market-based, although some large utility companies remained in state hands, including the national electric company and railroads. The country has a population of approximately 2.3 million. Three-fourths of employment and 70 percent of gross domestic product were in the private sector. The currency remained stable and was traded freely, unemployment was 8.5 percent, annual inflation was 3.5 percent, and the growth rate was 7.4 percent for the first 9 months of the year.

The Government generally respected the human rights of its citizens and the large resident noncitizen community; however, there were problems in some areas. Members of the security forces, including the police and other Interior Ministry personnel, sometimes used excessive force and mistreated persons, which the Government took disciplinary measures to address. Prison conditions remained poor, but facilities for long-term convicts improved. Lengthy pretrial detention was a problem. The judiciary was inefficient, sometimes corrupt, and did not always ensure the fair administration of justice. Societal violence against women remained a problem. Child abuse and prostitution were problems. There were some reports of discrimination on the basis of ethnicity. Trafficking in women and girls for the purpose of prostitution was a growing problem.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits such practices, and there were no reports that government officials employed them.

The National Human Rights Office (NHRO) responded to four 2002 allegations of police brutality and found that the Interior Ministry investigated and resolved the complaints. One high-profile case in which four policemen were accused of beating a suspect to death in 2002, was heard in court but resulted in an acquittal due to lack of evidence. The State Police had earlier imposed administrative penalties against the officers and dismissed them from the police force.

The Government took action against those responsible for the abuse of prisoners. The NHRO reported no complaints of torture or inhumane treatment of prisoners.

Prison conditions remained poor, although there were improvements, and progress continued in renovating older facilities. The NHRO expressed concern about short-term detention facilities. There were 28 short-term facilities in the country designed to house detainees for no more than 72 hours. The NHRO stated that conditions such as poor ventilation, and damp, dark, and dirty cells violated human rights standards in at least half of these centers.

Prison overcrowding lessened. The Central Prison Administration reported overall prison occupancy at 90 percent of maximum capacity during the year: 86 percent for pre-trial detention facilities, 93 percent for post-conviction prisons, and 64 percent in prison hospitals.

Female prisoners were held separately from male prisoners, and juveniles were held separately from adults. During the year, juveniles were moved from the substandard Brasas Detention Facility to a newly renovated facility at the Riga Central Prison. Persons in pretrial detention (43 percent of the total prison population) had limited contact with outside nongovernmental organizations (NGOs) or family and suffered from considerably worse living conditions than prisoners in general. Pretrial detainees were held separately from convicted criminals.

The Government permits independent human rights observers to visit prisons. Domestic groups, such as the Latvian Center for Human Rights and Ethnic Studies, closely monitored prison conditions during the year.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the Government generally observed these prohibitions.

The national police and other services, such as the Special Immigration Police and the Border Guards, are subordinate to the Ministry of Interior; municipal police are under local government control; and the National Guard, an element of the armed forces, also assists in police activities. Allegations of corruption and bribe-taking within law enforcement ranks were frequent and affected the public's perception of police effectiveness. The Government's anti-corruption campaign platform extends to police abuses, and the Interior Ministry instituted organizational reforms to target police misconduct more effectively. During the year, Security Police opened corruption-related criminal cases against 24 law enforcement officials, including 18 police officers.

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. The courts have responsibility for issuing arrest warrants. 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.

Lengthy pretrial detention was a problem. According to Ministry of Interior personnel, detainees awaiting trial spend an average of 2 years in prison. The Criminal Procedures Code limits pre-trial detention to no more than 18 months from the first filing of the case. The problem of lengthy pretrial detention of juveniles lessened, as courts enforced a 6-month limit for detaining juveniles prior to trial. Longer-term detention requires special circumstances and a court order. The number of minors in pre-trial detention decreased to 239, representing 7 percent of all

detainees.

Both the NHRO and the Latvian Center for Human Rights and Ethnic Studies (LCHRES) studied and visited closed institutions during the year, including prisons, mental hospitals, and detention camps for illegal immigrants.

Illegal immigrants were held at the Olaine Detention Camp for Illegal Immigrants. According to an LCHRES report, the camp's physical conditions were acceptable, but the detainees (numbering 34 in April) did not have access to information about their rights and had limited recreation opportunities.

The law prohibits forced exile, and there were no reports that the Government employed it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, while training and increased compensation resulted in some improvements in the quality of the judiciary, significant problems, including inefficiency and allegations of corruption, remained. The Constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right.

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

Corruption in the judicial system was allegedly widespread. The Prime Minister campaigned on an anti-corruption platform and continued to stress the theme during the year. The Anti-Corruption Bureau became operational in February, but its effectiveness was limited due to leadership changes and political turmoil. The Bureau's two most significant cases included an investigation of the Health Minister, resulting in his dismissal and a bribery investigation against a prosecutor.

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. The law allows for alternative punishments, including community service; however, the courts rarely used alternative punishments.

A time-consuming judicial process, the lack of plea-bargaining, and a shortage of judges have so overloaded the courts that the average case takes 2 years to reach judicial review, which led to lengthy pretrial detention (see Section 1.d.). The NHRO received 273 complaints during the year regarding slow judicial proceedings. To address these problems, the Cabinet of Ministers approved a new criminal procedures code, which was pending parliamentary acceptance.

Court decisions were not published systematically, and there was no centralized index for those that were 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 lends 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 case. They also may make multiple appeals.

There were no reports of political prisoners.

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

The law prohibits 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 provides for freedom of speech and of the press, and the Government generally respected these rights in practice. The Press Law prohibits censorship of the press or other mass media; however, the Law on the Media contains a number of restrictive provisions regulating the content and language of broadcasts. The Law on Radio and Television requires that at least 51 percent of television broadcasts must be of European origin, of which 40 percent should be in the Latvian language; however, these provisions were not always implemented.

Both Latvian and Russian language newspapers published a wide range of political criticism and viewpoints. Most newspapers and magazines were owned privately. A large number of independent television and radio outlets broadcast in both Russian and Latvian, and the number of persons receiving satellite television broadcasts continued to increase.

The Government generally did not restrict access to the Internet and did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the authorities may not prohibit public gatherings; however, organizers of demonstrations must provide advance notice to local authorities, who may change the time and place of public gatherings for such reasons as fear of public disorder. The law also requires protesters to remain specified distances from foreign diplomatic missions, the Parliament, the Prosecutor's Office, and certain other public institutions. Independent human rights organizations argued that the law's provisions were contradictory and confusing. Nevertheless, numerous demonstrations took place peacefully and without government interference during the year.

In September, the Riga City Council refused a permit for a demonstration against proposed language reforms in schools. The proposed reforms reduce the number of classes taught in Russian at Russian-language schools. The organizers of the demonstration renamed their event a "political party" meeting, which did not require a permit. The demonstration occurred peacefully and attracted several thousand participants. Parliamentary deputies from a nationalistic party later introduced legislation to remove the provision permitting mass political party meetings; there was no decision on the proposal by year's end.

The Constitution provides for freedom of association, and the Government generally respected these rights in practice; however, the Law on Registering Public Organizations bars the registration of Communist, Nazi, or other organizations whose activities would contravene the Constitution. Noncitizens may 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 (see Section 3). More than 40 political parties were registered officially.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, bureaucratic problems for minority religions persisted.

There is no state religion; however, the Government distinguishes between "traditional" (Lutheran, Roman Catholic, Orthodox, Old Believers, Baptist, and Jewish) and "new" religions.

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

According to Ministry of Justice officials, most registration applications are approved once proper documents are submitted; however, the law does not permit simultaneous registration of more than one religious union (church) in a single confession, and the Government has denied applications on this basis.

Visa regulations require that religious workers present either an ordination certificate or evidence of religious education that corresponds to a Latvian bachelor's degree in theology. The visa application process remained cumbersome; however, difficulties in this area diminished as officials worked to address the situation. The Government cooperated to resolve several difficult visa cases in favor of missionary workers.

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 conduct such activities. Foreign religious denominations criticized this provision.

The law provides that religion may be taught to students in public schools on a voluntary basis only by representatives of the Evangelical Lutheran, Roman Catholic, Orthodox, Old Believers, Baptist, and Jewish religions. The State provides funds for this education. Students at state-supported national minority schools also may receive education on the religion "characteristic of the national minority" on a voluntary basis. Other denominations may provide religious education in private schools only.

Relations between the various religious communities were generally amicable. Ecumenism remains a new concept in the country, and traditional religions have adopted a reserved attitude toward the concept. Although government officials encouraged a broader understanding of and acceptance of newer religions, suspicions remained regarding newer nontraditional faiths.

On September 17, vandals overturned tombstones and sprayed anti-Semitic graffiti on the walls of Riga's New Jewish Cemetery; national leaders condemned the act and city authorities quickly repaired the damage.

For a more detailed discussion, see the 2003 International Religious Freedom Report.

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

The Constitution provides for these rights, and the Government generally respected them in practice.

The law stipulates that registered permanent resident noncitizens enjoy the right to establish and change residences, travel abroad, and return to the country, and provides for the issuance of a noncitizen travel document that certifies these rights; however, certain rights are denied to noncitizen residents (see Section 3). They are prohibited from working as armed guards or criminal trial attorneys. Noncitizens may own land only under complex procedures and may not purchase land in the border zones. The Government 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 during the Soviet era had 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 law provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government provided protection against refoulement and granted refugee status or asylum; it also provided temporary protection to certain individuals who did not qualify as refugees or asylees. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. Special immigration police and border guard units help prescreen asylum requests. Decisions of the Citizens and Migration Affairs Office may be appealed to the Asylum Appeals Board in the Ministry of Justice. Five people (three from Georgia and two from Russia) sought but were not granted asylum, and there were eight persons in the country with refugee status.

The State Border Guards reported that 989 people were apprehended at the border. An additional 162 illegal workers were detained. During the year, 178 illegal immigrants departed voluntarily, and 301 were deported. The Government has approached the governments of Russia and Belarus about concluding refugee readmission agreements, the lack of which posed a major barrier to effective control of the eastern border; however, no agreements had been concluded by year's end.

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

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. Free and fair elections for Parliament were held in October 2002, and 72.5 percent of eligible voters participated. Candidates from 6 of the 20 participating parties, representing a broad political spectrum, won seats in Parliament. In June, the Parliament elected the President. Reform of the country's political and economic structure led to an invitation in 2002 to join the EU in May 2004.

The election law prohibits persons who remained active in the Communist Party or various other pro-Soviet organizations after January 1991, or who worked for such institutions as the former Soviet Committee for State Security, from seeking elected office. Only citizens have the right to vote in national and local elections; many ethnic Russians are citizens and may vote (see Section 5). Noncitizens may 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 (see Section 2.b.). The U.N. Racial Discrimination Elimination Committee recommended that the country consider granting long-time noncitizen residents the right to vote in municipal elections.

In April, the European Commission on Human Rights agreed to hear a petition by human rights campaigner and political activist Tatyana Zhdanok, a former Communist who contends that her human rights were violated when she was barred from running for parliament. In addition to being unable to run for parliament, Zhdanok's preexisting mandate on the Riga City Council was cancelled in 1999.

There were 18 women in the 100-member Parliament, which was chaired by a woman. There were 3 women in the 15-member Cabinet of Ministers. The President was a woman.

There are no ethnic restrictions on eligibility to hold political office. Nonethnic Latvians, including ethnic Russians and Poles, served in various elected bodies.

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

A growing number of domestic and international human rights groups devoted to research and advocacy on human rights issues, including prison conditions and women's and children's rights, generally operated without government restriction. Several organizations dealt with issues of concern to local noncitizens and other nonethnic Latvians and presented such concerns to the courts and the press. The Government engaged in dialogue with NGOs working on human rights issues and was generally responsive to their views.

The NHRO is an independent governmental institution with a mandate to promote human rights, provide information on human rights, investigate individual complaints, and initiate its own investigations into alleged violations. The office acted as a general ombudsman on social issues and handled a variety of individual complaints, primarily concerning problems with receiving social benefits.

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

According to the Constitution, all citizens are equal under the law. The Constitution specifically provides for protection from discrimination due to race, sex, language, or disability.

Women

Although no overall statistics were available, observers reported that domestic violence against women, often connected with alcohol abuse, was significant and underreported. Police statistics for domestic violence were grouped in more general categories, such as assault or battery. The Criminal Code specifically criminalizes rape but does not recognize spousal rape. During the year, 106 rape cases were reported. 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, tended to downplay the seriousness of domestic violence and that the police were reluctant at times to make arrests in such cases.

There were no shelters designed specifically for battered or abused women. There was one shelter in Riga where homeless women with children may reside for up to 2 months. There are no specific rape or assault hot lines; however, NGOs managed two crisis hotlines.

Prostitution is legal (although procuring is not), but the NHRO reported that adult prostitutes had no legal protections. Prostitution was widespread and often was linked to organized crime. The Government estimated that 3,000 persons worked as prostitutes. There were no state institutions to assist prostitutes; however, the private Latvian Center for Gender Problems provided medical help and social support for prostitutes. Trafficking in women for prostitution was a problem (see Section 6.f.).

Sexual harassment of women in the workplace, although illegal, reportedly was common. Cultural factors tended to discourage women from coming forth publicly with complaints of abuse.

Women possess the same legal rights as men. The Labor Code bans employment discrimination; however, in practice women frequently faced hiring and pay discrimination, especially in the emerging private sector. The Labor Code also prohibits women from performing "hard jobs or jobs having unhealthy conditions," which are specified in a list agreed upon by the Cabinet and labor unions.

The labor law prohibits work and pay discrimination based on gender and requires employers to set equal pay for equal work. The law also defines workplace gender-based discrimination.

Women's advocacy groups grew in size and number and were involved in finding employment for women, lobbying for increased social benefits, and assisting victims of domestic abuse.

Children

The law on the rights of the child and constitutional provisions on children provide various protections, including health care and legal protections against physical abuse; however, these provisions were not enforced fully in practice. Schooling is mandatory through the 9th grade, between the ages of 7 and 16, and free through the 12th grade, or age 18. Despite the existence of laws on mandatory education, truancy was widespread and growing. There is a national Center for the Protection of the Rights of the Child. A few children's advocacy groups were active, particularly in lobbying for legislation to protect children's rights and for increased welfare payments for children.

Evidence suggested that abandonment and child abuse, including sexual abuse, were relatively widespread. Law enforcement authorities have won court suits to remove children from abusive parents and secured convictions in child molestation cases.

The Dardedze Center Against Abuse in Riga continued to provide support to abused children. The center offered multidisciplinary treatment and rehabilitation to victims of child abuse and their families. The center also has a forensic interview room where victims can be interviewed in a secure environment and their testimony directly transmitted to a courtroom.

Child prostitution was a problem. An estimated 12 to 15 percent of prostitutes were between the ages of 8 and 18. Constitutional and statutory protections for children were enforced only sporadically in the case of child prostitutes.

Trafficking in young girls for prostitution abroad remained a problem (see Section 6.f.).

Persons with Disabilities

The Constitution provides for the protection of persons with disabilities against discrimination; the law provides for their right of access to public facilities. Provisions in the Labor Law and other laws aim to protect persons with disabilities from bias in the workplace and from job discrimination. There was no governmental or societal bias against persons with disabilities. The Government supported special schools and funded publication of a guidebook with information for persons with disabilities.

The law requires buildings to be accessible to wheelchairs; however, the Government did not enforce the law uniformly, and most buildings were not wheelchair accessible. However, some larger cities, including Riga and Ventspils, have undertaken an extensive wheelchair ramp building program at intersections.

No law documents the rights of persons with mental disabilities, nor is there a mechanism for appealing compulsory admission and treatment for mental illness. In March, the LCHRES and the Mental Disability Advocacy Centre (Budapest) stated that "the review procedure for detention on grounds of mental disability fails to meet human rights standards, the criteria for compulsory admission into psychiatric institutions are too broad, and the provisions on consent to treatment does not meet international principles." The NHRO further stated that committed patients suffered abridged rights that prevented them from corresponding with relatives and placed arbitrary restrictions on freedom of communication.

National/Racial/Ethnic Minorities

There was public debate about the existence of discrimination on the basis of ethnicity, particularly with respect to the country's language laws and education reforms, which Russian speaking minority groups publicly criticized. The U.N. Committee on the Elimination of Racial Discrimination recommended that the country consider facilitating the integration process by making it possible for non-citizens who are long-term permanent residents to participate in local elections. The EU's 2002 report on the country's progress toward EU accession stated that country was adhering to OSCE recommendations but highlighted the importance of continued attention to social integration.

Approximately 1 million residents are of non-Latvian ethnicity, including 677,000 ethnic Russians, 92,000 ethnic Belarusians, 61,000 ethnic Ukrainians, and 58,000 ethnic Poles. More than 74 percent of the country's inhabitants are citizens, including nearly 400,000 persons who belong to national or ethnic minorities. There are 494,000 resident noncitizens, of whom an estimated 67 percent are Russian; 13 percent Belarusian; 9 percent Ukrainian; and smaller percentages of Poles, Lithuanians, Jews, Roma, Germans, Tatars, Estonians, and Armenians. Due to the Russification policy pursued during the Soviet era, ethnic Latvians constitute only 58.5 percent of the population, and 78 percent of citizens—and less than 50 percent of the population in four of the country's seven largest cities, including the capital city of Riga.

The country's Romani community nearly was destroyed during the Holocaust. A report of the Latvian Center for Human Rights and Ethnic Studies (LCHRES) during the year estimated that the Romani population is between 13,000 and 15,000. While the community received some support from the Government, the LCHRES study reported high levels of unemployment and illiteracy among the Roma. More than 40 percent of Roma have a fourth grade or lower education, and more than 95 percent do not have official employment.

Citizen passports no longer identify the ethnicity of the bearer. Should the bearer choose, ethnicity may be identified by an amendment on the second page.

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, mostly ethnic Russians, changed from citizens of the Soviet Union to noncitizen residents in Latvia. Since 1995, a total of 69,288 persons have become citizens through naturalization: 10,403 were naturalized during the year. Naturalization applications increased significantly after the September EU referendum passed. To facilitate and promote the naturalization process, the Government reduced significantly the naturalization fee, accepted high school level language certificates as sufficient for naturalization purposes, and carried out a pro-naturalization advertising campaign.

The Citizenship Law includes a Latvian language and residence requirement for those seeking to naturalize, as well as restrictions on the naturalization of former Soviet intelligence and military personnel. The law also requires applicants for citizenship to renounce previous non-Latvian citizenship, to have knowledge of the Constitution and Latvian history, and to pledge allegiance to the country. Nearly 95 percent of applicants passed the citizenship tests on the first attempt. Children of noncitizens born in the country after August 1992 are entitled to citizenship upon application. International observers credited the Government with establishing

a competent and professional Naturalization Board with offices throughout the country to implement the law and generally applying the law fairly. However, international experts, government officials, and domestic human rights monitors agreed that the country must continue to place high priority on and devote sufficient resources to implementing the Citizenship Law in a fair and impartial manner and to promoting social integration.

The Language Law regulates the uses of language that affects public safety, health care, protection of the consumer, and labor rights and requires that documents submitted to the Government, including company reports and records, be translated into Latvian, except in cases of emergency. In a public event co-organized by the State, one of the working languages must be Latvian. Labels and user instructions for goods sold must be in Latvian, although other languages may also be used.

The Government supported education in both Latvian and Russian, as well as in eight other minority languages. However, under the revised Education Law, the Government continued to implement a bilingual education program at the elementary school level, with the goal of providing more than half of the course-content in Russian-language secondary schools in Latvian by 2004. Although all non-Latvian-speaking students in public schools were supposed to learn Latvian and to study a minimum number of subjects in Latvian, there was a shortage of qualified teachers. State-funded university education was in Latvian, and incoming students whose native language was not Latvian must pass a language entrance examination. Several private institutions offered higher education in Russian.

Section 6 Worker Rights

a. The Right of Association

The law stipulates that workers, except for the uniformed military, have the right to form and join labor unions of their own choosing; however, the Government's ability to protect the right to organize in the private sector was weak. Union membership continued to decrease, with the Latvian Free Trade Union Association, which represents 25 member organizations, showing a membership of 170,000 out of a workforce of approximately 1 million. Free elections for union leadership are held every 4 years.

Unions are free to affiliate in confederations, and there was one such confederation in the country. Unions also are free to affiliate internationally and have established contacts with European labor unions and other international labor union organizations.

b. The Right to Organize and Bargain Collectively

Labor unions have the right to bargain collectively and are generally free of government interference in their negotiations with employers. Collective bargaining agreements were common and were negotiated by industry or company. The law prohibits discrimination against union members and organizers.

The law does not limit the right to strike, but there were no major strikes during the year. The law bans the dismissal of employees who have invoked the right to strike. No cases of such dismissals were reported.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports that women and children were trafficked for sexual exploitation (see Section 6.f.). Inspectors from the Ministry of Welfare's State Labor Inspection Board or Inspectorate were responsible for enforcing the law.

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 prohibiting night shift or overtime work.

The Government has not ratified ILO Convention 182 on the worst forms of child labor.

e. Acceptable Conditions of Work

The legally mandated monthly minimum wage was approximately \$124 (70 lats), far below the minimum necessary for survival and inadequate to provide a decent standard of living for a worker and family. The actual average monthly wage (the calculation of which includes wages of part-time employees and agricultural workers) was \$348 (197 lats).

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. In the first 6 months of the year, 11 fatal workplace accidents and 601 workplace injuries were reported. Workers have the legal right to remove themselves from hazardous work situations without endangering their continued employment; however, these standards frequently were ignored in practice.

f. Trafficking in Persons

A 2002 law prohibits "trafficking in persons;" however, most traffickers were prosecuted under an earlier law that prohibits sending persons abroad for sexual exploitation. However, trafficking in women for the purpose of prostitution was a problem. The Government's National Action Plan calls for ratifying the previously signed U.N. Protocols to Prevent, Suppress and Punish Trafficking in Persons and Against the Smuggling of Migrants and for harmonizing the country's laws with European and other international standards.

A total of 23 persons were convicted for trafficking-related crimes; most of them received sentences of 3 years or less, but 6 of them were sentenced to 4 years in prison, and 1 was sentenced to 7 years. In the most important case, a trafficker was convicted and sentenced to 13 years in prison. However, some prosecutors and judges did not consider human trafficking a serious crime and reduced some of the sentences on appeal. Cooperation between the border guards, police, and NGOs increased and contributed to the effective control of the border areas. International cooperation in investigations and prosecutions was well established with Denmark and Germany but continued to be difficult with Spain. The Border Guard Service managed an information database used to reveal trafficking trends.

Over the last 2 years, the Government allocated more resources to combating trafficking in persons. There was a high-level working group on trafficking, and the Ministry of Interior, which includes the State Police and the Citizenship and Migration Department, was the principal government ministry involved in the trafficking problem. Also participating in the working group were representatives from the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Welfare, and the National Center for the Protection of the Rights of the Child. In October, the Inter-Ministerial Group submitted its National Action Plan to Combat Trafficking in Persons to concerned ministries for approval. The Government has allocated funds to increase the number of police officers tasked with fighting prostitution and trafficking.

The country was primarily a source and transit point for trafficked victims. The main countries of destination were Germany, Denmark, and Spain with smaller numbers of victims going to other Western European countries. There were undocumented reports that trafficking in women (including minors) for prostitution abroad increased (see Section 5). While statistics released by European police services indicated that the number of Latvian women involved as victims of trafficking increased, a German police report indicated that the number of identified Latvian victims in Germany declined from 40 in 2001 to 24 in 2002. Approximately 500 women (not all necessarily involved in trafficking) were deported back to the country in 2002. Trafficking within the country also occurred, and women from poor districts were often trafficked for sexual exploitation to Riga, Liepaja, and Ventspils.

Traffickers, primarily organized criminal groups, usually lured victims through offers of false

employment in European countries. A large number of victims were drawn from the economically depressed areas of the country's eastern regions. While some victims were recruited through job advertisements or modeling and travel agencies, most victims were solicited through direct contact with offers of good jobs in Western Europe. Traffickers often recruited their victims at cafes and clubs, and victims themselves recruited new victims for the traffickers.

There were some assistance programs, principally organized by NGOs and the International Organization for Migration (IOM). However, in its draft National Action Plan, the Government recognized a need for more action in this area. Upon returning to the country, victims of trafficking were not singled out for governmental or societal abuse or mistreatment, and they can return home. Martas Center and the Council of Youth Health Centers (working with the International Organization for Adolescence) began operations to educate adolescents regarding trafficking issues. IOM and several NGOs sponsored conferences on trafficking, and there were multiple anti-trafficking education campaigns. In addition, IOM sponsored an aggressive advertising campaign warning of the dangers of accepting attractive employment offers from abroad. As the centerpiece of a national education campaign, IOM and others supported a project to invite high school and college students to screenings of the film *Lilya 4-Ever*, which depicts the life of a young trafficking victim.

