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Trafficking in Persons Report 2014 - Latvia

Tier 2

Latvia is a source and destination country for women and children subjected to sex trafficking and a source country for women, men, and children subjected to forced labor. Latvian women and girls are forced into prostitution overseas, in Austria, Belgium, Cyprus, Germany, Ireland, the Netherlands, Russia, Sweden, and the United Kingdom (UK), as well as within Latvia. Latvian men and women are subjected to forced labor abroad, including in Denmark, Germany, Russia, and the UK. Latvian women in brokered marriages in Western Europe, particularly Ireland, were vulnerable to domestic servitude and sex trafficking. Unemployed adults, single mothers, people raised in state-run institutions, and individuals with mental disabilities are particularly vulnerable to trafficking in persons.

The Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The Latvian government continued to identify and provide care for victims exploited in labor and sex trafficking abroad. Latvian authorities provided some victims with compensation and witness protection; however, it did not identify any trafficking victims within Latvia for enrollment into the state assistance program. The government demonstrated strong prevention efforts through sponsoring awareness-raising activities, developing a comprehensive seven-year national action plan to combat trafficking, and applying new legal provisions targeting unscrupulous recruiters who arranged fraudulent marriages. Regardless of the improved anti-trafficking response by Latvia's State Police, other law enforcement and judiciary efforts remained the Government of Latvia's weakest area, as officials prosecuted and convicted very few cases under the anti-trafficking statute.

Recommendations for Latvia:

Increase investigations, prosecutions, and convictions in human trafficking cases; use the trafficking statute (Section 154-1 of the Latvian Criminal law) to prosecute cases involving Latvian victims exploited abroad and domestically; impose criminal penalties on convicted traffickers, including public officials, that are commensurate with the severity of the crime committed; review and improve the efficiency of trial procedures to ensure a victim-centered approach and to expedite prosecutions; ensure public officials convicted of being complicit in trafficking crimes receive prison sentences commensurate with the crimes committed; ensure police investigators have sufficient resources to conduct investigations; continue to educate prosecutors and judges about human trafficking and victims' rights to reduce prejudice in trial; increase efforts to identify victims proactively, particularly Latvian victims exploited within the country; explore options for long-term victim reintegration; continue to make state-funded repatriation of victims more accessible; encourage more victims to assist law enforcement officials by ensuring that all victims are provided appropriate protections throughout the investigation and prosecution; continue to provide victims with avenues for compensation from their traffickers and the government fund for victims of severe crime; implement the 2014-2020 national anti-trafficking strategy; consider providing government funding for a centralized anti-trafficking hotline to enhance existing prevention efforts and the identification of victims; continue efforts to systematically monitor trends; continue promoting trafficking education at schools and increase the involvement of NGOs in that training; and continue to raise awareness about both sex and labor trafficking.

Prosecution

The Government of Latvia maintained weak law enforcement efforts, despite an improved anti-trafficking response by Latvia's State Police, as authorities prosecuted one case under its anti-trafficking statute during the reporting period. Latvia prohibits all forms of trafficking through Sections 154-1 and 154-2 of its criminal law, which prescribe penalties ranging from a fine to 15 years' imprisonment—penalties that are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2013, the government investigated six new sex trafficking cases under Section 154-1, an increase from three cases in 2012. Latvian authorities did not initiate any new labor trafficking investigations; the last labor trafficking investigation was initiated in 2009. The government initiated one new Section 154-1 sex trafficking prosecution against one defendant in 2013, which is the same number of prosecutions in 2012. Authorities did not secure any convictions under Section 154-1 in 2013, compared to two convictions in 2012. This statistical information includes lower-level court sentences that were not appealed. In addition,

Latvian authorities collaborated with other foreign governments, including Belgium, Cyprus, Germany, Ireland, and the UK, on trafficking investigations. Observers reported that the police lacked the resources necessary for extensive and sophisticated investigations into trafficking cases. Reports also concluded that Latvian court procedures were lengthy and stalled anti-trafficking efforts. The Latvian government trained officials on human trafficking in a variety of formats. For example, the State Police College offered an investigation course to 63 law enforcement staff members and the Ministry of Justice sponsored a regional training conference attended by 25 prosecutors and other judiciary representatives.

In 2013, Latvian authorities convicted a former anti-trafficking police officer for extortion and other crimes and sentenced him to five years in prison; the decision was pending appeal at the close of the reporting period. Another anti-trafficking police officer, convicted of pimping in the previous reporting period, received a suspended sentence and probation. In a third case, authorities continued to prosecute a sworn attorney for allegedly facilitating trafficking in persons; the prosecution was ongoing at the close of the reporting period.

Protection

The Latvian government sustained its victim protection efforts during the year by increasing the number of victims receiving compensation and witness protection services, although identification of victims trafficked within the country remained weak. The government greatly increased its victim assistance program funds from the equivalent of approximately \$126,000 in 2012, to the equivalent of approximately \$132,000 in 2013, and to the equivalent of approximately \$213,000 in 2014. The government-funded NGO offered every trafficking victim psychological assistance, medical aid, legal representation, housing, and reintegration services. The Latvian government enrolled 22 new trafficking victims in its 2013 assistance program, compared to 25 victims in 2012, and 11 in 2011; the government funded care for 33 victims in total, including some of those identified in 2012. All of the victims receiving state care had been exploited abroad; one victim was male. Observers reported that proactive identification by Latvian police within the country remained weak. Five trafficking witnesses cooperated with law enforcement in 2013, a continued decline from seven in 2012 and 29 in 2011, amid reports that officials did not gain victims' trust. The government-funded NGO did not operate its own shelter, but collaborated with shelters throughout Latvia to provide services. The Ministry of Foreign Affairs developed a new manual on Latvia's assistance program for trafficking victims and distributed it to its embassies.

According to the government, it is able to protect victims assisting law enforcement by providing witness protection, digital video-enabled courtrooms, and by exempting victims from attending court hearings. The government enrolled one trafficking victim in its witness protection program in 2013, compared to zero victims in 2012. In 2013, Latvian courts ordered restitution payments for three trafficking victims, although none of the victims had yet received compensation because their cases were still on appeal. Also in 2013, one victim received compensation from a government fund for victims of severe crime. The Latvian government had a residence permit provision available for foreign trafficking victims during reflection periods and for the duration of a criminal trial; however, none of the identified victims during the reporting period were foreign. There were no reports that the government penalized identified victims for unlawful acts they may have committed as a direct result of being trafficked.

Prevention

The Latvian government demonstrated strong prevention activities by developing a seven-year national action plan and prosecuting unscrupulous recruiters who sent Latvian women abroad for fraudulent marriages. The government developed and finalized its national action plan to combat trafficking for 2014 to 2020, which was developed in coordination with NGOs and prioritizes state-funded rehabilitation services for victims, public awareness campaigns, and training for public officials who may encounter trafficking victims. Latvian authorities continued to use Section 165-1, which prohibits the transfer of individuals for the purpose of sexual exploitation, to prevent potential cases of trafficking. In 2013, the government prosecuted four defendants under Section 165-1 and convicted 11 suspects, compared to 11 prosecutions and 17 convictions in 2012. The State Employment Agency continued to monitor employment agencies and voided the licenses of 26 placement agencies. In 20 cases, licenses were voided because the agencies had not been offering placement services for a year or longer. In six cases, the licenses were voided for lack of service quality and non-compliance with binding regulations. The government participated in a range of awareness-raising activities, including working on school curricula to educate children about trafficking threats and educating local authorities around Latvia about the risk of labor exploitation and safe travel practices. The inter-ministerial anti-trafficking working group continued to meet to coordinate the government's anti-trafficking activities, alongside civil society members. The Ministry of Interior continued to publicly publish its annual report on the government's anti-trafficking activities. The Ministry of Welfare provided training to 75 representatives of social services. Other state agencies, in partnership with an NGO, completed an awareness campaign for nine different city administrations. The government continued to maintain various information and emergency hotlines that received calls on potential trafficking situations. The government did not report any specific measures to reduce the demand for commercial sex acts or forced labor.

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