

LATVIA 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Republic of Latvia is a multiparty parliamentary democracy. Legislative authority is vested in the unicameral parliament (Saeima). Elections in September 2011 for the 100-seat parliament were free and fair. Security forces reported to civilian authorities.

The most significant human rights problem during the year was corruption. Conditions at police detention facilities and prisons remained poor; facilities were inadequate and guards abused detainees and prisoners. Violence against women, including rape and domestic violence, remained a persistent problem and often was not reported to police.

Other human rights problems included lengthy pretrial detention, delays in court proceedings, political interference in state-owned media, and excessive bureaucratic requirements for public demonstrations. Noncitizens, who constituted approximately 14 percent of the adult population, naturalized at a slow rate and could not participate in the election process. Other problems reported during the year included abuse of children, anti-Semitic incidents, trafficking in persons, and societal discrimination against sexual minorities.

The government generally took adequate steps to prosecute officials who committed abuses, although concerns existed regarding impunity in corruption matters.

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

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of disappearances, politically motivated abductions, or kidnappings.

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

The constitution and the law prohibit such practices; however, there were reports that government officials employed them. Independent local organizations continued to express concerns about police behavior, and there were reports that police continued to abuse persons in custody. In the first six months of the year, the Internal Security Bureau of the state police received 136 complaints of alleged police violence. Of these reports, 97 cases were dismissed, three criminal procedures were initiated, and 19 cases were closed. The remaining complaints were pending.

During the year the Ombudsman's Office received six complaints regarding mistreatment by police and three complaints regarding mistreatment by prison officials. One complaint alleged that an inmate's hands and legs were cuffed to a bed while receiving treatment in a prison hospital under the supervision of three guards. The Ombudsman's Office noted that, while the number of complaints it received was small, they were not properly investigated by police.

Prison and Detention Center Conditions

Prison and detention center conditions generally did not meet international standards. The government permitted visits by independent human rights observers. The government acknowledged the problems and took some steps to remedy them.

Physical Conditions: The Ministry of Justice reported that it held 6,117 persons in the country's 12 prisons and detention centers. Of these detainees 1,921 awaited trial or the outcome of appeals; 4,196 were convicted inmates. Detainees and convicts were sometimes held together.

The prison population included 45 juvenile males. Authorities held them at a separate juvenile facility in Cesis, which had a state-funded school and a capacity of 174 inmates.

The prison population included 417 women held in a separate prison with a capacity of 385. The country's two juvenile female prisoners were held in a separate wing of the women's prison. The Ombudsman's Office and nongovernmental organizations (NGOs) considered the physical conditions and the management at the women's prison to be better than those for men.

During the year the Ombudsman's Office received 68 prison-related complaints, compared with 164 in 2011. The Justice Ministry received 579 complaints from prisoners as compared with 873 in 2011. The complaints concerned living conditions, access to health care, and human rights violations.

The state police received 18 complaints about conditions in short-term detention facilities. They dealt with lack of privacy in living spaces and bathrooms, severely dilapidated physical plants, lack of heat and hot water, inadequate sanitary facilities, inadequate work and educational opportunities, and poor access to open space and fresh air. Prisoners generally had access to potable water. Health care services for inmates remained inadequate. Fire safety risks in prisons were also a concern, although prison authorities maintained that fire safety regulations were adequate. Most complaints from the country filed with the European Court of Human Rights (ECHR) dealt with conditions in prisons and police detention cells.

During the year prison authorities opened 24 investigations into prisoner deaths. Fourteen deaths were due to disease or natural causes. Of the remaining 10, seven were ruled suicides, three of which were drug overdoses. Sixteen cases were closed due to lack of evidence. All seven suicide investigations initiated in 2011 were closed; all confirmed suicide was the cause of death. Investigations into eight deaths continued at year's end.

During the year NGOs reported that one cause of prisoner suicide was a shortage of psychologists. For example, in Daugavgrivas prison there was one psychologist for almost 2,000 inmates. On June 21, a prisoner at Daugavgrivas was found dead in solitary confinement. Authorities determined the cause of death was suicide; however, the prisoner's family and an NGO disputed the finding. A subsequent investigation affirmed the original finding that the death was a suicide, and the case was closed by the end of the year.

There were no developments in the ongoing investigation of a detainee who committed suicide in March 2011 while in solitary confinement at a state police regional detention facility in Riga. Two officers who detained the man were suspected of criminal negligence.

Administration: Recordkeeping on prisoners was generally adequate. During the year the prison administration completed work on a project to establish a centralized database of all inmates. Authorities used alternative sentencing measures, including reduced sentences and rehabilitation programs for nonviolent

offenders, and prisoners had reasonable access to visitors. Prisoners and detainees were allowed to observe religious practices and keep religious articles in cells and dormitory rooms.

Prisoners and detainees could submit complaints to judicial authorities without censorship. The authorities generally investigated credible allegations of inhumane conditions and documented the results of investigations in a publicly accessible manner, although some NGOs alleged that complaints were not reviewed in a timely manner.

The Ombudsman's Office monitored conditions at prisons and detention facilities. Ministry of Justice and other government officials investigated and monitored prison and detention center conditions. Some NGOs, however, criticized the requirement that all prisoner complaints must be submitted in the Latvian language. In March prison authorities began offering Latvian language instruction at no cost to jailed foreign nationals. There were 38 foreigners in prison.

Monitoring: The government permitted monitoring by independent nongovernmental observers in accordance with their standard modalities. A delegation from the Council of Europe's Committee for the Prevention of Torture (CPT) visited the country in September 2011. The CPT report was not published by year's end.

Improvements: Although NGOs acknowledged that the government made some improvements to conditions in prisons and other detention facilities during the year, they asserted that the worst conditions were not remedied. On January 1, new regulations came into effect that expanded health services available to inmates.

d. Arbitrary Arrest or Detention

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

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. Military forces, the Military Counterintelligence Service, the Protective Service, and the National Guard are subordinate to the Ministry of Defense. State police

and municipal police forces shared responsibility for maintaining public order, but only state police were authorized to carry out criminal investigations. The security police were responsible for combating terrorism and other internal threats. The military and the National Guard were primarily responsible for external security.

Civilian authorities maintained effective control over security forces, and the government had 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 While in Detention

Under the law persons must be arrested openly, with warrants issued by an authorized judicial official, except in exceptional cases specifically defined by law, such as apprehension in the act, eyewitness identification of the suspect, or flight risk. The law requires that within 48 hours prosecutors must either release an arrested person, or charge and bring them before a judge; authorities generally respected the requirement in practice. Authorities promptly informed detainees of charges against them. While a bail system exists, it was used infrequently and applied most often in cases of economic crimes.

The government provided attorneys for indigent defendants. Detainees have the right to have an attorney present during questioning, and were usually informed of that right.

Authorities permitted detainees prompt access to family members. There were no reports that suspects were detained incommunicado or held under house arrest.

Pretrial Detention: For the most serious crimes, the law limits pretrial detention to no more than 15 months from the first filing of a case. For minor offenses detention is shorter. The maximum detention is 21 months. According to Ministry of Justice data, the average length of time from the first filing to the first court procedure is 2.3 months for a criminal case; however, the Ombudsman's Office continues to receive complaints regarding lengthy pretrial detentions, some of which lasted for years. NGOs also continued to express concern about the lengths of pretrial detentions and hearing postponements.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice. However, there were significant problems, including inefficiency. The constitution and law provide for the right to a fair, public trial, and most judges enforced this right. However, in some individual cases, the fairness of court decisions, of judges, and of the judicial system remained a concern. During the year the Ombudsman's Office received 156 complaints about the fairness of trials and courts.

Trial Procedures

Defendants have the right to a presumption of innocence; to be informed promptly and in detail of the charges against them; and to an open trial in most cases without undue delay, although trials may be closed to protect government secrets or the interests of minors. Defendants also have the right to consult with an attorney in a timely manner, at government expense if they are indigent, and the law provides for the right to adequate time and facilities to prepare defense. Defendants have the right to access government-held evidence; to confront witnesses against them and present witnesses and evidence in their defense; not to be compelled to testify or confess guilt; and to appeal. These rights were generally respected.

There is no jury system; a single trial judge hears most cases. Judicial proceedings are conducted in Latvian. However, defendants who are not fluent in Latvian have the right to become acquainted with the materials of the matter and to participate in the court process using their native language, with the assistance of an interpreter. Trials were subject to extensive delay.

Both the ombudsman and NGOs expressed concern that long judicial delays effectively prevented access to the justice system in some cases. The problem was especially acute in the administrative courts, where even minor matters could take up to two years for an initial hearing. There were significant case backlogs in the civil and criminal courts as well.

Judicial delays also had an effect on sentencing. For example, in March the Supreme Court reduced a convict's prison sentence from seven years to six for kidnapping and sexually abusing a juvenile male based on an appeal that his right to a timely trial had been violated.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

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

Regional Human Rights Court Decisions

During the year the ECHR issued 13 judgments in cases against the country and found violations of the European Convention on Human Rights in seven of the cases. Most pertained to violations of article 3, the prohibition of torture. In general the authorities promptly complied with judgments of the ECHR.

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

The constitution and the law prohibit such actions, and the government generally respected these prohibitions in practice.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and the law provide for freedom of speech, including for members of the press, and the government generally respected these rights in practice. There were restrictions on all forms of speech that involved incitement to racial or ethnic hatred.

Freedom of Speech: The law criminalizes incitement to racial or ethnic hatred and spreading false information about the financial system. It is illegal to display or wear Nazi or Soviet symbols while participating in public demonstrations.

Freedom of Press: The independent media were active and expressed a wide variety of views with few restrictions. On April 18, the Council on Electronic Mass Media initiated an administrative case regarding a *Radio NABA* broadcast because of anti-Semitic statements and incitement to ethnic hatred, and the radio show was canceled (see section 6, Anti-Semitism).

The law requires 65 percent of all broadcast airtime in national and regional electronic media to be in Latvian or dubbed or subtitled in Latvian. Extensive Russian-language programming was available.

In December 2011 state police arrested and detained for two days journalist Leonids Jakobsons for publishing allegedly “private” e-mails between Riga mayor Nils Usakovs and a foreign diplomat. It was not clear how Jakobsons obtained the e-mails. The Latvian Journalists’ Association and other NGOs criticized Jakobsons’ arrest as an improper restriction on freedom of the press. The case remained pending at year’s end.

Internet Freedom

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms without appropriate legal authority.

Individuals and groups could engage in the expression of views via the Internet, including by e-mail. According to the Central Statistics Bureau, 70.3 percent of residents had access to the Internet during the year, compared with 66.4 percent in 2011.

Internet speech was subject to the same restrictions related to incitement as were other forms of speech. For example, the security police attempted to identify and initiate criminal proceedings against individuals who made comments on a regional Internet portal in February that allegedly incited racial or ethnic hatred (see section 6, National/Racial/Ethnic Minorities).

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and the law provide for freedom of assembly, and the government generally respected this right in practice.

Organizers must provide 10-days notice to the authorities to hold demonstrations. Permits may be denied or modified to prevent public disorder.

During the year numerous peaceful demonstrations took place, in most cases without government interference. Police did not interfere with peaceful assemblies and offered demonstrators appropriate levels of protection. However, some observers continued to criticize the legal requirement to give 10-days notice for a planned protest.

On March 16, veterans and their supporters held a march in Riga in remembrance of Latvian soldiers who fought in German Waffen SS units during World War II. In contrast with previous years, this year's commemoration took place without harassment. Three persons were detained during the march for wearing swastikas and Soviet symbols in public and for interfering with police work.

On July 4, Jewish community representatives, government officials, and foreign diplomats participated in a Holocaust commemoration ceremony. Several neo-Nazis, led by activist Uldis Freimanis, protested the event from nearby. State officials condemned the anti-Semitic demonstration and criticized the Riga City Council for allowing the counterdemonstration to take place in close proximity to a Holocaust-era memorial.

Freedom of Association

The constitution and the law provide for freedom of association, and the government respected this right in practice. However, 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/j/drl/irf/rpt/.

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

The constitution and the law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice, including with respect to its noncitizen resident

population. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations to provide protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system to provide protection to refugees. In general this system was active, accessible, and subject to due process. The Latvian Center for Human Rights, the primary provider of legal services for asylum seekers, expressed concern that asylum applicants and refugees did not always have prompt access to legal representation.

According to the Office of Citizenship and Migration Affairs, 189 persons applied for asylum in the country during the year. The majority were from Georgia. Ten were granted the status of asylum seeker; 20 were granted the alternative status of asylum seeker. According to the data from the Office of the Citizenship and Migration Affairs, nine asylum seeker cases are currently in courts. All other asylum seekers were returned to their countries of transit or origin.

Safe Country of Origin/Transit: The country generally does not adjudicate asylum cases based on the applicant's country of origin or country of transit.

However, as an EU member state bound by the Dublin II Regulation, authorities may return to the country of first entry into the EU asylum-seekers who arrive from other EU member states, except in cases involving family reunification or other humanitarian considerations. There were no credible complaints that authorities ignored exceptional cases or routinely returned asylum seekers to countries with poorly developed asylum systems.

Refoulement: In contrast with 2011, there were no reports of expulsion or return of persons to countries where their lives or freedom would be threatened.

Temporary Protection: The law provides temporary protection for individuals who may not qualify as refugees. It was not used during the year.

Stateless Persons

Citizenship is derived from one's parents. To become a citizen at birth, one parent must be a Latvian citizen. The children of noncitizens residing in the country may be granted citizenship upon application by both parents, except in special circumstances.

According to UNHCR, there were approximately 312,362 stateless persons in the country. However, as of July the Latvian Office of Citizenship and Migration Affairs listed 297,365 persons as noncitizen residents and 175 as stateless. Although UNHCR included most of the country's large noncitizen population in its total, the government did not, preferring to designate most of them as "noncitizen residents" on the grounds that most of them were eligible to naturalize under the country's law. The government recognized as stateless only persons with no claim to foreign citizenship or noncitizen resident status. Stateless persons may pursue citizenship through naturalization after lawfully residing in the country for at least five years.

Noncitizen residents, mostly persons of Slavic origin who moved to the country during the Soviet occupation and their descendents, did not automatically become citizens when the country regained sovereignty in 1991. However, they have permanent residence status; consular protection abroad; the right to return to the country; employment rights except for some government and private sector positions related to national security; and the right to all government social benefits. As noncitizens they may not vote in local or national elections and may not organize a political party without the participation of an equal number of citizens.

The law provides naturalization procedures for granting citizenship to the noncitizen population. These procedures include a test of Latvian language skills and knowledge of the constitution and history of the country.

Most noncitizen residents had not applied for citizenship, although they were legally eligible for it. They frequently cited as reasons the perceived "unfairness" of the requirements, resentment at having to apply at all, and the lack of perceived benefits.

Noncitizen residents accounted for approximately 14 percent of the population. During the year authorities received 2,121 naturalization applications; they approved 2,213 (including applications filed before the beginning of the year) and rejected 113 because applicants failed the examination three times. In 2011 2,771 persons applied, 2,467 were approved, and 128 applications were rejected. Some

observers expressed concern that the passage rate in the naturalization test has fallen in recent years.

The ombudsman, NGOs, and the Council of Europe's Committee for the Prevention of Racism and Intolerance continued to urge the government to reform the naturalization system, including granting automatic citizenship (with parental approval) for children born to noncitizen residents, relaxing testing requirements, allowing noncitizen residents to participate in local elections, and reducing the list of professions in which noncitizens may not work.

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

The constitution and the law provide citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic and generally free and fair elections based on universal 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 (OSCE/ODIHR) assessed the September 2011 preterm parliamentary elections for the 100-seat parliament as free and fair. According to the OSCE's final report, the election took place in a democratic and pluralistic environment with minimal violations and offered voters a genuine choice. However, the OSCE report noted that voter education materials were only available in Latvian, which may have disadvantaged voters with low Latvian language proficiency.

Other recommendations in the report called for the simplification of the naturalization process for persons over 65 years of age; campaigns to promote naturalization; access to free Latvian language courses; and continued discussions on granting Latvian citizenship automatically to the newborn children of noncitizens.

Political Parties: Citizens can organize political parties without restriction. However, the law prohibits the country's noncitizen residents from organizing political parties without the participation of an equal number of citizens. The election law prohibits persons who remained active in the communist party or various other pro-Soviet organizations after 1991, or who worked for such institutions as the former Soviet Committee for State Security, from holding office.

Participation of Women and Minorities: There were 23 women in the 100-member parliament, and four women in the 14-member Cabinet of Ministers. Four of seven judges on the Constitutional Court were women, and 26 of the 51 Supreme Court justices were women.

Approximately 14 percent of the country's adult population (36 percent of ethnic minority populations) were noncitizens. They did not participate in the elections process and were left without representation in the government. However, members of minorities who were citizens, including ethnic Russians and Poles, served in various elected bodies. For example, the mayor of Riga, the country's largest city, was a member of the ethnic Russian minority. The Harmony Center party, which listed many ethnic Russians in its ranks, won the most seats in parliament in the 2011 elections.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials. However, the government did not implement the law effectively, and officials sometimes engaged in corrupt practices. There was a widespread perception that corruption existed at all levels of government.

The Bureau to Prevent and Combat Corruption (KNAB) is primarily responsible for fighting corruption. Opposition parties and media alleged a political bias in how KNAB chose cases to prosecute, a perception that sometimes hampered the bureau's effectiveness during the year.

During the year KNAB recommended 12 criminal cases for prosecution against 58 persons. During the same period, the bureau initiated 29 criminal cases. Also during the year, prosecutors submitted three criminal cases against 12 persons to the court. In four criminal cases, prosecutors reached a plea agreement with the defendants.

In September KNAB asked the prosecutor general to initiate criminal prosecutions against four former officials and 13 other employees of the state-owned electrical company Latvenergo. Between 2006 and 2010 they allegedly misused their official positions to acquire property, engage in passive bribery, and launder criminally acquired assets on a large scale and in an organized group.

Also in September KNAB recommended criminal proceedings based on allegations that Riga City Council officials and employees committed criminal offenses in connection with leasing city apartments. Seven persons were detained, including one official and two city council employees. KNAB accused the official, who was responsible for leasing apartments to members of socially disadvantaged groups, of accepting bribes over a long period with assistance from an intermediary. The investigation was ongoing at year's end.

Public officials are required to file income declarations annually, and authorities investigated irregularities in the declarations.

KNAB is responsible for overseeing the activities of public officials and preventing conflicts of interest under the law. During the year KNAB reviewed 136 cases and fined 47 persons for violations of conflict of interest laws; 83 other public officials received reprimands. In most cases the violations involved failure to observe restrictions on outside employment and commercial activities. In some cases municipal officials awarded public procurement contracts, without competition, to companies in which they had shares. In three cases the declared incomes of public officials or their relatives were not commensurate with their lifestyles, which triggered audits by the State Revenue Service. These cases resulted in the payment of fines and additional taxes for undeclared income in the amount of 4,058 lats (\$7,730).

The Freedom of Information Law provides for public access to government information, and in practice the government generally provided citizens, noncitizens, and foreign media with requested information.

Under the law government officials must ensure access to information and provide it within 30 days. However, only generally accessible information may be released. Generally accessible information that does not require extra processing is provided free of charge. When the government assesses fees they may not exceed the expenses of the searching for, additional processing, and copying of documents or information. Applicants may request an exemption from the fee; institutions may waive or reduce charges. Applicants have the right to appeal a refusal to provide information. The law did not stipulate criminal or administrative sanctions for noncompliance. Institutions are specifically instructed to take into account an applicant's visual or hearing disabilities when providing information.

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

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials met with NGOs and responded to their inquiries. Government officials often cooperated with them and were responsive to their views.

Government Human Rights Bodies: The Ombudsman's Office has the responsibility to monitor the government's performance on human rights problems. The office received some cooperation from the government and operated without direct government or party interference. However, the Ombudsman's Office complained that inadequate funding prevented it from accomplishing its mandate and interfered with its independence. NGOs continued to criticize the Ombudsman's Office, saying it lacked institutional authority and any clear focus or strategy. They complained that the office frequently put forward numerous issues with little proactive follow-through. As required by law, the office published a public annual report describing its activities and making recommendations.

The parliament has a standing committee on human rights and public affairs, which met weekly to consider initiatives relating to human rights. During the year the committee focused on its public affairs responsibilities and did not spend as much time as in previous years on human rights concerns.

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

The law prohibits discrimination based on race, gender, disability, language, sexual orientation and/or gender identity or social status, and the government enforced most of these prohibitions. However, there were complaints that rape and domestic violence laws were ineffective or not adequately enforced.

Women

Rape and Domestic Violence: The law specifically criminalizes rape but does not recognize spousal rape as a distinct crime. Criminal penalties ranged from probation to life imprisonment depending on the nature of the crime, the age of the victim, the criminal history of the offender, and the dependency of the victim on the offender. In the first nine months of the year, prosecutors brought 68 rape charges, compared to 72 cases in 2011.

NGOs complained that authorities were ineffective or inadequately enforced rape laws. They contended that rape was underreported due to a tendency by police to blame the victims.

Under the law 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 or former spouses. NGOs and police agreed that domestic violence was a significant problem, and the law was not effectively enforced. Victims were often uninformed about their rights and were reluctant to seek redress through the justice system. The women’s advocacy NGO Marta Center noted there was no system to provide women with restraining orders against their abusers or allow them to file police reports as soon as they arrived at a hospital for treatment after violence. Most abused women went first to a hospital and only afterward turned to police.

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

Sexual Harassment: Sexual harassment is illegal but reportedly common in the workplace. The Ombudsman’s Office received no complaints regarding sexual harassment during the year, in part because of the procedures required to register incidents. The Ombudsman’s Office in Riga was the only location that accepted complaints. Additionally, cultural factors discouraged women from filing sexual harassment complaints.

Reproductive Rights: The government recognized the right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children and to have the information and means to do so free from discrimination, coercion, and violence. Health clinics and local health NGOs operated freely in disseminating information on family planning under the guidance of the Ministry of Health. There were no restrictions on access to contraceptives. The government provided free childbirth services. Men and women had equal access to diagnosis and treatment for sexually transmitted infections. In June the Cabinet of Ministers endorsed the full financing of reproductive services for childless couples. Prior to that decision, couples had to pay for the treatment.

Discrimination: Women enjoy the same rights as men, including rights under family law, labor law, property law, inheritance law, and in the judicial system. The law prohibits employment discrimination. In practice women frequently faced hiring and pay discrimination, particularly in the private sector. The Marta Center noted that there had been cases of women who faced gender discrimination when applying for work.

The law prohibits work and wage discrimination based on gender and requires employers to set equal pay for equal work. However, government regulatory agencies did not implement the law fully. According to the country's Central Statistics Bureau, in the first quarter of the year, the average salaries of female workers were 17 percent lower than male workers.

Children

Birth Registration: Citizenship is derived from one's parents, and only one parent must be a Latvian citizen to transmit nationality to his or her child. Children of noncitizen parents born in the country are registered immediately and are eligible to apply for citizenship and have access to educational and social services. There were no reports of systematic or widespread failure to register births immediately.

Child Abuse: The Ombudsman's Office received three complaints regarding the violation of children's rights. According to the Latvian Children's Fund, there were 1,108 registered cases of child abuse during the year, up from 941 in 2011. The Dardedze Center, an NGO working with abused children, stated that the number of reported instances of child abuse, including sexual abuse, has increased in the past several years. During the year the center registered 306 child abuse cases; one-third included sexual abuse, which they said marked a slight but steady increase.

The increase was largely attributed to better reporting due to increased awareness of the problem. Police effectively enforced laws against child abuse, although NGOs observed that coordination among agencies involved in the protection of children's rights was weak. Children from families that were unable to care for them had access to government-funded boarding schools that provided adequate living conditions. However, these schools had lower educational standards than regular state schools.

Child Marriage: The legal minimum age of marriage is 18 years old. According to the most recently available statistics, the rate of marriage for boys and girls under the age of 18 years old was approximately 5 percent of all marriages. Lawful marriage under 18 years old is possible only with parental permission and if one party is at least 16 years old and the other is at least 18.

Sexual Exploitation of Children: Statutory rape and child pornography are illegal. The minimum age for consensual sex is 16 years old. Statutory rape is punishable by four years' imprisonment, or six years if the victim is particularly young. The state police can initiate proceedings against a sexual abuser without receiving a complaint if the victim is a minor. 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.

A special police unit in Riga worked to prevent the sexual abuse of minors and to eradicate child sex tourism through aggressive prosecution of pedophiles and other child abusers. The unit publicized the potential dangers posed to minors by Internet chat rooms and worked closely with local social networking sites to identify potential Internet predator cases.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's country-specific information at travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

The Jewish community numbers approximately 10,000. There were continued reports of anti-Semitic incidents during the year, including several cases of vandalism and anti-Semitic statements, but no reports of anti-Semitic attacks against individuals. Anti-Semitic sentiments persisted in some segments of society.

On March 20, hosts of the *Radio NABA* show and their guest--a Latvian who served as a Waffen SS legionnaire during World War II--made anti-Semitic comments. In response the Embassy of Israel sent a letter to the Council on Electronic Mass Media criticizing the anti-Semitic statements. The government also warned the council that freedom of speech does not include the right to incite ethnic hatred. On April 18, the council initiated an administrative case regarding

the *Radio NABA* broadcast for anti-Semitic statements and incitement to ethnic hatred, and the radio show was canceled. Proceedings were ongoing at year's end.

Vandals desecrated cemeteries and damaged monuments. For example, on June 27, vandals broke a stained-glass chapel window in the New Jewish Cemetery in Riga. The Jewish community requested a police investigation, which was ongoing and has yet to identify any suspects.

On March 15, the Riga Regional Court found three teenagers guilty of vandalizing 89 headstones in the New Jewish Cemetery of Riga in 2010. The offenders plead guilty and their sentences ranged from a one-year suspended sentence, probation, and a fine of more than 3,000 lats (\$5,562), to 40 hours of community service. The teenagers, members of the Russian-speaking community, possessed neo-Nazi materials published by Russian skinhead groups.

Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to healthcare, or the provision of other state services, and the government generally enforced these provisions. The law mandates access to air travel and other transportation, and during the year the government and municipalities had partially implemented the law. The also law mandates access to buildings for persons with disabilities; however, most buildings were not accessible.

The law grants additional assistance to children with disabilities, allowing them and their caretakers to use public transportation free of charge. The law also allows families of children who have been diagnosed with a disability to receive state-funded counseling. Children with disabilities attended school. The majority attended specialized schools, but children with disabilities can also attend regular schools that accommodate their needs. In September the government allocated funds for assistants in schools. The legislation came into force in October.

National/Racial/Ethnic Minorities

No physical attacks against minorities were reported. However, NGOs representing minority groups claimed that official statistics underreported the actual number of other types of incidents.

During the first nine months of the year, police reviewed 34 applications or complaints alleging incitement of ethnic or racial hatred. In that period they initiated criminal procedures in 15 cases. They completed one case and closed two others. As of the end of September, they were actively investigating six cases. Complaints generally involved hate speech on the Internet. During the first nine months of the year, the Ombudsman's Office received 10 written complaints of racial or ethnic discrimination, compared with seven in 2011. Four of them alleged discrimination against Roma.

During the year the Security Police initiated criminal proceedings against individuals who made comments on a regional Internet portal that allegedly incited racial or ethnic hatred. The comments appeared in February, during a referendum that asked voters whether to grant the Russian language official status in the country. According to the portal's editor, the portal was a forum for sharp debates, including insults to both ethnic Latvians and Russians. The editor contended that portal administrators made an effort to delete the comments. The case remained under investigation at year's end.

The Romani community, estimated to number approximately 11,500, has historically faced widespread societal discrimination and high levels of unemployment and illiteracy. The government had a national action plan to address problems affecting the Romani community with respect to employment, education, and human rights. However, observers criticized the plan for its lack of adequate funding to substantially improve conditions for Roma. In 2011 only 5 percent of the country's Romani residents had full-time employment.

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

There were no official reports of violence based on sexual orientation or gender identity. However, lesbian, gay, bisexual, and transgender (LGBT) organizations complained of widespread intolerance and underreporting of attacks to authorities.

The Ombudsman's Office received no reports of discrimination based on sexual orientation during the year. Nevertheless LGBT advocates maintained that individuals faced widespread societal discrimination. For example, a study by the

Marketing and Public Opinion Research Centre published during the year suggested that negative social attitudes toward LGBT individuals and discrimination on the basis of sexual orientation remained widespread.

LGBT representatives reported that the ombudsman expressed reluctance to assist the LGBT community with securing rights, including with respect to a civil partnership law.

During the year Mozaika, an NGO promoting LGBT rights, received five complaints of hate crimes related to sexual orientation.

On June 2, the country hosted the Baltic Pride Parade. Several hundred persons marched through Riga in support of gay rights. Police presence was heavy, as religious groups and some neo-Nazis announced their resistance ahead of the event. However, the event proceeded mostly without incident. One man threw eggs at marchers, and police immediately subdued him.

Other Societal Violence or Discrimination

There were no reports of societal violence or discrimination against persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law entitles all workers, except uniformed members of the military, to form and join independent unions and recognizes the right to strike, subject to limitations related to public safety. Labor regulations prohibit strikes by essential personnel including judges, prosecutors, police, firefighters, border guards, employees of state security institutions, prison guards, and military personnel. The law provides arbitration mechanisms that essential personnel may use in lieu of striking. The law provides for collective bargaining. The law also prohibits antiunion discrimination and employers' interference in union functions, and provides reinstatement as a remedy for an employee's unlawful dismissal, including dismissal for union activity. The law prohibits "solidarity" strikes by workers who are not directly involved in a specific labor agreement between strikers and their employers, a restriction that was criticized by local labor groups.

The government generally protected these rights, and workers exercised them in practice. Labor rights organizations expressed concerns during the year about employer discrimination based on union membership. The International Trade Union Confederation (ITUC) also noted that, while the law protects “basic labor rights,” the minimum number of workers required to form a union was excessive. However, the Free Trade Union Confederation of Latvia, a local labor organization, stated it knew of no cases in which this restriction limited the right to form a union in practice. The ITUC criticized the country’s rules that allow a strike to be suspended pending an employer’s legal challenge of the legality of a strike.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and the government generally effectively enforced such laws. The State Labor Inspectorate (SLI), the agency responsible for enforcing labor laws, conducted regular inspections of workplaces during the year and reported no incidents of forced labor. There were, however, some cases of Latvians being trafficked and forced into compulsory labor abroad. However, the main violations involved labor with no legal contract.

Also see the Department of State’s annual *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits those under the age of 18 years old from nighttime or overtime work. The statutory minimum age for employment is 15 years old, although children who are 13 years old or older may work in certain jobs outside of school hours with written permission from a parent.

Inspectors from the Ministry of Welfare’s State Labor Inspectorate are responsible for enforcing child labor laws and did so effectively. The SLI’s resources were adequate. During the year the SLI inspected work places for violations and conducted information campaigns on labor rights, including for youth audiences. There were no reports of labor abuses involving children during the year.

d. Acceptable Conditions of Work

The legally mandated monthly minimum wage was 200 lats (\$400). By comparison the Latvian Central Statistical Bureau's "minimum subsistence consumer basket" price index for December was 177.01 lats (\$337).

The law provides for a mandatory 40-hour maximum workweek with at least one 42 hour-long rest period weekly. The maximum permitted overtime is 144 hours in a four-month period. Employees are not allowed to work more than 24 hours consecutively, 56 hours in a week, or overtime on more than six consecutive days. The law requires a minimum of 100 percent premium pay in compensation for overtime, unless other forms of compensation are agreed in a contract. The law establishes minimum occupational health and safety standards for the workplace. Workers have the legal right to remove themselves from situations that endanger health or safety without endangering their continued employment. The law entitles workers to 28 calendar days of paid annual holidays.

The State Revenue Service is responsible for enforcing minimum wage regulations. The SLI was responsible for enforcing working time and occupational health and safety standards. Most labor standards were respected for both citizens and noncitizen workers. However, authorities did not actively enforce the right of workers to remove themselves from situations that endanger health or safety. During the year the SLI reported 48 workplace fatalities and 199 serious workplace injuries. The majority of workplace fatalities were in construction, wood-processing, and the lumber industry.