

Human Rights in Latvia in 1998

Latvian Centre for Human Rights and Ethnic Studies

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Preface

The Latvian Centre for Human Rights and Ethnic Studies (LCHRES) prepared and published this report on *Human Rights in Latvia in 1998* with funding from the EU-US Democracy and Civil Society Award received in May 1998. While we are grateful for this and other support given to the LCHRES in 1998, responsibility for the views expressed is solely ours. In November 1998, the LCHRES became a co-operating committee of the International Helsinki Federation for Human Rights (IHF) and some of the material below will also appear in abridged form in the IHF Annual Report. However, as we wanted to reach a broader audience in Latvia and the region, we decided to publish this lengthier overview in three languages: English, Latvian and Russian.

We do not claim to provide a full picture of human rights issues in Latvia in 1998. The material below reflects what in our view are the most topical issues in Latvia, but also our specific areas of expertise. We focus on civil and political rights and do not consider economic, social or cultural rights in any great detail. We touch only in passing on the rights of children and women. Regarding children's rights, we recommend the "Alternative Report to the United Nations on the Protection of the Rights of the Child in Latvia" prepared by "Save the Children" in co-operation with other NGOs in early 1998. Regarding women's rights, a number of older, quality reports are available, including the "National Report on the Situation of Women" prepared by Parsla Eglite for the UN Fourth Conference on Women in 1995 and "Gender Equality in Latvia: an Assessment" by UNDP consultant Bonnie Keller published in early 1997.

We did not insert footnotes throughout the Report, as this would have been too cumbersome. Occasionally, we refer to the source in the text. However, we used a wide variety of source materials in preparing this Report, including media reports and information provided by individuals, other NGOs and international organisations working in Latvia. We also relied on official data and documents from the Central Election Commission, the Ministry of Justice Statistical Department, the Ministry of Interior Department of Correctional Facilities, the Naturalisation Board, the National Human Rights Office Complaints Department, the Ministry of Justice Department of Social and Religious Affairs, the State Centre for Psychiatry, the Ministry of Welfare

Department of Social Assistance, and the State Social Insurance Agency. However, any errors of fact or interpretation are ours.

Nils Muižnieks

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Introduction

In Latvia the primary human rights concerns in 1998 were conditions in closed institutions, particularly the outbreak of a tuberculosis epidemic in the prison system, the emergence of a management crisis in the National Human Rights Office, and the appearance of new extremist groupings inciting racial hatred and propagating anti-Semitism. Positive developments were liberalisation of the Law on Citizenship, the adoption of inclusive amendments to the law on the status of non-citizens and the addition of a Bill of Rights to the Constitution.

Elections and Referenda

On October 3 Latvia witnessed the third general elections since the restoration of independence. Voter participation was high (72%) and local and international observers termed the elections “free and fair”. The results of the elections signalled a slow consolidation of the party system, as only 6 of 21 party lists overcame the 5% voting barrier required for representation in the 100 member parliament. It should be remembered, however, that only 73.5% of the population are citizens. Most of the remaining 26.5% are stateless “non-citizens” - permanent resident aliens whose status is defined by a 1995 “Law on the Status of those Citizens of the Former USSR Who Are Not Citizens of Latvia or Any Other State” (see below).

Concurrently with the election, voters took part in a referendum on amending the Law on Citizenship. On 22 June the Saeima (parliament) voted to amend the 1994 Law on Citizenship in line with the recommendations of OSCE High Commissioner on National Minorities Max van der Stoep. The amendments grant citizenship through registration to about 18,400 stateless children born in Latvia since 21 August 1991 upon the request of their parents. This change is in line with the requirements of the Convention on the Rights of the Child, which affirms that the child has the right to a nationality from birth and obligates states to prevent statelessness. Other amendments simplify the language test for most applicants and do away with the age brackets or “window system,” according to which many qualified candidates had to wait several years before applying for naturalisation.

The amendments did not enter into force immediately after adoption, as right-wing deputies employed a little-used constitutional provision to suspend enactment pending an attempt to gather signatures to hold a referendum on the issue. The signature gathering campaign took place from 20 July through 18 August and succeeded in gathering the necessary number of signatures to hold a referendum. One provision of the Law on Public Referendums and Legislative Initiatives raises human rights concerns. Article 8 of the law calls on the authorities to make an entry into the passports of those citizens who signed in favour of holding a referendum. As such an entry can reveal the political sympathies of the passport holder; the entry can be used as the basis for discrimination, in particular because the passport remains the primary internal identity document in Latvia.

In the referendum of October 3, 52.54% of voters approved liberalisation of the law, thereby confirming the June parliamentary vote and resolving a serious human rights concern. The primary problem with conduct of the referendum was the confusing way in which the question was formulated. As the referendum was called on repealing the amendments, voters were asked “Are you for the repeal of the amendments to the Law on Citizenship of 22 June 1998?” Thus, proponents of the amendments had to vote “Against,” while opponents of the amendments had to vote “For.” In order to avoid similar confusion in future plebiscites, a legislative change is necessary.

Freedom of Expression and Media

In November 1998 a new Law on Access to Information came into force that is meant to provide the public with guaranteed access to information at the disposal of state administrative and municipal authorities. The law divides information into two categories: that which is generally accessible and that which is of “limited” accessibility and is meant for internal use by an institution, including information on an individual’s private life, certification, examinations and competitions. The law lays out the procedure for demanding and registering information, refusing to divulge information, and permissible time limits on official responses. For the time being, the law is difficult to apply, as Cabinet of Minister’s regulations governing how institutions must release information in their disposal have not yet been adopted. Although the law calls for sanctions in the event of refusals to

provide information, these penalties cannot be applied, as a new law on administrative process has not yet been adopted governing the procedure for appealing official decisions.

Domestic Safeguards

The judicial system continued to be plagued by a number of problems, foremost among them an overload of cases resulting in excessively long pre-trial periods. The government has yet to allocate sufficient funding to prevent shortages of such elementary necessities as chairs, tables, stationary, not to mention computers and basic repairs of the premises of many courts. Qualified judges were in short supply and the prestige of the judicial system remained low, a conclusion highlighted by the fact that in December 1998 21 of 370 judges' posts remained vacant.

On 15 October the Saeima (parliament) amended the *Satversme* (constitution) and added a second part entitled "Basic Human Rights," thereby bringing Latvia's constitution into line with European standards and ending uncertainty about the place of human rights in Latvia's legislative hierarchy. The amendments enshrine the Latvian language as the state language at the constitutional level and include a basic catalogue of human rights. Until the changes, a bill of rights had only been enshrined in a regular law.

It is to be hoped that the amendments to the constitution will pave the way for a liberalisation of legislation governing the circle of those eligible to submit cases to the Constitutional Court, which currently does not accept cases from private individuals. According to the current version of the Law on the Constitutional Court, eligible applicants include the president, no fewer than 20 Saeima deputies, the Cabinet of Ministers, the plenum of the Supreme Court, the Council of the State Control, the National Human Rights Office and city councils. Since its creation in mid-1997 through the end of 1998, the Constitutional Court reviewed only 10 cases and took decisions on only 9 cases.

On 1 September a new law entered into force "On the Compensation of Losses Resulting from the Unlawful or Unfounded Action of an Investigator, Prosecutor or Judge." According to the law, persons may request compensation of a loss incurred since the restoration of independence on 21 August 1991 if they have been unjustifiably sentenced, held criminally liable, detained, involuntarily committed in a

health care facility or otherwise suffered loss as a result of activities carried out by law enforcement agencies. Victims gained the right to be compensated for unpaid wages, benefits, stipends, the value of confiscated goods, court expenses, fines and other costs.

The National Human Rights Office (NHRO), an ombudsman-type body established in 1995, was progressively paralysed by politicisation, conflicts of interest, and a management crisis over the course of 1998. In a revelation casting doubt on the independence of the office, it was reported that the head of the complaints department at the NHRO worked part-time for the bureaucracy about which the NHRO received many complaints - the Citizenship and Migration Affairs Board. At the same time, newspapers reported that the head lawyer at the office was a member of a strategic working group of the nationalist *Fatherland and Freedom* Party. This same lawyer wrote the NHRO opinion on a case of alleged hate speech involving a party member. Politicisation was also evident in the NHRO's equivocal stance on granting citizenship to stateless children and the "artificially created concern" about the dangers of making entries in passports (see above). The aforementioned problems, the firing or departure of many committed NHRO staff and the director's inability to co-operate effectively with United Nations bodies all contributed to paralysing the work of what was once a model independent human rights institution. At the end of 1998, the parliament had yet to take steps to replace director Olafs Bruvers with new management.

Torture, Ill-Treatment and Misconduct by Law Enforcement Officials

After the controversy surrounding the police's rough dispersal of a 3 March demonstration of Russian-speaking pensioners at Riga City Council and explosions at the Riga synagogue and near the Russian embassy (see below), the Ministry of the Interior carried out a number of staff changes affecting the police. After the changes, the new police leadership began an active dialogue with non-governmental organisations, involving them in efforts to educate the police force, and strengthened co-operation with education institutions.

However, in 1998, the number of public complaints about the police to both government and NGOs increased. The National Human Rights Office received 92 complaints about violations on the part of the police, of which the most common

pertained to unjustified arrest (not explaining the reasons for arrest), intolerant and/or rude behaviour towards the public or an arrested person, exceeding one's professional authority; and unjustified refusal to initiate criminal proceedings or to investigate a case. According to the results of a sociological survey carried out by the World Bank in 1998, the public considers the traffic police to be one of the three most corrupt state institutions in Latvia.

The most widely publicised case of police abuse occurred in Viesite on 28 February, when the mobile police battalion (MPB) attacked 7 youths on the street and in a bar, humiliating them and causing such bodily injuries as a broken jaw, a broken leg and a torn ear. At the beginning of March, Interior Minister Ziedonis Ceveris signed an order suspending several members of the MPB from the force pending the results of an internal investigation. Subsequently, 4 members of the MPB were released from work in the Interior Ministry for exceeding their authority and 5 members received disciplinary punishments. On 22 December 1998 the Jekabpils district court passed judgement on 3 former MPB members - Juris Strods, Romeo Stromidlo and Aris Vitkovskis, who were charged with exceeding their power and authority, as well as violating human rights. The court levied fines on the accused amounting to 10 minimum monthly wages or 420 lats for Juris Strods and Aris Vitkovskis, and 8 minimum wages or 336 lats for Romeo Stromidlo. The court found that it was possible to rehabilitate the guilty parties without isolating them from the public.

On 10 February 1998 Latvia ratified the European Convention on the Prevention of Torture and Inhuman and Degrading Treatment or Punishment, which entered into force in June. A visit to Latvia by the Committee on the Prevention of Torture (CPT) is expected in 1999 to various closed institutions, such as police stations, prisons, mental hospitals, army bases and refugee and asylum seeker detention centres. By the end of 1998, the Latvian authorities had yet to appoint a liaison officer responsible for communicating with the CPT and appoint a Latvian representative to the body.

Conditions in Prisons and Detention Facilities

In 1998 Latvia continued a far-reaching prison reform effort, including reconstruction of the notorious Central Prison and several other facilities, training of

professional guards for Griva Prison, and successful co-operation between Latvian and Scandinavian prisons. The prison administration continued to strengthen co-operation with NGOs, which organised education programmes, radio broadcasts and published a prison newspaper.

At the same time, Latvia continued to be one of the world leaders in terms of prison population with 395 prisoners per 100,000 inhabitants. More than 1/3 of prisoners were in pre-trial detention. Long pre-trial periods, excessively long prison terms, and conditions in several prisons (the Central Prison, Skirotava Prison) continued to be the most urgent problems. Prisons were full to 101.2% of capacity and 81.9% of all prisoners were held in closed prisons, 13.6% in partially closed prisons, 1.8% in open prisons, and 2.7% in juvenile correctional facilities.

At year's end, 473 minors were being held in prison facilities, of whom 203 had been tried but 270 were in pre-trial detention. The criminal code currently in force states that pre-trial detention for minors may extend to 6 months only in exceptional circumstances and only for those accused of committing serious crimes. The period of detention may not be extended and the detained minor must be freed forthwith. Unfortunately, in 1998 there are still individual minors who had been in pre-trial detention since 1996. This is in clear violation of Article 37, paragraph b of the Convention on the Rights of the Child, which holds that "The arrest, detention or imprisonment of a child shall be... used only as a measure of last resort and for the shortest appropriate period of time."

In 1998 prisoners continued to have limited opportunities for social rehabilitation. Only 4% of all prisoners were engaged in general education programmes, 4% were in vocational training programmes, and 26.1% were employed (of those, only 12% in production). The number of prisoners with tuberculosis continued to grow in 1998, reaching 580 prisoners or 5.8% of the total on 1 October 1998. In Griva prison almost 1/3 of all prisoners had tuberculosis. There was a severe shortage of medical equipment and suitable premises for treatment. The effectiveness of treatment programmes was undermined by prison overcrowding, whereby cells meant for 5 prisoners were inhabited by 15. Throughout the year, the Interior Ministry could not come to an agreement with the Welfare Ministry regarding the most effective method of addressing tuberculosis in prisons.

The Mentally Ill

In 1998 work continued on legislation governing the rights of the mentally ill, and in May, a draft law “On Psychiatric Assistance” detailing patients’ rights was given to NGOs for preliminary evaluation. At the end of 1998, 74 patients were in involuntary commitment in mental hospitals, on an outpatient basis, or under standard supervisory care. Of the 74, 11 should have been under high security surveillance and under guard, but were kept in hospitals due to the lack of a special facility. Several mental patients were kept in the hospital of the Central Prison as well, as mental health institutions could not arrange guards for these patients. A new involuntary commitment facility for patients who have committed serious crimes and have been sentenced to treatment is scheduled to be completed and opened in early 1999.

Throughout 1998 the media periodically reported on problems in various specialised state social care centres for persons with mental disabilities: at the Ludza district Istra facility in February, at the Vilce rural district social care centre Ziedkalne in November, and in the Liepaja district social care centre Ilgi in December. Until now, human rights activists have focussed on conditions and events in mental hospitals, as social care centres are not closed institutions under the supervision of the State Psychiatry Centre, but fall within the jurisdiction of the Ministry of Welfare, which is responsible for 18 such facilities.

In November 1998 the media reported that young mental patients at the Vilce rural district social care centre Ziedkalne were being punished by being placed in a windowless warehouse bunker. Former employees at the facility claimed that three patients were regularly put to work at a farm owned by the director of the facility. A Ministry of Welfare investigation resulted in elimination of the bunker. Finding “a series of significant problems in the organisation of work,” the Ministry fired the director and allowed the head physician to leave of his own accord, insofar as he had reached retirement age.

It was revealed that 5 patients and 1 employee at the Ilgi facility contracted tuberculosis in 1998. The facility has 6 wards of which several are closed wards with barred windows – an inappropriate measure taken at the initiative of the facility’s director.

Freedom of Thought, Conscience, Religion and Belief (and Religious Intolerance)

The Jehovah's Witnesses encountered registration difficulties in Latvia in the 1930s, as well as in the 1990s. Recent refusals to register the group under the 7 September 1995 Law on Religious Organisations were based on the alleged non-conformity of statutes with the law (1994, the Riga congregation), as well as on information from the Bureau for the Defence of the Constitution (1996, congregations from Central Riga, Daugavpils, Valmiera, Jelgava and Old Riga).

In late 1998 three Jehovah's Witnesses congregations (the Central Riga, Tornakalna and Jelgava congregations) were finally permitted to register. However, in 1998 a congregation in Daugavpils was refused registration. According to the law, "new" religious congregations must re-register every year for ten years. Rejections are often based on paragraph 11, which lists that rejections can be justified in the event of threats to state security, public order, health or morals, as well as the incitement of religious intolerance or hatred or actions in contradiction to the constitution.

Protection of Minorities

Language policy continued to generate controversy in Latvia in 1998. Several planned and implemented legislative changes continue the trend of restricting the use of minority languages, occasionally employing questionable regulatory methods. For example, a new draft Law on the State Language continued to be debated in parliament but had not yet been adopted by the end of 1998. Provisions in the draft Law call for increased regulation of language use in the private sphere (e.g. in some businesses and most NGOs) beyond the limits established by the Oslo Recommendations Regarding the Linguistic Rights of National Minorities, raising serious concerns about possible violations of free speech and the sanctity of private life. Furthermore, the parliament amended the Law on Radio and Television on 29 October 1998, reducing the percentage of *private* radio and television broadcasts permitted in minority languages from 30% to 25% of the total. That same day, the Saeima also passed a new Law on Education that sets the stage for reducing the scope of education in minority languages.

Article 9 of the new Law on Education states that “I) In state and municipal education institutions, education is acquired in the state language. II) Education can be acquired in another language: 1) in private education institutions; 2) in state and municipal education institutions in which minority education programmes are implemented.” However, the content of “minority education programmes” is not specified in the law, but is “to be worked out by education institutions in accordance with state education standards using as a basis Ministry of Education and Science approved general education sample programmes.” Article 41, paragraph 3 of the new law states that “the Ministry of Education and Science determines the subjects within minority education programmes that are to be acquired in the state language.” Again, debate about the number and nature of subjects that must be taught in Latvian in minority schools has been quite controversial. Given the fears among minorities about the progressive “Latvianisation” of the educational system and the importance of this issue for the protection of minority rights, this lack of clarity is highly regrettable. Another questionable provision is contained in Article 59, Paragraph 2, which says that “The state and municipalities may participate in funding private education institutions if they implement state accredited education programmes in the state language.” In a word, the possibility for minority private schools to receive state subsidies has been severely restricted, if not eliminated.

At the same time, there were also some positive changes in language policy and progress in promoting Latvian without using punitive methods. The gradualist, participatory National Programme for Latvian Language Training (NPLLT) continued to work with teachers and expanded its activities, opening up new centres in Daugavpils and Liepaja. In 1998 the NPLLT also created Latvian language textbooks for specific target groups (e.g. Interior Ministry personnel, Latvian railway personnel, military recruits, etc.) and offered language courses not only for teachers, but also for various vulnerable groups, such as the unemployed, the blind, and people with disabilities. The NPLLT continued to promote Latvian through a TV film and began teaching programmes on the radio and the internet.

The President’s Minority Advisory Council, established in 1996, was convened only several times in 1998. Despite a promising beginning, President Ulmanis has been unable to fully develop this opportunity to strengthen government-minority dialogue and minority participation in public life. Another opportunity to promote dialogue arose when the government accepted a draft “Framework Document

for a National Programme on the Integration of Society in Latvia” on 28 September 1998. The document, commissioned by the government from an expert group composed of officials and academics, lays down the guidelines and goals of minority policy. However, the slow formation of a new government after the October 3 elections halted progress in this realm: by the end of the year, the Framework Document had yet to be published in full or widely distributed or discussed.

In 1998 Latvia continued the Stalin-era practice of requiring an obligatory ethnicity entry in passports. Though widely supported by the public, this practice constitutes an invasion of privacy and offers bureaucrats an easy tool for discrimination on the basis of ethnicity.

Citizenship

As noted above, the Law on Citizenship was liberalised after a referendum held on 3 October 1998, thereby resolving a significant human rights concern. Most of the amendments - abolition of the “window” system and simplification of the language test for most categories of applicants - entered into force on 10 November. While it is still too early to gauge the full impact of the amendments, they appear to have contributed to a significant increase in interest in naturalisation among non-citizens. In 1998, 4439 persons were naturalised - a notable increase from the previous year. Moreover, after the amendment abolishing the window system went into effect, 2049 applications for naturalisation were submitted in November and December alone. The amendment whereby stateless children can acquire citizenship through registration was to enter into force on 1 January 1999. However, at the end of 1998, the necessary regulations had not yet been worked out by the Cabinet of Ministers, so this change could not go into effect as planned. Other regulations regarding new testing procedures for physically disabled persons (previously exempted from the examinations) had also not been adopted by year’s end. There is also some concern about whether the Naturalisation Board has sufficient human and technical resources to deal effectively with a possible future large jump in the application rate.

Despite liberalisation of citizenship provisions, a large number of stateless “non-citizens” (~646,000 in early 1998) continues to reside in Latvia. A number of legislative and administrative changes affecting the rights of these non-

citizens took place in 1998. One change affects freedom of movement. Many non-citizens have not yet obtained the new, internationally recognised non-citizen passports which have been distributed since April 1997 and continue to use USSR external passports for foreign travel. However, the validity for foreign travel of these USSR external passports expired in 1998 - the last date that one could use the document for leaving the country was 31 October 1998 and the last date one could use the document to enter the country was on 31 December 1998. By year's end, it was unclear whether some non-citizens would be "stranded" abroad without valid travel documents for returning to Latvia.

Until recently, at least 6000 people in Latvia (including people with expired temporary residency permits and their spouses, people without any identity documents whatsoever) were not eligible to acquire non-citizen's passports under the 1995 Law on the Status of those Citizens of the Former USSR Who Are Not Citizens of Latvia or Any Other State. These people, commonly known as "illegals," were subjected not only to violations of the right to free movement, but also to limits on various social and economic rights. However, in 1998 the parliament amended the 1995 Law on the Status of those Citizens of the Former USSR Who Are Not Citizens of Latvia or Any Other State, and many of the former "illegals" can now register as non-citizens. There are still several categories of persons who cannot register as non-citizens, including former USSR citizens who at some point since independence left Latvia then returned, as well as people who at one point had taken out citizenship of the Russian Federation and then subsequently given it up. In the latter case, responsibility for contributing to the growth of statelessness lies with the Russian Federation. While the logical solution would be to broaden the purview of the law on non-citizens to accommodate these persons, at the end of 1998, the Latvian parliament began consideration of a new law "On the Status of a Stateless Person in the Republic of Latvia."

Intolerance, Xenophobia, Racial Discrimination and Hate Speech

Six members of a violent, fascist group called *Perkonkrusts* (Thundercross) were apprehended by the authorities in the first half of 1998 and are awaiting trial. One member is still being sought by the authorities. The group is accused of organising a number of explosions, including that of the Victory

Monument in which two of its own members were killed. In fliers, the group portrays itself as a “Latvian fighting organisation, the core of racial purity and nationalism, whose aim is a Latvian Latvia.” Its hate propaganda carried such slogans as “Down with the false freedom, independence and democracy of the yid neo-communist powers!”

A new, right-wing newspaper called A Latvian in Latvia (*Latvietis Latvija*) began to be published legally in late 1998. The newspaper has openly advertised the sale of Nazi-era propaganda books, including The Terrible Year (*Baigais gads*) and The Significance of Eugenics in the Life of the People and the State (*Eigenikas nozime tautas un valsts dzive*). While the November issue urged readers to write letters of support for imprisoned American neo-Nazi Gerhard Lauk, an article in the December issue ended with the slogan of the pre-war fascist Thundercross: “Latvia to the Latvians, bread and work to the Latvians!”

New, Russian-oriented extremist groups have emerged as well, modelling themselves on similar groups in Russia. For example, a National Bolshevik youth group (followers of Eduard Limonov) gained media coverage in spring demonstrations in favour of minority education with its Nazi-like armbands and extremist rhetoric. The group issues an underground newsletter propagandising values such as “the Fatherland, Revolution, War, History and Revenge.” A group called Russian National Unity (followers of Aleksandr Barkashov) has emerged to openly propagate anti-Semitism. For example, in an interview in the 28 October 1998 issue of the newspaper *Chas*, “commander” Evgeny Osipov stated that “Zionists and yid-masons are tumours on the body of humanity.”

In the spring, several mysterious explosions rocked Riga, including one on April 3 at the Riga synagogue and another soon thereafter near the Embassy of the Russian Federation. Nobody was hurt in the attacks, though property damage was considerable. Nobody claimed responsibility for the attacks. Despite a concerted law enforcement effort and international assistance, including that of the American Federal Bureau of Investigation, the perpetrators of the crimes have not yet been caught.

The Death Penalty

On 26 June 1998 the government signed, but did not ratify Protocol No. 6 of the European Convention on the Abolition of the Death Penalty. However, on 8 July 1998 the President signed a new Criminal Law, Article 118 of which calls for the death penalty for “murder in particularly aggravating circumstances.” As international treaty obligations have priority over domestic provisions in Latvian law, the Criminal Law must be amended before it comes into force on 1 April 1999.

Protection of Refugees

While Latvia adopted refugee-related legislation in 1997, it began to implement this legislation in 1998. In 1998, a Refugee Affairs Centre was established under the auspices of the Citizenship and Migration Affairs Board, an Appeals Council was created under the aegis of the Ministry of Justice, and the Cabinet of Ministers approved regulations on the social benefits available to persons granted refugee status.

In February 1998, the Refugee Affairs Centre (RAC) began to receive applications for asylum and, by December, had received applications from 58 persons. The RAC rejected all the applications it had reviewed in 1998 and applicants turned to the Appeals Council. This Council has granted refugee status to two applicants. At the end of 1998 a new reception centre for asylum seekers was finished at Mucenieki and asylum seekers from the Olaine detention camp for illegal immigrants were to be transferred there in January 1999. Throughout 1998, averages of 30-40 persons were detained in Olaine at any one time.

In 1998 conditions in the detention centre for illegal immigrants at Gaizina St. 7 continued to evoke concern. Access was denied to all NGOs and journalists, and detainees were not permitted to use the telephone. Detainees have complained about the quality of food and ill treatment by the police, culminating in a hunger strike in September. However, the daily budget for feeding detainees at this facility - Ls 0.92 (USD 1.60) - is significantly greater than that at the Olaine detention facility, where the budget is Ls 0.45 (USD 0.80) per day for an adult and Ls 0.52 (USD 0.92) for a child. The only factor preventing detainees at Olaine from suffering hunger was food donations from the Diaconical Centre of the Lutheran Church.

Social Rights

On 12 May 1998 the Cabinet of Ministers amended discriminatory regulations that had linked unemployment benefits to knowledge of the state language. However, spot checks of employment agencies revealed that not all were informed about the change and were implementing it. The discriminatory regulations had also prevented many disabled persons from receiving unemployment benefits, as Latvian legislation did not foresee any testing procedure for those persons unable to pass the standard Latvian language certification examination due to a disability.

However, according to the new regulations, eligibility for unemployment benefits is restricted to those individuals for whom the social tax has been paid for 9 months over the past calendar year. According to data from the State Social Insurance Agency, in August 1998 there were more than 200,000 employees in Latvia for whom no social tax was being paid. In the event of unemployment, these individuals would not be eligible for benefits. According to existing legislation, individuals are not permitted to take employers to court; only the State Revenue Service (SRS), which administers the social tax, has the authority to do so. However, the SRS cannot submit a case on behalf of an individual, but can only represent the interests of an enterprise as a whole.

Women's Rights

For the first time in Latvia's history, a Social Democratic Women's Organisation competed in a national election campaign, but did not receive sufficient votes to achieve representation in parliament. The election results did lead to an increase in the proportion of women deputies from the previous 8 to 17 and an increase in women ministers from two to four (Justice, State Revenue, Culture, State Minister for the Environment). However, in general, women remained under-represented in politics and government.

In December, the government took a decision to establish a unit within the Ministry of Welfare responsible for gender equality issues. When this decision is carried out, it will represent implementation of a key recommendation contained in the Beijing Platform for Action.

THE LATVIAN CENTRE FOR HUMAN RIGHTS AND ETHNIC STUDIES

Introduction

The Latvian Centre for Human Rights and Ethnic Studies (LCHRES) was founded in 1993 as a not-for-profit, non-partisan non-governmental organisation devoted to human rights education, monitoring human rights and ethnic relations, advocacy and the promotion of dialogue. In May 1998, the LCHRES received the EU-US Democracy and Civil Society Award. In November 1998, the LCHRES became a co-operating committee of the International Helsinki Federation for Human Rights, a network of human rights groups operating in the OSCE region.

The LCHRES has received core funding from the Soros Foundation's Higher Education Support Program and Open Society Institute, the National Endowment for Democracy, and most recently from the US-Baltic Foundation. The LCHRES has received project grants from the Council of Europe, the Embassy of the Netherlands, the United Nations Development Programme, the EU PHARE programme and others. Major foreign partners are the International Helsinki Federation for Human Rights (Vienna) and the Foundation on Inter-Ethnic Relations (The Hague). In addition to a core staff of four - Nils Muiznieks, Angelita Kamenska, Ieva Leimane and Sandra Garsvane - the Centre also engages volunteers.

Primary Areas of Activity

A core focus has been **human rights education**, particularly at the secondary school level. In addition to 13 newsletters and regular articles in the media, LCHRES staff has issued a number of educational materials, including a handbook on teaching human rights and tolerance for teachers (1996) and Latvian editions of the Council of Europe's Human Rights Album (1996) and video "Stand Up NOW for Human Rights!" (1997). The LCHRES has organised a number of human rights teacher training seminars, including a seminar in Rūjiena on "Human Rights in Rūjiena and the World" in November 1997, a seminar in Liepāja on "Human Rights Education, Civics and Social Integration" in October 1997, and a workshop on "Human Rights Education: The State of the Field in Latvia" in April 1997.

The LCHRES has actively sought to incorporate **women's issues** into its human rights work. The LCHRES has issued a number of educational booklets on

topics affecting women, including “Domestic Violence: Don’t Put up with It!” (1996 - together with the National Human Rights Office), “Movements for Women’s Rights Yesterday and Today” (1997) and “Sexual Harassment -Phenomenon without a Name?” (1997). In 1998, for the second year in a row, the LCHRES co-operated with the Peace Corps in organising an essay contest in secondary schools on women’s rights and gender equality issues.

The LCHRES has actively sought to promote **the rights of marginal/vulnerable groups**, including the mentally ill, refugees and prisoners. Together with the University of Jyväskylä, Finland and other partners, the LCHRES helped to organise a series of conferences on refugee-related issues for policy-makers in 1997. In late 1998, the LCHRES co-operated with the UNHCR in creating a handbook for teachers on refugee rights. In April 1998, the LCHRES organised a training seminar for social workers on the rights of the mentally ill. In January 1999, the LCHRES cooperated with the Council of Europe and the Interior Ministry in organising an information seminar on the European Convention for the Prevention of Torture.

A core area of the Centre’s work has always been **minority rights and ethnic relations**. LCHRES staff have published substantial research on ethnic relations, including a monograph on “The State Language in Latvia: Achievements, Problems and Prospects” (1995), a special issue of the newsletter devoted to minorities and contributions to the chapter on “National Integration and Social Cohesion” in UNDP’s Latvia Human Development Report 1997. LCHRES staff gives frequent lectures on minority rights and ethnic relations. The LCHRES has organised a number of events aimed at promoting dialogue and tolerance, including a major event on “Minority Rights and Mechanisms Facilitating Government-Minority Dialogue” in 1996 and a two-day international seminar in March 1998 called “The Prospects for Integration in Daugavpils and Latvia.” In mid-1998, the LCHRES spearheaded an NGO coalition advocating liberalising the Law on Citizenship to grant citizenship to stateless children.

Current Work and Future Plans

The LCHRES is currently preparing a handbook on the rights of the mentally ill and an overview of conditions in closed institutions. As of February 1999, the LCHRES provides free legal assistance to the public.