

United Nations Study on Violence against Children

Response to questionnaire received from the
Government of the Republic of Latvia

QUESTIONNAIRE

I. LEGAL FRAMEWORK

This part of the questionnaire aims to determine how your country's legal framework addresses violence against children, including prevention of violence, protection of children from violence, redress for victims of violence, penalties for perpetrators and reintegration and rehabilitation of victims.

International human rights instruments

1. Describe any developments with respect to violence against children which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards.

Convention on the Rights of the Child has been in force in Latvia since 14 May 1992. Based on the principles of the Convention, Protection of the rights of the Child law has been in force since 22 July 1998. The aim of the law is to determine the rights and freedoms of child and the protection of these, taking into consideration that child as a physically and intellectually non-mature person needs special protection and care. The law also regulates basic principles according to which the behaviour of a child is controlled and his or her responsibility is defined, regulates the rights, duties and responsibility of parents and other natural and legal persons, as well as state and municipalities for the provision of the rights of the child, determines child rights protection system and the legal principles of its work.

In 2006 it is planned to join the Amendment to Article 43(2) to the Convention of the Rights of the Child and Optional protocol to the Convention on the Rights of the Child On the sale of children, child prostitution and child pornography.

One of the latest cases when the Latvian court has referred to the international human rights standards took place in 2003. Considering the complain of a mother of a child who has suffered from violence on the legitimization and execution of a judgement by the Norwegian regional court of Romsdale dated 6 April 2001 that would allow father who continuously used his minor daughter physically, psychologically and sexually, the Latvian court used several basic principles of child rights protection. The court has based its decision on several international normative acts, for example, on the UN Convention of the Rights of the Child (1989) and the Council of Europe Convention of the Exercise of Children's Rights (dated 25 January 1996) that prescribe that in the procedures that concern children the court should first of all evaluate if it disposes sufficient

information in order to make the decision in the best interests of a child, besides the opinion of a child should be given proper significance.

In its decision the court formulated several basic principles of the Latvian state on the rights of families and children.

First of all, in the legal relationships that concern children the priority should always be given to the interests of a child. This should be applied also in the cases of collision between family and children rights principles. The preference shall be given to the provision of such principle according to which the best interests of a child are ensured, also considering the question on the rights of the mother or father to meet a child.

Second, concerning a child who has suffered from violence the principle is defined – if there is at least the smallest suspicion that the respective person has permitted violence against child everyone has the obligation to protect the child from violence and to prevent the possible meeting of the oppressor and the child. The court especially stressed that the normative acts in such cases grant the legal importance to the probability.

Thirdly, because the state has an obligation to help a child who has suffered from violence, particular significance is granted to the actions with the aim to protect the child from violence, including sexual exploitation. In the concrete case it is formulated so that in the cases when the solid suspicions on the violence occurred against child exists, the contact of the child and the person with which the child connects violence is not admissible, whereas the stable and safe environment for the further healthy development of the child shall be provided.

Taking into consideration the above mentioned principles the Latvian court has decided to refuse to adjust the decision of the Norwegian regional court of Romsdale of the rights of father to contact his child.

Legal provisions on violence against children

2. Describe how forms of violence against children are addressed in your country's constitution, legislation and subsidiary legislation, and, where appropriate, customary law.

Article 95 of Satversme determines that the state shall protect human dignity and honour. Torture or other cruel or degrading treatment of human beings is prohibited. No one shall be subjected to inhuman and degrading punishment.

Article 110 of Satversme (Constitution) of the Republic of Latvia determines that state protects and supports marriage, family, rights of parents and child, state particularly helps children with disabilities, children who are left without parental care or have experienced violence.

Article 1 of Protection of the Rights of the Child law gives explanation of:

- 1) abused child – a child who has suffered physical, sexual or emotional abuse from a family member or other person;
- 2) sexual abuse – the involving of a child in sexual activities which the child does not understand or to which the child cannot knowingly give consent;
- 3) physical abuse – the application knowingly of such forces as threatens the health or life of a child in contacts with the child;
- 4) emotional abuse – the ignoring of the emotional needs of a child or the psychological coercion of a child.

The project of amendment to the Protection of the Rights of the Child law proposes the new definition of emotional violence by including their also bullying/ hazing:

Emotional violence is the injuring of child's pride or psychological influence by bulling, blaming, humiliating or in any other way harming his or her emotional development including development of relevant capacities in a certain age.

See also question 24.

3. Provide details of any specific legislative provisions on:
 - Prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse;
 - Protection of children from all forms of violence;
 - Redress, including compensation, for child victims of violence;
 - Penalties for perpetrators of violence against children;
 - Reintegration and rehabilitation of child victims of violence.

Article 6 of Protection of the Rights of the Child law determines that in lawful relations that affect a child, the rights and best interests of the child shall take priority in all the activities irrespective of whether they are carried out by state or local government institutions, public organizations or other natural and legal persons engaged in the care and upbringing of the child, and the courts and other law enforcement institutions, ensuring of the best interests of the child shall take priority.

Subparagraph 1 of the article 51 of the Protection of the Rights of the Child law determines that for violence against a child, encouraging or forcing a child to take part in sexual activities, exploitation or involvement of a child in prostitution, the persons at fault shall be held liable as prescribed by law.

Chapter XVI of the Criminal law “Criminal offences against morals, and sexual inviolability” protects the morals and sexual inviolability of a person, especially distinguishing the minors and juveniles. But chapter XVII of the Criminal law “Criminal offences against the family and minors” protects in particular the interests of family and minors. In this chapter the liability is determined for a

person who commits cruel or violent treatment of a minor if physical or mental suffering has been inflicted upon the minor if such has been inflicted by persons upon whom the victim is financially or otherwise dependent (article 174). The cruel treatment means humiliation of minor's dignity and honour, mocking at him/ her, leaving without care, food, drink, expulsion from home, threats of physical reprisal. Violent treatment is characterized by the physical violence – beating, hitting, torturing. For the actions committed according to this article the punishment is deprivation of liberty for a term not exceeding 3 years or arrest or community service.

The law also foresees that each person has the obligation to report to police or any other competent authority on the violence or other criminal offence against child. The persons guilty for non-reporting shall be called to account determined by the legislation.

The third part of the article 52 of the Protection of the Rights of the Child law determines that it is prohibited for a child who has been a victim of violence (illegal act):

- 1) to be left alone, except in cases when the child himself or herself so wishes and this choice is considered appropriate by a psychologist who has undergone special preparation for work with children who have suffered from violence;
- 2) to be left without psychological or other form of care;
- 3) to be confronted by the possible perpetrator of the violence (illegal act) while the child is not sufficiently psychologically prepared for such confrontation, or
- 4) to be subjected to the use of any compulsory measures in order to obtain information or for any other purpose.

Child who has been a victim of violence (illegal act) in his/ her own family or who experiences real danger of violence should without delay be provided with extra-familial care if it is not possible to isolate the guilty person from the child.

According to the subparagraph 2 of the article 51 of the Protection of the Rights of the Child law, child who is the victim of a criminal offence, exploitation, sexual abuse, violence or any other unlawful, cruel or injuring child's dignity action, the necessary aid is provided free of charge in compliance with the procedure established by the Cabinet of Ministers in order for him to recover the physical and psychological health and to integrate into society. Such cure and reintegration has to take place in the environment favourable to the child's health, dignity and honour, particularly guarding the intimate secret of the child.

In the Republic of Latvia, assistance to the victims of violence and persons in different crisis situations provide competent state and municipality institutions,

as well as non-governmental organizations (crisis centres, social assistance services etc.).

The rules of the Cabinet of Ministers “The procedure of the necessary assistance provision to children who have suffered from unlawful activities” determine the procedure on the provision of the necessary assistance from the state budget. The mentioned rules envisage that social rehabilitation services to a child who has suffered from illegal acts are provided according to the place of residence (up to ten consultations for 45 minutes each) or at a rehabilitation institution (course of social rehabilitation up to 30 days) and are financed from the state budget. If according to the conclusion of a psychologist or a social worker it is necessary that together with the child a family member or a person who cares for the child stays at the rehabilitation institution, the stay of the relevant person in the institution is also financed from the state budget.

4. Indicate whether any specific legislative provisions address all forms of violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:
 - The family/ home;
 - Schools and pre-school care and education (both formal and non-formal, state and private);
 - Military schools;
 - Institutions including care, residential, health and mental health;
 - The context of law and public order enforcement including in detention facilities or prisons;
 - The neighbourhood, street and the community, including in rural areas;
 - The workplace (informal and formal);
 - Sports and sporting facilities.

Article 200 of the first part of the Civil law determines that if parents exercise their parental authority meanly and treat the children especially badly, a court may deprive the parent who is at fault of parental authority and place the children under the authority of the other, and may also appoint a guardian for the children if the authority expressed by the other parent does not adequately protect the children against the harmful influence of the parent at fault, or if both parents are also at fault. Regardless deprivation of parental authority criminal liability may also apply to parents where necessary.

In other cases, violence that happens in the institutions and places mentioned in the question is not distinguished in the normative acts.

5. Indicate if corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.

Subparagraph 2 of the article 9 of the Protection of the Rights of the Child law determines that a child shall not be treated cruelly, tortured or **physically punished**, and his or her dignity and honour shall not be violated.

Article 130 of the criminal law (Intentional body injury) determines that for such intentional corporal punishment that was not followed by health disorders or general loss of working capacity (light body injury), as well as for the intentional beating that was not followed by the mentioned consequences, the punishment is arrest or community labour or penalty fee up to ten minimal salaries. For the systematic beating that is torture by nature or any other torture the punishment is imprisonment for the time of up to three years or arrest or community service or penalty fee for up to 60 minimal salaries.

To protect children from physical and emotional violence in the family, as well as in the places of education and care, a working group has been established to prepare proposals for the amendments in the Criminal law and Code of administrative violations

See also question 11.

6. Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 year olds.

Article 37 of the Criminal law determines that the death penalty may not be applied to persons who, as of committing of the crime, have not attained eighteen years of age, and to women.

Corporal punishment is not envisaged as a kind of legal punishment in the normative acts of Latvia.

7. Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.
8. Provide information on the way in which harmful or violent traditional practices, including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.

Harmful or violent traditional practices are not used in Latvia.

9. Provide information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.

State police within its competence checks any information received on the violations of children rights regarding their status. If according to the international or national rights a child is a refugee the issues concerning the

child are solved in accordance with article 74 of the Protection of the Rights of the Child law where it is told that a minor (asylum seeker) receives protection and help irrespective of whether the child is together with his parents or other grownups or alone.

In conformity with the article 11 of the law On asylum, the rights and lawful interests of minors shall be represented by their parents. If a minor is not accompanied by his or her parents, and wishes to apply for refugee status independently, his or her rights and lawful interests shall be represented by an independent authorised representative appointed by the Council during the submission and examination of the application. It shall be obligation of the representative to act objectively in the best interests of the minor.

The orphans' court (parish court) together with the local government social service and immigration institutions shall adjust measures to find parents of the child and to determine what possibilities there are for the child to return to his or her family. If it is not possible to find the parents of the child, the refugee child shall be provided with the same care as any other child who has been left without parental care.

10. Provide information on any difference in the definition of violence and the applicable legal framework according to:
 - The sex or sexual orientation of the victim and/or of the perpetrator;
 - The age of the victim and /or of the perpetrator;
 - The relationship between the victim and the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.
11. Provide information on any recent comprehensive review of the legal framework to address violence against children.

In 2004, Ministry for Children and Family Affairs in cooperation with other state institutions and non-governmental organizations has developed proposals for the amendments in Criminal law of the Republic of Latvia and Code of Administrative Violations. The amendments determine that for non fulfilling their parental duties that result in light corporal injuries that child gets the punishment is imprisonment for up to two years, but if the child dies the imprisonment is up to seven years. The amendments in the Code of Administrative Violations determine that for physical and emotional violence against a minor child if it is performed by parents or persons who substitute them a warning is expressed or a fine is imposed. For the same activities if they are performed by employees or officials of the educational, healthcare, social care or cultural institutions.

This liability shall be applied when the consequences defined in the Criminal law have not come into force.

12. Provide information on any studies and surveys which have been undertaken to assess the impact of legal measures to address violence against children.

In 2002, Centre for Criminological studies has conducted a research “Legal and social protection of children victims of illegal acts”, where different kinds of dangers to the rights of children were evaluated (physical, sexual and emotional violence, offences in the everyday life, non-observance of rights and interests, discrimination), factors that promote danger analysed, as well as necessary spheres of legal and social protection for children victims and the ways for the improvement specified. According to the opinion of respondents children in Latvia are mostly affected by violence (physical, emotional), non-observance of their rights and interests (including proper living conditions and access to qualitative education), elimination of freedom (kidnapping, trafficking abroad, etc.). Endanger of children from physical, sexual or emotional violence the respondents have evaluated differently. When evaluating different kinds of dangers physical violence has been evaluated as the most dangerous (84,9%), however dangers of sexual violence (65,4%) and emotional violence (62,8%) were evaluated only a bit lower.

In a separate chapter proposals for the elimination of child endangerment were presented, including the necessary changes in the legislation and determination and application of optimal punishments.

Courts tasked with addressing violence against children

13. Identify those parts of the court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.

In Latvia orphans' courts (parish courts) deal with child rights protection issues. Orphans' court (parish court) is a town or region municipality established guardianship institution. Article 66 of the Protection of the Rights of the Child law determines that orphans' courts (parish courts) as guardianship institutions shall ensure the protection of the personal and property rights of the child. Orphans' court (parish court) determines those families where child development and education is not properly provided and in cooperation with health care, educational, social help and police institutions decides on the provision of the necessary help to these families. Article 16 of the law on Orphans' and Parish Courts envisages that orphans' (parish) court determines those families which treat their children in an especially bad manner, do not care about child or do not ensure supervision of the child and this can endanger child's physical, mental or moral development, and decides on the suspension of parental authority and initiation of a case in court. If there are actual obstacles that forbid one of the parents the possibility to take care of a child or the child

due to the fault of parents stays in the conditions that endanger his or her health of life, orphans' (parish) court decides on the termination of parental .

There are no special family or juvenile courts in Latvia. The cases on withdrawal of parental authority and on violence against children are considered by general courts.

Minimum age for sexual activity

14. Provide information on any legislatively defined minimum age required for valid consent to sexual activity. Is this age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?

Minimum age required for valid consent to sexual activity is 16 years, there are no different standards based on gender or sexual orientation.

Criminal law of the Republic of Latvia determines that for the sexual relations with a person under 16 and who is financially or otherwise dependent on the causer and if this crime is performed by a person of legal age punish with imprisonment for up to 4 years.

15. Provide information on the minimum age of marriage for women and men.

Civil law of Latvia determines that marriage prior to the attaining of eighteen years of age is prohibited. By way of exception, a person who has attained sixteen years of age may marry with the consent of his or her parents or guardians if he or she marry a person of legal age. If the parents or guardians, without a good cause, refuse to give permission, then permission may be given by an orphans' court for the place where the parents or appointed guardians reside.

Sexual exploitation of children

16. Provide information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized. Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children, including by their parents.

Article 154² of the Criminal law of the Republic of Latvia determines that human trafficking is recruiting of persons made with the aim of transportation, transfer, hiding or receipt by using violence, threats or abduction, using manipulation or using the dependency of a person from the causer or the helpless state of a person or by providing or receiving benefits of material or other kind in order to achieve the agreement of a dependent person for trafficking. Exploitation is the involvement of a person into prostitution or other

kind of sexual exploitation, compulsion to perform work or to provide services, keeping in slavery or in any other similar forms (debt slavery, bondage or any other compulsory handover of a person in the dependency of another person), keeping in servitude or illegal removal of a person's textures or organs.

Article 164 of the Criminal law determines that for a person who commits inducing or compelling a minor to engage in prostitution, or commits providing premises to minors for purposes of prostitution, the applicable sentence is deprivation of liberty for a term not exceeding six years, with or without confiscation of property. For a person who commits inducing or compelling a juvenile to engage in prostitution, the applicable sentence is deprivation of liberty for a term of not less than five and not exceeding twelve years, with or without confiscation of property.

To promote prevention and combat of trafficking State program for the prevention of human trafficking for 2004-2008 (hereinafter – program) has been developed. The following directions for actions have been included in the program:

1) Preventive measures – to define those normative acts of the Republic of Latvia than require amendments to be harmonized with the requirements of the international standards in the sphere of human trafficking prevention. The amendments are necessary in the Criminal law, Civil law, Latvian Code of the Administrative Violations, law “On social services and social help”.

2) Informative and analytical work, activities of the law enforcement institutions – to create a coordinated system to combat human trafficking:

- Service for inspection of juvenile affairs is being developed in the structures of State police;
- operative exchange of information with the operators of the neighbouring states is being provided;
- interviewing of the persons who travel from the risk group states is being performed, the acquired information is being analysed;
- information from data basis on the firms and natural persons who offer work abroad is being analysed and integrated in the united informational system, establishing connections with the data basis of the Employment State Agency, Register of the Invalid Documents, Register of the Latvian Tourist Firms etc.
- improvement of the control of employment firms;
- optimization of search of missing persons.

3) Education – envisages implementation of such activities that provide education of specialists in different areas (lawyers, social workers, psychologists, pedagogues) in the issues of human trafficking prevention; provides preventive education, including the issues of sexual violence, risk of illegal human

trafficking and prostitution in the programs of such school subjects as civil sciences (9th grade) and politics and rights (high school); will promote research on the issues of human trafficking in scientific works of universities.

4) Support services to the victims of human trafficking (rehabilitation) – envisages realization of such tasks that will provide multinationally coordinated and professional support to people victims of trafficking.

To achieve the aims of the program, Ministry of Welfare is currently working on the criteria for identification of persons who have suffered from violence to provide support services for victims.

Pornography and harmful information

17. Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the internet.

Article 166 of the Criminal code determines that for a person who commits the importation, production, public demonstration, advertising or other distribution of such pornographic or erotic materials as relate or portray the sexual abuse of children, or the keeping of such materials for similar purposes, the applicable sentence is deprivation of liberty for a term not exceeding three years, or a fine not exceeding fifty times the minimum monthly wage, with or without confiscation of property. For a person who commits procurement or utilisation of minors in the production (manufacturing) of pornographic or erotic materials, the applicable sentence is deprivation of liberty for a term not exceeding six years, or a fine not exceeding eighty times the minimum monthly wage, with or without confiscation of property. For a person who commits procurement or utilisation of juveniles in the production (manufacturing) of pornographic or erotic materials, the applicable sentence is deprivation of liberty for a term of not less than five and not exceeding twelve years, with or without confiscation of property.

Article 50 of the Protection of the Rights of the Child law determines that it is prohibited to show, sell, give as a gift, rent or promote to a child toys or video recording, newspapers, magazines and other types of publications, in which cruel behaviour, violence, erotica and pornography are promoted and which pose a threat to the psychological development of a child. Also it is prohibited for a child to be located in places where materials of an erotic and pornographic nature are manufactured or shown. It is prohibited to involve a child in the manufacture, distribution and public showings of materials of erotic and pornographic nature.

To restrict spread of harmful information in the internet, amendments in the Protection of the rights of the Child law have been worked out. The amendments in the article 50 of the law envisage to prohibit children to be present in the internet saloons and other public places where there is access to the internet during the time of studies and from 11pm to 6 am. At the same time municipality has the right to define extra restrictions in the internet provision services for children. Even though in Latvia information on the use of internet and its possibilities is widely available, the majority of children and their parents are not aware of the dangers of the internet for children.

Cabinet of Ministers “Rules on the import, production, dissemination, public demonstration or advertisement of the materials of the erotic and pornography nature” were approved on 12 February, 1995. One of the aims of these rules is not to allow involve children and minors in the debauched actions. It is prohibited to involve minors in the production of materials of erotic and pornographic nature. Minors are not allowed to be found in places where materials of erotic and pornographic nature are being produced.

In 2003, amendments were made to the rules by determining that materials of erotic nature shall be disseminated in the sales places that are specially meant and established for the dissemination of press materials if these materials are placed on the upper shelves (not lower than 165 cm from the ground) and are packed in a non-transparent wrapping or placed on the shelves so that only the title of the material of the erotic nature is seen.

18. Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, Internet, videos, electronic games, etc.

To protect children, Concept on the protection of the rights of a child in the internet has been developed. The major tasks of the concept are:

- to detect those forms of internet services that can be the source of violation of children rights;
- to map the situation in the publicly available internet access points;
- to gather information on the international documents in the sphere of child rights protection as well as regulations of harmful and illegal internet content that are bounding for Latvia;
- to size up the current legal situation in the state in respect to the problem;
- to develop variants of solutions taking into consideration international experience and recommendations of the EU.

The concept envisages various different activities. One of these is creation of an internet portal on the issues of internet use for children, parents and pedagogues. Such portal will provide children the possibility to use fascinating and attractive

internet portal for children that would educate them in the issues of internet use, safety and ethics.

Reporting obligations relating to violence against children

19. Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate whether all citizens are required to report, or whether the obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.

Article 73 of the Protection of the Rights of the Child law determines that all residents have the duty to safeguard the safety of their own and other children and to inform not later than the same day the police, the Orphans' Court (parish court) or other institution for the protection of the rights of the child in regard to any abuse of a child or other threat to a child, or violation of the rights of the child. Health care, pedagogical, social sphere or police employees, and elected State and local government officials, who have received information regarding violations of rights of the child and who have failed to inform the institutions referred to in regard to such, shall be held liable as prescribed by law for such failure to inform.

Article 51 of the Protection of the Rights of the Child law obliges every person to inform the police or other competent institution regarding violence or any other criminal offence directed against a child. For failing to inform, the persons at fault shall be held to liability as prescribed by law.

Examining the legal norms on violence, Ministry for Children and Family affairs has discovered several imperfections.

First of all, the liability for failing to inform on the violence against a child is determined only partly and is not envisaged in all the cases. Therefore the observation of the determined by the Protection of the Rights of the Child law is not fully guaranteed. The norm of the Protection of the Rights of the Child law that obliges every person to inform on violence against a child due to the passivity of society is often not fulfilled. The Ministry for Children and Family Affairs believes that it is necessary to determine administrative liability for failing to inform on such violence against a child that is qualified as a less grave crime. Criminal law envisaged liability only for failing to inform on grave crimes and particularly grave crimes - that is for such where imprisonment for 5 or more years may be adjusted. So, criminal liability may be imposed for failing to inform on murders, rapes and other grave crimes and particularly grave crimes. For failing to inform on less grave crimes and criminal offences neither criminal liability nor administrative liability is envisaged. For example, according to the present legislation a person who did not inform on beating a

child cannot be held liable because according to the article 130 of the Criminal law the maximum punishment for beating is imprisonment for 3 years.

Second, according to the Criminal law a fiancée, spouse, parents, siblings, grandparents or grandchildren of the person who has committed a crime are not held liable for failing to inform.

Complaints procedures

20. Provide information on any complaints procedures relating to all forms of violence against children perpetrated in:
- The family/ home;
 - Schools and pre-school care and education (both formal and non-formal, state and private);
 - Military schools;
 - Institutions, state and private, including care, residential, health and mental health;
 - The context of law and public order enforcement including in detention facilities or prisons;
 - The neighbourhood, street and the community, including in rural areas;
 - The workplace (informal and formal);
 - Sports and sporting facilities.

Structural units of State police on receiving an application or a notification (written or oral that is registered in a protocol) on the performed or planned illegal offence (including the one against a minor), conduct a check-up after which a decision on the initiation of a criminal case, on the refusal to initiate a criminal case or on the handover of the application or notification according to the competence is made based on the article 109 of the Latvian Criminal process code. Such applications and notifications on the offences should be considered immediately, and not later than 10 days from the day of reception. If during the time of check-up it is necessary to receive an opinion of an expert or revision or to have a consultation with a specialist, the application or notification should be considered not later than in 30 days.

According to the article 107 of the Latvian Criminal Process Code the reason for initiating a criminal case is not only submission of application or notification of persons, reports by institutions, organizations or officials or submission of relevant reports, but also declaration of guilt, news published in press, indications of an illegal offence directly discovered by an investigation service, prosecutor's office, court or judge, as well as conclusion of a psychologist or doctor on the sexual violence against juvenile (under 16). One has to point out that a criminal case can be initiated only when there is a necessary basis that gives evidences of the commitment of an illegal act. The basis for initiating a criminal case are the signs of an illegal offence that are precisely defined in the relevant articles of the Criminal law.

According to the norms of the Criminal Process Code in cases when there is no basis for initiation of a criminal case or there are conditions that do not allow legal procedure of the case according to the article 112 a decision is made on the refuse to initiate a criminal case. This decision can be appealed in the institutions of procurator's office.

In practice in those cases when State police receives applications on violence against children orphans' court or municipality child rights protection institutions are informed on the fact. Article 20 of the Protection of the Rights of the Child law states the State shall ensure that matters related to the protection of the rights of the child shall be examined by specialists who have relevant knowledge in the sphere of the rights of the child and who are especially trained to work with children.

To ensure the observation of the rights of the child, it is planned beginning with 2005 to develop the Inspection of Juvenile Affairs that is in the structure of the State police.

21. Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in which legal aid will be available.

Process activities during pre-trial investigation of a criminal case where victims are minors are defined in the Latvian Criminal process code:

- article 104 determines that a lawyer as a representative of a victim minor should be invited if protection of minor's rights and interests is disturbed or otherwise not ensured, and in such cases the expenditures for the payment to lawyer are covered from the state budget in compliance with the rules of the Cabinet of Ministers;
- article 105 envisions that a minor can have legal representatives in a criminal case – parents of the victim, adopters, guardians, trustees and the representatives of those institutions, organizations and persons in whose guardianship or trusteeship the victim is.

22. Describe steps which have been taken to raise awareness of possibilities to submit complaints about violence against children.

In 2000 within the framework of the State program on improvement of the situation of children an educational aid has been prepared - video material where in the way understandable for children different aspects of the child rights protection and the work and activities of child rights protection institutions have been shown. Also "A Handbook of Ideas" has been prepared where students' experience, questions, problems and possible solutions in the sphere of child rights protection have been included. Besides handbook "Your Rights and

Duties” and a set of four brochures for children and parents has been published to provide information on the provision of the rights of the child in the Latvian legislation.

23. Provide information on any special procedural or evidentiary rules which may apply in proceedings with respect to violence against children.

On 20 June 2002 law on “The Amendments of the Criminal Process Code of Latvia” has come into force. Article 160 of the law determines that when examining a witness under the age of 14 or, considering the opinion of a prosecutor when examining the witness under the age of 16, a pedagogue, psychologist or a specialist particularly trained in the psychological work with children in the criminal process shall be invited. The fifth part of the article provisions that if the specialist psychologist finds that the reiterative interrogatory might harm the psychic of the witness under 14, it shall be made only with the permission of a judge and with participation of a special psychologist. These conditions are also applied to a victim under the age of 14 and a minor who has suffered from violence performed by a person from whom the victim is financially or otherwise dependent or from sexual harassment.

Besides the mentioned law has supplemented the Criminal process code with the new article 161¹ “The interrogation of a minor with the mediation of a specialist”, thus providing the possibility to arrange the examination of a witness or a victim or a juvenile under the age of 14 who has suffered from violence committed by a person on which the victim was financially or otherwise dependent or from sexual exploitation using technical means and mediation of a specialist psychologist if the specialist psychologist finds that the direct examination might harm the psychic of such person. The mentioned amendments ensure the observance of minor’s rights as well as make the pre-trial investigation the most suitable to the interests and needs of minors.

One has also to mention that it is planned to accept a new law On the Criminal process (currently it is under discussions in the Parliament) that will replace Criminal process code and where the norms on minors in compliance with the requirements of the EU will be included.

24. Provide information on the usual outcome of complaints of violence against children (e.g. compensation, punishment of perpetrators, perpetrator rehabilitation, family therapy).

As previously mentioned, the result of considering information of crimes can be the decision to initiate a criminal case, refusal to initiate a criminal case or termination of a criminal case that are adjusted according to the norms of the Criminal law and the Latvian Criminal code. At the same time in both laws particular cases are envisioned when violations are directed against children.

Application of punishment on persons guilty in violence.

A person guilty for a criminal offence is brought to trial according to the Criminal law. One has to point out that according to the article 48 of the Criminal law one of the aggravating circumstances is when the criminal offence was committed against a person under the age of fifteen or against a person taking advantage of his or her helpless condition or of infirmity due to young age. In some particular articles of the Criminal law it is envisaged that if a criminal offence is performed against a minor or juvenile, greater penalty sanctions for the guilty person are determined.

For instance, in the Criminal law a separate chapter XVII is included (Criminal offences against family and minors) where article 174 qualifies criminal offences connected with cruelty and violence against a minor. This section also contains articles 172 (Involvement of a minor in a Criminal Offence), 173 (Causing Inebriation of Minors and Involving of Minors in Non-Medical Use of Therapeutic and Other Intoxicating Medicaments). Also article 161 (Sexual Intercourse, Pederasty and Lesbianism with a Person who has not Attained the Age of Sixteen Years) is included in the Criminal law.

As to the other kinds of crimes that are performed against children, in some articles of the Criminal law there are separate sections on the criminal offences against juveniles and minors that envisage a stricter punishment for the guilty person. These are: murder committed in aggravating circumstances, infecting with a venereal disease, abandonment without assistance, seizure of hostages, human trafficking, rape, forcible sexual assault, immoral acts with a minor, compelling engaging in prostitution, living on the avails of prostitution, sending a person for sexual exploitation, violation of provisions regarding importation, production and distribution of pornographic or erotic materials, inducement to use narcotic and psychotropic substances, administering of narcotic and psychotropic substances against a person's will, unauthorised manufacture, acquisition, storage, transportation, conveyance with the aim of realization of narcotic and psychotropic substances.

Indemnification of material losses

According to the article 140 of the Criminal process code in the process of pre-trial investigation a victim who has suffered from a criminal offence and in the result of which material damages were caused, has the right to declare a civil claim according to which the victim by a motivated decision is recognized as a claimant. According to the article 141 of the Code a materially responsible person should be identified but according to the article 142 – provision of the declared or planned civil claim should be ensured.

The victim has the right to pursue reimbursement of material losses (also in criminal cases) according to the civil order.

Rehabilitation of victims – see question 3.

Rehabilitation of perpetrators

In the last years the practice is spreading that NGOs create self- help groups to the performers of violence in the family. In 2004 – 2005, to enlarge this activity it is planned in cooperation with international institutions to participate in the projects financed by the EU.

25. Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, family therapy).

The law “On the application of measures of compulsion of upbringing nature” determines the kinds of measures of compulsion of upbringing nature and their application. According to article 1 of the law measures of compulsion of upbringing nature are applied to reach the following aims:

- creation and strengthening of a value system that is proper to the interests of society;
- orientation of a child on abstention from illegal deeds;
- reintegration of a child with the deviations of social behaviour into society.

II. INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

The aim of this section is to establish if your country has an institution coordinating multi-sectoral activities concerning violence against children, which include prevention, protection, redress, reintegration and rehabilitation.

26. Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children?

If YES, identify these authorities, structures and mechanisms and describe how coordination is ensured.

Rules of the Cabinet of Ministers from 8 June 1999 Nr.208 “Procedure on how a child who has suffered from illegal actions shall be provided necessary help” determine the procedure how the institutions provide help to child who has suffered from violence. If help to a child with the consequences of possible violence was provided in a medical rehabilitation institution, administration without delay should report on this to police and orphans’ (parish) court according to the place of residence of the child. If orphans’ (parish) court has received information on a child who has suffered from violence of alien persons or parents, it should without delay arrange that the child receives the necessary help, inform child’s parents or guardians on the possibilities to receive

rehabilitation services and the order in which these services are provided, as well as follow the rehabilitation process, until it is over and the consequences of the trauma received in violence are eliminated as much possible. If orphans' (parish) court suspects that the child has suffered from violence of parents it, after the child has received the necessary cure and medical rehabilitation, sends the child to a psychologist or a social worker, who evaluates and determines if the child needs social rehabilitation.

Psychologist or a social worker on the request of the offended child's parents, guardian or orphans' (parish) court prepares in 10 days an opinion where the information is included on the signs of the possible psychological trauma, necessary rehabilitation activities, on the question if the necessary help should be provided at the place of residence or in a rehabilitation institution, as well as if it is necessary that together with the child a family member or a person who cares for the child resides in a rehabilitation institution.

Provision of social rehabilitation services at the child's place of residence or in a rehabilitation institution is arranged by social service of municipality that issues to a child who has suffered from illegal actions a document for social rehabilitation at the place of residence or at a social rehabilitation institution. After the end of the course of social rehabilitation the municipality service provides the necessary support and help to the child who has suffered from illegal actions and to child's family.

27. Is there a lead Government authority tasked with responsibility for addressing violence against children?

If YES, provide details.

To deal with the issues that are connected with the child rights protection Ministry for Children and Family affairs has been established. Within its competence the ministry coordinates implementation of state policy on the protection of child rights. Because the ministry supervises observation of laws and other normative acts in the sphere of child rights protection, it has the right to check the work of any state or municipality institution or any other provider of services in the sphere of child rights protection on its own initiative or based on any complains. Ministry also provides methodological guidance to parish and orphans' courts and provides help to the child rights protection specialists.

In compliance with article 65¹ of the Protection of the Rights of the Child law beginning with 1 January 2004 10 state child rights inspectors have started their work. The duty of the inspectors is to supervise observance of child rights in certain municipalities. For every inspector Ministry determines municipalities to be in charge of, thus covering the whole territory of Latvia. Inspectors provide

recommendations on prevention of child rights violations, propose to eliminate violations or to bring officials to disciplinary or other trial determined by law.

28. Are specific financial and/or human resources allocated by your country to address violence generally?

If YES, indicate the extent of these allocations.

29. Does your country allocate specific financial and/or human resources to activities to address violence against children?

If YES, provide details.

Ministry for Children and Family Affairs implements annual State program for the improvement of the situation of children and family. In 2004, as one of the priorities of the State program elimination of violence against children is set. In 2004 it is planned to organize information campaign on elimination of violence against children and to educate at least 250 child rights protection specialists on the methods of work with children who have suffered from violence. It is planned to spend LVL 52 571 on these activities.

Beginning with 2001 approximately 1100 children who have suffered from violence are being rehabilitated annually. Since 2000, 748,056 LVL (1,118,170 EUR) have been granted to child rehabilitation. Every year specialists are being trained to work with children who have suffered from violence. Training of specialists is being organized so that in every region of the Republic a certain number of employed specialists acquire the necessary knowledge and skills. As the result, in every region there are 2-4 specialists who have been specially trained to work with children who have suffered from violence.

30. Do international or bilateral donors provide resources to your country for activities to address violence against children?

If YES, indicate the extent of these resources and the way in which they are used.

The Republic of Latvia has good cooperation with other states on solving different crime combat issues. For some years meeting on different level have been organized, exchange of information takes place, seminars and courses for qualification improvement have been organized with the support of other states, technical support has been provided and other activities have been organized.

In the international sphere employers of State police actively cooperate in the issues that deal with the prevention of violence against children and women. Already in September 2000 these problems have been discussed and the solutions searched for at the seminar organized by the Open society institute Regional women's program and Media program (Budapest, Hungary) where

representatives of police, prosecutor's office, non-governmental organizations and media from 24 states have been participating. These questions have also been discussed in 2002 (Madrid, Spain) at the conference on the fight of police against violence in families, in 2002 at the international conference "Issues of the protection of victims of offences"(Tallinn, Estonia) and in 2003 at the international conference "Victims and witnesses" on the issue on the creation of victims support system in the state (Dublin, Ireland).

Employers of State police structural units have participated in several training events that have been organized with the help of other states with the aim to improve qualification of police workers and to increase the knowledge in the sphere of prevention of violence in the family and against the children:

- in 1999, courses organized by USA "Human trafficking. Violence against children and women" in Poland;
- in 2000, training courses organized by Great Britain, the Netherlands and Italy on the issues of violence against children in Prague, Czech republic;
- in 2000, Nordic – Baltic Police academy (Finland) courses "Violence against children", Riga, Latvia;
- in 2000, Nordic – Baltic Police academy (Norway) courses "Work of police in combating violations of laws", Riga, Latvia;
- in 2003, international seminar on the protection of witnesses organized by Europol;
- in 2003, seminar "Child pornography in the internet", Stockholm, Sweden;
- in 2003, Interpol International centre for missing and exploited children training on "Performance of illegal offences against children with the help of computer", Interpol Secretariat General Lion, France;
- in 2003, seminar organized by Norwegian police "Prevention of crimes";
- in 2003, training seminar organized by USA and Latvian Youth centre within the project "Prevention of human trafficking, investigation and repatriation of victims";
- Northern Rhein – Vestfalen Nois Police institute organized seminar "Sexual violence against women and girls, forms of human trafficking crimes and ways of combat", Nois, Germany.

31. Does your country provide any assistance to other countries' efforts to respond to the problem of violence against children?

If YES, provide details.

State police provides assistance to the law enforcement bodies of other states by executing requests on the legal assistance in criminal cases that have been received from other states. In case of necessity informative assistance is provided to the police bodies of other states, for example in order to ascertain persons that are involved in the dissemination of child pornography in the internet etc.

During the last years the necessary assistance to the police bodies of other states is provided in cases on human trafficking with the aim of sexual exploitation where the victims are citizens of Latvia. Cooperation is established with the Swiss Human trafficking and illegal immigration prevention coordination service in Bern. Good cooperation to combat human trafficking has been established with German, Finnish, Swedish and Estonian police.

32. If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints?

If YES, provide details.

On 2 May 2003 Child rights protection division of the State Human Rights Bureau has started the work. The bureau in its terms is an ombud institution in the meaning of international law, therefore the mentioned division also performs the functions of child ombud. When establishing the Bureau, examples of several human rights institutions were used, especially the Australian model according to which human rights protection institution works in three directions:

- Informs society about human rights;
- Provides statements on the concrete issues in the sphere of human rights protection;
- Considers any complain on violation of human rights.

Within its competence Children rights protection division considers complains on the violations of child's legal rights and interests, including violations of human rights and misuse of authority in state and municipality institutions. To prevent violations of child rights, recommendations and proposals are made for state and municipality institutions and to natural or legal persons. The Bureau determines conditions that promote violation of children rights by organizing inspections in educational institutions, places of detention, social correction educational establishments, extra-familiar care institutions etc. Officials of the Bureau visit state and municipality institutions to explain child rights protection issues and consider complains, as well as inform society including children on their rights and duties by organizing discussions, seminars, lectures and conferences. The Bureau analyses compliance of the Latvian normative acts to the international commitments of the state and performs analytical researches on the legal and real situation on the child rights protection, as well as provides legislator with statements and proposals on the protection of child rights and improvement. The employers of the Bureau consider opinions of children and perform other functions typical to ombuds.

33. Are there any particular parliamentary structures (for example special committees) to address violence against children?

If YES, provide details.

In Parliament (Saeima) of the Republic of Latvia Child rights protection subcommission functions, its competence includes development of normative acts in the sphere of child rights, including those on the elimination of violence against children.

34. Have there been any recent parliamentary initiatives to address violence against children?

If YES, please give details.

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

The aim of this section is to elicit information on civil society activities relating to violence against children.

35. Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, professional associations, women's associations, student associations, community-based groups, faith-based groups, child and youth-led groups, trade unions, employer's organizations, national non-governmental organizations, international non-governmental organizations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).

The most active in combat against violence against children are professional and women's associations, religious groups, as well as local and international NGOs. They are involved in the provision of services to the victims of trafficking, awareness raising, rehabilitation of perpetrators, preparation and submission of the proposals to the relevant normative acts.

Active cooperation has been established with the crisis centre "Skalbes" where psychologists, psychotherapist and social workers provide free of charge anonymous psychological help to the persons who have found themselves in crisis situations.

Crisis centre "Skalbes" constantly provides help and organizes trainings for police workers on dealing with the victims of criminal offences:

- in 2001 Crisis centre "Skalbes" within projects "Cooperation with police in solving problems of violence in Latvia" and "Prevention of violence against woman" training seminars for State police workers have been organized.
- in 2002, 28 State police workers from the local criminal police institutions have been trained within the project "Provision of help to women – victims of sexual violence". The workers have received certificates and are currently implementing their knowledge into practice.

- in October 2002, a training seminar with the use of multimedia techniques “Sexual violence – reaction of victims, actions of police” has been organized.
- in December 2002, a training seminar “Violence in the family” has been organized in the Crisis centre where training video materials have been demonstrated and methodological materials have been distributed to the participants.
- in 2003 a training seminar organized by representatives of Crisis centre “Skalbes” and Soros foundation – Latvia “Sexual violence – reaction of victims, actions of police” where employers of State Criminal police, local police institutions of Criminal police and prosecutor general office have been participating.
- in February 2004, professional training “Attitude to victims” (with the use of multimedia techniques) has been organized in the State police with the participation of lecturers from the Crisis centre “Skalbes”, Victims support centre of the international foundation “Resque”, Psychologist service of the State police main administrative board, representatives of courts from Riga Latgale region, as well as PHARE Organized crime project experts from Sweden.

Criminal police board cooperates with the centre against abuse “Dardedze” where psychological, social, medical and legal help is provided to children victims of violence and their families. Considering that in the State police there is no for the time being a specially equipped room for examining a minor with the mediation of technical means and a special psychologist, the premises of the Centre against abuse “Dardedze” that are in compliance with all the requirements are used. In these premises children victims can be examined by the least morally traumatizing way, fixing the testimony on a audio video recorder that can be later used for the investigation and court (according to the agreement part of the costs of the expenditures are covered from the budget of State police).

Active cooperation also takes place with the International Migration organization that organizes trainings for state police workers and information campaigns against human trafficking, provides different kinds of help to victims of trafficking in their return to their native land as well as financially supports nongovernmental organizations that work to support and provide rehabilitation to the victims of human trafficking. Good cooperation is also with the Victims support centre of the international foundation “Resque” where help is provided to the victims of criminal offences, resource centre for women “Marta” where psychological, social and legal help is provided to the victims of criminal offences, as well as the Latvian centre for gender issues “Gender” where psychological and medical support is provided to women victims of trafficking.

This year was the first when parents training programme “Emotional upbringing of the child” has been started in Latvia and the first teaching aid “Emotional

Upbringing of the Child” in Latvian for the participants of the course has been published. The aim of the programme is to reduce violence and corporal punishments against children in families. The programme is meant for parents with the children under 7 and especially for those parents who have difficulties with the child’s behaviour.

36. Describe the support provided by your Government for these activities and the efforts made to coordinate civil society and government initiatives.

State sponsors provision of rehabilitation services, as well as different activities (see question 35).

37. Describe the role played by the media in addressing violence against children.

IV. CHILDREN AS ACTORS IN ADDRESSING VIOLENCE

This section is designed to extract information on children’s activities to address violence.

38. Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.

Ministry for Children and Family Affairs annually develops State program of the improvement of the situation of children and families (hereinafter – program). In 2004 elimination of violence against children was set as one of the priorities in the program. Before the program was accepted, its draft was discussed at the meeting of Children’s Council. Children’s Council is a consultative council that consists of children aged 14-18 from different children NGOs.

39. Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details including ages and other details of the children involved.

Involvement of children in designing special procedural or evidentiary rules applying in court proceedings is not being practiced in Latvia.

40. Describe the amount and type of resources made available to support children’s participation in activities to address violence against children.

See question 38.

V. POLICIES AND PROGRAMMES TO ADDRESS VIOLENCE AGAINST CHILDREN

A comprehensive policy for dealing with violence against children is one that addresses multiple forms of violence against children, that works across the different settings in which violence occurs, and which includes components for prevention, protection, victim medical,

psychological, legal and social assistance, victim rehabilitation and reintegration, and perpetrator interventions. Such policy is distinguished from specific programmes that address selected sub-types of violence against children or its effects in specific populations and settings.

41. Does your Government have a comprehensive policy concerning violence against children?

If YES, provide details and describe any gender-specific provisions included in the policy.

A comprehensive policy concerning violence against children is not developed in Latvia, however several policy planning documents have been worked out that concern different kinds of violence and activities on the elimination of violence against children are included in them.

In 1999, State program on the prevention of sexual violence against children for 2000-2004 has been developed in Latvia. The program is based on the action plan that has been accepted on the World congress against commercial sexual exploitation of children that took place in Stockholm in 1996. The aim of the program is to develop an integrated policy on the protection of children against sexual violence.

The directions for actions of the program are:

- to align legislation in the sphere of protection of children against sexual violence so that it would ensure that maximum protection of victim and promote elimination of sexual violence;
- to promote awareness of society, especially children, on their body, sexuality, as well as the rights to protect themselves;
- to create a united system for the work with the children who have suffered from violence and their families by providing psychological, medical and social protection and assistance.

In 2004 national plan "Latvia fit for children" has been adopted. The plan is based on the UN developed document "World fit for children". The national plan includes a section on the issues on child protection against exploitation, violence and discrimination. The main directions for actions are:

- to promote awareness on the negative consequences of all kinds of violence;
- improve the quality and amount of rehabilitation services for children victims of violence;
- to make the necessary amendments in the legislation on the isolation of a performer of violence from the family;
- to ensure effective control in order to eliminate and reduce violence against children in the family, educational and other establishments.

42. Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children?

If YES, please provide available summary reports, or URLs, of these programmes, and indicate, using the table below, which settings and types of violence are addressed by these programmes:

	Physical	Sexual	Psychological	Neglect	HTPs	Other
Family/Home						
Schools						
Institutions						
Neighbourhood/ Community						
Workplace						
Law enforcement						
Other						

43. Does your Government monitor the impact of these policies and programmes directed towards violence against children?

If YES, describe the monitoring systems and provide a URL or other reference where the system and outcomes are described in greater details.

The government does not monitor the impact of the policies and programs directed towards violence against children directly. However Ministry for children and family affairs edits annually a Review on the situation of children in Latvia. In this Review one chapter is usually devoted to the problem of violence against children and the activities for its elimination.

44. Does your Government participate in any internationally coordinated activities concerning violence against children?

If YES, please provide details.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

This section aims to provide an overview of information systems and information about violence against children that may be used to inform, plan and monitor policy, legal and programmatic interventions concerning violence against children.

45. Over the past five years, has there been any victimization, epidemiological or other population-based surveys of any forms of violence against children in your country?

If YES, provide details or references, or attach.

In 2004 centre against abuse “Dardeze” on the initiative of Ministry for Children and Family affairs and with the financial support of UNICEF has conducted a research “Attitudes and behaviours regarding marriage, childbirth and positive parent – child relationships”. The extended summary of this research in English is attached to the questionnaire.

46. Have there been any small-scale or representative interview studies with parents and children on violent victimisation of children?

If so, please give details.

In 2000, within the State program on the improvement of the situation of children a research “Spread of Violence in Latvian Schools” has been performed with the aim to determine those factors that affect the situation of children negatively. As the result:

- spread of physical and emotional violence in the Latvian schools (secondary schools, boarding schools, children’s homes and professional schools) has been evaluated qualitatively and quantitatively. The most widespread kinds of violence and risk groups have been determined;
- factors that promote violence have been determined;
- activities that would be the most effective to decrease violence and promote improvement of the child rights protection system were determined.

The results of the research were prepared as educational aid for the seminars, publication in press and other mass media.

47. Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children?

If YES, indicate the subject of this research and where the findings of these projects may be consulted in more detail.

See question 46

48. Have studies or surveys been undertaken into the impact of legal measures to address violence against children?

If YES, provide details or references, or attach.

See question 46

49. Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part?

Provide details.

There is no a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part in Latvia.

50. Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system?

If YES, what proportion of all homicide deaths are under the age 18?

.....%

Central statistical bureau publishes annually a statistical bulletin “Children in Latvia” where the statistics on the children who have died is provided:

Deaths according to the causes in different age groups

	Age groups (years)											
	0-4				5-14				15-19			
	1999	2000	2001	2002	1999	2000	2001	2002	1999	2000	2001	2002
Deaths total	267	248	265	251	117	114	93	92	158	145	149	134
including:												
Tumour	6	3	8	7	14	25	11	12	13	5	9	11
Illnesses of nervous system	6	4	8	10	5	6	12	5	2	4	3	2
Illnesses of respiratory organs	8	3	9	5	3	3	1	2	5	2	3	2
External death causes	34	32	35	43	74	64	57	60	109	121	115	103
Traffic accidents	2	3	6	12	22	19	17	15	47	51	45	30
Got drowned	12	13	6	9	27	23	22	24	17	8	16	20
Affected by smoke, fire	3	5	6	3	6	7	3	6	2	-	-	2
Violence	3	5	5	4	3	1	2	2	4	11	11	9

In 2000, 2,2% of all the children who have died were murdered, in 2001 – 1,6%, in 2002 – 1,5%.

51. If reports on the national profile of known and suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting (check all that apply):

Sex	X
Age	X
Ethnicity	
Manner of death (homicide, suicide, undetermined)	X
External causes of death (firearm, strangulation, etc.)	
Geographical location of incident (address)	
Scene of occurrence (home, school, etc.)	
Time and date of incident	X
Victim-perpetrator relationship	
Other:	

52. Provide the total number of reported cases of violence against children in 2000, 2001, 2002 and 2003.

Violence against children

	1998	2000	2001	2002
Total suffered from violence, out of them:	701	935	1077	1144
boys	416	605	699	762
girls	285	330	378	382
Javelins under 14 from the total number	-	171	119	136

53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 and 2003.

Minors victims in illegal offences according to the articles of Criminal law

No	Qualification of illegal offences according to the articles of the Criminal law	Number of minors victims			
		2000	2001	2002	2003
1.	Total	935	1077	1144	1655
2.	Article 116 (Murder)	2	0	2	1
3.	Article 117 (Murder committed in aggravating circumstances)	8	5	2	6
4.	Article 119 (Murder of a New-born Child)	1	3	3	2
5.	Article 123 (Homicide Through Negligence)	1	3	3	1
6.	Article 124 (Causing a suicide to be Committed)	1	0	0	1
7.	Article 125 (Intentional Serious Bodily Injury)	5	9	1	8
8.	Article 126 (Intentional Moderate Bodily Injury)	14	23	14	25
9.	Article 159 (Rape)	80	69	51	73
10.	Article 160 (Forcible Sexual Assault)	93	74	53	54
11.	Article 161 (Sexual Intercourse, Pederasty and Lesbianism with a Person who has not Attained the Age of Sixteen Years)	19	22	14	33
12.	Article 162 (immoral Acts with a Minor)	76	55	65	72
13.	Article 164 (Compelling Engaging in Prostitution)	7	4	1	2
14.	Article 165 (Living on the Avails of Prostitution)	3	2	1	0
15.	Article 165 ¹ (Sending a Person for Sexual Exploitation)	0	0	0	1
16.	Article 166 (Violation of Provisions Regarding Importation, Production and Distribution of Pornographic or Erotic Materials)	1	37	3	0
17.	Article 173 (Causing Inebriation of Minors and Involving of Minors in Non-Medical Use of Therapeutic and Other Intoxicating Medicaments)	2	0	5	2
18.	Article 174 (Cruelty Towards and Violence against a Minor)	66	71	104	150
19.	Article 175 (Theft)	75	109	170	217
20.	Article 176 (Robbery)	225	322	308	368
21.	Article 231 (Hooliganism)	105	89	88	154
22.	Article 253 ¹ (Unauthorised Manufacture, Acquisition, Storage, Transportation and Conveyance with the Aim of Realization of Narcotic and Psychotropic Substances)	0	0	0	1
23.	Article 251 (Inducement to Use Narcotic and Psychotropic Substances)	1	1	0	0
24.	Article 260 (Violation of Traffic Provisions and Provisions Regarding Vehicle Operation)	10	9	9	24

VII. AWARENESS, ADVOCACY AND TRAINING

This section is aimed at gathering information on any awareness-raising, advocacy and training activities relating to violence against children which may have been conducted by your Government.

54. Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?

If YES, please describe any recent campaigns, including the settings and types of violence that were the subjects of the campaigns and the target audience (general public, caregivers, teachers, etc.).

Beginning with 1999 annually in the framework of the State program on the improvement of the situation of children seminars on the violence in family and assistance in the crisis situations have been organized for the child rights protection specialists. In 2000 in cooperation with the nongovernmental organization "Center against violence for the support of children and families" a

project “Elimination of sexual violence against children” has been conducted, within the project a handbook “How to help to children victims of violence has been published”.

Beginning with 2003 Ministry for Children and Family Affairs has conducted several information campaigns and educational activities:

- within the informational campaign “Help a child to grow!” radio programs on the negative consequences of leaving children without care were made, as well as comments of specialists and publications in press.
- In the program On the improvement of the situation of families and children information activities on violence against children were included.

55. How were the campaign messages and information disseminated (check all that apply)?

Print media	X
Radio	
Television	X
Theatre	X
Schools	X
Others	

56. Over the last five years, has your Government provided, commissioned or sponsored training programmes in the area of violence against children?

If YES, indicate which of the following areas were addressed by the last such training programmes and which provider groups received training (check all that apply).

	Prevention	Protection	Redress	Rehabilitation	Penalties
Medical Professionals (including paediatricians, nurses, psychiatrists and dentists)					
Public health practitioners					
Social workers and Psychologists				X	
Teachers and other educators	X	X			
Court officials (including judges)					
Police		X			
Prison officers					
Juvenile offenders personnel					
Institution personnel		X			
Parents/guardians	X	X			
Other (please specify)					

Please provide details.

Ministry for Children and Family Affairs organizes trainings for the specialists of different fields:

- regional seminars for the chairs of orphans’ courts and parish courts;
- seminars for the municipality child rights protection specialists;
- methodological recommendations on the work with children victims of violence for orphans’ and parish courts have been prepared;

- consultations to the orphans' and parish courts have been provided, including the support in solution of especially complicated cases concerning violence in the family;
- seminars for the regional coordinators of orphans' courts and parish courts on the provision of assistance to children who have suffered from violence.

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53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 and 2003.

The number of persons in Latvia that were brought to trial for illegal offences against minors, according to the articles of the Criminal law for the period 2002 – 2004. It is not possible to acquire information for the earlier period.

No	Qualification of illegal offences according to the articles of the Criminal law	Number of minors victims		
		2002	2003	2004 (7 months)
1.	Total			
2.	Article 116 (Murder)	1	-	-
3.	Article 117 (Murder committed in aggravating circumstances)	2	10	19
4.	Article 119 (Murder of a New-born Child)	2	1	-
5.	Article 123 (Homicide Through Negligence)	3	1	1
6.	Article 124 (Causing a suicide to be Committed)	-	-	-
7.	Article 125 (Intentional Serious Bodily Injury)	1	5	1
8.	Article 126 (Intentional Moderate Bodily Injury)	6	28	14
9.	Article 159 (Rape)	34	57	182
10.	Article 160 (Forcible Sexual Assault)	74	51	34
11.	Article 161 (Sexual Intercourse, Pederasty and Lesbianism with a Person who has not Attained the Age of Sixteen Years)	7	29	15
12.	Article 162 (Immoral Acts with a Minor)	61	56	35
13.	Article 164 (Compelling Engaging in Prostitution)	1	1	1
14.	Article 165 (Living on the Avails of Prostitution)	2	-	1
15.	Article 165 ¹ (Sending a Person for Sexual Exploitation)	-	6	-
16.	Article 166 (Violation of Provisions Regarding Importation, Production and Distribution of Pornographic or Erotic Materials)	2	-	2
17.	Article 173 (Causing Inebriation of Minors and Involving of Minors in Non-Medical Use of Therapeutic and Other Intoxicating Medicaments)	5	2	-
18.	Article 174 (Cruelty Towards and Violence against a Minor)	130	122	90
19.	Article 175 (Theft)	43	82	43
20.	Article 176 (Robbery)	132	176	164
21.	Article 231 (Hooliganism)	97	155	13