



COMMISSION  
OF STRATEGIC  
ANALYSIS





# **HOW DEMOCRATIC IS LATVIA**

## **AUDIT OF DEMOCRACY**

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Translators from Latvian:

**Biruta Freimane** (Introduction, chapters 2, 4, 5, 7–10, 12–14, Appendices)

**Daunis Auers** (chapter 6)

**Ilze Brande-Kehre** (chapters 1 and 3)

**Māra Sīmane** (chapter 11)

Scientific editor **Juris Rozenvalds**

Editor **Imants Mežaraups**

Layout **Andra Liepiņa**

Cover design **Ieva Tiltiņa**

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# Contents

<b>INTRODUCTION. Democracy: Problems and Perspectives</b> ( <i>Juris Rozenvalds</i> ) .....	7
<b>I CITIZENSHIP, LAW AND RIGHTS</b> .....	19
1. Nationhood and Identity ( <i>Ilze Brande-Kehre and Ilvija Pūce</i> ) .....	21
2. The Rule of Law and Access to Justice ( <i>Arturs Kučs and Gita Feldhūne</i> ) .....	35
3. Civil and Political Rights ( <i>Ilze Brande-Kehre and Ilvija Pūce</i> ) .....	45
4. Economic and Social Rights ( <i>Feliciana Rajevska and Alfs Vanags</i> ) .....	63
<b>II. REPRESENTATIVE AND ACCOUNTABLE GOVERNMENT</b> .....	79
5. Free and Fair Elections ( <i>Jānis Ikstens and Andris Runcis</i> ) .....	81
6. The Democratic Role of Political Parties ( <i>Daunis Auers and Jānis Ikstens</i> ) .....	89
7. Government Effectiveness and Accountability ( <i>Marija Golubeva and Iveta Reinholde</i> ) .....	99
8. Civilian Control of the Military and Police ( <i>Anhelita Kamenska and Ģirts Valdis Kristovskis</i> ) .....	111
9. Minimizing Corruption ( <i>Lolita Čigāne and Rasma Kārklīņa</i> ) .....	125
<b>III. CIVIL SOCIETY AND POPULAR PARTICIPATION</b> .....	135
10. The Media In a Democratic Society ( <i>Sergejs Kruks and Ilze Šulmane</i> ) .....	137
11. Political Participation ( <i>Zinta Miežaine and Māra Sīmane</i> ) .....	149
12. Government Responsiveness ( <i>Dace Jansone and Inga Vilka</i> ) .....	161
13. Decentralization ( <i>Dace Jansone and Inga Vilka</i> ) .....	171
<b>IV DEMOCRACY BEYOND THE STATE</b> .....	177
14. International Dimensions of Democracy ( <i>Žaneta Ozoliņa and Ineta Ziemele</i> ) .....	179
<b>APPENDICES</b> .....	195
<i>Appendix 1. International IDEA Democracy Assessment Questionnaire</i> .....	197
Summary Assessment: Direction During the Past Five Years .....	202
<i>Appendix 2. Questions to Assess the Dynamics of Society Democratization</i> (Baltic Institute of Social Sciences Table Report October, 2004) .....	205
<i>Appendix 3. Latvia in Numbers</i> .....	299
Authors .....	307
Most Frequently Used Abbreviations .....	309



# INTRODUCTION

## Democracy: Problems and Perspectives

*Juris Rozenvalds*

In 2004, the Commission of Strategic Analysis under the auspices of the President of Latvia was established upon the initiative of the President of Latvia Vaira Vike-Freiberga. The Commission includes representatives of various fields of science. Its goal is to encourage scholars to discuss and research issues relevant to the development of Latvia. The Assessment of the Democratization Dynamics of Latvia's Society was among the first projects carried out under the auspices of the Commission. How democratic is the society of Latvia, how far do our civic institutions and procedures agree with the requirements of democracy, what have the situation dynamics been over the past years and what else should be done in various areas of public life in the name of democracy – questions like these defined the basic direction of the project. The answers to these questions also depend on what **understanding** of democracy one has and what democracy **assessment approach** is taken as a point of departure.

### What is Democracy?

The 20<sup>th</sup> century has become the century of democracy. In 2000, the non-profit organization *Freedom House*, founded in 1971 in Washington, conducted a study “Democracy's Century. A Survey of Global Political Change in the 20<sup>th</sup> Century”<sup>1</sup>, which summarizes the data on political regime dynamics in 192 countries of the world between 1950 and 2000. According to the above-mentioned survey, democratic regimes – regimes, where leaders are selected through elections based on the principle of competition (multi-party and multi-candidate), where opposition parties have a chance of competing for power or participate in the exercising of this power – existed in 120 countries, or 62.5% of the total number of countries surveyed, and 58.2% of the planet's population lived in the conditions of democracy (in 1950 – 14.3% and 31%, respectively).<sup>2</sup>

In the modern world the acknowledgement of the value of democracy has become a widespread phenomenon, while in the Western world – a generally accepted standard. It was established for the first time immediately following the World War II in the UNESCO report “Democracy in the World of Tensions.”<sup>3</sup> However, not always has such an attitude toward democracy been dominant. For two thousand years, the majority of politicians and political thinkers considered democracy an inferior way of public administration, which sacrificed higher values and the general public good in favour of group (the masses) interests. The distinguished Ancient Greek thinker Plato called democracy “the madness of the majority.” Even in the first half of the 20<sup>th</sup> century outspoken opponents of democracy had rather considerable influence – remember the denial of democracy during the 20s-30s by the authoritarian and totalitarian regimes in most of Europe, including Latvia.

Nowadays, a positive and at times even enthusiastic assessment of democracy dominates the speeches of political leaders and the statements of regular citizens. The victory march of the democracy idea is asserted by the fact that even democracy opponents frequently resort to its rhetoric and try to utilize its procedures in their own interest. However, the consolidation of the democracy idea in the modern world creates a range of previously not encountered problems as well. The collapse of the Socialist camp in late 80s and early 90s meant the end of the bipolar world based on the opposition of two superpowers. Along with it, many arguments that dominated the public political discourse in the West lost their validity. For example, the notion that despite all its shortcomings the democratic form of administration is better than the autocracy of the “Realist Socialism” was a relevant argument justifying the legitimacy of Western democracy. This argument has disappeared from the

agenda since the late 1980s. Western democracy must look for new justifications of its legitimacy also because of the integration processes of the Western world, which Latvia has actively participated in since the restoration of its independence. As the well-known German scholar Claus Offe notes in his book with a significant title “Democratization of Democracy”, with the collapse of the State Socialism system in Central and Eastern Europe, one can talk both about the victory of democracy (because it does not have any serious rivals left in the modern world) and its crisis (because democracy both in the “old” and the “new” democratic regimes has in many ways lost its “magic”).<sup>4</sup>

In the modern world, that which was discussed since the age of the Athenian democracy is becoming increasingly clear, i.e., democracy is neither an end in itself, nor a proof of socio-political perfection; the majority rule in itself does not necessarily mean effective public administration; democratic procedures may also facilitate the consolidation of the power of authoritarian rulers. Nowadays, no one questions whether democracy is necessary. Instead, the question is *what* democracy is needed. The latter is also important because there is no single universal “democracy”, which is equally applicable to any society. In different societies, depending on the specific character of their historical development, cultural traditions and other factors, the universal values of democracy materialize differently. Thereby, the issue of the nature of democracy, of the dividing line between a democratic and a non-democratic public administration, of the opportunities to assess the degree of democracy development and to formulate recommendations for its further development becomes significant and politically sensitive. Therefore, it is natural that the amount and diversity of literature devoted to problems of democracy in Western literature have been increasing rapidly since the 1990s.

In our analysis of the democracy phenomenon, let us address the issues of democracy definition first. In social sciences and in political discourse the term ‘democracy’ is used with different, often conflicting meanings; the very approaches to clarifying the term of democracy differ. In this regard, let us use the systematization of the main approach to defining democracy offered by the British scholar Michael Saward.<sup>5</sup> Saward distinguishes between the ‘etymological’ definition of democracy, the “empirical” approach to determining the nature of democracy, the notion of democracy as a ‘significantly contested term’ and, finally, the definition of democracy by listing the fundamental principles that differentiate a democratic administration from a non-democratic one. These approaches should not be seen as mutually excluding – while emphasizing different aspects of democracy definition they complement each other at the same time. Yet the difference is relevant.

It should also be taken into account that the different definitions of democracy may be distinguished in at least two more aspects. First, the opposition between the recognition of the existing situation, on the one hand, and the emphasis on the ideal – a perception of what democracy should be that is based on certain moral or theoretical principles, on the other hand. Second, various definitions of democracy may be distinguished by how broad a range of questions is considered to be subordinate to democratic procedures or, at least, as falling within the scope of democracy. Therefore, the distinction between the formal and the substantive democracy is relevant. The formal democracy emphasizes the procedural aspect of democracy, the “rules of the game” – it places the emphasis on the importance of fair and regular elections, a multi-party system, free mass media, as well as the freedoms of speech, conscience, assembly and other fundamental freedoms. The substantive democracy focuses on both the democratic procedures – its ‘form’ – and the ‘content’ of democracy, i.e., the socio-economic preconditions of the democratic political participation, the level of guarantees of economic and social rights of the citizens, the role of democratic principles in the interaction between citizens, on the one hand, and the elected and non-elected administrative structures, on the other hand. Unfortunately, the limited length of this Introduction precludes the discussion of other distinctions relevant to understanding democracy, for example, the distinction between the democracy of competition and that of harmony.<sup>6</sup>

As was said before, one of the approaches to understanding democracy is based on the etymology of the term ‘democracy’ by explaining this ancient Greek compound as “the power of the people” (*demos+kratia*). This understanding of democracy was behind the famous words of the U.S. President Abraham Lincoln, said in his Gettysburg address of 1863 during the American Civil War, characterizing democracy as “the government of the people, by the people, and for the people.” In other words, democracy is described as **political power originating from the people, self-government of the people and government in the interest of the people.**

According to Lincoln, democracy, ideally, must comply with the following three criteria:

- it must be popular governance, i.e., governance over people who have a say about the way they are being governed. In other words, the source of the political power is the people, the political leaders are elected from the people instead of acquiring their status through inheritance, wealth or military power;



- it must be a public governance where the people are not only the source of power but also participate in the collective self-rule, where they have the opportunities to make a choice on relevant political issues for themselves;
- it must be governance in the interests of the people instead of groups, classes or a select individual.

Despite the supposed self-evidence of such an approach (and its closeness to the usual notions of democracy), the attempt to make it into a foundation for scientific analysis of democracy reveals vital uncertainties in the understanding of several basic terms, e.g., ‘the people’ and ‘power.’ Researcher of politics Giovanni Sartori in his book “The Theory of Democracy Revisited” analyzed six meanings of the term ‘the people.’<sup>7</sup> In Ancient Greece the word *demos* meant the population of a province as well as the province itself (also, the smallest administrative unit in Athens after Cleisthenes’s reforms of the late 6<sup>th</sup> century B.C.), and the body of citizens enjoying full rights, as opposed to slaves and immigrants from other poleis. However, in the political discourse the word *demos* was mostly used to describe the common, non-privileged part of the people as opposed to the aristocracy. In Ancient Greece – the birthplace of democracy – democracy was understood as a political system where the interests of the poorest segment of society were placed above the interests of the wealthy and aristocrats. The majority of classical political thinkers saw democracy as government in the interest of only one, albeit numerous, segment of society, and were rather critical toward democracy. For example, Aristotle believed polis – a combination of democracy and oligarchy (the rule of the rich) to be the optimal form of government that is most suitable for the interests of the whole society. Also, the term ‘power’ allows substantially different interpretations, depending on the nature of political participation and the framework of democratic administration.<sup>8</sup>

Another approach to defining democracy consists of attempts to explain it empirically, substantiating it with the basic features of the actual regimes that are considered to be democratic instead of basing it on assumptions about what a democracy should be like. The most well-known representative of this approach is Joseph Schumpeter – one of the most influential theorists of democracy of the 20<sup>th</sup> century – who tried to get rid of, in his opinion, too large a proportion of normative assumptions in the classical perceptions of democracy. The classical theory of democracy, as Schumpeter believes, is based on the notion about some ‘common interest’ and active political participation of rational individuals in the advancement of issues associated with the conduct of public administration and in the development of policies within the framework of democratic process. However, Schumpeter believes that the discussions about the “rule of the people” and the body of the politically active population do not correspond to the nature of the actual democratic process. The competitive elitism Schumpeter developed is based on the notion that democracy is only a method and its corresponding institutional order, which allows by way of competition choosing those who make political decisions that are most relevant to the public. According to this understanding of democracy, the role of the regular voters is limited to providing democratic legitimacy by their participation in elections and by their choice to one of the factions of the political elite. This faction, then, is the one to make the actual political decisions. Hereby, the “rule of the people” is out of the question.

The third approach to defining the concept of democracy is based on the assumption that the majority of the basic terms of the social theory – ‘democracy’ among them (alongside such terms as ‘politics’, ‘freedom’, ‘power’, ‘justice’, etc.) – belong to the so-called “essentially contested concepts”.<sup>9</sup> An essentially contested concept is characterized by at least two features: first, there must be some universally recognized fundamental tendency of using this term; second, various aspects of the term are understood differently within the context of mutually conflicting conceptions that are based on different value systems. And the basis of the conflict is not ignorance or the inability of scholars to assess rationally the existing empirical data, but rather the significant contradictions between different systems of value orientation. There are constant disagreements over the concept of democracy; the content of the concept is changing by taking into account new conditions that appear during development of society; there is no ultimate truth that could claim the final say in explaining the concept of democracy. Therefore, it is not quite appropriate to talk about “theory of democracy”, because there is no single democracy that we could describe theoretically in accordance with this approach. Instead, there are several theories of democracy, several models of democracy. David Held describes the model as the complex “network” of concepts and generalizations, “a theoretical construction, created to reveal and explain some variety of democracy and the relationship structure at its core.”<sup>10</sup>

Different models of democracy may be divided into two major groups – the liberal and the non-liberal democracies. Historically, democracy emerged in its non-liberal form. The classical (Athens) democracy advanced equality and political participation of citizens as the supreme value, which was considered the highest manifestation of individual moral development. However, as was remarked by Benjamin Constant in the 19<sup>th</sup> century, it saw individual freedom only within the context of the ‘common good’ of the polis and the idea of

personal independence of individuals and their inalienable rights was foreign to it. Athenian democracy was unparalleled when it comes to opportunities of political participation for the free citizens. All the most significant issues of political life were decided by direct citizen participation in the Athenian assembly (direct democracy), anyone could hold a public office. This was facilitated by the broad use of lottery procedure in choosing candidates for public office, as well as by the short term of the public office and the prohibition for a single candidate to hold the office more than twice in his life (which, however, did not apply to the posts of Athenian military leaders). At the same time, the Athenian democracy denied the political rights of women, slaves and the free immigrants – democracy was the power weapon of the privileged minority. Lastly, it was totalitarian in some respect, as it prescribed a complete devotion of an individual to the public good, denying that an individual had independent value beyond his polis affiliation. The Athenian democracy may be considered an exception in political history, applicable to relatively small-scale political communities, rather than a major trend of democracy tradition development.

Further development of the democracy idea was associated with the 17<sup>th</sup> and 18<sup>th</sup> centuries, when two main approaches to understanding political order became distinct in modern political thought. One of these represents Rousseau's ideas on "common will", the other – the origins of the liberal thought tradition in the works of John Locke.

The point of departure for both trends is the natural freedom of individuals. However, each tradition answers the question on how this freedom is realized within the set-up of the state differently. Locke tried to outline certain areas, which must not become the object of governor or collective decisions. Any power is restricted by the need to observe the fundamental freedoms of speech, conscience, association, etc., as well as the need to ensure the observation of minority rights. The freedom of an individual depends on how far the state authority is restricted in the name of observing the natural rights of individuals.

Rousseau, however, does not recognize any areas which should be regulated only by individual or private agreements. Rousseau understands freedom within the public organism as equal opportunities for individuals to participate in the adoption of collective decisions. However, the collective good, the decisions of the "common will" are placed above the rights of an individual. A practical embodiment of Rousseau's ideas was the republic that resulted from the Great French Revolution, especially its culmination during the Jacobin rule, when "the state placed itself above the society, democracy – above constitutionalism, and equality – above freedom."<sup>11</sup> Therefore, the Jacobin regime may be considered the first "totalitarian democracy" in world history.

In the early 19<sup>th</sup> century, developing further the ideas of their predecessors John Locke, Charles Louis Montesquieu and James Madison on the relationship between an individual and the constitutional state, the interaction of various interests of individuals and society groups, the British thinkers Jeremy Bentham, James Mill and John Stewart Mill united two traditions, which until then had been developing separately in European political thought. We are talking about democracy and liberalism. Consequently, **liberal democracy** developed, shaped into two versions in the works of the aforementioned thinkers. J.Bentham and J.Mill developed the protective version of liberal democracy, which emphasizes regular, free and fair elections, secret ballot, free competition of rival political forces and leaders, the protection of fundamental individual rights as the most important preconditions that provide individuals with opportunities to express their interests freely and be protected from power-holders and the potential arbitrariness of other individuals.

These basic values of the liberal democracy were emphasized in the works of J. S. Mill. However, contrary to his predecessors, who stressed the instrumental significance of political participation, J. S. Mill emphasized that political participation is a relevant precondition for shaping a body of informed and motivated citizens. The ideas of the democratic liberalism of J.Bentham, J.Mill and J.S.Mill were further developed between the 1970s and 1990s in the shape of the ideas of the so-called legal democracy, which became an important part of the "New Right" ideology.<sup>12</sup>

A consistent contrast to the liberal understanding of democracy is the interpretation of democratic ideas in the works of Karl Marx. Marx manifested himself as a principled opponent of liberalism already during the initial period of his theoretical work. He denied the idea of liberal political democracy by pointing out that the ideals of political freedom and equality cannot be realized unless the social and economic inequality of individuals – inevitably created by the capitalist order that is based on the principles of private property – are overcome. Marx placed the overcoming of alienation between state power and society, and the provision of social equality at the forefront. In Marx's opinion, this goal would be served by direct and open elections of all public positions, the opportunity to recall public officials at any time, by defining the wages of public officials equal to the amount of workers' wages and correspondence of the elected authorities to the social structure of society. In other words, the political democracy would have to turn into a social democracy. As opposed to the representative parliamentary democracy, which is based on the principle of division of power, the classical Marxism offers a

community based on the principles of direct democracy, which would merge the functions of the legislative and executive powers. The practice of the “Realist Socialism” demonstrated the consequences of emphasizing the value of social justice by depreciating or completely ignoring the fundamental political rights and freedoms and by repudiating the system of formal and informal constraints of political power, developed by the liberal tradition. In this regard, Francis Fukuyama published an article with a significant title “The End of History?”<sup>13</sup> in 1989, during the time of the “Realist Socialism” collapse. Playing upon Hegel’s famous idea about “the end of history”, Fukuyama alleged that the opposition of Communism and Liberalism, Fascism and Liberalism determined the course of world history during the past decades. Fascism as the state ideology was defeated in World War II, the political regimes created by Communism faded into oblivion in the late 1980s. Are there still any fundamental problems of history left, Fukuyama asks, that cannot be solved within the framework of the modern liberal approach? Fukuyama is right that the idea of inalienable individual rights developed by liberalism has become a relevant component of Western political thought. Currently, the influential models of democracy also include this aspect and, despite the significant mutual differences, all may be considered a variety of liberal democracy.

When addressing some of the most relevant models of democracy of the 20<sup>th</sup> century, let us name alongside the aforementioned Joseph Schumpeter’s **competitive elitism**, which sees the essence of a truly functioning democracy in the separation of the professional political elite from the poorly informed and emotional electorate and sees electoral passivity as a precondition of stability of the democratic regime, also the **democratic pluralism model** (D. B. Truman<sup>14</sup> and R. Dahl<sup>15</sup>), emphasizing the role of many different groups in the process of democracy functioning, which formulate various interests within society and exert pressure on the government authorities. The model of **participatory democracy** (C. Pateman<sup>16</sup> and C. B. Macpherson<sup>17</sup>) stresses that the equal individual rights to freedom and self-development may only be ensured by overcoming the detachment between the state and the civic society and by creating a “society of participation”, which would promote the public interest in collective problems and would provide for the development of a civic community that is competent and consistently interested in the administrative process. In order to achieve this, the bureaucratic power should be subjected as much as possible to public control, the direct participation of citizens in the regulation of the operation of the main institutions of society – including workplaces and local communities – should be ensured, the party system should be reorganized by making the party leadership directly accountable to its rank and file.

Let us complete this not nearly complete account by mentioning the **deliberative democracy model** (J. Habermass<sup>18</sup> and J. Rawls<sup>19</sup>), which has been influential over the past few years, and the **postmodern democracy model** (Ch. Mouffe<sup>20</sup>). The deliberative democracy model placed emphasis on the role of reason and logic, stressing not only the reflection of the *a priori* needs and interests of the voters in the collective decision-making process, but first and foremost the development and transformation of these interests in the process of public discussions. Chantal Mouffe, for her part, focuses on such an understanding of the public whole, which does not exclude the existence of conflict, but motivates the opportunity to direct the opposition of “us-them”, always existing within society, toward a more peaceful course. Based on such an understanding of democracy, someone with different values, lifestyle, language or religion is not perceived as an enemy, the living with whom is impossible, but rather as a legitimate opponent, whose views are not shared, but his right to express them and coexist in diversity is being recognized. The consensus regarding some fundamental ethical political principles, first of all – freedom and equality, is a significant precondition for such coexistence as well as the democratic development of society.

Finally, the fourth approach to defining democracy is based on the assumption that despite the significant differences among the models of democracy, it is possible to discern the most relevant basic principles, which should be implemented for the public administration to be called democratic.

First, let us mention the view offered by Robert Dahl in his book “Democracy and Its Critics”.<sup>21</sup> He takes the literal meaning of the Greek term *demokratia* as the point of departure. Yet, further he asks the question – what does the “rule of the people” mean, does it mean that the people are sovereign, that people govern themselves? In this regard, Dahl begins by formulating the basic principles of the democratic political order.

- Only those who subject themselves to these decisions, not those outside the political community, make binding decisions. No legislature may stand above the law; everyone must obey the law equally.
- The individual good of each citizen deserves equal regard by the political community;
- Citizens themselves must make decisions regarding themselves and must decide what is good for them and what is not. No one has a right to decide for someone else, what is best for that person.
- During the process of decision-making the demands of every citizen must be treated as equally justified as those of other citizens.

- Finally, Dahl stresses the principle of fairness, which means that things that are good, valuable and scarce must be divided fairly, which, considering the differing needs and the different public merit of the people, cannot happen based on complete equality.

Based on these principles, Dahl defines five criteria of the democratic process.

- 1) **Equal votes:** are citizen votes equal when adopting collective decisions?
- 2) **Effective participation:** does every citizen have sufficient and equal opportunities of expressing his opinion and influencing the final decision during the process of adopting binding decisions?
- 3) **Enlightened understanding:** does every citizen during the time provided for making a decision have sufficient and equal opportunities to find out what is in his interest and to express his opinion publicly.
- 4) **Final control of the agenda by the demos:** do the people have the opportunity to adopt decisions regarding which issues are to be decided and which are not, within the framework of such a process that complies with the first three criteria?
- 5) **Inclusiveness:** does the body of voters include all adults to whom the binding decisions apply, except for those who are present in the country only temporarily and those who are recognized as incapacitated.

One can see that R. Dahl's definition of democracy emphasizes the procedural aspects of democracy (formal democracy), neglecting the socio-economic aspects of democracy. Another, broader definition of democracy, which is also at the core of the IDEA methods used in this assessment, was formulated by the British scholar David Beetham.<sup>22</sup> It points out that democracy is a **political concept** that describes the way in which binding decisions for individuals are being made within a society, and emphasis is placed on the two main principles of democracy – *popular control* and *political equality*. These principles are realized in three interrelated areas:

- a) in the network of granted civic and political rights, first, the freedoms of speech, association and assembly, the opportunity to go to courts and the rule of law, the main economic and social rights which ensure the opportunity to use the aforementioned freedoms;
- b) in free and fair elections which give the voters a real choice; in a governance, based on representation and accountability which alongside the elections involve other procedures to ensure a true accountability of the elected and non-elected officials before the people;
- c) in a developed, democratic civic society which includes free and diverse mass media, consultative processes and other measures that ensure people's political participation and promote the openness of power structures to the influence of public opinion, and promote a more effective implementation of public functions.

## How to Evaluate Democracy?

The October 2004 issue of the *Journal of Democracy*, which is one of the most relevant scientific publications devoted to problems of democracy in the world, printed a broad set of articles under the title "The Quality of Democracy." In the introductory article of the set Larry Diamond, one of the editors of the *Journal*, and Leonardo Morlino, a professor of political science at the University of Florence, note that along with the consolidation of influence of the democracy ideas and practice in the modern world, the attention of scholars, politicians and administrators of various international assistance programs is shifting from the question of why does transition to democracy occur toward the issue of how to evaluate the quality of democracy.<sup>23</sup>

Nowadays, hardly anyone would disagree that, for example, the Federal Republic of Germany or France is a democratic country, while Nazi Germany, the Iraq of Saddam Hussein, or, say, the "realist socialism" countries of the 1970s-80s were not. Much greater difficulties arise when, instead of this contrast, the task of assessing the level of democracy development, the unsolved problems and improvement opportunities in the modern developed democratic countries or countries in the process of democracy consolidation is promoted. During the past decades studies with the goal to determine the level of democracy development have become quite popular. These studies may be both comparative and directed at assessing a single society only. They may be oriented toward quantitative indicators, and they may emphasize the priority of qualitative assessment of the democratization process as well.

Considering the limited length of this Introduction, it is impossible to provide a more elaborate overview of the various methods of democracy assessment. Therefore, let us look at just the few most typical options. The

*Poliarchy Index* of Tatu Vanhanen, a professor at the University of Helsinki, is oriented at specifically quantitative assessment and based on a rather narrow (“formal”) understanding of democracy.<sup>24</sup> It is created by using the two main criteria of the democratic regime, i.e., the participation and election competition, as the foundation. The *Poliarchy Index* spans 187 countries in the period of 1810 to 2000. The conformity of democratic regimes to the aforementioned criteria is being measured with the help of two indicators: the proportion of the voters in the total population and the proportion of votes cast for the largest party.

The democracy assessments provided regularly by the organization *Freedom House* are based on a broader understanding of democracy. For example, *Freedom House* publishes regular overviews *Nations in Transit*<sup>25</sup>, which give an assessment of society development of 27 post-Communist countries, emphasizing such basic features of democracy as political freedom, political equality, as well as political and legal control. In the *Freedom House* approach the democracy development level is assessed from the following aspects: the elections and political parties, the rule of law, the development of civic society, the role of the media in a democracy, the composition and the nature of operation of the government and public administration system, the fight against corruption and the involvement of society in this fight. In other words, the *Freedom House* assessments emphasize the relevance of political and civic rights, yet they do not include the issues of social and economic rights despite that the democracy assessment contains such dimensions as the existence of free market institutions, which is more a precondition of democracy than its feature.

As was said before, the IDEA methods were used as the basis for the assessment of the democratization process of Latvia’s society. Two main characteristics set apart the IDEA method from others – it includes a broader range of issues and emphasizes qualitative assessment versus quantitative indicators. Since the mid-90s of the 20th century it has been used to evaluate the state of democracy in several countries, including Bangladesh, El Salvador, Italy, Kenya, Malawi, New Zealand, Peru, South Korea, Georgia, etc.

The IDEA method is based on three assumptions:

- Democratization is an uninterrupted and never-ending process. Societies with long established democracy traditions and societies which have stepped on the democratic development path recently are on the same development road, they have common values and similar problems. The latter, however, may be more pronounced in some countries than others.
- There is a single idea of democracy; its implementation degree can be determined by several criteria, which are important irrespective of the development level of different societies and the peculiarities of cultural traditions.
- The best judges of the state of democracy are the people of the particular country, and the primary goal of the democracy assessment is to facilitate discussion about the issues of democracy and thereby promote the processes of democratization.

This method, as opposed to the ones mentioned earlier, does not provide for a comparison between different societies and countries on the basis of some quantitative indicators. Its goal is to offer an assessment of democratization processes “from the inside”, emphasizing the qualitative assessment and revealing both the achievements and shortcomings in the processes of society democratization, as well as defining the areas where the society democratization processes are not fast enough.

There is a great diversity of democratic systems in the world: presidential systems differ from the parliamentary ones, federal systems – from unitary, majoritarian election systems – from the proportional, etc. If Latvia, for example, has developed historically into a unitary parliamentary republic with a proportional election system, then the purpose of the project is not the assessment of the advantages or shortcomings of such combination in comparison to the practice of other states. Instead, its purpose is to determine to what extent are the basic features of democracy carried out within the framework of the existing form of power implementation.

The method used in this Assessment involved answers to more than 70 questions about various areas of social life, which, according to the IDEA’s understanding of democracy, were grouped into several large sections of questions.

The first section “Citizenship, Law and Rights” includes questions about political nation and citizenship (Chapter 1), rule of law (Chapter 2), civic and political rights (Chapter 3), as well as economic and social rights (Chapter 4).

The second section of the Assessment – “Representative and Accountable Government” is dedicated to issues of free and fair elections (Chapter 5), the role of political parties in a democracy (Chapter 6), the effectiveness and accountability of administrative structures (Chapter 7), civic control over army and police (Chapter 8), as well as the decreasing of corruption (Chapter 9).

The third section of the Assessment – “Civic Society and Public Participation” looks at the issues of the role of the media in society (Chapter 10), political participation (Chapter 11), the responsiveness of administrative structures (Chapter 12) and the decentralization of public administration (Chapter 13). Considering the ever increasing influence of international factors on democracy development, the Assessment has provided for a separate section dedicated to the international dimensions of democracy, which would deal with questions of external factor influence on state politics and state support for democracy development abroad (Chapter 14).

During the past years experts from Latvia and abroad, among them several authors involved in this assessment, have published a series of significant studies, analyzing selected issues that are also considered in this assessment. However, such a comprehensive study that permits to assess the state of democracy in all its many facets has been conducted in Latvia for the first time.

In order to carry out the project, a group of specialists was created to include experts of the respective fields, well-known in Latvia. At least two experts worked on each chapter of the Assessment, preparing independently the answers to the questions posed within their respective chapters, and which later became the grounds for preparing the joint report.

As a supplement to the expert assessment, in October 2004 the Baltic Institute of Social Sciences (BISS), headed by the University of Latvia professor Brigita Zepa, conducted a public opinion survey within the framework of the project, based on the assessment questions.

The question of the assessment criteria is highly significant when doing qualitative assessments. According to the IDEA recommendations<sup>26</sup>, our study combined the “internal” and the “external” criteria. In this case, the “internal” criteria are understood as the ‘coordinate system’, created within the society itself, which consists of the comparison with the past of the country, the hopes of the population associated with public institutions and procedures, as well as the goals and tasks set by the administration structures for the improvement of administration processes. As was said before, the goal of the project was not just to give an original ‘snapshot’ of the current state of Latvia’s democracy, but to outline the development trends as well. That is why in their chapters the experts provide a dynamics assessment of the democratization processes, based on the time period of 1999 to 2004, also addressing longer periods of time when necessary. A comparison with other countries which implement with good results a successful and internationally recognized policy in the respective areas, as well as criteria defined in the documents of international organizations, were used as a basis for the “external” criteria.

In no way should this Assessment be seen as a purely academic endeavor – its main goal is to provide broader society and people professionally involved in politics with an insight into the problems of Latvian democracy development, leaving the study of causes and consequences for more in-depth scientific research. At the end of each chapter the experts give their assessment of the issues discussed on a five-degree scale of evaluation – from “very high” to “very low” – and present a summary of the issues discussed, describing their view of the greatest achievement and the most serious problem within the scope of their discussed questions, as well as suggest measures for improvement of the situation.

As was mentioned before, the IDEA methodology is intended for the assessment of the democracy situation in various countries with different histories, cultural traditions and levels of socio-economic development. This approach has some shortcomings as well, because the unification of the methodology does not always permit sufficient consideration of the peculiarities of various societies. The group of experts concluded that in the case of Latvia, two sets of issues could be identified, which have not received sufficient reflection in the range of questions offered by the IDEA methodology.

The first are the issues related to the body of values, attitudes and beliefs of individuals which is necessary for the functioning of the political system and which is termed “political culture” in the literature. Democracy is not just democratic institutions and procedures; democracy cannot function effectively if it is not rooted in public confidence. In other words, democracy cannot live without democrats. Although today discontent with the functioning of democracy is quite common both in the “old” and the “new” democratic countries as well, from the perspective of further political development of Latvia, it is still important to take into consideration that a significant portion of Latvia’s population is not satisfied with the democracy development in the country<sup>27</sup>, that there is a connection between the satisfaction with democracy, on the one hand, and the ethnic affiliation and citizenship status, on the other hand. Yet this does not let us say that the people of Latvia are disappointed in the idea of democracy as such because, as the data of the 1999 European Values Study (EVS)<sup>28</sup> show, 88% of Latvia’s population support the view that democracy has some shortcomings, yet it is better than any other form of administration. Still, the information gained by the poll makes one wonder: 22.5% of the respondents polled in the BISS survey supported the assertion that a few strong leaders will do more for the

good of our country than all the laws and talks, while 36% of the respondents agreed partially.<sup>29</sup> Such a reliance on a strong leader apparently is indicative of public passivity and insufficient development of civic society. Yet the comparison of the data from 1996 and 2004 gives hope – these data let us conclude that in Latvia the number of people who believe they can influence local government decisions in a legitimate way has increased by 20% during these eight years, and the number of people who believe they can influence the decisions of the government has increased by 10%.

The other group includes a set of issues related to the democratic organization of ethnic relations. Pointing out the high level of ethnocultural fragmentation, the modern researchers of democracy believe it to be one of the most important factors capable of cumbering the society democratization process. It should be noted that the issue of democratic organization of ethnic relations has not been dealt with broadly enough by the modern literature. Instead, greater attention has been given to the analysis of ethnic conflicts. The scepticism of the impossibility of democracy in ethnically divided societies has been rather widespread. For example, the well-known expert of ethnic conflicts David Horowitz believes that “democracy is an exception in highly divided societies and the assertion that democracy cannot survive in the face of serious ethnic divisions is being advanced repeatedly.”<sup>30</sup>

It seems there is no need to point out once again the special importance of the organization of ethnic relations in modern Latvia. Unfortunately, during the years of the restored independence the issues of ethnopolitics have not become the subject of widespread discussion in the society, nor at the level of the political elite, and the content of many important decisions in this area was and is still determined by the situational nature of the interaction between the external and internal factors.

The range of potential development scenarios was and continues to be rather limited. Four main options of democratic development within ethnically heterogeneous societies can be distinguished in the historical development of other states<sup>31</sup>:

- the liberal democracy;
- the consocial democracy;
- the ethnic democracy;
- the multi-cultural democracy.

It should be taken into consideration that the term “liberal democracy” could be viewed in both a broader and a narrower meaning. The liberal democracy in its broader meaning is understood as a democratic system, where the inalienable rights of individuals are respected, which is secured in the state Constitution and thereby defines the relations between the government and an individual. In this sense, all the aforementioned options of organization of ethnic relations can be considered as compliant with the principles of the liberal democracy. The liberal democracy in its narrower meaning – with regard to the organization of ethnic relations – sees ethnic affiliation as a private matter of an individual, and in its ideal version – recognizes the neutrality of the state in all ethnicity-related issues. In practice this has never been the case – the state always involves elements of certain languages and cultures that should be adopted by every citizen. The centuries-long development of the Western liberal democracies, alongside objectively determined processes of nation-forming, has also been often associated with forced assimilation of ethnic groups, the extermination of indigenous population, the derogation of cultural traditions of ethnic groups and other means of nation-forming unacceptable today. With the establishment of a society-uniting cultural layer and the achievement of consensus over basic values the liberal democracy is functioning quite effectively. The applicability of the liberal democratic organization of ethnic relations to Latvia may be called into question both because the implementation of this approach would mean the preservation of the situation developed during the Soviet times and because Latvia has neither the time, nor the possibility to repeat the development experience of the Western nations.

Recognition of the major ethnic groups as the entities of political life is at the core of the consocial democracy<sup>32</sup>. The consocial democracy is characterized by collective political representation of ethnic groups; cooperation of all important political forces (which represent the main segments of society) in the public administration within the framework of the so-called grand coalition; mutual veto rights for groups, which provide the minority with an opportunity to defend itself effectively; proportionality among ethnic groups in the distribution of public service appointments and in receiving government subsidies; federalism in the state structure. Although in the political discourse of Latvia the ideas of consocial democracy were advanced already during the late 80s and early 90s, the supporters of these ideas have lately become particularly active due to the aggravation of ethnic relations. This model seems inappropriate for Latvia because it is contrary to the historical tradition of Latvia as a unitary state, and it is dangerous because it is unacceptable to the Latvian portion of society.

The model of ethnic democracy was developed during the late 80s and early 90s to interpret theoretically the Arab-Israeli relations in Israel<sup>33</sup>. Yet many authors think that it is possible to apply this model to other countries, including Estonia and Latvia.<sup>34</sup> In order to avoid unnecessary misunderstandings, the ethnic democracy should be separated from such an undemocratic organization of ethnic relations as ethnocracy. The ethnic democracy is a political regime which combines the application of the main civil and political rights to all permanent residents with the recognition of the privileged status of one ethnic group (“the primary nation”) vis-à-vis the state, which manifests itself in the domination of that nation in the public administration. This is a democracy that includes the elements of undemocratic domination; thereby it may be considered a limited, imperfect model of democracy. The implementation of the special relations of the primary nation with the state, perceiving groups that do not belong to the primary nation as a threat, simultaneously gives an opportunity for these groups to fight for changes in their status.

Finally, let us look at the multicultural democracy, which is based on the acceptance of the fundamental principles of liberal democracy, supplementing them with the recognition and ensurance of group – in this case, ethnic group – rights. Here, however, it is necessary to point out that these rights are understood as the rights to maintain their identity, culture and language, and, contrary to the consocial and ethnic democracies, does not involve the political institutionalization of these rights or, moreover, the recognition of political privileges of one ethnic group. It should also be noted that the recognition of ethnic group rights within a multicultural democracy does not mean the preservation of separation. A multicultural democracy may function effectively only when the members of society – regardless of their origin – are sufficiently united with regard to the basic principles, rules and means of communication of the public sphere, there is a quite high degree of mutual tolerance and trust, and a common language of the public sphere is given one of the central spots in the functioning of the public sphere.<sup>35</sup>

The ethnic policy of Latvia during the years of the restored independence has fluctuated between the officially declared orientation toward a multicultural democracy and the considerable signs of ethnic democracy in the actual policy. In the current situation, a deliberate and consistent choice between these two alternatives becomes a factor capable of having a crucial impact on the long-term development of Latvian society and the state and capable of preventing evolution toward the consocial democracy.

The authors of this assessment are aware that their “snapshot”, no matter how precise it might be, cannot provide answers to all questions of democratic development of Latvia’s society. The authors of the assessment will deem their mission accomplished, if it activated issues in the eye of the public opinion, which have not been accorded adequate attention, and if it created public discussions and encouraged more extensive scientific studies.

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**Part One**  
**Citizenship, Law and Rights**



# 1. Nationhood and Identity

*Ilze Brande-Kehre and Ilvija Pūce*

*Is there public agreement on a common citizenship without discrimination?*

## 1.1 How inclusive is the political nation with regard to state citizenship of all who live within the territory?

The constitution of a state establishes the grounds of the political nation, while citizenship determines who are full members of the political nation. Article 2 of the Latvian constitution – *Satversme* – establishes that the sovereign power in the Latvian state belongs to the Latvian people, defined as the community of citizens. The Constitution thus determines the membership of the political nation without any reference to ethnicity. The possibility to become a member of the political nation is in principle open to persons of any ethnicity or nationality, although there are in practice several state-determined limitations to this openness. In theory, the membership of the political nation should come close to overlapping with the sum of the permanent residents. In Latvia, no more than 80% of permanent residents are citizens of Latvia.

In the narrowest sense citizenship refers to the individual's legal status within the state (the legal belonging), it determines rights and obligations, including equality before the law. However, in political theory citizenship is more broadly considered and is closely related to the belonging to a political community (in the contemporary world the nation-state), and since the days of Aristotle, active participation in the administration (the realization of political power) has been recognized as one of the basic prerequisites of democracy.

Citizenship issues are traditionally considered to be within the competence of the sovereign state. However, with the increasing globalization and the growing mobility the international dimensions of citizenship develop, and international norms and institutions increasingly put limits to the state's citizenship practices. Some researchers note that a certain convergence of norms and requirements for citizenship is taking place among many liberal democratic states.<sup>1</sup> One thing is clear – in order for the individual to participate fully in the political life of a nation, citizenship is necessary, and the legitimacy of a democratic state requires civic participation. This is why a large number of non-citizens is a problem not only for the individual non-citizens, but first and foremost for the state itself.

All legal residents of Latvia are registered in the Register of Residents. On 1 January 2005, out of the 2,3 million Latvian residents, 452,033 were non-citizens. The Register also included approximately 34,000 foreign nationals<sup>2</sup> and stateless persons. The number of refugees in Latvia is negligible – 8 – and there are also very few asylum seekers. It should be noted that although it is not uncommon in industrialized nations that approximately 80–90 percent of the residents are citizens, the remaining percentage usually represents individuals who are citizens of another country. The historically evolved situation in Latvia thus differs from that of other countries in that every fifth resident does not have any citizenship at all.

Two basic principles are generally considered to form the legal basis for the acquisition of citizenship in a country: the right to citizenship based on a parent's citizenship (*jus sanguinis*) and the right to citizenship based on one's links to a territory, where one is born or resides over a long period of time (*jus soli*). Although the view that states can be divided into categories depending on which principle predominates is commonly held, it is undoubtedly oversimplified, as most liberal democratic states combine elements of the two principles. Even in countries where the *jus soli* principle is strong (as when a child born on the territory automatically acquires citizenship), parents who are citizens also transmit the citizenship to their child at birth. Nevertheless, if the parents reside in another country, the *jus sanguinis* principle can be limited in terms of time of residence or generations removed from the country of origin. Thus, several countries limit the right to citizenship of the third generation (a child born to a parent who is born and resides in another country), if the aspiring citizen does not return to the country of origin and reside there for some determined period of time (such norms are in effect in Canada, Mexico,

UK, USA).<sup>3</sup> On the other hand, in Germany, which has traditionally been considered one of the countries which most strictly apply *jus sanguinis* principles, *jus soli* elements, such as the acquisition of the right to citizenship through residence for a determined period of time, are becoming ever more evident.

In Latvia, as well, there are elements of both basic principles. With renewed independence of the country in 1991, the corresponding citizenship was also restored, which means that those who were citizens of the Republic of Latvia on 17 June 1940, before the occupation (s), and their descendents were recognized as citizens upon registration, which corresponds to *jus sanguinis*. The principle also underlies the legal norm that determines that ethnic Latvians and Livs may register as citizens if they are resident in Latvia even if their forebears were not citizens on 17 June 1940. On the other hand, *jus soli* elements were evident in the acknowledgement after regained independence that the permanent residents of Latvia have to have the opportunity to acquire citizenship either by registration, as it was promised by leading politicians in 1991, or through naturalization, as it was later defined in legislation. The *jus soli* elements were strengthened in Latvian legislation after 1998, when law amendments state that children in Latvia born of non-citizen parents after 21 August 1991 have the right to be registered as citizens.<sup>4</sup> However, this right does not apply to children at least one of whose parents has citizenship in another country, and so it is not a consistent *jus soli* principle. The fact that Latvians and Livs have a privileged opportunity to acquire citizenship if they become residents of Latvia – in other words, a right that is based on ethnic identity – is not common in liberal democracies, but neither can it be considered unique: privileged access to citizenship based on ethnicity is foreseen in the laws of Germany, Greece, Israel, Portugal, Spain and Russia.<sup>5</sup>

At the time of regained independence, there were some 700,000 residents on the territory of Latvia who did not have citizenship links with pre-war Latvia and therefore did not have rights to automatic citizenship on the basis of *jus sanguinis* – they were the “non-citizens.” The restoration of pre-war citizenship was logical. However, the Citizenship Law was adopted only in 1994, which *de facto* made naturalization impossible for the first years and created insecurities among many Latvian non-citizens regarding their legal status and future in Latvia. It undoubtedly negatively influenced the process of naturalization when it was finally started in 1995.

The status of non-citizens is defined in the law “On those former USSR citizens who are not citizens of Latvia or another country.” The Latvian non-citizen, in contrast to the stateless person, holds a passport of the Republic of Latvia (Alien’s passport) and has the consular protection of the state when traveling. The social and economic rights of non-citizens approximate those of citizens,<sup>6</sup> and the fundamental rights guaranteed by the Constitution apply to all. The fundamental rights of non-citizens are thus no different than those of citizens, which corresponds to general contemporary liberal democratic practice.<sup>7</sup> However, the non-citizen of Latvia does not have the constitutional protection against extradition to another country, which is guaranteed in the Constitution for citizens only. The law on non-citizens allows for the deportation of a non-citizen “in cases foreseen by law” (i.e. the criminal law norms for deportation) and if another country has declared readiness to receive the non-citizen. A non-citizen is not considered a citizen of the EU and thus does not benefit from the rights of a citizen of the EU. Instead, the EU directive adopted in 2003 concerning the rights of long-term residents, third country nationals is applied to the non-citizens of Latvia.

There are professions in all liberal democracies that are reserved for citizens only. In Latvia, non-citizens rights to practice certain occupations or hold certain professional positions are more limited than those of citizens, but the question of how well founded these restrictions are remains open. In the European Union, the state’s discretionary powers in determining which professions are reserved for citizens – including professions in the public sector – are becoming substantially limited.<sup>8</sup> The European Court of Justice has reviewed several relevant cases. The requirement to be a citizen in order to hold a position or profession that is connected to political decision-making of great significance to the state is considered legitimate. Several countries partly restrict the access to public sector positions for non-citizens, but almost nowhere are there restrictions in the private sector.<sup>9</sup> In Latvia, all public servants have to be citizens and there are also restrictions for non-citizens in the private sector. The restrictions for working as a lawyer, for instance, are questionable from a democratic perspective.

The most important political rights – that is to vote and stand for election – are restricted for non-citizens in almost all liberal democracies. However, the tendency to permit permanent residents to participate in municipal elections is developing both in practice and in international norms, as those of the Council of Europe – and in some countries, permanent residents even have the right to participate in national referenda.<sup>10</sup> In Latvia, the right to participate in elections is reserved for citizens (and since the 2004 law amendments also for EU citizens in municipal elections). Many international recommendations to consider granting non-citizens the right to vote in local elections notwithstanding (for instance, in 2003–2004 from the Council of Europe, UN, OSCE and European Parliament representatives), state and government representatives in Latvia have publicly rejected even the possibility to discuss such a development.

The inclusion of non-citizens as full members of the state primarily takes place through naturalization. Since the beginning of the process of naturalization in 1995 until 31 December 2004, 85,352 persons have acquired citizenship through naturalization. Until 1998, age-based quotas (or “windows”) limited access to naturalization to certain groups of residents at any one time, but this restriction was abolished as the result of law amendments after a referendum. As a result, until 2004 the largest amount of naturalization applications had been received in 1999 (15,183), after which the number declined over several years. 2004, when Latvia became a member of the European Union, became a new record year: more than 21,000 applications for naturalization were received by the Naturalization Board.<sup>11</sup> However, considering the almost half a million non-citizens in the country, even this increased rate does not resolve in principle the problem of a disproportionately large share of non-citizens.

A person acquires the right to naturalize if he or she has been permanently resident in Latvia for five years (in other democratic countries this period varies between 3 and 12 years, but 5 years is common practice). The candidate for citizenship has to pass an oral and written Latvian-language test, a test on the basic principles of the Constitution, the text of the national anthem and a basic Latvian history test. The state language proficiency requirement is common practice amongst almost all countries,<sup>12</sup> but the requirement to attest to knowledge of history is more rare (some form of such requirements exists in Canada, Estonia, Mexico and the USA).<sup>13</sup> The number of citizenship candidates who did not pass the Latvian language test in a first attempt was 10% in 2004, which is higher than in the late 1990s, but lower than the 15% in 2002. The history test passage rate remains high: only 3.7% did not pass it in 2004 in their first attempt, and the rates are similar since 2000.<sup>14</sup> The tests have gradually been simplified and various exemptions have been included in the course of time.<sup>15</sup>

It is important to evaluate not only the naturalization requirements, but also the accessibility of naturalization both legally and in practice. In Latvia, persons cannot naturalize (including permanent residents) who do not have a legal source of livelihood; who have acted against the independence of Latvia or democracy (if it is confirmed by a court decision); who after 4 May 1990 have proclaimed fascist, chauvinistic, national socialist, communist or other totalitarian ideas or incited national or ethnic hatred or conflict (if confirmed by court decision); who are officials of foreign countries or are in service in foreign armed forces, security services or police; persons who have remained living in Latvia after demobilization from USSR (or Russian) armed forces or internal armed forces (except in case the person was a permanent resident of Latvia before service); if the person has been staff, informer, agent or the holder of a conspiratorial apartment of the KGB or another country's security or intelligence service (if confirmed by court decision); if the person has been convicted of a crime or if the person has, after 13 January 1991, acted against the Republic of Latvia, actively participated in the Communist Party of the USSR or Latvian SSR or a few related Soviet organizations, specified in the law. In comparison to other countries, the access to citizenship is restricted for a rather broad spectrum of persons, including permanent residents of Latvia, who do not have the citizenship of any country.

The legitimacy of the restricted access to citizenship for persons connected to KGB or other security services may be questioned, especially since there also is a significant number among those who regained citizenship through registration, who also have been connected to the same services during the same time, while a broad prohibition does not provide for the individual evaluation of each case and its effects on state security or other legitimate concerns. The general barring of naturalization for persons convicted of a crime is also questionable: similar prohibitions also exist in other countries, but generally, the restrictions apply only when the crime and the foreseen sanctions are especially severe,<sup>16</sup> whereas Latvian legislation bars naturalization for a person with any kind of criminal law violation. An exception is made for non-citizen children, for whom citizenship by registration or through naturalization is barred on the basis of a criminal conviction only if the criminal law foresees an imprisonment sentence of five years or more.

Eligible naturalization candidates apply and deal with the practical aspects of naturalization in the regional departments of the Naturalization Board. In 2004, the application procedure was made more accessible by no longer requiring proof of registration of residency as well as allowing the application for naturalization to be submitted to any of the Naturalization Board regional departments (previously it was accepted only at the department that corresponded to the registered place of residence).<sup>17</sup> The process itself is not especially complicated, and the Naturalization Board statistics show that all in all, it usually takes approximately four to six months from the moment the application is submitted (the legally guaranteed term is within one year).<sup>18</sup> Compared to the practice in other countries, this is a short period of time. The naturalization fees have also been lowered on several occasions (in 1997, 2001 and 2002), with the aim of making naturalization more accessible. In 2004, the basic fee was 20 Lats (approximately 30 Euros), and for several categories of residents (pensioners, low-income families with several children, school and university students, unemployed, disabled) the fee has been lowered to 3 Lats. Officially recognized politically repressed persons, disabled persons of the first category, orphans and persons who have been included into the social care system of the state or municipalities are exempted from fees.<sup>19</sup> As one of the most frequently cited reasons hampering naturalization

is the insufficient state language proficiency of potential applicants, in 1996 the National Programme of Latvian Language Training<sup>20</sup> was established, and its language courses have among other things also promoted integration and the access of citizenship for non-citizens.

In the last years, access has also been promoted by various initiatives by the Naturalization Board (which have largely been financed by foreign sources): state language courses for naturalization candidates and an information campaign on the acquisition of citizenship.

In contrast to many other countries, in Latvia marriage to a citizen does not provide any privileges in the acquisition of citizenship, with the exception of a quicker review time once the application is made – but even then, only after ten years of marriage.

In 1998, after a referendum indicated support for the changes (albeit with a narrow margin), the *Saeima* passed amendments to the Law on Citizenship, which provided the right of non-citizen and stateless children born in Latvia after 21 August 1991 to be registered as citizens. Actual registration of such children has been very slow, and until the beginning of 2004 only some 10% of approximately 20,000 children who had such rights had been registered as citizens. In 2004, the Secretariat of the Special Assignment Minister for Social Integration together with the Secretariat of the Special Assignment Minister for Child and Family Affairs and the Naturalization Board implemented an information campaign, sending information about the registration as citizens by direct mail to non-citizen parents. As a result, the number of registered children substantially increased in 2004: until 31 December 2004, 3,440 applications for registration had been received since the 1998 law amendments made it possible, approximately half of which were received in 2004.<sup>21</sup> Nevertheless, in relation to the overall number of non-citizen children who have the right to be registered as citizens, even these increased rates of registration are still slow. In addition, there is another problem: parents of non-citizen and stateless<sup>22</sup> children may register their children as citizens only until the age of 15, between 15 and 18 there is an additional demand for documentation certifying proficiency in the state language or the passing of the language test, but after 18 these children may only acquire citizenship through naturalization.<sup>23</sup> This limitation contradicts regular practice in other countries as well as the internal logic of citizenship norms, i.e. the fact that the right to citizenship is held personally by the child. A solution to this strategy would be to extend the right to acquire citizenship through registration for these children born in independent Latvia at least for a year after reaching majority, which would guarantee the possibility for the child to make a conscious, personal choice even when the parents have not used this opportunity. The fact that children who have no citizenship of any country still continue to be born in Latvia is a serious problem: a way to rectify this would be to automatically register newborn non-citizen children as citizens, unless the parents explicitly object.

On the other hand, the lack of motivation among non-citizens to acquire citizenship of Latvia is also a problem. Approximately a third of the 7,500 non-citizen respondents polled in a research survey report the opinion that they should receive citizenship automatically, although only some of them refuse naturalization on grounds of principle (some 18% report that they feel that naturalization is humiliating). 14% of the respondents admit that they do not want the citizenship of Latvia. Other factors which are often reported as hampering naturalization include the more beneficial traveling requirements (visas) to CIS countries, the hope that naturalization requirements will be eased, and the fear of not being able to pass the tests for naturalization. A conclusion that can be drawn from the survey and expert interviews is that a large part of non-citizens are prevented from becoming full members of the state with which they associate their future by passivity and simple lack of motivation.<sup>24</sup>

Although 2004 was a year with a substantial increase in the number of naturalization applications as well as the number of applications to register non-citizen children as citizens, there were also some negative tendencies relating to state and government decisions. In May 2004, the *Saeima* adopted amendments to the law which regulates the status of non-citizens in Latvia. The amendments foresee that a non-citizen of Latvia who has acquired permanent residency in another country after 1 June 2004 is deprived of the non-citizen status and thus of the associated rights, including the consular protection by the state of Latvia. This encumbers the right of return to Latvia and entails that the person becomes stateless. The amendments were challenged in the Constitutional Court and were ruled unconstitutional on 7 March 2005.<sup>25</sup> Another questionable development was the precedent case in 2004, when a non-citizen who had fulfilled all formal requirements for naturalization and was included in the proposed list for persons acquiring citizenship, was struck from this list by the Cabinet of Ministers, which until this case had never used their formal powers to challenge the list made by the Naturalization Board, following regulations and administrative procedures. The refusal to grant citizenship was publicly motivated by a lack of loyalty to Latvia of the candidate, allegedly exhibited by his activities and expressions in relation to the minority education reform.<sup>26</sup> The decision does not correspond to the procedures foreseen in Latvian legislation and preceding praxis. It also runs counter to various recommendations by international experts that the criteria for



naturalization should be objective, avoiding as far as possible the role of subjective factors and executive discretionary powers. This Cabinet of Ministers decision is being challenged in administrative court.

In general, since the 1998 law amendments, in terms of access to citizenship, Latvia corresponds to liberal democratic countries' practice, and the legislation is in line with international norms. The regulations for acquisition have been gradually liberalized since 1998, and the situation concerning legal norms is evaluated as "good." However, the number of non-citizens remains very large and many non-citizens are either born on Latvian territory (and thus are second generation residents) or have lived on the territory for decades. There is lack of motivation among non-citizens to naturalize, and the political background signals include exclusionary factors (including the revived discourse on deoccupation and the legal norms stating the goal of promoting the repatriation of non-titulars.<sup>27</sup> For a variety of reasons, the permanent residents — non-citizens — are not included in the membership to the political nation, and they do not have full political participation rights. Therefore, the actual situation concerning citizenship is evaluated as "poor."

## **1.2 How far are cultural differences acknowledged, and how well are minorities protected?**

The large number of minorities as a share of the population distinguishes Latvia from most other countries and also gives special importance to the question of minority rights. In the beginning of 2005, the overall population of Latvia was 2,3 million, while the ethnic composition included 58,8% Latvians, 28,7% Russians, 3,8% Belorussian/Belorussians, 2,6% Ukrainians, 2,4% Poles, 1,4% Lithuanians and 1,8% other ethnicities (including the historic, but numerically small minorities Jews and Roma – each less than half a percentage point).<sup>28</sup> The share of Latvians has increased since 1989, when it was 52,1%.<sup>29</sup> Nevertheless, in five out of the seven main cities Latvians are fewer than 50%. In the capital Riga, Latvians represent 41% of the population, while in the second largest city of Latvia – Daugavpils – there are only 16% Latvians. Livs have a special status in legislation as an indigenous people, but the last census conducted in 2000 reported only 177 Livs living in Latvia.<sup>30</sup>

In addition to binding international human rights documents, to which Latvia acceded or signed soon after independence and which define a large part of the international and European norms in relation to the right to preserve and promote one's ethnic identity, culture and language, there are also norms included in national law which acknowledge cultural differences and guarantee minority rights and have been developed over the years since independence was restored. Regardless of the multicultural composition of the population, Latvian legislation does not include a definition of national minority. Nevertheless this and similar concepts are used in the normative acts as well as in practice – often in connection to the declared aim of protecting the culture and identity of such groups. Thus, the 1991 law "On the free development of national and ethnic groups of Latvia and the right to cultural autonomy" guarantees cultural autonomy to all national and ethnic groups, as well the right to establish national organizations and associations.<sup>31</sup> The state has the obligation to promote the activity and provide material support of these organizations. Nevertheless, the law is largely declarative in character and does not define any mechanisms for the realization of these norms.

Since the 1998 amendments to the Constitution, when Section 8 on fundamental rights was added, minority cultural rights are also guaranteed at the constitutional level by Article 114, which states "Persons who belong to national minorities have the right to protect and develop their language, ethnic and cultural specificities."

Progress can also be observed in practice, especially since 1998, when the Social Integration Conception was adopted. In 2001, the Cabinet of Ministers adopted the national program "Social Integration in Latvia," which was elaborated on the basis of the concept, and with the establishment of the Society Integration Fund at the end of the year, its implementation was initiated with the funding of various projects. For the first time social integration was given attention as a priority in state policy, at least symbolically, with the creation in November 2002 of the position of Special Assignment Minister for Social Integration Affairs and the Secretariat.<sup>32</sup> The Department for National Minorities, which previously had been part of the structure of the Naturalization Board, was subsumed under the Secretariat. The role of the Department for National Minorities is to promote the development of the organizations and culture of minorities. Presently, more than 200 minority organizations have been associated with the Secretariat, of which 67 received small-scale subsidies in 2003. Even though state financing is largely symbolic, it still has grown compared to previous years.<sup>33</sup> The Society Integration Fund has also contributed to the increased participation and capacity of minority organizations through calls for project tenders and training seminars on the writing of projects. There are also minority organizations that receive support from the Ministry of Culture. On a

practical level, then, small and still not very strong minority organizations have over the last few years experienced a new tendency of support, which is in addition further reinforced by some recently shown initiatives to strengthen the still weak civil society through legislation and policy developments.

Citizenship and language were undoubtedly the most important issues relating to minorities in the first decade after independence was regained. The development of legislation and policy was largely inspired by recommendations and pressure from international and foreign representatives, which was particularly effective during the pre-accession period to the European Union and NATO.<sup>34</sup> Law amendments adopted in 1998 and 1999, liberalizing the citizenship law and defining the role of the state language, represent significant progress in the development of democracy, and the essential conformity of these norms with international standards were publicly recognized by the OSCE High Commissioner for National Minorities Max van der Stoep. At the end of 2001 the OSCE Mission to Latvia was closed, leaving only one unfulfilled requirement: the abolishing of state language proficiency requirements for candidates who stand for election, and these were finally struck from the law in the spring of 2002. The intense attention that Latvia's minority issues has received internationally has entailed that there are many different conclusions regarding the conformity of Latvia's legislation and practice to international minority rights and human rights standards. Recommendations over the last years from institutions such as the Monitoring Committee of the Council of Europe, the Human Rights Commissioner of the Council of Europe, Council of European Commission against Racism and Intolerance, the OSCE High Commissioner for National Minorities, the UN Human Rights Committee and Committee for the Elimination of Racial Discrimination have largely included similar comments: while recognizing progress made, recommendations are made to find ways to promote naturalization, to consider giving the right to vote in local elections to Latvia's non-citizens, to follow and ensure that the implementation of the minority education reform does not create negative or discriminatory effects for representatives of minorities, to find ways to ensure that a person can use a minority language in contacts with administrative authorities if necessary, as well as to ratify the Council of Europe Framework Convention for the Protection of National Minorities.

The Framework Convention was signed by Latvia in 1995, but ten years later it was still not ratified by parliament, despite long discussions, mainly regarding the need for a definition of national minority, which would determine to whom the Convention's norms would apply, as well as the number and content of possible reservations. In February 2004 the parliamentary Social Integration Sub-Committee to the Human Rights and Public Affairs Committee was established, and one of its purposes was to consider ways to resolve the issue. The Framework Convention can be used to identify the issues that would need closer analysis when evaluating the state of minority rights in Latvia. The most significant issues in Latvia concern minority language rights – in the media, in contacts with administrative institutions, the possibility to use minority language in topographical and street signs, the protection against disproportional limitations on the usage of minority language in both the public and private sphere (on language issues, see section 3.3), minority language and education, and minority participation issues (Articles 6, 9, 10, 11, 14 and 15 of the Convention).

There are restrictions foreseen by Latvian law to the usage of minority languages whose compliance with the letter and the spirit of the Convention may be doubted. These relate to electronic media legislation, which limits the use of languages other than the state language (and despite the 2003 Constitutional Court ruling which abolished language quotas for private electronic media), as well as to the usage of language in the public sphere (especially in the written communication with municipal authorities, although in practice the issue is frequently dealt with more flexibly than the law foresees). There may be reason to doubt the legitimacy of state language proficiency requirements for certain of the professions where such requirements are determined, and the same may be true of the requirement to adapt names and family names of other languages according to Latvian grammar rules (See section 3.3). However, the most contentious norm of the Convention in present-day Latvia is the requirement that in territories where a large number of minority representatives live traditionally the parallel usage of the minority language on street signs may be permitted, if there is sufficient need and demand. Considering the weakening of the position of the Latvian language as a result of Soviet Russification policy and the Soviet practice of including Russian on the signs, the requirement is for a large part of the population associated with the period of occupation and as such is usually perceived very emotionally and negatively. The implementation of this particular norm is therefore neither realistic nor constructive in present-day Latvia.

In the period between 1998 and 2004, the language policy focus moved from "pure" state language law issues to the usage of languages in minority education. The Law on Education adopted in 1998 recognizes in principle the possibility to implement minority education programs in state and municipal primary and secondary education.<sup>35</sup> Using as a basis the sample programs of general education elaborated by the Ministry of Education and Science, the minority education programs foresee the addition of substance relating to the minority culture and identity and the integration of minorities in Latvia. Despite the growing tensions in society as a whole and especially amongst minority groups, only in February 2004 and not without controversy did the parliament adopt

amendments to the Law on Education Transitional Regulations, which were to be implemented in the tenth-grade classes by 1 September 2004. The amendments state that when implementing the minority education programs in secondary schools, at least three fifths of instruction should be in the Latvian language, including classes of foreign languages, while the minority language may be used in up to two fifths of the overall instruction time.<sup>36</sup> At the same time, the norm that had foreseen the transition to instruction exclusively in the state language was abolished, which had been in contradiction both to other Latvian legislation as well as to international norms, including Article 14 of the Framework Convention.

It must be taken into consideration that the starting point for minority education reform in Latvia significantly differed from that of other countries and basically consisted of a segregated school system, inherited from the Soviet Union, whereby there were separate schools with Latvian as the language of instruction and those with Russian as the language of instruction. In the academic year 2003/2004 there were still 156 schools in Latvia with a large share of Russian-language instruction and 138 so-called two-stream schools (where separate grades followed Latvian-language instruction or Russian together with bilingual instruction programs), whereas there were 741 schools with Latvian as the language of instruction. Thus the main challenge for minority education was not to introduce the learning of the minority language, but the securing of the learning of the state language, while protecting the language, culture and identity of the minorities. There has been some progress on a practical level over the last years when it comes to the support of schools with different languages of instruction and in the elaboration and implementation of bilingual educational methods. The National Programme of Latvian Language Training has provided language and methodology courses for Russian-language teachers. Nevertheless, despite the official confirmation that schools are ready to implement the reform in the foreseen period, there were objections by some minority representatives who contended the opposite, pointing to the inadequate amount of appropriate teaching materials as well as the insufficient readiness of both teachers and students for implementation of the reform.

There are also other minority schools in Latvia: 6 Polish, 2 Jewish, 1 Ukrainian, 1 Belorussian/Belorussians, 1 Lithuanian and 1 Estonian. In contrast to the Russian-language schools, these minority schools were established starting at the end of the 1980s and early 1990s with the aim to revive the culture, language and identity of other minorities, which had also suffered a tendency to Russification during the Soviet years. There are special concerns regarding the Roma education. Although officials usually claim that there is much progress in the path chosen for Roma education and provide it as an example of minority education, in fact Roma continue to experience decisively lower levels of education than the majority and other minority groups. The official approach to the issue has been to establish special classes for Roma children. These classes usually have the status of special correction classes and the education programs do not include any classes on Roma culture and language, as minority education programs foresee. Frequently, the stated aim of the classes is to promote the integration of Roma children into regular classes, but so far the effect in reaching such a goal has been missing, and in practice Roma children are frequently segregated during the education process.<sup>37</sup>

The regulations concerning the language of instruction in minority schools are liberal in comparison to most school systems of other liberal democracies. Despite the relatively large role provided for the minority language in the finally adopted version of the regulations, the minority education reform has provoked ethnic tensions in society and the largest-scale protest actions to date in contemporary Latvia. Some minority politicians have been actively involved in organizing and participating in the protest actions, which have also involved many minority school students. Despite charges of manipulation of the reform issue for political purposes, it is clear that negative attitudes among a large part of the minority population reform significantly increased during the years before the implementation of the secondary school reform. Social opinion polls from 2004 show that 76% of polled Latvians support the minority school reform, while 68% of minority representatives do not.<sup>38</sup> In 2004, only 15% of students in Russian-language school grades 9–12 supported the transition to the 60% Latvian – 40% minority language-model on 1 September 2004, as did 13% of the parents and 30% of the teachers.<sup>39</sup> Although numbers were never overwhelmingly positive, other data indicate that the general support for reform was larger among minority representatives earlier: in 2000, a study indicated that 53% of respondents whose native language was not Latvian reported support for reform and in 2001, 51%.<sup>40</sup>

Minority education thus emerges as the most obvious problem in the minority area in 2004. Despite real and substantial progress on minority rights in the country over several preceding years and despite the liberalization of the initial minority reform concept of a transition to Latvian as the sole language of instruction in all state and municipal schools, the tensions surrounding the reform have brought some real concerns about social cohesion. The main problem is not the substance per se of the reform – the language proportions allow for a substantial share of instruction in the minority language – but the mishandled political process in elaborating and introducing the reform. The goal of the reform was never clearly formulated nor explained to the target audience, and several different aims were declared, ranging from the raising the competitiveness of minority students, the legitimate

demand that all graduates know the official language of the country, the integration of society, and others. There was a lack of political leadership and responsibility for the reform and its implementation, as the reform issues were left to be dealt with by officials at the Ministry of Education until very late in the process, when it became clear that political tensions were getting out of hand and there was a sense that they may lead to some real confrontations. The implementation of the reform was not adequately prepared and assisted by the state and no monitoring based on objective criteria was conducted regarding the effect on the schools and the quality of education. The fears of teachers, students and their parents that education quality would suffer were not sufficiently addressed by the state. But the most egregious shortcoming of the process was the lack of effective and direct participation by minority representatives in the elaboration of the reform and the definition of its goal.

The issue of effective participation has not received attention in Latvia, including in the context of discussing the Framework Convention. The most direct way of ensuring effective participation by minorities is by ensuring direct representation in state and government structures. 20% of the residents of Latvia are non-citizens, which prevents them from enjoying full participation politically (See 1.1.) On 1 January 2005, minorities represented 26% of the citizens of Latvia. Over the last years, there has been a tendency for minority representation in the Parliament to increase: in 1998 16 out of 100 parliamentarians were minority representatives. In 2001, the number was 19, but in 2004 there were 17 minority representatives as well as four MPs, who had not indicated their ethnicity.<sup>41</sup> Although the minority representation in parliament is not strictly proportional to the proportion among citizens, it does not greatly differ from it. In the executive branch, however, the situation is different, and minorities are severely underrepresented. From 1994 until 2002 (and indeed until 2005), there has only been one minister of minority identity. The representation among public servants is also not proportional: an analysis from 2002 indicates that in ten ministries minorities represented only 8% of the staff. This number contrasts to the 23% that minorities represented among citizens at the time.<sup>42</sup> Minorities are also inadequately represented in several elected local governments, in the local administration<sup>43</sup> as well as in courts. At the same time it should be noted that the problem of under-representation is not unique to Latvia – the proportional representation of minorities is topical in all liberal democracies, and therefore the development tendencies rather than absolute numbers are particularly important.

Another form of participation is the representation on councils and committees with various functions. The State President Minority Consultative Council was established in the mid-1990s and was one of the first such institutions in Latvia. It has, however, not been called for a meeting since 1999. In 2001, the Consultative Council on questions of minority reform was established at the Ministry of Education and Science. At the beginning of 2003, the Consultative Council on minorities and social integration was established under the auspices of the Secretariat of the Special Assignment Minister for Social Integration Affairs. Minority or non-citizen consultative bodies have also been established at various municipalities. In Ventspils, for example, the Advisory Council on non-citizen issues, which has the status and rights of a municipal committee and whose members are recently naturalized Latvian citizens, has been in place since 2000. There are councils or integration committees in a few other municipalities, where minorities represent a large share of the population. However, the involvement of minorities in these bodies is frequently narrow and formal. This has also been true for the Advisory Council on minority education issues. Several NGOs have been critical of the structure and tasks of the council, indicating that the majority of the council members are from state and municipal institutions and also that the council has no real influence.<sup>44</sup> Even though the composition of this council was recently partially reevaluated, the question of how to improve the functioning of the consultative committees to ensure effective participation, as well as elaborating other participation mechanisms, remains a serious challenge to be tackled.

So far, insufficient attention has been given in Latvia to the field of anti-discrimination. Since 1998, the Constitution includes a general prohibition to discriminate (Article 91).<sup>45</sup> Generally accepted international anti-discrimination norms are directly binding and are included in some national laws. In 2002, a new Labor Law was adopted, which took into account most of the requirements of the EU directives EC/43/2000 (Race Directive) and EC/78/2000 (Employment Directive). The law was amended in 2004, and now includes almost all directive requirements relevant to the labor law, except that sexual orientation is not mentioned explicitly in the list of prohibited grounds for discrimination (but the list is open-ended, including “other grounds”). Nevertheless, in the beginning of 2005 Latvian legislation still falls short of EU requirements that should have been fulfilled by the time of the EU accession on 1 May 2004. In 2004, an inter-ministerial working group was elaborating a package of law amendments to several laws as a minimum approach, but also started elaborating a comprehensive anti-discrimination law, which was later rejected by the parliament, after it had passed a first reading. However, by the end of the first quarter of 2005, even the minimum amendments were not yet scheduled for review by parliament.

Some social surveys indicate that many residents believe that they have been discriminated against on the grounds of language and ethnicity.<sup>46</sup> However, there are no court cases yet on discrimination on the ground of

race, ethnicity or language.<sup>47</sup> The National Human Rights Office, which is to assume the function of the specialized institution when the planned legislation is adopted, has not received many discrimination complaints, although the total number on all grounds did increase to 85 in 2004 (ten of which were on grounds of race or ethnicity), compared to 58 in 2003.<sup>48</sup> Despite the low number of complaints, there is information that confirms patterns of the disadvantageous position of Roma in comparison to other ethnic groups: low level of education and segregation at schools, a very high unemployment level (in 2003 the level of officially employed Roma was a dismal 5%), as well as poor housing conditions.<sup>49</sup> The lack of complaints reflects the low level of awareness on discrimination issues among both the population at large as well as among public authorities, as well as an insufficient state interest to create and support the institutions, policies, programs and information events necessary for an effective fight against discrimination.

The problem of intolerance, racism and xenophobia has not yet been adequately addressed in Latvia and available data are inconclusive. The presence of visible minorities has until now been in small numbers, but as society becomes more diverse through global mobility, there is cause for concern about the preparedness of the Latvian society if the issues continue to be ignored. Some indicators point to a relatively high ethnic tolerance level in Latvian society among the majority and traditional minorities, but there are also data that show that the view that a mono-ethnic society is to be preferred over a multi-ethnic one, especially among Latvians.<sup>50</sup> One survey indicates that in addition to widely held prejudice against Roma, there is also a high level of social distance among Latvians toward Jews (10% of Latvian respondents answered that they should not be let into the country while 31% answered that contact should be limited to that with a tourist). At the same time, some 55% of both Latvians and non-Latvians agreed that Americans should also be limited in Latvia to tourism. The indicators are even more negative for Caucasians and Chinese, while two thirds of respondents agreed that Africans should only be allowed to visit as tourists. Shockingly, 38% of Latvians and 32 % of others believe that Kurds should not be let into the country, while another 45% of both groups believe they can be let into Latvia only as tourists. The worst figures appear for Muslims: 39 and 38%, respectively, believe that Muslims should not be allowed to cross the Latvian border and 45 and 44% would limit contacts to those as with a tourist.<sup>51</sup> Xenophobia thus emerges as a key area of concern, to which the state has paid no attention until now.

In conclusion, there has been substantial progress in the area of minority rights in Latvia and also some in the level of state support for the development of minority cultures. Nevertheless, some restrictive norms remain in force, especially in the sphere of language rights, even though some of those limitations may be considered legitimate and proportional at a time when Latvian has not yet strengthened its position as the official language of the country. The most serious concern in the area of minority rights – which to a large extent has contributed to the problems with the minority education reform – is the lack of effective participation by minorities in the formulation of policies and decision-making, especially in areas that are of direct concern to minorities. Anti-discrimination legislation suffers from shortcomings and policy has not yet been developed. In addition, the concerns in the area of minorities have focused largely on the issues most relevant for the largest minority groups – citizenship and language rights – while problems of smaller and more vulnerable minority groups have not yet been adequately acknowledged or addressed. Therefore the overall evaluation of this sub-section is “satisfactory.”

### **1.3 How much consensus is there on state boundaries and constitutional arrangements?**

The continuity of the Republic of Latvia was confirmed by the Declaration on the Restoration of the Independence of the Republic of Latvia, adopted on 4 May 1990. Thus, the renewed Latvia is the continuation of the Republic of Latvia established in 1918 as a subject of international law, whose existence had been interrupted by the illegal actions of the USSR in 1940. The Declaration also restored the functioning of the 1922 *Satversme* (Constitution), which had never lost force *de jure*, while foreseeing a transitional period to full re-entering into force. On 21 August 1991 the Constitutional Law On the Statehood of the Republic of Latvia was adopted, and the transitional period was ended.

The Constitution states that “The territory of Latvia is made up by Vidzeme, Latgale, Kurzeme and Zemgale within the borders determined in international agreements.” As is customary, when restoring Latvia’s independence, there also was a need for the formal acceptance by neighbouring countries of the basis and the borders of the state. The pre-war borders of Latvia were changed in 1944 by a decision within the Soviet

Union, whereby the territory Abrene was included in the Russian SSR, although in the Peace Agreement between Latvia and Russia in 1920, Abrene was recognized as part of the territory of Latvia. Considering that the Russian Federation took over the legal obligations of the USSR, the 1920 Peace Agreement can be considered as formally in force as long as a new peace agreement has not been signed. Article 9 of the 4 May 1990 Declaration of Independence determines that relations with the USSR (and therefore with its legal successor Russia) should be based on the 1920 Peace Agreement, and this is one of the norms of the Declaration that has not lost force legally, even though the legal hierarchy ranks it below the constitutional norms.<sup>52</sup> The Russian Federation considers Latvia a newly established state and does not recognize the legal continuity between the pre-war and present Republic of Latvia, and thus considers that the 1920 Peace Agreement has lost force, while refusing to officially admit that Latvia's loss of sovereignty in 1940 was a result of illegal action by the USSR. The refusal of Russia to recognize the legal continuity of the Republic of Latvia has led to differences between the neighbouring countries that are not only of historic significance but also of principle.<sup>53</sup>

The *de facto* borders of Latvia are of course set and functional, and the borders defined in the 1920 Peace Agreement, which include Abrene as a part of the territory of Latvia, do not correspond to the actual situation. Nevertheless, the fact that the question of a new border agreement between Latvia and the Russian Federation has not yet been settled 14 years after the renewed independence led to broad discussions in the period before Latvia's accession to the European Union, creating some additional nervousness based on the fact the border of Latvia also represents the post-May 2004 border of the European Union. In 1997, the Latvian government confirmed the draft agreement on the state borders elaborated by an interstate commission, in which the question of Abrene was avoided by not mentioning the 1920 Peace Agreement. Nevertheless, the Russian government has several times postponed the signing of the border agreement, rhetorically linking it with allegations of mistreatment of the Russian-language minority in Latvia and the presumed political obstacles to its ratification in the Russian State Duma.

Another border dispute that has not yet been settled is the Sea border agreement with Lithuania, whose ratification has been delayed for several years. The basis for the disagreement stems from fishing interests and potential oil findings.

Apart from a briefly discussed Constitutional project from 2002,<sup>54</sup> there have been no discussions challenging the basics of the Constitution. Although the question of changing the procedure for election of the President to popularly elected instead of elected by the Parliament, as the *Satversme* determines, and which could potentially have an effect on the division of powers, has occasionally been brought up, these proposals have never gone further than short-term discussions in the media. The Constitution of Latvia is a relatively new document, the division of powers and the guarantees for its stability did not prevent the coup d'état in 1934, which concentrated executive power and went against the Constitutional division of roles. Nevertheless, an internal consensus exists and has been strengthened since 1993, while an increasing amount of constitutional interpretation is being accumulated through the case law of the Constitutional Court. Therefore, the situation with the Constitution is evaluated as "good." The most important problem is the border agreement with Russia, which is so closely related to the recognition of the continuity of the Latvian state. Nevertheless, as long as the precise elaboration of the border agreement project and the non-signing of the agreement is connected to the actions of the Russian Federation and not to a rigid position on the renewal of the 1920 borders by Latvia, there is no reason to believe that the border dispute could turn into a real conflict, and thus the situation with the state borders can still be evaluated as "satisfactory."

#### **1.4 How far do constitutional and political arrangements enable major societal divisions to be moderated or reconciled?**

The division of power between the *Saeima*, the President and the Cabinet of Ministers and the independence of the courts are neutrally determined criteria, which do not foresee the redistribution of power to certain groups or the guaranteed representation of groups with the help of quotas.

The main factor that could entrench societal divisions could be considered ethnicity, and therefore the ability of the system to overcome divisions on the basis of ethnicity needs to be evaluated. The political representation in the *Saeima* does not correspond to the proportions among the population, but it is closer to proportional when compared to the relative shares of different ethnic groups among citizens. (Cf. 1.1.) Until now, political parties have had the tendency to be ethnically exclusionary, as a result of which minority support and representation is mostly linked to the opposition parties, which thus also determines the insufficient participation by minorities in the executive branch of the government. Nevertheless, the ability of the opposition parties to bring onto the agenda

and publicly discuss questions, which have not received sufficient attention by the ruling parties (including minority-related issues) promotes the diversity of expressed opinion in the parliament and in society at large.

The question of the large number of non-citizens, who do not have the right to full political participation, has to be separated from the question of the principles of the constitutional and political order of Latvia. With the resolution of the non-citizen issue the representation of diverse ethnicities could be achieved within the frame of the existing system, and the potentially most significant source of societal division could be overcome with the democratic guarantees provided within the system. Therefore there is no reason to think that representation quotas or other guarantees for direct representation are necessary either within the legislative or the executive branches.

Article 8 of the Constitutions and Point 8 of the 4 May 1990 Declaration of the Renewal of Independence, combined with the binding international instruments and norms, establish a comprehensive system of human rights guarantees. Since the Constitutional Court was established in 1996, the real opportunities for challenging the compliance of statutory legal norms to human rights principles have expanded, and this mechanism could gain a special significance in the protection and observance of rights of any vulnerable group in society. In its relatively short working life the Constitutional Court has attested to its ability to adopt decisions which limit the parliament's and the majority's possibilities to dictate the rules to a minority. The decision ruling unconstitutional the language quotas limiting minority language use in private electronic media serves as an example. If this practice will continue to develop, then the Constitutional Court, as the guarantor of the compliance of legal acts with principles of human rights, including minority rights, could gain a fundamentally important role in the integration and cohesion of society.

Although ethnically based divisions do exist in politics, contentious questions are freely and publicly discussed, which serves as an indicator that the democratic guarantees of the system work. The human rights guarantees of the Constitution promote the respect for the rights of minorities and therefore also reinforce the stability of society. The unresolved non-citizen issue creates certain disproportions in the political representation of residents, but all in all the constitutional and political system do not include obstacles to the overcoming of various social divisions. The situation can be evaluated as "good."

## **1.5 How impartial and inclusive are the procedures for amending the Constitution?**

The *Satversme* determines that constitutional amendments can be made in parliamentary sessions, in which at least two thirds of the parliamentary deputies participate and the amendments are adopted in three readings with no less than two-thirds majority of all deputies who are present. If the Parliament has amended constitutional norms that touch upon basic issues of democracy – the articles that Latvia is an independent, democratic republic; that the sovereign power belongs to the people; the territorial definition in accordance with international agreements; the official language and the flag; the general, equal, direct, proportional elections by secret ballot or the very article, in which these requirements are defined, then the amendments enter into force only after they are accepted by a national referendum, in which all eligible citizens who are at least 18 years of age can participate. A draft constitutional amendment may also be initiated by no less than one tenth of eligible voters, by submitting the proposal to the State President. The President submits the proposed amendments to the Parliament for a vote. If the Parliament does not adopt or changes the substance of the draft amendment, then it is to be submitted for a decision by referendum. An amendment is accepted by referendum if at least half of all eligible voters have voted in support of it.

Since the renewed independence, amendments to the Constitution have been passed seven times (in 1994, 1996, 1997, 1998, 2002, 2003 and 2004). These amendments legislated the eligibility to vote at 18 years of age, the establishment of the Constitutional Court, the change of terms of office of the Parliament and the State President from three to four years, the inclusion of Latvian as the state language as a constitutional norm and the addition of the section on fundamental rights, the elimination of the state language proficiency requirement for election candidates while strengthening the role of the state language in the municipalities, as well as determining at the constitutional level that the right to vote at municipal elections is reserved for citizens only. The latest amendments provided for the participation in local elections by citizens of the European Union (but not by non-citizens of Latvia).

The procedures for amending the Constitution are clear and effective. The fact that basic principles cannot be amended without a referendum, as well as the fact that voters may initiate amendment proposals if a sufficient number of voters demand to do so, strengthens the principle of the sovereignty of the people. At the

same time, since the *Satversme* has been amended so many times in such a short time and is, as constitutions go, a recent document, there is some question as to the stability of the Constitution. That is to say, the question arises whether the optimum equilibrium between the long-term stability of basic governing principles necessary for the groundwork document of the state, on the one hand, and the possibilities for the people's sovereign will to be directly expressed and the flexibility of the Constitution, on the other, has been established. All in all, the situation with the Constitution is evaluated as “good.”

#### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
1.1.		X (Legislation)		X (Actual situation)	
1.2.			X		
1.3.		X (Constitution)	X (Borders)		
1.4.		X			
1.5.		X			

#### Most positive indicator

The constitutional basis determined in the *Satversme* provides the preconditions for the creation of a common civic identity of all residents of Latvia and makes possible inclusive citizenship open to all residents and conducive to the active inclusion of individuals in social processes. Together with the consistent application of human rights standards, this would promote the further development and deepening of democracy.

#### Most serious problem

The most serious problem is the disproportionately large number of permanent residents who are not citizens (of Latvia or any other country), and the ensuing limitations to full political participation by a large share of the population.

#### Recommendations

To ensure that children do not remain without citizenship. For this purpose, the law providing for the citizenship registration of children of non-citizen and stateless parents should be amended to provide for automatic citizenship for such babies born in Latvia, unless parents actively choose to opt out. The option of registering as citizens rather than naturalizing should be extended beyond the 15 year limit (18 with language certification) to at least a year after majority, to guarantee that the child can make a conscious choice for citizenship even if the parents have not.

## REFERENCES

- <sup>1</sup> Weil, P. Access to Citizenship: A Comparison of Twenty-five Nationality Laws. In *Citizenship Today: Global Perspectives and Practice*. Ed. A. Aleinikoff and D. Klusmeyer. Washington, D.C.: Carnegie Endowment for International Peace, 2001, pp. 17–35.
- <sup>2</sup> Of these, approximately 20,000 are citizens of Russia. Cf. [http://np/gov.lv/index.php?lv=fakti\\_lv&saite=iedzivotaji.htm](http://np/gov.lv/index.php?lv=fakti_lv&saite=iedzivotaji.htm) (last visited 23 February 2005).
- <sup>3</sup> Weil, P. Access to Citizenship: A Comparison of Twenty-Five Nationality Laws, p. 20.
- <sup>4</sup> The right of non-citizens to naturalize is also based on residence, of course, not on birthright, but it does not provide for automatic rights to citizenship.
- <sup>5</sup> Joppke, C. The Evolution of Alien Rights in the United States, Germany, and the European Union. In *Citizenship Today: Global Perspectives and Practices*. Washington, D.C.: Carnegie Endowment for International Peace, 2001, p. 44.
- <sup>6</sup> They are equal with a few exceptions as, for instance, in the calculation of pensions based on work outside of Latvia before independence, or the right to acquire in possession land for agricultural use (it can be leased).
- <sup>7</sup> There are exceptions, such as Germany, where citizens do have more rights than other residents (“Deutschenrechte” vs. “Jedermannrechte”). Cf. Joppke, C. The Evolution of Alien Rights in the United States, Germany, and the European Union, pp. 45–47.



- <sup>8</sup> Jackson, V. Citizenship and Federalism. In: *Citizenship Today: Global Perspectives and Practices*, pp. 149–150; also Joppke, C. *The Evolution of Alien Rights in the United States, Germany and the European Union*, p. 50. However, Joppke stresses that the broad interpretation is presently applied by courts only to EU citizens from another EU country.
- <sup>9</sup> A. Aleinikoff and D. Klusmeyer (eds.). *Citizenship Policies for an Age of Migration*. Washington, D.C., Carnegie Endowment for International Peace, 2002, pp. 71–74.
- <sup>10</sup> Permanent residents have the right to participate in municipal elections in Ireland, the Netherlands, Denmark, Norway, Finland, Sweden, and New Zealand; while the UK, Switzerland, Spain, Portugal, Iceland and Israel provide some electoral rights to certain groups of permanent residents who are not citizens. Cf. A. Aleinikoff and D. Klusmeyer (eds.). *Citizenship policies for an Age of Migration*, pp. 48–49.
- <sup>11</sup> See <http://www.np.gov.lv> (last visited 23 February 2005).
- <sup>12</sup> Except in Finland, Belgium, Greece, Ireland, Italy, Spain, and Sweden. However, even in some of these countries there have recently been proposals to introduce language proficiency requirements for naturalization.
- <sup>13</sup> Weil, P. Access to Citizenship: A Comparison of Twenty-Five Nationality Laws. In *Citizenship Today: Global Perspectives and Practice*. Ed. by A. Aleinikoff and D. Klusmeyer. Washington, D.C.: Carnegie Endowment for International Peace, 2001, pp. 22–23.
- <sup>14</sup> Naturalization Board homepage, <http://www.np.gov.lv> (last visited 23 February 2005).
- <sup>15</sup> Since 1998 persons above 65 years of age are exempted from the written language test. Disabled persons or persons with health problems may, upon a case-by-case based decision, be partly or fully exempted from tests. Secondary school graduates who have passed the centralized Latvian language exam do not have to take the language test when naturalizing (if naturalization takes place within two years after the receipt of the exam certificate).
- <sup>16</sup> A. Aleinikoff and D. Klusmeyer (eds.). *Citizenship Policies for an Age of Migration*, p. 16, 18.
- <sup>17</sup> Cabinet of Ministers regulations No. 56 “Amendments to the 2 February 1999 Cabinet of Minister regulations No. 34 ‘The procedures of acceptance and review of naturalization applications’” and Cabinet of Ministers regulations No. 57 “Amendments to the 2 February 1999 Cabinet of Ministers regulations No. 32 ‘Procedures for applying and reviewing the application for a child’s registration as a citizen of Latvia.’”
- <sup>18</sup> Home page of the Naturalization Board “Frequently Asked Questions,” [http://www.np.gov.lv/index.php?lv=faq\\_lv](http://www.np.gov.lv/index.php?lv=faq_lv) (last visited 13 November 2004).
- <sup>19</sup> Cabinet of Ministers 5 June 2001 regulations No. 234 “Regulations on the state fee for the submission of naturalization applications.”
- <sup>20</sup> Since 2004 the National Agency of Latvian Language Training.
- <sup>21</sup> <http://www.np.gov.lv> (last visited 23 February 2004).
- <sup>22</sup> On 1 January 2005 there were 208 stateless persons registered in the Resident Register, [www.pmlp.gov.lv/images/documents/ST\\_02\\_1.PDF](http://www.pmlp.gov.lv/images/documents/ST_02_1.PDF) (last visited 12 April 2005).
- <sup>23</sup> Or by registration based on the legal norm that a non-citizen who has completed a full primary or general secondary education program in a Latvian-language school (many non-citizens attend minority-language schools) may become citizen by registration.
- <sup>24</sup> Brande Kehre, I. and Stalidzāne I. *Reģionālo aspektu nozīme pilsonības jautājumū risināšanā*. Rīga: Naturalizācijas pārvalde, 2003, pp. 66, 67–87.
- <sup>25</sup> [http://www.satv.tiesa.gov.lv/LV/Spriedumi/15-0106\(04\).htm](http://www.satv.tiesa.gov.lv/LV/Spriedumi/15-0106(04).htm) (last visited 12 April 2005).
- <sup>26</sup> “Krievu skolu aizstāvības štāba aktīvistam Petropavlovskim nepiešķir Latvijas pilsonību,” [Citizenship is not granted to the Headquarters for the defense of Russian schools activist Petropavlovskis], LETA, 11 November 2004 ([www.leta.lv](http://www.leta.lv)).
- <sup>27</sup> The Repatriation Law, adopted in 1995 and amended in 2002, includes a sizeable preamble which declares, among other things, that “Latvians may become a minority in their own homeland, but Livs have already become a minority,” and besides the goal of promoting the return to Latvia of Latvian and Liv ethnic origin also sets the goal “to promote the voluntary return of other ethnicities to their ethnic homeland.”
- <sup>28</sup> <http://www.pmlp.gov.lv> (last visited 23 February 2005).
- <sup>29</sup> Latvijas Republikas Centrālā statistikas pārvalde. *Latvijas statistikas gadagrāmata*. Rīga, 2003, p. 41.
- <sup>30</sup> Latvijas Republikas Centrālā statistikas pārvalde. *Latvijas 2000. gada tautas skaitīšanas rezultāti*. Rīga, 2002, p. 123, 124.
- <sup>31</sup> Preamble and Article 5.
- <sup>32</sup> According to the charter of the Secretariat of the Special Assignment Minister for Social Integration Affairs, the Cabinet of Minister 27 December 2002 regulations No. 612 “...the Secretariat is the leading government institution in the field of social integration, in whose competence it is to elaborate and implement state policy in the following areas: social integration, minority rights, the promotion of the development of civil society and the protection of Liv culture and traditions, as well as the eradication of racial discrimination.” Cf. <http://www.integracija.gov.lv/index.php?id=236&sadala=59>.
- <sup>33</sup> Cf. Report on 2003 by the Secretariat of the Special Assignment Minister of Social Integration Affairs “ĪUMSILS darbība – fakti.” [http://www.integracija.gov.lv/doc\\_upl/prese\\_\(1\).doc](http://www.integracija.gov.lv/doc_upl/prese_(1).doc) (last visited 23 October 2004).
- <sup>34</sup> Muižnieks, N. and Brands Kehris, I. The European Union, Democratization and Minorities in Latvia. In: *The European Union and Democratization. Europe and the Nation State*. Ed. P. Kubicek. New York: London: Routledge, 2004, pp. 30–55.

<sup>35</sup> Article 41 of the Law on Education.

<sup>36</sup> Law on Education Transitional Regulation Point 9.3.

<sup>37</sup> Latvian Centre for Human Rights and Ethnic Studies, Minority Education in Latvia (unpublished paper) and Latvian Centre for Human Rights and Ethnic Studies. *The Situation of Roma in Latvia*. Rīga, 2003, pp. 19–30.

<sup>38</sup> Baltijas Sociālo zinātņu institūts (Baltic Social Science Institute). *Etniskā tolerance un Latvijas sabiedrības integrācija*. Rīga, 2004, p. 101.

<sup>39</sup> Baltijas Sociālo zinātņu institūts, *Cittautiešu jauniešu integrācija Latvijas sabiedrībā izglītības reformas kontekstā*. Rīga, 2004, p. 101.

<sup>40</sup> Baltijas Sociālo zinātņu institūts, Latviešu valodas apguves valsts programma. *Valoda: Latvijas iedzīvotāja aptauja, 2001. gada novembris – 2002. gada janvāris*. Rīga, 2002, p. 41.

<sup>41</sup> <http://www.Saeima.lv> (last visited 2 October 2004).

<sup>42</sup> Pabriks, A. *Etniskās proporcijas, nodarbinātība un diskriminācija Latvijā*. Rīga: Latvijas Cilvēktiesību un etnisko studiju centrs, Sorosa fonds – Latvija, 2003. The author also notes that there are ministries where there is a larger minority share than among the citizen population, which is the result of policy during the Soviet era, when few Latvians were hired for certain ministries with a particular strategic or security importance.

<sup>43</sup> Ibid. In 2002, minorities represented 12,3% of city councils, 6% of district councils, 11% of city administration and 12% in district administration.

<sup>44</sup> Latvijas Cilvēktiesību un etnisko studiju centrs. *Minority Education in Latvia*. 2004.

<sup>45</sup> “All persons in Latvia are equal before the law and the courts. Human rights are applied without any discrimination.”

<sup>46</sup> E.g. data from a survey conducted in 2003 on socially excluded residents indicated that many Latvians and minority representatives (together 17%) explain their problems in the labor market by discrimination based on language. Approximately a third of the minority representatives responded that they had experienced discrimination in the field of employment and 23% mentioned ethnic discrimination. Cf. LU Filozofijas un socioloģijas institūts. *Sociālās atstumtības iespējamība un tās iemesli bezdarba riska apdraudētajām iedzīvotāju grupām*, Rīga, 2003.

<sup>47</sup> There are only two cases on discrimination won by the plaintiff in court, both of those were based on the old labor code and were on the ground of gender. As of yet, no discrimination case based on the Labor Law in force since 2002 has been reviewed by a court, although one case on grounds of sexual orientation was submitted to court at the end of 2004.

<sup>48</sup> Unpublished, written information from the National Human Rights Office, received in March 2005.

<sup>49</sup> Latvijas Cilvēktiesību un etnisko studiju centrs. *The Situation of Roma in Latvia*. Rīga: Puse Plus, 2003.

<sup>50</sup> In a survey from 2004, 53% of the Latvian respondents and 20% of respondents with another ethnic background agreed with the statement “It would be better if the representatives of each nationality would live in their own country”, and 70% of Latvians and 50% of others agreed with: I would not like for many people from other countries to come to live in Latvia.” Baltijas Sociālo zinātņu institūts. *Etniskā tolerance un Latvijas sabiedrības integrācija*. Rīga, 2004, p. 54.

<sup>51</sup> Ibid, p. 64.

<sup>52</sup> Levits, E. 4. maija vēsturiskie un tiesiskie aspekti. 4. *maijs. Rakstu, atmiņu un dokumentu krājums par Neatkarības deklarāciju*. Rīga: Latvijas Universitātes žurnāla “Latvijas Vēsture” fonds, 2000, pp. 52–68.

<sup>53</sup> Lēbers, D. Latvijas neatkarības atjaunošanas prasības dažos dokumentos pirms 1990. gada maija. 4. *maijs. Rakstu, atmiņu un dokumentu krājums par Neatkarības deklarāciju* Rīga: Latvijas Universitātes žurnāla “Latvijas Vēsture” fonds, 2000, pp. 27–28.

<sup>54</sup> Edited by Juris Bojārs.

## 2. The Rule of Law and Access to Justice

*Arturs Kučs and Gita Feldhūne*

*Are state and society consistently subject to law?*

### 2.1 How far is the rule of law operative throughout the territory?

The concept of the rule of law includes several elements. First, it requires that the state be governed in accordance with the laws, adopted by a popularly elected parliament using a defined procedure, or in accordance with other regulatory enactments, the adoption of which has had adequate delegation. In terms of hierarchy, lower-level regulatory enactments must conform with higher-level ones, otherwise the former are invalid. Ensuring the hierarchy of laws has been one of the Constitutional Court competencies since its establishment in 1996. Since 2001, when the instrument of constitutional complaints was established, individuals have also been able to address the Constitutional Court with complaints about legal norms applied to them that violate their basic rights specified in the Constitution. The instrument of court applications, in its turn, provides an opportunity for the courts of general jurisdiction to address the Constitutional Court, if the former are not sure whether the applicable legal norm conforms with a higher norm. By November 1, 2004, the Constitutional Court has already adjudicated 69 cases; 47 cases have been opened on applications by individuals, 6 cases – on applications by courts.<sup>1</sup>

Moreover, according to the international standards set by the practice of the European Court of Human Rights, among others, laws must be formulated clearly enough for a person to be able to anticipate consequences of his or her actions, and the laws must be available to the public. All legal enactments adopted by the *Saeima* and the Cabinet of Ministers are published in the official newspaper “Latvijas Vestnesis”, thereby ensuring their accessibility. The electronic version of “Latvijas Vestnesis” on the Internet is available only to subscribers. However, all legal enactments adopted by the *Saeima* and the Cabinet are published for free access in the portal [www.likumi.lv](http://www.likumi.lv). At the same time, older, much amended laws may be more difficult to access. With few exceptions, the portal [www.likumi.lv](http://www.likumi.lv) does not offer consolidated versions of laws, but access to such versions through NAIS database is a paid service, available only to subscribers. Besides, such versions do not have the legal force of an official publication.

Even more problematic is the access to court judgments, which are relevant because they interpret laws, thereby clarifying their content and allowing the person to anticipate the legal consequences of his or her actions. Currently, only the judgments of the Constitutional Court are fully available to the public (on the Constitutional Court web page; moreover, they are also published in the “Latvijas Vēstnesis”). A selected number of the Supreme Court judgments are published on the Supreme Court web page, and a selection of Supreme Court judgments is published annually in print. The judgments added to the LURSOFT database of judgments are accessible only to subscribers for prices too high for most of the interested persons, including scientific research institutions, which makes these judgments, in effect, unavailable. The remaining means of access to judgments – to visit courts and ask for permission to read the judgments is time-consuming and ineffective.

The next requirement is that the law must truly operate. A mechanism for its implementation must be provided for, as well as the opportunities to address a court to ensure its implementation. As the sub-chapter 2.4 of this research points out, one of the most serious problems of Latvia in this regard continues to be the long court proceedings. The public opinion surveys indicate that a large part of society does not trust the law enforcement institutions. As a result, a considerable portion of the population will not seek the help of the police to defend their abused rights. Only 33.4% of the surveyed respondents believe that the police acts in accordance with the laws, while 30.2% believe that its operation depends on the influence of business representatives, and 30.7% believe the police to be incompetent and its actions – ineffective.<sup>2</sup> 26.8% of respondents themselves or their acquaintances have given a bribe to police employees.<sup>3</sup>

Another requirement of the rule of law and a necessary consequence of an operating law is that the court judgments be carried out. Implementing judgments on civil claims in criminal cases and the implementing of civil case judgments in general are particularly problematic in this regard. According to the data of 2000, 70% of these judgments were not implemented.<sup>4</sup> Moreover, in select categories of cases the very implementation mechanism is imperfect: for example, in the area of family rights the ensuring of communication rights is particularly problematic and, as the Latvian National Human Rights Office has established, it has an insufficient implementation mechanism.<sup>5</sup>

## **2.2 To what extent are all public officials subject to the rule of law and to transparent rules in the performance of their functions?**

Subjection of public officials to the rule of law means that public officials adhere to the legal enactments of the *Saeima*, the Cabinet of Ministers and lower-level institutions. Subjections to the rule of law includes also the the option of punishing the public official if he or she violates the legal enactments or inadequately fulfills the functions delegated to it.

The monitoring of official decisions by the law enforcement authorities such as the prosecutor's offices and the Corruption Prevention and Combatting Bureau (KNAB) and the heightened attention by the mass media to what public officials are doing, on the whole, ensures that public officials are subject to the rule of law when carrying out their duties.

However, sometimes the principle of rule of law is adhered to formally, as there are cases of attempted amendments to legal enactments to benefit the interests of a certain public official or a group of individuals in order to create legal grounds for actions contrary to public interest. Several cases regarding the issuance of construction permits and the attempts to achieve the change of protected territories status to start construction are examples.

The subjection of public officials to the rule of law and transparency are closely linked to the level of public knowledge about the decisions made by the public officials and the transparency of the decision-making process.

Instead of following the presumption that society has access to all information the publication of which is not expressly prohibited by law, it is still typical of government institutions not to provide the public with thorough information. This is evident in cases when questions have arisen about the efficiency of state budget spending or when some other public interest is involved. For example, the public did not receive justification of the decision to refuse the publication of information regarding the costs and other issues associated with several disputes at the International Court of Arbitration the state was involved in, as well as the settlement conditions with the Lattelekom.

The transparency of the public officials' decision-making process, for its part, is determined by the quality of the legal enactments adopted by the national and local government institutions. Firstly, the legal enactments should be formulated so that they are as comprehensible to every individual as possible and would allow the person to anticipate the result. Secondly, they must be formulated with maximum detail and precision to minimize the opportunities for arbitrariness in applying them on the part of officials.

The lack of transparency in the operation of public institutions and the legal norms that allow different interpretation or grant public officials with broad freedom of choice on how to apply them without the available effective control mechanisms provide for fertile soil for corruption.<sup>6</sup>

A typical example of the lack of transparency in legislation and the decision-making process are the difficulties for the public to acquire information and the absence of definite criteria in accordance to which the local governments decide on offering land or other units for privatization or personal utilization. The public distrust in local government institutions is increased by the fact that such deals in most cases are economically disadvantageous for the local government, because the land is rented out or privatized below the average market price.<sup>7</sup> Another common example of the lack of transparency in the national and local government institution decision-making process is associated with the issuing of permits for various construction projects. The absence of a Detail Plan in several local governments and the legal norms that give public officials great freedom of interpretation, as well as the unclear definition of areas of responsibility of various national and local government institutions, has generated suspicions in society about the special interest of public officials in granting permits for building several important construction units.<sup>8</sup>

Also, one of the fundamental problems regarding the transparency of legal enactments is the unclear and hard to control system of party financing, which does not reveal the true sources of party income. This prevents society from fully controlling whether selected legal enactments are adopted to benefit the interests of persons or economic groups sponsoring the parties.

The perception of economic group influence on the government institution decision-making process is also shared by a large part of society. According to the latest survey data, 41.7% of the respondents believe that the operation of the Government – but 41% believe that the operation of the *Saeima* – is dependent on the influence of business representatives.<sup>9</sup> Only 20% of the respondents think that the bureaucracy acts in accordance with the laws, while 32.6% believe that its operation depends on business influence and 34.2% of the respondents believe it to be incompetent.<sup>10</sup> 14.5% of the respondents have bribed officials to ensure a positive outcome of a case.<sup>11</sup>

However, since 2002, measures have been taken to improve the institutional control of party financing and to strengthen the procedure of donations, for example, by placing a limit on the amount of donations.

First, in 2003, the Corruption Prevention and Combating Bureau began its full-scale operation, one of its central tasks being to control the implementation of the political organizations (party) financing requirements and to improve its legal regulations. Second, in February 2004, the *Saeima* amended the Law on Political Organizations (Party) Financing. According to these amendments, parties may no longer receive donations from legal persons or intermediaries and natural persons may donate no more than 10,000 lats a year. Moreover, during a pre-election campaign a party may spend no more than 0.20 lats per voter.<sup>12</sup>

The fact that the KNAB has established sizeable illegal donations in the pre-election campaigns of almost all the largest parties reflects the systemic nature of the problem. An effective operation of KNAB in making the parties to transfer the illegal donations to the state budget and the action of the political parties' leadership in eradicating further illegal donations is relevant for the increase of public confidence that politicians are subject to the rule of law and act in the public, not the party sponsors', interests.

### **2.3 How independent are the courts and the judiciary from the executive, and how free are they from all kinds of interference?**

Latvia has a three-level general jurisdiction court system and the Constitutional Court, which, considering its jurisdiction, the administrative management and the criteria for judge selection and election, should be considered a separate, independent institution of the judiciary.

The independence of the courts is secured constitutionally by Article 83 of the Constitution of the Republic of Latvia, which prescribes that: "Judges shall be independent and subject only to the law." The independence of the judiciary is also guaranteed by the law "On Judicial Power"<sup>13</sup>, which defines in detail the guarantees of judiciary independence and impartiality. Also, Latvia has ratified several international human rights treaties, which include guarantees of judiciary independence: Article 14<sup>14</sup> of the International Covenant on Civil and Political Rights and Article 6<sup>15</sup> of the European Convention on Human Rights. According to the practice of the European Court of Human Rights, for a court to be "independent," it must be independent from the executive and the legislative powers and the parties involved in the case.<sup>16</sup>

Despite the guarantees for court independence specified in the legal enactments, the problems with judiciary independence are still relevant in Latvia.<sup>17</sup>

The weak points of the court independence are associated with both the systemic problems regarding the financing of courts, the judge selection and representation system, as well as periodical attempts by the politicians and the executive to influence the judiciary in deciding on specific cases.

Experts name the weak guarantees for the institutional independence of the judiciary as one of the main systemic problems of the judiciary independence.<sup>18</sup>

Firstly, the administration of the judiciary and the formation of court budgets still take place primarily under the Ministry of Justice. Indeed, except for the Supreme Court, the courts are unable to influence the formation of their budgets because those are formed by the Ministry of Justice. To create self-government of the courts and to separate the judicial from the executive power in this process, the Court Administration was established in 2004. This institution deals with court budget planning, carries out the economic and other functions to ensure court operation. However, the Administration still remains under the supervision of the Ministry of Justice, and

therefore a true separation of the judicial and the executive powers with regard to court administration and financing has not yet taken place. It is expected that the Court Administration will be an independent institution beginning in 2005.<sup>19</sup>

Secondly, the strengthening of the institutional independence of the courts is hindered by the fact that there is no independent institution to represent the judicial power in its relations with the other branches of power. In practice, the Ministry of Justice or the chairperson of the Supreme Court represents the judiciary. Also, the annual conferences of judges takes place. However, as the judges point out, there is no mechanism to implement the decisions made at these conferences and they primarily carry out functions of selecting members for the Judge Disciplinary Panel and Qualification Commission.<sup>20</sup> The draft law of the “Court System Law” envisaged the creation of the Legal Council, which would include the chairpersons of the Supreme Court and the Constitutional Court, the Minister for Justice, the Prosecutor General, the chairperson of the *Saeima* Legal Affairs Commission, six judges elected in a general meeting of judges, as well as a representative from among the doctors of law, delegated by institutions of higher education. However, such a Council, similar to which exist in a majority of other European countries, has not yet been established because, after the change of government in March 2004, the new Minister for Justice suggested that the “Court System Law” be revised and the necessity of establishing the Legal Council – reconsidered.<sup>21</sup>

Thirdly, experts<sup>22</sup> and court officials<sup>23</sup> see the selection procedure of judge candidates, which is formal and does not promote selection of professional and honest persons, as another threat to judiciary independence. The low remuneration, albeit slowly increasing, and the absence of prestige of the position of judge in society are named as the main reasons why so few candidates apply for judge positions, thereby making it impossible to select the most professional candidates. In addition, there is no established system for selecting judge candidates, which would allow to assess both their professional and psychological adequacy for the position prior to appointing them to judge positions.

As was mentioned before, the problems of judiciary independence are also illustrated by the periodical interference and case-related pressure on the courts by the government and parliament representatives.

A case which has received more publicity and condemnation by judges involved a phone call by the Minister of Justice of the government led by the former Prime Minister Einarš Repše to the chairwoman of the Ventspils Court in May 2003 to speed up the review of a decision, made earlier by the court, to prohibit the auction of the state shares in the Latvijas Krājbanka. As a result, the judge reviewed the previously made court decision and the auction of the shares was permitted.

The Minister of Justice explained that with his actions he had not violated the law and he had not wished to influence the court decision on the substance, but had used his authority to solve issues related to the managerial work of the courts, including the working hours.<sup>24</sup> Despite the demands by the opposition as well as the critique from selected deputies from the ruling parties, the Minister refused to resign and did not admit having interfered without reason in the implementation of judicial power.

The Judge Disciplinary Panel provided a more adequate assessment of this incident by reprimanding the involved judge. The condemnatory attitude by the judicial and the legislative powers is relevant to avoid similar incidents and to prevent the loss of public confidence in the independence of the judiciary.

Yet, in selected episodes, the parliamentarians, not just the representatives of the executive, have voiced opinions on cases being heard by the courts, which may be perceived as an attempt to interfere with court proceedings.<sup>25</sup> The *Saeima* also has legal opportunities to influence the career of select judges, as the Parliament decides on the appointments of the district court judges without term limits after the end of the test period. As scholars<sup>26</sup> and court officials<sup>27</sup> point out, the dependence of a judge to remain in the office upon the vote of politicians is a risk factor that may influence the activities of some judges before their mandate is approved.

Like the courts, the prosecutor’s office as well has encountered attempts by the executive power to influence the independent and impartial consideration of cases. For example, the leader of the Ventspils local government, whose potential ties to the owners of several Ventspils transit businesses is being investigated by the prosecutor’s office for several years now, has turned against the officials of the prosecutor’s office and the Prosecutor General Office via the mass media, and has sued the Prosecutor General Office for libel and slander. The Ventspils Town Council has supported the Mayor by publicly condemning the investigation of the prosecutor’s office in the respective case and by accusing the Prosecutor General Office in being biased. It has also asked the Corruption Prevention and Combating Bureau to investigate the legality of actions of select officials of the prosecutor’s office involved in the case.<sup>28</sup>

## 2.4 How equal and secure is the access of citizens to justice, to due process and to redress in the event of maladministration?

Still, among the greatest problems are the long court proceedings and the delayed consideration of cases, especially civil cases and criminal cases, which should be considered by the Riga Regional Court, in particular. Considering the serious nature of the restriction on the right to freedom, this is a problem of particular urgency for people who are under arrest during the pre-trial investigation period. Latvia has received critique with regard to this problem from the European Court of Human Rights (ECHR) in the case *Lavents v. Latvia*<sup>29</sup>, where, taking into account the prolonged imprisonment of Lavents prior to passing the verdict of the trial, the ECHR established that Article 5 of the European Convention of Human Rights had been violated. However, the outcome of this case, without doubt, generated positive change, the adoption of the Criminal Proceedings Law among others, which now specifies a maximum term for keeping a person under arrest, i.e., 1 year and 6 months. There was no such limit before. Moreover, it forced the courts to recognize the human rights dimension and the international standards regarding the keeping of a person under arrest. Consequently, instead of an arrest, the courts increasingly apply less restricting security measures to a person. The situation is also gradually improving because in 2003 the Riga Regional Court and the Riga city district courts were provided with new premises, which would allow to speed up the adjudication of cases delayed before due to the lack of sufficient number of premises for court meetings.

The low paying capacity of the people as well as the lack of state-supported legal aid is a significant factor preventing many people from realizing their rights to a fair trial. The decision of the Constitutional Court to recognize the Civil Proceedings Law section prescribing representation functions in civil proceedings only to sworn attorneys<sup>30</sup> as invalid is a positive development in this context. As a result of this judgment and the amendments made by the *Saeima* to the Civil Proceedings Law to implement this judgment individual access to courts was facilitated, and currently any individual may represent a person in a civil procedure; thereby any lawyer, not just a sworn attorney, may do it, which promotes greater competition in this field. To solve the problem for people with insufficient means to access justice, a draft of the State Provided Legal Aid Law has been developed, which has been approved on the first reading on November 25, 2004.<sup>31</sup> According to this draft law, a person will have the right to receive state sponsored legal aid to solve disputes in the court and outside court in civil, administrative and criminal cases, if a person, due to his special condition, his property status and income level, is unable to partially or fully ensure the defense of her own rights. Undoubtedly, this is a positive development. However, the crucial question is whether sufficient funding for this purpose will be allocated within the state budget so that the option of such aid does not remain on paper only.

It should be noted that the duty of the state to provide such aid is not dependent only on the good will of the state, as it also clearly follows from Latvia's international obligations. So, in the case of *Airey v. Ireland*<sup>32</sup> the ECHR has clearly stated that Paragraph 1 of Article 6 of the European Convention of Human Rights may place an obligation upon a state to provide legal aid in a situation when such aid is necessary in order to effectively ensure access to a court, i.e., in situations when legal representation is mandatory, or considering the complexity of the proceedings.

In order to align the system of state-provided legal aid the problem of defense in criminal procedure should also be solved. According to Section 98 of the Criminal Proceedings Code, the state provides free legal defence to persons accused of committing a criminal offence, if they have not chosen a defender themselves, yet only in cases of selected categories. However, there are problems in this area as well – considering the low state-guaranteed remuneration of the defenders (which, moreover, is delayed), the effectiveness of such defence and the interest of the defenders to protect the interests of their clients are frequently questioned.

Another problem is the requirement of the Civil Proceedings Law to submit the claim application and all other documents in the state language (or, as an alternative – in a notary-approved translation), which is also the language of the court proceedings. Currently, this means that low-income people able to afford neither lawyer, nor interpreter services, have difficulty to go to courts due to the lack of language knowledge, even though the court provides the individuals with an interpreter during the subsequent procedural activities.

### Opportunities to Receive Compensation For Maladministration

Chapter 8 of the Administrative Trial Law, which took effect on February 1, 2004, specifies the opportunities of a person to demand compensation from the state, local government or other entity of public law for material loss and personal, including moral, injury, which has been caused to a person by an

administrative enactment or by the actual action of the institution. This norm is specified more clearly by the draft of the “Law on Calculation and Compensation of Losses Caused by Public Administration Institutions,” which the *Saeima* adopted in the first reading on October 7, 2004, and which introduces a mechanism for realization of the right to compensation. For the time being, the one law that specifies the right to compensation in a specific sphere is the law “On Compensation of Losses Caused by an Unlawful or Unwarranted Action of an Investigation Institution, Prosecutor’s Office or Court.” Besides, as the Constitutional Court has concluded in its judgment of December 5, 2001, on the case No. 2001-07-0103, absence or imperfection of a specifying law does not deny the person from implementing its right to receive compensation, which is made possible based on Article 92 of the Constitution, which prescribes that “everyone, where their rights are violated without basis, has a right to commensurate compensation.” However, the court practice so far indicates that not always have the courts been able to determine that an institution is responsible for losses caused by the actions of its employees. In case the draft law is adopted, this problem would be solved. However, similarly to the providing of legal aid, the crucial question after the adoption of the law will be whether sufficient funding will be allocated in the state budget to carry out this law.

## **2.5 How far do the criminal justice and penal systems observe due rules of impartial and equitable treatment in their operations?**

The principle of equality of persons in case adjudication is one of the central principles of the Latvian criminal proceedings, which is secured in Section 13 of the Latvian Criminal Proceedings Code.<sup>33</sup> The equality of all persons before the law and court is also secured constitutionally in Article 91 of the Constitution of the Republic of Latvia. In addition to the national legal norms, the norms of international human rights treaties, which guarantee equality of persons in case adjudication (for example, Article 14 of the UN International Covenant on Civil and Political Rights) are also binding in Latvia.

However, although the principle of equality in case adjudication has been secured in legal enactments, departures from this principle are frequently seen in the application of legal enactments.

First, the lack of equality is observed regarding the ensurance of the right to defence for the participant of criminal proceedings.

Article 92 of the Constitution of Latvia and Article 6 of the European Convention of Human Rights guarantee the right to a lawyer or legal aid, but Section 18 of the Latvian Criminal Proceedings Code prescribes: “The suspect, the accused and the defendant are provided with the right to defence.”<sup>34</sup> The state provides free legal aid, which the persons must repay, provided they are not acquitted, except in the event of mandatory defence.<sup>35</sup> However, in practice, it is common that a person is not provided with a defender, or the activities of the state-provided defender are ineffective. As the Latvian National Human Rights Office has indicated: “...quite often low-income persons in Latvia are provided with a lawyer in name only instead of a quality legal aid.”<sup>36</sup> Thereby, in practice the above-mentioned guarantees secured by legal norms are often ensured formally, creating an unequal situation regarding the opportunities to secure an effective defence of rights of persons with different material status.

The UN Committee Against Torture<sup>37</sup> as well has pointed out these problems in its conclusions about the Latvian government report on the implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>38</sup>

Therefore, the state should allocate the required funding to provide defence for low-income persons in order to promote competition among lawyers for state-sponsored participation as defenders in criminal cases, thereby providing effective defence of rights during criminal proceedings to any defendant, regardless of his or her material situation.

Second, the unequal attitude toward persons, based on their material status or residence status in the Republic of Latvia, is also observed in the choice of security measures applied to them. The experts point out that in the absolute majority of cases the courts apply arrest as a security measure when the suspect or the accused person has no permanent residence. Section 273 of the draft Criminal Proceedings Law prescribes directly that arrest should normally be applied as a security measure to such persons. This creates a situation where, when the choice regarding the security measure is made, these persons are under greater risk that courts will be more likely to apply arrest to them, without assessing the personality of the individual in question, the nature of the criminal offence and the application of alternative, less freedom-restricting security measures.



Human rights experts indicate that such a practice may have an adverse effect on some ethnic groups, such as Roma, because "...the fact that they often have no registered place of residence might be the reason why arrest is being applied as a security measure to Roma more than offenders of other nationalities."<sup>39</sup>

Third, an unequal attitude in specific situations of the criminal proceedings may also manifest itself toward the representatives of linguistic minorities. In correspondence with international human rights standards, Article 14 of the UN International Covenant on Civil and Political Rights and Article 6 of the European Convention on Human Rights the Latvian Criminal Proceedings Code guarantees that participants of proceedings lacking knowledge of the state language have a right to speak at court and to conduct procedural activities in the language they know, as well as specifies a right to use an interpreter. However, although these fundamental rights of persons without knowledge of the state language are safeguarded, representatives of linguistic minorities are in a more disadvantaged situation when it comes to using some other rights, provided for in the criminal proceedings. For example, the countdown of the term for submitting an appeal begins with the reading of the judgment. The Criminal Proceedings Code does prescribe that: "...if the defendant does not understand the language in which the judgment is made, the countdown of the term begins from the day when the translation of the judgment is received."<sup>40</sup> However, such an extension of the term for appeal does not apply to other participants of the proceedings who lack knowledge of the state language and who want to submit an appeal.

Finally, instances of publicly well-known persons in influential positions evading punishment or being convicted on probation in situations when other persons would receive real imprisonment have been mentioned in the mass media on several occasions. This is especially the case with punishments for consequences caused by traffic violations. However, there is a shortage of more extensive comparative research on court practice and policy of punishments, which would enable a conclusion whether the person's status in society has had significant influence on the case adjudication or whether the application of the particular punishment to the person has been determined by unbiased, case-related considerations.

## **2.6 How much confidence do people have in the legal system to deliver fair and effective justice?**

Courts are among the state institutions most often named as corruptive in public opinion polls. Also, the courts take one of the lowest places in public confidence ratings.

According to the public opinion poll of 2004, conducted by the Baltic Institute of Social Sciences (BISS), 50.9% of respondents admitted that they do not trust the court system, while only 35.6% gave a positive answer.<sup>41</sup> 33.1% of the respondents believed that the courts are dependent on the influence of business representatives, and only slightly more respondents – 34.2% – believed that courts operate professionally and in accordance with the laws.<sup>42</sup> At the same time, however, the lack of confidence in the court system and the belief of its corruption is not always based on true facts, because only 8.1% of the respondents answered positively to the question, whether they themselves or their acquaintances have paid a bribe for a favorable outcome in court proceedings.<sup>43</sup>

Reasons for such lack of public confidence in the court system could be associated with the sometimes hard to explain court decisions, and the lack of cooperation between the courts and the mass media in order to improve this situation. Most often the judges refuse to comment on cases, to explain the motives behind the decisions made, and this information vacuum is filled by mass media commentaries instead, which often are unprofessional in explaining the intricacies of applying the respective legal enactments. A judge may not comment on a case still in the adjudication stage, as it might endanger court objectivity. However, after the judgment has been passed, providing justification for decisions in selected cases that affect public interest would permit society to better understand the motivation behind the court decision and would promote public confidence in courts without limiting the right of the judge to hear the case objectively.

Also, the availability of court judgments would increase public confidence in the court system. This issue is still not solved, as court publications include only selected judgments and the availability of court judgments through the LURSOFT database is a paid service affordable only to a limited number of people.

Although the majority of society, according to the survey data, would go to court, if the state or the local government had caused damages to the person, 37.1% of the respondents would not take advantage of such opportunity, which, in effect, confirms the quite high public distrust in the ability of the legal system to ensure effective solution of disputes.<sup>44</sup> The reasons may include not just the lack of confidence in the fairness of the

judicial system, but the length of the court proceedings as well. According to the 2002 Report by the Latvian National Human Rights Office, complaints regarding a person's right to a fair, transparent and timely trial scored second place among all the received written complaints.<sup>45</sup> In 2003, such complaints already comprised the majority of total complaints received by the Bureau.<sup>46</sup>

The operation of the Administrative courts, which began in 2004, may increase public confidence in the judicial system. It will relieve and speed up the work of other courts, and in a relatively short period of time will provide opportunities for the public to adjudicate complaints about actions of public administration officials. However, the assessment of the work of these courts will only be apparent after a longer period of their operation. Traditionally, the Constitutional Court has enjoyed greater public confidence, which is confirmed by the complaints submitted to the Court by various groups of society to contest the compliance of the legal enactments adopted by the *Saeima* and public administration institutions with the Constitution.

#### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
2.1		X			
2.2			X		
2.3			X		
2.4					X
2.5			X		
2.6				X	

#### Best Feature

Administrative courts begin to operate. A draft-law on compensations to persons for losses resulting from the state and local government actions developed; adoption of a draft-law on state guaranteed legal assistance, which, if provided with adequate funding for the implementation of the law, will give any individual an opportunity to have justice regardless of their financial conditions.

#### Most Serious Problem

The financial and institutional dependence of the judiciary upon the executive, and the prolonged court proceedings, especially in criminal proceedings, considering the extended adoption of the Criminal Proceedings Law.

#### Suggested Improvement

First, ensure independent representation of the judiciary in its relations with other powers by creating the Judicial Council or by developing another mechanism, and the financial and organizational independence of the courts from the executive power. Second, ensure unhindered access to court decisions to every person. Third, provide the necessary funding for the implementation of the Law on Legal Assistance and ensure the rights of every person to an effective defense in criminal cases within the currently existing system as well.

## REFERENCES

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<sup>2</sup> Baltijas Sociālo Zinātņu Institūts, "Jautājumi sabiedrības demokratizācijas dinamikas novērtēšanai". Tabulu atskaite. 2004. gada oktobris, Tabula 4.5.

<sup>3</sup> Ibid, Tabula 5.4.

<sup>4</sup> Pirmsiestāšanās procesa ES monitorings: Tiesu varas neatkarība. Ziņojums: Latvija. 106. lpp.

<sup>5</sup> Valsts cilvēktiesību biroja 2003. gada ziņojums. Rīga, 2004, 56. lpp.

<sup>6</sup> According to the latest corruption perception index of the international anti-corruption coalition *Transperancy International* the Republic of Latvia is evaluated as the second most corrupted EU member state after Poland. "Latvija nav daudz labojusies", *Diena*, 21.10.2004.

- <sup>7</sup> See, for example, I. Egle. Par Kolkasraga noteicošo īpašnieci kļuvusi Sadauska, ministrija sūdzēsies KNAB. *Diena*, 16.09.2004.
- <sup>8</sup> A glaring example is the public discussion on the legality of construction of the new Hansabanka office building “Saules akmens” in Kipsala.
- <sup>9</sup> Baltijas Sociālo Zinātņu Institūts, “Jautājumi sabiedrības demokratizācijas dinamikas novērtēšanai”. Tabulu atskaite, 2004. gada oktobris. Tabulas 4.4 un 4.3.
- <sup>10</sup> Ibid, Tabula 4.6.
- <sup>11</sup> Ibid, Tabula 5.4.
- <sup>12</sup> The Law “Grozījumi Politisko organizāciju (partiju) finansēšanas likumā” (“*Amendments to the Law on Political Organizations (Party) Financing*”). *Latvijas Vēstnesis*, Nr. 32 (2980), 27.02.2004.
- <sup>13</sup> See: Likums “Par tiesu varu”, 1. pants; likums “Tiesu neatkarības principi un garantijas”, 2. nodaļa (*Law “On Judicial Power” Section 1; Law “The Principles and Guarantees of the Court Independence” Chapter 2*). Likums “Par tiesu varu”. *Ziņotājs*, Nr. 1, 14.01.1993.
- <sup>14</sup> Paragraph 1 of Article 14 of the Covenant prescribes that “...In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law.”
- <sup>15</sup> Paragraph 1 of Article 6 of the Convention prescribes that: “In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”
- <sup>16</sup> The November 24, 1994, judgment of the European Court of Human Rights in the case *Beaumont v. France*.
- <sup>17</sup> As the Chief Justice has said in the interview: “...in comparison to other powers the judiciary at the moment is pushed into background. Theoretically, everyone agrees that there must be a strict separation of powers, but in reality, it seems as an unequivocal power, which is subjected to administration.” “Korupcijas nojausma bez pierādījumiem,” an interview by E. Grandavs with A. Guļāns, Chief Justice. Published in the portal [www.politika.lv](http://www.politika.lv), 19.09.2001.
- <sup>18</sup> “Pirmsiestāšanās procesa ES monitorings: *Tiesu varas neatkarība*”. Ziņojums: Latvija, Atvērtās Sabiedrības Institūts, 2001.
- <sup>19</sup> As of 2005, the Court Administration should have been launched under the leadership of the Legal Council, which has not been established.
- <sup>20</sup> Pāvils. L. Latvijas tiesu sistēmā notiek pozitīvas pārmaiņas. *Latvijas Vēstnesis*, 27.04.2004.
- <sup>21</sup> “Mans mērķis ir iezīmēt pārdomātu tiesu iekārtas attīstību,” an interview with Vineta Muizniece, Minister for Justice of the Republic of Latvia. *Latvijas Vēstnesis; Jurista Vārds*, 13.04.2004.
- <sup>22</sup> Kalniņš V. Temīdas tiesāšana. Published in the portal [www.politika.lv](http://www.politika.lv), 19.09.2001.
- <sup>23</sup> “Korupcijas nojausma bez pierādījumiem,” an interview by E. Grandavs with A. Guļāns. Chief Justice, published in the portal [www.politika.lv](http://www.politika.lv), 19.09.2001.
- <sup>24</sup> Kāpēc ministrs iejaucās. *Lauku Avīze*, 03.06.2003.
- <sup>25</sup> For incidents when representatives of the legislature have tried to influence the judiciary, see: Pirmsiestāšanās procesa ES monitorings: *Tiesu varas neatkarība*. Ziņojums: Latvija, Atvērtās Sabiedrības Institūts, 2001, 74. lpp.
- <sup>26</sup> Pirmsiestāšanās procesa ES monitorings: *Tiesu varas neatkarība*. Ziņojums: Latvija, Atvērtās Sabiedrības Institūts, 2001, 74. lpp.
- <sup>27</sup> “Korupcijas nojausma bez pierādījumiem,” an interview by E. Grandavs with A. Guļāns. Chief Justice, published in the portal [www.politika.lv](http://www.politika.lv), 19.09.2001.
- <sup>28</sup> Ventspils dome iebilst Ģenerālprokuratūrai. *Latvijas Avīze*, 05.10.2004.
- <sup>29</sup> The November 28, 2002, judgment of the European Court of Human Rights in the case *Lavents v. Latvia*.
- <sup>30</sup> The November 6, 2003, judgment of the Constitutional Court in the case No. 2003-10-01.
- <sup>31</sup> In addition, the draft of the « State-Sponsored Legal Aid Law» with a similar purpose has been developed by the members of the *Saeima* and adopted in the first reading on September 9, 2004.
- <sup>32</sup> The October 9, 1979, judgment of the European Court of Human Rights in the case *Airey v. Ireland*.
- <sup>33</sup> See Latvijas Kriminālprocess Kodekss, 13. pants “Tiesas spriešana, pamatojoties uz personu vienlīdzību likuma un tiesas priekšā.” (*Section 13 of the Latvian Criminal Procedure Code “Administration of justice, based on the equality of individuals before the law and a court”*) Latvijas Kriminālprocesa Kodekss (Redakcijā, kas stājās spēkā 2002. gada 1. novembrī.). *Latvijas Vēstnesis*, 2002.
- <sup>34</sup> Ibid.
- <sup>35</sup> See Latvijas Kriminālprocesa Kodekss: 98. pants “Aizstāvja obligāta piedalīšanās” (*Section 98 of the Latvian Criminal Proceedings Code: “Mandatory Participation of Defender”*). Latvijas Kriminālprocesa Kodekss (Redakcijā, kas stājās spēkā 2002. gada 1. novembrī.). *Latvijas Vēstnesis*, 2002.
- <sup>36</sup> Valsts cilvēktiesību biroja 2002. gada ziņojums, Rīga, 2003, 15. lpp.
- <sup>37</sup> UN Committee against Torture is the monitoring institution of the 1984 “Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.”
- <sup>38</sup> Conclusions and recommendations of the Committee against Torture: Latvia, CAT/C/CR/31/3, February 5, 2004, Paragraphs 6 (h) and 7 (c).

<sup>39</sup> Čigānu stāvoklis Latvijā. Latvijas cilvēktiesību un etnisko studiju centrs. Rīga, 2003, 52. lpp.

<sup>40</sup> Latvijas Kriminālprocesa Kodeksa 436. pants (*Section 436 of the Criminal Proceedings Code*). Latvijas Kriminālprocesa Kodekss (Redakcijā, kas stājas spēkā 2002. gada 1. novembrī). *Latvijas Vēstnesis*, 2002.

<sup>41</sup> Baltijas Sociālo Zinātņu Institūts, “Jautājumi sabiedrības demokratizācijas dinamikas novērtēšanai”. Tabulu atskaite, 2004. gada oktobris, Tabula 26.7.

<sup>42</sup> Ibid, Tabula 4.1.

<sup>43</sup> Ibid, Tabula 5.1.

<sup>44</sup> Ibid, Tabula 3.

<sup>45</sup> Valsts cilvēktiesību biroja 2002. gada ziņojums. Rīga, 2003, 54. lpp.

<sup>46</sup> Valsts cilvēktiesību biroja 2003. gada ziņojums. Rīga, 2004, 18. lpp.

### 3. Civil and Political Rights

*Ilze Brande-Kehre and Ilvija Pūce*

*Are civil and political rights equally guaranteed for all?*

#### 3.1 How free are all people from physical violation of their person, and from fear of it?

Security of people is guaranteed at the constitutional level – in *Satversme* (the Constitution of Latvia), particularly Articles 91–95. The rights stipulated in these articles are non-derogable. Prohibition of violence is also embedded in international treaties, which Latvia has ratified.<sup>1</sup> The national legislation regulates legitimate use of force by state authorities in fulfilling their tasks, and also bans violence among civilians.

The use of force by state authorities may be permissible if it has a legitimate aim, e.g., public security, and such use of force has to be proportionate. The Latvian legislation complies with these principles. The right of police officers to apply physical force, means of restraint (truncheons, handcuffs) and firearms is regulated by the law “On Police”. The Law on State Security Services provides that, in carrying out activities related to state security, to inflict physical or material damage, to endanger the life and health of people, and to threaten to use or use means of coercion are prohibited. Similar provisions can be found in the Law on Operational Activities. The sentence Enforcement Code, after being amended on 14 October, 1998 stipulates that during the enforcement of a sentence, all guarantees against torture and inhuman or degrading punishment of a sentenced person must be ensured. The aim of the enforcement of a sentence is not to cause physical suffering or to humiliate a person or to exclude him/her from society.

The use of force by state authorities in other cases is also explicitly prohibited. The Criminal Law foresees responsibility for compelling to give evidence if it is connected with violence or threat of violence etc. by the investigator; for unlawfully pressuring persons involved in a trial in order to obtain false evidence or opinion (violence or threat of violence in this case is an aggravating factor); for exceeding or abusing official authority, and for violence against a subordinate in the military service and violence among military personnel. Criminal punishment is also envisaged for homicide or intentional inflicting of bodily injuries when violating rules of detention of a person. The Criminal Law contains sanctions for unlawful committal of a person in a psychiatric hospital.

However, in practice, laws often are not sufficiently effective. Although it is prohibited by law to coerce someone into giving evidence during interrogation, and officials have recognized that such cases occur, only two such offences have been officially recorded in Latvia since 1995 (in 2001 and 2004). The problem of unlawful use of violence by police officials has been a serious issue of concern, however, the State Police started to summarize data about police violence only since 2003 when 183 disciplinary investigations were carried out. 9 complaints were confirmed, and 12 police officers received disciplinary punishment. In Riga (the capital of Latvia) 71 complaints were received and none was confirmed.<sup>2</sup> Such statistics do not convince that investigations of complaints are sufficiently impartial and effective, while collection of separate statistics on police brutality should be considered as progress. Other institutions responsible for reviewing complaints – the Ministry of the Interior and the Prosecutor’s Office do not provide any statistics about police violence.

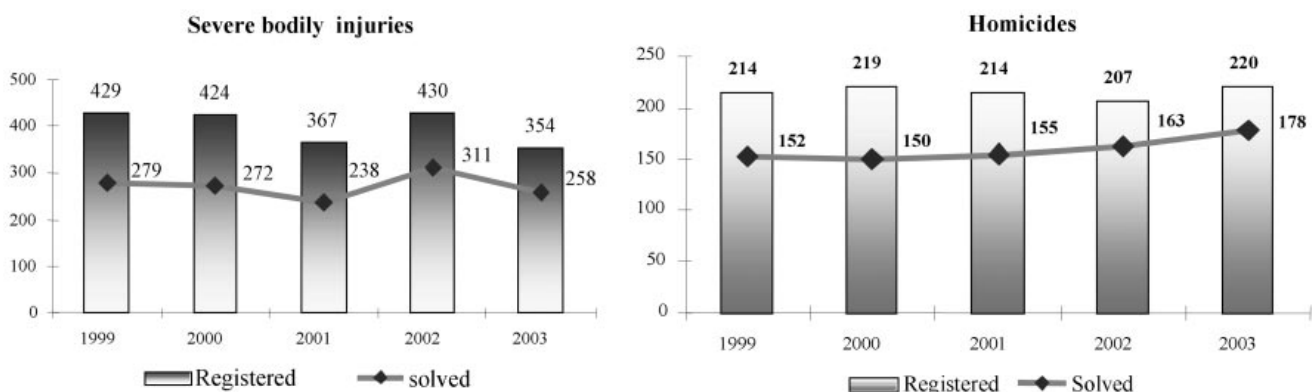
In an anonymous hotline about police violence<sup>3</sup> in 2004, 283 oral and written complaints were received alleging police misconduct. 130 of them were about police brutality, the others – about neglect of official duties, insensitive attitude to victims of crime etc. The majority of callers had not complained to relevant complaints bodies because they did not know where and whom to turn to, were either afraid to complain at all or because they were threatened by police officers, did not trust that it would lead to any possible outcome etc. Many people who called the hotline pointed out that irrespective of the institution they had lodged their complaint to, it was forwarded to the police department where the accused police officer was working. Very few callers

mentioned disciplinary punishment or criminal charges as an outcome of their complaint.<sup>4</sup> The campaign concluded that a clear system where to lodge complaints about police violence and who would actually investigate them does not exist. The majority of complaints are addressed to the Personnel Inspection of the Internal Security Office subordinated to the State Police and thus could not be considered as an independent investigation authority for police offences. International human rights institutions have expressed concern about police brutality which in some cases could be classified as torture against detained persons.<sup>5</sup>

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), in its report on its visit to Latvia in 1999, noted that the delegation heard hardly any allegations of deliberate physical ill-treatment of prisoners by staff in the prisons visited.<sup>6</sup> However, a year later the Latvian National Human Rights Office acknowledged that “inter-prisoner violence and violence towards prisoners by guards is the main problem in prisons.”<sup>7</sup> Physical security is also influenced by prison conditions. Since 1995 considerable improvement has taken place as several prisons have been renovated, overcrowding has been reduced, and international standards regarding the treatment of prisoners are being introduced. Largely, these improvements have taken place in the framework of the “Nord-Balt Prison Project” in Latvia funded by the Nordic countries. However, conditions in a number of prisons remain critical, particularly, regarding medical services.

Regarding personal security in cases of a person’s involuntary hospitalisation in a psychiatric hospital, the Law on Medical Treatment does not provide for the possibility to appeal a person’s detention and hospitalisation without his/her consent. However, according to the European Convention on Human Rights and case-law of the European Court of Human Rights, only a court or an institution with equal competence may decide on the legality of a person’s detention and take a decision on involuntary hospitalisation. After the CPT’s visit to Latvia in 1999 and its recommendations,<sup>8</sup> psychiatric hospitals started to note in their patient registration journals whether a person arrived at hospital on a voluntary basis or was involuntarily hospitalised. However, no overall data on the number of such patients are available. The new Psychiatric Assistance Law, which is under development since 1997, may introduce new provisions which would regulate the situation; however, there is no information when the law could be passed by the *Saeima*.

As regards violence among civilians, after Latvia regained its independence, the number of serious violent crimes against person’s health and life has tripled. However, no significant changes in numbers have taken place during recent years, nor have there been essential changes regarding the numbers of solved cases.<sup>9</sup> These crimes indicate the real level of criminality in the country, because a part of other types of offences could not be registered at all due to various reasons.



In Europe from 1999 to 2001 only Russia, Lithuania and Estonia were ahead of Latvia regarding the average number of homicides per 100,000 residents: in Russia the average number was 21.40, in Lithuania – 10.00, in Estonia – 9.94 and in Latvia 6.22, while in many countries the number of homicides was much lower: e.g., in France 1.79, in Ireland – 1.48, in Italy – 1.42, the USA – 5.64.<sup>10</sup>

One of the most serious problems in Latvia is human trafficking. Only on 23 May 2002 amendments to the Criminal Law were adopted that criminalized human trafficking. Nevertheless, the number of initiated criminal cases and convictions is low: in 2003, 12 criminal cases of sending persons to a foreign country for

the purpose of sexual exploitation and 3 cases of human trafficking were initiated; in 2004, until 1 June – only one case of human trafficking and seven cases of sending persons to a foreign country for the purpose of sexual exploitation were initiated.<sup>11</sup> However, according to the data of the International Organization for Migration, about 2000 residents of the Baltic States become the victims of human trafficking every year. According to the information provided by the police, about 100 Latvian women go abroad to work as prostitutes every month. Nevertheless, they report that the number of persons who have been sent to a foreign country for the purpose of sexual exploitation under threats of violence has decreased. On 2 March 2004 the Cabinet of Ministers approved the National Programme on the Prevention of Human Trafficking 2004–2008. The Programme focuses on responsibilities and co-operation among state institutions, NGOs and international organisations. It foresees that the government has to present an annual report on the measures taken to prevent human trafficking. The government is also required to allocate funding for programmes aimed at the prevention of human trafficking as of 2005. It would be of crucial importance to raise awareness among the police about the issue, as well as co-operation of police with the General Prosecutor's Office in this field, and to provide state funding for shelters and ensure rehabilitation services for victims of human trafficking.

Increasing attention has been paid to the issues concerning the protection of children's rights. The Law on the Protection of Children's Rights<sup>12</sup> prohibits cruel treatment of children, torture and physical punishment, and abuse of a child's dignity and pride. Violence against a child, persuasion or coercion to take part in sexual acts, exploitation or involvement into prostitution are criminal offences. Parents are accountable for failure to fulfil their duties, abuse of parental rights, for physical punishment of children, or cruelty towards a child. A child who has suffered from domestic violence or faces a real threat of violence, shall be provided with out-of-family care immediately in case it is not possible to isolate a child from the perpetrators. In the beginning of the 90s children's rights were the subject of concern only among non-governmental organisations, in particular the „Glābiet bērnu!” (the Latvian chapter of “Save the Children!”). The National Centre for the Protection of Children's Rights under the subordination and later supervision (1999) of the Ministry of Education and Science (MoES) was established in 1995 and was operational until 2002. On 4 February 2003 the Secretariat for the Special Assignments Minister for Child and Family Affairs was established. On 29 April 2004 the Secretariat was transformed into the Ministry, arguing that the development and coordination of the national policy of children and family affairs is a continuous task. In 2003, the National Human Rights Office created a special Children's Rights Protection Unit.

From 2001 to 2003 the Education Inspection Board of the Ministry of Education and Science received and reviewed 50 complaints about violence against minors at educational institutions. Parents have complained about alleged emotional and physical violence against their children inflicted mainly by teachers and peers. 33 of the received complaints were confirmed true.<sup>13</sup> Several criminal cases have been initiated about alleged violence committed against children at specialised institutions for children (for instance, in 2000 – the Aleksandrova Special Boarding School in Kraslava district, in 2002 – social care home for children with mental disabilities “Veģī”). However, convicted persons have either been placed on probation or were released from criminal responsibility because of statutory limitations.<sup>14</sup> 701 children were the victims of crimes in 1998, 935 children – in 2000, 1077 – in 2001, and 1144 – in 2002.<sup>15</sup> Public awareness campaigns have raised public interest and understanding about these issues. As a result, within the last years the number of reported and registered cases of violence and cruelty against minors has increased: 6 in 1998, 62 in 2000, 71 in 2001, and 104 in 2002.<sup>16</sup> Since 2001, each year about 1,100 children who have suffered from violence have received rehabilitation and support services.<sup>17</sup> According to experts and the data provided by the Central Statistical Bureau, it may be concluded that the number of cases of violence against minors is higher in reality, because the existing numbers show the number of initiated criminal cases on violence against minors.<sup>18</sup> In order to develop an integrated policy on the protection of children against violence the National Programme of the Prevention of Sexual Violence Against Minors was implemented from 2000 to 2004, while in 2004 the programme “Latvia for Children 2004–2007” was elaborated. One of the goals of the programme is the prevention of violence against minors.

There are no legal norms specifically related to domestic violence against women (in such cases general provisions of the Criminal Law are applied). The data on domestic violence against women are not available, as it is not distinguished amongst other types of violence. In accordance with information provided by the crisis centre „Skalbes”, each year domestic violence is the cause of death of 35 women, which constitutes one sixth of all homicides committed in the country. Each year around 120 Latvian women are severely battered by their partners. Annually, around 300–400 women who have suffered domestic violence seek support at the crisis centre “Skalbes”. There are no statistics about light injuries, emotional and sexual violence in this violence.<sup>19</sup> Victims of violence usually do not seek help at law enforcement and judicial institutions, as police and court systems tend to downplay the seriousness of the crime. Police officers frequently try to persuade women not to file complaints on spousal or partner violence; prosecutors' offices close cases because of lack of evidence.

At the time of writing there were no legal provisions such as a restraining or protection order, which would forbid the perpetrator to contact the victim. Therefore, women are afraid to report violence; however, a protection order may be included in the new Criminal Procedure Law (now it is adopted in the second reading). Currently there are only three shelters for battered women – the Women and Children Crisis Centre in Talsi, the Centre for Family Support in Dobele and the shelter in Ozolnieki, Jelgava district.

The National Human Rights Office does not play a significant role in the prevention of physical violence. The Law on National Human Rights Office provides that in cases of conflict the Office should seek friendly settlement, as well as submit proposals on the prevention of violation of human rights. In practice the National Human Rights Office forwards complaints on violence to the competent institutions and receives a report on the outcome of such complaints.

Despite existing gaps in legislation (for instance, there are no possibilities to appeal involuntary placement in psychiatric clinics), legislation concerning personal physical security may be considered sufficiently elaborated. The main problems are related to the implementation of legislation in practice, the absence of effective implementation and control mechanisms, and the lack of awareness by law enforcement officials about different types of violation of the physical integrity of a person, such as domestic violence. The lack of rehabilitation services for victims of crime and the absence of national compensation fund for victims of crime should be highlighted among key serious concerns. However, taking into account the high level of criminality, the general situation can be evaluated as “satisfactory.”

### **3.2 How effective and equal is the protection of the freedoms of movement, expression, association and assembly?**

These freedoms have been guaranteed in Latvia in general terms since the country regained independence,<sup>20</sup> and were reinforced by amendments to the Constitution in 1998, which introduced a fundamental rights section. Latvia acceded to a series of international conventions and declarations shortly after independence, and so the common international norms are also binding for Latvia: the relevant articles of the European Convention on Human Rights and Fundamental Freedoms, the UN International Pact on Civil and Political Rights and the conventions of the International Labour Organisation (ILO). Respective sections of the Constitution of the Republic of Latvia may be “subject to restrictions in circumstances provided for by law in order to protect the rights of others, the democratic structure of the State, and public safety, health and morals” (Article 116 of the Constitution). Restrictions on other grounds are not foreseen; moreover, existing restrictions should be interpreted narrowly and in accordance with international norms and legal standards. These freedoms are inherent for everybody without discrimination.

#### *Freedom of movement<sup>21</sup>*

Article 97 of the Constitution stipulates that everyone residing lawfully in the territory of Latvia has the right to move freely and to choose a place of residence. Freedom of movement within the Latvian territory is not limited in practice.

At the same time, Article 98 of the Constitution stipulates that everybody has a right to freely depart from Latvia. This article also stipulates: “Every holder of a Latvian passport shall be protected by the State when abroad and has the right to freely return to Latvia. A citizen of Latvia may not be extradited to a foreign country.” Both citizens and non-citizens of Latvia hold passports of the Latvian Republic.

Movement is also regulated by the visa regimes which are bilaterally determined between states. However, the substantial differences in visa regimes for Latvian citizens and non-citizens are at times perceived as an ungrounded restriction on the freedom of movement for non-citizens. Non-citizens have the right to travel without a visa to seven countries: Denmark, the Dominican Republic, Estonia, Lithuania, West Samoa, St. Lucia and Croatia, while Latvian citizens enjoy a non-visa regime with 67 countries.<sup>22</sup>

Many new questions regarding the freedom of movement have been raised after Latvia’s accession to the EU, mainly regarding citizens’ and non-citizens’<sup>23</sup> movement across the EU. Already before the accession, in the last comprehensive progress report on Latvia, it was noted that outstanding issues in the recognition of professional qualification put limitations on the free movement of the labour force. The same progress report, however, recognised that concerning other aspects of free movement of labour, Latvian legislation complies with the EU standards. A transition period of two years has been foreseen for the free movement of labour



force from Latvia across the EU, the specific regulations of which were recognised as subject to bilateral agreements between states, but the maximum term for labour market limitations for Latvian citizens can be extended to seven years.<sup>24</sup> In practice, almost all previous EU member states limited the freedom of movement of the Latvian labour force (and other new member states) by adopting transition period regulations, including the requirement of receiving a working permit (in 2004, Latvian nationals could work without a working permit only in Great Britain, Ireland, and Sweden), or restricting access to the social security system (different transition period restrictions in all countries).<sup>25</sup> In practice, after May 2004, various complaints about restrictions on the freedom of movement were received by the Ministry of Economics, including complaints about restrictions for Latvian citizens in other EU member states and complaints about restrictions for citizens of other EU member states in Latvia. The majority of complaints in the first six months after accession concerned the non-recognition of insurance.<sup>26</sup>

On May 20, 2004 the Parliament adopted amendments to the Law on the Status of Former USSR Citizens Who Are Not Citizens of Latvia or Any Other State, stipulating that those non-citizens who receive a permanent residence permit in another country after June 1, 2004, are deprived of the status of a non-citizen of Latvia. In practice, these amendments meant that those non-citizens who are permanent residents of other states become stateless persons, and lose connection to Latvia. Such a law restricts the freedom of movement and protection guaranteed for all holders of a Latvian passport by Article 98 of the Constitution, and hampers those persons' return to Latvia. Twenty opposition MPs submitted a proposal to the Constitutional Court arguing that these and some other norms do not comply with the Constitution and international norms, and on 7 March 2005, the Court ruled the amendments unconstitutional.

### *Freedom of association*

Freedom of association, including the rights to establish and be a member of trade unions, as well as freedom of assembly, are guaranteed by Article 102 of the Constitution ("Everyone has the right to form and join associations, political parties and other public organisations"), as well as by Article 20 of the Universal Declaration of Human Rights, Article 22 of the International Pact on Civil and Political Rights, and Article 11 of the European Convention on Human Rights and Fundamental Freedoms.

The Law on Public Organisations and Associations, which was adopted in December 1992, regulates the establishment, operation and closure of such organisations. Trade unions and religious organisations are regulated by other laws. The heads of public organisations can be residents of Latvia who have attained majority. Public organisations are registered in the Register of Enterprises<sup>27</sup> after submitting an application, while political organisations are registered in the Register of Political Parties. Public organisations' activities can be suspended or terminated by court, but such measures can be initiated by a number of institutions: the Prosecutor General, the Chief State Notary of the Enterprise Register, heads of the state security institutions, the Director General of the State Revenue Service, and the head of the Corruption Prevention and Combating Bureau. A court can suspend activities of a public organisation if it continues illegal activities after a warning has been issued, or if it has violated the law repeatedly within a one-year period. A court can terminate activities of a public organisation on five possible grounds: the organisation does not fulfil the court's decision about suspending activities or does not eliminate violation of the law, according to which its activities were suspended; it deliberately allows for criminal actions; issues calls for non-compliance with the law or for criminal actions; violates the legal norms which stipulate use of the name and symbols of an organisation; incites racial, ethnic or religious hate, and supports criminal actions. The second part of the Law regulates the formation of a political party: it should be founded by not less than 200 Latvian citizens (but can also include additional founders who are non-citizens); its members may be citizens and non-citizens over 18 years of age.<sup>28</sup> A political party needs to have a minimum of 200 members who are citizens, but if the number of members exceeds 400, then at least half of them should be citizens of Latvia. In the beginning of 2005 a new law on political parties was proposed for adoption at the parliament. The draft law permits only citizens to found a party, although citizens from other EU member states and non-citizens may be members.

In 2003, the Law on Associations and Foundations was adopted, and on 1 April 2004 it came into force. The law stipulates that existing public organisations should be reregistered in the Associations and Foundations Register until 31 December 2005. The goal of the new law is "to foster activities and long-term development of associations and foundations, as well as to promote the strengthening of democracy and civil society".<sup>29</sup> An association can be established by physical or legal persons and the minimum number of founders is two. The right to initiate a court case for closing an association is held by fewer institutions than in the previous law: it can be done by a prosecutor, or the State Revenue Service if an association has received a warning and within a specified period of time has not eliminated violations, or within a year's period after the warning repeatedly

violates the law, especially with regard to its public activities. In this case the court can terminate the association's activities, if it is not in compliance with the Constitution or the law, or if commercial activities have become main activities of the association; or if its board has not submitted an application for the closure of the association in accordance with the law, or in other cases foreseen by the law. Unlike the association, a foundation's activities can be terminated by the court also if its founding goal has been achieved, or if achievement of this goal has become impossible (in this case the foundation's board submits to the court the application regarding termination of activities), as well as if the foundation's activities do not correspond to the goals specified in the statutes (observing the warning procedure mentioned above).

The majority of a public organisation's (including political parties) founders should be citizens. Article 16 of the European Convention on Human Rights allows for restrictions on political activities for those who are not citizens of a state, but at the same time this norm should be interpreted and applied in such a way that restrictions are proportional, and an individual's connection to the state should also be taken into account.<sup>30</sup> Therefore the restrictions currently in place in Latvia for non-citizens, who can participate in founding a political party and be its members if the majority of the members are citizens, do not violate the freedom of association. However, if the provisions of the new draft law on political parties will gain force that only citizens may be founders of a party, the compliance is more open to question, especially in light of the participation in local elections by citizens of other EU member states, but who then would be prevented from participating in the founding of a party. In November 2004, 59 political organisations (parties) and associations were registered,<sup>31</sup> out of these parties 7 (including two associations, which consist of two parties each) were presently represented in the Parliament.

In practice, activities of public organisations are rarely terminated. In 2003, a National Bolshevik organisation *Pobeda* (Victory) was closed by a decision of the Riga Vidzeme district court. A subsequent attempt to register it under a different name (NBP) failed: in October 2004, the RE, after rejecting a registration application as being technically incomplete, decided not to register the organisation on the grounds that the organisation's real goals were contradicting the Constitution and the law. Taking into account the very high requirements to the legitimate justification of such restrictions on the freedom of association<sup>32</sup>, created by international court practice, a question emerges whether the real security risks or other potential risks to democracy, the state or others are properly and specifically evaluated and separated from arguments against registration based on personal opinions and judgments of those responsible for the registration.

The creation of the Headquarters for the Defence of the Russian-language Schools presents an interesting case: this unofficial association of various organisations and individuals voluntarily rejected registration, arguing publicly that it will then be more difficult to terminate its activities than to find a formal statutory or operational violation in case it is registered. The reaction of Latvian state institutions and society in this case should be evaluated positively – despite the institutions' often openly declared dislike towards the Headquarters, there were no attempts to dismantle the unregistered association. Freedom of association, which should be interpreted as relevant not only for officially registered organisations, was not interfered with.<sup>33</sup>

Activities of the trade unions are regulated by the Law on Trade Unions, which was adopted in December 1990. The law stipulates that the residents of Latvia have the right to register a trade union, and that it is subject to registration if it unites not less than 50 members.<sup>34</sup> In 1999, the Law on Employers' Organisations and their Associations, which regulates the functioning of such organisations, was adopted.

Although Latvian trade unions continue to develop on a practical level, they are not yet protecting its members' interests as effectively as trade unions in other developed democratic countries. However, there is a tendency of abolishing restrictions on forming trade unions. The prohibition for firemen to form unions was lifted in 1999. Until the end of 2004, the Law on Police forbade policemen to form trade unions. As a result of calls submitted for a number of years by the Latvian Free Trade Unions' Association, as well as of the initiative taken by policemen in coordination with the International Union of Police associations and a case submitted to the Constitutional court by the National Human Rights Office, the Parliament abolished the restriction in early 2005. However, border guards are still not allowed to form trade unions.<sup>35</sup> ILO requirements and norms are being quoted more and more often, and it seems that EU membership and so common accent on dialogue with the social partners will promote development at a practical level as well.

### *Freedom of expression*<sup>36</sup>

Article 100 of the Constitution stipulates: "Everyone has the right to freedom of expression, which includes the right to freely receive, keep and distribute information and to express their views. Censorship is prohibited."

Freedom of the press and media is one of the most important aspects of the freedom of expression in a democratic society. The Constitutional Court has also ruled that freedom of the press is a part of the freedom

of expression. The Law on the Press and Other Mass Media, adopted in 1990, regulates the freedom of the press. There are no language use restrictions for the printed media, and in practice, press in Latvian, Russian and English languages exists in Latvia.

The Law on Radio and Television guarantees freedom of expression, but also imposes restrictions on language use, which may be considered a violation of the freedom of expression. In 2003, the Constitutional Court abolished a norm restricting the use of languages other than the state language in private electronic media to 25% of the total broadcasting time. However, a norm stipulating that a programme can be broadcast only in one language, as well as norms that regulate language use in public electronic media (and a percentage of programmes produced in Europe, which should be broadcast in the state language), are still in force. Furthermore, in 2004 the Parliament adopted amendments to the Law on Radio and Television, which foresee that the Cabinet of Ministers can prescribe special measures in geographic areas where use of the state language is deemed insufficient. As a result, executive authorities are granted a possibility to regulate language use by electronic media in those particular territories where ethnic minorities reside in large numbers.

Although violation of honour and dignity is one of the legitimate grounds for restriction of the freedom of speech, a possibility exists for freedom of speech being restricted inadequately. In order to avoid this, the *Saeima* amended the Criminal Law (CL) in 2003, cancelling norms about intentional defamation of a deputy candidate. Further on, in 2004, according to the ruling of the Constitutional Court, those CL articles that stipulated that offence against the honour and dignity of a law enforcement officer, as well as against the honour and dignity of a state official, is an aggravating circumstance leading to a harsher punishment (up to two years in prison) than in case of offence against the honour and dignity of an ordinary citizen, were also cancelled. In 2003, arrest as means of punishment for defamation and for offence against honour and dignity was removed from the CL. However, in spite of international<sup>37</sup> recommendations about decriminalisation of the offence against honour and dignity, defining it as an administrative violation instead, the CL still foresees deprivation of freedom for up to one year as a punishment for offence against honour and dignity in the mass media.<sup>38</sup>

At the same time, freedom of speech may not be fully understood in Latvia where it pertains to incitement to racial hatred. Article 20 of the International Covenant on Civil and Political Rights stipulates that any advocacy of national, racial or religious hatred constitutes incitement to discrimination, hostility or violence and shall be prohibited by law. The convention on Elimination of Racial Discrimination requires that states foresee a criminal liability for such actions.<sup>39</sup> The Council of Europe (CoE) unequivocally recommended the same, and General Regulations on Incitement to Racial Hate were initiated across the EU. However, it should be recognised that international practice in this field is not fully unambiguous. In Latvia, article 78 of the CL forbids incitement to racial hatred, but stipulates that it should be intentional in order to be recognised as such. In practice, only three persons had been tried in court for incitement to hatred.<sup>40</sup> According to the Civil Law, incitement to racial hatred is qualified as an offence against honour and dignity. Both the Law on the Press and Other Mass Media, and the Law on Radio and Television contain articles forbidding incitement to racial hatred.

The basis of the freedom of speech is not only provided in theory by the Latvian Constitution and laws, but is also being observed in practice (with exceptions in the area of freedom of language use). However, gaps in existing legislation and insufficient court practice, as well as lack of the code of ethics and thorough understanding indicate problems in setting legitimate limits for the freedom of speech. For example, there is still no clear division between freedom of speech and incitement to hatred, as well as between freedom of speech and offence against honour and dignity.

### *Freedom of assembly*

Article 103 of the Constitution of Latvia stipulates, “The State shall protect the freedom of previously announced peaceful meetings, street processions, and pickets.”

The Law on Meetings, Processions and Pickets adopted in 1997 specifies legal procedures for organising and taking part in these events. The Law also specifies that the state should not only provide the opportunity to assemble, but also to care for no interferences of assembly. Article 19 states that the freedom of expression and the freedom of language should be observed in meetings, demonstrations and pickets. Any Latvian resident who has reached the age of 18 and has legal capacity may organize meetings, processions and pickets. A person who attempts to use these events for reaching targets of organisations, banned in Latvia, or who has been imposed an administrative penalty for violating procedures for organising and processing of meetings, processions and pickets or for violating regulations on the formation or closure of non-governmental organisations are not allowed to organise such events (Article 4).

The Constitution of Latvia stipulates that meetings and street processions should be previously announced. However, the Law on Meetings, Processions and Pickets includes a logical contradiction, which moreover limits the freedom provided by the Constitution of Latvia. Paragraph 1 of Article 12 states that such events, if they comply with provisions of law, do not require permission of state or municipal authorities. However, Paragraph 2 states that an application should be submitted to the municipality of the territory where the event will take place, while Paragraph 3 states that the application should be submitted three days before the event. Article 15 stipulates that the municipality may issue a denial to hold an event only on the basis of legitimate grounds. If such grounds are lacking, the municipality should issue “a note which confirms that the municipality holds no objections against the event.” Article 16 states that the event may not be organised if the organisers of the event have not received the note. The difference between this necessary note and a permission (which is officially not needed) is hard to see. This statutory law requirement thus limits the freedom of assembly provided by the Constitution of Latvia where only informing about an event is required.

The legitimate grounds of prohibitions to assemble provided by law are mainly related to public security. They include prohibitions to make calls against the independence of Latvia, to issue calls for violent overthrow of state power, calls to breach law, to propagate violence, national and racial hatred, open Nazi, Fascist and Communist ideology, war propaganda, glorify violations of law or call to violate law. During the event it is forbidden to bear arms, hide faces behind masks, dress in uniforms to express particular political views, use flags, emblems, anthems and symbols (including in a stylised way) of the former USSR, the Soviet Socialist Republic of Latvia and Nazi Germany.

Over the years since independence was regained, there were various processions and pickets, but the number of participants was rather low. In May 2003, for the first time since Latvia regained its independence, several thousand (ranging from 6,000 to 10,000 depending on the source of information) persons took part in a demonstration in Riga, protesting against the implementation of the minority education reform. The municipal authorities issued a note allowing to organise the demonstration. The largest-scale demonstration hitherto took place on 1 May 2004, when at least 20,000 (according to the police) persons took part in a protest action against the implementations of the minority education reform. These unusually large, for Latvia, demonstrations observed legal requirements and were held without any serious incidents.

On June 2003, when the Riga City Council denied issuing a note allowing to hold several protest events, organisers used a possibility provided by the law to announce the public event as a meeting of MPs with voters, which did not require permission of the municipal authorities. There was no attempt to establish whether the public protest events (with many participants who were minors) corresponded to actual meetings of MPs with voters. Instead, the Parliament hastily adopted amendments, which abolished these special rights of MPs and therefore extended the requirement to receive permission from the municipal authorities to organise public events.

In practice, requests for organising pickets – usually with a low number of participants – have been submitted and a growing number of permissions have been issued. In 2004 in Riga there were at least some 10 events a month. A broad range of political and other organisations held pickets. The number of participants ranged from a few individuals to about a hundred.<sup>41</sup> The municipal authorities issued permissions to organise pickets to such radical national organisations as “Nacionālā fronte” (National Front) and “Visu Latvijai” (All to Latvia!). Permissions to organise pickets were also received by the opposition parties presented in *Saeima* protesting against the situation of tenants of de-nationalised buildings, as well as against the implementation of the minority education reform. In 2003 there were cases when the notes allowing to organise pickets in Riga were not issued and the Riga City Council’s Security and Order Committee proposed to amend the regulations and determine specific places where meetings and pickets could be held. However, in 2004, a large number of permissions were issued for organizers of various types of protest actions. The news services also increasingly reported on pickets and meetings held in other towns than the capital – in Liepāja, Daugavpils, Rēzekne and Jelgava. However, in these cities events are less frequent and with a smaller number of participants than in the capital.

It should be noted, however, that also in 2004 there were several occasions in Riga when the required notes were not issued. In April 2004 a number of protest events against the implementation of the minority reform were denied permission. The denials were motivated by doubts about the organisers’ capacity to ensure public order. In June the responsible official in Riga did not review applications regarding three different meetings against the minority education reform, arguing that the applications were not submitted within the time limit established by law. Just after the beginning of the academic year the Latvian Association for Support of Schools with Russian Language of Instruction received repeated denials to organise events in the centre of Riga. The municipal authorities argued that traffic of close-by big streets may threaten the safety of participating school students.<sup>42</sup>

There have been several cases when denials to issue a note have been successfully challenged in court. For instance, in March 2004 the Administrative District Court annulled the denial of the Executive Director of the Riga City Council Māris Tralmaks to issue a permission to radical youth organization “Klubs 415” to organise the commemoration march for Latvian WWII Legionnaires on 16 March. Mr Tralmaks based his decision on the conclusion of the State Security Police, which argued that provocations may occur during the event. (Also in 2003 Mr Tralmaks did not issue permission for an event of similar character).

The year 2004 saw a growing number of fines imposed for breaching regulations on holding meetings and pickets. Several such administrative penalties were challenged in recently established administrative courts. In December 2004, the Administrative Regional Court admitted that the sentence issued by a judge from the Jelgava Court in the case of Mr Blumfelds was disproportionate. The Judge had sentenced resident of Jelgava Mr Blumfelds to seven days of administrative detention for malicious resistance to the legitimate demand of a policeman to follow him to the police station to draw up an administrative protocol there. Mr Blumfelds had applied for permission to hold the picket, however, the municipal authorities had not issued him permission.<sup>43</sup>

Courts have received a number of appeals regarding administrative fines imposed on activists of the Headquarters for the Protection of Russian-language Schools. The results of these appeals vary. The Administrative Regional Court decreased the administrative fine imposed on Mr. Gilmans, activist of the Headquarters, for causing traffic disorders during his “meeting with voters” from LVL 100 to LVL 50.<sup>44</sup> However, when the Administrative Regional Court reviewed the appellations submitted by opponents of the minority education reform Mr Kotovs and Mr Buzajevs, the Court did not change the decision on fines issued by the Centre District Court of Riga City.<sup>45</sup> In December, the Administrative Regional Court reviewed the appeal submitted by Mr Petropavlovskis, member of the Headquarters for the Defence of Russian-language Schools, and removed the administrative fine levied for holding the protest event in the area which lies within the territory of the radius of 50 meters of the Cabinet of Ministers (according to Latvian legal norms, protest actions may not be held closer than 50 meters from certain official buildings, including the building of Cabinet of Ministers).<sup>46</sup>

Although everyone has the right to the freedom of assembly and there has been no analysis regarding disproportionately imposed restrictions on these rights for specific groups or ethnicities, people hold rather diverse views about the issue. In a survey conducted by the Baltic Institute of Social Sciences, 62.4% of all respondents agree or partly agree with the statement that everyone has equal rights to express his/her opinion, hold pickets and demonstrations in Latvia.<sup>47</sup> However, the disaggregation of respondents according to their ethnicity reveals significant differences: 84.4% Latvians agree or partly agree with the above-mentioned statement, however, only 45.9% Russians agree or partly agree with it. 22.5% Latvians but 43.1% Russians disagree or partly disagree with the statement.<sup>48</sup> The division of the protest activities by nationality because of minority education reform, and surrounding political tensions have contributed to ethnically differentiated perceptions about the level of the state’s neutrality towards different ethnic groups.

On the whole, these fundamental freedoms are well guaranteed in the Constitution and international documents binding to Latvia. Nevertheless, several laws narrow down these freedoms, for instance, the right of assembly, and choice of the use of languages in the electronic media. MPs and members of the Parliamentary Human Rights and Public Affairs Committee have on occasion publicly stated that the freedom to use languages should be regulated in the service areas, including the private sphere, on the basis of customers’ rights, which may serve as an indication that the interpretation of fundamental freedoms and the grounds for their legitimate limitations are not stable.

The border between the freedom of expression and incitement to hatred and defamation lacks clarity in several ways: it is not clearly defined by law and its interpretation in case law is not stable. In addition, law amendments affecting issues which are very important for democracy have been passed without thorough analysis or discussion, but there has been a tendency to respond to protest events by elaborating proposals for law amendments, with a view to restricting or at least increasing control over the events. Variable practices implemented by municipalities and even courts in cases of administrative violations also contribute to the conclusion that the interpretation of these freedoms is narrower than the provisions of the Constitution and also lack stability. On the other hand, rulings of the Constitutional Court and some amendments introduced by the *Saeima* cancelling restrictions on the freedom of expression show progress and make norms less restrictive. In practice, there seems to be a tendency of fewer denials to organise public protest events. However, often when permission notes to hold an event are not issued, the adequacy of the grounds of denial, which puts limits on this fundamental freedom, need to be questioned. The fact that administrative fines imposed for breaching regulations on pickets and meetings have been appealed is a positive trend, insofar

as it will lead to the accumulation of case law and thereby gradually a more stable interpretation of the content of these freedoms. So far, however, international court practices and precedents, which interpret legitimate grounds for the restrictions on the freedom of assembly very narrowly, have not been taken into account to a sufficient extent. Therefore the overall evaluation in the year 2004 is satisfactory, while the freedom of movement is evaluated as good.

### **3.3 How secure is the freedom for all to practise their own religion, language or culture?**

The Constitution of Latvia guarantees the right of individuals to practise their own religion, language and culture. According to the Constitution, everyone has the right to freedom of thought, conscience and religion. The church is separate from the State (Art.99). The Latvian language is the official language in the Republic of Latvia (Art.4). Persons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity (Art.114). On 30 April 2002, the Parliament adopted the amendments to the Constitution strengthening the positions of the Latvian language<sup>49</sup>. These amendments were adopted in the light of the Parliament's hotly debated decision made on 9 May 2002 to abolish the requirement of the highest degree of proficiency in the Latvian language for candidates standing for parliamentary and municipal elections. Simultaneously, the requirement for the candidates to submit their self-evaluation of Latvian language proficiency was introduced in the laws on elections.<sup>50</sup>

Latvia has ratified all the core conventions of the United Nations stipulating the freedom for all to practise their own religion, language or culture as well as the European Convention for the Protection of Human Rights and Fundamental Freedoms.<sup>51</sup> However, Latvia has not signed and ratified the Council of Europe Charter on Regional or Minority Languages; and by the beginning of 2005, Latvia has still not ratified the Council of Europe Framework Convention for the Protection of National Minorities, which was signed by Latvia in 1995.

For historic reasons, the issue of language use is quite sensitive in Latvia. Up to the reestablishment of the Republic of Latvia in 1990, the Latvian and Russian language proficiency was asymmetric: in 1989, 81,6% of the residents reported Russian language proficiency, while 62,3% reported Latvian language proficiency (22% of them were Russians and 18% – other minorities).<sup>52</sup> This linguistic situation is a result of the USSR's policy aimed at prioritizing the status of the Russian language. Meanwhile, in 2000, 81,2% of residents reported fluency in Russian and 79% in Latvian (the percentage of ethnic Russians fluent in the Latvian language had increased more than double – 52,3%).<sup>53</sup> However, the protection of the Latvian language remains a topical issue. While several measures have been made to strengthen the positions of Latvian, many of them include some questionable aspects regarding the opportunities for minorities to use their language.

According to the State Language Law, any other language used in the Republic of Latvia, except Latvian as the state language and the Liv language as the language of the indigenous minority, is regarded as a foreign language. The Law stipulates the Latvian language use and protection at the official level – at state and municipal institutions, in the courts, in education and other areas. The Law also regulates language use in the private sphere to the extent that is necessary to protect the legitimate public interest. Additionally, these restrictions should be proportional. This Law does not apply to the use of language in unofficial communications of the people, in internal communications of national and ethnic groups, or in the activities of religious organisations.

The Law defines the dominant role of the Latvian language and provides for the right of everyone to address submissions and communicate in the official language in institutions, public and religious organisations and enterprises. According to the Law, state and local government institutions, courts and institutions constituting the judicial system, and State or local government companies accept from persons and examine documents only in the official language, except urgent submissions of persons to police and medical institutions, rescue services etc. Documents in a foreign language may be accepted if a translation into the official language is attached. Yet, the law does not accept written submissions in a foreign language even if the authorities in the relevant institutions are fluent in this language and if there is a large proportion of minorities in the relevant territory.<sup>54</sup>

In practise, the majority of the police staff uses both Latvian and Russian without interpreter's services in communicating and providing information to detainees; in the border areas, the authorities even use the Estonian and Lithuanian language. Court proceedings take place in the official language. However, a court may also allow another language to be used in some court's proceedings activities (in civil cases) or the whole court proceedings (in criminal cases) if all the parties agree to it. The rulings of the courts should be written in the state language. However, procedural documents (including the ruling) submitted to the persons who participate in the matter in

criminal cases and who do not understand the state language, should be translated into the particular language, which such persons understand. For persons who participate in a case (except representatives of legal persons in civil cases) and who do not understand the state language, the law provides the right to become acquainted with the materials of the case and to participate in the judicial proceedings with the assistance of an interpreter. In practise, there are some problems with delays in translating, for example, translation of court verdicts or court decisions sometimes lasts up to several months.

The Cabinet of Ministers' Regulations which are derived from the State Language Law stipulate the necessary state language proficiency level to the extent necessary for performance of professional duties and duties of office. These regulations cover an extensive (about 80 pages) list of professions and occupations in state and local government institutions as well as court and institutions constituting the judicial system.

In the private sphere, the extent of state language proficiency, approved in the mandatory and official procedure for testing language fluency, is required for the performance of professions and official duties for employees and self-employed persons who perform certain public functions, as well as if the activity affects the legitimate public interest (for example, for medical staff, lawyers, notaries etc.). There have been attempts to extend the restrictions to use language freely in the private sphere, particularly regarding occupations being in close contact with customers. Meanwhile, according to internationally prevailing opinion, such restrictions violate basic human rights since, being too restrictive, they greatly disadvantage a large number of individuals (regarding opportunities to earn livelihood), or are deemed unreasonable or unjustified given the legitimacy of objectives sought and the means employed to reach these objectives.<sup>55</sup>

The right to choose and use personal names is another area of language use in the private sphere. There are two main principles for reproducing personal names: adding of endings to indicate gender, and reproducing of personal names of foreign origin according to their pronunciation in the original language.<sup>56</sup> In 2001, the Constitutional Court received an application from a person who considered that her Latvianized personal name raised problems for asserting her identity. The Court argued that rendering the applicant's personal name according to Latvian traditions and grammatical rules is a restriction of private life, although this practise has a legitimate aim to protect the rights of other inhabitants of Latvia to use the Latvian language on all of Latvia's territory and to protect the democratic state order. Additionally, according to the court's ruling, the threat to the functioning of the comprehensive Latvian language system, allegedly occurring as the result of the permission to spell personal names in official documents exclusively in the original form, is greater than the inconveniences of a person using a passport with a foreign name rendered according to Latvian traditions.<sup>57</sup> It is interesting that the case materials mention the fact that Latvia is the only country in Europe where personal names' transliteration is stipulated by the law. The law allows the indication of the original and historical form of personal names in the passport's page for special notes.

In practise, there have been cases when Registry Offices have not registered the names of children of non-ethnic Latvian origin (e.g. registering the name "Daniels" instead of the parents' claimed name "Daņiļa"; "Nikola" – instead of "Nikoļa").

The laws on education stipulate language use in the education system. According to the Law on Education, education shall be acquired in the official language in State and local government education institutions. In another language, education may be acquired in private educational institutions; in State and local government educational institutions in which educational programmes for ethnic minorities are implemented<sup>58</sup> as well as in educational institutions specified in other laws.<sup>59</sup> In the academic year 2002/3, 70 percent of all the students in the general full-time schools were registered at schools with Latvian language of instruction, almost 30 percent – at schools with Russian language of instruction and less than half of a percent – at schools with other language of instruction. Over the last ten years, the percentage of students at the schools with Latvian or other non-Russian language of instruction has had the tendency to increase, while the number of students attending schools with Russian language of instruction has significantly declined.

On 5 June 2003, the Constitutional Court passed a ruling on a case submitted by 24 MPs from opposition parties regarding minority language use in the media. The Court ruled that the requirement of the Law on Radio and TV to limit the use of language other than Latvian in private electronic media to 25% of broadcasting time violates Article 100 of the Constitution. However, other limitations on the use of a language other than Latvian, including the requirement that any one program must use only one language, remain in the Law on Radio and TV. In 2004, the Cabinet of Ministers, using the prerogative of Article 81 of the Constitution, submitted new amendments to this law. At the end of the year, the President of Latvia returned the amendments to the Parliament for review. According to the amendments, "If the Cabinet of Ministers establishes that in some part of the state territory there are threats to the use of the state language or its use or distribution is essentially insufficient, then the Cabinet of Ministers takes decision on the set of measures to promote the use of the state

language in the respective territory.”<sup>60</sup> There is no indication what authority in what way shall establish the existence and the extent of the language threat, as well as what measures could be implemented for promoting state language use. Yet, this norm raises concern about further possible limitations of language use in radio and TV. The Law on the Press and Other Mass Media concerning newspapers, journals, bulletins and other periodic editions does not contain any limitations of language use.

The Latvian Administrative Violations Code foresees sanctions in cases when the legal norms concerning the Latvian language use are not observed; the State Language Centre has a supervisory function in this area.<sup>61</sup>

As regards freedom of religion, the church is separate from the State, and there is neither official state religion nor defined “traditional religions,” although in practise they do exist and are mentioned as such in public discourse. In state and municipal schools, educators from five<sup>62</sup> confessions can teach the Christian religion, according to the education programme approved by the Ministry of Education and Science.<sup>63</sup> The public schools of national minorities also have the right to teach religion of the relevant minority according to the rules of the Ministry of Education and Science. However, the state funds only Christian faith and ethics lessons. Another function – registry of marriages – is delegated by the state to eight<sup>64</sup> confessions.<sup>65</sup> In turn, the representatives of nine confessions<sup>66</sup> have the rights to fulfil the chaplain service (religious service in the armed forces, places of detention, medical care institutions etc.). Jehovah’s Witnesses<sup>67</sup> have also requested the right to visit prisons, but their request has been turned down.

Christmas, Good Friday and Easter are official state holidays in Latvia. The government has several times discussed but not supported the call to accord the status of an official holiday also to the Orthodox Christmas.

There are over 30 confessions and religions registered in the Office of Religious Affairs (in early 1990s, there were 9 religions). The parishes of a confession have the right to establish only one religious association (church). This limitation is grounded in the argument about possible conflicts concerning the property owned by or returned to the confessions. The parishes of the confessions and religions starting their activities in Latvia for the first time and not belonging to the already registered religious associations are required to register at the Office of Religious Affairs each year during the first ten years in order to prove their loyalty towards the state and the compliance of their activities with the law.<sup>68</sup>

The draft laws for the state agreements with seven confessions elaborated in 2004 show a favour of the state regarding the “traditional” confessions. This step was made after the ratification of the agreement with the Holy See on 12 September 2002. The agreement determines the legal status of the Catholic church in the state, the relations of the state with the Catholic church in Latvia and its representatives.<sup>69</sup> In order to prevent possible discrimination of other confessions, the Parliament has adopted amendments to the Law on Religious Organizations stipulating that separate laws can regulate the relationships between the state and religious association (church); after debates, this provision has only been extended to some of the confessions and religions.

In 2002, the conflict between the organization of Jehovah’s Witnesses and the Rēzekne city community and municipality regarding the building of a house of prayer shows the problems encountered by the representatives of unconventional confessions. A similar situation had occurred earlier in Valmiera. On September 2004, 19 pastors and heads of the Christian parishes in Liepaja signed and published an open letter protesting against the building of a Mormons’ house of prayer. Although there are several thousand representatives of Islam (Muslims), no mosques have been built so far.

From 1999 until 2001 several Jehovah’s Witnesses were sentenced for their conscientious objection to do mandatory military service. Since 2002, the recruits refusing military service on grounds of religion have the right to alternative service.

The duration of the alternative service, which at first was set as double (24 months) that of regular military service has been reduced in 2004 to the same as military service – 12 months.<sup>70</sup>

(For freedom for all to practise their own culture see Section 1.2)

To conclude, Latvian legislation in this area more or less corresponds to international standards. However, several limitations of language use stipulated by the law and the tendency to strengthen these limitations particularly in the private sphere (both in several occupations and in the radio and TV) show that there is still a lack of understanding of the legitimacy and the need for such restrictions in a democratic society. The lack of such understanding derives also from the fact that organizations are forced to search for various solutions regarding language use in order both to avoid violations of the law and at the same time not to complicate and slow bureaucratic procedures. Therefore, the situation in this area can be evaluated as “satisfactory”. Regarding the freedom of religion, neither the law nor practise guarantees equal status of all religious confessions registered according to the law. Although the requirements and evaluation criteria for registration are equal for all confessions and the church is declared to be separate from the state, the state has prioritised more traditional



and larger-sized confessions, while the newly registered confessions have had an unstable status with the need to be repeatedly registered in order to prove their loyalty towards the state. Taking into account these factors, the situation regarding religion could be evaluated rather as poor.

### **3.4 How free from harassment and intimidation are individuals and groups working to improve human rights?**

First initiatives in the field of human rights in both governmental and public areas were launched in the beginning of the 90-ies after Latvia regained its independence. A number of non-governmental organisations, such as “Glābiet bērņus!” (“Save the Children!”) in 1990, Latvian Human Rights Committee in 1992, the Latvian Centre for Human Rights and Ethnic Studies in 1993, resource centre for women „Marta” and others were established. With the support of experts of the European Council, the UN and the OSCE in 1994 the National Programme on the Protection and Promotion of Human Rights was developed. The key goal of the programme was the creation of an independent human rights institution. On 18 July 1995 on the basis of the provisions of the Cabinet of Ministers under Article 81 of the Constitution of Latvia an independent institution – the National Human Rights Office – was formed, while the formerly established post of the National Human Rights Minister at the Ministry of Justice was discharged.

As of the middle of the 90-ies development of human rights organisations was more quantitative than qualitative. No essential state support was provided. However, it should be noted that the state did not hamper or restrict these developments. Besides, the improvement of legislation concerning both non-governmental institutions and national human rights institution is taking place as well.

Non-governmental human rights organisations work in accordance with the same principles as other non-governmental organisations do. The Law on Non-governmental Organisations and Their Unions regulate the sector since 1992. According to the Law NGOs are free to distribute information about their activities; establish their own press and other means of mass media; organize pickets, demonstrations, street processions and meetings in public spaces; maintain contacts with foreign NGOs; form public opinion; conduct other public activities. Regarding the aims and tasks of NGOs the Law provides that they may turn to state, municipal institutions and courts and protect the rights or interests of their members.<sup>71</sup>

As of 1 April 2004 the Law on Associations and Establishments came into force. The Law was developed taking into account experience and legal norms of other countries and suggestions of foreign experts.<sup>72</sup> The goal of the adoption of the Law is to promote development of the public sector, including the field of human rights, and to make the sector more effective. Positive evaluation should be given to the fact that the new Law regulates only those issues which are important for the protection of members of association or establishment and third parties, leaving the choice of other activities in the competence of an NGO. The Law also solves several administrative issues, which were existing till now.<sup>73</sup> Associations and establishments, activities of which provide significant profit for the public or a part of the public, including the protection of human rights and individual rights, and the development of civic society, may be registered as public benefit organisations in accordance with the criteria provided by law and on the basis of a conclusion issued by the Committee of Public Benefit.<sup>74</sup> These organisations, as well as persons who give donations to these organisations, are subject to tax exemptions.<sup>75</sup>

The state funding available for human rights NGOs is very small. Therefore the number of these organisations in Latvia is very low: there are only those which manage to attract funding. The situation, however, has its positive sides as well: independence strengthens objectivity, and these organisations are free enough to express their views.

The Law on the National Human Rights Office (NHRO) regulates work of the National Human Rights Office as of 5 December 1996. The Office is an independent state institution. Its main tasks are provision of information to the public and education; revision of complaints on alleged human rights violations, which also includes the right to clarify the situation on the Office’s own initiative; monitoring of human rights, in particularly with regard to social risk groups; analysis of legal norms, reporting on the situation to the *Saeima* and the Cabinet of Ministers. Decisions of the NHRO are not binding either for state authorities or individuals.

In practice the main function of the NHRO is the revision of applications and complaints.<sup>76</sup> The execution of these tasks takes the majority of the NHRO’s time, because unfortunately the funding which is ensured by the state is not sufficient for the implementation of other NHRO’s tasks provided by law.<sup>77</sup> The lack of funding accounts for the low capacity of the NHRO. On 16 June 2004 the President of Latvia submitted to the *Saeima*

the draft law on the Ombudsman Office, which provides the expansion of the NHRO, its legal mandate and scope of activities. The draft law also provides that independence of the office should be strengthened. However, the draft law has not been reviewed even in the 1<sup>st</sup> reading yet.

The state has not imposed any restrictions on local and international human rights organisations which protect human rights and conduct research in this field.<sup>78</sup> The state fulfils its commitments provided by the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and ensures visits of the Committee for the Prevention of Torture (CPT) to Latvia.<sup>79</sup> The mandate of the National Human Rights Office covers a broad range of rights: to request information from any state and municipal institutions and legal and physical persons, to invite to the Office for providing explanations; besides nobody has the right to hamper the implementation of the Office's activities.

Progress has been observed regarding co-operation among the Prison Administration, State Police, State Border Guard Service and other authorities with human rights NGOs: NGOs have been provided with possibilities to conduct monitoring in closed institutions, and NGOs expertise has been used to raise awareness of staff members of closed institutions on human rights issues. NGOs have developed shadow reports along with reports developed by the state on the implementation of UN covenants and conventions.<sup>80</sup>

However, it would not be correct to argue that society members have a full understanding of human rights and that human rights apply not only to specific groups of people but also to each individual. A part of the political elite interprets attention paid to any human rights issue as criticism and spoiling of the state image, not perceiving it as an integral part of democracy.

On the one hand there is a lack of the state's interest in work and development of human rights organisations. That can be observed in critical comments of the Latvian government on almost all recommendations made by international human rights organisations, in halting the adoption of the Law on Ombudsman Office and raising the funding for the Office so it could be more effective in the implementation of its tasks. On the other hand, progress is observed: there is co-operation among state institutions and human rights experts and institutions, which are asked to take part in discussions on human rights issues and development of legal norms; their co-operation in the implementation of projects. Although the level of state interest in involving NGOs varies, the state authorities invite human rights organisations to be active, thus showing and promoting understanding about the role of these organisations in a democratic society. Though representatives of state authorities tend to respond to criticism rather sharply and not always in an adequate manner, it should be noted that there is no physical harassment or intimidation either towards individuals or state or non-governmental organisations that work for the improvement of the situation of human rights. The overall situation may be evaluated as good.

### **3.5 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?**

The lack of accountability of state repressive authorities to society raises serious concern as from the re-establishment of the independent state. So called closed systems – police, mental hospitals, and prisons to a lesser extent – base their performance on the criteria developed by their internal hierarchies rather than on regulations which are clear for society and adopted in accordance with democratic order. Often these institutions observe law in a rather formal manner. Slower or faster progress can be observed dependent on the field. For instance, if an issue is actual for a wider circle of society, such as police violence, it receives greater attention than, for instance, the lack of complaining possibilities in cases when a person believes that s/he was subjected to hospitalisation without his/her consent. Very seldom political interest to solve these issues can be observed. However, society's trust in state authorities depends on its trust in state repressive structures. The survey reveals that almost a half of respondents do not trust the police.<sup>81</sup> International co-operation plays a very essential role in the improvement of the situation. For instance, in the area of prisons the Nordbalt project of the Nordic Countries played an enormous role, while experts from Northern Ireland have developed the advanced police training programme in the framework of the PHARE 2003 National project „Police Training.”

The lack of attention paid to the high rate of real crime, witnessed by the high number of homicides, at both the public and political level raises serious concern. Obviously, there is a lack of co-ordinated actions to

combat crime. The high number of complaints about the inactive and disinterested work of the police and complaints of policemen about being overworked indirectly confirms that this problem exists.

Positive tendencies in the prevention of publicly identified problems are mentioned in other subchapters of this chapter, and on the whole, the situation can be evaluated as satisfactory.

**The most serious concern.** The most serious concern is the state's disinterest in the formation of independent mechanisms, responsibilities of which would be the supervision of state repressive authorities and implementation of preventive actions regarding possible violations of human rights. Though there are several mechanisms, such as the Internal Security Service of the State Police, Main Inspection on Staff of the Ministry of Interior, as well as the Office of General Inspectorate of the MoI, all these institutions work in one system with the institutions which these authorities supervise (the State Police, the Ministry of Interior and the Ministry of Justice respectively). Thus it may not be concluded that these mechanisms are independent. Besides, these mechanisms need a larger capacity.

**Positive feature.** As of the middle of the 90-ies the ability of the government and state to perceive criticism addressed to them in a neutral manner and get involved in a pragmatic dialogue to discuss and solve issues which are needed to be improved (including at the legislative level) has increased.

**Proposed changes.** The formation of independent authorities, which would supervise state repressive institutions and strengthening of independent ombudsman's institution. Not only should national human rights monitoring authorities have broad mandates in theory and declarative circle of general tasks, but also real financial and political independence. It would lower the level of legal nihilism and raise society's trust in the state.

#### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
3.1			X		
3.2			X		
3.3			X		
3.4		X			
3.5			X		

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- <sup>8</sup> Report to the Latvian Government on the visit to Latvia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 24.01.1999 to 03.02.1999. Prepared in November, 1999, publication authorized by the Latvian Government in November, 2001. <http://www.politika.lv/index.php?id=102260&lang=lv>, visited at 08.11.2004.
- <sup>9</sup> Annual Report of the State Police, 2003. [http://fish.vp.gov.lv/material/Publ\\_parsk\\_2003.doc](http://fish.vp.gov.lv/material/Publ_parsk_2003.doc), visited at 08.11.2004.
- <sup>10</sup> Barclay G. & Tavares C. with Kenny S., Siddique A. & Wilby E. *International comparisons of Criminal Justice statistics 2001*. Issue 12/03, 24 October 2003. [www.homeoffice.gov.uk/rds/pdfs2/hosb1203.pdf](http://www.homeoffice.gov.uk/rds/pdfs2/hosb1203.pdf), visited at 08.11.2004.
- <sup>11</sup> Karnīte, L. Par Valsts programmas cilvēku tirdzniecības novēršanai ieviešanu. (About the introducing of National Programme on the Prevention of Human Trafficking) [www.iem.gov.lv/iem/2nd/?id=1595&cat=34](http://www.iem.gov.lv/iem/2nd/?id=1595&cat=34), visited at 08.11.2004.
- <sup>12</sup> Bērnu tiesību aizsardzības likums. (Protection of the Rights of the Child Law) Adopted on 19.06.1998, in force since 22.07.1998, with amendments announced until 25.05.2004. System of normative information NAIS, <http://pro.nais.dati.lv>.
- <sup>13</sup> Periodic Report of the Republic of Latvia on the implementation of the 1989 Convention on the Rights of the Child in the Republic of Latvia during period from 2001 till 1<sup>st</sup> March, 2004. [www.mkparstavis.am.gov.lv/lv/?id=128&parent=20](http://www.mkparstavis.am.gov.lv/lv/?id=128&parent=20), visited on 08.11.2004.
- <sup>14</sup> Paparde, I. Aleksandrovas skolas direktoru soda nosacīti. (The head of Aleksandrova school receives a conditional penalty) *Neatkarīgā Rīta Avīze*, 6<sup>th</sup> May, 2004, p. 1, 3.
- <sup>15</sup> The Latvian National Human Rights Office, report “The Situation on the Protection of Child’s Rights in Latvia and Measures to Be Taken to Improve It” Riga: 2003, [www.vcb.lv/zinojumi/Bernu\\_tiesibu\\_stavoklis\\_\(pet.%202003\).doc](http://www.vcb.lv/zinojumi/Bernu_tiesibu_stavoklis_(pet.%202003).doc), visited on 08.11.2004.
- <sup>16</sup> Ibid.
- <sup>17</sup> Periodic Report of the Republic of Latvia on the implementation of the 1989 Convention on the Rights of the Child in the Republic of Latvia during period from 2001 till 1<sup>st</sup> March, 2004. [www.mkparstavis.am.gov.lv/lv/?id=128&parent=20](http://www.mkparstavis.am.gov.lv/lv/?id=128&parent=20), visited on 08.11.2004.
- <sup>18</sup> The Latvian National Human Rights Office, report “The Situation on the Protection of Child’s Rights in Latvia and Measures to Be Taken to Improve It” Riga: 2003, [www.vcb.lv/zinojumi/Bernu\\_tiesibu\\_stavoklis\\_\(pet.%202003\).doc](http://www.vcb.lv/zinojumi/Bernu_tiesibu_stavoklis_(pet.%202003).doc), visited 08.11.2004.
- <sup>19</sup> Cooperation Network of Latvia’s Women Organisations. *Shadow report for the joint initial, second and third periodic report on the Convention of 18 December of 1979 on the Elimination of Any Form of Women’s Discrimination in the Republic of Latvia*, Riga: 2004, [www.marta.lv/dokumenti/FINALSHADOW\\_Latvian.doc](http://www.marta.lv/dokumenti/FINALSHADOW_Latvian.doc), visited on 08.11.2004.
- <sup>20</sup> Articles 28, 29, 30, 31, and 32 of the constitutional law The Rights and Obligations of an Individual and Citizen (1991).
- <sup>21</sup> The freedom of movement is stipulated by the Latvian Constitution, as well as by a number of international documents binding for Latvia, including Article 12 of IPCPR and Article 2 of Protocol 4 of the European Convention on Human Rights.
- <sup>22</sup> <http://www.am.gov.lv/lv/KonsularaInformacija/bezvizu/?print=on>, last time visited 04.01.2005
- <sup>23</sup> It has been agreed that the EU Council Directive concerning the status of third-country nationals who are long-term residents 2003/109/EC from 25.11.2003 is being applied to the non-citizens of Latvia.
- <sup>24</sup> Comprehensive monitoring report on Latvia’s preparations for membership, [http://www.europa.eu.int/comm/enlargement/report\\_2003/pdf/cmr\\_lv\\_final.pdf](http://www.europa.eu.int/comm/enlargement/report_2003/pdf/cmr_lv_final.pdf), last time visited 10.10.2004
- <sup>25</sup> [http://www.lm.gov.lv/doc\\_upl/BDK\\_17.08.doc](http://www.lm.gov.lv/doc_upl/BDK_17.08.doc)
- <sup>26</sup> Latvian SOLVIT centre is presently investigating three complaints by residents pertaining to the restrictions on free movement across the EU. Press release by the Ministry of Economics, 20.10.2004 <http://LETA.lv/latvian/arhivs/arhiveitem.asp?ItemID={981841E4-2255-11D9-B3>.
- <sup>27</sup> Organizations with a legal status are registered at the Enterprise Register. The largest number of organisations was registered in 1993 (966), and every year from 500 to 900 new organisations have been registered. On November 1, 2004, there were 8,323 various officially registered organizations. Out of those, 140 were trade unions, and 61 political parties. Approximately 300 organisations were liquidated since 1991. The number of social organizations, or non-governmental organizations, is still low compared to the population of 2,3 million and serves as an indication of a still insufficiently developed civil society.
- <sup>28</sup> Status of non-citizens is being regulated by the Law on the Former USSR Citizens Who are not Citizens of Latvia or Any Other State.
- <sup>29</sup> In January 2004, the Parliament adopted the Law on the Order of Coming into Force of the Law on Societies and Foundations, which stipulates the period during which public organisations can be reregistered as societies and foundations. It also stipulates, that the Cabinet of Ministers should submit proposals on political parties’ activities until October 2004. Until this time, political parties should operate in accordance with the Law on Public Organisations and Associations.
- <sup>30</sup> McBride, J. “International Law on Freedom of Association”, *Enabling Civil Society. Practical Aspects of Freedom of Association*. Budapest: Columbia University Budapest Law Center, 2004, p. 29.

- <sup>31</sup> The RE homepage, <http://www.ur.gov.lv/drukat.php?t=3&id=24&v=lv>, last time visited 02.11.2004
- <sup>32</sup> For example, the European Court of Human Rights found violations in not registering organisations in Germany and Turkey due to the formally interpreted declared aims, but not in the analysis of its real activities and dangers created by these activities. McBride, J. "International Law on Freedom of Association", *Enabling Civil Society. Practical Aspects of Freedom of Association*. Budapest: Columbia University Budapest Law Center, 2004, pp. 33–35.
- <sup>33</sup> McBride, J. "International Law on Freedom of Association", *Enabling Civil Society. Practical Aspects of Freedom of Association*. Budapest: Columbia University Budapest Law Center, 2004.
- <sup>34</sup> Or not less than one quarter of those working at an institution, profession or field.
- <sup>35</sup> Adopted on 20.12.1990, in force since 01.01.1991, with amendments adopted until 12.06.2002, System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>).
- <sup>36</sup> Article 19 of the Universal Declaration on Human Rights, Article 19 of the International Pact on Civil and Political Rights, Article 10 of the European Convention on Human Rights and Fundamental Freedoms.
- <sup>37</sup> Including CoE and OSCE recommendations.
- <sup>38</sup> Kučs, A. *Vārda brīvības robežas: goda un cieņas aizsardzība, naida kurināšana*. Rīga: Providus, 2004, pp. 36–37.
- <sup>39</sup> *Ibid*, p. 60.
- <sup>40</sup> *Ibid*, p. 7.
- <sup>41</sup> [www.leta.lv](http://www.leta.lv), archive, pickets in 2004.
- <sup>42</sup> *Ibid*.
- <sup>43</sup> Ruling of the Administrative District Court (Administratīvā apgabaltiesa) of 10 December 2004 in Case No P15071804/2.
- <sup>44</sup> Giļmanam administratīvo sodu samazina līdz 50 latiem, *LETA*, [www.leta.lv](http://www.leta.lv), on 20 December 2004.
- <sup>45</sup> Ruling of the Administrative District Court of 13 December in Case No 1-27076104/5 and of 2 December 2004 in the Case No 1-27091104/08.
- <sup>46</sup> Activist of the Headquarters for the Defence of Russian-Language Schools will not pay the administrative penalty, *LETA*, [www.leta.lv](http://www.leta.lv), 13.12.2004.
- <sup>47</sup> Questions for the Evaluation of Society's Democratisation. *Report in Tables*, October 2004, the Baltic Institute of Social Sciences, p. 16.
- <sup>48</sup> *Ibid*, p. 63.
- <sup>49</sup> According to the Article 18 of the Constitution, a person elected to the *Saeima* shall acquire the mandate of a Member of the *Saeima* if such person gives the promise to strengthen the Latvian language as the only official language. Article 21 stipulates that the working language of the *Saeima* is the Latvian language; Article 101 the working language of local governments is the Latvian language. According to article 104, everyone has the right to address submissions and to receive a materially responsive reply. Everyone has the right to receive a reply from the State or local government institutions in the Latvian language. (Amendments to Latvijas Republikas *Satversme* (the Constitution of the Republic of Latvia). Adopted on 30.04.2002, in force since 24.05.2002. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>).
- <sup>50</sup> *Saeimas vēlēšanu likums* (The *Saeima* Election Law). Adopted on 25.05.1995, in force since 07.06.1995, with amendments announced until 10.09.2003. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.  
Pilsētas domes, novada domes un pagasta padomes vēlēšanu likums (The Election Law On City and Town Councils, District Councils and Parish Councils). Adopted on 13.01.1994, in force since 25.01.1994, with amendments announced until 25.11.2004. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>51</sup> See Section 3.1.
- <sup>52</sup> Central statistical Bureau of Latvia. *1989. gada tautas skaitīšanas rezultāti Latvijā. Statistikas biļetens. II daļa* (The Results of the National Census in 1989. Bulletin of statistics. Vol. II). Rīga, 1991.
- <sup>53</sup> Central statistical Bureau of Latvia. *Latvijas 2000. gada tautas skaitīšanas rezultāti. Statistikas datu krājums*. (The Results of the National Census in 2000. Glossary of the Statistical Data). Rīga, 2002.u
- <sup>54</sup> With a view to avoiding complication of bureaucratic procedures, local governments can implement their core function securing communication with all the residents of the relevant territory and in practise – searching for flexible solutions (recruiting translators or making brief summaries of the submissions in the state language etc.).
- <sup>55</sup> De Varenness F. Pārskats par mazākumtautību tiesībām valodas lietojuma jomā. (Overview on the Language Rights of the Minorities). Rīga, 2003.
- <sup>56</sup> Noteikumi par personvārdu rakstību un lietošanu latviešu valodā, kā arī to identifikāciju (Regulation on Writing and Use of Person's Names in Latvian Language), issued under the provisions of the 3<sup>rd</sup> part of Art. 19 and 3<sup>rd</sup> part of Art. 23 of the State Language Law. Regulation 114, adopted on 02.03.2004, in force since 06.03.2004. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>57</sup> Ruling on compliance of Article 19 of the State Language Law and regulations No 295 of the Cabinet of Ministers of 22 August 2000 "Regulations on the Spelling and Identification of the Person's First and Last Names" with Articles 96 and 116 of the Constitution of Latvia. Ruling of the Constitutional Court was adopted on 21.12.2001, came into force on 21.12.2001. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>58</sup> See section 1.2.
- <sup>59</sup> *Izglītības likums* (The Education Law). Adopted on 29.10.1998, in force since 01.06.1999, with amendments announced until 13.02.2004. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>60</sup> [www.saeima.lv](http://www.saeima.lv), visited on 17.12.2004

- <sup>61</sup> Fines are imposed in the following cases: signing a labour contract with employees whose state language knowledge is insufficient for performance of their professional duties and duties of office; failure to use the state language at the level necessary for the performance of the professional duties and duties of office; failure to provide translation into the state language at sessions and other meetings at work; disuse of the state language in office work; not signing agreements on the medical, health care, security and other public services in the state language or not attaching translation to the signed agreements; non-acceptance and non-examination of documents written in the state language; failure to provide translation in the events organized in the territory of Latvia; failure to provide the translation of radio, TV and films into the state language; failure to provide or to use titles in the state language; non-reproducing of the seals, stamps and forms in the state language; non-observance of the rules for providing public information; disrespect towards the state language.
- <sup>62</sup> The educators from Evangelical Lutheran, Catholic, Orthodox, Old-Believer and Baptist confessions.
- <sup>63</sup> Reliģisko organizāciju likums (The Religious Organizations Law). Adopted on 07.09.1995, in force since 10.10.1995, with amendments announced until 26.09.2002. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.  
Izglītības likums (The Education Law). Adopted on 29.10.1998, in force since 01.06.1999, with amendments announced until 13.02.2004. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>64</sup> Representatives of Lutheran, Catholic, Orthodox, Old-Believer, Methodist, Baptist, Seventh-day Adventist and Judaist confessions.
- <sup>65</sup> Civillikums. 1. daļa. Ģimenes tiesības (The Civil Law, Part I The Family Law). Adopted on 28.01.1937, in force since 01.09.1993, In edition of 25.05.1993, with amendments announced until 12.10.2004. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>66</sup> Representatives of Lutheran, Catholic, Orthodox, Old-Believer, Methodist, Baptist, Seventh-day Adventist, Judaist and Pentecostal confessions.
- <sup>67</sup> In 2003, there have been 12 parishes of Jehovah's Witnesses officially registered in Latvia.
- <sup>68</sup> Reliģisko organizāciju likums (The Religious Organizations Law). Adopted on 07.09.1995, in force since 10.10.1995, with amendments announced until 26.09.2002. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>69</sup> Likums „Par Latvijas Republikas un Svētā Krēsla līgumu” (The Law on Agreement between the Republic of Latvia and the Holy See). Adopted on 12.09.2002, in force since 25.09.2002. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>70</sup> Alternative Service Law. Adopted on 30.05.2002, in force since 01.07.2002, with amendments announced until 23.09.2004. System of Legal Normative Information NAIS, <http://pro.nais.dati.lv>.
- <sup>71</sup> See also 3.2.
- <sup>72</sup> Public organisations should be reformed into associations or establishments till 31 December 2005. The Law does not regulate activities of political organisations.
- <sup>73</sup> Lešinska A. Personal “Constitutions” for NGO Sector. Portal [www.politika.lv](http://www.politika.lv), 04.11.2003. [www.politika.lv/?id=107581&lang=lv](http://www.politika.lv/?id=107581&lang=lv), last time visited 20.11.2004.
- <sup>74</sup> Work of the Committee of Public Benefit is ensured by the Ministry of Finances. The Cabinet of Ministers approves staff members of the Committee.
- <sup>75</sup> Law on Public Benefit Organisations. Adopted 17.06.2004, effective as of 01.10.2004, with amendments, which introduced till 07.10.2004. Information System of Legal Norms (NAIS – abbreviation in Latvian), <http://pro.nais.dati.lv>.
- <sup>76</sup> According to the annual report of the NHRO: in 1996 – 1642 complaints, 1997 – 3161, 1998 – about 4000, 1999 – 3742, 2000 – 5163, 2001 – 4908, 2002 – 5301, 2003 – 6222 complaints.
- <sup>77</sup> Till 2002 – about LVL 96 000, in 2003 the budget of the NHRO was raised to LVL 140,000 because that year the Unit which deals specifically with the protections of children's rights with 5 staff members was established.
- <sup>78</sup> Publication of the Bureau of Democracy, Human Rights, and Labor of the US State Department Country Reports on Human Rights Practices 2003.Latvia. 25.02.2004. [www.usembassy.lv/LV/Current/hrr\\_lv](http://www.usembassy.lv/LV/Current/hrr_lv), last time visited 20.11.2004.
- <sup>79</sup> First CPT visit to Latvia took place 24.01.1999–03.02.1999, second visit – 25.09.2002–04.10.2002, third visit – ad hoc visit – 05.05.2004–12.05.2004. Till the end of 2004 the government had published only the first CPT report on Latvia and the government's response.
- <sup>80</sup> „Save the Children!” – on the implementation of the Convention for Children's Rights, the Latvian National Committee – on the implementation of the International Pact on Civil and Political Rights and the implementation of the Convention for the Prevention of Torture and Inhuman and Degrading Treatment and Punishment. The Co-operation Network of Women's Organisations – on the implementation of the Convention on the Elimination of Discrimination against Women.
- <sup>81</sup> Baltic Institute of Social Sciences “Questions For the Evaluation of Dynamics of Democratisation of Society”. *Report in Tables*. October 2004.

## 4. Economic and Social Rights

*Feliciana Rajevska and Alfs Vanags*

*Are economic and social rights equally guaranteed for all?*

### Introduction

In the years since 1991 Latvia has transformed its economy from a sub-unit of the Soviet planned economy into what is acknowledged as a 'functioning market economy'. This has involved a major restructuring of the economy – towards services and away from manufacturing – as well as the creation of a variety of new institutions both public and private that are necessary for the proper functioning of a market economy. Examples of new public institutions include the financial and public utility regulators, while examples of private institutions are market economy oriented trade unions and employers associations, who come together in social dialogue at various levels, or more micro level institutions such as numerous arbitration courts that deal at a private level with commercial disputes.

Economic growth resumed in Latvia in 1994, and, after a setback in 1995 due to the Bank Baltija collapse, has been strongly positive ever since (even the Russian crisis did not reverse growth). Since 1995 Latvian real GDP has grown by nearly 60%. Few new jobs were created as a result of this growth, so-called 'jobless growth,' (which, in essence, is acceptable, because it means that productivity was increasing). The National Action Plan for Employment (NAPE) introduced first in 2000, is an annual document that includes measures aimed at both increasing the labour force competitiveness and at eliminating unemployment. Particularly welcome recent labour market developments are that by 2003 the share of long-term unemployment in total unemployment was down to 41% from 58% in 2000. Older workers, especially older women workers have also benefited.

Nevertheless, Latvia remains the poorest country in the EU, with, in 2003, a per capita income of 42.6% of the EU-25 average when adjusted for the cost of living. There are serious inequalities of income across persons and disparities of income, employment and unemployment across regions, as well as significant numbers of socially excluded persons. Thus, the Gini coefficient in Latvia has been steadily rising from around 2.5 in 1991 to 3.6 in 2003. Real GDP in the Riga region is more than 2.5 of that in Latgale, while the level of registered unemployment in Latgale is nearly 3.5 times that in the Riga region.

Thus the evidence suggests that while Latvia has prospered in recent years at the aggregate level significant sections of society have not shared in this bonanza.

### 4.1 How far is access to work or social security available to all, without discrimination?

*Legislation:*

Article 107 of the Constitution: "Every employed person has the right to receive, for work done, commensurate remuneration which shall not be less than the minimum wage established by the State, and has the right to weekly holidays and a paid annual vacation."

Article 109 of the Constitution: "Everyone has the right to social security in old age, for work disability, for unemployment and in other cases as provided by law."

Latvian legislation does not include discriminatory norms. Thus employment and social security should be available to all, without discrimination.

In practice, however, the situation may be different as can be inferred from sociological survey data. For example, a survey conducted by the Social Research Centre “Latvijas Fakti” in October 2004 indicates that one fifth of Latvia’s population have encountered restrictions due to their gender. Also, almost 60% of the population believes that women are more affected by various restrictions.

In December 1999 – January 2000, Baltic Data House conducted a survey on the observance of human rights in Latvia **as perceived by people themselves**. People between the ages of 15 and 74 were surveyed using direct interviews. Altogether, 1040 people were interviewed in 104 locations across Latvia.

Among the most important problems mentioned by respondents were: the provision of social guarantees (47%), the right to work and fair and favourable work conditions (41%) and the right to education (34%). People are also concerned with the children’s rights (32%) and the disabled (14%).

From a socio-demographic perspective, the people who are most critical are non-Latvians, aged 15-49, living in towns, have secondary and higher education, and who are able-bodied (both employed and unemployed)

48% of non-Latvians and 35% of Latvians have encountered problems when executing their right to work, 23% of non-Latvians and 13% of Latvians have had problems with respect to housing. Rights with respect to work are of most importance to people within the age groups (35-49 year olds – 52%, 25-34 year olds – 45%, 50-64 year olds – 39%). For older workers the main problem is that jobs tend to be offered to people of 35 years and younger.

Table 4.1

#### Most urgent human rights problems in Latvia

PROBLEM	Proportion of respondents that regard the problem as most urgent, %
Ensuring of social guarantees	47
Right to work and fair and favourable work conditions	41
Right to education	34
Children’s rights	32
Citizenship issue	21
Right to housing	18
Right to personal security	16
Right to an environment safe for health	14
Rights of the disabled	14
Right to a fair trial	7
Right to the inviolability of private life	6
Patient rights	5
Right to address a local government	4
Freedom of political beliefs	3
Right to have one’s application considered in government institutions	3
Freedom to move	3

Source: Baltijas datu nama pētījums par cilvēktiesību ievērošanu Latvijā 1999. gada decembrī – 2000. gada janvārī; 2. lpp.

People on a low income (<40 Ls a month per household member) are more likely to have been discriminated against with respect to their right to work (<40 Ls – 49%, all respondents – 41%). Work is one of the most important and sensitive human activities and the opportunity to exercise the right to work has a direct or indirect link to other important rights and guarantees. For example, the right to an acceptable living standard, including



food and housing, the right to social security in old age, or the right to unemployment benefit or to benefits in other cases of social risk are all linked to the possibility of work. This topic in the questionnaire was formulated very broadly: "the right to a job and fair and favourable work conditions."

Altogether, 24% of respondents were not satisfied with the human rights situation in Latvia. Most frequently this was mentioned by non-Latvians (31%), non-citizens (33%), inhabitants of Riga (29%), and people with higher education (33%). However, people aged 65-74 (15%), pensioners (17%) and people living outside Riga (20-21%) point this out less frequently. 47% of those who believe that their human rights have been violated, mention violations in the area of labour relations. The second largest group (24%) of respondents name violations of social security rights.

Human rights violations **in labour relations** have been at the top of the problem list since 1996 (in 1996 – 38%, in 1998 – 45%, in 2000 – 47%). The increase in the proportion of violations in this particular area is especially worrying. This may indicate that people understand their rights better, which is a positive fact. However, it may also be an alarming indicator of underregulated labour relations. The group of respondents who mention such violations is both broad and diverse. Violations in this area are most often cited by the unemployed (82%), people with low income (<40 Ls per household member – 68%), people in the age groups of 35-49 (62%) and 25-34 (52%), civil and public servants (57%), people from rural areas (56%), men (54%) and non-Latvians (49%).

Violations of the **right to social security** are mentioned more often by older people 65-74 (47%), pensioners (49%) and by women (27%).

Respondents, whose human rights have been violated, mentioned most frequently their **nationality** (in 1996 – 43%, in 1998 – 32%, in 2000 – 28%), their **language** (25%, 32%, 24%, respectively), their **age** (13%, 29%, 19%) and their **low-income status** (included in the survey for the first time in 2000; result in 2000 – 19%) as the reasons for these violations.

Of those who believe that their human rights have been violated, only 26% have sought help, most often – at the local government (7%) and in the courts (7%). The main reasons why the other 74% have not sought help include the lack of confidence in institutions and organizations dealing with such conflicts (38%), lack of information (14%), and some of them admit that their complaint is minor (13%).

Only 0.8% of the respondents have turned to the Latvian National Human Rights Office (LNHRO). In 2003, the LNHRO received 49 written complaints and 197 oral complaints regarding the right to work, mainly complaints about giving notice of work termination and dismissal from work, as well as unpaid wages and incorrectly calculated vacation pay, non-issued tax cards, etc. 43 of the 49 written complaints have been closed after the people complaining obtained advice on which institutions they should address to solve their issues legally, since the LNHRO often is the first authority people turn to with their problems instead of the State Labour Inspectorate, the social assistance service, local governments, house management, etc. In cases like this, the LNHRO acts as an institution that educates the public on human rights issues.

In 2003, the LNHRO received 136 written and 496 oral complaints, concerning primarily the issues of granting and calculating of pensions (63), local government benefits (35), provision of social guarantees (23), the state benefits (7) and compensation for harm caused to one's health (8). 92 of the 136 written complaints were closed after advice from the office.

In October 2004, the Baltic Institute of Social Sciences (BISS) conducted a survey, which included questions like "Over the past 12 months has your family had to give up such commodities as food, heating, electricity, clothing or footwear that are truly necessary, medication, medical aid?" The respondents were given the following response options: "often", "sometimes", "rarely" and "never" (see Table 4.1.1). The data indicate that nearly every eighth respondent has often had to give up medication, clothing or footwear. However, in the group of people with an income of no more than 40 lats per household member, over 20% of respondents often had to give up medication and medical aid, nearly 19% – the necessary footwear or clothing, and just over 17% – food. The responses of the next income group, 41–70 lats, were very similar. This is not surprising, given that in the 3<sup>rd</sup> quarter of 2004 the monthly subsistence cost of living was nearly 99 lats, and for 2004 as whole it was the just over 99 lats. The most deprived groups of the population were pensioners (27.8% often had to give up medication and medical aid and 26.5% sometimes had to give it up) and the unemployed.

The development of a wage system that enables a person employed full-time to support himself or herself as well as his or her family, should become the main priority of Latvia's policy.

Table 4.2

**Giving up satisfaction of the primary needs** (% of all respondents)

Giving up of	Often	Sometimes	Rarely	Never	No answer
Food	9.2	21.3	20.5	48.6	0.5
Heating, electricity	3.8	9.8	13.3	72.5	0.7
Clothing or footwear, which are truly necessary	12.7	25.7	23.4	38.0	0.2
Medication, medical aid	13.5	19.5	21.8	44.2	1.1

Source: Baltijas Sociālo Ziņātņu institūts. Jautājumi sabiedrības demokrātizācijas dinamikas novērtēšanai, Tabulu atskaite. Rīga, 2004. gada oktobris, 9.1.–9.4. tab.

## 4.2 How effectively are the basic necessities of life guaranteed, including adequate food, shelter and clean water?

### *Legislative Foundation*

Article 115 of the Constitution: “The State shall protect the right of everyone to live in a benevolent environment by providing information about environmental conditions and by promoting the preservation and improvement of the environment.”

The Law “On Social Security” – Section 9 – Allowance to ensure adequate housing: “Everyone has the right to an allowance to cover the costs associated with the provision of adequate housing or to alleviations of rent in accordance with the law.”

As for food issues, a broad legal base has been developed that regulates the protection of consumer rights, food turnover rules, issues related to food labeling and the right of consumers to become acquainted with the product to be purchased, etc.

The purpose of the **Food Supply Supervision Law** (adopted on February 19, 1998) is to ensure the supply of food that is of good quality, is healthy food and does not damage life and the environment. This is to be achieved by preventing risk, facilitating trade and protecting consumer interests. The Law applies to all kinds of food supply and to anyone involved in food supply as a business and as an individual. Section 11 of the Law requires that drinking water, as well as the water used in food processing or in washing food-related inventory and equipment, and for ice used for direct cooling, should conform to the requirements of the valid regulatory technical enactments, except for the processing of raw fish in the open sea, where purified sea water may be used. Section 13 of the Law requires that the information provided on the labels, as well as the advertisements may not be deceptive or attribute qualities to the product it does not possess. The food business responsible for the production or packaging of the product, or the food distributor (if it has altered the original product packaging, its labeling or has attached a new labeling) is also responsible for the compliance of the labels with the true indicators and packaging contents. Regulations on when the food is recognized as unusable are clearly defined.

Section 13 of the **Consumer Rights Protection Law** (adopted on March 12, 1999) points out that the producer, the seller or the service provider are responsible for ensuring the quality of a good or service. A good or a service should also correspond to the information the producer, the seller or the service provider gives about this good or service. The Law also specifies the rules regarding the labeling of the goods and the establishment of public organizations for consumer rights protection.

The Cabinet Regulations No. 150 “Regulations of Food Product Labeling” (adopted on March 23, 2004) require that the labeling of the prepacked food products must be located visibly on the primary packaging or on a label attached to the product. The information provided on the label should be easy to comprehend, visible, legible and indelible. The information provided on food product labels, as well as the methods used in the labeling must not deceive the consumer about the nature, identity, qualities, content, quantity, expiration date, place of origin or methods of production of the food product. There is a series of other regulatory enactments whose task is to ensure food supervision.<sup>1</sup> Therefore, it can be concluded that the legislation base in this area is aligned.

Food policy is a very interdepartmental issue. The **Consumer Rights Protection Centre** is under the supervision of the Ministry of Economics. The **Food and Veterinary Service** is under the supervision of the

Ministry of Agriculture. In accordance with the “Food Supply Supervision Law” the Ministry of Welfare shapes and coordinates food policy and is responsible for development of general food safety requirements and submission of corresponding draft regulatory enactments to the Cabinet of Ministers. The **State Sanitary Inspectorate** of the Ministry of Welfare controls the compliance of drinking water, supplied to the public via water supply systems, with the requirements laid down in the regulatory enactments. The Cabinet of Ministers determines the procedure for monitoring and control of drinking water.

The **Food and Veterinary Service (FVS)**, which began operation on January 1, 2002, supervises all food markets. Its task is to ensure distribution of safe food to consumers nation-wide by controlling food in all stages of its turnover. The FVS utilizes the approach “from field to table” in its activities, which means that consumer interests are protected not just with regard to health issues, but also with regard to issues of animal welfare, ethics and environmental protection. The “Food Supply Supervision Law” defines the functions of the FVS. The **Food Council** – a coordinating and consultative institution – evaluates the funding of the FVS. The Minister for Agriculture is the chairman of this Council. The Council includes representatives from the Ministries of Agriculture, Economics, Health and Environment, as well as from the State Revenue Service (SRS), the Main Customs Administration, State Police, the National Fishery Administration (NFA), Food and Veterinary Service and other institutions (Cabinet of Ministers Regulations – Food Council Statute). The “Food Supply Supervision Law” also determines the operation of the Latvian Food Centre. The **Latvian Food Centre** is a government institution, headed by a director who is appointed by the Cabinet of Ministers on the suggestion of the Minister for Welfare in coordination with the Food Council. The tasks of the Centre include the examination of complaints and suggestions related to food inspection and incidents of distribution of low-quality food, harmful to human health, life or environment.

According to Section 25 of the “Consumer Rights Protection Law”, the **Consumer Rights Protection Centre** is a government institution under supervision of the Ministry of Economics, which acts in accordance with the statute, approved by the Cabinet of Ministers. The main task of the Centre is to ensure protection of consumer rights and interests. The **non-governmental sector** also deals with consumer interest protection. The first organization for the protection of consumer rights was established in 1989 – the Riga Club of Consumer Rights Protection. This Club was the author of the first draft law “On Consumer Rights Protection” (28.10.1992) and has actively participated in the development of other regulatory enactments on consumer rights protection in the field of advertising and consumer information, etc. Similar clubs for consumer interest protection have been established in other towns of Latvia (Jelgava, Rezekne, Daugavpils, etc.). On March 13, 1999, the above-mentioned organizations united with the goal to create a network of consumer interest protection and founded a unified organization – **Latvian National Association for Consumer Protection (PIAA)**. In 2002, the member organizations of the Association examined 3667 consumer complaints, the majority of which (38%) were about legislation, followed by rent and utilities (37%), other services (12.4%), other goods (6.3%), appliances (5.5%), food products (5.4%), footwear (5.1%), etc. The Association conducts educational seminars, training and discussions in Riga and other regions of Latvia, thereby introducing society to consumer rights and consumer protection legislation. It organizes training for representatives of the regional clubs on a regular basis to promote more effective consultations of consumers in regions.<sup>2</sup> “**The Consumer Guide**” operates since August 31, 2000, fashioned after the European consumer organizations as an educational, independent online consumer advisory organisation.

Conclusion: a broad institutional foundation has been created for food supervision and food supply control, and food consumers have opportunities to complain both via the non-governmental organizations and via the Food and Veterinary Service (by using the FVS hotline, for example).

At the same time, however, in Latvia there is relatively high income inequality and a high population poverty risk index. In Latvia the relation between the incomes of the highest and lowest quintiles in 1999 was 5.1 (EU-15 – 4.6), but in 2002 it was up to 5.5. In 2002, 16% of the population was at risk of poverty. However, the threshold of poverty risk in Latvia is very low. In 2002 it was 59 lats in a single-person household per month or 706 lats per year. The threshold of poverty risk in the EU-15 countries in 2001 was 3.6 times higher. Household Expenditure Survey data indicate that 80.00 lats was the average available income per household member per month in 2002. In 2002, 35%<sup>3</sup> of households with one adult and one or more children and 22% of households with two adults and three or more children were at risk of poverty. In 2002, according to the Household Expenditure Survey data, 39% of the total number of children lived in the 20% poorest households of Latvia.<sup>4</sup>

In the course of the poll conducted by the Baltic Institute of Social Sciences during September 30-October 21, 2004, “Questions for the Assessment of the Society Democratization Dynamics,” 1002 respondents were polled. When asked the question “Has your family had to give up food products during the past 12 months?” 9.2% of the respondents answered “often”, 21.3% - “sometimes”, 20.5% - “rarely”, and 48.6% - “never.”

The very low amount of the social security benefit (35 lats) limits the right to food of those people who must subsist on this benefit alone. **Social security expenditure** in absolute numbers has been increasing since 1997, yet the share of social security expenditure in GDP has decreased from 13.4% in 1998 to 11.9% in 2001.

### *Ensuring the Right to Housing*

Legislation regarding the right to housing has been in the process of amendments since the restoration of independence. During the Soviet period the housing sector was included in the social sphere. During the initial period of the transition to a market economy (1991-1995) housing-related legal and regulatory enactments were developed with the goal of creating preconditions for the introduction of market relations. To some extent, the previously established rights and social guarantees of tenants were preserved.

The laws passed during the period of 1995-2002 relate to apartment privatization, the adjustment of property relationships in apartment buildings with apartments privatized separately, one by one, maintenance of these apartment buildings, social assistance provision regarding housing, as well as land use and sorting out the technical issues of housing construction.

The law “**On Residential Space Rent**” (entered into force on April 1, 1993) has been amended seven times – the last amendments were made on December 20, 2004 – and is highly important. This law regulates the terms for renting residential space, as well as the legal relations between the renter and the tenant; determines their rights and obligations, regulates the procedure of conclusion, amendment and termination of rental agreements for residential space. The initial version of the Law included a norm specifying that the renter may terminate the rental agreement of the residential space and evict the tenant and his or her family members and other persons without providing alternative housing in the following cases (Section 28, Paragraph 2):

- 1) if the tenant has not paid rent for more than three months, although the tenant has been granted the opportunity to use the residential space in accordance with the rental agreement and the regulatory enactments;
- 2) if the tenant has not paid for basic services for more than three months, although the tenant has been granted the opportunity to use the basic services in accordance with the rental agreement and the regulatory enactments.

The renter must warn the tenant about the termination of the rental agreement in writing at least a month before the renter brings a claim to court. In cases when the renter does not have information about the location of the tenant, the renter may raise a claim in a court provided a warning has been published in “*Latvijas Vestnesis*” a month before. As a consequence long waiting lists to hear such cases developed in the courts of Latvia and the number of homeless people increased rapidly.

Several norms of the Law have been amended, specifying the categories of people who should be assigned residential space, as well as defining what kind of apartment is deemed adequate for living. Also, the responsibility and the ways of involvement of local governments in solving housing issues were defined. Norms have been incorporated into the legislation, which protect socially excluded people or people under the risk of such exclusion from loss of housing. The legislative norms in force since 2002 no longer permit the eviction of families with children as a consequence of rent and public utility payment debts without assigning alternative residential space. Since 1997, the status of social apartments and the procedure and the criteria for assigning such apartments have been specified. Since 1995, the obligation of local governments to grant housing benefits to families unable to pay the rent and utilities in full due to insufficient income has been specified.

In 2000, rent and public utility expenses in the total household expenditure was 17%, and the proportion of food expenses was 38%, which, when put together, amount to 55%, although, by 2002, these numbers decreased to 13% and 35% respectively, totaling 48%. By comparison, in EU countries the total proportion of these two types of expenditures amounts to 38%. This is a considerable difference.

According to the existing legislation, **assistance should be provided only to people locked in an impasse situation**. Assistance is not available to most of the less-protected groups (families with children, pensioners, young families, etc.) whose income is greater than the defined minimum for a low-income person, yet is nevertheless insufficient to accumulate savings to improve or purchase/rent housing in the private sector by paying a market price.

Since 1992, 11,684 houses have been returned to their legal owners, 10,302 of which are residential buildings with 77,828 apartments (source: Central Statistical Bureau of Latvia). In Riga, there are 4213 denationalized buildings and buildings returned to legal owners with 51,000 apartments or 2/3 of the total number of apartments in denationalized buildings.

Table 4.3

**Denationalized Apartments**

	Private rent apartments, denationalized and returned to their legal owners		Including current tenants who lived in this apartment before the building was denationalized	
	Apartments	Percentage of total private rent apartments	Apartments	Percentage of total denationalized rent apartments
<b>Total</b>	<b>40 270</b>	<b>87</b>	<b>29 084</b>	<b>72</b>
Riga region	28 804	93	21 544	75
Including Riga	27 302	93	20 295	74
Vidzeme region	3971	77	2909	73
Kurzeme region	4077	83	2360	58
Zemgale region	2813	68	1848	66
Latgale region	605	76	423	70

Source: Privātie īres nami. Biļetens 2004. Rīga: Latvijas Republikas Centrālā statistikas pārvalde, 2004, 3.lpp.

87% of rented apartments are currently located in denationalized buildings returned to their legal owners. The existing laws and Cabinet regulations do not provide equal opportunities to enter the housing market for all tenants of the former national/local housing fund. That is, those, who have been given an opportunity to privatize their rent apartments, enter the market with a startup capital; those, who do not have such an opportunity (tenants of denationalized buildings, for example), are forced to enter the market without such capital.

According to the amendments of the law “On Residential Space Rent”, which took effect on January 1, 2002, local government assistance is provided also to the tenants of denationalized buildings and their families by allocating alternative housing of equal worth, provided that the rented apartment is located in a denationalized building or in a building returned to its legal owner and which the owner (or his heir) needs for living. Thereby, the rights of those tenants who do not belong to the low-income group are protected. However, are the local governments able to provide alternative housing? Moreover, one that is of equal worth to the previous one?

The rent and utilities charges cause significant problems. The Transitional Provisions of the law “On Residential Space Rent” specify a rent ceiling, denoting: “If the apartment is located in a denationalized house or a house returned to its legitimate owner and the tenant has used the apartment before the restoration of the ownership rights, the rent of the residential space is established by a written agreement of both parties, including in the rent a portion of the maintenance costs of the respective residential building proportional to the space of the respective rented apartment, and revenue. However, if an agreement is not reached, the renter sets the apartment rent. There is a schedule of maximum rents per square meter which is: 1) 0.24 lats in 2002; 2) 0.36 lats in 2003; 3) 0.48 lats in 2004”. It should be noted here that the rent in privatized and municipal apartments is 14.8 santims, which in 2004 was less than a third of the maximum rent in denationalized properties. It is no wonder that tenants of denationalized apartment buildings have greater problems with paying rent.

Table 4.4

**Payment Difficulties for Apartment**

	Payment of apartment rent and utilities has been very difficult during the past year		Owe rent and public utility payments for apartment	
	Tenants	Percentage of total tenants of private rent apartments	Tenants	Percentage of total tenants of private rent apartments
<b>Total</b>	<b>19 487</b>	<b>42</b>	<b>5282</b>	<b>11</b>
Riga regions	14 792	48	3626	12
Including Riga	14 226	48	3425	12
Vidzeme region	1747	34	546	11
Kurzeme region	1504	31	488	10
Zemgale region	1035	25	509	12
Latgale region	410	51	114	14

Source: Privātie īres nami. Biļetens 2004. Rīga: Latvijas Republikas Centrālā statistikas pārvalde, 2004, 6.lpp.

The data indicate that almost half of the tenants have had significant difficulties with the payment of rent and utilities. Moreover, if the number of persons with debts of rent and public utility payments is considered, then the total is more than a half of all tenants. In the course of the poll conducted by the Baltic Institute of Social Sciences during September 30-October 21, 2004, "Questions for the Assessment of the Society Democratization Dynamics," 1002 respondents were polled. When asked the question "Has your family had to give up heating and electricity during the past 12 months?" 3.8% of the respondents answered "often", 9.8% – "sometimes", 13.3% – "rarely", and 72.5% said "never."

What hinders the solution of the problem? First, it is the fact that since the restoration of independence the state and the local governments have not participated or participated only marginally in the construction of new housing. In the housing sector the number of dwellings and apartments constructed by local governments has been negligible up to 2002.

Something of a turnabout came only in 2003 and 2004. Recently, the number of social residential houses has increased, which, on the one hand, indicates that the population is provided with housing security, but, on the other hand, it indicates that a certain portion of the population is unable to support itself independently under existing economic conditions. The number of social residential houses has grown from 56 homes in 2001 to 74 in 2003. Moreover, the large number of persons on the waiting list to improve their housing conditions must also be taken into consideration. In 2003, it was 10,449 persons.

Solutions are sought in different ways. The last amendments (of December 20, 2004) to the law "On Residential Space Rent" specify: "If the apartment is located in a denationalized house or a house returned to its legitimate owner and the tenant has used the apartment before the restoration of the ownership rights, the rent of the residential space is established by including in the rent a portion of the maintenance costs of the respective residential building proportional to the space of the respective rented residential apartment, and the revenue. The amount of the rent is determined by a written agreement between the tenant and the renter. However, if such an agreement is not reached, during the time period until December 31, 2007, the rent per one square meter of the rented apartment may not be higher than: 1) 0.24 lats in 2002; 2) 0.36 lats in 2003; 3) 0.48 lats in 2004; 4) 0.60 lats in 2005; 5) 0.72 lats in 2006; 6) 0.84 lats in 2007." After December 31, 2007, the rent may be increased during the operation of the existing rental agreement upon a mutual agreement between the tenant and the renter.

With the amendments to the Law On Local Government Assistance in Solving Housing Issues, which entered into force on January 25, 2005, in addition to the existing authority to prioritise tenants of denationalized dwelling-houses, local governments have authority to provide such tenants with assistance in purchasing or constructing residential space by covering interest payments fully or partially.

The state may also provide assistance to the aforementioned risk group by issuing a guarantee for purchase or construction of a residential space (Section 27. of the law "On Assistance in Solving Housing Issues"). With the aforementioned amendments to the law a local government is authorized in accordance with the procedure and the amount prescribed in the regulations binding to the town council to award a lump-sum allowance for vacating residential space to the tenants of denationalized dwelling-houses also in cases of eviction (Section 26. of the law "On Assistance in Solving Housing Issues"). The state participates by providing 50% of the allowance for vacating residential space that the local government has awarded.

The Cabinet Regulations No.237 "Procedure, According to Which Local Governments Are Allocated Earmarked Subsidies for Solving Housing Issues", passed on April 5, 2005, specifies also the opportunity to receive a subsidy for purchasing denationalized housing from its owner totaling 30% of the purchase value, yet not exceeding five thousand lats.

### **4.3 To what extent is the health of the population protected, in all spheres and stages of life?**

Article 111 of the Constitution: "The State shall protect human health and guarantee a basic level of medical assistance for everyone."

Section 6 of the law "On Social Security" – "The Right to Health Care". Everyone has the right to the defined preventive and treatment health care minimum, which has been prescribed by the law.

The Joint Inclusion Memorandum (JIM) (which the Latvian government accepted and the Minister for Welfare Dagnija Staķe signed in December 2003 in Brussels, together with other authorized representatives of

the then-candidate countries of the EU), evaluated the overall health situation of Latvian society by lifespan and mortality indicators. The Government of Latvia sees it as **unsatisfactory**. The mortality rate is very high – in 2002, 13.9 deaths per 1000 population (9.8 in the EU in 1997). Average life expectancy is low – 65.4 years for men and 76.8 years for women (2002), which is an average of 10 years less than that of the EU member states' population. There is a high mortality rate among people of working age as well – almost one fifth of the people who died in 2002 were between the ages of 20 and 59.

Also, the sickness rate has been much higher in Latvia than the EU, especially that of cardio-vascular diseases. In 1999, in Latvia the standardized mortality coefficient per 100,000 population aged 64 or less was three times that of the EU indicators.<sup>5</sup> Latvia's standardized mortality coefficient per 100,000 population aged 64 or less for infectious diseases was four times that of the EU indicators.<sup>6</sup> The decrease of the proportion of funding allocated from the GDP to social security has a negative impact on the standard of living and the health situation of the people. In 2001, only 3.4% of the GDP was allocated to health care.

Many factors limit the right of the people to receive good quality health care:

- A lack of understanding and information on the minimum state-guaranteed medical services;
- In Latvia the health, social care and rehabilitation services network is insufficiently developed (both in terms of territorial coverage and the range of services offered);
- The incompatibility between available health care funding and the actual prices of services decreases the availability of state-sponsored health care services, thereby creating lines to access certain medical services;
- People pay disproportionately high direct payments for health care services;
- Under current working conditions and wages, the shortage of medical personnel increases, especially in the area of mid-level medical personnel.

Table 4.5

**Sense of Perilousness of One's Life: topicality of potential threats in September 2002**

Threat (that something will happen, begin, continue or prove true) What are you afraid of in your private live?	Average mark for all respondents
Will not be able to pay medical bills in case of illness	3.28 (1)
Will not receive medical services of adequate quality in case of illness	3.27 (2)
Will become seriously ill	3.26 (3)
When retired, will not receive a pension sufficient for subsistence	3.08 (4)
Will be left without means of subsistence	3.08 (4)
Will incur accidents	3.08 (4)
Will not be able to pay rent and utilities	3.03 (5)

Source: Latvija. Pārskats par tautas attīstību 2002/2003. Cilvēkdrošība. Rīga, 2003, 32-33.lpp

Respondents are asked to indicate their sense of perilousness on the scale: 1 – not afraid; 2 – rather not afraid; 3 – slightly afraid; 4 – very afraid.

The greatest concerns stem from the disarray in the health system.

The table reports the results of a survey on what people regarded as the most serious life threats they faced. 83% of respondents expressed concerns about the first three positions linked to the operation of the health care system. The concern that the pension in old age will not be sufficient for subsistence was voiced by 75% of the people surveyed; 73% were afraid to be left without means of subsistence; 72% of respondents were not sure if they will be able to pay rent and utilities. 61% of respondents are worried that they might lose/not find a job and 58% were not sure they will be able to pay for their education or that of their children. These data indicate that in the society as a whole there is a sense of insecurity about guarantee of their basic needs.

In the course of the poll conducted by the Baltic Institute of Social Sciences during September 30-October 21, 2004, "Questions for the Assessment of the Society Democratization Dynamics," 1002 respondents were polled. When asked the question "Has your family had to give up medicine and medical assistance during the past 12 months?" 13.3% answered – "often", 19.5% – "sometimes", 21.8% – "rarely", and only 44.2% said

“never.” According to the regulations “Health Care Funding and Organization Procedure”, developed by the Ministry of Health in November 2004, starting in 2005 patient fees will be increased and the state-sponsored services basket will be decreased. A family doctor will be entitled to determine the charge for a home visit. The maximum amount of in-patient fee will increase considerably (5 lats beginning the second day, yet not exceeding 80 lats per each case of hospitalization; previously the amount could not exceed 25 lats). The new regulations expanded the list of those services the state does not pay for and defined the categories of patients who are exempt from fees. In general, the access to health services will increasingly become dependent on the paying capacity of the patient.

#### **4.4 How extensive and inclusive is the right to education, including education in the rights and responsibilities of citizenship?**

Article 112 of the Constitution prescribes that everyone has the right to education. The state provides an opportunity to acquire free primary education and secondary education. Primary education is mandatory.

According to the law, everyone should receive primary education. However, statistical data indicate that 1755 children aged between 7 and 15 were not attending school in 2002. Moreover, it is very difficult for people without primary education to enter the education system later. The number of dropout students is disproportionately high. As the data of the table on dropouts indicates, nearly 3.5 thousand children in grades 1–4 dropped out of school in the Academic Year 1999/2000. In the AY 2001/2002, the situation seemingly improved, because only 3,000 children dropped out. However, considering that the number of children in this age group is decreasing, the proportion is not changing. This is consistent with illiteracy data. These signal a very alarming trend in the field of education after the restoration of independence: the proportion of illiterate people (% of the total population in a given age group) has been growing with each generation. The proportion is the lowest among the 40–49 year-olds – 0.10 (1 per thousand), 20–29 year-olds – already 0.19, but 15–23 year-olds – already 0.23, which is only slightly less than among those whose childhood coincided with World War II and the post-war years (age group of 60–69 – 0.25). The situation in grades 5–9, with more than 4 thousand children dropping out annually in addition to several hundreds of those who receive only grade reports instead of a certificate, also indicates that the provision of the law prescribing compulsory primary education for all state residents is not implemented fully. Not all parents are coping with the education of their children without help from the local governments and schools.

There are also education quality differences between towns and rural areas. For example, the OECD Pisa Project reports that these differences appear in the supply of study materials as well as on the level of acquired education.

In general, children with special needs have limited access to education and supply of study aids.

The Ministry of Education and Science offers special programs of basic education for children with special needs. However, according to the LNHRO experts, the specialized educational institutions are unable to implement fully the basic principles of the social integration of children with special needs: namely independence and participation.

The recently implemented education reform in Latvia generated a hostile reaction from the non-Latvian-speaking part of society, which believes that the new policy violates their rights to educate their children in their native tongue.

The proportion of youth, aged 22, with at least secondary education can be seen as a general indicator of the level of education. In Latvia, in 2003, this indicator was 74% in comparison to the approximately 74% of the EU-15 countries and the slightly greater 88% of the ten new EU member states.

As for higher education, in Latvia currently there is no state institution of higher education which offers programmes in Russian – instead, this has been left to the private sector. At the moment, there are 19 private institutions with approximately 23% of the total number of students attending institutions of higher education.

The public sector dominates higher education. However, two factors limit the availability of study places

- i) Competition for places – for example, 7.7 applicants per study places in the University of Latvia;
- ii) The limited number of state-sponsored study places – in the Academic Year 2003/2004, about 24% of students won a state-sponsored study place, while the rest had to pay tuition. This indicator has decreased from 50% in AY 1997/1998. The greatest imbalance appears in social sciences and law, where only 10% of students won state-sponsored study places.



Table 4.6

**Dropouts by grade groups in comprehensive day schools**

	AY 1999/2000	AY 2000/2001	AY 2001/2002
Total including:	9572	9727	9056
Grade 1 – 4	3468	3322	2925
Grade 5 – 9	4124	4473	4128
Grade 10 – 12	1980	1932	2003

Source of Data: [http://www.lm.gov.lv/doc\\_upl/LMMemorandsLV\\_230104.doc](http://www.lm.gov.lv/doc_upl/LMMemorandsLV_230104.doc)

Table 4.7

**Illiteracy in Latvia**

	Total	Age Group, years						
		15–19	20–29	30–39	40–49	50–59	60–69	70 +
Total population aged 15 and older	1 947 035	177 528	325 429	335 005	329 683	281 238	266 567	231 585
including: unable to read and write	4456	415	621	431	338	384	670	1597
% of total population in the age group	0,23	0,23	0,19	0,13	0,10	0,14	0,25	0,69

Data source: Population Census of 2000.

Table 4.8

**Graduated from comprehensive schools (not including the special schools)**

	AY 1999/2000	AY 2000/2001	AY 2001/2002
<b>Students, graduated from the 9<sup>th</sup> grade</b>			
<i>In day schools</i>	25882	25966	31169
with certificate	25336	25370	30556
<b>with grade report</b>	<b>546</b>	<b>596</b>	<b>613</b>
<i>In evening schools</i>	1351	1146	918
with certificate	1003	848	697
<b>with grade report</b>	<b>348</b>	<b>298</b>	<b>221</b>
<b>Students, graduated from secondary school</b>			
<i>In day schools</i>	14035	16271	16523
with diploma	13990	16209	16440
with grade transcript	45	62	83
<i>In evening schools</i>	3568	3789	3951
with diploma	3326	3569	3667
with grade transcript	242	220	284

Source of Data: [http://www.lm.gov.lv/doc\\_upl/LMMemorandsLV\\_230104.doc](http://www.lm.gov.lv/doc_upl/LMMemorandsLV_230104.doc)

Olafs Brūveris, the director of the Latvian National Human Rights Office, building upon several years of experience, states in the Introduction of the annual LNHRO report of 2003 that the level of public legal awareness, information and understanding of human rights has increased. This, according to his opinion, is proved by both the large number of applications received and the problems described in these applications. During the four years (2000-2003), the number of written complaints by individuals has nearly doubled (816 – in 2000, and 1437 – in 2003). In the previous years the absolute “leaders” among the reasons for complaints were issues related to the person’s right to housing and social security. In 2003, the problems regarding the person’s right to fair trial and human treatment and respect were the issues of the day. The LNHRO experts have not considered the worsening of the situation in the courts, prisons and other institutions, and are explaining the increase in the number of applications as a proof of a deeper public comprehension of the human rights essence. It is true, however, they do not deny that the greatest problems for the public in Latvia still arise from the dire socio-economic situation, as most of the verbal advice LNHRO employees gave in 2003 dealt with the right to housing (725) and with social security (496).

According to the Law on the Latvian National Human Rights Office, one of its tasks is “to provide the public with comprehensive information on human rights, as well as to promote the recognition and understanding of these rights.” In practice, this legal provision is implemented both in cooperation with the mass media and by preparing and disseminating informative publications, as well as by direct and electronic communication with visitors and the state and local government officials.

#### **4.5 How free are trade unions and other work-related associations to organize and represent their members’ interests?**

##### *Legislation:*

**The Article 102 of the Constitution** prescribes: “Everyone has the right to form and join associations, political parties and other public organizations,” and with regard to trade unions it is clearly specified in the Article 108 of the Constitution – “Employed persons have the right to a collective labour agreement, and the right to strike. The State shall protect the freedom of trade unions.”

These rights have been realised in a number of laws that are especially important for the autonomy of associations and the conclusion of collective agreements. These are: the Law on Trade Unions (1990), the Civil Procedure Law (1998), the Law on Strikes (1998), the Law on Employer Organisations (1999), the Labour Law (2002), the Labour Protection Law (2002), the State Labour Inspection Law (2002), the Industrial Dispute Law (2003).

Collectively these laws ensure the following framework for industrial relations in Latvia:

- freedom of association (the right to freely unite in organisations),
- a free domain without intervention by the state in which employers/employer associations and trade unions can conclude binding collective agreements,
- a balance of power between the parties to a collective agreement,
- the independence of trade unions and employer associations from each other and from the state
- that collective agreements on working conditions contents make sense only if the agreed requirements are feasible
- instruments and means to resolve industrial conflicts.

##### *Factual situation*

This legislation is an impressive achievement for a country emerging from the Soviet Union, in which the large trade unions worked in harmony with enterprise managers, and employers associations were unknown. There are now free trade unions, 25 of which are joined together as members of the Latvia’s Free Trade Union Association (LBAS) and numerous employer and professional associations which are members of the Latvia’s Confederation of Employers (LDDK).

Perhaps the most important practical achievement of this new institutional framework has been the development of social dialogue at the national level with the creation, in 1998, of the Nacionālā trīspusējās sadarbības padome (NTSP), which is a body that involves unions, employers and the state as partners in an

endeavour to reach consensus on the major socio-economic issues in Latvia. In the context of EU accession the NTSP has been active in reviewing virtually every change or project in the legislative process touching upon issues relevant for employers and employees. The most recurring themes are job safety, the minimum wage, the pension system, and healthcare. The council also acts as a conciliator in collective disputes.

However, a weakness of the system is the poor coverage of trade union membership in the country. According to the LBAS website<sup>7</sup>, current trade union membership is about 180,000, which represents about 18% of the employed workforce, and this is considerably down from nearly 207,000 in 1999.

Moreover, there is a considerable imbalance between public and private sectors. In 2002 coverage in the public sector was 38% but in the private sector just 8%<sup>8</sup>. There is also a gender imbalance with 57% of trade unionists being women and 43% men. Only 14% are under 25 years old.

A further indicator of the extent to which employees have a say in the determination of their working lives is the extent of bipartite social dialogue in the form of collective agreements either at the sectoral and regional level or at the enterprise level. Here, according to Ministry of Welfare data there were at the start of 2003 just 32 sectoral or regional agreements but 2368 agreements at the enterprise level. This means that most companies with more than 50 employees have collective agreements, but most of the 40,000 or so of smaller enterprises do not.

Although Latvian trade unions have the right to strike, this has only rather rarely been resorted to. In recent times the biggest strikes have occurred in the education sector in 1999 and the health care sector in 2002. Inadequate wage scales were the main reason.

According to the Federation of European Employers, Latvia is very high in the league table for strikes and lockouts with, on average, just 0.9 working days per 1000 employees lost through strikes over the three years to 2002. This puts Latvia in third place after Estonia and Slovakia where no days were lost.

The question is whether this is due to good industrial relations or weakness on the part of workers and their organisations. The poor coverage of trade union membership has already been mentioned, and it is noticeable that the strikes which have occurred have been in the public sector where coverage is much bigger.

Another factor is that in Latvia it is rather difficult to call a strike. In order to call a legal strike there must be a general meeting of the trade union or the employees which must be attended by 75% of the members (or employees) and then the decision to strike must be carried by 75% of those present. This provision is regarded by some as a violation of the ILO Convention on Freedom of Associations and Protection of the Right to Organise Convention (1948).

Finally, the right to strike is not available to judges, prosecutors, the police, fire fighters, border guards, members of the state security service, warders and persons who serve in the National Armed Forces, and is limited for workers who supply essential services such as medical treatment and first aid services, public transport services, drinking water supplies services, electricity and gas production and supplies services, where a minimum amount of the work has to be continued even during a strike.

#### **4.6 How rigorous and transparent are the rules on corporate governance, and how effectively are corporations regulated in the public interest?**

What was perhaps not fully recognised at the beginning of transition was the fact that markets do not always work efficiently and effectively in the absence of regulation and supervision. Moreover, it was also not fully recognised that supervision and regulation should be open and independent. Thus, for example, in the early years of public utility regulation, the regulators were often located within the ministry 'responsible' for the regulated sector, and arguably this compromised independence.

During the early to mid-1990s the regulatory and supervisory framework was improved in a piecemeal manner partly on the basis of 'learning by doing' on the part of the authorities. Thus the Bank of Latvia in its role as supervisor of the commercial banks did a better job in the aftermath of the Russian crisis than it had earlier managed in the case of the Banka Baltija collapse. Nevertheless, the main impetus to reform the regulation of industry and commerce came from the EU accession process. As a result of this, Latvia now has three market supervisory authorities that are set up in ways consistent with EU practice. These are:

- The Public Utilities Commission, which regulates electricity, gas, telecommunications, railways and postal services. The aims of the PUC are to provide users with high quality, continuous and safe public utilities

at reasonable prices (tariffs): to stimulate efficiency and sustainable development of public utilities; and to promote competition where it is justified.

- The Financial and Capital markets Commission, which is a unified financial services authority that supervises the whole financial services sector, including supervision of the commercial banks which it took over from the bank of Latvia.
- The Competition Council, which has the task of ensuring that there are no breaches of competition in sectors that are outside the responsibility of the PUC.

Generally, it is believed that these institutions are independent and work well. Thus, for example, the World Bank has a survey of the degree to which investors are protected by disclosure of ownership and financial information. Latvia receives a score of 5 out of a maximum of 7 as against a regional average of 3.6 and an OECD average of 5.6. The same survey gives favourable ratings with respect to a number of other indicators such as contract enforcement, bankruptcy procedures and the ease of obtaining credit. At the same time another recent World Bank survey of the business climate in Latvia suggests that about 50% of businesses do not trust the judiciary. So, to some extent the World Bank seems to be sending mixed messages. Another indicator in the lack of faith in the judicial system to solve commercial disputes fairly and efficiently is the fact that the Justice Ministry has licensed more than 100 private arbitration courts.

Another institution aimed at providing protection to people from some of the pitfalls of the market economy is the Consumer Rights Protection Centre, which as the name implies aims to protect consumer rights vis-à-vis enterprises.

People are involved with enterprises not just as investors and customers, but also as workers. Here workers rights are in principle protected by the Labour Law – a piece of legislation that was drawn up with the aid of consultation with the Tripartite Concertation Council (TCC), another market economy institution aimed at consultation between trade unions, employers and government.

The labour law offers workers a variety of rights and protections and is in conformity with EU legislation. However, it is well-known that the law is frequently violated and rather poorly enforced – thus in 2003 the State Labour Inspectorate (SLI) visited 717 enterprises from different business sectors. There were 477 cases where work contracts were not in place, and 182 employers were penalized with fines totaling 12660 LVL (just over 19000 euro) or just over 100 euro per firm. This data from the SLI is evidence of both the prevalence of violations and the weakness of sanctions.

A summary of the Latvian experience with respect to governance and protection of individuals from the corporate sector might be that in many cases the legislation is excellent but the practice is less than perfect.

**Summary Table: Economic and Social Rights**

	Very Good	Good	Satisfactory	Poor	Very Poor
4.1 How far is access to work or social security available to all, without discrimination?			X		
4.2 How effectively are the basic necessities of life guaranteed, including adequate food, shelter and clean water?				X	
4.3. To what extent is the health of the population protected, in all spheres and stages of life?					X
4.4. How extensive and inclusive is the right to education, including education in the rights and responsibilities of citizenship?		X			
4.5. How free are trade unions and other work-related associations to organize and represent their members' interests?			X		
4.6. How rigorous and transparent are the rules on corporate governance, and how effectively are corporations regulated in the public interest?			X		

### Best Features

Latvia has made good progress in creating the right legislative framework in many areas such as in labour relations and in the creation of institutions in the field of social protection. In practice the labour market situation has improved in significant areas, e.g. the reduction in the share of long-term unemployment from total unemployment from 58% in 2000 to 41% in 2003 along with the decrease of the total unemployment rate.

### Most Serious Problems

Undoubtedly the health situation of the population is the most serious problem – Latvia is the worst in Europe on a number of indicators, and even the Latvian government has described the situation as unsatisfactory in the Joint Memorandum on Social Inclusion of Latvia (2003). The high level of mortality among the people of working age is alarming. Decreases in the share of GDP allocated to social protection have had a negative impact on people's living standards and on their health situation.

### Suggested Improvements

1. In 2003, the total tax burden (% of the GDP) was 29.1%, which is the second lowest among the EU countries (EU-25 – 41.5%). This points to a need to increase the share of the GDP for social needs. We recommend increasing expenditure on health care in the state budget, especially for the implementation of preventive health measures for children and youth, as well as for the accessibility of health services;
2. The Ministry of Education and Science should strictly follow up on the implementation of the Law on Compulsory Primary Education with regard to all adolescents aged up to 18 years and should start a transition to a compulsory secondary education, which is the foundation for creation of a knowledgeable society;
3. The alignment of the wage system in general and consistent implementation of the adopted regulatory enactments (Cabinet regulations) regarding the minimum wage, because currently the proportion of the so-called working poor is disproportionately high;
4. Current legislation does not allow a systematic increase in the amount of state social security benefit. In 2005, the benefit amounts to 35 lats. It is recommended that the benefit be linked to the subsistence cost of living or the minimum wage, and/or to be subject to a regular review;
5. Allocate state funding for public housing, not leaving this sphere only to local governments and the private sector.

## REFERENCES

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13.03.2001; Mātes piena aizstājēju sastāva obligātās nekaitīguma prasības un to marķējuma un reklāmas prasības Nr.119 (*Mandatory Requirements of Harmlessness for Contents of Mother's Milk Substitutes and Requirements for Their Labelling and Promotion No.119*), adopted 13.03.2001; Izplatīšanai nederīgas pārtikas turpmākās izmantošanas vai iznīcināšanas kārtība Nr.17 (*Procedure for Further Utilization or Destruction of Food Unfit for Distribution No.17*), adopted 09.01.2001; Noteikumi par pārtikas piesārņojumu Nr.292 (*Regulations on Food Contamination No.292*), adopted 20.08.1999; Noteikumi par pilnvaru sadalījumu starp ministrijām pārtikas aprites valsts uzraudzības un kontroles nodrošināšanai Nr.221 (*Regulations Regarding Division of Authority Among Ministries to Ensure State Supervision and Control of the Handling of Food No.221*), adopted 16.06.1998.

<sup>2</sup> LR Ekonomikas ministrijas Informatīvais ziņojums Par patērētāju interešu aizsardzības sabiedrisko organizāciju lomas palielināšanu 06.01.2004.

<sup>3</sup> Calculated by using the *Eurostat* methodology, which defines the poverty threshold as 60% of the equivalent median income. Calculations based on the Household Expenditure Survey data.

<sup>4</sup> Household Expenditure Survey data.

<sup>5</sup> World Health Organization Regional Office for Europe "Health Status Overview for Countries of Central and Eastern Europe that are Candidates for Accession to the European Union" [www.euro.who.int](http://www.euro.who.int).

<sup>6</sup> Ibid.

<sup>7</sup> [www.lbas.lv](http://www.lbas.lv)

<sup>8</sup> Antila J., Ylostato P. *Working Life Barometer in the Baltic Countries 2002*. Ministry of Labour, Finland, Helsinki 2003.

**Part Two**  
**Representative and Accountable**  
**Government**





## 5. Free and Fair Elections

*Jānis Ikstens and Andris Runcis*

*Do elections give the people control over governments and their policies?*

### **5.1 To what extent is appointment to governmental and legislative office determined by popular competitive election, and how frequently do elections lead to change in the governing parties or personnel?**

#### *Legislation*

The Constitution (*Satversme*) prescribes that the *Saeima* be composed of 100 representatives of the people of Latvia, who are selected by general, equal, and direct elections, and by secret ballot based on proportional representation. Only political organizations or their associations that are registered in Latvia may submit candidate lists for these elections. The Law on *Saeima* Elections specifies that the candidate lists receiving less than 5% of the total votes across Latvia do not participate in the seat distribution.

The Constitution states that the Cabinet of Ministers is composed of the Prime Minister and ministers chosen by the Prime Minister. The candidate for the post of Prime Minister, i.e., the person who will form the government, is nominated by the State President. The Prime Minister and ministers require the confidence of the *Saeima* to carry out their obligations, and they are accountable before the confidence of the *Saeima* for their action. Neither the Prime Minister, nor the ministers need be members of the *Saeima* or local governments.

#### *Actual Situation*

All *Saeima* elections since 1993 have taken place in accordance with the existing legislation and internationally accepted norms of free and fair elections, which is also confirmed by the evaluations of international observers.

The *Saeima* election results indicate that there are high fluctuations of voter political sympathies in Latvia. As a result of the 1998 *Saeima* elections, the number of candidate lists elected to the *Saeima* decreased from nine to six. Four parties lost representation in the Parliament. After the 2002 *Saeima* elections the number of candidate lists elected to the Parliament did not change, however, two parties lost representation and were replaced by two new parties. Following both the 1998 and the 2002 *Saeima* elections, more than half of the deputies elected to the *Saeima* had not worked in the previous Parliaments. Such instability is linked to the rapid changes in social status and personal identity as a result of economic reforms, as well as to the system of financing elections and parties used in Latvia.

Despite these sharp fluctuations, the result of which was the disappearance of several previously influential parties from parliamentary circulation, society has accepted the election results, and the power transfer between political forces has occurred peacefully and without attempts to contest election results.

High instability is also characteristic of the operation of the Cabinet of Ministers. Since the restoration of independence in Latvia there have been 11 governments. The average statistical life cycle of a single government is approximately 14 months. As the politicians themselves admit, none of the governments has so far collapsed because of ideological reasons or because of inability to agree on state budgetary priorities. They point out that the root cause of government collapse are the disagreements over issues of economic nature, which so far have been associated with the privatization of large entities. Despite the government instability, the overall political course has remained unchanged. At the same time, however, a tradition of ignoring the opposition in the *Saeima* has established itself, as a result of which almost all draft laws proposed by the opposition are rejected indiscriminately, and the representatives of the opposition parties rarely obtain high posts within the *Saeima*.

## 5.2 How inclusive and accessible for all citizens are the registration and voting procedures, how independent are they of government and party control, and how free from intimidation and abuse?

### *Legislation*

The Constitution determines the right to vote in *Saeima* elections for all citizens of Latvia who are of age and enjoy full rights. This principle has been observed when drawing up legislation regulating the *Saeima* elections process.

Until the 2004 elections of the European Parliament (EP) there was no such institution as a Voters' Register. It was introduced because of the abolishment of the system of residence registration in Latvia and because of the necessity to ensure the opportunity for citizens of other EU countries to participate in the EP elections within the territory of Latvia. The Voters' Register Law regulates the operation of the Register.

The Voters' Register is developed by using the data of the Population Register maintained by the Ministry of Interior Office of Citizenship and Migration Affairs (OCMA). Citizens do not need to take any particular actions to be included in the Voters' Register. The Central Election Commission (CEC), the composition of which is approved by the *Saeima*, informs the OCMA about all the established polling stations. In cooperation with local governments, the OCMA includes in the Voters' Register the data on all Latvian citizens with the capacity to act, who will have turned 18 by the day of elections. The CEC, for its part, includes in the Register the information on those EU member state citizens who, according to the legislation, have a right to vote in the EP elections in Latvia. No later than 70 days before the elections, the OCMA mails out to the voters information on which polling station's list of voters has the respective person's name been added to. Citizens may change their polling station, if they wish to do so.

Several weeks before the election day the CEC, by tradition, broadcasts information in the mass media, reminding about the upcoming elections and the basic principles of the election procedure. Citizens, who will be abroad at the time of election, may vote by mail, using the procedure granted by the law and ensured by the CEC.

*Saeima* elections take place in a single day, and the polling stations are open from 8 a.m. to 8 p.m. The chairperson of the Polling Station Commission ensures the order within and outside the polling station. Political campaigns of any kind are prohibited within the polling station. To prevent disturbances of the election process no more than two election observers from each political organization or association of such organizations, which have submitted candidate lists in the respective constituency, may be stationed within the polling station. The observers may also watch the counting of votes at the polling station and may seal the parcels of election materials at the respective polling station, which is also noted in the protocol of the election process.

### *Actual Situation*

Despite the fact that the *Saeima* approves the Central Election Commission and it includes party members, there have not been many complaints about the CEC operation. One of the factors influencing work quality of the election organizers is the clarity of this work, which is, among other things, ensured by active participation of observers from various political organizations in the election day processes.

Since the restoration of independence no unrest or broad dissatisfaction with the *Saeima* election procedure have been observed. The financial and human resources have been sufficient to organize elections of various levels properly. True, the mass media have disclosed several episodes leading to suspect the so-called buying of votes in selected polling stations or employer pressure on employees who vote. However, such cases have been rare and unsystematic. Moreover, the CEC has taken measures to enable people to resist such pressure and reveal their true political choice with their own consent only. At the same time, however, in the cases mentioned in the mass media, the suspects have not been punished because of lack of evidence. The cases when, contrary to what the law says, pre-election campaigning is done less than 50 meters from the polling station have been rare.

It seems that the introduction of the Voters' Register has not generated public dissatisfaction, although, according to research done by the applied research agency "Nikolo Grupa" following the European Parliament elections, the earlier voting procedure (without the Voters' Register) was perceived as better by the majority of respondents (59%). Due to the new procedure a relatively small number of citizens with voting rights<sup>1</sup> did not receive information about the election registration. However, the CEC is taking measures to improve the said procedure and to eliminate these shortcomings. Moreover, not receiving the informative materials did not mean the deprivation of voting rights.

### **5.3 How fair are the procedures for the registration of candidates and parties, and to what extent is there fair access for them to the media and other means of communication with the voters?**

#### *Legislation*

The *Saeima* Election Law prescribes that candidate lists may only be submitted by political organizations or associations of political organizations registered in Latvia. The Central Election Commission does the registration upon evaluating if the submitted documents comply with the law. Each candidate list must pay a security deposit of 1000 lats and submit a pre-election program the size of which must not exceed 4000 characters, signed by all candidates. This program is published free of charge and made available to citizens at the polling stations. Also, each candidate must submit a self-assessment of his or her official language knowledge, as well as a written statement that the restrictions of passive election rights (including participation in the Communist Party of the Soviet Union or its satellite organizations after January 13, 1991; or operation in foreign intelligence or security services), specified by the law, do not apply to the respective candidate. The CEC decision on candidate registration may be appealed to a court.

The current wording of the Political Organization Financing Law defines the limits of pre-election campaign spending. The spending may not exceed 20 santims per voter of the previous *Saeima* elections. No limits on the total amount of party income have been set, although it has been specified that one natural person may donate no more than 10,000 lats a year per political organization.

The “Law On Pre-Election Campaigning Before *Saeima* and European Parliament Elections” specifies that each registered candidate list be entitled to 20 minutes of free airtime on Latvian Television and 20 minutes of free airtime on Latvian Radio for the purposes of pre-election campaign. In addition, political organizations, as well as natural and legal persons have a right to purchase time for pre-election campaign advertising both in the public and private mass media.

#### *Actual Situation*

Despite the desire of a certain part of society to change the *Saeima* Election Law so that candidate lists for *Saeima* elections could also be submitted by associations of citizens, this idea has not gained support of the legislature so far. Such a rejection is argued by the wish to strengthen the party system and to promote political responsibility in the country.

One of the most disputable aspects of candidate list registration is the potential loss of passive voting rights by selected candidates as a result of their past activities. This is decided by the CEC on the basis of the information provided by the state institutions. However, in selected cases (Janis Adamsons, Tatjana Zdanoka) these decisions have generated a broad response and have been contested in court, thereby activating the discussion on the necessity to preserve the previously mentioned restrictions. So far, there is no reason to declare that the CEC has applied this requirement of the law selectively.

Access of various parties and candidates to the mass media has been a constant object of discussion among society and politicians. Although the law on pre-election campaigns provides opportunity for any registered candidate list to inform the public about its political platform free of charge, this opportunity is deliberately restricted to prevent the elections from turning into the opportunity for marginal political forces to advertise themselves. On the other hand, the limited free air-time and its division into 10-minute segments do not promote equal political communication, because parties with more available funding acquire a considerable advantage in informing the public by purchasing additional paid advertising time, which is inaccessible to many parties due to high prices and the plutocratic party financing. The election results of the last two *Saeimas* confirmed that parties with larger pre-election campaign spending have greater prospects of gaining representation in the *Saeima*. Besides, it should be taken into account that not all party expenditures are disclosed to the public and that covert advertising is also used in the pre-election campaigns. However, both the majority of the influential political parties and the electronic mass media leaders or owners have strictly opposed the proposals to limit or prohibit paid political advertising in the mass media.

Latvia’s experience merely confirms the immense influence of television on voter consciousness and action that is observed in other democracies. Hence the vehement arguments about the pre-election discussions “Milžu cīņas” (“Fight of the Giants”), organized by Latvian Television in 2002, inviting to participate only those parties that had earned the support of at least 3% of citizens in the public opinion polls. Other political organizations which had submitted candidate lists justly criticized such selectivity, accusing LTV of disregarding the principle of political equality. Although LTV justified such an approach by the need to ensure broadcast clarity and

perceptibility, it later gave in slightly and agreed to organize two live broadcast discussions with the participation of less popular party representatives in the program “What’s Going On In Latvia?”

The above-said leads to conclude that access to the mass media at a minimum level is being ensured equally, yet it seems to be highly insufficient to fight for the *Saeima* seats seriously. The decisive role in this area is played by the opportunities to purchase airtime for pre-election campaigning, which so far has been directly dependent on the financial capacity of the organization submitting the candidate list. The latest amendments to the law on political organizations’ funding prescribe a restriction on pre-election spending. However, the effectiveness of this norm could be assessed no sooner than after the 2005 elections of local governments.

#### **5.4 How effective a range of choice does the electoral and party system allow the voters, how equally do their votes count, and how closely does the composition of the legislature and the selection of the executive reflect the choices they make?**

Elections are one of the most significant events in the political life of any democracy. The establishment of election institutions in new democracies has two kinds of consequences – direct consequences, such as the impact on party system development, and indirect consequences – through its influence on the political regime as a whole. For that reason one can well understand the active attempts of the political forces to amend and improve different norms of *Saeima* elections, which relates to the interest in strengthening their positions, to scare away the new parties from embarking on the fight for power; or the amendments which are aimed at stabilizing the political situation and decreasing political fragmentation. The election systems influence the number of political parties, the political stability of the state and the quality of democracy.<sup>2</sup> The relationship between the election system, the party system and social changes is mutual and complicated, which is related to the historical foundation of the development of society which has determined the specific choice. Fundamental changes are very rare and usually occur only during extreme historical conditions.<sup>3</sup> Usually, the election system is changed if such changes benefit party interests, i.e., to ensure their candidate victory in the elections by gaining as many votes as possible, while the rival party gets as little as possible.

Generally, the basic principles of the election system are secured in the Constitution of the country. The Constitution (*Satversme*) of Latvia specifies that the *Saeima* shall be elected in general, equal and direct elections, by secret ballot, where the term “general” means the right to vote of all Latvia’s citizens of age (with a few exemptions); equality meaning that each voter has only one voice; directness – that the legislative institution is elected directly, without intermediaries; secret ballot – that the voting is personal, uncontrolled and undisclosed. The Constitution of Latvia names proportionality as the fifth element of elections. The Constitution sets a fixed number of seats to be allocated (100), as well as a fixed term of *Saeima* operation – 4 years, which thereby recognizes the recurrent nature of elections, a requirement usually named as mandatory for democratic elections. The *Satversme* specifies the active and the passive election rights, as well as indicates the time and deadlines of the regular and extraordinary elections.

Active election rights, or the right to vote, belong to all citizens of Latvia who enjoy full rights of citizenship and, who on the election day have attained at least 18 years of age. The citizenship and age qualification are not the only restrictions on the active election rights. In Latvia, persons who, in accordance with the procedure prescribed by law, have been declared as incapable of action, persons who are serving time in prison, persons who are suspects, accused persons or persons on trial, if arrest is applied to them as a security measure, have no active election rights.

Passive election rights belong to all citizens of the specific country, provided that the person is not declared as incapable of action in accordance with the procedure specified by law, or does not serve time in prison. The age qualification for the passive election rights in Latvia has been set at the age of 21. Besides this one, there are a few more restrictions on the passive election rights. Persons who have been convicted for intentional crimes and whose criminal record has not been cleared or stricken, except exonerated persons, may not be entered in the *Saeima* elections. In the same manner, persons who have committed a crime in a state of insanity or have become mentally ill after committing a crime do not have the passive election rights. A candidate for parliament may not have been a staff employee of the USSR, LSSR or foreign security services, acted in the Communist Party of the USSR, the Workforce International Front, Latvian Society Rescue Committee, or in selected organizations of a similar nature after January 13, 1991. Also, if the State President, the State

Controller/Auditor, a judge, a prosecutor or a soldier has been signed up as a candidate for elections, the person must resign from the respective office.

Active discussions on the introduction of various new passive election rights qualifications took place during the election system development process: whether a ban to run for elected office for former KGB officers, members of selected former political organizations, and other restrictions are necessary. In this regard, the so-called KGB-sacks and their disclosure, which still appear on the *Saeima* agenda once in a while, becomes a current issue before each *Saeima* elections.

The 1922 Election Law provided for candidate lists that could be externally changed and a modification of the proportional system, which permitted voters to also include in their chosen list candidates from other lists running for office in the same constituency. The Supreme Council of the Republic of Latvia rejected the idea of such a form of proportional system in the very first reading. However, a few deputies wanted to set a different election system modification. Deputies I. Elerts and E. Krastins submitted a proposal for the closed candidate lists of the proportional system, when in keeping with the candidate order on the list, the number of votes won by the list would be doubled and only then would the votes with “+” or “-” marks be added or subtracted. Thereby, it would be practically impossible for the voters to change the candidate list. Such an amendment would benefit parties and party leaders by increasing their influence, but it would also limit voter choice.

In Latvia, only those candidate lists with at least 5% of total votes across the country participate in the division of deputy seats. The division of seats among these lists is done according to the Sainte-Lague method, i.e., the number of votes for each list is divided by 1, 3, 5, 7, etc. Therefore, the lists with the largest quotients get the seats. To gain representation in the *Saeima*, this method is favorable to medium-size parties, which results from mathematical regularities and, in fact, is not very precise in ensuring the proportional representation of various political parties.

There have been many discussions in the *Saeima* on the percentage barrier for political parties and electoral associations, which has been one of the most controversial issues during the process of election system development. Initially, a 4% barrier was erected, yet later the barrier was increased to 5% to decrease the political fragmentation of the *Saeima* and to consolidate the political party system, to develop a more stable governing coalition, and to facilitate decision-making. A 7% barrier for party coalitions was discussed, yet it did not earn support of the political parties.

In the 5th *Saeima* elections, when the election barrier was 4%, 10.68% of the cast votes were not represented; in the 6th *Saeima* elections, when the election barrier rose to 5%, 12% of the voters were not represented; in the 8th *Saeima* – 16.2% of the voters are not represented.

Latvia's experience so far indicates that the Election Law has been amended almost every year. So, before the 5th and the 6th *Saeima* elections new election laws were drafted, the last version of which was twice amended before the 7th *Saeima* elections and saw several amendment initiatives. It should be noted, however, that the amendments to the laws have been more of a technical nature, for example, amendments on voting and vote counting procedures. Still, there is a possibility of initiatives for significant amendments.

Due to the “great migration of peoples” by the deputies elected to the *Saeima*, which was particularly characteristic of the 6th *Saeima*, there have been aspirations to change the election system at the very foundation: by moving from the proportional to majoritarian or mixed election system. The main argument of these political struggles was the supposedly existing opportunity to increase the qualitative composition of the Parliament with the help of the Election law, to increase the accountability of the deputies before the people, thereby increasing the quality of politics as well, which would be more capable of satisfying the carrier of the sovereign power of the state as a whole.

One of the ways to discipline the current deputies would be to introduce the imperative mandate, to ban “migration” from one party to another, etc. Yet, by doing so, the deputies would place restrictions on themselves.

However, it should be noted that in Latvia there is no direct connection between the election system and the stability of political institutions and the quality of their operation (and the ensuing potential economic growth), because the current trends indicate that the search for a better election system is obviously related to populist self-seeking of access to power, or a cry for help stemming from the existing reality, created by politically incompetent forces while searching for all the possible, even if it only seems so, solutions for the social problems of society.

The change of Latvia's current election system from proportional to majoritarian or mixed election system would benefit smaller parties, which are otherwise unable to overcome the 5% election barrier, yet which have one or a few outstanding leaders potentially capable of ensuring election into the *Saeima*, thereby providing access to power. In the current situation, such changes would increase political fragmentation of the Parliament

and slow down the decision-making process. The larger parties oppose these proposals of the smaller parties, as they are not interested in adding new rivals.

Another initiative is the amendments related to the possibility to change party candidate lists – to turn the closed or changeable lists into open or free, the main argument in favor being the expansion of the voter choice or the ability of the voter to single out more precisely the people who they think will be capable of solving problems topical to the voters.

The proposal to restore the free or externally changeable candidate lists that existed in Latvia in 1918 was submitted at the beginning of 1998 by Kārlis Leiškālns, a politician from the party “Latvia’s Way” (LC). He pointed out that the new system would allow to expand opportunities for voters to influence the composition of the *Saeima*. Besides, the Constitution would be served more exactly, as it stipulates that deputies represent the people, not some segment of the voters or a party. Such a system would limit the opportunities for the pre-election “locomotives” to draw unpopular candidates into the *Saeima*. The free candidate lists benefit parties with many popular personalities, and disadvantage the new, less known parties.

The political forces in power want to maintain the *status quo* in the power relations by increasing their power at the expense of the smaller political groups, by increasing the election barrier, the required minimum number of party members, by attempting to introduce the party “age qualification” or by expanding restrictions of election rights. In some cases amendments of the election system have been discussed that are not oriented toward improving the positions of selected parties in the general political struggle for power. Instead these amendments aim at strengthening internal party discipline and the positions of the internal elite of the parties.

Consequently, one can see that in Latvia’s case the election systems are not to be seen as the causes of the party system or political environment organization; rather, the election systems are the consequences of the latter, because their origin is of political nature, i.e., the political forces have tried to deal with their mutual relations with the help of election systems, which, to the contrary to what has been claimed, have not been aimed at solving the political, economic, social or other problems relevant to the voters. Also, in terms of chronology, the political parties of Latvia formed and developed long before the development of Latvia’s election system, i.e., the origins of the party system development can be traced back to the period before the adoption of the Election law in the late 19th century and the early 20th century.

Finally, in answering the question on the development of a legislative institution adequate to the public interest, one can conclude that it is impossible to single out the best election system. This conclusion is based on comparison of election systems in many countries of the world.

On December 10, 1991, the Supreme Council of the Republic of Latvia adopted the constitutional law “Human and Citizen Rights and Responsibilities,” which prescribed that citizens have a right to establish political parties. Before the 5th *Saeima* election an election barrier of 4% was set – 23 candidate lists participated in the elections, 8 of which won parliamentary seats. During the operation of this *Saeima* two governments were formed. Before the 6th *Saeima* election the barrier was increased to 5%. Although the number of candidate lists participating in the elections decreased to 19, 9 lists won seats in the *Saeima* this time. Twice they could not agree on the government coalition. During the 6th *Saeima* the Parliament voted confidence to three governments, and the Prime Minister, Guntars Krasts, demanded a special vote of confidence to his government. At this point, however, the amendments reached their goal to a certain extent, because by preserving the election barrier at the level of 4% one more political force would have entered the *Saeima*. Yet, overall, the result was not as expected, and despite the increased election barrier, the 6th *Saeima* was more fragmented than the 5th *Saeima*.

Since the restoration of Latvia’s independence, there have been 9 governments (both minority and majority). The current coalition government (in 2004) led by Prime Minister Indulis Emsis is the tenth.

Table 5.1

#### Governments Approved During the 5th *Saeima*

Number of Governments	Prime Minister	Beginning of Government Operation	End of Government Operation	Length of Government Operation/ days	Number of Parties That Form the Government
1	Valdis Birkavš	08.07.93	14.09.94	432	2 (LC + LZS)
2	Māris Gailis	15.09.94	20.12.94	461	2 (LC+TPA)

Table 5.2

**Governments Approved During the 6<sup>th</sup> Saeima**

1	Andris Šķēle	21.12.94	12.02.97	419	6 (DPS+LC+TB+LNNK+LVP+LZS, KDS+LLDP)
2	Andris Šķēle	13.02.97	06.08.97	174	5 (DPS+LC+TB+LNNK+LZS, KDS,
3	Guntars Krasts	07.08.97	25.11.98	243	3 (TB/LNNK+LC+DPS <sup>4</sup> +LZS, KDS, LLSDP)

Table 5.3

**Governments Approved During the 7<sup>th</sup> Saeima**

1	Vilis Krištopans	26.11.98	15.07.99	230	3 (LC+TB/LNNK+JP+LSDA <sup>5</sup> )
2	Andris Šķēle	16.07.99	03.05.00	299	3 (TP+LC+TB/LNNK)
3	Andris Bērziņš	04.05.00	06.11.02	916	3 (TP+LC+TB/LNNK)

Table 5.4

**Governments Approved During the 8<sup>th</sup> Saeima**

1	Einars Repše	07.11.02	09.03.04		4 (JL+LPP+ZZS+ TB/LNNK)
2	Indulis Emsis	09.03.04	02.12.04		3 (TP+LPP+ZZS)

Although both the rightwing and leftwing political parties and electoral unions have formed Cabinets of Ministers, all governments have tried to implement rightwing-oriented policy. The broadest government coalition was during the first and the second government of Andris Šķēle.

The governing coalitions have never engaged leftist parties, which represent mainly the interests of non-Latvians, i.e., People's Harmony Party (although several governments have been approved and have acted with support of the TSP, for example, by not participating in the approval of the Vilis Krištopans government and by voting in favor of the Indulis Emsis government), the Latvian Socialist Party and the movement Līdztiesība ("Equality").

## 5.5 To what extent does the legislature reflect the social composition of the electorate?

Usually, the elections are associated with representation. However, the very term "representation" is disputable. One of the meanings of representation is "likeness/similarity," i.e., a parliament is a microcosm of the nation.

There is a certain social inequality in each society, i.e., the body of candidates upon gaining victory in elections does not represent all the social groups in equal proportions in terms of time, interests, knowledge and the capacity to be represented in the parliament (*Saeima*). The candidate selection procedure is unable to guarantee complete similarity. Certain problems are created by the fact that some of the *Saeima* deputies change their party affiliation, which was particularly evident during the 6th *Saeima*. Although the departure of selected party members from the party and the formation of a new faction within *Saeima* are not being looked at in detail, this could be seen as a certain fragmentation of the similarity. Although the proportional election system of Latvia guarantees a certain similarity, the Parliament (*Saeima*), however, cannot be perceived as a mirror of society.

Another possibility of similarity lies in that the Parliament (*Saeima*) members do not completely reflect the specific social groups of society, but rather, persons who could effectively act (under authorization) in the voter interests.

## 5.6 What proportion of the electorate votes, and to what extent are the election results accepted by all political forces in the country and outside?

The elections of the 5th *Saeima* took place on June 5 and 6, 1993. The legal basis of these elections was the law “On the 5th *Saeima* Elections”, adopted on October 20, which was a slightly amended and improved 1922 Law on *Saeima* Elections. 1,118,316 voters, or 89.9% of the Latvian population with the right to vote, participated, including 18,413 citizens who voted abroad. 23 lists were accepted, 8 of which received seats because the rest did not overcome the 4% election barrier. 83.8% of all the voters participating in the elections of the 8<sup>th</sup> *Saeima* gained their representation, while 16.2% did not.

The elections of the 6th *Saeima* took place on September 30 and October 1, 1995, with 955,392 voters, or 71.9% of Latvian citizens with the right to vote, participating. 12,501 citizens voted abroad. 19 candidate lists were accepted, 9 of which received seats because the others did not overcome the 5% election barrier.

The elections of the 7th *Saeima* took place on October 1998. 71.9% of all Latvian citizens with the right to vote participated in these elections, including 10080 citizens who voted abroad. 21 lists of candidates were accepted, 6 of which received seats in the parliament because the rest did not reach the 5% election barrier.

71.5% of people with the right to vote participated in the elections of the 8<sup>th</sup> *Saeima*. 20 candidate lists of parties and electoral associations participated in the 8<sup>th</sup> *Saeima* elections, 6 of which overcame the 5% election barrier. However, this did not decrease fragmentation, because the Green and Farmers Union represented the Latvian Farmers’ Union and the Latvian Green Party, while the association of political organizations “For Human Rights In a United Latvia” includes three political parties – People’s Harmony Party, Latvian Socialist Party and Līdztiesība (“Equality”).

Latvian Parliament elections have usually been at the center of international attention. The OSCE observers, the EU member state representatives as well as scholars from different countries have usually participated in monitoring the elections. Generally, the evaluation of the elections has been positive and they correspond to free and democratic elections.

### Summary: Progress During the past 3–5 years

Topic of This Paper	Very Good	Good	Satisfactory	Poor	Very Poor
5.1.	X				
5.2.		X			
5.3.				X	
5.4.		X			
5.5.			X		
5.6	X				

**Best Feature:** Contrary to the trend of shrinking election participation, observed in several developed democracies, the voter participation in the national (*Saeima*) elections in Latvia remains sufficiently high and stable.

**Most Serious Problem:** Opportunities to place ample political advertisements and ensure publicity depend on the financial resources available to each party. Since these resources most often concentrate in the hands of few parties already elected to *Saeima*, it is difficult to talk about equal political competition among parties.

**Suggested Improvement:** Considering the immense importance of the mass media in modern political communication (not just in pre-election campaigns), the most effective ways should be looked for to ensure more equal party access to public communication channels and thereby improve communication with voters.

## REFERENCES

- <sup>1</sup> A public opinion survey, commissioned by CEC, revealed that 2% of respondents had not received the invitation to register for the European Parliament elections. For more detail, see: [http://www.cvk.lv/cvkserve/EP/pet\\_2004.pdf](http://www.cvk.lv/cvkserve/EP/pet_2004.pdf) - downloaded on September 30, 2004.
- <sup>2</sup> Bogdanor V., Grofman B. Electoral Laws and Their Political Consequences. Lijphart A. Party Systems: Two-Party and Multi-Party Patterns.
- <sup>3</sup> Nohlen D. Changes and Choices in Electoral Systems. In: Lijphart A., Grofman B. Choosing an Electoral System. Issues and Alternatives.
- <sup>4</sup> DPS leaves the government coalition and the coalition government of minimum majority turns into a minority government as a result.
- <sup>5</sup> LSDA joins the coalition government later, acquires the post of the Minister of Agriculture, yet – without the coalition agreement.



## 6. The Democratic Role of Political Parties

*Daunis Auers un Jānis Ikstens*

*Does the party system assist the working of democracy?*

### 6.1 How freely are parties able to form, recruit members and campaign for office?

There are very few restrictions on forming new political parties in Latvia. Clear evidence is provided by the plethora of parties that have been founded since parties were legalized in 1992, and competed in elections since 1993. Indeed, at the moment there are sixty political parties registered with the Latvian Ministry of Justice. However, not all of these parties are politically active. In the four post-communist parliamentary elections, an average of almost 21 parties have competed for seats.<sup>1</sup>

The basis of political party activity in Latvia is (i) the readopted 1922 constitution and (ii) the 1992 law on social organizations (NGO's) and political parties. The 1922 Latvian constitution was readopted largely because independence arguments in the late 1980's had focused on the illegality of the Soviet occupation. Thus, the restoration of the 1922 constitution made clear the legal continuity of the Latvian Republic. However, bearing in mind the unopposed capitulation of the Latvian democracy in the 1934 coup, it was clear that the rights of citizens needed to be more clearly defined. Following long discussions in the parliament, a section on fundamental human rights has also defined political rights: Article 102 states that 'everyone has the right to form and join associations, political parties and other public organizations', while article 100 reads: 'everyone has the right to freedom of expression, which includes the right to freely receive, keep and distribute information and to express their views. Censorship is prohibited'.

The 1992 law on social organizations and political parties governs the basic structure and legal activities of political parties. Article 1 initially declared that ten people are needed to form a social organization or political party. However, in an effort to avoid the multiplicity of small, elite parties that competed in parliamentary elections in the inter-war era, amendments were made to the part of the law applying to political parties, and article 45 was reformulated to require 200 Latvian citizens to form a party. Moreover, if membership falls below that number, then the party can be annulled by the Ministry of Justice. The same article also declares that if a party has over 400 members, at least half of them must be Latvian citizens and that party members must be over 18 years of age, and either Latvian citizens or permanent residents.

There are very few legal restrictions on party membership – judges, prosecutors, military and people working in the organs of national security are barred from joining political parties (art. 49). However, parties themselves have placed many restrictions on party membership (see Table 1 below). Two potential restrictions are the membership fee (which can act as a very real deterrent in a comparatively low-income country such as Latvia) as well as the number of administrative obstacles that need to be overcome. References appear to be the biggest burden. For example, not only does New Era require that all potential new members have references from two existing members (no easy feat when membership ran at 400 in mid 2003), but the candidate must also face an interview panel that seeks to ensure that they are ideologically 'suitable' for JL. Indeed, most parties require an interview with the potential member. However, only two parties limit their membership to Latvian citizens (*TB/LNNK* and the *Green Party*).

Table 6.1

**Obstacles to Party Membership (By Party)**

	Monthly Membership Fee	References? (number)
Latvian Social Democratic Workers' Party (LSDSP)	0.10Ls – 4% of income	Yes (2)
Social Democratic Union (SDS)	0.10 – 4.50 Lats	Yes (2)
People's Party (TP)	1 – 5 Lats	No
TB/LNNK	0.50 – no top limit <sup>2</sup>	Yes (2)
Latvia's Way (LC)	1-5 Lats (minimum)	Yes (3)
For Human Rights in a United Latvia (TSP / LSP / Equal-rights)	/ / 03–1% of minimum wage	/ / No
New Era (JL)	0	Yes (2)
Latvia's First Party (LPP)	0	No
Green / Farmers Union (ZZS)	5 Lats / 0.20 – 1 Lat	Yes (2) / No

Table 6.1 shows that all the parties which charge membership fees have differentiated rates allowing poorer members to pay less or even be waived from paying fees. The party statutes of *TB/LNNK* specifically call for members who are deputies or government ministers to pay higher membership fees than the rank and file, and this is also an accepted informal practice in LC and the TP. Interestingly, two of the newest parties in parliament, JL and LPP charge no membership fees, in a clear attempt to attract members.

Clearly, the membership fees are low (and flexible) enough to not act as a deterrent to membership. However, most parties require those applying for membership to produce either two or three letters of reference from existing members. This is a practice that could restrict membership to a relatively narrow circle of friends and acquaintances. All parties require that new members have to be approved by the party board rather than any local branch, granting the upper echelons of the party veto power all over potential members.

The result is that membership levels are relatively low (see Table 6.2 below). In fact, it is extremely difficult to gather accurate membership details, as there is no central register in Latvia that requires political parties to do so. As a result, membership information has to be gathered directly from Latvian parties. And the parties have an interest in rounding up the figures for increased legitimacy. Indeed, membership does not appear to have a central role in the Latvian political system and there appears to be little correlation between party membership and electoral success. The winner of the 2002 election had the smallest number of registered members (*Jaunais Laiks*), while the second largest membership party (LSDSP) failed to pass the 5% threshold for getting into parliament.

Table 6.2

**Claimed Membership of Political Parties Represented in Parliament in 1998 and 2002**

	1998 <sup>3</sup>	2003 / 2004 <sup>4</sup>
Latvian Social Democratic Workers' Party	2,076	2,700 <sup>5</sup>
Social Democratic Union	–	543 <sup>6</sup>
People's Party	1,816	1,800 <sup>7</sup>
For Fatherland and Freedom / LNNK	1,703	2,200
Latvia's Way	890	1,415 <sup>8</sup>
New Party	400	–
For Human Rights in a United Latvia	800	375 <sup>9</sup>
New Era	–	400 <sup>10</sup>
Latvia's First Party	–	1,350
Green / Farmers Union	–	352 / 1,200 <sup>11</sup>

Based on the figures of party membership that Latvian parties have provided (see Table 6.2), there are approximately 15,000 party members in Latvia.<sup>12</sup> In the 2002 parliamentary election there were 1,398,156 eligible voters in Latvia<sup>13</sup>. There are approximately 400,000<sup>14</sup> non-citizens over the age of 18 in Latvia and also eligible to join political parties. As a result, 15,000 party members from a potential 1,800,000 amounts to just 0.9%. This places Latvia firmly at the bottom of party membership levels in Europe<sup>15</sup> (see Table 6.3 below).

Table 6.3

### Comparative Party Membership in Europe

Country	Year	Total Party membership	As percentage of electorate (M/E)
Austria	1999	1,031,052	17.66
Finland	1998	400,615	9.65
Norway	1997	242,022	7.31
Greece	1998	600,000	6.77
Belgium	1999	480,804	6.55
Switzerland	1997	293,000	6.38
Sweden	1998	365,588	5.54
Denmark	1998	205,382	5.14
Slovakia	2000	165,277	4.11
Italy	1998	1,974,040	4.05
Portugal	2000	346,504	3.99
Czech Republic	1999	319,800	3.94
Spain	2000	1,131,250	3.42
Ireland	1998	86,000	3.14
Germany	1999	1,780,173	2.93
Netherlands	2000	294,469	2.51
Hungary	1999	173,600	2.15
United Kingdom	1998	840,000	1.92
France	1999	615,219	1.57
Poland	2000	326,500	1.15
<b>Latvia</b>	<b>2003</b>	<b>15,000</b>	<b>0.9</b>
<i>Mean (excluding Latvia)</i>			<i>4.99</i>

Source: Mair and van Biezen (2001), p. 9.

In terms of campaigning for office, candidate lists from political organizations officially registered with the Ministry of Justice must be submitted to the Central Election Commission two months before the election.<sup>16</sup> Moreover, each party list must submit a security deposit of 1,000 Lats ( $\approx$ €2,000) for each electoral district in which it wishes to compete, to be refunded only if the party list passes the 5% barrier in each district. In this way, the Latvian authorities have attempted to limit the number of political parties participating in the election. However, this sum of money is relatively small, and few of the larger registered parties are likely to be constrained by this financial requirement. The requirement that candidates must be fluent in Latvian was removed in early 2002<sup>17</sup>, although the ban on individuals who continued working as active members of the Communist party after January 1991 being candidates is maintained.

Electoral law also demands that parties provide a 4,000 character party programme. In theory, this is to allow the public to familiarize themselves with the different party programmes. However, in practice the published programmes tend to be rather vague and populist, listing broad policy aims with little detail on how these aims can be achieved. Moreover, it is difficult for the public to hold parties to account for these programmes, because in a proportional representation system such as Latvia, the government is formed by coalition and thus policy compromises are inevitable.

In terms of political campaigning, parties have many different options available. Indeed, the laws regarding political advertising are very liberal. There are no limits on television, radio or newspaper advertising. Adverts can run right up to and including the day of the election. Indeed, registered political parties competing in national elections also receive some free advertising time on national television and radio. The only restriction comes in that adverts may not appear within 100 metres of a polling station on polling day. Moreover, past practice indicates that intensive television advertising is extremely effective. *Jauna Partija* in 1998, and *Latvijas Pirma Partija* in 2002 ran extremely effective media campaigns, utilizing modern marketing and advertising techniques, and managed to win a respectable number of parliamentary seats despite their low memberships and generally unknown candidates. In the 2002 national election parties also used a number of other innovative techniques to attract voters to political gatherings, most notably organizing beer festivals (Green-Farmers Union) and hiring television comedy stars to tour the country with politicians in order to attract an audience (LSDSP).

Thus political parties face very few restrictions in forming, recruiting and campaigning for office. Indeed, this is proved by the long-standing success of new political parties in every election – each national election has been won by a party formed less than 12 months before the election. Indeed, it could be argued that the only barrier to office is financial, bearing in mind the importance, and success, of expensive media advertising in attracting votes.

## **6.2 How effective is the party system in forming and sustaining governments in office?**

Latvia has seen eleven governments since 1993. Thus the average length of a government has been around 14 months. At the same time, there has been a great consistency in terms of parties in the coalitions. Latvia's Way was in every party coalition between 1993-2002, while TB/LNNK was in every government from 1997-2004. Indeed, when Latvian governments collapse it does not lead to a massive change in coalition parties or ideology. Rather, merely a few parties swap places, and the ideology remains centre-right, and Latvian protectionist in terms of ethnic policy. Indeed, all governments between 1993 and 2004 have been ideologically similar – centre right – pursuing 'Washington consensus' market reforms, while attempting to maintain elements of the social safety net and integrating with the global, and most particularly European, international institutions.

Why do governments last for such short periods of time? The answer can be found in the election laws as well as the character and organization of the parties themselves.

Latvian legislation permits political parties to form joint lists (political unions) that allow smaller parties to overcome the minimum 5% threshold needed to win seats (there was none in the inter-war era and 4% in the 1993 parliament). This is a practice that has been barred in other European democracies, because the lists frequently fragment after gaining representation and thus reduce voter accountability, as well as making the parliaments more fragmented (Pettai and Kreuzer 1999: p. 178). The most recent example came in 2003, with the fragmentation of the For Human Rights in a United Latvia political union, that had united three different political parties in the 2002 election, virtually monopolized the Russian speaking vote, winning 25 parliamentary seats, but then fragmented into three parties in the parliament. Also, there is no restriction on the number of district lists a candidate can appear in. As a result, political parties tend to place their most popular candidates in a number of electoral districts hoping to draw additional voters to their party. However, the voter has no guarantee that the politician will choose to take up a seat in the particular district in which he/she is campaigning. This system tends to support personality politics rather than responsible party politics. Moreover, it weakens party-citizen linkages, and means that parliamentary deputies may feel less responsibility to their electorate. Finally, the relative ease with which parties can be formed, and campaign for election, means that many parties have little shared ideology and that many elected deputies can be lured away to other parties with relative ease.

The ballot system also encourages this focus on personality politics. Voters in Latvia are handed lists of the different political parties campaigning in their district (each on a separate piece of paper), and choose one list to support. Latvia uses an ordinal ballot system<sup>18</sup> with voters having the possibility to mark candidates on their preferred party list with a positive or negative remark, and the final order of candidates is compiled according to these marks.<sup>19</sup> This means that voters have the possibility to strongly personalize their electoral choices. Thus the choice of party can often be secondary to the choice of an individual candidate. Coupled with the previous point about candidates standing for a number of districts, this indicates that Latvian politics is strongly personalized, to the inevitable detriment of the party. Indeed, people may be drawn to personalities because their understanding of political ideology is so weak.

Parties have also focused on personalities in their election campaigns. Thus personalities have also played a leading role in the formation (and dissolution) of coalition governments in Latvia. As a result, it is difficult to explain coalition collapse by anything other than personality conflict, often over the details of privatisation rather than more substantial issues.

### **6.3 How free are opposition or non-governing parties to organize within the legislature, and how effectively do they contribute to government accountability?**

The Latvian parliament provides administrative support to deputies in fractions. They receive office space, secretarial support, chauffeured cars and other benefits that are more limited to individual deputies. For every five people in a fraction, the Latvian parliament provides 1 employee as well as administrative support.<sup>20</sup> Moreover, each deputy receives financial support for up to two assistants (although two would have to share the salary of one assistant). Coupled with administrative support it is clear that parties winning seats in parliament are granted significant organizational assistance. Evidence is also provided by the fact that the traditional opposition parties – representing the Russian minority – have only skeleton, or even non-existent, party offices outside the parliament.

The opposition have two ways of contributing to government accountability. First, Latvian parliamentary tradition demands that all parliamentary fractions are represented in the committees that are a key function of the parliament, operating as both detailed legislation forming organs and political watchdogs. There are currently 17 committees, 13 sub-committees and 1 special committee. In looking at the composition of these committees, it is clear that opposition parties are represented both as members, as well as chairs, vice-chairs and secretaries. Through these committees the opposition can call individual ministries to account, as well as qualitatively influence the legislative process. Also, opposition parties are represented in the presidium of the parliament, and thus play a role in the day-to-day organization of the parliament's work.

Finally, there are no restrictions on initiating votes of no-confidence on the government. Also, opposition parties can put questions to the Prime Minister, or other government Ministers, asking them to account for their actions. However, the opposition may well have difficulties in garnering enough votes for the effort to succeed.

### **6.4 How Fair and Effective are the Rules Governing Party Discipline in the Parliament?**

Article 14 of the Latvian constitution states that Latvian parliamentary deputies cannot be re-called from the parliament. Thus deputies remain in the parliament even in the event of their leaving the party from whose list they were elected. The parliamentary rules of procedure, governing discipline in the parliament, were last amended on 31st October 2002. They state that a parliamentary fraction must contain at least five deputies elected from one party list. Fractions can also unite in a larger political bloc. Every fraction or bloc delegates one person to the 'fraction committee' that coordinates the work of fractions and blocs in parliamentary plenary sessions and committee meetings, as well as dealing with issues not covered in the rules of procedure. However, their rulings have only recommendatory status.

Membership in a particular fraction does not mean that a deputy must follow the party line when voting. However, fractions can dismiss deputies, thus putting a level of pressure on them to conform. Fractions are governed by internal regulations (except the *Green / Farmers Union* which has none). In any case, there are numerous advantages to being in a fraction – access to transport facilities, additional administrative support and so on.

Although there have been a few well-publicized cases, generally speaking parliamentary deputies do vote according to the party line. A straw poll of seven fraction leaders (by Janis Ikstens) in September 2004 found that, on a scale of 1 (very bad) to 5 (very good) the fraction disciplinary index is 4.2. Moreover, the 2002 parliamentary calling is more disciplined than the previous calling.

A number of structural factors promote internal discipline in the fractions. Parliamentary deputies are elected from proportional representation lists, but only registered political parties may submit candidate lists. As a result, rebellious deputies find it difficult to continue their political career within their political party. Even though Latvia has a high level of deputy and party volatility, not every rebellious deputy can form his or her own political party, if for no other reason than the sheer volume of money needed for a successful election campaign in Latvia.

Parties have also used other mechanisms to prevent deputies from crossing over to other parties. For example, *New Era* made the candidates on its list for the 2002 parliamentary election swear an oath of allegiance to the party, including a promise to give up their parliamentary seat if they break the oath or lose the trust of the party fraction<sup>21</sup>. Before the 2002 election the *Peoples Party* asked a number of their candidates to sign a document acknowledging that the election campaign had cost 25,000 lats (40,000 euro) per candidate, and that the party had the right to ask a deputy to pay back the money in the event of the deputy proving disloyal<sup>22</sup>.

However, the 1998 and 2002 parliamentary callings saw the break-up of a number of fractions. January 2001 saw five *New Party* deputies leave the party and form a new fraction that held together until March 2002. Also, January 2002 saw the formation of the *Social Democrat Union* fraction (that eventually led to a new political party) by deputies elected on the *Latvian Social Democrat Worker's Party* ticket. Further, the *For Human Rights in a United Latvia* fraction lost 17 deputies, who formed a *Harmony for Latvia* fraction. Then a number of deputies left this fraction to form the *Latvian Socialist Party* fraction in June 2003. Five more left to join the *Latvia's First Party* fraction in February 2004. At the same time a number of deputies have also left one fraction to move to another, or to become independent deputies.

This mobility is caused by programmatic and tactical decisions as well as the lack of legislation inhibiting this practice. In response to the public's dislike of these practices, there have been debates on attempting to inhibit this practice. However, they have been blocked by the Latvian constitution's articles on freedom of speech.

## **6.5 To what extent are parties effective membership organisations, and how far are members able to influence party policy and candidate selection?**

Political parties are legally governed by the law on social organisations and political parties. The law calls for parties to have a programme as well as statutes defining the structure of the party. The statutes also define the decision-making procedure in the party.

The selection of candidates is typically decentralized in local elections (regional branches), but centralized for national and European Parliament elections (the party governing board or Congress). However, the central organizations typically can also influence candidate selection for local elections. *Ad-hoc* interviews with party members indicate that the rank-and-file membership actually have very little influence on candidate selection. This is because of the high concentration of corporate party financing, as well as the negative experience a number of parties have had in decentralizing candidate selection for national elections. In any case, candidate selection indicates the great extent to which power in political parties is centralized.

## **6.6 To what extent does the system of party financing prevent the subordination of parties to special interests?**

The financing of political parties is regulated by the law on political organization financing and – indirectly – the law on pre-election campaigning. Following amendments to the law in February 2004, parties are allowed to accept financing from four different sources: (1) membership dues; (2) donations from individuals; (3) income from commercial activities; and (4) other sources of income not banned by the law. It is important to note that parties cannot accept donations from corporate entities, and that donations from individuals (as well as annual membership fees) cannot exceed 10,000 lats. Moreover, the individual must be able to prove that this money has been legally earned in the previous three years. Parties can only accept those donations that are made by Latvian citizens or those individuals legally entitled to a Latvian non-citizens passport. Anonymous donations, as well as those made by intermediaries, are banned. Each donation is publicized on the internet.

The law also places limits on the amount of money parties can spend on election campaigning, capping it at 20 santimes per voter at the previous parliamentary (or local) election. The law demands that parties have to submit details of their planned spending in the run-up to the election, a detailed report afterwards as well as an annual report. All these reports are publically available.

In an attempt to create a more level playing field, the law on pre-election campaigning ensures that all parties campaigning in an election have equal free air time on national Latvian television and radio. The law also emphasizes that commercial TV and radio stations have an obligation to ensure that all parties have equal access to their advertising time.

The issue of party finance reform had come onto the agenda soon after the 1998 parliamentary election, when research proved that there was a direct correlation between the amount of money spent on campaigning and the number of seats won. There was also a clear tendency for the amount of money spent on campaigning to rise sharply as they became longer, more intense and more professional. Television campaigning in particular was stepped up. At the same time the growth in party income was largely accounted for by corporate donations, often of murky origin. This led to a fall in public trust of parties. Party leaders also made it clear that donors often requested specific favours in exchange for the donations.

Because of these increasing fears about corporate influence on political parties, the Soros Foundation-Latvia sponsored two projects observing political party campaigning in Latvia. The project reports argued that the spending that parties claimed did not match the amount of advertising, and that there was a great amount of 'hidden' advertising in both the electronic and print media. This in turn led to the Latvian parliament making changes in the legislation on party financing. First, the Latvian anti-corruption bureau was given responsibility for checking the accuracy of Latvian parties' declarations, corporate donations were banned, and a cap on donations was set at 10,000 lats a year.

However, observation of these laws has been rather patchy. For example, the Latvian National Radio and Television Board (the regulating authority) was charged with ensuring the observance of the law on campaigning. However, they have mostly proved toothless despite imposing fines on Radio PIK and Latvian Independent Television in 2002. This is largely because the Board is composed of political appointees appointed by the parliament, and who thus have their own partisan interests.

The Latvian anti-corruption bureau deals with all issues relating to the financing of parties. However, despite sweeping powers of investigation, the bureau has been less active than was originally envisioned. Since 2002 it has found that a few parties have received illegal donations totalling over 100,000 lats, and has requested that this money be paid into the national budget. However, in most of these cases the parties have legally challenged the bureau, utilizing gaps in the legislation. Despite these drawbacks, the bureau has proven to be far more effective in challenging and investigating parties than its predecessor – the national taxation authority.

Despite these recent changes in the law, it is still difficult to definitively identify the sources of party income. The sums of money donated to parties are frequently quite large (5,000 lats +), although research made by the media has proven that the people donating these sums have often not been in a position to do so. This has led to the accusation that these people have been intermediaries for donations from other people or corporate entities, and the wide-held belief that in actual fact there is only a very small group of people that actually fund the major political parties.

## **6.7 To what extent do parties cross ethnic, religious and linguistic divisions?**

Political party support can best be analyzed by looking at three different types of elections – the European Parliament, the national parliament and local elections. In the first two only legally registered political parties may submit candidate lists. However, in local election constituencies where there are less than 5,000 inhabitants, groups of citizens may also band together in electoral lists. The electorate is composed of Latvian citizens over the age of 18, except those in prison or who have been declared insane by court order. For historical reasons, citizens who were active in the Communist Party of the Soviet Union or its affiliated organizations after 13th January 1991, or those citizens who were employees of the KGB or other secret services, are not allowed to stand for election.

Latvia is a multi-ethnic country (see Table 6.4 below). However, the electoral law gives no advantages to the Latvian ethnic group, or any other.

Table 6.4

**Ethnic Breakdown of the Latvian Population (July 2004), %**

	Total Population	Latvian Citizens
Latvians	58,7	74,9
Russians	28,8	18,3
Belorussian/Belorussians	3,9	1,5
Ukrainians	2,6	0,6
Poles	2,5	2,2
Lithuanians	1,4	0,9
Others	2,1	1,5
Total	100	100

Source: Latvian Naturalization Board

Both election results and social surveys indicate that there are significant differences in the electoral behaviour of these ethnic groups. First, political parties that claim a certain affiliation to an ethnic group are regularly elected to parliament. Indeed, pro-Slavic parties won the 1998 and 2002 local elections in Riga and the eastern region of Latgale – the electoral districts with the largest number of Slavs<sup>23</sup>. The referendum on Latvian accession to the European Union provided further evidence for this assertion. Support for the EU was lowest in those parts of the country where the majority of ethnic Slavs live<sup>24</sup>.

The *Nikolo Group* made a survey of Latvian public opinion in February 2004. This identified the levels of ethnic support for particular political parties. Answering the question ‘which party would you vote for if the parliamentary election took place today?’, showed a clear divergence between different ethnic groups. Table 6.5 reveals the results.

Table 6.5

**The Ethnic Structure of Party Support %**

	Latvians	Slavs	Others	Total
“Jaunais laiks” (New Era)	93	3	4	100
Tautas partija (Peoples Party)	93	5	2	100
“Par cilvēka tiesībām vienotā Latvijā” (For Human Rights in a United Latvia)	19	74	7	100
Tautas saskaņas partija (National Harmony Party)	14	81	5	100
Zaļo un zemnieku savienība (Green / Farmers Union)	95	4	1	100
“Tēvzemei un Brīvībai”/LNNK (For Fatherland and Freedom)	91	7	2	100
Latvijas Pirmā partija (Latvia’s First Party)	90	8	2	100
Latvijas Sociāldemokrātiskā strādnieku partija (Latvian Social Democratic Workers Party)	53	39	8	100

Source: Nicolo Group 2004



These data clearly show that there is an ethnic division in Latvian politics. As a result, we can argue that there are ‘Latvian’ and ‘Russian’ parties, with firm ethnic constituencies. Moreover, the ethnic division is likely to hold firm into the future as parties continue to exploit the ethnic card. This division seems to have crystallized in society in the 1980’s and early 1990’s, and seems likely to remain a feature of the Latvian political landscape despite continued efforts at national integration as well as changes in the international context.

The Latvian public has a negative opinion towards the fracturing of political parties and the migration of parliamentary deputies from one group to another. As a result, a regulation to limit the possibility of deputies concerning their political affiliation has often been discussed. In 1997 *For Fatherland and Freedom / Latvian National Independence Movement* prepared a law that envisioned the loss of a deputy’s parliamentary mandate if that deputy left a political party. However, parliament did not approve the law, claiming that it was in contravention to the constitution. In September 2004 the *National Harmony Party* submitted a law proposing to change the parliament’s regulations, and allowing a deputy to change his fraction affiliation only within the party list within which he or she was elected. However, these changes were not approved.

There have been significant changes in the law on party financing and the regulation of the law, both of which have striven to improve the transparency and quality of party financing in Latvia by limiting the sources of party financing (inputs). However, despite a wide-ranging discussion on the possibility of introducing state-financing of parties, this has been largely rejected due to society’s aversion to the idea.

#### Summary: progress during the past 3-5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
6.1		X			
6.2				X	
6.3		X			
6.4		X			
6.5				X	
6.6					X
6.7				X	
6.8			X		

**Best Features:** Partial limits on party income

**Biggest Problem:** Party dependence on narrow interests and the small number of party members

**Suggestions:** Limits on political advertising in the electronic and print media

#### REFERENCES

- <sup>1</sup> 1993 – 23; 1995 – 19; 1998 – 21; and 2002 – 20. (Central Election Commission: [www.cvk.lv](http://www.cvk.lv))
- <sup>2</sup> The party general secretary informed the author that ministers and parliamentary deputies are expected to pay more than other party members. May 14th 2003.
- <sup>3</sup> Bottolfs (2000), p. 95
- <sup>4</sup> Phone calls to party offices by author on 14th March 2003, excepting the People’s Party, who provided statistics by email on March 17th 2003.
- <sup>5</sup> The Latvian Social Democratic Workers’ Party did not pass the 5% threshold in the 2002 election
- <sup>6</sup> The Social Democratic Union did not pass the 5% threshold in the 2002 election
- <sup>7</sup> By 29th November 2003 this had fallen to 1,501. Egle, Ināra. The Peoples Party as an Alternative to Repše. *Diena*, 29th November, 2003, p. 4.
- <sup>8</sup> Latvia’s Way did not pass the 5% threshold in the 2002 election

- <sup>9</sup> Līdztiesība have 375. TSP and LSP were unable to provide answers to the question.
- <sup>10</sup> *Opozīcija JL pievēršas partijas stiprināšanai. Diena*. 15th April 2004, p. 5.
- <sup>11</sup> *Diena*, 8th March 2004, p. 1.
- <sup>12</sup> There are no other statistical sources on party membership in Latvia to compare with my own results, indicating a dearth of research on this subject. This was confirmed in an email from Ingrid van Biezen on 17th March 2003, who explained that statistics on party membership in the Baltic states is missing from her comparative research on party membership in Europe (See table 6.3) because of the lack of data.
- <sup>13</sup> Information from the Latvian Central Election Commission website on the 18th of February 2003 ([www.cvk.lv](http://www.cvk.lv)).
- <sup>14</sup> Information from the Latvian Naturalization Board website on the 10th of March 2003 ([www.np.gov.lv](http://www.np.gov.lv)).
- <sup>15</sup> Although the table does not feature the other two Baltic states of Lithuania and Estonia, as no comparable statistics are available.
- <sup>16</sup> In the first ten years of post-Soviet Latvia (August 1991 - August 2001), there were 57 political parties registered at the Ministry of Justice. (Lursoft 2001). In September 2004 there were 60.
- <sup>17</sup> However, article 18 (added in 2002) requires all deputies to swear an oath of loyalty to the parliament, which serves as a peer review of the language capabilities of deputies: A person elected to the *Saeima* shall acquire the mandate of a Member of the *Saeima* if such person gives the following solemn promise:  
 “I, upon assuming the duties of a Member of the *Saeima*, before the people of Latvia, do swear (solemnly promise) to be loyal to Latvia, to strengthen its sovereignty and the Latvian language as the only official language, to defend Latvia as an independent and democratic State, and to fulfill my duties honestly and conscientiously. I undertake to observe the Constitution and laws of Latvia.”
- <sup>18</sup> An ordinal ballot allows voters to personalize their vote through various preferential voting procedures.
- <sup>19</sup> Those with the most positive remarks as against negative remarks being elected from the list, regardless of the initial numbering of candidates.
- <sup>20</sup> [www.saeima.lv](http://www.saeima.lv) – the rules of procedure.
- <sup>21</sup> <http://www.jl.lv/page.php?id=455> – accessed 30th September 2004.
- <sup>22</sup> Interview with Aigars Kalvītis, *Peoples Party* Fraction leader on 23rd September 2004.
- <sup>23</sup> Eglājs, R. Politiskā rajonēšana Latvijā ? <http://www.politika.lv/index.php?id=109287&lang=lv> - accessed 2004. gada 26. septembrī.
- <sup>24</sup> For more details see.: Krastiņš, M. Etniskie balsojumi Latvijā: kas tālāk? ? <http://www.politika.lv/index.php?id=109377&lang=lv> – accessed 2004. gada 26. septembrī; Austers, I. Kādi bija latviešu un cittautiešu argumenti par vai pret Latviju ES? ? <http://www.politika.lv/index.php?id=108318&lang=lv> – accessed 26th september, 2004.

## 7. Government Effectiveness and Accountability

*Marija Golubeva and Iveta Reinholde*

*Is government accountable to the people and their representatives?*

### **7.1 To what extent is the elected government able to influence or control those matters that are important to the lives of its people, and how well is it informed, organized and resourced to do so?**

The effectiveness of all the public administration components testifies to the ability of a democratically elected government to implement policies and control public spending.

Relatively unchanging restrictions, built into the parliamentary system of Latvia, limit the ability of the Parliament (*Saeima*) to influence the executive power, as when the actions of the *Saeima* factions are always dependent upon the government coalition composition of the moment. However, it is not as if the Parliament were paralyzing the effective work of the government on a regular basis – the governments fall by resigning when there is no longer a consensus about the fundamental principles among the coalition partners.

One can say for sure that the legislative initiative usually comes from the executive power. The executive power, or the state administration more directly, develops the bulk of the legislation in the state, which points to several trends. First, the role of the Parliament is decreasing and, second, development of the state becomes dependent upon the professional actions of the government. Third, such a trend may be indicative of power redistribution with constitutional consequences.

Since the mid-90s, public administration reforms have had both successful and unsuccessful stages. The initial attempts to decentralize decision making within the public administration by getting rid of the Soviet administrative legacy and to introduce the principles of the ‘new administration’ in Latvia by following the experience of other countries only partially achieved their goal. The first stage of changes was particularly unsuccessful, when several subordinate institutions with unclear accountability mechanisms were created as a result of the nearly spontaneous decentralization and party interference, and whose freedom of action regarding issues of public spending (especially, regarding the so-called “own income” and other resources) was limited mostly by the will of the responsible Minister or State Secretary alone. At the core of this failure, in part, was the conflicting nature of the new administration principles themselves, for example, the so-called New Zealand model, imitating market mechanisms in the public sector.<sup>1</sup> The normative bureaucratic nature of the institutional culture of the Latvian public administration, with its corruption potential added to the greater freedom of action for its civil servants-leaders, created a situation in which the executive power could not effectively control the policy implementation and the effectiveness of the funds spent.

Improvements appeared around the year 2000, following a problem analysis, along with a new agency legislation and the creation of a new agency operation framework, when the specific features of Latvia were considered and new administrative principles with more limited agency freedom of action were developed. The system of result planning that is being introduced into public administration over the past years may in the future improve the situation in this area. However, an important factor limiting the public administration effectiveness is the comparatively low capability of the civil servants responsible for policy planning.

Along with the improvement of the information accessibility legislation at the end of the 90s, the ability of society to control public administration operation also improved. Yet, not always is the civil society of Latvia, which was developing rather slowly, able to follow up on the policy implementation, and there are only a few non-governmental organizations possessing such capacity. The mass media pay attention to shortcomings of public administration operation regularly, yet often the focus of attention when criticizing action imperfections of ministries or institutions depends on the political or even economic motivation of the mass media owner or editorial board (for example, in the case when the Minister for Justice, possibly,

interfered with the court independence, newspapers representing opposite economic interests criticized his action more loudly than others).

All in all, it can be concluded that during the past five years the public administration has become more transparent and more effective. The ability of the public to keep track of the policy implementation has increased. Therefore, the general trends should be regarded as satisfactory (moderate). At the same time, however, reforms of the public administration turned out to be less effective than expected because of the lack of continuity of political will among Latvia's politicians. The external participants (World Bank, European Union) played a significant role in ensuring public administration reforms. In general, this influence may be regarded as something positive, as it provided an incentive for change (which was necessary due to lack of political will) and much-needed experience.

Suggestions for improvement related to the issues analyzed in this sub-section follow the assessment of each title question.

## 7.2 How much public confidence is there in the effectiveness of government and its political leadership?

Overall, as the research<sup>2</sup> done in late 90s and the beginning of 2000 indicates, public confidence in government and politicians remains low: thus, in 1997/1999, 26.3% of citizens and 21.8% of non-citizens had confidence in the government; and 24% of citizens and 22% of non-citizens in 2000. In the second half of the 90s a similar, albeit not as pronounced, situation was typical in other Eastern European countries.<sup>3</sup> Very low indicators in this area were shown also in the 2000/2001 "Human Development Report: The Public Policy Process in Latvia", according to which less than 10% of Latvia's population back then believed that they can significantly influence the decision-making in the *Saeima*, the Cabinet and the ministries.<sup>4</sup> At that time, only 17% of the population, the *Saeima* deputies and local government leaders believed that the decision-making within the Cabinet of Ministers is transparent.

A similar public attitude toward the activities of the elected officials and their effectiveness remains today as well: according to the Eurobarometer data, Latvia is among the countries with the lowest level of public confidence in government (7-30%). In comparison, Estonia along with the Nordic countries falls within the group of countries with the highest public confidence in government, and Lithuania – within the group with the average level of confidence.<sup>5</sup> The people of Latvia trust police (42.5%), commercial banks (44.9%) and NATO (37.9%) the most instead of the government (25.0%) or the political parties (10.4%).<sup>6</sup>

The attitude toward the effectiveness of the government activities in selected areas is alike: in the fall of 2003, only 13% of Latvia's population believed that, in general, the money derived from taxes in Latvia is being used properly, and 2/3 of the respondents were skeptical regarding this issue (SKDS).

The partially non-transparent and at times narrowly corporate nature of political decision-making became the center of attention of Latvian political analysts and society in 2001, when the Human Development Report on Latvia by the United Nations Development Program was released, pointing out the low public participation in political decision-making, and when the Soros Foundation-Latvia organized a public policy forum "Closed Politics in Latvia."

The fact that the party "New Era", which had announced the fight against corruption in public administration as its mission, gained significant success in the *Saeima* elections of 2002 is indicative of the comparatively great public interest in the solution of non-transparent politics and corruption problems after 2001. Although the data show that 96.4% of the respondents themselves have not paid to obtain a favourable decision or outcome of a case, yet in the aggregate the data demonstrates that 32.6% of the people surveyed believe that the activities of civil servants depend on business influence, and 34.6% believe that people working in the executive branch are incompetent and their activities are ineffective as a consequence.<sup>7</sup>

Such an evaluation speaks volumes about the highly critical public attitude toward the ability of the executive branch to work successfully. Therefore, the situation assessment of this area may not be regarded as normal. In fact, it is very low.

### Suggestions:

1. The government communication with the public, as well as the transparency of political decision-making and implementation should be improved. The current situation, when political decisions are often made

without well-timed preparation and policy direction is changing frequently with the changes in government staff, the lack of public confidence in government effectiveness is at least partly justified.

2. The development of civil society and the growth of its capacity should be promoted to increase public control over the government and to provide an opportunity for society to assess government effectiveness.

### **7.3 How effective and open to scrutiny is the control exercised by elected leaders and their ministers over their administrative staff and other executive agencies?**

The State Administration Structure Law (adopted on June 6, 2002) and the Civil Service Law (adopted on September 7, 2000) regulate the relations between the politicians and the administration. Therefore, one can consider that by adopting the above-mentioned laws the role and status of the public administration and civil service within the state was defined. The Civil Service Law emphasizes that the civil service is loyal to the legitimate government, it is professional and politically neutral.

It is a widespread opinion in Latvia that the minister represents the political governance, while the state secretary – the administrative governance within the ministry. These areas of responsibility are formally divided in the State Administration Law by separating areas of competence of both public officials. When looking at the stability of state secretaries as the highest officials of ministry civil service, the state secretaries have been relatively stable in their positions, despite the fact that eight governments have changed since 1997 (on 13.02.1997; 07.08.1997; 26.11.1998; 16.07.1999; 05.05.2000; 07.11.2002; 09.03.2004; 02.12.2004), which testifies to the professionalism of these public officials.

The government of Einars Repše is a special case, which began with the replacement of state secretaries in the ministries headed by the Prime Minister's party. Thus, the desire of the government to gain greater political control over ministries became apparent, thereby acquiring greater control over both the budget division and issues of personnel. With the general stability of the state secretary position and the need to provide civil service continuity in mind, the endeavour of the Repše government to replace state secretaries marks the lack of understanding among politicians about the role of the civil service in a democratic state and indicates the ultimate desire of the politicians to bargain away the civil service as an administrative instrument for executive continuity in favour of the satisfaction of short-term political whims and the consolidation of popularity.

The amendments to the Civil Service Law, adopted during the Repše government, giving the Prime Minister the right to dismiss any public official who has lost the Prime Minister's trust, indicates that the politicians lack strategic thinking. This refers to both the Prime Minister and the ministers. By mixing together the strategic and operative management of the civil service, the work of ministries is obstructed and the consequences manifest themselves in hastily developed drafts of regulatory enactments, which are prepared in lowquality and often do not correspond to public expectations.

In analyzing the structure of Latvia's public administration, Sir Robin Mountfield has pointed out that there is a very pronounced vertical coordination in Latvia and very weak horizontal coordination.<sup>8</sup> Consequently, ministries are primarily acting within their respective competencies and in accordance with their departmental interests, yet they are very reluctant participants in problem solving, and issues are not analyzed in the light of the common public administration system, policy or program. In addition, the vertically organized institutional system of the public administration has a tendency of accumulate functions, i.e., to carry out not just the functions prescribed by the legislation, but other related functions as well, which eventually leads to function overlap.

When encountering signs of government crisis, the civil service of Latvia assumes the wait-and-see position.<sup>9</sup> That is, in the case of government crisis when the civil service should be ensuring the continuity of sectoral policy and programs, it does not do so on purpose. This indicates the lack of understanding among the civil service within the global context and demonstrates public understanding about the political process.

In the mid-90s one could observe a decentralization process within the state administration, not always followed by the implementation of new, transparent decision-making and accountability systems. While the goal was to get rid of the overly centralized state administration inherited from the Soviet system, due to the spontaneous decentralization the managerial autonomy of the institutions subordinate to ministries often is disproportionately large, but ministry control over the resources and operation effectiveness of the subordinate institutions – insufficient.<sup>10</sup>

In 2000, independent experts did two problem assessments of the state administration system<sup>11</sup> in Latvia, outlining the following trends:

- absence of a clear structure for policy implementation and coordination;
- ‘vacuum’ at the core of the executive, weak horizontal links between ministries, which hindered coordination;
- lack of an action framework (a clearly defined system of results) for the state agencies;
- absence of a clearly defined system of civil service.

Both Pollitt and Mountfield, as well as other foreign consultants, who have participated in the development of state administration reform since 2000 (e.g., within the framework of the PHARE Twinning project at the Ministry of Finance and the State Chancellery during 2002-2003), increasingly facilitated the transposition of the New Public Management principles in the public administration of Latvia, which emphasize effectiveness and performance management. All of this had a positive impact on the executive ability to control the efficiency of public spending, although the introduction of the performance management encountered several problems (described in more detail below).

Some of Pollitt and Mountfield’s diagnoses were taken into account: thus, one of the suggestions in the Mountfield report was the strengthening of the executive core by increasing the role of the State Chancellery in policy coordination, establishing a policy analysis and coordination unit within the Chancellery, which would assume responsibility for the horizontal coordination of policy implementation. Soon after the Mountfield report the Department for Policy Coordination was established in the State Chancellery, which practically has carried out these functions since 2001.

Another urgent problem - the unclear status of the state agencies and the collection and management of the so-called “own income”, because often these funds, collected by the agencies from the people for state services, were considered the income of the institution itself, which could be used rather freely (in order to justify the non-profit status, this income was split into salaries, premiums and the like instead of returning the money to the state budget to be divided according to the needs of all sectors).

The attempts to arrange the system and functions of the state agencies, thereby improving the executive control over public spending efficiency – have been taking place since 1996. Back then the Cabinet of Ministers created a working group for the development of an agency reform concept. In 1998, commissioned by the World Bank, Alens Šiks (Allen Schick) developed recommendations for the arrangement of the state agency management system. The World Bank included agency legislation alignment in the prerequisites for receiving the PSAL credit in 1998-1999. The Secretariat of the Minister for Special Assignments for Public Administration Reform Affairs developed a new state agency concept and draft law. However, the *Saeima* adopted the State Agency Law only in 2001.

On the basis of the adopted Law, several regulations and newly developed procedures outlined the principles of state agency establishment and operation. The sample agency administration agreement is among the adopted documents, in which it defines the responsibility of the agency director, as well as the attainable midterm results. Ideally, the administration agreement would have to reflect the midterm strategy of the ministry in the field of responsibility of the respective agency. The administration agreement may serve as an effective means of ensuring agency effectiveness and transparent use of resources. However, whether it actually happens is determined by the ministry capacity and the political will of the minister on a case-by-case basis.

The inspectorate reform also indicates that the government addresses urgent public administration organization and operation problems only when external pressure is applied (in the case of inspectorates – by the World Bank, Foreign Investment Advisory Service). This points to the absence of interest among the politicians in the public administration unless negative signals from the public or international organizations have been received, although, at the same time, the politicians rely on the bureaucracy to carry out its duties in accordance with the legislation.

Considering the aforementioned, it can be concluded that the situation assessment of this area can be regarded as satisfactory (moderate) only when compared to the situation assessment five years ago, because significant changes in the state administration action framework took place during this period, owing to the interest of international organizations and the effort of a portion of the civil service.

### **Suggestions:**

1. the effectiveness and transparency of the public administration depends directly upon the will of the politicians to pay regard to public administration reforms. Currently, a wide selection of instruments is available for politicians to use in order to increase the public control over the operation of public administration, yet the use of these instruments is dependent upon the will of the politicians.

2. It is necessary to strengthen the capacity of the civil service (especially the analytic capacity and strategic planning capacity) and the independence of the civil service from tactical political fluctuations, which occur as a result of frequent changes of government. This will help ensure continuity in policy implementation.

#### 7.4 How extensive and effective are the powers of the legislature to initiate, scrutinise and amend legislation?

The trend of a decreasing role of parliament in the political process appears in several countries of the world. When the legislative process in Latvia is discussed, it should be emphasized that the statement about the decreasing role of the parliament in the legislation process may be partially applied to Latvia as well. It is true, however, that the international practice in this area in the countries of Western democracy is similar. This assumption is confirmed by data on the activity of the *Saeima* deputies and the Government in the preparation of the legislation.

Table 7.1

##### Amount of Draft-Laws Submitted, per cent

Submitter	During the 6th <i>Saeima</i>	During the 7th <i>Saeima</i>	During the 8th <i>Saeima</i> (on 30.12.2003)
The <i>Saeima</i> deputies (parliament)	27.98 %	21.15%	13.3%
<i>Saeima</i> Commissions	18.24 %	13.8%	12.60%
Cabinet of Ministers, including by the procedure of Article 81	53.48 %	64.84%	73.93%
President	0.3 %	0.14%	0.17%
10 % of voters	–	0.07%	–
Total:	100 %	100 %	100 %

Source: *Saeima* Chancellery Documents Division, [www.saeima.lv/Likumdošana/likumdosana\\_stat7.html](http://www.saeima.lv/Likumdošana/likumdosana_stat7.html) (downloaded on 13.09.2004.); Latvija. Pārskats par tautas attīstību 2000/2001, Rīga: UNDP, 2001.

When looking at the legislation preparation from the statistics perspective, it should be mentioned that the volume of legislation submitted by the Cabinet of Ministers has been increasing since the 6th *Saeima*. Moreover, over the past five years this volume has increased by 20%, which is indicative of the dominating role of the Cabinet of Ministers in developing legislation.

The statistics point at the ever-increasing proportion of the legislation developed by the executive branch. The draft laws submitted by the Cabinet of Ministers are prepared at the ministries. Thereby, with the increase in the volume of draft laws developed by the ministries, the issue of civil servant responsibility should be addressed. For example, when adopting the Labour Law in 2000, the responsible ministries pointed out that the Law would not involve consequences for the state budget, although in reality the Law had a negative impact on the state budget and created additional expenses for enterprises. As a result, amendments to the Law were prepared with haste. In order to improve the quality of the documents prepared by the ministries and to improve the overall procedure of document drafting, the State Chancellery Department for Policy Coordination developed the basic guidelines for policy planning in 2001, and in 2002 the work on developing a policy evaluation system commenced.

Here, the problem of democracy appears: the majority of the legislation is developed by the executive branch, but the capacity and accountability of civil servants is insufficient. Taking these conditions into account, one can conclude that the situation assessment regarding the ability of the legislature to initiate and change legislation is low.

##### Suggestions:

1. Considering the proportion of the legislation prepared by the executive branch, one can see that it is largely the civil servants who are shaping state policy. While solving the issue of civil servant accountability, the quality of the documents prepared by the civil service should also be considered.

2. With the decreasing influence of the legislature on the quality and content of new laws, it is essential that society is involved more in the legislative process, so that the democratic deficit may be compensated through direct participation in discussing and lobbying new laws.

## 7.5 How extensive and effective are the powers of the legislature to scrutinize the executive branch and hold it to account?

The Constitution of the Republic of Latvia is rather limited in regulating public administration. Namely, the Constitution does not define the formal relations between the State President and the civil service, or between the legislature and the civil service. Thereby, it is possible that the absence of formal regulations has been the reason why the Presidents have not come forth with initiatives regarding the operation of the civil service. An exception is the support provided by Vaira Vīķe-Freiberga for the creation of an ombudsman institution by developing a working group and involving more than just civil servants in it.

As regards the Parliament, it does not, in general, delve into the bureaucracy processes. The statistics on questions and inquiries of the *Saeima* deputies serves as evidence. A minimum of five deputies may address questions to the Prime Minister, the ministers, state ministers and the President of the Bank of Latvia, and the questions must be related to the area of competence of these officials. The inquiries to the Cabinet of Ministers, on the other hand, may be submitted by a minimum of 10 deputies, and unlike questions that the members of the Cabinet receive directly, the inquiries are dealt with at the Commission for Inquiries, which decides on whether the inquiry should be accepted or denied.

During the 7th *Saeima*, the deputies addressed the government with 191 questions and 29 inquiries, 27 of which were denied. During the 8th *Saeima* (up to 30.12.2003) – only 18 questions and 4 inquiries (2 of them denied).<sup>12</sup> The statistics prove that the bulk of the inquiries have been denied. It is possible that the deputies have used the opportunity, provided by the *Saeima* Rules of Order, to turn inquiries into questions, which can be answered orally or after each meeting is over. Answers to questions, together with the *Saeima* session transcript, are published in the official paper “Latvijas Vestnesis.” However, since the mass media does not take notice of these inquiries and questions, the public does not receive information about the option of using such a mechanism of control.

The interest of the Parliament in bureaucracy stops with the approval or disapproval of a new government composition, where, as a result of political party agreement, the posts of Minister for Special Assignments are created with the appropriate administrative apparatus, which rarely acquire the status of a full-fledged ministry with the adequate independence and stability (e.g., the Secretariat of the Minister for Special Assignments for Children and Family Affairs became the Ministry of Children and Family Affairs). Admittedly, however, the secretariats as the creations of the executive branch usually survive one to two terms of government and should be considered as the instruments necessary for the balance of the compromise between the political forces.

The *Saeima* Rules of Order stipulate that, if at least one third of the deputies demand so, parliamentary investigation commissions may be established. Such a commission has the right to summon and question individuals, to conduct audit in the national and local government institutions, and private enterprises. True, however, the commissions may only audit those enterprises that receive government orders and participate in the privatization of state property. Theoretically, the *Saeima* Rules of Order provides the deputies with an instrument to prevent abuses or at least to raise the issue in public debate. Yet experience shows that the parliamentary investigation commissions are formed on politically sensitive issues, for example, the parliamentary investigation commission to examine the issue of real estate purchased by Einars Repše.

The media are interested in precisely such issues as well, and an increased control is demanded in cases when the owners of a medium or editorial board are motivated politically to do so (e.g., the newspaper belonging to the opponents of E.Repse paid greater attention to the action of his government when the potential increase of foreign influence in the area of telecommunications was addressed).

Admittedly, the Parliament adopted many laws regulating the public administration only due to external pressure, when the European Commission stipulated the public administration capacity as a precondition for the EU accession. All in all, the legislature has the authority and mechanisms available to check the government activities, but these instruments are either not used in practice, or are used little. Therefore, the situation assessment of this area is low.

### **Suggestion:**

The establishment of an ombudsman institution might promote the utilization of control mechanisms incorporated into the legislation.



## 7.6 How rigorous are the procedures for approval and supervision of taxation and public expenditure?

The process of budget development and approval clearly demonstrates the attitude of the politicians toward the civil service, even if it is a process during which the political parties and some politicians indicate before the public the need to decrease administrative expenses.

All in all, it can be concluded that there is no consistency between the priorities declared by the governments in the Government Declarations and the budgetary priorities.<sup>13</sup>

The executive and legislative control over state enterprises and spending greatly depends upon how united the fiscal policy and sectoral policies are. In 2001, the State Chancellery Department for Policy Coordination performed an assessment of the policy development process and prepared a publication as a result.<sup>14</sup> The propositions' section of this publication emphasizes: "The linkage of the government political priorities with the state budget, the provision of state financial stability are the fundamental goals of any government action. To ensure the implementation of the government's priority goals, an agreement should be reached on how to link the government-approved programs and plans with the process of the annual state budget formation so that the effort put into the policy formulation and development gives the desired result and the intended policy plans do not remain in the status of good intentions only without further development and implementation. In the midterm perspective, the financial resources available to the government should be linked to policy decisions by defining expenditures for the priority programs. The arrangement of these issues would be a significant step toward the linkage of the budget-approval and decision-making processes, which currently are often divided."

In 2002–2004, in order to increase public spending efficiency, the State Chancellery and the Ministry of Finance continued to work in two directions: the implementation of the midterm strategy and the system of effectiveness indicators, and the State Agency Report.

### Linking the Mid-Term Results to the Budget.

By involving consultants from New Zealand, which is considered a world-class model of reforms of planning and controlling public spending, the Ministry of Finance and the State Chancellery completed a sizeable amount of work to introduce the midterm planning perspective in the public administration of Latvia. However, the transition toward the midterm budget and the linkage of the budget and the ministry anticipated midterm results of their activities has occurred much slower than it should. At the moment, the following has been achieved in this process:

- The Basic Principles of the System of Results and Indicators of Effectiveness (approved by a Cabinet of Ministers Order) have been developed and approved. The sectoral ministries and their subordinate institutions employ specific and measurable indicators of effectiveness when planning their midterm activities;
- The methodology of the Institution Operation Strategy (Iestādes darbības stratēģija – IDS) has been developed and adopted;
- In 2004, the development of the ministry midterm action strategy took place in several sectoral ministries. The purpose of the process was to link the ministry action plans to the budget, outlining the attainable results of the ministries and their subordinate institutions in each sub-program of the budget.

Upon the implementation of these instruments of public spending efficiency and control, the state administration encountered the following problems:

- The capacity of the ministries and their subordinate institutions often turns out to be insufficient to define adequate indicators of effectiveness that would serve the action planning and the control of spending efficiency well;
- The capability of the ministries to make use of the system of the effectiveness indicators and the IDS depends upon several factors: the administrative capacity, the political will or its absence thereof, the readiness of the Ministry of Finance to cooperate and help to define and plan the midterm results. These conditions are not always fulfilled, and, therefore, the introduction of the effectiveness indicators does not always generate the expected effect.

The introduction of the IDS in the ministries was not required by regulatory enactments. Consequently, only a few ministries took advantage of the provided opportunity to develop the comprehensive midterm action strategy, some of them approached the task formally, while in some ministries the development of the strategy was evaded almost completely. This fact indicates that despite the attempts to introduce the *New Public*

*Administration* principles which allow the use of methods borrowed from the private sector to increase the public administration effectiveness, the narrow bureaucratic model is still common in Latvian public administration, stipulating that the state institutions carry out only those tasks that are assigned to them by regulatory enactments and orders of senior civil servants or ministries.

### **State Agency Review**

Considering the great role of the agencies in policy implementation, the government of Einars Repše initiated a review of functions of several ministry subordinate institutions in 2003 in order to determine which ones meet the status of state agency in accordance with the new Agency Law. The agency status was mostly granted to institutions offering services to the public, as well as to institutions dealing with projects. Institutions whose activities bring revenue had to transform into state corporate enterprises (the status of state non-profit organization, which was mostly granted to subordinate institutions in the 90s, was abolished). The goals of the review also included the revision of agency functions with a possible giving up of carrying out some functions in the public sector, as well as a budget revision of the subordinate institutions to solve hazy cases of “own income” by returning all individual payments considered to be state fees to the state budget. One of the purposes of the review was to prevent further fragmentation of policy areas, as well as to prevent cases when money paid by the people for services the state alone provides falls into the category of “own income.”

The review partially achieved its goals (the status of several state institutions was revised according to their functions, several overlapping functions were eliminated, the framework of agency operation was defined by the effectiveness indicators, the midterm strategies of several agencies and other institutions were adopted). In the long-term, the results of the revision may ensure greater control and transparency in the administration of state agencies. However, the effect of the review was limited by several factors:

- the unwillingness on the part of the ministries to wind up subordinate institutions or to reduce significantly the range of their functions, especially, if they are associated with the “own income”;
- The comparatively low capability of the ministries to manage their subordinate institutions effectively, to define their goals and their action and policy outcomes;
- Corporate links of the leadership of individual institutions within the ministries and informal political influence;
- Partially – the lack of political will to complete the review in the most effective way: so, in 2004, the State Chancellery Department for Policy Coordination, which carried out the review, was denied the right to demand that the agencies submit their midterm strategies for approval – thereby the responsibility for the definition of action effectiveness criteria remains with the respective ministry alone, although it was determined that the ministries do not always have the capacity to write such strategies.

The mandatory **Annual Reports** of state institutions and the **Internal Operation Regulations of Inspectorates**, which are available to the public and the legislators, were introduced as another means of ensuring transparency of public spending. However, it should be considered that even with the Reports the ability of the institutions to provide a clear report on the justification/efficiency of their spending depends directly upon the capacity of its employees. Otherwise, the Report indicates only the amount of the resources spent. The existing regulations do not specify the mandatory linkage of the Report to the planned action and policy outcomes, which means that institutions are not motivated to increase the informative value of their Reports.

All in all, positive change has occurred in the public administration since 2000 and new means have appeared enabling the executive branch to control the efficiency of public spending and render its operation transparent for the public. However, the use of these means is uneven, depending upon the capacity and the political will (or the absence thereof) of the concrete ministry or institution.

Therefore, it can be concluded that the situation assessment of this area is satisfactory (moderate), yet requires further improvements.

### **Suggestions:**

1. It is necessary to use the existing instruments – the Agency Law and the administration agreements, the process of strategic planning in the ministries, etc, more widely and more intensively to ensure the public control over the efficiency of public spending.
2. The policy shapers should try to influence the institutional culture of the civil service and direct it toward the development of strategic thinking and accountability, preventing the currently prevalent dominance of normative bureaucratic thinking.

### **7.7 How comprehensive and effective is legislation giving citizens the right of access to government information?**

The Information Openness Law was adopted in 1998. The purpose for adopting the Law was to adapt the Latvian legislation to the practice of the developed democratic countries in the sphere of information openness, to add norms specifying the human right to acquire and distribute information freely. During the period between 1999 and 2003, changes were made to several legal enactments regulating information accessibility. There were discussions in society and the media on the relevance of information accessibility in democratic states (Delna 2003). During this period, several independent studies on information accessibility in the state and local government institutions have been done (Delna 2000, Delna 2003).

As was discovered during these studies, even after all the legislation dealing with information accessibility has been implemented, the following trends can be observed in the practice of the state and local government institutions:

- inconsistent application of legal norms (Delna 2003, 5);
- placement of interests of the government institutions above the public interest – in case of doubt, these institutions did not interpret the status of information in favour of openness; lack of understanding about the status of information – often information was called classified when it could not have had such status (Delna 2003, 4);
- lack of knowledge on issues of information accessibility legislation among employees of government institutions.

Another method which ensures that society has access to government information is the participation of a representative from the NGO Centre in the meetings of the State Secretaries. In such a way the information on new policy documents reaches a wider circle of public organizations.

The ministries and several subordinate institutions have Internet web pages where they provide the people with information on their activities. However, only 35% of the population have used Internet or e-mail to communicate with the state or local government institutions.<sup>15</sup> At the same time, according to the data of 2003, only 20% of the local governments had their own home pages with information for the public.<sup>16</sup>

It is rather common in Latvia to establish advisory boards, the purpose of which is to harmonize the interests of state institutions, local governments, non-governmental organizations, as well as the people, entrepreneurs and other interest groups. Since the decision made by the advisory board is essentially a recommendation, it is therefore difficult to determine how much the legislature and the executive consider the opinion of the advisory board, even if the Cabinet of Ministers approves the advisory board statute.

One such example, which received great public attention in 2003-2004, was the Advisory Board on Minority Education Issues. The number of state administration and local government employees in the Board ensures that the decisions unacceptable to the Ministry of Education and Science are voted out, which generated frequent criticism on the part of the NGO representatives.<sup>17</sup>

Overall, the situation assessment of this area can still be regarded as low, because the existing advisory mechanisms are often formal, the state institutions lack understanding about the right of the public to information, and the opportunities of using e-governance with the goal to access government information are rather limited.

#### **Suggestions:**

1. It is essential to improve the operation and transparency of advisory mechanisms to increase the public participation and access to state administration information.
2. It is necessary to continue the development of the e-governance and promote the development of e-democracy in order to diversify the sources of information and the participation opportunities as much as possible.

### **7.8 What measures are taken to improve democratic control over the executive branch and the transparency of its operation, and how important are they to government?**

All in all, the history of public administration reform development reveals the absence of continuity of political will among the politicians of Latvia to ensure democratic control over the executive branch.

During the second half of the 90s the public administration reform was not regarded as a government priority. Between 1995 and 1997 the political accountability for public administration reforms was not defined. In early 1997, the public administration reform issues became the area of responsibility of the Minister for Labour Affairs. However, as a result of the following change of government the position of Minister for Labour Affairs was terminated in February 1997. To implement the public administration reform institutionally, the Public Administration Reform Bureau and the Public Administration Reform Council were established in 1997, the latter of which soon ceased to operate. The Public Administration Reform Bureau, after initially being subordinated to the Deputy Prime Minister, was later subordinated to the Minister for Special Assignments for Public Administration and Local Government Reform Affairs. Since early 2003, the public administration reform duties have been given to the charge of the State Chancellery.

Currently, in comparison to the situation in 1997, a base of laws and regulations has been developed, which regulates the issues of both the institutional structure of public administration and civil service. In the beginning of February 1997, the Ministry Structure Law was adopted. A new Civil Service Law was adopted in 2000 and the State Administration Structure Law – in 2002.

One of the ways for the people to exercise the rights guaranteed in the Constitution is the administrative procedure. On June 13, 1995, the Cabinet Regulations “Regulations of Administrative Acts Procedure” were adopted, which compensated for the absence of the Administrative Procedure Law. Since July 1, 2003, the Administrative Procedure Law, adopted by the *Saeima* on October 25, 2001, is in effect. Thereby, from the legislation perspective, the relations between the state and an individual have been arranged.

Research done by some organizations (e.g., Delna – Transparency International Latvia, the World Bank) and EU pressure urged the legislators of Latvia to adopt the Administrative Procedure Law, which took effect only in 2004, although it was adopted already in 2001. It should be emphasized that the adoption of this Law solved the issue of appealing to a court the decisions made by institutions and the contesting of the adopted decision in a higher-level institution. Although the Law has been in effect for slightly over a year, the administrative procedure has gained popularity in society because complaints about administrative acts adopted as long as a decade ago are being filed with the administrative courts.<sup>18</sup> The data indicate that 1255 administrative cases have been submitted to the first instance in the first half of 2004, 392 of which were related to the operation of the State Revenue Service and 279 – of the local governments (Tiesu administrācija, 2004). By the end of October 2004, the Administrative District Court had received 2807 applications.<sup>19</sup>

At the level of administration reform implementation, several initiatives were left unfinished, or their potential was not fully taken advantage of (administration agreements in civil service, civil servants’ salary reform, implementation of the strategic plans within ministries). Overall, one can conclude that the government often lacks political will to use all the available instruments to fully ensure uninterrupted, qualitative improvements in the state administration.

Summing up all the aforementioned trends, it can be concluded that, in general, the movement toward the increasing of democratic control is satisfactory (moderate), yet insufficient.

#### Summary: progress during the past 3-5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
7.1.			X		
7.2.					X
7.3.			X		
7.4.				X	
7.5.				X	
7.6.			X		
7.7.				X	
7.8.			X		

#### Best Feature

1. The drafting and adoption of legislation regulating public administration (State Administration Structure Law, State Civil Service Law, Public Agencies Law, Administrative Procedure Law).
2. The establishment of a policy analysis and coordination unit within the State Chancellery.

### Most Serious Problem

The lack of continuity of political will to implement the public administration reform and absence of interest in the public administration among the politicians.

### Suggested Improvement

1. A consolidation of public demand for continuity in the work of politicians and the public administration is required. The effectiveness and democratic control of the public administration depends directly on the involvement of civil society into a demanding client. Therefore, it is the strength and capacity of civil society that will influence, to a certain extent, the ultimate direction of change in this sphere.
2. It is essential to continue the use of expertise resources available through the international organizations and to cooperate more closely with the architects of public administration reform policy in other EU countries to preserve the quality and speed of the changes adequate to the overall EU level.

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## 8. Civilian Control of the Military and Police

*Anhelita Kamenska and Ģirts Valdis Kristovskis*

*Are the military and police forces under civilian control?*

### 8.1 How effective is civilian control over the armed forces, and how free is political life from military involvement?

Latvia has relatively little experience in civilian control over the armed forces. The restoration of the state defense measures was resumed after a fifty-year-long interval in the national military traditions, during which the Soviet totalitarian system did not permit openness, nor public participation in the processes taking place within the armed forces. It was only after the first military units were established that a dialogue began regarding the goals, tasks and the required resources for these units, as well as the professionalism and internal relations of their personnel, the need to control them within the society of Latvia.

Upon the restoration of democratic public administration in Latvia, the Soviet-type system of judge advocates and court-martials was rejected. Civilian prosecutor's offices and court institutions perform the supervision or investigation of the defense sphere. The mass media are provided with unlimited opportunities to inform the public of what is going on in the armed forces without revealing state secrets. The rights and duties of the Minister for Defense, when exercising the political leadership of the system, are defined explicitly. The participation of the *Saeima* deputies in ensuring Western-type democratic parliamentary control began already during the operation of the Defense and Internal Affairs Commission of the Supreme Council. Within the limits of its competency, the institution of the State President has also taken part in the development of the armed forces. The supervisory role of the security services, State Controller's Office and the Procurement Supervision Bureau has also been significant. The non-governmental organizations as well as the foreign and Latvian institutions monitoring human rights are actively analyzing and influencing the processes within the armed forces. This indicates that pre-conditions for maintaining the civilian-military relations in compliance with the fundamental principles and experience of the West have been established.

*Being very important, the democratic control of defense is a priority for three main reasons. First, it is an essential element of democracy. It increases the likelihood that a country remains at peace and thus improves its security, which is what defense forces are all about. Second, democratic control of defense is useful for the military. It helps prevent abuse and waste, and therefore a more transparent military is more efficient and effective. Third, democratic control of defense provides the armed forces with indispensable legitimacy. In doing so, it earns them a greater degree of acceptance and respect by society at large, which they will need when seeking manpower and national resources.<sup>1</sup>*

The consolidation of these principles within the Latvian public, among the politicians and military personnel facilitated the development of the required military capabilities and the fulfillment of requirements while preparing the country for its membership in NATO, despite that during the late 90s Latvia had almost no arguments in favour of its membership in the Alliance. The need to ensure the legal and practical aspects of the civilian-military relations and the democratic control over the armed forces was encouraged, as these issues were a highly important part of Latvia's NATO Membership Action Plan. Now, the acquired status of a full-fledged NATO member state is an internationally certified argument for the ongoing civilian control over the armed forces in Latvia.

According to the opinion of international experts, there is no unified, strictly defined approach to assessing the process of democratic control, because it is influenced significantly by various changing circumstances. However, the aforementioned conclusions may be justified by a series of common denominators.<sup>2</sup>

One of the most important preconditions for democratic control over the armed forces is the existing system of Latvia's laws and subordinate regulatory enactments. The Constitution, the National Armed Forces

Law and the Law of the National Guard (“Zemessardze”) of the Republic of Latvia and other regulatory enactments regulate the rights and duties of citizens involved in national defense.

The duties and rights of the National Armed Forces in cooperation with civil society in situations of peace and threat to the state are specified. The division of rights and responsibility of the senior state officials and institutions, as well as of the local governments, was defined more accurately only at the end of 2001, when the National Security Law was adopted. Its Section 4 states that *the basis for the division of competence of persons or institutions responsible for the national security is the State structure, parliamentary democracy and the principle of division of State authority determined in the Constitution of the Republic of Latvia, as well as the principles in accordance with which the parliamentary and civil control over the National Armed Forces, institutions of the system of the Ministry of the Interior and State security is performed.*<sup>3</sup>

Basically, the existence and utilization of these instruments in Latvia ensures the process of democratic control over the armed forces. In addition, the process should be facilitated so that it happens systemically instead of being based on passing interests and on what is current at that moment. Chapter V of the National Security Law – Development and Approval of Concepts and Plans to Prevent Threats to the State – solves this problem with sufficient effectiveness. It defines the participation of the senior public officials of the state and the institutions in the preparation and implementation of the most relevant documents regulating national security and defense measures.

Yet the laws still contain a few unsolved problems. The unregulated mechanism to ensure the principle of the one-man management of the politico-military chain of command may influence the action of the senior public officials and institutions in situations when the state is under a threat. On March 25, 2004, the force of law was given to the provision that enables the President of the State, who is not a member of the executive power, to send units of Latvia’s armed forces to participate in NATO operations. If the President of the State chooses to do so, while the Prime Minister opposes such participation, what is the Minister for Defense supposed to do in a situation like this? International experience testifies that this is exactly the problem that has caused governments to fall, instability in the respective countries, and subsequent constitutional amendments to eradicate the problem.

The demand to define explicitly and ensure the control by civil representatives of the government over the Ministry of Defense and the system of the armed forces is important. The regulatory documents in Latvia specify explicitly enough the duties of the Minister for Defense, the parliamentary and the state secretary, as well as the employees of the Ministry of Defense when implementing the national defense policy. The minister shapes and implements national defense policy and measures that are approved by the Cabinet of Ministers and the *Saeima*. The internal control process of the system is carried out by the political as well as the civilian administration leadership of the Ministry of Defense. It is the Minister who knows best what is going on in the armed forces, and being both a civilian and a political person, controls the quality of national policy implementation, defines the priorities and takes the appropriate measures to utilize the allotted funds. The Minister determines the ideology that motivates the receptiveness of the armed forces to society and searches for ways to explain better what is happening in the field of national defense. Even after ten years since the restoration of Latvia’s defense system, a considerable effort had to be and is still invested in changing the understanding of the meaning and content of civilian-military relations among the people employed in the national defense system, especially among those with Soviet military education and thinking. Society as well often demonstrates a lack of understanding of who, and to what extent, provides national defense arrangements and the internal control process of the entire system. The mass media and society often confuse and incorrectly reflect the functions of the armed forces and the Ministry of Defense.

Latvia’s experience shows that it was the purposefulness of the political will that played a crucial role in many efforts to develop the national defense system and increase its effectiveness. It is important that enough effective instruments are available to help both to improve the defense and to implement control. During 1999-2004 it was the Minister for Defense who initiated and gradually introduced a considerable number of fundamental measures which provide regularity in the process of democratic control over the defense system. For example, projects like the Planning, Programming and Budget Utilization Control System, the Centralized Accounting System, the Personnel Career Planning System, the establishment of the Armament and Accountment Council, Audit Council and Service, transferring the supervisory authority over the Military Intelligence and Security Service to the Minister, regulations on the readiness of the units to participate in international operations and similar measures, the purpose of which is to ensure a democratic, reliable and effective system of control over the armed forces and the operation of the Ministry.

Deficiencies in the operation of the defense system identified by the State Controller, the Procurement Supervision Bureau, the state security services and other controlling institutions of similar nature further enable the Minister to control.



The parliamentary control over defense in Latvia is being carried out by traditional means. Although there is an opinion that special knowledge and information is not fully available to parliaments<sup>4</sup>, the deputies gain a detailed insight into the development process that is going on in the armed forces by participating in the legislation process to improve the defense. The visits of the parliamentarians to the units of the armed forces both in Latvia and in places where international peace-keeping operations take place are traditional and informative. Regular informative meetings and presentations are held in the *Saeima* and the Ministry of Defense, where plans, programs and specific measures for the development of the armed forces are reviewed. The consideration and approval of the national defense budget is an annual process, prescribed by the law. Similar requirements are laid out when discussing the national defense plan or examining publicly at the *Saeima* plenary session the National Security and National Defense concepts or the participation of the national armed forces in international operations.

In addition to the annually planned control measures, parliamentarians receive for consideration suggestions and complaints from society and the mass media, as well as from the civilian employees of the defense system, the soldiers of the armed forces or their relatives. The qualitative aspects of cooperation with the defense sector are crucial for the effectiveness of the parliamentary control process. Despite that the majority of the aforementioned instruments of parliamentary control were established back in the early 90s, in terms of quality they have not been improved. Until the late 90s the *Saeima* deputies had to deal with very superficially and inaccurately gathered information, prepared by the Ministry of Defense and the National Armed Forces.

As from the end of 1998, the Minister for Defense put forth new requirements to ensure civilian-military cooperation. Since then, regular explanatory materials were introduced for the needs of the *Saeima* deputies. A practice of providing the deputies with explanatory notes on the Ministry of Defense budget, the annual report to the *Saeima* by the Minister for Defense on the national defense policy and the development of the National Armed Forces was introduced. The deputies received NATO Membership Action Plans.

The belief that the principles of transparency of the defense will ensure broader public support and more rapid development of the National Armed Forces was consolidated. Such openness was applied to the mass media as well. Consequently, during the period of 1999-2001, approximately one third of the population of the country changed their opinion from skeptical to positive regarding what is going on in the defense sector. Considerable state and public support was provided to the efforts of national defense development. An increase in the funding totaling 50 million lats, needed to ensure development, was achieved over these years, and strengthened the belief that the allocated resources are being utilized appropriately, and Latvia's accession to NATO was ensured.

However, lately some undesirable things have happened as well. In 2004, politicians began to participate actively and ostentatiously in the testing of armaments and accoutrement, while their leading role in ensuring the development process of the armed forces diminished. Also, the mechanism of the parliamentary control over the armed forces should be defined more accurately. In the spring of 2004 a dubious practice was introduced in Latvia – the Head of the *Saeima* Defense and Internal Affairs Commission simultaneously took the position of the Parliamentary Secretary of the Ministry of Defense. Even if no traditional conflict of interest can be detected in this situation, it is still clearly obvious that the effectiveness of the parliamentary control over the armed forces is seriously jeopardized, and the principles of division of power in a parliamentary state are not guaranteed.

The participation of the President of the State as the Constitution-appointed Commander-in-Chief of the national armed forces in the national defense efforts and their control is important as well. The Constitution obligates the President of the State to take initiative in carrying out national defense measures in situations when a war has been declared against the state or an enemy has invaded it. The President of the State must be specially prepared for such measures. Therefore, the legislature has provided for the right to establish the Military Council of the State President. Moreover, the President has the options of nominating a candidate for the Commander of the National Armed Forces and of conferring service ranks to officers of the armed forces. These duties and rights give an opportunity to become acquainted with the national defense situation and, in case of necessity, influence it within the limits of the presidential competence. Evaluating the situation in Latvia with regard to the second part of the first question of this study – *how free is the political life from military involvement?* – it should be recognized first that the regulatory documents clearly define the subordination and competence of the National Armed Forces and their leadership. The realization of the democratic principles requires and ensures their political neutrality vis-à-vis the political life of the country without depriving any soldier or civilian of their individual political rights. At the same time, the prohibition for the military to run for elected political offices is significant for ensuring the political neutrality of the military. The system of political leaders characteristic of the USSR does not exist and is not allowed in the National Armed Forces of Latvia.

Democratic norms such as these and the increased understanding of the need for political neutrality have eliminated trends that were often present during the early 90s, when the commander of the Defense Forces repeatedly tried to declare his political demands by infringing upon the supreme political leadership of the state. Currently, there is no concern in Latvia that the National Armed Forces, including the voluntary National Guard, might interfere in the political life of the country. The leaders of the National Security services also deny the existence of such trends.<sup>5</sup>

However, even before, there have been cases when political party leadership has attracted individual military to events of a hidden corporate nature by promising to assure advancement in their military careers with the help of pressure from these political forces. These are illegal attempts to involve senior officers of the National Armed Forces to facilitate the support of these political parties. Such precedents undermine the cohesion and motivation of the armed forces personnel, seriously threatens their political neutrality, as well as the stability of democracy of the state in general. All senior public officials and security authorities involved in the process of civilian-military relations should consider this not only from the perspective of the administrative law, but from the criminal law as well. Yet, it has been impossible in the previous years due to the weakness of the national democracy. Such a conclusion only confirms the complexity of the democratic control in the process of reconstruction of the state and development of political culture.

The existence of the preconditions described in this chapter does not necessarily guarantee constant stability of the qualitative aspects of democratic control over the armed forces. The political process of the state regularly renews the members of the political dialogue. Their preliminary knowledge of the public administration, the military, the specific features of the civilian-military relations, their personal responsibility and duties are often different and not always sufficient. Therefore, the effectiveness of the process of democratic control over the armed forces is inconsistent. Its consolidation is a long process.

## **8.2 How publicly accountable are the police and security services for their activities?**

During the reorganization of the Soviet Militia and development of a new system of security services after the restoration of Latvia's independence, several complicated measures had to be carried out simultaneously, both in the democratization and demilitarization of these institutions and in the establishment of new ones. This was not an easy task because the goal of these measures – police and security institutions compliant with Western democratic principles – required new experience when the personnel with the old Soviet practice had to be used instead. The requirements were aimed at the observation of human rights standards in the operation of these services by increasing their accountability. The efforts to improve the supervisory mechanisms within the system have been particularly important, and especially so, when improving the external mechanisms by applying the authority of the *Saeima*, the courts and the prosecutor's office, as well as providing for the participation of the national human rights institutions, NGOs and mass media. This had to be done in circumstances when crime is on the increase but the capacity of the police to fight it successfully is not catching up as fast. Since corruption has increased as well as the number of cases of abuse of authority within the police, the prestige of the police in society has fallen considerably. In December 2004, 47.5% of the population mistrusted police.<sup>6</sup>

There are both the State Police (SP) and the local government police institutions in Latvia. The Constitution Protection Bureau (CPB), the Security Police and the Military Intelligence and Security Service have the status of national security institutions (NSI). The Minister for the Interior carries out the supervision of the State Police and the Security Police within the Ministry. Also, the Minister supervises and the local government institutions control the local government police. The Minister for Defense supervises the Military Intelligence and Security Service. The law obligates the Cabinet of Ministers to control the operation of both the State and the Security Police. As a result of the administrative reform of the NSI implemented in the spring of 2004, the CPB that had been institutionally independent for nearly ten years, as well as the newly established Information Analysis Service fell under the supervision of the Cabinet of Ministers, and as of October 2004 – under the supervision of the Ministry of Justice. The *Saeima* Defense and Internal Affairs Commission exercises the parliamentary control over the police authorities. The *Saeima* National Security Commission carries out the parliamentary control of the national security institutions. The prosecutor's office and the court supervise compliance with the law in the operation of the police and the NSI. Intervention by the political parties and other public political organizations in the operation of the police and the NSI is prohibited.

The Criminal Procedure Code (CPC), the Criminal Law, the Law on Police, and the Code of Professional Ethics and Conduct of a State Police Employee, adopted on December 5, 2003, regulate the basic principles of police operation in Latvia. The main task of the police is to guarantee individual rights and freedoms, to ensure the rule of law and order and to protect people against criminal offences. Both Article 95 of the Constitution and the above-mentioned regulatory enactments forbid torture, cruel or degrading treatment of a human being. Also, several international human rights documents are binding for Latvia.<sup>7</sup> The use of force, special measures and weapons is permitted only in cases defined by the law and for lawful purposes. Arbitrary or malignant use of such means is not justifiable. The rights of detained persons are regulated by the CPC, which prescribes that the period of detention during which the suspect must be presented before the judge may not exceed 72 hours. A draft Criminal Procedure Law<sup>8</sup> intends to shorten this period to 48 hours. The Criminal Procedure Code guarantees detained persons with the right to be informed of the reason of detention and the right to legal aid. The CPC does not ensure directly the right of the detainee to inform immediately his or her relatives, or a third party, of the fact of the detention, although the Law on Police prescribes so. In cases of detaining an underage person such a requirement is mandatory. Detained foreigners have the right to demand that the diplomatic or consular representation of their respective country is informed of their detention. The CPC also does not secure the right of a detainee to receive medical assistance, yet the Law on Police obligates the police employees to ensure health protection of detainees.

A mechanism for reviewing complaints ensures the accountability of the police before the law. According to the principles secured in the international law, it must be independent, effective, fair and must ensure timely consideration of complaints against the police. Criminal liability and disciplinary liability apply when a police employee has acted unlawfully. The chief of the police to whom the police employee is subordinated reviews complaints about the actions of the respective police employee. There is an option of appealing the decision to a higher-level police institution, prosecutor's office or a court. Complaints may be submitted also to the Latvian National Human Rights Office. However, it does not have the authority to investigate. The absolute majority of the complaints about police end up in the institutions that are subordinated directly to the State Police or the Minister for Interior – the SP Riga Police Headquarters Personnel Inspectorate, the Chief Inspection of the Ministry of Interior and the special SP Internal Security Service Personnel Inspectorate, established in 2003. Such an arrangement encourages legitimate public mistrust in the objectivity, independence and effectiveness of reviewing complaints.

The legislative enactments of Latvia prescribe that a person who has suffered from unlawful police action may receive compensation by bringing a civil suit as part of a criminal case, as well as in accordance with the procedure of civilian proceedings. On May 28, 1998, the law "On Compensating Damages Resulting From Unlawful or Unjustified Action by Investigator, Prosecutor or Judge"<sup>9</sup> was passed. However, lack of official and detailed statistics on the compensations received prevents the judgment on the effectiveness of the compensation mechanism. The Administrative Procedure Law, adopted on February 1, 2004, specifies the duty of a police institution as well to compensate damages caused by an unlawful action of its employee. As of December 1, 2004, the administrative courts did not yet have an established practice in dealing with compensations for damages resulting from unlawful action, and the Law on the Calculation and Compensation of Damages Caused by Public Administration Institutions was not adopted.

Although Latvia's legislation provides, albeit partially, for legal guarantees against arbitrary and unlawful action by a police employee and measures are taken gradually to improve both the legislation and practice, the international as well as the local organizations criticize the police considerably.

In 2003, the State Police separately began collecting statistics on police violence against persons. In 2004, the Chief Inspection of the Ministry of the Interior published for the first time detailed data on the disciplinary practice of the departments of the Ministry of the Interior<sup>10</sup>, which is still qualified as limited-access information. The experts point out that the approach to examining complaints, unfortunately, is aimed at punishing individual employees instead of identification of the problems within the police in general and thereby – toward implementing systemic changes.<sup>11</sup> In other institutions that examine complaints, including the prosecutor's office, the statistics on police violence are not singled out. On several occasions, cases of "beating out testimonies" during interrogations have gained publicity, which several senior public officials have recognized as a problem. Yet, during the past seven years, only two offences have been registered, specifying criminal liability for forcing testimony during interrogation if done by a police employee. Over the past four years 9 police employees have been convicted of exceeding their authority. On February 12-15, 2004, the anonymous phone campaign, organized by the NGO Latvian Centre for Human Rights and Ethnic Studies and the Public Policy Center "Providus", during which the people informed about cases of police violence, confirmed the conclusions of both international and local organizations about the spread of police violence, deficiencies in both ensuring the rights of the suspects and the

accessibility, effectiveness and independence of the mechanism of examining complaints.<sup>12</sup> In the past few years the media as well have often topicalized cases of police violence.

Back in 1995, considering the recent totalitarian past of Latvia, the UN Human Rights Committee emphasized the necessity for greater control over the police. Both the European Committee for the Prevention of Torture (CPT) in 1999, the UN Human Rights Committee and the UN Committee Against Torture in 2003 castigated Latvia for police violence against detained persons, the lack of guarantees of their rights in both the legislation and in practice, pointing out that Latvia does not have an independent mechanism for examining complaints about police, and encouraged the establishment of such an independent institution. The CPT stressed the role of the prosecutor's office and the court in decreasing the number of police abuse cases and the need for independent institutions that would carry out regular monitoring of the police detention wards. Latvia has also been criticized for the absence of statistics on police violence cases, the initiated proceedings and their outcomes.

The adoption of the new Criminal Procedure Draft-Law, which prescribes the strengthening of the rights of detainees, could improve the treatment of these persons by obligating police officers to inform them of the reason for their detention and their right to remain silent, and provide the detained person with the right to demand immediately a meeting with a lawyer, to use a phone free of charge to call upon a lawyer and to receive a list of lawyers from a police employee; to demand that the relatives of the detainee or a third party are alerted of the detention and to receive written information about the rights and obligations of a detainee. However, much will depend on the practical implementation of these norms. To promote police accountability, an independent mechanism to examine complaints about the police should be established in Latvia and, simultaneously, the internal control mechanisms of the police should be strengthened. The promotion of a culture within the police, where work and association with colleagues who resort to unlawful methods is regarded as unprofessional and unsafe from a career standpoint, should be encouraged.<sup>13</sup>

There has not been much publicly available information regarding the results of the national security institutions' operation, as it is a state secret. The formation of the NSI involved dealing with the limited professional capacity of the state and the trustworthiness of the former employees of the USSR security institutions, which determined the complex process of professional growth of the security institutions, and therefore, the NSI have often been associated in the public with scandals. During 2003-2004, while reforming the system of security institutions, senior public officials and institutions of Latvia were publicly fighting more about whether other public officials are receiving more information available to security services instead of fighting for the overall effectiveness of the system of these institutions. With insufficient information and the KGB operation experience in the back of the public mind, the society of Latvia still harbours doubt about the legal use of powers given by the security services.

The leadership of the security institutions, for their part, point toward strong civilian control by various institutions within the limits of their competence and, at the same time, note the necessity for public opinion surveys on the public trust in the national security services.<sup>14</sup>

As a consequence of the measures taken to combat organized crime, corruption and terrorism, the authority of the national security services has expanded, increasing at the same time the potential for individual freedoms to come under risk. The Article 96 of the Constitution prescribes that everyone has the right to inviolability of his or her private life, home and correspondence. The Operational Activities Law regulates the measures and methods of the operational activities. There are the general operational measures (do not trench significantly upon the constitutional rights) and the specific operational measures (do trench significantly upon the constitutional rights).<sup>15</sup> The specific operational measures and the operational entrance are to be carried out with a judge's permission, which is provided for a period of up to three months and may be extended in case of justified necessity. In exceptional cases<sup>16</sup> these operational measures may be carried out without the judge approval, but it must be reported to the prosecutor within 24 hours and an approval from a judge must be received within 72 hours. If a person believes that the entity of the operational activities has violated by its actions the legal rights and freedoms of the person, he or she has the right to submit a complaint to a prosecutor or may bring an action in a court. If the rights are violated, the person is entitled to compensation.

On June 27, 2002, the amendments to the Constitutional Protection Bureau Law were adopted, prescribing the CPB broad authority to carry out intelligence and counter-intelligence actions, including the conduct of the special operational activities without the approval of a judge or a prosecutor. The Latvian National Human Rights Office (LNHRO) criticized these amendments by pointing out that the CPB is given authority to interfere unchecked in the private life of individuals, and the state does not provide individuals with adequate protection and a clear procedure to prevent the abuse of these rights. The LNHRO emphasized that the procedure specified in the Law is not proportional to the goal to be achieved and is unnecessary in a democratic society.<sup>17</sup> Only on April 20, 2004, were the amendments to the CPB Law adopted, specifying that in order to conduct the special

operational activities the CPB must receive the approval of the Chief Justice of the Supreme Court or an approval of a specially authorized Supreme Court judge. However, in cases when an immediate action is required to prevent a threat to important national interests, the judge approval must be received within 24 hours. Well-known lawyers in Latvia point out that the Law does not provide adequate insurance against the misuse of the rights of the operational entity, because, in effect, it prevents a person from establishing *post factum*, whether measures have been applied to the person that violate his or her constitutional rights. If the interests specified by the Law are no longer threatened, yet the measures specified in Section 17 of the Law have been conducted and after the necessity for these measures has expired, the person is not informed of such activities being conducted. Also, the Law does not provide for an opportunity to demand such information, and it does not specify that the illegally acquired materials should be destroyed.<sup>18</sup>

The war against terrorism on the global scale also facilitates the participation of Latvian law enforcement authorities and security services in international security measures. Many states considerably expand the authority of these institutions without sufficient measures to strengthen their transparency and accountability. This generates the need for the society of Latvia to follow closely the new developments and to strengthen the supervision of these institutions both on the national and the international level.

### **8.3 How far does the composition of the army, police and security services reflect the social composition of society at large?**

The composition of the police, the army and the security services is based on the historical situation of Latvia and the specific character of these administrative systems. After the regaining of independence Latvia had to create personnel that is loyal as well as compliant with democratic Western requirements. At the same time, it is important that different social groups of society are represented in these institutions because the absence of women and minorities, for example, may generate distrust in these institutions as not representative of the interests of these groups and may create tension between the public and these services.

Both the police and the national security services accept only the citizens of Latvia aged 18 and older, with a good command of the official language, without a criminal record, who have not been staff or non-staff members of the USSR, LSSR or some foreign security services and who have not participated in a series of organizations after 1991.<sup>19</sup> The police employees, when carrying out their duties, must be able to communicate with persons in the language that is predominant in the respective region or precinct. The NSI may hire a person who has access to state secrets. The National Armed Forces personnel are recruited from the citizens of Latvia only. All male citizens of Latvia are subject to the conscript service. As of 2002, the law specifies that persons who cannot serve the military due to their views, consciousness or religious beliefs, may serve alternative service. Since July 1, 2002, female citizens of Latvia may also volunteer to serve in the conscript service. Citizens aged 19-27 are drafted into the active military service. The National Guard accepts citizens of Latvia who have reached the age of 18.

According to the 1989 census data, the total population of Latvia included 52% Latvians, 34% Russians, 4.5% Belarussians. As of January 1, 2004, Latvians comprise 58.2%, Russians – 28.8%, Belarussians – 3.9%.<sup>20</sup> As of July 1, 2004, there were 78.17% citizens and 20.36% non-citizens. There are 74.93% Latvians among the citizens, 18.3% Russians and 1.45% Belarussians.<sup>21</sup>

During the 1980s, no more than 35% of the total Soviet militia employees working in Latvia were ethnic Latvians.<sup>22</sup> In the late 80s, 90% of the 2000 militia officers at the Riga Militia Headquarters were non-Latvian.<sup>23</sup> In 1996, there were 24.2% non-citizens working in the State Police and 39.3% non-citizens – in the Riga police institutions (see table).

The formation of the Latvian police was closely linked to the reorganization of the Soviet militia and the ongoing political processes within the country, including the restoration and consolidation of both the Latvian language as the official language and the institution of the citizenship of the Republic of Latvia. During the first half of the 90s the desire to rapidly increase the knowledge of the Latvian language and the proportion of Latvians and citizens among police officers dominated among some politicians and public officials.<sup>24</sup> However, the large number of people without the knowledge of the Latvian language and without citizenship in the new police forced them to take reality into consideration and be more flexible regarding the requirements of various laws. In July 1992, the employees of the Ministry of the Interior system were subjected to the mandatory official language test. 60% of them were non-Latvian and 54.3% of these had to pass the Latvian language exam. However, the certification deadline was extended for an extra year. Transitional Provisions regarding non-citizen

police employees were specified also when the *Citizenship Law* entered into force in 1994, as well as in April 1997 in the Law on State Secrets regarding the issue of special permits to access state secrets for the employees of the internal affairs system who are holding an office related to state secrets in the field of the operational activities. Possibly due to the existing restrictions of the Citizenship Law, *Saeima* deputies tried on several occasions to award citizenship for special services rendered to the Republic of Latvia to high-ranking State Police officials, as in June 1998 – to 13 police officers, for example.<sup>25</sup>

The Citizenship Law amendments, supported in the referendum of October 3, 1998, revoked the system of “naturalization windows” that prevented many candidates for citizenship from naturalization. The Police Academy of the Republic of Latvia, founded in 1991, facilitated the strengthening of the Latvian language and the increase of the citizen proportion within the police, because beginning with the second academic year the language of instruction at the Academy was Latvian, and students with insufficient language knowledge were given an opportunity to improve them. Since 1997 the State Program for Learning Latvian has provided considerable assistance to improving the language knowledge. 6715 employees of the system of Internal affairs have attended Latvian language courses organized by the Program.

Table 8.1

### Citizenship

<i>Non-citizens</i>	1996	1997	1998	1999	2000	2001
State Police Total	24.2 %	17.6 %	16.7 %	11.8 %	2.8 %	1.8 %
Police institutions of Riga	39.3 %	30.3 %	26.1 %	21.2 %	5.8 %	4.1 %

Source: Valsts policijas 2001. gada publiskais pārskats

The number of ethnic Latvians working in the police has almost doubled over ten years. In 2001, 6291 or 65.8% out of the 9547 State Police employees were Latvian, 2387 or 25% were Russian, 287 or 3% were Belarussian. Most of the police employees are representatives of minorities. The proportion of Russian police employees exceeds the proportion of ethnic Russians – citizens by 43%.<sup>26</sup> The requirement specified by the law that the police employees be able to communicate with persons in the language predominant in the respective region or precinct is reflected in the Police Academy admissions requirements for future police employees.<sup>27</sup> In 2002, the Senate of the Police Academy decided that the Academy would accept only those young people who know both the Latvian and Russian language. Thereby, the graduates of Latvian language schools, who had not taken Russian in secondary school, had to take an additional exam in the Russian language.<sup>28</sup> Such an approach takes into consideration the language reality in Latvia.

According to the Ministry of Interior data of 2004, approximately 20% of the total of police employees are women<sup>29</sup>, which is considerably less than the proportion of women in the total number of employed people, i.e., 48.7%.<sup>30</sup> Of the 28 police offices of Latvia, a woman heads the police office of Dobeles district. Women are heading the Criminal Police of the Jurmala and Kuldīga police offices. In 2002, the Police Academy of Latvia conducted a study “*The Role and Place of a Woman in Executing Police Tasks*”. Although 71% of the people surveyed support the involvement of women in police, with regard to the strategy of police staffing, as many people believe that the proportion of women should be from 10-25%. More than half of the people surveyed believe that women should take more senior positions within the police. Among female police officers this belief is shared by 67.6%. The majority of the surveyed people think that women in the police should work with underage youngsters, take up the position of precinct inspector or work on investigations. 41.6% of the surveyed female police officers have not felt “discomfort”, while 38.4% have felt it rarely, pointing out that it was mainly caused by law-breakers, office visitors and, to a lesser extent, by the police colleagues.<sup>31</sup> There are no officially known cases of a female police officer being sexually harassed by a male police officer in the Latvian police. Foreign research explains it by a lower level of awareness of this problem and a different degree of tolerance among the Eastern European female police officers when compared with their colleagues in Western Europe and North America.<sup>32</sup> There are no organizations of female police officers in Latvia. In April 2001, the network of female police officers of the Nordic and Baltic states was established in Riga with the goal to promote equal opportunities for women and men in the police, to increase the number of women in senior police positions, etc.<sup>33</sup> However, its activities in Latvia are not pronounced.

In 1998, one case of a police officer being released from duty as a result of his sexual orientation was registered in Latvia.<sup>34</sup> This case caused discussions within the structure of the interior and among the politicians, the majority of them believing that homosexuals should not be permitted to work in the police and to serve in the army.<sup>35</sup>

According to the Ministry of Defense data, about 1000 or 20% out of the 5000 noncommissioned officers of the National Armed Forces are women, the majority of which – 23% – serve in the ground forces, 21% – in the air force and 12% – in the naval forces.<sup>36</sup>

There are 87% Latvians, 10.8% Russians, 0.6% Poles and Lithuanians respectively in the National Armed Forces.<sup>37</sup> The proportion of non-Latvians among the conscript service soldiers is approximately 30%. In 2003, 70% of the 1700 conscript service soldiers were Latvians (according to passport data), 23.5% Russians, 2.94% Jews, which corresponds, in general, to the proportion of the respective ethnic groups among the citizens.<sup>38</sup> Over the past years, there have been more than 300 enlistees in each draft who do not have a good command of the Latvian language. Consequently, the role of the army in the integration of the non-Latvian youth has increased. The State Program for Learning Latvian has organized various-level courses of the Latvian language. It is planned to abandon the conscript service beginning in 2007 and move toward a professional army of 3000 professional soldiers.

According to survey data, 54.9% of the population have confidence in the army, while 25.8% – have not. However, there are nearly twice as many Russians than Latvians and twice as many non-citizens than citizens among the people who do not trust the army.<sup>39</sup> Perhaps, one of the indirect reasons for such lack of confidence is the small representation of Russians within the National Armed Forces.

It can be concluded that because of the historical situation and the requirements put in place after the restoration of independence – that only citizens of Latvia may be employed in the police and they must know Latvian – the Latvian police reflects the ethnic composition of the country. Moreover, the proportion of the Russian police employees is greater than the proportion of the ethnic Russians who are citizens. Also, the requirement for the police to know the language used in the respective region or precinct mostly takes into account the language situation that has developed in Latvia. Latvians dominate considerably the National Armed Forces and the proportion of other minorities is smaller than their proportion among citizens. The conscript service reflects the ethnic diversity of Latvia. However, it is difficult to forecast whether this diversity will remain once Latvia switches to a professional army. The proportion of women in both the police and the NAF constitutes about 20%, which is less than the proportion of women among the total number of employed people in the country. The traditional division in the society of Latvia between the “female and male” professions, including the traditional “female and male” positions within the police and the army, could explain this. Due to the job specifics of the national security services it was impossible to determine whether the composition of the national security services reflects the social composition of society.

#### **8.4 How free is the country from the operation of paramilitary units, private armies, warlordism and criminal mafias?**

Each state has monopoly rights on the legal use of force, because it is responsible for internal security and defense against external threats. However, as a consequence of the liberal trends of the past decades – such as the delegation of state functions to the private sector – in the security sector as well the number of providers of security measures competing with the traditional authority of the security sector – the state – has increased. The *new phenomenon, known as the “privatization of security functions”* has taken hold.<sup>40</sup>

Since the early 90s, these trends have been known in Latvia as well, where with the process of restoring the Latvian state, just like elsewhere in the world, various security instruments have been developed upon the public and private initiative. *The majority of these may be divided into three main groups: mercenaries, private military firms and private security firms.*<sup>41</sup> Such a spread of security solutions may be evaluated in many ways. Opinions exist that the spread of these security instruments is not the result of the market economy alone, but also – of the *inability or even unwillingness of the individual state to offer sufficient protection of persons and property by the state police forces in order to encourage the establishment of enterprises that offer security services based on commercial calculation.*<sup>42</sup>

Such an approach may be effective enough and dangerous to the state and society at the same time, because various criminal factions, whose goal is to protect their own “shadow business” and to ensure partial money laundering, are trying to expand traditionally legal activities in this field. Therefore, it is especially important that the state does not permit the growth of influence of these groups. There are also some political aspects to why Latvia’s state security authorities should maintain heightened supervision over this field.

The services of private security and paramilitary organizations became topical for Latvia’s society with the change of the political system due to the restoration of independence and the development of a market economy

and private entrepreneurship. During this period, the state could not provide the entrepreneurs with this service, and at the same time, there was no network of professional and tested firms offering this service. One had to accept that the former Soviet military personnel, officers of the KGB and militia, who mostly were Russian-speaking inhabitants of Latvia as well as non-citizens, would take this niche in the field of security guard and detective work. Still, no less important is their political reliability, their understanding of Latvia's state goals and ideals. The lack of understanding of the latter encouraged the instances when the employees of the Soviet security system joined with representatives of criminal groups. Consequently, an opinion formed and continues to exist still that in the business of security guards, not all firms are necessarily using their professional expertise for honest business interests only. Since the early 90s, units of the National Guard took up security guard functions as well, which have been limiting this function gradually since the late 90s.

The prescribed legal norms are some of the preconditions disciplining these businesses and decreasing the possibilities that they employ persons who belong to illegal militarized formations or political groups and organizations that are not registered in accordance with the prescribed procedure, or groups of organized crime. The law provides the state – the Ministry of the Interior with the opportunities to both supervise and guarantee by means of a license mechanism that the security guard and private detective enterprises operate in accordance with the state prescribed procedure. There have been cases when the license for security guard entrepreneurship has been revoked because the operation of the security guard enterprise has been associated with participation in political processes. The control over this type of entrepreneurship by Latvia's security authorities does not allow the operation of illegal organizations in this sphere.<sup>43</sup>

One should mention the parliamentary control carried out by the *Saeima* Security Commission as well as the Defense and Internal Affairs Commissions over the licencing-control systems in the sectors of internal affairs and defense.

An argument of particular importance to prevent the aspirations of the private security sector to gain political influence is that Latvia has become a member state of the EU and NATO and is consolidating the system of Western democratic values. The need to ascertain the allegiance of private, security and paramilitary institutions to the state in conditions of general crisis or a direct, external military-political threat is decreasing. The growing competition among the state, private, as well as European security firms entering the market, decreases the possibility that the "*privatization of the security function*" in Latvia will slip out of the state control. Therefore, Latvia may be evaluated as a country where private legal security organizations may not ignore the legal order established within the state regarding the operation of this sector. Yet, *the problems of the private security businesses in Latvia are still pressing issues for the state security authorities, the internal affairs system and the parliamentary control, and they should remain so in the long-term.*<sup>44</sup>

The other group of organizations which formed at the same time as the restoration of Latvia's independence, is the voluntary military-type organizations. The presence of the Soviet armed forces and the absence of the system of Latvian national professional armed forces, the lack of internal and external security guarantees, and the limited possibilities of the state to minimize these risks facilitated the initiative of the people to get involved in the formation of paramilitary-type organizations. The prestige of the "Latvijas Aizsargi" organization before the loss of independence and the experience of public military organizations similar to the "Home Guard" existing in the Scandinavian countries and the "National Guard" of the United States stimulated this process.

Theoretically, such an approach to solving security problems of Latvia is risky. The experience of the May 1934 coup d'état indicates that organizations of this type may be involved in overturning the legal government. Yet, despite this, the National Guard was established and initially was subordinate to the Supreme Council. Simultaneously, another organization initiated by the people announced itself and declared itself the assignee of the organization "Aizsargi". Considering that it denied the legitimacy of the newly-independent Latvia, as well as the declared goals of this organization, its aspirations may be seen as an attempt to form an armed faction. In the course of time the National Guard developed into a solid component of the Latvian national military system and the largest unit of the armed forces. It has established the largest military-patriotic youth organization "Jaunsardze". The "Aizsargi" organization, established by a spontaneous initiative, has ceased its declared activities.

There is a reason to believe that Latvia has managed to direct public activities within the national security and defense domain correctly toward a predictable organization of the National Guard. It has demonstrated itself as an organization which is not involved with political parties, which serves the legitimate national government and is the active reserve of the National Armed Forces. It is also an object of military counterintelligence, which eliminates the possibility of involving the organization in realization of illegal political goals. The prestige of the National Guard minimizes opportunities to establish similar rival organizations.



Moreover, this is also prohibited by the National Security Law. Section 18 of the Law defines the competence of public organizations, *prohibiting the formation, training and arming of military public organizations of volunteers or associations of such organizations*.<sup>45</sup> Any attempt to establish illegal armed formations that are not associated with the military purposes of the state is a criminal act.

Unfortunately, there have been some cases of covert attempts by political parties to involve soldiers of the National Armed Forces, National Guards, as well as employees of the state police and security services in order to advance the goals of these political parties, including during the pre-election period. It is crucial that the senior public officials and institutions turn against such attempts.

Other problems appear with regard to such high-risk organizations under heightened surveillance of the security authorities as the National Bolsheviks, which represent the radical national, imperial policy of Russia. Organizations of this type are usually dominated by Russian nationality members. As the result of a successful operation of the security authorities, illegal armaments have been uncovered in the apartment of its leader. Activists of this organization are being detained regularly, when they violate the laws. Security authorities believe that organizations of this type have neither the influence, nor the economic and financial foundation for the achievement of their goals.<sup>46</sup>

Although Section 18 of the National Security Law prohibits the training and arming of military public organizations of volunteers, there is no reason to say that the members of the above-mentioned formations cannot procure weapons. The Weapons Circulation Law allows both citizens and non-citizens to purchase small-arms and special items of various categories. The same goes for the persons who have received permanent residence permits, unless the restrictions set by the law apply to them.

The particular geographic location of the Baltic states, the opportunities of privatization, the insufficient administrative and law enforcement capabilities, corruption, the East-West transit business and globalization have opened up new opportunities for local as well as transnational crime.

In the early 1990s organized crime in Latvia gained a foothold both in terms of quality and quantity. Unfortunately, the state law enforcement system was unable to influence this process by the government-approved concepts on fighting crime, nor by detaining and convicting the most visible leaders of Latvia's organized crime groups. It has been proved that fighting organized crime is not a task for one government institution. It is a complex of concrete measures provided by the political will of the state and by public support, which have been insufficient.

As a result, the organized criminal groups were able to infiltrate the national economic processes and have created, through corruption, a system for protecting their operation. Illegal money is acquired and legalized, fair competition is being undermined, the state is being captured. Even if these organizations do not possess influence similar to the Italian Mafia-type organizations, the existence and operation of criminal groups in Latvia have taken root. Their influence in the economic, administrative and political life is apparent. Several specialized Police institutions – the Security Police, Economic Police, the Central National Bureau of Interpol, Drug Enforcement Bureau, Organized Crime Combating Bureau, Vice Squad – operate to crack down on it. The Constitution Protection Bureau and the Corruption Prevention and Combating Bureau also participate in this effort. The law enforcement authorities have a good knowledge of the structure of the organized crime groups, which is rather strictly defined. In 2001, there were 5 crime groupings in Latvia (Haritonov's, Volvach's, Chechen, Pardaugava, "Adu") and about 150 criminal brigades and groups.<sup>47</sup> In 2003, three groupings were named.<sup>48</sup> If during the early 90s the greatest impulse for the development of organized crime came from extortion and racketeering from businessmen, then in the early 2000s the legalized resources of the criminals – alongside the traditional transnational crimes such as drug trafficking, prostitution, car thefts, weapons smuggling – "work" in the economic sector as well. They are invested in real estate, banks and business. The leading groupings have close ties with Russian and Western criminal groupings. This economically influential force is a considerable threat to national democracy and society. Its merging with the political circles cannot be excluded.

#### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
8.1.		X			
8.2.			X		
8.3.		X			
8.4.			X		

### Best Features

The normative regulations ensure the civilian control. The regulatory base to consolidate the police and state security services accountability is improving. The ethnic composition of Latvian police has evened out to reflect the ethnic composition among the citizens. At the same time, a considerable minority representation among police employees remains. The competence of state security institutions and the legality of their actions are increasing.

### Most Serious Problems

The dependence of the qualitative aspects of control upon the preparedness of the implementers. The deficient opportunities for an individual to use in practice the legal guarantees against threats to individual freedoms by the police and state security services. The low proportion of minority representatives, especially Russians, in the National Armed Forces. Inability to prevent the investment of illegally acquired resources in the national economy, inability to prevent their legalization.

### Suggested Improvements

To improve the individual duties of the state senior officials and institutions in the process of civilian control over the armed forces. To strengthen the capacity of the police internal and external supervision mechanism. To take steps to increase minority representation in the National Armed Forces, as well as promote their participation in the soon-to-be-established professional army. To promote the increase of the proportion of women among high-level positions within the police. To ensure operation of motivated personnel and a system of motivation promotion in the work of the police, prosecutor's office and security institutions.

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## 9. Minimizing Corruption

*Lolita Čigāne and Rasma Kārklīņa*

*Are public officials free from corruption?*

### 9.1 How effective is the separation of public office from the personal business and family interests of office holders ?

#### 9.1.1 The assessment of the existing laws and regulations for the reduction of conflicts of interest:

Overall, the legal regulation has been improved considerably over the past years, but there are still imperfections. For example, the Law “On Prevention of Conflict of Interest in the Work of Public Officials”, instead of prohibiting all kinds of conflicts of interest, denotes specific instances when a public official may find himself in a conflict of interest. This means that there may exist conflicts of interest which the law does not specify. For example, medical personnel and teachers are not state officials, yet these groups may face a conflict of interests. Considering that there is a tradition in Latvia of looking for ways to circumvent the laws and the law enforcement authorities and courts usually apply the letter of the law instead of using more complex methods to interpret it, there will always be an opportunity for the law breakers to go unpunished.

#### 9.1.2 The practical implementation of regulations and their effectiveness:

- 1) The literal application of the law. The Law prescribes that state officials are persons whom the leader of an institution has included on the list of state officials. The Conflict of Interest Law specifies that the members of the procurement assessment commissions are public officials as well. However, it often happens that officials, who are members of procurement assessment commissions, are not included on this list and the conflict of interest regulations do not apply to them, as it were. For example, when evaluating the activities of the Riga City Council, the Corruption Prevention and Combating Bureau (KNAB) determined that some members of the assessment commissions were not included in the general list of state officials. The State Revenue Service (SRS) demanded that the Mayor of the Riga City Council Gundars Bojars receive administrative punishment. He was punished with a small fine, yet it has not removed the most relevant problem, i.e., that persons not included on the list of state officials work in the procurement commissions and therefore could not be called to account.
- 2) The Conflict of Interest Law applies to the immediate relatives of the state officials only. The Law does not apply to cousins and persons of affinity (daughter-in-law, son-in-law, mother-in-law, father-in-law, etc.). By defining such a narrow range of conflict of interest situations, the current law excludes a potentially wide circle of people, due to which the state official may face a conflict of interest when making decisions regarding these persons.
- 3) The law on prevention of conflicts of interest is not applicable to decisions by politicians, which manifest themselves in deals that correspond to the concept of state capture. Section 11 of the Law, “Administratīvo aktu izdošanas, uzraudzības, kontroles, izziņas vai sodīšanas funkciju veikšanas un līgumu slēgšanas ierobežojumi” (*Restrictions on Performing the Functions of Issuing Administrative Acts, Supervision, Control, Investigation or Punishment and the Conclusion of Agreements*), prescribes that “the restrictions on issuing administrative acts specified in this Section do not apply to the *Saeima* deputies and members of the Cabinet of Ministers, which, according to the regulatory enactments, participate in the issuing of administrative acts.”

This Section excludes all senior political state officials from a significant portion of the Conflict of Interest Law and thereby does not tackle the problem of political corruption. As the KNAB statistics on violations of the Conflict of Interest Law demonstrate, it is the lower-level state officials who are usually punished.<sup>1</sup>

### 9.1.3 Negative Indicators on Conflicts of Interest, Favouritism and

#### Noncompliance With the Law:

- 1) The application of the Conflict of Interest Law often does not work in the local governments, as the public officials lack comprehension about the norms of this Law. The KNAB has determined that 2/3 of the total number of offences have been committed by local government officials.<sup>2</sup>

One cause of why public officials get involved in corruptive deals is the absence of actual sanctions and risk. For example, the KNAB in its report for the period of January 1 – June 30, 2004, points out that the KNAB decisions on losses incurred for the state are valid in 13 cases for the total sum of 3,824.38 lats. According to the information available to the KNAB, eight state officials have reimbursed the losses caused to the state, which constitutes a total of 882.80 lats. These sanctions are comparatively small, and, most likely, will not serve as a deterrent for a state official to get involved in corruptive deals in the future.

An example of the impunity of state officials is the initial reinstating of Andrejs Sonciks, who was earlier dismissed from the post of the State Revenue Service Director-General, to the post of the Deputy State Secretary of the Ministry of Finance, despite the fact that A.Sonciks was accused of refusing to collect for the state nearly 1 million lats in the so-called *Dinaz* case.<sup>3</sup> Such an appointment to another responsible position not only generates civil servant arbitrariness, but causes the society to believe that state officials may remain unpunished for violating the laws as well.

- 2) The Conflict of Interest Law is only partially applicable to the senior state officials, and there is no tradition and understanding that would make the politicians themselves avoid conflicts of interests, both in substance and appearance.

For example, as the minutes of the Cabinet of Ministers meetings indicate, in 2004, Ainars Slesers, Deputy Prime Minister of the Prime Minister Indulis Emsis, has presided over government meetings during which decisions regarding his business partner SIA Merks, which has been entrusted with the construction of the hockey hall, have been made.<sup>4</sup> Moreover, initially A.Slesers headed a government working group which coordinated the preparations for the 2006 World Championship of Hockey. As the annual declaration of income of a state official indicates, in 2003, A.Slesers received 225,000 Euros from SIA Merks “for credit repayment”, and in 2002, the Deputy Prime Minister sold his shares of the SIA Kipsalas Saules Akmens to SIA Merks.<sup>5</sup>

Regarding the effectiveness of conflict of interest regulation, a KNAB report quotes – “KNAB has determined that state officials often disregard the restrictions on the decision-making and realization of other job-related duties in a situation of conflict of interest, prescribed by the Law “On Prevention of Conflict of Interest in the Operation of Public Officials.” The public officials disregard the restrictions on holding of more than one job.”<sup>6</sup>

In sum, the Conflict of Interest Law should be improved so that it covers more persons. At the same time, it is necessary to shape a broader public information campaign on the nature of conflicts of interest, emphasizing that it is the duty of the state officials to avoid engaging in making decisions which affect their own private interests or the private interests of their relatives or friends. Similarly, it should be specified that other public officials present at the making of a decision have a duty to point out the existence of a conflict of interest, if the involved official does not acknowledge it. The information campaign should indicate clearly that all public officials must work in the interest of the state and the public, and that the facilitation of personal interests in a public office is a serious legal and ethical offence in the fight against which there is no place for tolerance or misunderstood solidarity of public officials. Also, specific instructions should be provided on what a public official should do, if he or she wants to stop an unlawful deal, and ensure that state institutions protect them against a potential retribution.

## 9.2 How effective are the arrangements for protecting office holders and the public from involvement in bribery?

### 9.2.1 The assessment of the existing laws and regulations:

In general, the laws prescribing sanctions for bribery – the Criminal Law and the Investigatory Operations Law are acceptable. However, they include several gaps which encumber the calling of persons, especially some “groups at risk”, to account for bribery.

- 1) Immunity of judges. The Law On Judiciary Power prescribes that only a Prosecutor General may bring a criminal action against a judge and that a judge may not be arrested and called to account without the

*Saeima* approval, as well as, that the decision about the arrest, detention or subsection to search of a judge is made by the Chief Justice of the Supreme Court. This considerably complicates the possibilities of arresting judges involved in bribery.

The main feature of bribery is that this deal takes place in secret, and all signs that the deal has occurred are eliminated as fast as possible. Besides, the parties involved in the bribery are interested in keeping the fact highly secret. Therefore, the most convincing way to uncover the fact of bribery is to catch the parties involved in the act. With regard to judges, such an arrest must be sanctioned by the Chief Justice of the Supreme Council and the *Saeima*. However, neither the Chief Justice, nor the *Saeima* will approve such an arrest unless its necessity is justified sufficiently by evidence. In a situation like this, the law enforcement authorities like KNAB are practically unable to take action against judges involved in bribery.

- 2) Involvement of a wider circle of people in bribery. The Criminal Law prescribes responsibility for bribery among public officials as well as executive officers of enterprises or organizations. This section protects a wide circle of people from responsibility for involvement in bribery – e.g., regular doctors, surgeons, bank employees, etc. For example, a surgeon who refuses to perform an operation unless a bribe is paid may not be charged with criminal liability.
- 3) Limited scope of responsibility of state officials for causing damage to state property. A section of the Criminal Law on the misuse of authority by a state official states that a state official may be penalized, if he or she “commits intentional acts using his or her official position in bad faith, if such acts cause substantial harm to State authority, administrative order or rights and interests protected by law of a person.”<sup>7</sup> When assessing such harm, the law enforcement authorities often have difficulty with calculating the significance of the harm done, especially if the consequences of this harm are expected in the future. For example, if a local government rents a large, neglected piece of land cheaply, which might bring the renter immense profit in the future, it is not easy to calculate the harm done in a case like this.

In February 2004, the “Administrative Procedure Law” entered into force, one of its goals being the protection of individuals in relations with the state. Following this Law’s entry into force the decisions any state institutions make regarding an individual must be considered with particular care. This law reduces the flexibility of the state institutions in the application of law, including the application of the legal provisions regarding corruption prevention and combating. For this reason, more precise definitions of provisions of the aforementioned laws are needed.

### 9.2.2 Negative indicators of the intensity of bribery; data on the elite and public experience:

- 4) Bribery as a fast solution of a problem in the case of weak and uncoordinated legislation.

The volume of construction in Latvia is growing. Any potential builder must receive a construction permit, but the process of issuing permits is non-transparent and contradictory, because the Construction Law, the Cabinet regulations and the documents adopted by local governments are often uncoordinated, even contradictory.<sup>8</sup> Often it is easier for someone starting construction to circumvent the conflicting laws and obtain a construction permit with the help of a bribe instead of battling numerous bureaucratic obstacles. As Klavs Sedlenieks points out, “if all the laws and regulations governing the issue of permits were to be summed up in a single computer simulation, the system would soon shut down due to logically unsolvable contradictions and uncertainties.”<sup>9</sup>

Dace Neiburga, the representative of the Latvian National Commission for UNESCO has also pointed out a broader problem of corruption in the field of construction, warning that the historical centre of Riga may be excluded from the UNESCO World Heritage List, because several structures, e.g., the so-called “Saules Akmens”, do not comply with the requirements for protection of the historical centre.<sup>10</sup> Such inappropriate construction often occurs due to the lack of equal and clear rules and state officials acting in bad faith.

- 5) Government procurement. In 2003, the total amount of public procurement contracts reached 501 million lats, which is one quarter of the state budget.<sup>11</sup> This huge sum makes government procurement a very attractive source of income, and many businessmen are tempted to circumvent the rules of tenders and turn the decision of a commission in their favour.

The Procurement Law prescribes considerable transparency and publicity in the procurement process. The Cabinet of Ministers has adopted regulations that prescribe the establishment of an e-procurement system, which will simplify the process considerably. However, the procurement procedure is decentralized and is being carried out in different institutions, and, therefore, public officials often have insufficient knowledge to implement it as stated by the law. The intensive work of the State Procurement Office in the education of public officials by organizing 95 seminars in 2003 should be, therefore, seen as something positive.

An example of corruption in the field of government procurements is the recently initiated criminal case against the enterprise “Orto Plus” for fraud against the state for more than 300,000 lats. The enterprise is being accused of submitting fictitious documents for non-existent prostheses and providing people suffering from movement impediments unsuitable and low-quality substitutes. The state did business with this enterprise for 3 years for the total amount of nearly one million lats. Most likely, such fraud could not have been possible without the knowledge and approval of state officials.<sup>12</sup> Such incidents may be characterized as complex fraudulent and corrupt schemes. It is very difficult to prevent corruptive activities among people engaging in secret agreements on procurement or other operations. A more vigorous witness protection and implementation of investigatory activities would help prevent much of this.

#### 6) Bribery in the court system;

The weak court system, which has not yet proved itself in minimizing corruption, is one of the weakest elements in both safeguarding the rule of law and combating corruption.

Several court judgments adjudicating inexplicably low, even trivial, punishments, point toward the possible corruption of the courts. For example, in 2002, the Senators of the Supreme Court conducted research on what verdicts are passed with regard to drug dealers and distributors. The research concluded that in 2001 not a single person convicted in any of the 226 cases of drug dealing received a significant sentence. Moreover, in nearly all cases the courts applied a punishment that is considerably lower than the one prescribed by the Criminal Law.<sup>13</sup> As for the quality of court judgments, the research concludes that “the judgments are difficult to comprehend, they include incomplete information and lack justification. One third of the judgments analyzed reveal the arguments of one party only.”<sup>14</sup> Such a conclusion in itself is not directly indicative of corruption problems within the court system. However, in a situation when there is a lack of tradition of preparing quality judgments, there is plenty of opportunity for bribery.

Since the KNAB began its operation, a high-profile prosecutor Stanislavs Nazarovs has been convicted for bribery, receiving a 10-year prison sentence. The KNAB detained Nazarovs in 2003 for demanding a USD 50,000 bribe and receiving a portion of the money. S.Nazarov was a prosecutor who investigated several cases, including murders. Admittedly, only when such arrests and adequate administration of punishment becomes more frequent, will it be possible to talk about corruption minimization in the court system.

#### 7) Bribery in health care:

Both research and media reports point out the participation of the public in bribery within the health care sector, indicating that bribes are given to select medical personnel, surgeons in particular.<sup>15</sup> Strangely enough, some doctors admit publicly that they have accepted bribes<sup>16</sup> and there have been no consequences, thereby, such bribery is being justified. Hopefully, the system may change yet, because the KNAB and the Ministry of Welfare are promising new measures to battle similar and other corruptive deals within the field of medicine.<sup>17</sup>

Assessing the crackdown on bribery in general, it must be admitted that the battling of bribery has not been effective. At the same time, the sanctions adjudicated for bribery are small. For example, in 2002, 92% of the convicted bribe-takers were on probation.<sup>18</sup> Amendments to several laws are required, so that they explicitly address the substance of the offence, and are thereby harder to circumvent. The KNAB and other law enforcement authorities should publicize more the significant sanctions which have been awarded lately to persons involved in bribery, because actual sanctions are a significant preventive means. To uncover more cases of bribery, the investigatory activities and witness protection should be stepped up.

## **9.3 How far do the rules and procedures for financing elections, candidates and elected representatives prevent their subordination to sectional interests ?**

### **9.3.1 Assessment of the campaign finance laws:**

Following the amendments to the Party Financing Law, which were adopted in 2004, the Party Financing Law specifies actual restrictions for contributors, it requires a significant degree of transparency in party financing and sets a ceiling on party financial spending. These changes in the laws have been adopted due to the KNAB control over party finances as well as the activities of the media and civic organizations.

### **9.3.2 Implementation of the regulations and their effectiveness:**

After the last amendments the Party Financing Law is attempting to decrease the party need for money by putting limits on spending. These amendments are based on the following consideration: if the political parties



are not permitted to spend so much money funding, they will not need to collect it and their dependence upon contributors, including narrow economic interest-driven groups, will decrease. Despite these arguments a member of the People's Party, *Saeima* deputy Janis Lagzdins believes that "the previous wording of the Law ensured that at least 85-90% of the money invested in the campaign appeared on the financial declarations; now, a half of it will appear at best."<sup>19</sup> Such a comment from the mouth of a *Saeima* deputy reduces the effectiveness of the adopted amendments and justifies the noncompliance with the restrictions, and in the meantime – generates the belief among the public that it is unnecessary to observe the laws.

After the last amendments, the Party Financing Law still maintains the following risks:

- 1) Increase of hidden advertising. The parties will try to utilize purchased publicity, to place paid advertisement in the media without marking them accordingly;
- 2) The amounts of the hidden cash reserves and cash payments will grow, which will not show up in the bookkeeping of the respective political party;
- 3) Political advertising placed by third persons, seemingly not associated with the parties, will grow.

### **9.3.3 Negative indicators: the dependence of the legislators upon narrow group interests:**

The greatest problem in the financing system of Latvia's political parties is the fact that it is still unclear, who are the true sponsors of the parties. According to KNAB calculations, up to 60% of all the party contributors are persons who cannot afford to contribute to the parties.<sup>20</sup> The KNAB has not yet uncovered the true origin of these funds.

Since the KNAB took over the control of political party financing, the inspection of party contributions is more successful and has generated results. Upon the inspection of contributions to political parties in 2003, the KNAB charged 11 parties to repay the illegally received contributions for a total amount of 122,948 lats.<sup>21</sup> In 2003, the KNAB documentation included criminal cases on forging documents regarding the lists of political party contributors – the Union of the Green and Farmers (ZZS) for the sum of 74,650 lats, the People's Party (TP) for 21,000 lats, the Latvian Social Democratic Labour Party (LSDSP) for 12,450 lats, and the New Era (JL) for 22,500 lats.<sup>22</sup> These contributions were received in 2002, when the 8th *Saeima* elections took place. The initiation of such criminal cases casts a shadow over the reputation of parties, which, hopefully, will promote their abstention from such illegal contributions in the coming years.

The party financing control implemented is lessened by the fact that several parties have refused to obey the KNAB decision and refund the illegally received contributions into the state budget. One example is the ZZS's litigating with the KNAB on whether the KNAB, according to laws existing at the time, had the right to demand the refunding of illegal contributions. The court proceedings focus on a procedural detail on the application of the law, whether the KNAB demand to refund contributions was legally justified.

Two courts have already ruled that, in accordance with the previous provisions of the Party Financing Law, the KNAB had no right to demand the refund of contributions. Meanwhile, neither ZZS, nor any other party has asked the court to determine whether the contributions were legal, thereby admitting indirectly the illegal nature of the contributions. A problem arises in that ZZS and several state officials have argued both within Latvia and internationally (especially with regard to the nomination of Ingrida Udre, Chairwoman of ZZS, to the post of the Commissioner of the European Commission) that the court rulings on the procedures have, as it were, erased the responsibility of the party and its officials for the illegal contributions.<sup>23</sup>

## **9.4 How far is the influence of powerful corporations and business interests over public policy kept in check, and how free are they from involvement in corruption, including overseas?**

### **9.4.1 Assessment of the laws: the transparency of relations between entrepreneurs and state officials.**

In order to ensure better regulation, an improvement in the way sanctions for corruptive activities may be applied, including the confiscation of illegally acquired funds and the freezing of funds, is necessary, as is the introduction of criminal liability of legal entities. In December 2004, after prolonged hesitation, the *Saeima* adopted amendments to the Corruption Prevention and Combating Bureau Law, which provides the Bureau with the right to obtain information from credit institutions on private bank accounts and transactions. These amendments could significantly improve the capacity of the KNAB to combat corruption at the highest level.

One of the major problems, preventing the combating of corruption in Latvia in a feasible way, is the significant and uncontrollable amount of money of unknown origin. In Latvia there is no credible system of accounting for personal income and savings which would make it possible to determine what financial resources are at people's disposal and which would permit tracking the circulation of money.<sup>24</sup> This issue is linked to the following features of the system:

- 1) There is no credible mechanism to control the accuracy of the information provided in personal income declarations, nor the submission of the declarations themselves. In selected cases, the State Revenue Service (SRS) checks the declared information only and is unlikely to ever uncover what has been left undeclared;
- 2) A proof of the legality and the source of income is not required when purchasing large property. Big income can be explained away by profit made on selling flowers or vegetables during the Soviet time or by sizeable and unverifiable inheritances.<sup>25</sup> For example, one state official was explaining away expenses by income inherited from his well-off grandmother who had passed away in Belarus. Belarus is one of the countries the border of which can be crossed without the declaration of financial resources the person has taken along. If such a requirement were introduced, it would be possible to check whether the explanation of the source of income is true;
- 3) When crossing the border, it is possible to bring unlimited amounts of money into Latvia without declaring it;
- 4) Data on personal income tax payments must be maintained for three years. It is impossible to check personal income and the tax paid on that income after these three years.

Considerable, undeclared sums of money of unknown origin decrease the success of Latvian law enforcement authorities' efforts in combating corruption, money laundering and other illegal deals. In order to improve the legal framework of Latvia, the following is suggested: annual income declarations should be introduced and checked at least at random; data on income should be maintained for at least five years; the declaration of cash at the borders of Latvia should be introduced.<sup>26</sup> At the beginning of 2005 the KNAB prepared and submitted to the *Saeima* and other government institutions its proposals on improving the system of personal income declaration. Shortly after the proposals were submitted they had received partial support of the political parties.<sup>27</sup>

#### 9.4.2 The effectiveness of laws in minimizing state capture.

The law enforcement authorities have a poor understanding of the spirit of the laws and a poor ability to apply laws comprehensively, which minimizes the effectiveness of the legislation. Several laws should be applied more comprehensively, especially with regard to the activities of high-level officials or politicians. As the recent impeachment of the President of Lithuania Rolandas Paksas demonstrates, the option of using the Constitution more actively in the legal proceedings should be considered carefully as well.

In its program for 2004-2008 the KNAB points out the need to develop guidelines for the application of the Section 325 "Violation of Restrictions Imposed on a State Official", Section 326 "Unlawful Participation in Property Transactions" and Section 326<sup>1</sup> "Trading with Influence" of the Criminal Law. The KNAB recognizes that "currently there is no understanding about the Sections included in the Criminal Law on the 'violation of restrictions imposed on a state official', the 'unlawful participation in property transactions' and the 'trading with influence', and there is no practical experience of applying these Sections."<sup>28</sup>

The development of a mechanism for witness and informant protection is required and it needs to be promoted to encourage witnesses to come forward. Recently, the international GRECO experts emphasized this necessity as well.

Another instrument to help fight state capture are parliamentary investigations commissions, which may be established with the approval of 34 *Saeima* deputies. During the 7th *Saeima* there was a Parliamentary Investigations Commission dealing with the meat smuggling case. There was also a Parliamentary Investigations Commission dealing with the so-called three million case, and the Parliamentary Investigations Commission investigating the case of Einars Repse's credits continues to operate still. Although each new *Saeima* has had parliamentary investigations commissions, none of them has generated a tangible outcome. Indeed, the operation of the commissions has been perceived as politically motivated<sup>29</sup> or even as a cover-up for the offence itself.<sup>30</sup> It should be noted that the findings of the parliamentary investigations commissions are not binding. They evaluate the circumstances being investigated in general terms only. In order for the parliamentary investigations commissions to have any point at all they should be made into a platform for protection of public interests, which would have high prestige and their work would enjoy good publicity and which would provide an alternative source of information on highly publicized incidents of corruption. However, it will be impossible to earn such an impact unless the results of the commission work are perceived as independent.

### 9.4.3 Negative indicators: data on the ‘capture’ of state institutions.

In 1999, the World Bank conducted a sizeable study showing that Latvia has a high index of ‘state capture’, while the index of administrative corruption is comparatively low. A repeated study, conducted in 2002, does not show significant change.<sup>31</sup> The authors of the latest study emphasize that they did not have instruments to help research the most concealed forms of state capture, especially the linkage between the public and private power, wealth or influence of the public officials.<sup>32</sup>

To a great extent this conclusion applies to a peculiarity of Latvia’s “state capture.” Unlike the classic understanding of state capture, which describes state capture as the influence of narrow, powerful economic groups on the decision-making processes, in Latvia political and economic interests tend to merge. During the privatization process the political power of state officials has provided them with considerable wealth, which, in turn, ensures their economic power. Their economic power, for its part, guarantees these persons with access to resources of political power through the positions of *Saeima* deputies, Prime Minister or ministers. In a situation like this both the political and the economic power is concentrated within the hands of the same persons.

The following are examples of apparent state capture:

- 1) The three-million case. This case is an example of a well-designed corruptive scheme, which has not been solved.<sup>33</sup> The transaction to swindle three million lats from “Latvenergo” occurred in 1997, but in 2004 the court acquitted four people accused of carrying out the shady transaction, pointing out, at the same time, that the investigation against the organizers of the fraud still continues. In 1994, “Latvenergo” signed a guarantee for a 10 million loan, issued by the “Banka Baltija.” According to what the prosecutor said during the court proceedings of 2004, a criminal grouping agreed to buy the right to collect the debt from the “Banka Baltija”, and the money from the state enterprise “Latvenergo” – to be transferred to an off-shore company.<sup>34</sup> “Latvenergo” transferred the required eight million to an intermediary company, which transferred only five million to the “Banka Baltija”, keeping the 3 million. When described in the press, the deal was referred to as a “transaction scheme”<sup>35</sup>, or “institutional corruption” and “corruption networks.”<sup>36</sup> It would be impossible to carry out such a scheme without the involvement of senior public officials, and the eventual acquittal of the accused is indicative of the protection provided by these public officials.
- 2) Economic interests of the Mayor of Ventspils. According to the Prosecutor General Office of Latvia legal assistance request from Switzerland, prepared in November 2003, the Mayor of Ventspils might have received remuneration and shares in businesses, which after the privatization have come to own various enterprises of Ventspils. At the same time, the Mayor of Ventspils might have made a series of favourable decisions regarding these enterprises.<sup>37</sup>
- 3) The introduction of digital television. “The Digital Radio and Television Centre of Latvia” (DLRTVC), owned by the state indirectly, entered into an agreement with “Kempmayer Media Limited”, registered in Great Britain, for the amount of 53,5 million USD (more than 30 million lats) to install the required infrastructure and decoders. This agreement might lead to the encumbering or even loss of the 23% DLRTVC-owned shares in the mobile telecommunications company “Latvijas Mobilais Telefons.” It has been said in the media that the off-shore company “Kempmayer Media Limited” is owned indirectly by Latvian state officials who have set their sights on the valuable state-owned shares in the mobile telecommunications provider.<sup>38</sup>

Over the past years the view has been repeatedly voiced both within society and among experts that corruption will decrease significantly only when some notable case of corruption is proven. During a meeting with the leadership of the KNAB in July 2004, the Foreign Advisors Group of KNAB expressed their scepticism about the speed of combating corruption in Latvia and that the Bureau has still not investigated the public suspicions about the potential corruptibility of senior public officials.<sup>39</sup>

There is a possibility that during the next year some cases that in the past have been associated with state capture will become current again. On September 23, in an interview with Latvian Television’s “Valsts Pirmas Personas” Janis Maizitis, the Prosecutor General of Latvia, said that three significant cases are under investigation:

- 1) Investigation of the economic influence of Aivars Lembergs, the Mayor of Ventspils;
- 2) The criminal case regarding the digital television;
- 3) The case on A.Skele’s bill.<sup>40</sup> This issue became the question of the day when Andris Skele stated the ownership of a bill worth 28,4 million USD in his 1999 Income Declaration of a Public Official, which was written out to him by some off-shore company Bolster Management Limited. In the 1998 Income Declaration he had not indicated property or reserves indicative of such wealth.

Also, Aleksey Loskutov, the head of the KNAB, has said that “first, we must say that, like society, we too would like to catch the big fish, which we could write on a billboard as our achievement. The bigger the fish the better it protects itself legally, because with big money one has opportunities to enlist expensive legal assistance. On the other hand, speaking about corruptive relations, if a problem is solved by the principle ‘a favour for a favour,’ the solidarity between both involved parties is so great that it is nearly impossible for us to get to such people.”<sup>41</sup>

The cohesion of the corruptive environment is one of the major obstacles for combating corruption. To provide it with a counterforce, one needs to unite those forces of the state and the civil society who work to promote integrity in public office and in politics.

**Summary:** The current chances of minimizing so-called state capture with the help of the legal framework are very weak. High-level corruption is usually based on finely designed and complicated schemes, which are very difficult to uncover and prove (as was clearly demonstrated by the case of the three million lats and the investigations of the owners of Ventspils businesses and digital television). A positive aspect is that the media, the KNAB and scholars have broadly discussed the nature of state capture over the past years and that some work has been done to improve the situation.

Deals associated with state capture are made by a whole network of persons who not only cooperate on the creation of the scheme, but also protect each other from revelations, sometimes even by using threats. In order to uncover such deals and convict the guilty the establishment of an effective system of witness protection is crucial.

## **9.5 How much confidence do people have that public officials and public services are free from corruption?**

Public opinion and experience has been measured by various studies. The broadest representative surveys were published in 1998 and 2000.<sup>42</sup> Since then, only a few small-scale surveys have been done. A survey undertaken in October 2004 indicates that more than half of the respondents (51%) do not trust the court system, the lack of confidence being slightly greater among the respondents of Russian nationality (57%). Also, 48% of all the respondents do not trust the police. Similarly, the survey shows that 27% of the respondents answer positively to the question, whether they themselves or their acquaintances have paid the police in order to obtain a positive outcome, and this percentage is particularly high among self-employed people (46%).<sup>43</sup> Such data indicate that a significant number of people in Latvia mistrust the law enforcement authorities and participate in illegal activities themselves.

A survey conducted in January 2005 shows that, in comparison to 2002, in most cases the respondents indicate that they have managed to do without unofficial payments. However, respondents mention that there are exceptions of negative experiences with medical personnel and situations when public officials use state or local government resources for personal needs, or do not fulfill their duties. The fact that more than half of the respondents think that a sign of successful combating of corruption would be calling the political elite to justice indicates the attitude toward the role of politicians in preventing corruption.<sup>44</sup>

The researchers have questioned focus groups and conducted media analyses as well. Still, new surveys that are comprehensive in terms of methodology and content are required. The international GRECO experts<sup>45</sup> have pointed this out as well.

All research, as well as the apparent public mood indicate that the population believes corruption in Latvia to be widespread, especially among the senior state officials and politicians. The people receive their information from their own experience, from the experience of persons close to them, as well as from what the media reports.

Over the past years the topic of corruption has become increasingly the question of the day for the media and thereby has become the focus of public attention. Lately, the media has extensively reported on the progress of some publicized cases, e.g., the so-called Auder’s case, the conviction of the prosecutor Nazurov and the detention of several persons suspected for offering or receiving bribes.

Paradoxically, society often believes corruption to be widespread precisely when it is being battled actively, as the media and the public discourse at that moment pay particular attention to the issue. It can be concluded that it is essential that the media and the law enforcement authorities are aware of this paradox and strive to

neutralize it with their explanations. This may be achieved by focusing attention on the nature of this paradox, and that once the corruption is being battled actively, it will decrease in the future, not increase.<sup>46</sup>

**Summary:** The opinion that corruption in Latvia is widespread, especially among the senior state officials and politicians, predominates.

**Summary: progress during the past 3–5 years**

	Very Good	Good	Satisfactory	Poor	Very Poor
9.1.				X	
9.2.				X	
9.3.			X		
9.4.					X
9.5.				X	

**Best Feature:** 1. The increase of NGO and selected media influence in rising corruption awareness; 2. The operation of the Corruption Prevention and Combating Bureau (KNAB); 3. The new draft of the Party Financing Law and its initial implementation.

**Most Serious Problem:** The involvement of high-level politicians in corruptive deals; the previous inability of the law enforcement authorities to battle and prevent these activities.

**Suggested Improvements:** In addition to what has been listed before: 1. Effective control of personal income declarations; 2. To promote the interpretation of the legislation in accordance with its spirit instead of the letter and grammar; 3. The KNAB, NGOs and the media should be encouraged to describe more extensively the actual achievements in the anti-corruption battle, as it is a part of effective prevention. 4. New, quality research is needed: representative surveys, the use of focus groups, analysis of the media and the public discourse.

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<sup>2</sup> Ibidem.

<sup>3</sup> BNS, “Sončikam uzrāda apsūdzību “Dinaz naftas” krimināllietā”, 01.06.2004. Following the February 2005 judgment of the Supreme Court that the verdict was justified, A.Sonciks left his position at the ministry.

<sup>4</sup> For example, Cabinet of Ministers meetings/agendas and minutes, the meeting of March 30, 2004; <http://www.mk.gov.lv>, downloaded on 04.10.2004.

<sup>5</sup> Kārtējā valsts amatpersonas deklarācija par 2002. un 2003. gadu, <http://www.vid.gov.lv>, downloaded on 04.10.2004

<sup>6</sup> KNAB, Informatīvais ziņojums “Par Korupcijas novēršanas un apkarošanas biroja darbību no 2004.gada 1.janvāra līdz 30.jūnijam”.

<sup>7</sup> The Criminal Law, Section 318 (1).

<sup>8</sup> Sedlenieks, Klāvs. “Korupcija būvatļauju izsniegšanas procesā”, 2003.gads, [www.politika.lv](http://www.politika.lv)

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<sup>10</sup> Ozoliņš, Aivars. “Ar korupciju pret UNESCO”, *Diena*, 16.07.2004.

<sup>11</sup> Risks of corruption in public procurement in Latvia. Brief overview by the Corruption Prevention and Combating Bureau, KNAB, 10.2004.

<sup>12</sup> Panorāma, Latvian Television, 13.10.2004.

<sup>13</sup> “Narkotiku lietās apsūdzētajiem netiek bargi sodi”, *Diena*, 17.04.2002.

<sup>14</sup> Skujeniece, Vineta. “Tiesu problēma – vienpusīgi un nepamatoti spriedumi”, published on [www.politika.lv](http://www.politika.lv), 27.06.2003.

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<sup>16</sup> For example, in the TV discussion program “Kas notiek Latvijā?” 22.09.2004.

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- <sup>27</sup> Brauna, Anita. "Iedzīvotāju ienākumu kontrole Latvijā", [www.politika.lv](http://www.politika.lv), downloaded on 23.03.2005.
- <sup>28</sup> Korupcijas novēršanas un apkarošanas valsts programma 2004.-2008.gadam, 19.lpp.
- <sup>29</sup> Austere, Linda. "Interesu konflikts. Bez politiskās mērces, lūdzu!" <http://www.politika.lv/index.php?id=109451&lang=lv>
- <sup>30</sup> Documents of the parliamentary investigations commission headed by 7th *Saeima* deputy Peteris Salkazanovs were found in possession of the suspect during the search. "Salkazanova jocīgie paziņas", Diena, 28.08.2002.
- <sup>31</sup> The World Bank, *Anticorruption in Transition: A Contribution to the Policy Debate*, (Washington, D.C., September 2000); Cheryl Gray, Joel Hellman, and Randi Ryterman, *Anticorruption in Transition2: Corruption in Enterprise-State interactions in Europe and Central Asia 1999-2002* (Washington, D.C.: The World Bank, 2004), [www.worldbank.org](http://www.worldbank.org).)
- <sup>32</sup> See also: Sanita Jemberga, "PB: valsts sagrābšana Latvijā vairāku gadu laikā nav mazinājusies," *Diena*, 16.04.2004.
- <sup>33</sup> Group of States against corruption, *Evaluation Report on Latvia, Second Evaluation Round*, Strasbourg, 2 July 2004, p.14.)
- <sup>34</sup> BNS, 02.04.2003.
- <sup>35</sup> Kluinis, Arnis. Intervija ar Uldi Dreiblatu "Trīs miljonu atziņa par trim miljoniem latu," *Rīgas Balss*, 11.10.2004.
- <sup>36</sup> Avotiņš, Viktors. "Laimīgas beigas?" *NRA*, 08.10.2004.
- <sup>37</sup> "Tiesiskās palīdzības lūgums Šveicei", *Diena*, 13.01.2004.
- <sup>38</sup> For example, LTV Panorāma "Kempmayer īpašniekiem pieder ar medijiem saistītas firmas Latvijā", 21.05.2004
- <sup>39</sup> *Diena*, 23.07.2004.
- <sup>40</sup> LTV, "Valsts pirmās personas", 2004. gada 23. septembris.
- <sup>41</sup> An interview by Inta Lase with Aleksey Loskutov, Head of the Corruption Prevention and Combating Bureau (KNAB), KNAB priekšnieku Alekseju Loskutovu Inta Lase, [www.politika.lv](http://www.politika.lv) (noprecizēt atsauci) and LNT "Nedēļa", interview with A. Loskutov, 10.10.2004.
- <sup>42</sup> For example, James H. Anderson, *Corruption in Latvia: Survey Evidence* (Washington D.C.: The World Bank, December 16, 1998).
- <sup>43</sup> Baltijas Sociālo Zinātņu institūts, 2004.gada oktobris.
- <sup>44</sup> "Pieredze saskarsmē ar korupcijas problēmām, Latvijas iedzīvotāju aptauja", 2005.gada janvāris, SKDS, 7.-8.lpp.
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**Part Three**  
**Civil Society and Popular**  
**Participation**





## 10. The Media In a Democratic Society

*Sergejs Kruks and Ilze Šulmane*

*Do the media operate in a way that sustains democratic values?*

### 10.1 How independent are the media from government, how pluralistic is their ownership, and how free are they from subordination to foreign governments or multinational companies?

#### 10.1.1 Legislation

Latvian legislation creates a good framework for independent journalism. The Constitution (*Satversme*) guarantees freedom of speech and prohibits censorship. The Constitutional Court in its detailed interpretation of May 2003 applied the concept of freedom of speech also to mass media:

The freedom of speech belongs to the so-called first generation human rights and is considered one of the most important basic rights of a person. The freedom of speech, more than any other human right, symbolizes the mutual dependence of civil and political rights – the freedom of speech belongs to both civil and political rights.<sup>1</sup>

The 1990 Press Law and the 1995 Radio and Television Law prohibit censorship and interference in the work of the mass media. The law protects the public radio and television from direct influence of the national and local government institutions, political organizations, religious confessions or commercial enterprises. Sponsors and advertisers may not restrict editorial independence regarding the choice of content and scheduling of broadcasts.

In the 2004 report on media freedom “Reporters Without Frontiers”, Latvia scores 10<sup>th</sup> place.

The 1998 Information Freedom Law specifies the duty of the national and local government institutions to provide information. Persons requesting information do not need to provide a special explanation for their interest in the information requested, and the information may not be withheld from them on the grounds that this information does not pertain to the person requesting it.

The Press and the Radio and Television Laws prohibit monopolization of the mass media. However, the documents do not define the monopolization criteria. The Competition Law defines the dominant position, which occurs when the market share of one or more market participants is at least 40 per cent of this market, and they have the capacity to hinder, restrict or distort competition significantly. However, the Law does not specify whether this condition applies to the dominating position in the media market as well.

#### 10.1.2 Law Implementation

In a study on media ownership<sup>2</sup>, Ilze Nagla and Anita Kehre note that the concentration of the mass media has not reached the level that would threaten information diversity. The biggest problems are created by the lack of access to information about the media owners, because the laws in Latvia do not ensure media ownership transparency. Information on the true owners of various media companies is not publicly accessible and is not updated. Therefore, different speculations about Russia’s potential influence on the Russian-language press and hypotheses on possible financial support from Russia are voiced in public, which would be hard to prove. This does not promote trust in the Russian-language press among Latvians.

In general, the media market in Latvia is quite diverse. However, since it is split into two parts (two languages), one should take into consideration that getting the same information simultaneously to both target groups is difficult. The division of the small media market influences advertising revenue. The size of the market and other economic conditions do not promote specialization and the development of qualitative journalism.<sup>3</sup>

The public media – Latvian Television (LTV) and Latvian Radio (LR) – are subsidized from the state budget. This fact casts doubt about the independence of the television and radio journalism. The funding of the public media falls considerably behind the sum, calculated by the Broadcasting Council, required for the maintenance and modernization of the technical resources.<sup>4</sup> In 2004, the state subsidy was 4.5 million lats when the Broadcasting Council had previously calculated 11.1 million lats as the necessary sum. LTV and LR are forced to get involved in commercial activities to secure additional income from advertising. The government still has not supported the long-discussed issue of the introduction of subscription fees.

### 10.1.3 Negative Features.

The negative features include the lack of truthful data about the ownership of some of the largest media. The media experts assume that the influence of media magnate Rupert Murdoch is increasing in the commercial LNT television, and the business company “Ventbunkers” owns “Latvijas Avīze” (“The Latvian Newspaper”).

The operation of the public media is hindered by their dependence on the Parliament (*Saeima*). In 2004, the LTV news program “Panorama” became the focus of the government coalitions criticism. “Panorama” was criticized for violations of professional standards and ethics. The conflict demonstrated the diverging understanding of the role of journalism and public broadcasting. News journalists believe that the public television must become an active participant of the public sphere, a “watchdog”. However, the legislator believes that it must reflect the agenda set by the government coalition.

The formation of the Broadcasting Council, based on political principles, hinders the development of public broadcasting. The Council does not include representatives of the civil society; the candidates nominated by the opposition parties representing the Russian-speaking minority in the *Saeima* have never been elected to the Council. The regulating body has not managed to create an image of a public interest defender. It is being accused of lobbying the interests of selected commercial broadcasting companies. The Council delayed the assignment of the national broadcasting permit to TV3, and the application of the controversial language quota against the radio station “Biznes&Baltija” led to its shutdown in 2002 to the advantage of the competitors. In the summer of 2001, “Biznes&Baltija” was the leader of the Russian-language radio market with a 9% share of the audience, while the share of its closest competitor “SWH Pluss” had fallen down to 5%, but “Radio PIK” and “Mix FM” received 3% each. In public discussions the success of “Biznes&Baltija” was seen as a threat to Latvia’s media market, not as a reason for improving the quality of the local Russian broadcasting.<sup>5</sup>

The two new broadcasting draft laws – the Law on Public Broadcasting Organizations and the Law on Radio and Television – do not solve the named problems. The drafts provide for the creation of two councils: one – supervising the public media and the other – the commercial media. A positive indicator is the inclusion of two NGO representatives in the Public Broadcasting Council. However, the draft law does not specify what kinds of NGOs (in terms of size and activities) have the right to nominate their representatives. This makes it possible that the *Saeima* approves the candidates nominated by NGOs minor but friendly toward politicians. A negative feature is the direct subordination of the second regulating body – the Radio and Television Council – to the government that does not provide for civil society representation when discussing such an important topic as the audiovisual policy. Besides the supervision of commercial radio and television, this Council is entrusted to deal with the audio-visual policy of the entire country. The draft-laws are unclear on the division of competency between these two councils, and the government-appointed Council may interfere in the operation of the public media.

In the fall of 2005, the drafts were submitted to the Government for screening, however, in May 2005, the official opinion on the subject still had not been expressed.

How independent are the media from government, how pluralistic is their ownership, and how free are they from subordination to foreign governments or multinational companies? The evaluation score – “satisfactory.”

## 10.2 Opinion Diversity in Media, Media Accessibility

### 10.2.1 Legislation.

The current Law on Radio and Television is unspecific about the diversity issues and formulates the public media functions unclearly. The Law stipulates that the public broadcasting organizations must ensure diverse and balanced programs, consisting of informative, educational and entertaining broadcasts for all social groups,

as well as ensure the freedom of expression and information and the impartiality of broadcasts. The Broadcasting Council does not set specific preconditions on the commercial broadcasters to receive a permit. The required general strategy of a program must indicate only the program trend, target audience and language, and proportions of the programs produced in Latvia and other European countries. The licensing criteria are not specified. According to the law, the submitted general program strategies are compared on the basis of “various indicators,” preference being given to the applicant “whose general strategy of the program is oriented toward a broader public demand.” In the new draft-law the “various indicators” are substituted with “indicators included in the competition rules.” The promotion of diversity and pluralism is not a precondition for awarding a license.

The shaping of the public broadcasting content is bureaucratically complex. The Radio and Television Law, the National Remit Contract and the annual National Remit determine the concept and content of the national remit. The Contract defines the task of Latvian Television: to create balanced and diverse television programs for all social groups, including programs complying with the public interest, dedicated to narrow and minority groups.<sup>6</sup> The draft Law on Public Broadcasting also gives an unclear definition of broadcasting: “an extensive body of diverse programs intended for the public.” The document emphasizes the patronizing, “schooling” function of broadcasting, supporting the top-down model of political communication.

### 10.2.2 Accessibility

Households of Latvia are well equipped with television sets, the ownership of which reaches almost 100%. By 1999, all Latvian radio stations switched from the Soviet FM diapason 64-74 MHz to the Western FM diapason 88-108 MHz making the Soviet-produced receivers unfit for use. For that reason the number of radio receivers falls behind the number of television sets. In 1996, the termination of terrestrial broadcasting of Russia’s TV channel ORT generated interest about cable television, which now broadcasts several channels in Russian. The number of cable television subscriptions has grown from 28% in 1998 to 47% in 2003.

Satellite television is more popular outside Riga. Only 1% of subscribers live in Riga, while all across Latvia this indicator reaches 4.6%. The lack of interest is due to the fact that packages of many foreign channels are not officially distributed in Latvia.

Table 1.

**Equipment in households, percent**

Equipment	2003
1 television set	97
2 television sets	25
3 or more television sets	4
Cable television subscription	47
Satellite television subscription	4,6
Radio receivers	93
Internet subscription at home	6

Source: TNS/BMF

The number of Internet subscriptions is the lowest in the European Union. The high subscription fees hindered Internet penetration in households: in 2003, only 6% of the population had Internet access at home. The market of fixed telecommunications was liberalized only in 2003. In 2004, the intensity of Internet use was growing, while the number of Internet users is growing slowly: 25% of the population regularly uses Internet services.

Readership of the print media has decreased, is decreasing in Latvia, having reached the amount of 0.8 issues of daily newspapers per person. Subscribers read 1.2 issues of daily papers.

### 10.2.3 Negative Indicators of Information Distribution

The politization of the media companies and their ties to political economic groups<sup>7</sup> also cause the political engagement of journalism. The pronounced support of specific political forces by the daily press combined with the low purchasing capacity of the population hinder the usage of multiple information sources. Given such conditions, the press does not promote tolerance and even desirability of diversity within the society. Such a political culture conceals opposite opinions and arguments, and does not promote public discussions on controversial issues.

Latvia's daily press is losing its readers. In order to attract maximum audience the media appeal to the "majority" opinion that leads to gradual tabloidization of the content. During pre-election campaigns the media does not promote rational and argued evaluation of political programs and ideas. There is little analysis and much political advertising in the election campaigns. The calculations of scholars prove that the amount of resources invested in political advertising by Latvia's political parties exceeds the amounts spent in other Western countries.

When writing about politics, journalists – especially of the local and regional media – follow the pseudo-events organized by the public relations experts. During pre-election campaigns journalists merge the political advertisements with the editorial material more or less openly.<sup>8</sup>

The commercialization of the content characterizes public broadcasting. Both LTV and Latvian Radio programs carry broadcasts directly financed by the public administration and commercial enterprises. Only in 2003 did the LTV include such broadcasts in the clearly defined section "Teleshop", but the management of the Latvian Radio has promised to give up such broadcasts in 2004.

During the past four years the second channels of the public radio and television have commercialized. The switching of the LR2 to the commercial music format in 2000 has permitted the channel to rapidly increase its audience share and maintain the leadership of the entire Latvian Radio. The task of the LTV7 is officially defined as follows: "the program is intended more for mass culture, with the main goal – to attract advertisers."<sup>9</sup>

Despite the fact that the Constitutional Court has recognized the restrictions on language use as unconstitutional, the public radio and television are subjects to the language quota. The Law on Radio and Television demands that 40% of European audio-visual broadcasts (vs. 20.4% of the total channel's output) must be produced in Latvian, not merely in Latvia. Also, the Law does not permit bilingual broadcasts for bilingual audiences. The new draft-laws cancel this restriction.

In the October 2004 survey, carried out by the Baltic Institute of Social Sciences (BISS), the public has evaluated the operation of the media. 44.1% of the respondents believe that the mass media operate in compliance with the laws, professionally; 37.8% think that the media depend on the influence of business; 11.3% believe that the media are often incompetent and ineffective. Russian respondents have recognized the influence of business representatives comparatively more often (41.2% Russians, 36.6% Latvians). Latvians more often than Russians believe that the media operate professionally (47.6% and 37.1%, respectively), while the assessment of incompetence and ineffectiveness is similar.

All in all, the diverse opinions represented in the media and the accessibility to various groups can be evaluated as "satisfactory."

## 10.3 How effective are the media and other independent bodies in investigating government and powerful corporations?

The scandals that have come up for public discussions, the cases of corruption or the decisions made by officials, but disapproved by the citizens, quite often do not have other consequences than the criticism mentioned in the media, manifesting the government disregard for public and media opinions. At the turn of the 21<sup>st</sup> century, due to the decreasing proportion of emotional propaganda, a trend of critically expressing rational arguments appeared in the political culture. However, the stirring of ethnic/linguistic group activities and the aggravation of political party confrontation, as well as the consolidation against the education reform during the last two years, have led to a renewal of the emotional propaganda, especially in the Russian-language newspapers.

The lack of investigative journalism decreases the effectiveness of the media. The group of independent journalists – NIP – has ceased to exist. The investigative broadcasts by A. Tomsons, journalist of the Latvian

Radio, have uncovered violations of the law to the public, but the following action by the civil society and government institutions has been of little effectiveness.

The effectiveness of the media and other independent institutions in evaluating government and corporations' activities scores as "low."

## **10.4 How free are journalists from restrictive laws, harassment and intimidation?**

### **10.4.1 Restricting Laws**

The freedom of speech granted by the Constitution is not universal. The Constitution permits the restriction of this freedom, "in order to protect the rights of other people, the democratic structure of the State, and public safety, welfare and morals." Imperfections in the legislation made journalists vulnerable to being sued by public officials for critical assessment of their actions. The Criminal Code specified disproportionate penalties for libel and slander of public officials – imprisonment for a period of up to two years. The actual consequences (the court adjudged material compensations), possibly, promoted journalist self-censorship when criticizing public officials. The newspaper "Diena" contested this Criminal Code norm in the Constitutional Court. The norm was stricken in October 2003 as not corresponding with the freedom of speech guarantee.<sup>10</sup> This Constitutional Court decision facilitates freedom of the press and democracy by defending journalists against the arbitrariness of public officials.

However, the legislation still preserves conditions which disproportionately limit the freedom of speech. The Criminal Code prescribes imprisonment of up to one year for disseminating libelous and slandering comments in the media. In a study on ensuring the freedom of speech in Latvia Arturs Kučs points out that courts examine the cases grammatically, without considering the context of the publication.<sup>11</sup> The legislation does not distinguish whether the disputed comment is news or an opinion.

It is rather easy to sue a journalist, even if he or she has only quoted the opinion of some other public official instead of having expressed the offensive comment himself or herself. Journalists of local and regional newspapers have reported such practice.

### **10.4.2 Negative Indicators**

In 2001, a journalist of "Kurzemes Vards" was killed for his professional activities. There have been no other cases of physical intimidation of journalists in Latvia. However, their professional activities are hindered by the court practice mentioned earlier and by the lack of understanding among public officials of the "watchdog" role of journalism in a democratic society. The 2003 conflict between the Latvian Radio and the government, when the Prime Minister Einars Repse refused regular interviews with the Latvian Radio, is another negative example. The government leader was dissatisfied with the aggressive and persistent interviewing style of Jānis Krēvics.<sup>12</sup> The Journalist Union and the National Broadcasting Council failed to react and did not conduct a professional analysis of this case.

Journalists, especially those of the local media, are not protected while performing their professional duties. Latvia does not have an institution that would investigate a potential violation before a court interferes, which allows the persons being criticized to use every petty case and sue the journalist or the editors for quoting in the newspaper a criticism originating from another public official. As was mentioned before, the courts often use the grammatical interpretation of the text, ignoring the context of the publication and its public relevance. Such practice does not facilitate opportunities for journalists to monitor the government and promotes self-censorship.

Altogether, the protection of journalists from laws restricting their operation, from intimidation and harassment scores as low.

## **10.5 How free are private citizens from intrusion and harassment by the media?**

### **10.5.1 Laws and Code of Ethics**

The Press Law and the Radio and Television Law protect persons against dissemination of false information. Persons thus affected may demand a recall of such information. The Law of Administrative Offenses prescribes financial penalties for intrusion into private life of up to 25 lats. The responsibility for

deliberate libel or slander in mass media is specified in the Criminal Law (imprisonment for up to one year or forced labor, or a fine equal to thirty monthly salaries). The Civil Law specifies the right to demand a recall of the false information. Yet, the enjoyment of this right is hindered by the fact that there is no organization in Latvia which would investigate citizen complaints against the mass media.

The 1992 Code of Ethics requires that journalists guarantee the reception of true and confirmed information; the interpretation of facts must be impartial, clear and unmistakable, revealing the relevant connections and preventing distortions. Journalists must critically assess the source of information and check the information and quoted comments. In the publication the facts must be clearly and comprehensibly separated from comments by the author. The 2001 Code of Ethics requires the reflection of truth “as much as possible.” Journalists should be objective, provide correct news, and be critical toward news sources and separate facts from comments.

All in all, the protection of private citizens against media harassment and intrusion in their private life scores as high.

## 10.6 Problem Solving

### 10.6.1 Self-Regulation and Education of Journalists

The lack of generally acknowledged self-regulation institutions hinders the solution of professional issues of journalists in Latvia. The Journalist Union (JU) acts neither as a trade union, nor an authoritative, self-regulating professional association, which would monitor the activities of its members, ensuring compliance with norms of ethics, increasing professionalism and providing for analysis of controversial cases. Already in 1998, a journalist poll showed that only a small number of journalists belong to the JU (and the number has decreased to 19% in 2000) and that the Union and its 1992 Code of Ethics has little authority among journalists.<sup>13</sup> There have been attempts to create alternative organizations (media clubs) and codes, but among the latter, the only ones to really work are those codes that journalists of selected media organizations sign along with their employment contracts. In 2001, editorial staff of only seven newspapers and the Radio KNZ signed the new code of ethics. Journalists are also not widely represented in seminars discussing research results on media and journalist work.

The lack of shared professional standards hinders the education of new journalists: the media editors are skeptical about the programs of higher educational institutions, which do not always coincide with the differing notions of editors about the mission of journalism. Hence the pronounced professional socialization of journalists at the editorial office and the hiring of employees lacking special education.

Journalists still combine their professional activities with work in public relations or politics. Only a few of such cases have been publicly discussed and criticized. However, even such a grave transgression as the publishing of an interview with a foreign politician that has never actually taken place has not caused any consequences for the author of that false interview. In the survey, the journalists admit that they do write commissioned and paid articles. During the election campaigns journalists of local newspapers have also written promotional interviews with politicians. Yet, not all journalists perceive in such practice a threat of decreasing audience trust in the newspaper or a potential conflict of interest of the journalist.

The analysis of journalism codes of various countries has confirmed that there are common basic principles even in countries with diverging political conditions and traditions. However, in Latvia an opinion has been voiced publicly that the Russian journalists of Latvia must follow the code of ethics of Russia’s journalists, thereby absolutising the tradition of literary journalism and justifying the political engagement and the subjective evaluation of news. The bias of the Latvian-language quality papers manifests as the partial framing of events and subjective evaluation by news selection, placement and tendentious photos.

The lack of a self-regulating professional or public institution induces a desire to regulate and control journalists from the outside. In November 2003, the Deputy Prime Minister proposed the creation of a Mass Media Ethics Council, which would have to develop single principles of journalism ethics with the goal “to develop in the society a stable system of values and to protect it against a flow of degrading information.”<sup>14</sup> The Council of Spiritual Affairs, under the auspices of the government (it includes representatives of the largest religious confessions and political parties), would nominate this institution, and the Prime Minister would approve it. Although the media experts themselves fervently denied this idea, it has not stimulated a counter-reaction – the creation of an authoritative self-regulating journalist organization.

### 10.6.2 The Culture of Public Communication

The legislation of Latvia provides satisfactory conditions for media operation. The existing legislation deficiencies and imperfections may be eliminated, but this requires civic initiative, including active participation of the journalists themselves. For example, the foreign language quota for commercial broadcasters was canceled after an initiative group contested it in the Constitutional Court. The civic initiative, however, may show in a favorable communications environment that provides opportunities for individuals and groups to exchange information and shape public opinion. The mass communications should be perceived as a mechanism that helps social groups to mutually coordinate their action. The media ensure two-way communication, which helps social groups to transmit their interests to government institutions that make decisions concerning the common interests of the people. Similarly, mass media is a “watchdog”, checking on the public administration operations to ensure that it considers the opinion of citizens. In this political model the government is the decision-making mechanism that serves the public interest.

Latvia’s political elite perceives public broadcasting as the “conveyor belt” of the government, which must ensure the top-down flow of information to the audience. In 1995, President Guntis Ulmanis said that the public radio and television must increase the number of broadcasts of “spiritual nature.”<sup>15</sup> In 1998, a member of the Broadcasting Council laid a task before journalists “to shape and school the society.”<sup>16</sup> In 2000, the administration of Latvian Radio assigned a noble role to broadcasts for youth audiences: “The older generation, which grew up in the limited and isolated totalitarian system, must now raise the youth for an open and free society.”<sup>17</sup> In 2003, a MP Ina Druviete expressed a similar opinion about the new draft law on public broadcasting organizations: “The new draft law determines the necessity to promote the schooling of personalities of individuals – to facilitate the growth of human, culturally diverse, harmonious, educated, democratic, tolerant, patriotic personalities, endowed with a high level of legal consciousness.”<sup>18</sup>

All of these statements support the one-way communication model characteristic of Soviet propaganda. The aforementioned saw a special role of the television “in the creation of a well-rounded, truly communistic man,” it had to promote the transmission of the practical work experience and the explanation of the Communist Party decisions. In this model, the citizen is not considered as able to engage in rationally critical debates on the common good, to speak about one’s interests publicly. So, in 2004, the State Chancellery demanded a broadcast for delivering official information about the activities of the ministries and the explanation of their decisions to the population.<sup>19</sup> The official perception of the functions of the public media ignores the feedback and interferes with the formation of public opinion. Access to communication mechanisms is ensured only to the power and cultural elites who consider themselves the direct representatives of the public interests. For its part, the Criminal Law paragraph mentioned earlier, which expressly protected the public officials from media critique, defended firmly these selected communicators from the public critique and the monitoring of their activities.

For many years in a row now, the people of Latvia trust radio and television the most. In spring 2004, 69% of the respondents trusted the television, 67% trusted the radio, 52% - the press, and mass media were the leaders of the ratings charts. The judiciary, the Cabinet of Ministers and *Saeima* scored 11<sup>th</sup>, 12<sup>th</sup> and 14<sup>th</sup> places respectively, with a rating of trust lower than 30%.<sup>20</sup> What seems paradoxical is the fact that despite the expressed trust, the society is skeptical about the media’s ability to influence politics. The polled citizens, MPs, leaders of local governments and representatives of the national government ranked the media only in 7<sup>th</sup> place after public administration institutions, leaders of economic factions and “grey eminences,” while the citizen initiative groups were evaluated as less influential.<sup>21</sup>

Sociological research for several years now shows a pronounced civic passivity, low level of self-organization, low self-assessment and unawareness of collective action capabilities among the citizens and non-citizens of Latvia.<sup>22</sup> The BISS poll of the fall 2004 indicates that two thirds of the population believe that the government disregards public opinion, and they do not believe in their own capacity to influence government actions. However, in spite of this dissatisfaction, the people have not actively engaged in the activities of the civic and political organizations. Only 9% of the population participate in protest campaigns. During the past three years the resistance against the Russian school reform has largely brought about protest activities. Most of the protesters were the local Russians – 21%, and only 3% of Latvians participated in the social movement.

The weakness of the civic society institutions explains the low effectiveness of the mass media as a watchdog of the government and corporations. Disclosure and publication of some information is not a goal in itself, it needs to be followed by civic action. The lack of faith in civic initiative and the passivity can be explained by the unavailability of the political communication channels. For example, public broadcasting has been conferred with patronizing, educational functions, while the civic initiative is perceived as negative. The press offered biased reports of those protests of social and professional groups which did not coincide with the ideological position of the respective editorial office.<sup>23</sup> For example, the action of the Russian-speakers was

interpreted negatively in the Latvian papers, while the social protests of farmers and teachers – in the liberal and business press. The lack of a universal approach has encouraged the development of a conflicting understanding of the role of the civic initiative and non-governmental organizations. This was vividly demonstrated by the reaction to protests against the appointment of Ingrida Udre to the commissioner post in the European Commission in August 2004. The newspaper “Diena” supported the protest activities, while the comments of the daily NRA, condemning the campaign, also questioned the relevance of civic action in general.

The mission of the public broadcasting organizations consists of three elements: these media offer culture educational broadcasts, they function as a freely accessible communication instrument for the civil society, and they promote social cohesion.<sup>24</sup> Currently, the law emphasizes only the first element, stressing the patronizing, educational mission. The current priorities of the national remit include the reflection of the official agenda as one of the most important tasks of the public media (for example, “to reflect visits of foreign heads of state to Latvia”). The communication needs of the civil society are not considered, although television could provide an easily accessible space for public debate. Debates on policy issues might give the regular people an impression about the accessibility of the public sphere, their rights to express their opinion, to ask the public officials questions and receive answers.

As the next sub-section will show, the electronic mass media also ignore the second and the third function of the public media.

### 10.6.3 Social Cohesion

Any social system must ensure a coordinated action of its separate parts – the cohesion of society, which is the foundation of the existence of a stable state. It guarantees that the members of society have the same notions about the norms of social co-habitation, and it allows foreseeing of mutual action. Here we would like to forward an expanded definition of the concept of “integration”, which is discussed in Latvia in terms of inter-ethnic cooperation grounded in traditional ethnic culture. Such a definition is given by the government document Program of Society Integration. The task instead is the creation of a framework for formulation of the co-habitation norms in the modern complex social system. The information access of various social groups is one of the factors of social cohesion.

In Latvia the existence of two linguistic groups causes anxiety about the use of diverging information sources, the seclusion of social groups within these spaces. At the end of the 1990s, the Latvian-language daily press signaled a trend of a slightly increasing number of non-Latvian readers (and vice versa)<sup>25</sup>, which, however, has not developed rapidly. The proportion of the other-language audience is larger than that of the late 90s, but it has decreased lately. There are differences among different publications, as well as a trend of a larger proportion of Latvian audience for Russian-language publications than the proportion of non-Latvian audience for Latvian-language publications. The interest is greater about thematic and specialized publications in another language – the daily business press and women’s magazines. The non-Latvian audience of the newspaper “Dienas Bizness” has increased from 10% in 2000 to 17% in 2003. The “Biznes&Baltija” in Russian, for its part, is read by 21% Latvians (17% in 2000). The official paper “Latvijas Vestnesis” has many non-Latvian readers (21% in 2003).<sup>26</sup>

In 2001, magazines for the female audience “Ieva” and “Santa” had a 10% non-Latvian audience, while the Russian-language magazines “Lilit” and “Lublul” have a 17% Latvian audience. In 2003, these proportions decreased.

The daily press, in general, has a smaller share of the other language audience. In 2003, “Diena” had attracted 13% non-Latvians. The largest proportion of non-Latvian audience of the NRA was 9% in 2002, falling down to 7% last year. The tabloids “Rigas Balss” and “Vakara Zinas” have a similar situation. The proportion of non-Latvian readers of the conservative “Latvijas Avize” fluctuates around 9%.

In 2002, the Russian newspapers “Chas” and “Vesti Segodna” attracted 15% and “Telegraf” – even 22% Latvian readers. Lately, the proportion of Latvian readers of all these newspapers has also decreased.

Of course, one should take into account that these percentages refer to the audience profile – a division in Latvians and non-Latvians. As was mentioned already, the total audience of a single daily press issue is decreasing gradually. Yet, this tendency is not characteristic of all media outlets. For example, during the past year the number of “Diena” readers has increased again after a gradual decrease. The newspaper “Chas” also has the total audience growing. Since 2000, the audience of the tabloid “Vesti Segodna” is constantly growing, and is the largest among the three Russian daily publications. Comparisons should be made with care, because the total number of readers of various newspapers differs, and, therefore, their influence also differs, even if the proportion of readers is comparatively large.

It is important to mention how the proportion of citizens and non-citizens among the newspaper audiences changes. Lately, the NRA has sharply lost its non-citizen audience: from 4% in 2001 down to 1% in 2003.



A similar, albeit gradual, picture can be observed in the newspaper “Latvijas Avīze” readership, where the initial proportion of non-citizen readers was lower. The newspaper “Diena” has a fairly stable (around 5%) non-citizen audience. This fact is of particular importance when the large number of total readers is considered. Therefore, for example, the non-citizen audience of a single issue of “Diena” has been 22,000.

Among the Russian-language newspapers, the tabloid “Vesti Segodna” initially had the largest non-citizen audience, while the newspaper “Telegraf” at the beginning of its publication had the largest proportion of citizen readers (55%). During the years of analysis the proportion of non-citizen readers has been increasing for all three Russian newspapers, reaching almost 53% in 2003.

The proportion of citizens among Russian magazine readers is slightly higher. Magazines have been affected less by the recent political confrontation that can be observed in the newspapers. The proportion of citizens in the audiences of these magazines has remained unchanged or has increased slightly. The proportion of non-citizens in the audiences of Latvian-language magazines is small; here the fluctuations do not reflect the trends manifested in the newspapers, although a decrease is observed.

In Latvia television and radio are not seen as promoters of social cohesion. Latvian Television (LTV) and the Broadcasting Council do not have a conception on principles for developing broadcast programs in the Russian language. The lack of broadcasts has encouraged viewers’ interest in Russia’s TV programs, which are retransmitted by cable televisions. The number of cable television subscribers began to grow rapidly after the termination of Russia’s channel ORT terrestrial broadcasts in Latvia: from 28% of subscriptions in 1998 to 47% in 2003. In 2003, only 2% Latvians watched the PBK channel (former ORT), while the Russian-speaking audience of the channel reached 20%. LTV7, which broadcasts programs in Russian, attracted even less of a Russian audience than the entirely Latvian-language channel LTV1 (21% Latvians and 4% non-Latvians).

Latvian broadcasters compete with Russia’s television for the local Russian-speaking audience. The non-Latvian audience proportion among viewers of the LTV evening news “Panorama” has increased from 7% to 10% during 2000-2003. The panel-show “Kas notiek Latvijā?” (“What’s Going On in Latvia?”) is watched by 11% of non-Latvians, while Latvians make up half of the Russian-language panel-show “Process” audience. The non-Latvian audience of Latvian Radio 1 fluctuates between 7% and 10%. However, the commercial channels are able to attract the most Russian-speaking audience – LNT and TV3 are watched by 11% of non-Latvians.

The lack of a clear conception of public broadcasting in Russian is incomprehensible, considering the accusations against the Russian-language press for distorting government policies and biased representation of the controversial topics of history. Despite such assertions, public broadcasting has not tried to engage in a discussion of issues that generate frictions. A framework document on minority policy – the National Program “The Integration of Society in Latvia”<sup>27</sup> – entrusts the media to disseminate information about “ethnic culture” only. The Program as well as the government policy in the area of Latvian language protection (the quotas restricting broadcasts in other languages) do not regard broadcasts in Russian as capable of serving as an instrument of social cohesion, which is of particular importance when the specific ethnic composition of Latvia is considered. A one-way communication model dominates the media policy of society integration, although nowadays scholars agree that “the public broadcasting organizations should promote public consensus and support the process which makes it possible to express alternative minority identities and aggregate values.”<sup>28</sup>

The audience of *Internet* news portals is more diverse than that of the press. Although the proportion of non-citizen audience of the Latvian-language portals is comparable to that of newspapers (5-9%), when the division by languages is examined, one should say that these Latvian-language media – delfi.lv, apollo.lv, tvnet.lv – have the largest share of non-Latvian audience. For example, in 2003, correspondingly, 23%, 19% and 17% of non-Latvians accessed these portals weekly. The Russian version of portal *Delfi*, in its turn, is read by 30% of Latvians. The non-Latvian readership of the Internet version of the newspaper “Diena” is similar to that of its paper version, although, of course, in absolute numbers the non-Latvian readership is lower by far.

The above-mentioned data allow to make an assumption that the daily press, by becoming more ruthless toward political opponents and the state in general during periods of aggravated political struggle (before elections or during the campaign against school reform), attracts more non-citizens and alienates citizens (the Russian-language daily newspapers), while Russian-speaking citizens choose magazines that are not politicized. And, both language groups choose TV where these issues are discussed in a less aggravated form.

The Latvian and Russian-language media differ both in terms of structure and content. The different audiences are divided among the media, the Russian-language newspapers being oriented toward non-citizens. The tabloid “Vesti Segodna”, expressing the socialist ideas and the hard-line interpretation of Soviet history, has a larger number of readers than the moderate “Telegraf”.

The analysis of media content (agenda, a comparison of representation of the same event) has demonstrated that the Latvian and Russian-language media differed substantially. In the past few years the internal diversification of each language media makes the social and political criteria more pertinent than linguistic ones. In terms of journalistic quality, the Latvian-language conservative “Latvijas Avīze” and the Russian-language tabloid “Vesti Segodna” have more similar characteristics and both differ substantially from the Latvian and Russian-language “Diena” and “Telegraf”, which, in their turn, have common traits of quality dailies.

The research on stereotypes<sup>29</sup> has shown that the media is dominated not by the ethnic, but by political stereotypes instead. However, since the counter-positioning of the political party representatives and their supporters coincides to a great extent with the ethnic/linguistic division, the terms “other” and “alien” most often refer to the representative of a different language and is perceived negatively.

Comparing the content of daily newspapers in both languages, specific people and their individual experience, people representing the other language and their opinions rarely appear in the newspapers, which continues to be an acute problem.

Features in the press represent monologues rather than oppose different opinions. Even the reviews of other language media in most cases serve as another means to deepen counter-positioning, instead of introducing the topics discussed in the other language.

The depiction of Independence Day (November 18) in the press<sup>30</sup> and the interpretation of controversial historical dates (March 16, events of 1940) in the media over various periods of time testify that an aggravated, intolerant representation of identity and history issues is connected to moments of increased political struggle, such as upcoming elections, accession to the European Union, and protests against the education reform. However, during the periods of political “détente”, the press is more tolerant toward opinions, identities or facts, thereby facilitating mutual understanding.

The broadcast media represent the diverse composition of the society more than it can be observed in the daily press: Russian journalists develop reports in Latvian for the LTV evening news “Panorama”, and a linguistically mixed audience, speaking in both languages, takes part in the Russian-language panel-show “Process.”

Both language groups participate in the Internet discussions, the discussions take place in both languages or as is most convenient for the participants, and other languages are often used as well.

Here, at least, instead of separate monologues with opportunities for a delayed reaction in the Latvian and Russian-language press a dialogue occurs within a single communication space, even if sometimes it turns out to be confrontational and hostile.

The portals *politika.lv* and *dialogi.lv* promote the discussion of controversial issues, the rapprochement of language-divided opinions (other language press reviews). The portals promoted discussions on Latvian and Russian-language media, stereotypes, and the education reform. The role of various institutions, including the media, in society integration has been discussed and the results published online; for example, materials of the seminar series “Tolerance, Listening and Understanding in the Public Communication as the Foundation of an Integrated Society” are available at the portal *Politika.lv*.

The analysis of these publications<sup>31</sup> confirms that the society in general also has a different understanding of how the media must act in a democratic society. On the one hand, respondents express justified critique about the lack of professionalism: the media do not examine opposite opinions, claiming the last say; publish unconfirmed data, distort information, unequally reflect different social groups, incite ethnic hate, report on the official agenda instead of the opinions of ordinary citizens. On the other hand, respondents do not hesitate to make such statements as “not to leave the information content up to mass media editors and journalists only, create an institution to coordinate mass media operation,” “to prohibit the expression of mass media’s “own opinion,” or a demand to “publish in Latvia one central newspaper simultaneously in Latvian and Russian language,” a practice tried and failed on several occasions.

The BISS poll has shown that, in general, the people understand the role of a diverse and democratic press. A majority of the respondents (59% completely agree, 30% partially agree) believe that the society needs diverse media outlets, reflecting different political opinions, and they agree that newspapers criticizing the government are more valuable (63% agree completely and partially). Meanwhile, 67% of the respondents believe that the leading newspapers should not necessarily support the government opinion. Yet, the poll has shown that the society trusts television more than newspapers (66.7% trust TV, 59.9% - newspapers), and Russian and non-citizen respondents trust newspapers less than Latvians and citizens.

The political elite is interested in preserving the ethnic parties and ethnicity-biased voting, discouraging social cohesion. The media agenda is largely subject to this political agenda, although in daily private life, individuals show a high degree of inter-ethnic tolerance, which guarantees social cohesion.<sup>32</sup> However, at the level of

intergroup interaction, the political and media discourse constructs these relationships through a prism of historical and political conditions. Journalists have difficulties in implementing their policy of independent media by expressing more actively the common interests and values of Latvia's society.

In the current situation, an underdeveloped civil society does not perceive public broadcasting as a universally accessible channel of political communication fostering social participation. The political culture as well does not offer ready-made models for responsible and confident civic action. The journalists themselves and their professional association – the Journalist Union – have not been able to agree on a common national code of ethics. The struggle of the media organizations for an audience, and the personal ambitions of the owners and journalists prevent the professionals from self-organization, which would be able to provide support for their colleagues attacked by the government or media owners and to discuss professional issues.

The television, radio and press lack mechanisms of self-regulation, the development of which is hindered by the lack of consensus on the role and functions of journalism in a democratic society and on professional standards. The economic and political pressure forces journalists to perceive their profession as a business of either serving the needs of the owner (or politicians), or making money.

In public, the journalism problems are more often identified as the fundamental differences of the Latvian and local Russian journalism. The journalism diversity, the structural limitations of access to the public sphere (Russian newspapers as the arena for defending the political rights of non-citizens) and the inconsistent observance of the Anglo-Saxon tradition (in Latvian-language papers) are often disregarded in these disputes.

The culture of political communication does not perceive the media as a “market of ideas” or an arena for interest rivalry. The civil society itself is weak, it does not use the media as an asset of active citizenship.

#### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
10.1.			X		
10.2.			X		
10.3.				X	
10.4.				X	
10.5.		X			

#### Best Feature:

In general, upon assessing the role of the media in the development of democracy, the best features are the aligned legislation and the media diversity.

#### Most Serious Problem:

- Opposition of two information spaces, lack of dialogue between them, which does not facilitate democratic discussion in the public sphere and the development of an integrated civic society;
- Public electronic media dependence on government funding;
- Lack of information about the media owners;
- Lack of a civic organization that would review individual complaints about violations of journalist ethics against a person and would control compliance with the legislation;
- Weakness of the analytic, investigative journalism;
- Survival difficulties of specialized, quality publications in the conditions of commercialization and small media market;
- Lack of common understanding about the role and functions of journalism in a democratic society.

#### Suggested Improvement:

- Facilitation of the introduction of subscription fees for the electronic media;
- De-politization of the National Broadcasting Council of Latvia;
- Creation of a self-regulating journalist organization;
- Development and adoption of common professional standards, acceptable to all journalists (code of ethics);
- Establishment of a civic organization that would review individual complaints about violations of journalist ethics against a person.

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## 11. Political Participation

*Zinta Miezaine and Māra Sīmane*

*How extensive is the participation of the inhabitants in public activity?*

This chapter evaluates the extent of public activity in Latvia in the following areas – trends in the development of the non-governmental sector, trends in people's voluntary public activities, the extent of participation of both genders in political life and public office. The issue of opportunities for people of different social groups in assuming public office is insufficiently analysed due to lack of information.

### 11.1 How extensive is the range of voluntary associations, citizen groups, social movements, etc., and how independent are they from the government?

Latvia's legislation does not limit freedom of association or hinder the development of informal social contact networks or legally registered non-government organizations – associations, foundations, professional associations, trade unions or political parties. Nevertheless, the number of formal organizations is relatively small, their membership is limited, their income structure is not broadly diversified, and their income is derived primarily from international and governmental sources (not from membership fees, donations, etc.).

*The legal framework for registering, managing and participation in voluntary organizations, NGO's and self-management organizations.*

Latvia in 2004–2005 is in a transition period from a system regulated by the *Law on Public Organizations and their Associations* that existed since the early 1990s, when Latvia had just regained independence, to a new one based on the *Law on Associations and Foundations*, effective April 1, 2004. The new regulatory framework has the following advantages – political parties are clearly differentiated from other types of associations, foundations are provided the legal framework in which to operate, registration fees have been decreased, the process for registering an organization has been simplified (notary public confirmation of documents is no longer necessary), and the minimal number of members required for registering an organization has been reduced. The *Saeima* (parliament) is in the process of reviewing amendments to tax laws in order to encourage public benefit activity and to promote donating and philanthropic activities.

There is no legal framework in Latvia governing self-management organizations. Nevertheless, certain associations have been delegated government functions regarding the management of activity in their branches – for example, the Latvian Medical Association and the Latvian Association of Veterinary Doctors. Currently, the *Saeima* is examining a draft law that would provide the different unions of creative artists the right to execute self-management functions (holding and updating the artist registries).

*The number of public organizations, areas of activities and their prevalence.*

8232 public organizations (including unions and political parties) have been registered in the Latvian Enterprise Register between January 01, 1991 and September 24, 2004. Of these, 286 have discontinued their activities. A certain number of organizations are “inactive” – they are not operational, but have not been closed. Approximately 60% of all public organizations, about 5000 in 2004, submitted annual reports to the State Revenue Service, and can thus be considered active.

Of these, approximately one-sixth (or 900<sup>1</sup>) function in areas that could be considered to be public benefit. The Law on Public Benefit Organizations was accepted by the *Saeima* in 2004 in order to encourage an increase in the number of public benefit organizations and to optimise procedures for receiving permission to accept donations.

There is no **unified** classification for non-governmental organizations **based on the area of their activities** (with the exception of sports). For this reason, it is impossible to precisely identify the areas of work or their prevalence. According to the Latvian Enterprise Register's database 17,3% of non-governmental organizations promote sports, 13% - are so-called "foundations" (a category of NGO's existing under previous legislation), 1,7% are trade unions, 1,4% - professional associations, 0,7% - political parties and 0,2% - professional creative associations (for example, the Latvian Writers' Union) .

The authors of the study "The Development of Civil Society in Latvia: an Analysis,"<sup>2</sup> conclude that, although non-governmental organizations in Latvia are active in almost all spheres and throughout all of Latvia, their territorial distribution is uneven. Non-governmental organizations are more common in economically active municipalities – Rīgā, Cēsīs, Valmierā, Liepājā and the areas surrounding these cities.

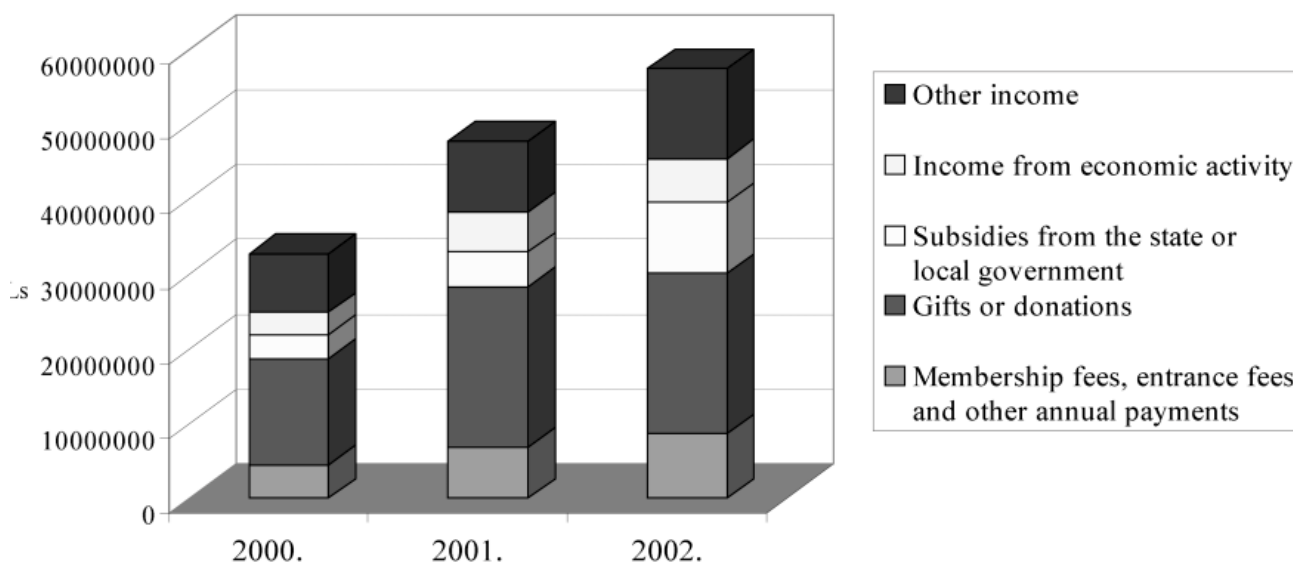
Informal interest groups also exist.<sup>3</sup> Small local governments promote the activities of informal groups (in the realms of culture, sports, local community activities). There are virtually no neighbourhood associations in Latvia.

Social movements are not a prevalent form of civil society self-organization in Latvia at the beginning of the 21st century. This may be due to the fact that there are few issues in Latvian politics that could not be addressed through other means of public participation. The only exception is the activities in Spring and Autumn 2004 concerning the government's minority education reform policy.

#### *Dependence on National Government/International Financial Resources*

Income from membership dues, "small" individual private donors and from economic activities ensures a degree of financial autonomy and independence of non-governmental organizations in their activities and the opinions that these organizations express. Organizations in Latvia often rely on income from a single source – donations and gifts from large businesses, government institutions or international donors. Diversification of income is improving the situation.

**Income structure of social organisations**



Due to the way that statistics are compiled, it is impossible to analyse in detail the income structure of NGO's.<sup>4</sup> Nevertheless, there is a trend toward increasing independence from donors for the sector in general. **Total income from membership dues, entrance fees, and other annual payments has increased.** Total NGO revenues have doubled from 4.5 million Lats to 8.6 million Lats between 1991 and 2003, and the percentage of income from membership fees has increased from 13.6% to 15.0%. Similarly, income from

**economic activity** has increased twofold – from 2.9 million Lats in 2000 to 5.9 million Lats in 2002.<sup>5</sup> The increase in economic activity, however, has not significantly upped the proportion of income generated: 9,1% in 2000 in comparison to 10.2% in 2002.

The largest proportion of NGO sector income – 37.4% - comes from **donations and gifts** (including those from international donors). National and local government subsidies in 2002 comprised 16.4% of NGO budgets, and there has been a tendency for this proportion to increase. 21% of NGO funding in 2002 was derived from “other income” – which is difficult to determine.

The USAID NGO Sustainability Index for Latvia 2003, however, notes that organizations have **not diversified their financial sources**. The study notes that organizations continue to be focused on project work, and exist as long as project funding is available. NGO opportunities to gain income through other forms of activity are limited. Often NGO do not cover expenses for their services, because they assume that their clients will be unable to afford to cover direct costs.<sup>6</sup> Unfortunately, this assumption cannot be proven because data is not available.

49% of business donations go to NGO's involved in sports, while 12% of all business donations go to culture. Foreign donors (private and foreign government), on the other hand, support organizations working in the fields of social assistance and health protection, education, environmental protection, democracy promotion (corruption prevention, gender issues, government transparency, etc.). National and local government subsidies go primarily to the fields of sport and social assistance<sup>7</sup>.

Although the NGO sector as a whole has an array of financial resources available, certain types of organizations seem to be dependent on single sources of financing. This is true especially for organizations promoting democracy. They have relied on foreign donors and have not oriented themselves toward other income sources (membership fees, income from economic activity) that could ensure their independence.

In February 2005, the government accepted a National Programme for Strengthening Civil Society. 2005-2009.<sup>8</sup> The programme activities are aimed at improving the sustainability and capacity of civil society organizations, and the programme envisages an increased role of the NGO sector in policy formulation and implementation.

In accordance with the criteria developed for this analysis, the prevalence of NGO's – their number and territorial coverage - can be rated **satisfactory**.

## **11.2 How extensive is citizen participation in voluntary associations and self-managment organizations, and in other voluntary public activity?**

Although the inhabitants of Latvia are relatively active in casting their ballots at election time, their participation in public life between elections is rather low. The number of people who say they do not participate in public life is slowly decreasing, and the number of people who say that they are informed about the NGO sector, and are themselves beginning to participate in social activities and voluntary work, is increasing.

This is due to both external conditions and subjective factors. The external conditions are: an environment conducive to cooperation and participation in government decision making, openness of the national, local government and NGO's to public participation, and access by people to information about opportunities to participate. Subjective factors include an increase in the individuals' belief in themselves and the belief that, together with others, it is possible to effect change in one's surroundings, influence local government and national government decisions, as well as the level of knowledge of the inhabitants about how they can influence public processes.

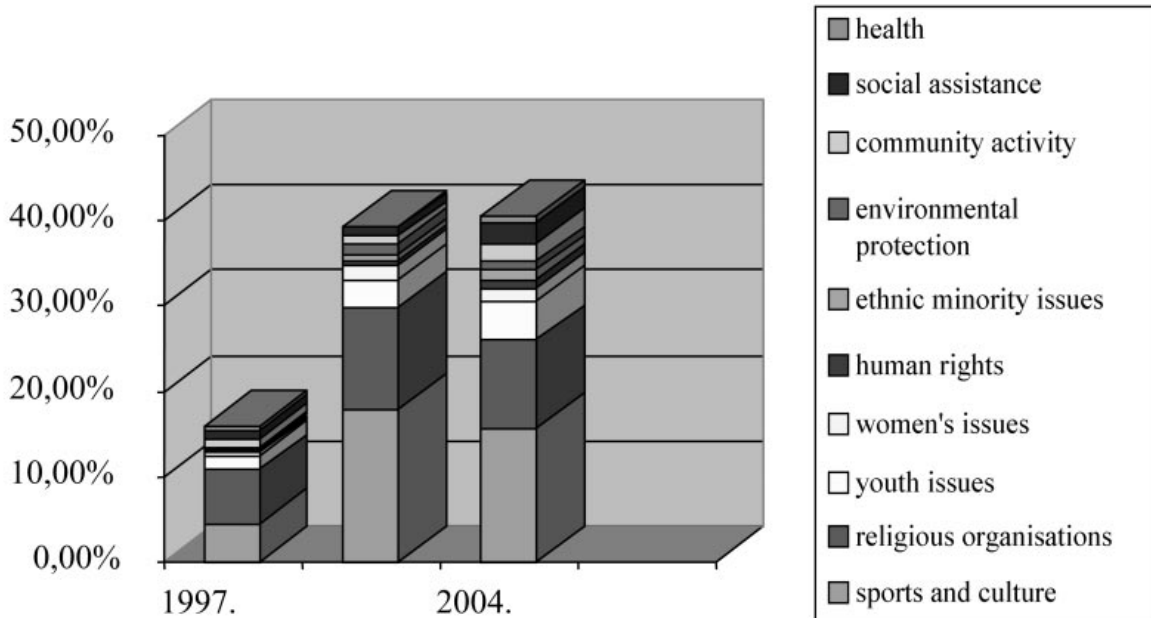
### *Trends in participation in voluntary public activity.*

Latvia's inhabitants actively participate in the election process on the national level. There was an 89.9% voter turnout for the parliamentary elections in 1995. In 1998, 71.9% participated, while in 2002, 71.3% went to the polling booths. Voter participation is high on the local government level, as well.

However, relatively few citizens participated in European level elections. Voter turnout for the 2004 European Parliament elections was 41.3%<sup>9</sup>. Over 1/3 of those surveyed who did not participate mention personal or technical reasons – lack of time, health problems or not being in the vicinity of voting

opportunities. 43.8 % of respondents say either that they did not see any reason to participate, that they do not believe that they can influence processes by voting, that they are not interested in political processes or that they simply did not wish to participate<sup>10</sup>.

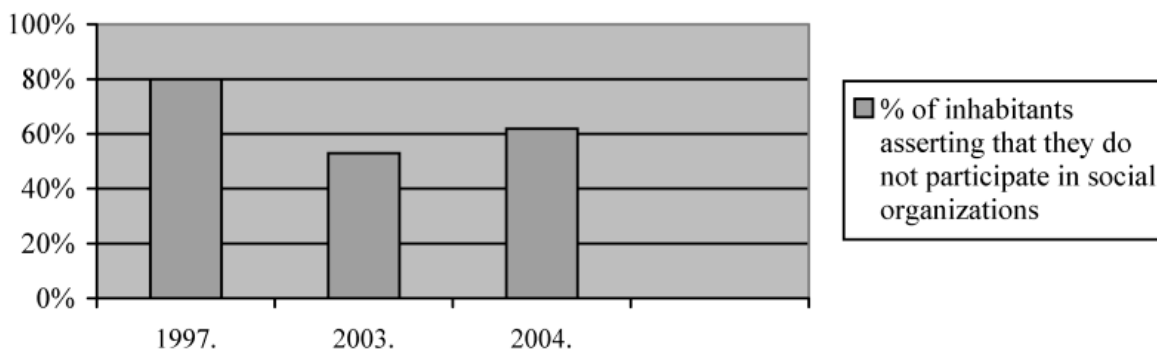
**Sectors with growing public participation**



Participation in political parties continues to be limited. 1.5% of the inhabitants acknowledge that they are members of a political party, double the number in comparison to 1997.

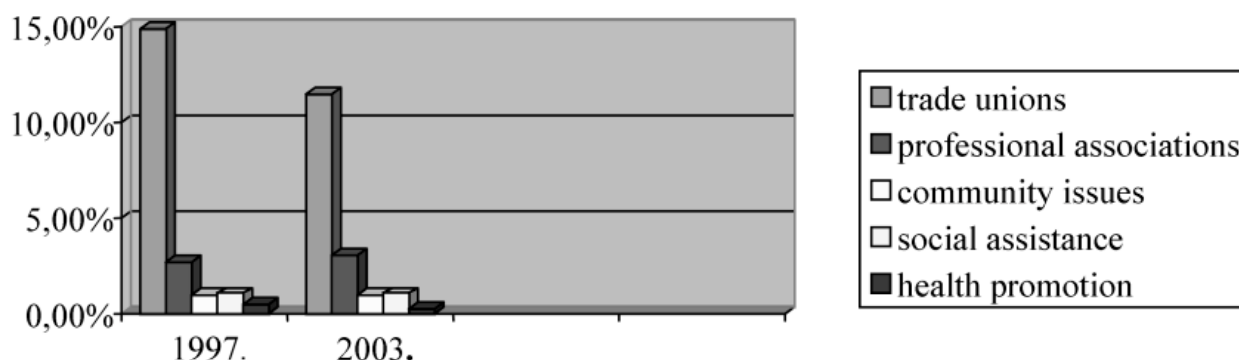
The number of people participating in social activities is continually increasing. According to an August 1997 survey<sup>11</sup>, 80% of the inhabitants (75.8% citizens and 90.1% non-citizens) polled were not members of any organization. In November 2003, only 53% asserted that they do not participate in any organization.<sup>12</sup>

**Changes in the ratio of persons participating in social organisations**





### Areas in which public participation has not increased



The number of people maintaining that they participate in sports and cultural activities has increased the most, rising from 4.5% in 1997 to 9.2% in 2003, while 8.8% participated in amateur arts activities together with others.

The number of people participating in religious organizations has almost doubled – from 6.5% to 11.9%. Although increases have also been noted in youth, human rights, womens', human rights, ethnic minority and environmental organizations, only 1–3% of the population participates in any one of these types of organizations.

Participation in the following areas in 2003 was at the 1997 level (or even lower): trade unions, professional associations, local communities focused on single issues, social assistance and health.

### *Conditions affecting participation in public life*

Belief in the ability to effect change is one of the motivating factors for participation in public life. Different surveys show that people's belief in their ability to effect central government decisions has increased throughout the years. In 1997, 70% of the population (2/3 of the citizens, and 3/4 of the non-citizens<sup>13</sup>) were of the opinion that they would be helpless if the government were to opt for decisions against the interests of the people. In 2004, the number believing they could not influence central government decisions was 67%, while 53% believed they would be unable to influence their local governments.<sup>14</sup> In the eight years between 1996 and 2004, the number of people believing that they can influence local government through legitimate channels increased by 20%, and those believing they can influence national government decisions increased by 10%. (In another survey in 2003, only 16% of the population said that they did not believe that they could influence central and local government decisions.<sup>15</sup> 13.3% believed that giving bribes could influence decision-making, while 19.7% believed that the use of „connections” – friends and acquaintances could influence decisions.)

The level of knowledge about the role of NGO's in influencing policy making is increasing. (In 1998 6% of those surveyed admitted knowing very much or much about NGO's. This number doubled to 12% in 2004, while those contending that they know nothing decreased from 44% to 26%.<sup>16</sup> Nevertheless, one third of those who said that they do not participate in any NGO activities state that they do not have any information about any NGO's. Most of Latvia's NGO's have a limited number of members – a few people with common interests who do not attempt to increase their organizations' membership.<sup>17</sup>

Most NGO members are volunteers (receiving no remuneration for their efforts).<sup>18</sup> Volunteers are active not only in NGO's but also in schools, hospitals, and local government activities. The level of activity is inhibited by the fact that the status of the volunteer is not legally defined (unless the volunteers work through membership organizations or foundations). It is difficult for people who cannot cover their own expenses to become volunteers. The tradition of volunteering has not been reestablished since Latvia regained independence, and institutions hosting volunteers often do not understand how to apply different binding regulations to their volunteers.

The National Programme “Strengthening Civil Society 2005–2009” adopted by the Government in February 2005 envisages a series of activities to educate and motivate citizens to be active in public life, participate in decision making at local and national government levels, as well as to promote sustainability of the NGO sector.

In conclusion, the number of socially active people in Latvia has increased slightly, however, the number of those participating in sports, cultural, other leisure time activities and religious organizations has increased substantially. The level of participation is low in areas that are important to society as a whole – environmental protection, social assistance, health protection, and human rights. The percentage of the population that believes it can effect change at the national and local government levels has significantly increased, but is still low.

In accordance with the methodology proposed for this evaluation, participation of the people in volunteer activities, self-management organizations and NGO’s is satisfactory.

### **11.3 To what extent do women participate in political life and public office at all levels**

The IDEA Democracy Project question *To what extent do women participate in political life and public office at all levels* is elaborated for the Latvian situation as follows:

- 1) To what extent do women and men equally participate in political life, elected office and civil service at all levels?
- 2) Do elected officials and civil servants develop policy that ensures equal opportunities for both men and women?

#### *Equality in participation in political life and public office and civil service*

In Latvia more men than women are at the helm of political life. Only 41% of all local government elected officials and 18% of the members of parliament are women.<sup>19</sup>

According to various surveys, society at large does not believe that it matters whether a head of a business<sup>20</sup> or a civil servant<sup>21</sup> is a man or woman. Personal qualities are thought to be the determining factor. Four of Latvia’s most prominent positions of power are held by women: the President, the Speaker of *the Saeima* (parliament), the Director of the State Chancellery, and the Head of the State Audit Office. However, only 35% of the chairpersons of parliamentary committees<sup>22</sup> and 15% of the mayors of Latvia’s local governments are women. In the Autumn of 2004, the ministers of welfare, culture and justice were women, and approximately one third of the State Secretaries (ministry top civil servants) were women. As the government stated in its *Framework Document on Implementation of Gender Equality*, the higher positions in the civil service are held by men, while women are posted to „positions of deputy head, acting head and positions in which they implement decisions”.<sup>23</sup> In total, only 36.7% of the legislators, government senior officials and heads of organizations and businesses are women.<sup>24</sup>

The labor market is segregated by gender. 2/3 of those working in the public sector and NGO’s are women, while 2/3 of those employed in the private sector are men.<sup>25</sup> The ratio of women employed in the (non-specialised) civil service has jumped significantly since 1995, reaching approximately 2/3. The ratio of women to men in 2002 was highest in the culture (82.7%), finance (80.4%) and economic (79.7%) ministry systems. There is parity only in the environmental protection and regional development (54.4%) and agriculture (54.4%) ministry systems.<sup>26</sup> In local governments, as in the country as a whole, women are primarily employed in the social, cultural and education fields, and their role is continuing to increase.<sup>27</sup>

If women have a 1 in 3 chance of holding a top position, then men have only a 1 in 3 chance of being employed by the public sector. This is no small issue, if one considers the advantages of a government position. In comparison to private sector employees, public employees have predictable incomes and job security. Given the level of the shadow economy in the private sector, they also often have better social protection because their employers fully pay all social taxes.

#### *Gender equality as a principle in policy making*

Those men and women in Latvia that are responsible for policy making, implementation and evaluation to date rarely take into consideration the gender implications of their policy decisions. Gender equality issues have been “perceived as spurious, since the majority of people are concerned with earning a living”.<sup>28</sup>

Gender mainstreaming has been put on the political agenda not by society itself, but because of Latvia's international obligations. For example, gender equality issues are binding for all European Union Member States.<sup>29</sup> The European Commission has defined compliance with the gender equality principle as one of the three criteria for receipt of Structural Funds.<sup>30</sup> In 2003 the Government of the Republic of Latvia signed a Memorandum of Understanding with the European Community on participation in European Community Programmes in relation to framework of the Community Gender Equality strategy.

In 2003 the Government of Latvia created the institutional framework within which to address gender issues – a Division for Gender Equality under the Department of Legal Issues in the Ministry of Welfare. At the Government level, an interministerial coordination working group was established in 2003 to ensure a cross-sectoral approach to the issue. Its main task is to coordinate introduction of gender equality principles in policy planning documents, legislation and projects. In the same year, a Gender Equality Sub-committee was created by the *Saiema* under the Social Affairs Committee.

The Government approved the Programme for Gender Equality Implementation for 2005–2006 in September 2004. The objective of the programme is to increase public awareness and to promote gender equality in education, labor, employment, justice and other areas, as well as within the public administration.

The programme has the following priorities:

1. Increasing public awareness on gender equality issues;
2. Reconciliation of employment and family life;
3. Promotion of understanding on gender equality issues in state administration institutions and creation of implementation mechanism of sustainable gender equality policy;
4. Prevention of family violence.<sup>31</sup>

Participation of society itself in addressing gender issues is gradually increasing.

The Latvia Coalition of Gender Equality was established in 2000. Three years later 33 women's organizations and several political party women's groups united to form the Women's NGO's Network of Latvia, and the number has increased to 40 in 2004. This umbrella organization is a member of the European Women's Lobby that unites 4000 women's organizations in EU Member States<sup>32</sup>.

NGO's, the Government and international donors have begun to form partnerships to deal with gender issues. For example, the Ministry of Welfare in cooperation with the Union of Local Government, the Union's training centres, Latvia Coalition of Gender Equality and the United Nations Development Programme Latvia have cooperated in a study about the principle of gender equality in local governments.<sup>33</sup> Other partnerships have resulted in educational programmes for civil servants, seminars to raise media sensitivity and other public awareness projects.

In conclusion, the Government, in cooperation with a growing group of NGO's, has in the past three years set the stage for public debate about gender equality. They have established the necessary institutional and cooperation frameworks, and the Government has set priorities in its policy papers and programmes.

Latvia's civil society organizations have begun to move on gender equality issues, expressing its opinion about government policy, etc. The Women's NGO's Network of Latvia prepared a shadow report to the parliament's report on the Convention on the Elimination of All Forms of Discrimination against Women.<sup>34</sup>

It is still too early to evaluate the results of the activities of the government, civil society and international organizations. The *Programme for Implementation of Gender Equality (2005–2006)* was adopted recently (September 2004). Financing of the programme, as well as activities that ministries actually put on their agendas – will be two telling indicators of the priority of this issue on the political agenda.

The task at hand for non-governmental organizations is not only to help shape public opinion, but to facilitate the active participation of people in defining problems and their solutions. As understanding grows, and as more people take interest in gender equality, these organization will actually be able to gain ideas from the public at large.

Within the Latvian context, it is important to emphasize gender equality. At present, popular opinion does not provide motivation for men opting to work in the public administration and in the fields of education, health and social services. Both men and women working in national and local governments must develop systems to monitor the effect of policy on gender.

In accordance with the methodology proposed for this evaluation, the degree to which women participate in political life, public office and civil service at all levels and the degree to which policy ensures equal opportunities for both men and women can be considered *satisfactory*.

## 11.4 How equal is access for all social groups to civil service, and how fairly are they represented within it?

For purposes of ensuring privacy and non-discrimination, the Civil Service Administration does not collect data regarding civil servants' allegiance to any social groups.

Regulations governing the civil service do not discriminate against any social groups, and the government is running different programmes to facilitate the competitiveness of socially excluded groups in the labor market and in education, which promote the social integration of these groups in the job market (including the civil service). The *National Action Plan for Reducing Poverty and Social Exclusion (2004 - 2006)* describes activities targeted towards improving opportunities for the following social groups: families with four or more children, single family households, persons with disabilities, elderly persons, youth and children, former prisoners, unemployed, homeless and victims of human trade.

Indirect national support, by means of tax incentives for those making donations to NGO's working with the impoverished or socially marginalized is defined in the Law on Social Benefit Organizations.

In conclusion, there are social groups that, for different reasons, have difficulties receiving the level of education needed to apply for positions in the civil service. The government is providing support for improving the situation for integrating these groups into society.

Because of the limited amount of information available concerning this equality of access to civil service, it is difficult to evaluate the situation accurately.

### Summary: progress during the past 3–5 years

	Very good	Good	Satisfactory	Poor	Very poor
11.1.			X		
11.2.			X		
11.3.			X		

### Best Feature:

In spite of the the comparatively slow and uneven development of civil society activity, and the level of public participation in policy planning and development:

- There is an increase in the belief by people in their ability to effect change;
- The first steps have been taken by the government to strengthen civil society and promote gender equality.

### The most serious problems are:

- Few people actively participate as volunteers in their local communities and in areas of public benefit – environmental protection, health promotion, social assistance, democracy building, etc.
- NGO's lack independent and sustainable sources of financing for activities aimed at promoting democracy, an area that society itself is not at present financially supporting.

### Recommendations:

**To increase people's active participation in civil society.<sup>35</sup>**

**To increase the number of people in Latvia who engage in formal or informal forms of cooperation.**

- To encourage local governments (and NGO's) to create **real opportunities** for public participation in social initiatives
- To promote **charity**, including volunteer work, private donations, corporate philanthropy and the establishment of foundations
- To encourage local governments, non-governmental organizations and the media to popularize civil society and public participation by highlighting **best practise**

- To improve the knowledge and skills of **school students** by encouraging a positive attitude towards living in a civil society
- To promote public participation of groups **at risk of social marginalization**

**To improve the efficiency of participation of individuals, informal groups and non-governmental organizations in political processes at local government, government and European Union levels.**

- To place the public administration under an obligation to involve civil society in policymaking by providing **legal and methodological guidelines** for public participation in policymaking at the public administration level, maintaining and expanding existing participation mechanisms
- To provide the public with accessible and comprehensible **information and communication** resources for efficient public participation in policymaking

**To develop favorable conditions for sustainable, result-oriented non-governmental organizations**

- To promote the improvement of NGO **capacity to reach set goals** and attract financial and human resources
- To promote public **involvement** in NGO's by encouraging non-governmental organizations to broaden memberships and involve target groups
- To promote the accessibility of **multiple sources and forms of funding** for the NGO sector
- To support the development of **innovative** non-governmental organizations
- To create and maintain a **government support** system for promoting sustainability of the NGO sector

**To increase gender equality<sup>36</sup>**

- Increase the public awareness of gender equality issues;
- Reconcile professional and family life;
- Promote of understanding of gender equality issues in state administration institutions and create implementation mechanism of sustainable gender equality policy;

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## 12. Government Responsiveness

*Dace Jansone and Inga Vilka*

*Is government responsive to the concerns of its citizens?*

### **12.1 How open and systematic are the procedures for public consultation on government policy and legislation, and how equal is the access to the government for relevant interests?**

The main purpose of public administration and local governments is to serve the people. Ensuring the democracy in the action of the national government institutions and local governments requires public involvement in decision-making, creation of opportunities for expression of opinion, listening to these opinions, ensuring access to information and informing the public about current events, intentions and plans.<sup>1</sup>

A cornerstone of a democratic society is the right of everyone to participate equally in influencing important decisions and determining the directions of society development. Democracy as a specific example of society and of just use of power means that the members of a community or society interact, based on the equality principle, and search for ways of finding just solutions by coordinating different interests and aspirations. Democratic action means active participation, and all members of the community and society are noteworthy participants. All of them can be equal in bringing up and solving issues.<sup>2</sup>

In Latvia, the rights of society to participate in political decision-making have good legal beginnings – several laws have been adopted, identifying specific regulations on situations when the government institutions and local governments must involve the public in decision-making and how they should provide information on public demand. The Constitution (*Satversme*) also specifies that everyone has the right to address the government and local government institutions with petitions and receive an answer on the content. The Law on Information Openness (adopted on October 29, 1998) specifies that individual persons and legal persons have the right to receive and use information about the national and local government activities, except for the information, the release of which is prohibited by law.

As to the local governments, the opportunities of public participation in local governments can be divided into two main groups:

1. The opportunities (mandatory) prescribed by the legislative enactments of the Republic of Latvia;
2. The opportunities created by the local governments, which, according to the legislation, are not mandatory (an initiative of individual local governments).

Legislative enactments of the Republic of Latvia specify the following opportunities for public participation in local governments:

- The election of local government councils;
- Open council meetings;
- Availability of council meeting minutes;
- Open meetings of committees;
- Meetings with deputies;
- The procedure for review of complaints and suggestions;
- Public discussions;
- The preparation of the annual public overview;

In many countries the organization of local referenda is one of the main forms of public consultations in local governments. Latvia does not have a law on local referenda.

### *Election of Local Government Councils*

In accordance with the “City Council, Region Council and Parish Council Election Law” (adopted on January 13, 1994, with amendments until September 2004), the right to elect a council (town council) in the Republic of Latvia belongs to the citizens of Latvia who have reached the age of 18 on the election day, provided that no restrictions, specified by the law, apply to them.

The person has the right to vote of his or her own choosing either in the administrative territory of the local government, where the person lives, or in the administrative territory of the local government, where the person owns real estate, registered in accordance with the procedure set by the law.

According to the Central Election Commission data, voter activity in Latvia in the last local government elections of March 2001 was 62%. In comparison to the previous local government elections of 1997, it has increased somewhat. If Latvia is compared with other countries, it can be concluded that, in general, Latvia has a comparatively high voter activity in local government elections despite the fact that local government elections in Latvia take place during the period between the parliamentary elections (in some countries local government elections take place simultaneously with the parliamentary or presidential elections). In European countries the level of voter activity in local government elections is rather low. Quite often it falls below 50%. Voter activity is high, by tradition, in the Scandinavian countries and in Ireland, but very low in the United Kingdom. The level of voter activity in the countryside is usually higher than that in the cities.

When it comes to local government elections, the right of non-citizens to vote, if they have lived in the country for a certain period of time, is a pertinent issue. Since Latvia has joined the European Union, the amendments made to the Local Government Election Law at the end of 2004 will provide an opportunity to those residents of Latvia who are citizens of other EU countries to participate in the elections and be elected, starting in 2005. Yet the participation of the non-citizen residents of Latvia in local government elections has not lost its significance, pertinence.

Before the elections of 2005, a citizen of the Republic of Latvia could be elected to a local government council, if the person had reached the age of 21 (in the elections of 2005 – 18 years); if the person has held permanent residence in the administrative territory of the respective local government for at least 12 months without interruption; or if the person has been employed in the administrative territory of the respective government for at least the previous six months before the election day; or if the person owns real estate, registered in accordance with the procedure set by the law; and if no restrictions, specified in the local government election law, apply.

The law on elections prescribes that only political organizations (parties) or registered or unregistered unions of such organizations may submit candidate lists in republic cities, towns and regions with a population above 5000. However, in all the parishes, as well as in towns and regions with populations below 5000, electoral associations may also submit candidate lists. Since the 2001 elections, when this regulation was implemented, the overall activity of local governments has politicized. With the amendments to the law, made in the fall of 2004, prescribing that in all the parishes with a population above 5000, only a political organization may submit a candidate list, local governments will politicize even more.

The fact that, beginning in 1997, the district council deputies have no longer been elected in direct elections should be mentioned as a negative aspect of local government elections. Instead, district councils automatically include the chairpersons of the district town, region and parish councils. Such a situation cannot be treated as democratic. As the inter-war experience of the Western countries and Latvia, as well as the experience since 1997 indicate, simultaneous participation of local government deputies in two different levels of councils does not justify itself.

### *Open Council Meetings*

The law “On Local Governments” (adopted on May 19, 2004) specifies that council meetings are open. This means that anyone interested may participate in these meetings as an auditor, in compliance with the article of the local government regulation.

By a council decision, persons that are not deputies of the local government council may be invited to participate in a council meeting to give explanations.

Polling the local government representatives, one can conclude that the public almost never uses the opportunity to participate in council meetings. The choice of appropriate (sufficiently roomy) space and time for the meetings is of significance here. It should be noted that not always do the council meetings have adequate rooms big enough to host an audience. Due to the fact that council meetings usually take place during working hours, people who are employed encounter difficulties in attending these meetings.

#### *The Accessibility of the Council Meeting Minutes*

The law “On Local Governments” specifies that the decisions of the local government council, the orders of the chairperson, as well as the minutes of the open council meetings must be available to the public. Local government councils determine the procedure for ensuring public accessibility of these documents.

#### *Open Meetings of Committees*

Since 2003, when the amendments to the law “On Local Governments” were made, the meetings of council committees have been open as well, and anyone interested has the right to participate.

#### *Meetings With Deputies*

The law “On the Status of the Town Council, Parish Council Deputy” (adopted on March 17, 1994) prescribes that each deputy of a local government must organize meetings with residents no less than once every two months. In practice, the local government council chairperson, the deputy chairperson and the committee chairpersons organize meetings more frequently (even once a week).

#### *The Procedure for Review of Complaints and Suggestions*

The law “Procedure of Reviewing Applications, Complaints and Suggestions in National and Local Government Institutions” prescribes that every individual and legal person has the right to address all national and local government institutions with verbal or written petitions, complaints and suggestions, and receive an answer on the content in accordance with this law. The law also stipulates that the answers to petitions, complaints and suggestions must be motivated and should indicate the procedure and deadlines for appealing the answer, if so specified by the legal enactments.

The law “Procedure of Reviewing applications, Complaints and Suggestions in National and Local Government Institutions” specifies that the chairpersons of the local government institutions and their representatives must periodically, but no less than once a month, meet with people in a time convenient for them, and within their competency must review verbal complaints or suggestions of the people, and, if possible, give an immediate answer, making a note of it in a special information carrier or Register.

#### *Annual Public Overview*

Knowledge of the situation and understanding of the current and ongoing events increases the opportunities for public participation in local government activities. To inform the public about the activities of the local government, the council must ensure the preparation of an annual public overview and the publication of a report about it.

The law “On Local Government” specifies that the annual public overview of the local government includes information on:

- 1) The fulfilled budget of the previous two years and the budget of the current year, including the amount of liabilities and guarantees;
- 2) The assessment of local government owned real estate for the previous two years;
- 3) The value of the local government capital shares in enterprises and its planned changes;
- 4) The measures of territorial development plan implementation, carried out during the previous two years and planned for the current year, including:
  - a) public investment in the infrastructure within the local government territory;
  - b) private investment within local government territory;
  - c) the participation of the public and businesses in the discussion and improvement of the local government territorial development program and territorial planning.

- 5) Conclusions by sworn auditors about the economic activities of the local government, its institutions and enterprises, as well as the overview of economic activities for the previous year;
- 6) The decision of the local government council about the overview of economic activities for the previous year;
- 7) The State Controller audit conclusions and the measures taken by the local government council to prevent the discovered shortcomings;
- 8) The participation of the local government in cooperation projects, institutions and enterprises;
- 9) The measures taken to improve the management of the local government institutions and enterprises;
- 10) The measures to promote the level of public information on local government activities and opportunities for public participation in decision-making.

*Other information may also be included in the annual public overview of the local government.*

Since the practice of preparing annual public overviews is still new among local governments, these overviews are often presented with insufficient clarity to an unprofessional both in terms of content and visual appearance.

### *Public Discussions*

Local governments may choose the organization of public discussions as a significant way of consultation on some issue. However, in certain cases the organization of a public discussion is mandatory. The Territorial Planning Law (adopted on May 22, 2002) specifies that each individual and legal person has the right to acquaint themselves with the territorial plans currently in force as well as ones subject to public discussions, and to participate in their public discussion, to express and defend one's opinion and submit suggestions. The Construction Law (adopted on August 10, 1995) prescribes that the local government, prior to making a decision on construction, must ensure a public discussion of the proposed construction, if a publicly significant building is to be built; the national or local government expenses for the planned building or reconstruction exceed 50,000 lats; the construction has a significant impact on the environmental situation, the living standards of the population or the real estate value; the construction is intended on a publicly used territory.

### *Consultations Upon Local Government Initiative*

The most popular ways of society involvement in local government decision-making are public polls, as well as polls of other target groups, the organization of public meetings, the involvement of representatives of various interests in working groups and the establishment of consultative councils.

The law "On Local Governments" prescribes that in order to carry out certain local government duties or to manage the administrative territory of the local government, the local council may create boards, commissions or working groups to include the local government council deputies and the residents of the respective local government.

The boards, commissions and working groups act in accordance with the articles adopted by the local government council.

In accordance with the Public Agencies Law, consultative councils may be created under the auspices of the national or local government agencies. Depending on the agency specifics, these consultative councils may include national and local government representatives, experts of the respective fields and representatives of non-governmental organizations. The responsible officer (in national agencies) or the local government executive director (in local government agencies), the director of the public agency or his representatives participate without the right to vote in the work of the consultative council. The consultative council has advisory rights on the issues of public agency activities.

The consultative councils may also be established under the auspices of the local government councils. The town of Jurmala has experience in establishing consultative councils. The Aizkraukle Region Consultative Council is a good example of the contribution to society development. The Aizkraukle Town Council approved the Consultative Council in 2001, immediately after the election of new deputies. The task of this Council is to ensure the link between the population and the Town Council, to express directly the public will and needs to the Town Council, to inform people about the work of the local government and to encourage them to participate more actively in the work of the Town Council, in solving the problems of the town, to express their opinions and suggestions. Boxes for public letters of suggestions were placed in certain locations within the town.<sup>3</sup>

In early 2002, when the town united with the parish, thus creating a region, the Consultative Council was transformed into a public organization of the region, also adding the parish representatives to the Council. People included in the Council are brave enough to point out the shortcomings to the town's administration and may suggest solutions to acute problems.

Representatives of 8-14 various sectors are active within the Consultative Council. Much has been done in Aizkraukle as a result of the suggestions made by the Consultative Council. For example, the Council was the first to suggest to the Town Council the construction of sidewalk ramps for disabled people and the prevention of new buildings from being constructed without ramps for disabled people. As a result of the Consultative Council suggestions, pedestrian crossings have been marked, street signs posted, sidewalks constructed where there were none before, bus stops relocated. The Consultative Council has listened to and solved problems of the elderly and youth, has organized public polls, reviewed complaints. When submitting various proposals or claims to the Town Council, the Consultative Council strictly demands that the Town Council react and respond to each of them.<sup>4</sup>

In early 2004, during the public meeting organized by the Consultative Council and Aizkraukle Region Council, where the Region Council leaders presented an overview of the achievements of 2003 and the plans for the year 2004, issues important to the public were also discussed, and a positive Region Council work assessment was given. To a certain extent the Consultative Council has contributed to this success.

## **12.2 How accessible are elected representatives to their constituents?**

The Constitution prescribes that each citizen of Latvia has the right to participate in the government and local government activities in accordance with the ways set out by the law.

The members of the parliament visit on a regular basis the electoral districts they have been elected from in order to meet their constituents.

The organization of meetings with constituents is mandatory for deputies of the local governments. The law "On the Status of City Council, District Council, Region Council and Parish Council Deputies" specifies the organization of meetings with constituents no less than once in two months as one of the deputy's obligations. The chairperson of the local government council (in individual cases, the deputy chairperson as well) meets with constituents more often – once a week. Thereby all residents (not just voters) have an opportunity to meet with the representatives of the decision-making institution in order to express their opinion, suggestions or complaints.

The poll, conducted in 2004 by the Baltic Institute of Social Sciences, indicates that only a fraction of the population takes advantage of this opportunity to meet with the deputies of local governments. Only 9.4% of the respondents answered positively to the poll question "Have you met with the local government deputies over some political issue during the past three years?"

In addition, everyone has the right to participate in the council meetings and the meetings of committees.

In Latvia the voters have no right to recall the local government deputies.

## **12.3 How accessible and reliable are public services for those who need them, and how systematic is consultation with users over service delivery?**

"The care for the client" has not been a traditional attitude toward the visitor (user) in public administration. However, a positive trend of increasing national and local government service accessibility and of improving attitude can be identified in the country.

The public attitude is also improving. The fall 2004 public opinion poll data by the Baltic Institute of Social Sciences indicates that almost half of the population trusts local governments (48%). Yet, the proportion of people who do not trust local governments is comparatively high (39%). Therefore, it is vital to improve the accessibility of local government services to the public. To do that, local governments may use various means, such as ensuring comprehensive and easily accessible information about the activities of the services, arranging more convenient locations and hours of reception. To improve the quality of the services, public opinion of the existing situation and assessment of the required changes may be polled.

One of the most progressive ways to improve accessibility of the local government services and to increase the public confidence is the creation of the “one-stop-shop” agencies. The Liepaja City Council communication with its public can be identified as one of the most successful examples. The local government of Liepaja is implementing the principles of “one-stop-shop” agencies in its services to the public for more than five years already. In 1999, a Visitor Reception Center was opened in the Liepaja City Council. In 2001, two smaller councils in more distant city urban districts joined it. The smaller councils and the Visitor Reception Center were established in order to move the practical execution of the local government duties toward an active and mutually interested dialogue between the population and the local government.<sup>5</sup>

The Visitor Reception Center acts as a “one-stop-shop” agency where the City Council visitor goes to receive information or submit documents. Thereby a chaotic flow of visitors from one Council official to another was averted and queues were eliminated. The employees of the Visitor Reception Center are knowledgeable about the Council structure and the duties of the experts and therefore are able to point out the procedure of settling issues brought by the visitors. Moreover, a large part of the issues may be settled at the Visitor Reception Center by submitting documents to it and receiving answers after a set period of time.

The Liepaja City Council was the first in Latvia to establish such a reception center. Dobele, Ventspils, Valmiera, Rzekne, Riga and Cesis have taken over Liepaja’s experience.<sup>6</sup>

Currently the Visitor Reception Center offers the following services: housing privatization; assignation and exchange of local government housing fund; registration of self-employed persons; issuing licenses; expert consultations on youth and non-governmental organizations issues; consultations of the Chief Architect of the city; issues of the land-utilization system, etc. The Visitor Reception Center also offers the services of the language expert and lawyer.<sup>7</sup>

People are actively using the “hot-line” of the City Council to inform the local government about various issues. Although the majority of these calls are anonymous, the Council experts analyze them, check them and, if necessary, eliminate the reported shortcomings. People of Liepaja have used the hot line mostly to report on street lighting, territory clean-up, heating and other issues.<sup>8</sup>

The survey of public opinion on the activities of national and local government institutions is episodic, not regular. For example, in accordance with the Law on Administrative Territorial Reform (adopted on October 21, 1998), a public opinion poll was conducted in local governments on the public attitude toward the reform and the assessment of local government activities. An average of 5-10% of the total population of the local government were polled. Not always was the public opinion taken into account when adopting specific schemes of merging local governments. Latvia still has not developed and adopted a law on local referenda.

In order to improve communication with the people, the largest local governments have established public relations departments. For example, the task of the Liepaja City Council Public Relations Department is to facilitate public knowledge about the mutual communication between the local government and its people as well as the cooperation in the achievement of the city development tasks and goals. The Public Relations Department cooperates with the mass media, prepares and publishes various newsletters, coordinates the Council Internet home page, organizes public polls and weekly press-hours to inform the people about the work of the local government and present the opinions of the officials. With the help of the press and the Council Internet home page, the people are provided with an opportunity to receive information about local government activities, as well as to get involved in discussing decisions before they are made.<sup>9</sup> Using a special publication, Council decisions and increases in tariffs are explained to the public, and information is provided on construction plans and their public discussion, on local government organized campaigns. In cooperation with the local and State police, the people are systematically informed about the security measures within the city. Information on various charity campaigns is also included in the publication. With the help of this publication, public opinion on different issues is clarified as well, for example, on drafting budgets, the practice of family doctors, the usefulness of certain cultural events, etc.

## **12.4 How much confidence do people have in the ability of the government to solve the main problems confronting society, and in their own ability to influence it?**

The 1999 poll results of the local government leaders (deputies, leading officials of the executive apparatus, leaders outside the local government) indicate that the people most often look for support from the town

executive director and the local level officials (66%), and local bureaucrats and elected officials (38%), but on very rare occasions – from the local party leader (7%).

The understanding about the legality, democracy and ethics of the majority of the leaders is indicated by the large proportion of positive answers to the following statements:

- the citizens have the right to demand that the public officials justify their decisions (97%);
- honesty and fairness must be placed above all (97%);
- each individual and groups of individuals must have the right to sue government institutions (94%);
- it is the government's responsibility to ensure the protection of all minority rights (93%);
- the local leaders must always be frank about their mistakes regarding the social measures taken (92%);
- under no conditions can the authorities disregard the Constitution (91%);
- all decisions may be contradicted and checked by an independent institution (85%).

Unfortunately, almost two thirds (64%) of respondents believe that the widespread public participation in decision-making often leads to unpleasant conflicts, and more than half (53%) of the respondents – that the majority of the decisions should be left to the experts. 43% of the leaders believe that public participation is not necessary, if the decision-making is in the hands of a few trustworthy and competent leaders.<sup>10</sup> A greater understanding among the leaders about the necessity to inform the public and involve them in the local government activities is required.

Results of the fall 2004 public opinion poll by the Baltic Institute of Social Sciences indicate that the people's confidence in their ability to influence local government decisions is not great, yet it is greater than the confidence in the ability to influence national government decisions. When asked the poll question "Would you think it possible for yourself to do something, if the local government institutions adopted decisions contrary to public interest?" 30.4% of the respondents answered that perhaps they could do something, 29.6% – that they would not be able to do anything, 23.1% – that more likely they would not be able to do anything, and 10.3% answered that they definitely would be able to do something.

The Administrative Procedure Law (in force since February 1, 2004) protects the people against national and local government arbitrariness. The law regulates the administrative relations between the public administration and local government institutions and the individual.

The administrative procedure is a procedure regulated by the law of the way an individual can contest an administrative regulation issued by the state or local government institutions, and to appeal it before the court. An administrative document is a legal enactment issued by an institution of public law areas regarding an individually selected person or persons, establishing, amending, ascertaining or terminating specific legal relations.

When the administrative process has begun, the individual has the following rights:

- to acquaint oneself with the administrative case materials;
- to express one's opinion upon starting and reviewing the case;
- to demand that the institution explain in verbal or written form the obligation placed by the administrative documents;
- to contest an administrative document received in accordance with the subordination procedure by a higher institution;
- to appeal the administrative document in an administrative court;
- to demand that the institution cease the actual activity that causes losses to the individual;
- to demand from the institution or the court that the institution compensate for losses that have been caused to the individual as a result of the administrative document or the actual activity of the institution.<sup>11</sup>

To increase the public's trust and confidence in the government institutions, it is important to introduce a just system which would provide for compensations to persons for losses caused by government institutions. Currently the law does not specify the procedure for the way government institutions compensate losses caused to an individual.

The Cabinet of Ministers has supported a draft-law on the calculation and compensation of losses caused by government institutions, according to which persons will be able to receive compensation for losses caused by national and local government institutions. The right of a person to compensation of losses is already specified in the Law of Administrative Process. However, this law does not give sufficient detail on the procedure for compensating losses.

The purpose of the draft-law is to ensure the rights of the person, specified in the Constitution, to compensation for material losses or personal harm (including moral) that has been caused by issuing an unlawful government institution administrative document or by performing unlawful actual activity or inactivity, or by canceling the administrative document. It is expected that after its adoption the draft-law will enter into force on January 1, 2005.<sup>12</sup>

### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
12.1.			X		
12.2.		X			
12.3.			X		
12.4.			X		

12.1 There are public consultations, albeit irregular, regarding the activities of the government structures and the legislation in Latvia. A law on local referenda is not adopted. Therefore, the evaluation scores as “satisfactory.”

12.2 The deputies elected to *Saeima* and local governments are accessible to voters. Therefore, the evaluation scores as “high.”

12.3 The national government and local government services are accessible to those who use them, but the user opinion polls are carried out irregularly. Therefore, the evaluation scores as “satisfactory.”

12.4 The popular trust and confidence in the government institutions’ ability to solve the most important problems of society is not great. Therefore, the evaluation scores as “satisfactory.”

**Best Feature:** The legal enactments prescribe comparatively many options of participation in public administration activities of various levels. More and more explaining is done to the population and other groups about these opportunities.

**Most Serious Problem:** Still, the population is insufficiently knowledgeable about public administration, including local governments. Not always is the information presented in an understandable and clear form.

**Suggested Improvement:** An option of recognition of organizing local referenda by the legislation should be considered. An ombudsman service should be created.

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## 13 Decentralization

*Dace Jansone and Inga Vilka*

*Are decisions taken at the level of government which is most appropriate for the people affected?*

### 13.1 How independent are the sub-central tiers of government from the center, and to what extent do they have the powers and resources to carry out their responsibilities?

The Concept of Local Government Reform (approved by the Cabinet of Ministers on September 28, 1993) and the Concept of Public Administration Reform (approved in 1995) prescribe the implementation of the subsidiarity principle.

This principle determines that each function should be carried out at the lowest level possible (closer to the people). No task should be undertaken at a higher level than necessary.

The Law “On Local Governments,” adopted on May 19, 1994, includes the spirit of the subsidiarity principle, providing for a quite broad range of local government functions.

The groups of local government functions are outlined in the Table 13.1.

Table 13.1

**Groups of Local Government Functions**

Group of Duties (by kind)	Legal Basis for Carrying Out the Duty	Responsible Institution	Source of Funding
1. Mandatory duties			
1.1. Permanent	Law “On Local ” Governments	Local government	Local government budget
1.2. Delegated for a set period of time	Other laws	Local government	A source of supplementary funding must be written into law
1.3. Public administration duties	Laws or Cabinet regulations	Public administration authorities	The budget of the public administrative authority
1.4. Extraordinary tasks	Decision of Cabinet of Ministers (decree)	Local government	Local government budget
2. Duties within the jurisdiction of other local governments	A contract between local governments	The local government delegating the duty to other local government	Source of funding to be determined in the contract
3. Voluntary duties (initiatives)	Council decision	Local government	Local government budget

The following, according to the law “On Local Governments,” are the permanent mandatory duties of local governments:

- 1) to provide utility services to the public (water supply and sewerage; heating; waste management; sewage collection, drainage and purification) regardless to whom the housing fund belongs;
- 2) to provide for organization of public services and facilities and sanitary cleanness (construction, reconstruction and maintenance of streets, roads and squares; lighting of streets, squares and other territories of public use; arrangement and maintenance of parks, squares and green areas; control of industrial waste collection and removal; anti-flood measures; creation and maintenance of cemeteries and animal graveyards);
- 3) to determine the order for use of public access forests and waters, if the laws do not prescribe otherwise;
- 4) to provide for public education (guaranteeing the rights of people to basic and secondary education; provision of pre-school and school-age children with placement in educational and pre-school institutions; organization and financial assistance to extra-curricular educational and pre-school institutions and education support institutions, etc.);
- 5) to support culture and to promote the maintenance of traditional cultural values and the development of popular creative work (organizational and financial assistance to cultural organizations and events, support for maintenance of cultural monuments, etc.);
- 6) to ensure access to health care, as well as to promote a healthy lifestyle among the population;
- 7) to ensure social assistance (social welfare) to the population (social assistance to needy families and socially less protected persons; provision of elderly people with placement in retirement homes; provision of orphans and abandoned children with placement in educational and pre-school institutions; provision of homeless persons with overnight shelter, etc.);
- 8) to arrange guardianship and adoption affairs, as well as issues related to foster families;
- 9) to provide assistance to people in solving housing issues;
- 10) to facilitate entrepreneurship in the respective administrative territory, to minimize unemployment;
- 11) to give permits and licenses for entrepreneurship, if provided by the laws;
- 12) to provide for public order, to fight alcoholism and lewdness;
- 13) to define the use of land and construction order in accordance with the territorial planning of the respective local government;
- 14) to manage construction in the respective administrative territory;
- 15) to register civil status documents;
- 16) to collect and provide statistical data required by the state;
- 17) to organize court jury elections and to take appropriate measures for local government council elections;
- 18) to participate in the provision of civil defense;
- 19) to organize public transportation services;
- 20) to ensure representation of the local government in the regional patient fund;
- 21) to organize the continuing education of educational personnel and the development of work methods in education;
- 22) to register children living in the respective administrative territory;
- 23) to ensure the rights of children within the respective administrative territory.

The duties defined in paragraphs 1 – 18, 22 and 23 are carried out by local governments of district towns, regions and parishes, the duties defined in paragraphs 18-21 – by district local governments. However, the local governments of the republic cities carry out all duties.

As can be seen, at the present time the mandatory permanent duties of district local governments are rather limited.

It is planned to expand them considerably when implementing the regional administrative-territorial reform.

It can be concluded that, in comparison to the area of responsibility entrusted to local governments in other countries, the area of responsibility of Latvian local governments is quite similar. The scope of Latvian local governments does not include the provision of firefighting, which in many countries is a part of local government responsibility.

It should be noted that the listing of the mandatory permanent duties in the law “On Local Governments” is very inconsistent. There are duties that involve a very wide range of activities, for example, the organization of utility services (water supply and sewerage; heating; waste management; collection, drainage and purification of sewage); and there are comparatively narrow duties, for example, the registration of civil status documents, the registration of children living in the respective administrative territory. There are also very specific duties such as the above-mentioned, and there are also very general duties, for example, to facilitate entrepreneurship within the respective administrative territory, to minimize unemployment.

When improving the law “On Local Governments,” duties delegated by the state must be separated from local governments’ own duties, because the implementation, control and supervision of these duties differ.

One of the most important international documents that supports the principle of power decentralization is the European Charter of Local Self-Government (adopted in Strasbourg in 1985). Its main purpose is the protection and strengthening of local governments, based on the principles of democracy, decentralization and subsidiarity, in various European countries. Thereby, the analysis of the implementation of the Charter principles, in a way, also provides an analysis of the decentralization level. Currently, Latvia is among the 40 out of 45 countries of the Council of Europe that have ratified the European Charter. Latvia has adopted 29 out of 30 Paragraphs of the Charter, and has refused to adopt only one Paragraph – on free local government access to the national capital market in order to take loans to finance capital investments.

Although Latvia has not ratified only one paragraph of the European Charter, in practice, several principles of the document are not being observed.

The European Charter provides that the principles of local governments, including their area of responsibility and accountability, should be recognized in the national legislation and, where possible, in the constitution. The regulations of local governments in many countries, including our neighboring Estonia and Lithuania, are included in the constitution. The *Satversme* does not include principles of local governments.

The European Charter prescribes that the local government deputies are elected in free, secret, direct, equal and general elections. While these requirements are met with regard to city, region and parish council elections, the district councils are not elected directly since 1997. Instead, the chairpersons of the district’s cities, regions and parishes are automatically included in the district councils. The experience of the Western countries and Latvia suggests that the simultaneous action of local government deputies in councils of two different levels does not justify itself.

Due to insufficient local government financial resources, the implementation of European Charter requirements on staffing local governments with high-class employees, on salaries and education, as well as on career provision is fraught with difficulty.

The hardest to implement are the requirement of local government financial resources and especially the requirement of duty fulfillment, demanding that the financial resources of local governments must be comparable with their responsibility (duties) that are prescribed by the constitution or by law. When applying the principles of decentralization and subsidiarity, the permanent duties of Latvia’s city, parish and region local governments are rather broad and they differ little from the first-level local government duties in Western European countries. However, the financial resources appropriated for the fulfillment of these duties differ greatly.

The European Charter specifies that at least a part of the local government financial resources should come from the local taxes and dues, the rates of which local governments can determine within the limits set by the law. Although the law “On Local Governments” stipulates that local governments may in accordance with the procedure set by the law impose local dues and determine their size, decide on the tax rates and tax exemption, this requirement is only partially fulfilled. Currently, in the Latvian legislation no tax is specified as a local tax (all are national taxes and deductions from national taxes are used as the local government income). The only tax administered by the local governments and which, in essence, can be regarded as a local tax is the real

estate tax. However, the local governments are not entitled to decide on its rate except on awarding breaks from this tax. Although the concept of the local government reform also specified the deductions from revenue (corporate income) tax as local government income, no tax associated with entrepreneurship is linked to the local government budgets as of yet.

Latvia is not fulfilling the Charter requirement that the subsidies appropriated to local governments should not be targeted for specific purposes and that they should not have an impact on the local government independence. Each year the proportion of the targeted subsidies within the budgetary structure of Latvian local governments greatly exceeds the proportion of the general subsidies. For example, according to provisional data of 2003, the proportion of targeted subsidies in the total local government budget income comprised approximately one third of the total.

The European Charter also includes an exclusive responsibility distribution principle – the authority given to local government institutions should be complete and unique. Only then can a local government assume full political responsibility. However, if the authority is divided, it becomes hard to explain to the public why issues are being solved poorly. Another principle of the Charter specifies that the institutions of local authority should be given rights to handle any issue on their own initiative within the limits set by the law, except the issues that are within the area of responsibility of other institutions. Thereby the Charter provides real opportunities for the local governments to act in the public interest. The list of duties prescribed by the law “On Local Governments” does not give a notion about the application exclusiveness of these duties. There are very few truly exclusive local government duties in Latvia. There is a regulation incorporated into the law that along with delegating new permanent duties to the local governments new sources of income must be identified, if the duty fulfillment involves an increase in expenditure. In practice, this requirement is often disregarded. The issue of regulations associated with the implementation costs of local government duties is a constant topic of discussion.

### **13.2 How far are these levels of government subject to free and fair electoral authorization, and to the criteria of openness, accountability and responsiveness in their operation?**

In accordance with the Local Government Council Elections Law, adopted on January 15, 1994, the city, parish and region councils are elected in equal, direct, secret and proportional elections for a period of four years. Since 1997, the district council deputies are not elected directly by the citizens of the Republic of Latvia any more. Instead, the town, parish and region council chairpersons of the particular district automatically become the deputies of the district council. The simultaneous action of the district town, parish and region local government chairpersons in two councils does not justify itself, because every one of them, first and foremost, protects the interests of his or her own town, parish and region, pushing the interests of the district local government into the background. Moreover, the indirect elections contradict the requirement of the European Charter of Local Governments that the local government deputies be elected in direct elections. Therefore, in the future a return to direct election of the district local government deputies is necessary.

In the local governments of towns and regions with a population above 5000, a list of election candidates may be submitted only by a registered political organization (party) or their unions, but in smaller town and region local governments and in all parishes – also by electoral unions. Until 2001, the electoral unions’ lists could also be submitted in district towns and regions. However, due to the amendments made, the activities of towns and regions has politicized since 2001.

Implementing the principle of openness, the law “On Local Governments” prescribes that the local population has the right to participate in council meetings and express their opinion, get acquainted with the minutes of the meetings, as well as the documents of the issues discussed. The national government and the local government institutions make a yearly public listing that is accessible to the public.

The Ministry of Regional Development and Local Governments carries out the supervision of local governments. It checks all the binding regulations adopted by the local governments from the perspective of legality. The Minister of Regional Development and Local Governments may dismiss the chairperson of a local government, if he or she fails to carry out or violates the *Satversme*, the laws, the Cabinet regulations, or fails to implement the court decisions.

### 13.3 How extensive is the cooperation of government at the most local level with relevant partners, associations and communities in the formation and implementation of policy, and in service provision?

One of the principles of good governance is the separation of decision-making and executive power. Doing this in smaller local governments is more difficult, in larger ones easier. To facilitate the separation of the decision-making and executive powers, the law “On Local Governments” prescribes that in local governments with a population above 5000 an executive post is mandatory.

However, the implementation of the principle of decision-making and executive power separation does not mean that the executive power acts autonomously from the legislative power. The managing director and the executive apparatus participate in the preparation of the decisions of the local government council. It is even better, if non-governmental organizations and the public are involved in the preparation of the decisions. A good example of such cooperation is the local government of Valmiera where in 2001 and 2002 the Valmiera Non-Governmental Support Center implemented the project “We Can Do This Together”, supported by the Baltic-American Partnership Program.

In order to create a unified bloc for cooperation with the Valmiera City Council, a coalition of social non-governmental organizations was formed within the framework of the project, uniting 13 non-governmental organizations. During the project each month a seminar was organized for the non-governmental organizations’ activists. The coalition met every other week to later express their view at the meeting of the Committee of Social Affairs. The chairwoman of the coalition informed all the non-governmental organizations beforehand on the issues to be discussed at the meeting and the planned decision projects in order to jointly draft recommendations, additions and amendments. As a result of discussions, in their meeting the representatives of the non-governmental organizations adopted a joint coalition decision. The members of the coalition believe a series of corrections that were incorporated into the order of determining central heating benefits to be one of the greatest achievements. The acquired new common premises and the day-centre “Atvasara” for retired people as a result of cooperation between three non-governmental organizations can be named as the next greatest achievement. Now, there is a place in Valmiera where elderly people can assemble and organize various events.<sup>1</sup>

Acting together in a coalition, the social non-governmental organizations learned more about each other, cooperation developed between them and an exchange of experience took place.

When making political decisions the local governments, especially district and republic city local governments, cooperate with deconcentrated national government institutions, which are located within the local government territory. The appointment of chairpersons in these institutions is coordinated with the chairperson of the local government council.

The law “On Local Governments” prescribes that local governments may cooperate as well as establish local government public organizations and joint institutions. The local government interests in Latvia are represented by the Latvian Union of Local Governments which unites almost all local governments of Latvia. A system of dialogue between local governments and the Cabinet of Ministers is prescribed by the legislation.

The assessment of Chapter 13 is summarized in the Table

#### Summary: progress during the past 3–5 years

	Very Good	Good	Satisfactory	Poor	Very Poor
13.1.			X		
13.2.		X			
13.3.			X		

13.1 The decisions made at the local government level are mostly independent. However, the local government financial resources are insufficient to carry out all mandatory permanent duties. The evaluation here is “**satisfactory.**”

13.2 Local government deputies are elected by citizens of Latvia in equal, direct, secret and proportional elections. The elections are free and fair. The evaluation here is “**good.**”

13.3 Although in mid-size and large local governments the decision-making power is separated from the executive, the latter participates in the preparation of political decisions. In the small local governments the decision-making power has merged with the executive. The local governments are entitled to establishment of partnership associations and have the right to join ideological associations and unions, including international ones. The evaluation here is “**satisfactory.**”

**Best feature:**

During the implementation of the public administration and local government reforms a decentralization of the public administration duties was carried out by delegating a series of duties from the central government to the local government level.

**Most serious problem:**

Latvia has a low financial autonomy of local governments. The financial resources available to local governments are insufficient to carry out all the mandatory permanent duties. The local government taxes are not defined in Latvia, the local government budget revenues include a large proportion of targeted subsidies.

**Suggested improvement:**

An increase in the local government financial autonomy and revenue basis is necessary.

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**Part Four**  
**Democracy Beyond the State**



## 14. International Dimensions of Democracy

*Žaneta Ozoliņa and Ineta Ziemele*

*Are the country's external relations conducted in accordance with democratic norms, and is it itself free from external subordination?*

### Introduction

The international dimension of democracy can be evaluated by at least three characteristics:

- 1) how autonomous is the state from external agencies in achieving its foreign and domestic goals, and how free is the implementation of domestic and foreign policy from unauthorized<sup>1</sup> interference by external factors?
- 2) to what extent is public opinion taken into consideration regarding national foreign policy; are there mechanisms for society to influence the action of the state in the international arena?
- 3) how does the state support the spread of democracy in the world?

To assess the international dimension of democracy within the context of Latvia, a few conditions important to Latvia should be identified, which will serve as a point of departure for further analysis:

- 1) Although the analysis will begin with the period of 1999–2005, a reference to some relevant historical events and periods, beginning with the regaining of independence in 1990, will be required in order to assess the international dimensions of democracy more precisely. Historical digressions will be required, because Latvia has only 15 years of experience of acting in the international system, while its effectiveness is being evaluated from the perspective of a developed democracy, as a member state of the EU and NATO. In fact, one can speak about the considerable intensity and density of the historical events.
- 2) It is important to note that the development of democracy in Latvia has been simultaneous with both the formation of domestic structures (economic, political, social and cultural transformations) and the integration into international circulation.
- 3) It is impossible to separate foreign and security policies within the international dimension of democracy. The separation of these two policies may only be limited, and it may be done analytically only after Latvia has acceded to the EU and NATO in 2004. However, the integration processes into these unions of states were mutually linked, where the foreign policy facilitated the implementation of the security policy, and the security policy development facilitated the achievement of Latvian foreign policy goals.
- 4) In the case of Latvia, international and domestic dimensions of democracy go hand in hand, because the democratization process took place by harmonizing the pace of the transformations within the country with the experience of the traditional Western democracies (following a good practice) and by the high democracy standards set forth by the Western countries for Latvia as a potential (and now actual) member of the EU and NATO.

### 14.1 How free is the governance of the country from subordination to external agencies, economic, cultural or political?

Several important peculiarities of relevance in Latvia must be considered with regard to external influence and state autonomy in international politics:

- 1) External pressure as a means of influencing the policy of Latvia for the benefit of external interests (Russia);

2) External pressure as a means of promoting and strengthening the democratization of Latvia (UN, OSCE, COE, WB, IMF, EU, NATO, the democratic countries).

In both cases external pressure has played a positive role in developing and strengthening democracy in Latvia. In the first case, implementation of the Russian foreign policy (securing its interests in Latvia, as well as Lithuania and Estonia) generated, in effect, the strengthening of democracy and consolidation of the state and society. The greater the pressure (economic, political and social) came from Russia, the more Latvia intensified its policy of integration into the EU and NATO. Those activities that Russia carried out with regard to Latvia were aimed at delaying or stopping its integration into the EU and NATO. The public opinion surveys also confirm that 44.3% of the respondents believe that the pressure on Latvia by other countries is too large.<sup>2</sup> Among all the agencies mentioned in the survey questionnaire, the least trust was earned by the CIS, which is distrusted by 41.4% of the respondents (trusted by 22%).<sup>3</sup>

In the second case, the external pressure definitely had a positive role, because by opening up to external agencies, the state was provided with an opportunity to adopt the good practice of democracy. In Latvia's case, the external pressure, without doubt, promoted the development and strengthening of democracy. The public opinion survey materials confirm as well that the international cooperation is seen in a positive light (34.8%)<sup>4</sup> and the percentage of trust in international agencies is greater than that of distrust. For example, the UN is trusted by 37.7% (distrusted by 26.5%) of the respondents, the EU is trusted by 37.3% (distrusted by 34.7%), NATO – by 37.9%<sup>5</sup> (34.7%).<sup>6</sup> The post-communist countries which chose the policies of minimizing external influence, like the CIS countries, experienced either a slow, or a specific path of democracy development. However, those countries which, since the early years of democratization, voted in favor of increasing external influence to promote democratic processes, have become members of the EU and NATO, which is like a certificate of quality of the existence of democracy in the respective countries. The new EU and NATO member states are a good example of democracy development, where a purposeful utilization of external and domestic factors generates positive results.

The interest of external agencies about the processes in Latvia has facilitated not only political stability and the establishment of democratic institutions, but has also helped to overcome the one-sided economic dependence on Russia. In 1991, Latvia's economy in terms of resources and market was completely dependent on the USSR. Therefore, the positive role of the international dimension of democracy is even more pronounced, as a result of which the integration into the EU was chosen, and by the mid-1990s the one-sided dependence was overcome. The fact that no single country, whose unilateral decision would determine the economic development of Latvia, dominates the export and import relations is a positive trend.

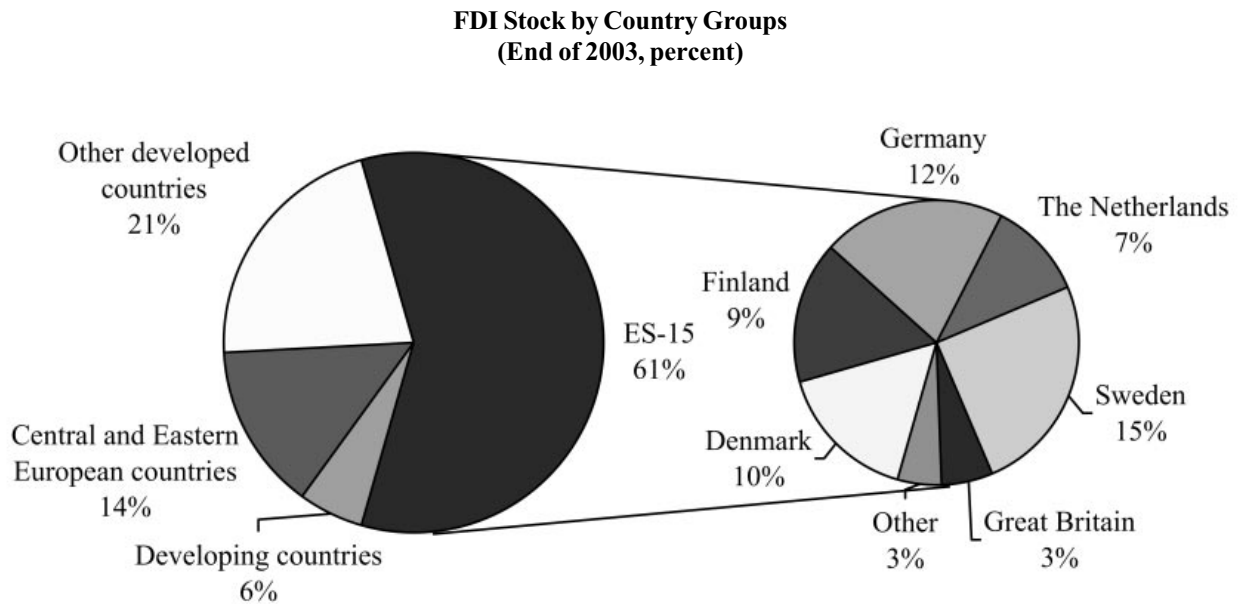
**The European Union is the main trading partner of Latvia.** Trade with the EU member states is constantly expanding since the regaining of independence, and at the moment, also including the new EU member states, already 80% of total exports and imports are linked with the EU. Trade with Germany (16% of the total turnover), Lithuania (9%), Sweden (8%), Russia (8%) and the United Kingdom (7%) accounted for the biggest share in foreign trade turnover of Latvia in 2003.

During 2000-2002 exports of Latvian goods in current prices had grown by 11-12% annually. In 2003, total exports expanded by 17%, while exports to the EU-15 states increased by 20%. In 2003, exports grew in all categories of goods, with the biggest growth recorded in the wood industry, metal processing, and machine building sectors, which contributed respectively 45% and 23% of the total export growth.

The Report on the Economic Development of Latvia. Riga: Ministry of Economics, June 2004, p.11.

Another indicator of external agency influence is the presence and distribution across the countries of foreign direct investment (FDI). The openness of Latvia to foreign investment is both a means for domestic economic growth and an indicator of the development and strengthening of the market economy – an integral part of democracy. At the end of 2003, FDI comprised 28.4% of the GDP.<sup>7</sup> It is worth noting that the total accumulated foreign direct investment is dominated by investment from democratic and developed countries. As is shown in Diagram 1, the greatest investors are Sweden, Germany, Denmark, the Netherlands, Finland, the United States, Norway and Estonia, contributing to almost 70% of all FDI stock. More than half of these are the investment from the EU member states.<sup>8</sup>

Diagram 1



Source: Report on the Economic Development of Latvia. Riga: Ministry of Economics, June 2004, p. 48.

Although the external agency influence on Latvia as a member of the EU and NATO will lessen within the Western European and Transatlantic space due to moving onto the level of allies and partner states, the diverse activities of Russia will increase in the country as a means for preserving Russian influence in the Baltic region and shaping relations with the EU. One should not expect a direct and forcefully implemented influence, but a utilization of Latvia's weaknesses for the benefit of Russian interests instead (for example, social tension, minority issue, mistakes of security institutions, boycott of specific economic sectors).

The relations with Belarus and other Eastern European countries will be one of the tests for the international dimensions of Latvia's democracy. On the one hand, Latvia has expressed support for democratic movements in Belarus on the official as well as non-governmental level. On the other hand, it has condemned the Lukashenko regime. Following a statement by Andris Zorgevics, president of the *Latvijas Dzelzceļš* (Latvian Railways), pointing out the opportunities of the Belarussian political elite to use political means to decrease railway transit from Belarus via Latvia, the support on the official level for democratization in Belarus has been halted and all criticism about democracy violations in the neighboring country died down. That does not correspond with the positions expressed by Latvia's allies in the EU and NATO. This specific example demonstrates the internal vulnerability of Latvia's democracy in reaction to external agencies, and an insufficient domestic political and social consolidation for consistent implementation of the foreign policy that is based on supporting democracy abroad.

### **Latvia as an exporter of democracy – an external agency.**

So far Latvia has been a recipient of external influence in strengthening democracy. With the accession to the EU and NATO Latvia has acquired a new international institutional framework and a "reinforcement" of the national foreign policy by the foreign policy activities of the EU, and now Latvia can start developing policies for democracy export to other regions and states.

The spread of the international dimension of Latvian democracy may take place with the help of the following policies:

- The participation in and utilization of the opportunities provided by the EU's New Neighborhood Initiative;
- An individual approach to transition-type countries when choosing the recipients of democracy – Georgia, Belarus, Moldova, Ukraine, Russia, or other states;
- The launching of Development Cooperation Policy (within the EU and individually).

A completely new dimension in Latvian foreign policy is linked to the Development Cooperation Policy. It would be imprecise to claim that Latvia has not participated in providing aid prior to 2003. However, since 2003 one can speak about a coordinated policy based on a concrete program. The Basic Principles for the Development Cooperation Policy of the Republic of Latvia<sup>9</sup> (2003) and the Development Cooperation Policy Plan for 2005<sup>10</sup> have been developed. Representatives of the academia as well as the NGOs took part in the preparation of these documents. One of the stimuli for the development of this policy was Latvia's status as a member state of the European Union, which involved joining the EU Development Policy. At the same time, it is also a good opportunity to search for a new Latvian foreign policy identity after the accession to the EU and NATO, by handing down Latvia's experience to countries in the stage of transition toward democracy. Latvia sees the Development Cooperation Policy as a provision of support to developing and transition economy countries, paying particular attention to neighboring countries, because it cannot possibly cover all the regions and countries with its resources and expertise. Yet, there are specific examples such as Iraq (the program for rebuilding Iraq, carried out by Latvia). Aid in the amount of 1,098,764 lats has been provided since 1999 without an officially adopted strategy.<sup>11</sup>

The Basic Principles for the Development Cooperation Policy identify the main directions of action, which include the areas of Latvia's expertise – political, economic, humanitarian, educational and public administration. Taking part in the implementation of the development cooperation policy in the status of an EU member state will provide opportunities of participation in such programs of assistance as PHARE, TACIS, MEDA (in the Mediterranean region) and ALA (in the region of Asian and Latin American countries). The new foreign policy dimension provides an opportunity to offer policy solutions for democracy development in the world, as well as expand the geographic framework of cooperation, which is important to a country with such a short history of international participation. It should be noted that the Guidelines emphasize the necessity of both governmental and non-governmental sector participation.<sup>12</sup> The Guidelines point out the large number of NGOs in Latvia (4,500), which testifies to the willingness to participate.<sup>13</sup> However, the quantitative indicators of the NGO sector do not automatically mean its qualitative ability to act on an international scale.<sup>14</sup>

The Development Cooperation Policy Plan for 2005 has already identified the priority countries – Georgia, Moldova, Ukraine, Belarus and Uzbekistan, as well as the priority project areas: the promotion of democratic and civic society; the support of economic development, support of public administration, local government and defense system; environmental protection; education and social development, health; domestic and judicial affairs.<sup>15</sup>

Although this is a significant event within the context of Latvia's new role, several questions regarding the development cooperation policy and its mechanisms remain unanswered. The Latvian government does not have experience in this area. Therefore, it would be beneficial to launch roundtable discussions involving those people and institutions in Latvia that have participated in the development cooperation, or to create a consultative council in the field of the development cooperation policy, involving experts from other countries.

Although the EU and NATO member state status opens up new opportunities for democracy export, several problems still occur:

- 1) Until May 2004, Latvian foreign policy was subordinated to the achievement of the 2 main goals – integration into the European Union and NATO. Following the fulfillment of these goals, a gradual trend of Latvian foreign policy diversification has occurred. Yet, the definition of new foreign policy directions and policy implementation will face a lack of financial and human resources. During the next few years, the simultaneous maintenance of a rapid pace of integration and the development of new policy directions will be required. Undoubtedly, the international dimension of democracy that Latvia represents will remain intact. However, the question of its effectiveness and quality in the face of the existing task diversity and disproportionately small resource potential may arise;
- 2) Latvia has announced itself as a democracy exporter to the countries that are historically known and geographically close to it, i.e., Belarus, Ukraine, and Moldova. However, these are countries where Latvia's mission of democracy export overlaps with the interests of Russia, which, in turn, do not coincide with Latvia's interests. Consequently, the diverging interests of the external agencies in the particular country may hinder the successful spread of democracy;
- 3) The provision of support to and the existence of political dialogue with certain countries with different, even contradictory, regimes may create domestic discussions within Latvia of whether support should be provided to openly dictatorial regimes such as Belarus and Uzbekistan, or relations maintained with the authoritarian Kazakhstan.

## 14.2 How far are government relations with external donors and international institutions based on principles of partnership and transparency?

Latvia is a member of all the largest international organizations (except OECD, which it is preparing to join): the UN – since 1991, the OSCE – since 1991, the World Bank – since 1992, the International Monetary Fund – since 1992, the Council of the Baltic Sea States – since 1992, the Council of Europe – since 1995, the World Trade Organization – since 1999, the European Union and NATO – since 2004.

There are various degrees of partnership in Latvia's relations with international organizations:

- 1) UN, OSCE, COE – are the organizations that were the first to grant Latvia with an equal member status in the international system, and they have played a particularly significant role in securing the withdrawal of the Russian Army and in promoting international norms in human rights and minority issues. The relations with these organizations are based on the principles of equality. The exceptions are the OSCE and COE, where Russia plays an active role and uses these international forums for the realization of its national interests in the Baltic states. In essence, the role of Russia as an external agency is also played with the help of international instruments.
- 2) WB, IMF – the forms of cooperation and involvement in domestic issues is determined by mutual agreement. The cooperation memoranda indicate those areas where the positions of both institutions and Latvia coincide. For example, until 2002 the World Bank supported those sectors which helped in strengthening democracy and facilitated integration in the EU and which were not related to adoption of the *acquis* – the fiscal and monetary affairs, strengthening of the administrative capacity, transformation of the economy sector, battling corruption, decreasing poverty, pension reform, rural development, support of the civil society. In 2002, the State Aid Strategy of the World Bank and the Republic of Latvia 2002–2006 was adopted, which continues the WB support to those sectors that directly or indirectly promote the strengthening of democracy in the country: to create such a political environment that facilitates the creation of new enterprises and jobs; to support a significant public sector reform that would make governance more effective; to ensure long-term development beyond Riga; to reduce poverty and thereby lift social sector programs to a higher quality. The document states that the need for loans decreases, while the need for analytical expertise and advisory activities increases instead.<sup>16</sup> Since 1992, the assistance provided to Latvia totals 416 million USD (with a tendency to decrease annually). The legislation and public administration sectors have received the most investment (23%).<sup>17</sup> Latvia has confirmed that it will participate in the WB programs that provide assistance to developing and transition states. Also, the IMF activities in Latvia have a similar agenda, emphasizing the development and strengthening of the market economy as an integral part of democracy. The battling of corruption is also mentioned as a priority in the IMF relations with Latvia.<sup>18</sup>
- 3) The EU and NATO have become a part of Latvian domestic policy and Latvian foreign policy instruments. Therefore, within these unions of states, the relations are based on the principles of an equal and mutually beneficial partnership. Latvia has promised to comply with the policy of the European Commission, harmonizing and coordinating activities with other member states, in organizations and conferences, providing its own contribution to the Community assistance programs. It is a completely new international dimension of Latvian democracy, where there is more democracy than the financial indicators are able to reveal.

## 14.3 How far does the government support UN human rights treaties and respect international law?

Since the restoration of independence many different processes have occurred on various levels within the framework of this issue. These will be listed in short in order to give a notion about the ambiguous context of recent history.

- 1) On May 4, 1990, the *Declaration On the Accession of the Republic of Latvia to International Legal Instruments on Human Rights Issues* was adopted, thereby recognizing 51 documents as legally binding on the national level. Thus, a great political will to get rid of the Soviet ideological legal system and to join international processes and rights is demonstrated. In this, Latvia is unique, if compared to other post-Soviet republics.

- 2) Possibly, this Declaration stimulated the fact that international law, especially among professionals, became the point of departure during the later development processes. The great openness of the Declaration to the world was one of the stimuli for the birth of the Monism doctrine in Latvian legal theory, which was later adopted in practice and is accepted, with few problems, by the legislative power as well.
- 3) While the openness to international law and human rights was announced on the level of political declarations and theory, the practical application of these norms was much more complex. This may be explained by the lack of knowledge and skills in international and human rights among the broader political and bureaucracy elite, as well as among lawyers. This is due to the Soviet higher education legacy at the University of Latvia, as well as the fact that Latvia had no need for international law during its occupation.
- 4) At the same time, during all these years a certain confrontation on various levels (politicians, lawyers, etc.) can be detected among those who are open to international processes and are willing to participate in them, and those who would prefer isolation instead. There could be various reasons for such confrontation, ranging from personal to ideological.
- 5) Human rights came into the spotlight already in the early 1990s, thanks to the UN, COE, OSCE and EC monitoring procedures, which Latvia was forced to learn about and deal with. One could even say that Latvia's domestic situation has been beneficial for learning human rights. Yet, this situation has also created a desire to politicize human rights.
- 6) Finally, the reason why Latvia's achievements in implementing and shaping international law are such as will be outlined further in this text, is also related to available resources and the implemented domestic policy. Undoubtedly, the priority was to put in order the national law and to get rid of the Soviet legal institutes and thinking, which consumed much time and energy. The most able lawyers did not choose international law, but various areas of national law instead, which was an issue of revenue and competition. It is, no doubt, easier to compete among the small community of Latvian lawyers. There have been few discussions, analyses and stimuli in domestic politics to search for interconnections between the foreign and domestic policy processes. The majority of the population has considered activities in international organizations and accession to these organizations as a process removed from reality.

### 14.3.1 Human Rights.

#### Treaties and Their Monitoring Mechanisms

- Latvia has acceded to and ratified all the most relevant human rights treaties and accepted the jurisdiction of the relevant human rights institutions to accept individual complaints (UN Human Rights Committee, European Court of Human Rights). As practice shows, the reception of the first judgments from international organizations has fostered the improvement in mechanisms of the national law implementation. All in all, a constructive position on hearing and implementation of international judgments, recommendations and advice has developed. The problems involved organized and systematic acquaintance with these judgments, recommendations and advice, analysis and action plan development at the government and parliamentary level. Apparently, there was either no single institution in charge that would direct this process, or the political will did not address these issues. The Ministry of Foreign Affairs initiative to approach international recommendations in an organized manner is a positive change. This initiative (with specific tasks for specific ministries) materialized, for example, during the March 18, 2004, Cabinet of Ministers meeting, where a detailed plan was approved with deadlines for implementation of the recommendations by the UN Human Rights Committee regarding the fulfillment of the 1966 International Covenant on Civil and Political Rights.<sup>19</sup>
- However, problems exist in this area as well. Latvia still has not considered the encouragement of the Committee on the Elimination of Racial Discrimination (the monitoring mechanism of the *International Convention on the Elimination of All Forms of Racial Discrimination*) to accept the Committee jurisdiction to hear individual complaints and complaints by groups of individuals. It is hard to say what reasons are behind this. Possibly, the chief reason lies in the problem pointed out earlier – the Racial Discrimination Committee's recommendations have not yet been systematically processed and analyzed, leading to the lack of action plans and decisions.



- Latvia has not yet ratified the Protocol of the *Convention on the Elimination of All Forms of Discrimination Against Women*, which specifies the right of the Committee to hear individual complaints.
- Latvia has signed but not yet ratified the 12th Protocol of the *European Human Rights Convention*. This is a very significant protocol, which provides opportunities for individuals to complain to the court about any discrimination at the national level. Currently, at least not beyond the government corridors, no discussions have developed about these two instruments, nor has there been public pressure to ratify them.
- The Council of Europe *Framework Convention for the Protection of National Minorities* has been signed since 1995, but not ratified. Thereby the Consultative Committee – the Convention monitoring mechanism – cannot analyze the situation of the minority-majority relations in Latvia. This is one of the treaties that has elicited acute discussions since the day the Convention was signed in 1995. There are politicians who point out that the ratification of the Convention would lead to the Russification of Latvia. The Minister for Special Affairs – Society Integration has pointed out that there is a group of experts who analyze the possible consequences of the Convention ratification in Latvia. However, these exchanges of opinions are highly politicized, which obscures the fact that the majority of the supposedly controversial Convention-related issues (the definition of minority, for example) in Latvia to a great extent have already been regulated by the law and other international obligations of Latvia, for example, in Article 27 of the *International Covenant on Civil and Political Rights* and in the *International Convention on the Elimination of All Forms of Racial Discrimination*.<sup>20</sup> The issue of the Convention ratification remains, for the time being, a weapon of domestic political clashes and a way to earn ‘bonuses’ in the eyes of the voters.
- In 2004, the COE and OSCE officials continued to visit Latvia regarding the problems of observing minority rights. The OSCE High Commissioner on National Minorities Rolf Ekéus visited Latvia also on February 27, 2004. Minority education reform, as well as other traditional issues, such as naturalization and social integration, was at the center of attention. It can be detected that, in fact, the international missions continue to visit Latvia to maintain the appearance that they do react to Russia’s pressure and propaganda. At the same time Latvia continues to preserve a considerable credit of trust in solving minority rights issues. Apparently, the core of this trust lies in the fact that during the early 1990s Latvia cooperated with the international organizations in solving the citizenship issue. The directions of these organizations were taken into account in the final draft of the Language Law. The history of Latvia provides it with an opportunity to defend its special situation, which is accepted. However, it should be considered that the situation has changed with Latvia’s accession to the EU. The large number of non-citizens within the common internal EU market is a peculiar legal reality. The European Commission seems to have begun to realize that it will have to deal with Latvia and Estonia’s problem directly.<sup>21</sup> Therefore, Latvia would require an action plan and a reply to the question on non-citizens, taking into account the EU context. To note, an answer that non-citizens are comparable to foreigners might not be the best in the context of the EC rights and policy, although it may initially seem the simplest.
- Only once since the restoration of independence has Latvia been elected in any of the UN system human rights mechanisms (in 1999 – the UN Human Rights Commission), where seats are distributed on a competitive basis. At the end of 2000 and the beginning of 2001, Latvia successfully presided over the Council of Europe. One could say that the work of Latvia’s representatives in the Council of Europe has, in general, been more successful than that of the representatives in the UN, although Latvia within the COE has not tried too often to put forward its experts to those institutions that select their experts on a competitive basis.<sup>22</sup> Apparently, the role and significance of these and other mechanisms to both Latvian foreign and domestic policies has not been completely appreciated. Time has been required to get used to the thought that Latvia can compete within these mechanisms on an equal footing with other large and small countries. This experience has not been acquired knowingly and systematically. However, the evolutionary development of such practice has reached such a degree that a plan might be developed for organizing the representation of Latvia and its experts in these institutions, considering the goals and interests of Latvia.
- A significant characteristic of the monitoring system of human rights treaties is the preparation of country reports and their defense before a monitoring committee. Initially, Latvia had problems with the regularity and system of the report preparation. The first report on the 1966 International Covenant on Civil and Political Rights implementation in Latvia was defended at the 54<sup>th</sup> Session of the UN Human Rights Committee in July 1995. Then, a government-established working group prepared the report without involving a broader society in the discussion or in any other form of participation. Only thanks to the Human Rights Institute of the University of Latvia Faculty of Law and the funding available to the Institute, the Report and Committee recommendations were published in Latvian and analyzed with the *post factum* participation of experts.<sup>23</sup> This was the first step toward such a system of report preparation, which includes the participation of the leading

non-governmental and academic human rights organizations in the country. The second time, in 2002, Latvia reported on the Covenant in the united 4<sup>th</sup> and 5<sup>th</sup> Report.<sup>24</sup> The fact that the Ministry of Foreign Affairs has already initiated serious and systematic work on these reports was already mentioned.

- Currently, the following Reports have been prepared and defended: *International Convention on the Elimination of All Forms of Racial Discrimination* (twice);<sup>25</sup> the 1989 *Convention on the Rights of the Child* (once);<sup>26</sup> *Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment* (once). A report has been prepared on the implementation of the *Convention on the Elimination of All Forms of Discrimination Against Women*.<sup>27</sup> Since 1999, a certain regularity and system has appeared in the fulfillment of this important national obligation. Gradually all delays are being removed. This is a good outcome, considering that Latvia is still a new member of international relations. The opportunity to align Latvia's action in the area of human rights presented itself when the post and bureau of the Cabinet of Ministers Representative in the human rights organizations were formed. This example indicates the adequacy of the government action to fulfill its obligations upon identifying shortcomings or problems in the implementation of Latvia's international obligations.
- The Latvian National Human Rights Office, non-governmental organizations and the Human Rights Institute of the University of Latvia participate together with government institutions in the preparation of the above-mentioned reports. With the creation of an [Internet] portal of politics, these reports have been published and accessible to the public already in their draft stage. The weak point of this system is the involvement of academic experts in the report preparation and problem analysis which would provide ideas on the required legislation amendments, or change in practice. The state budget should provide funding for such cooperation. The process of report preparation and their implications on national decision-making and practice would be more effective, if the conclusions of this process and reports were adequately acknowledged at the government level.
- As we know, the legislative process in the country also means that the ministry responsible for the preparation of some specific project also carries out the project evaluation, assessing its compliance with the respective elements of the legal system, the financial costs, etc. All the necessary elements are specified in the adopted form of annotation. Thereby, the annotation of a legislative enactment draft (law, Cabinet regulations) includes a section on "compliance with the international obligations of Latvia," which is a positive practice and which corresponds with the fundamental principles of the Latvian legal system regarding the place of international law in this system. At the moment, however, a real analysis on the compliance of legislative enactment draft with the international obligations is not available. Most often the annotations will include a statement that, from the perspective of international law, no particular issues arise regarding this draft.
- Assuming that not always may the necessary expertise on the international law aspect that pertains to the legislative enactment draft, prepared by the particular institution, be available within the government institutions of the respective country, the recognition of this weakness and work on this problem (e.g., training of civil servants) would be necessary.
- Considering the far-reaching state obligations in human rights, highlighting of the project preparation annotation section on project compliance with human rights obligations would be necessary, which may stem from either Chapter 8 of the Constitution of Latvia, or international law. Considering that Latvia has received many comments within the UN as well as COE, it is not clear at the moment, however, if these comments have been heeded and legislative enactment amendments initiated, if needed. There should be a responsible ministry department within the government which proposes the development of the necessary amendments on a systematic basis.

### 14.3.2 International Law

#### 14.3.2.1 Treaties

- In general, Latvia has diligently ratified international treaties. However, this has been based on a re-active instead of a pro-active approach, considering Latvia's interest in the ratification of this or that international treaty, or to recognize the international mechanism.<sup>28</sup> Apparently, this situation has many explanations. The lack of traditions in international law has already been mentioned. The appreciation of the practical importance of international law in a society with a developing legal culture and consolidating oversight of rights and the rule of law could not occur sooner than other involved processes. Therefore, such an

approach in which the respective departments of ministries analyze documents of international law and offer a strategic approach for their ratification, or develop suggestions on the necessity of drafting new documents at the international level, may be expected in the future only. Such a change of Latvia's role in international law will depend on several factors. Attention must be given to increasing the knowledge in international law within the public administration. The cooperation of the state and the academia must be encouraged.

- Latvia has actively ratified anti-terrorism conventions, as well as conventions promoting cooperation on environmental protection, although not all of the conventions mentioned by the IDEA have been ratified so far. Latvia is among those countries which have ratified the 1997 *Kyoto Protocol*, while the United States and Russia, for example, have had difficulties in doing so.<sup>29</sup>
- Latvia has ratified such international humanitarian rights conventions as the 1949 Geneva Conventions and the 1977 Additional Protocols, the 1948 *Convention on Genocide Prevention and Condemnation*<sup>30</sup>, as well as the conventions on non-proliferation of weapons of mass destruction, banning of chemical and biological weapons of mass destruction.
- Within the context of implementing these international obligations, the problem of translating these conventions into Latvian, developing correct terminology in particular, and the problem of timely publication of the texts in official publications persist.

#### 14.3.2.2 Mechanisms and Procedures, Law Observation

- All in all, Latvia has proved itself as a country complying with international law. Considering the historical context of Latvia, the realization that international relations are important to it is treated seriously. As was said before, problems occur on specific issues at the practical level. However, this situation has partially formed because so far, Latvia has not implemented a pro-active foreign policy which would allow it to avoid mistakes in the context of international law.
- One of the first cases when Latvia had to confront the issue on bilateral policy with the United States of America and the provisions of international law was related to the 2002/2003 Iraq crisis. What was seen as the necessity to maintain good relations with the US prevailed in this confrontation. Therefore, in 2003, Latvia supported the US, Great Britain and some other countries' intervention in Iraq without the UN Security Council mandate.<sup>31</sup> At the same time, it must be noted that Latvian officials tried to defend their choice to the public by referring to the UN Charter and UN SC resolutions, which in itself is a positive fact. It is clear, however, that different scenarios of confrontation of various interests (e.g., the potential conflicts between Latvia's bilateral relations and specific international obligations) must be discussed and analyzed in the government and parliament, and a ready-made national position must be available. For example, one observes today that the US has diverging positions on several issues on which the international legal standard is sufficiently clear. These examples and situations must be analyzed in Latvia.
- Only once has Latvia been elected to any mechanism important to the development of international law (in 1998 – the Presidium of the Rome Conference for the Adoption of the International Criminal Court Statute).
- Thanks to the initiative of A.Usacka and the support of the Ministry of Justice, a judge from Latvia has been included among the judges of the International Criminal Court.
- The Latvian court practice in the cases of civilian population deportations and massacre during the Soviet regime is, in fact, a positive example. However, often the qualification of the crimes generates many questions. From the perspective of international criminal law, the mentioned offences are crimes against humanity, not genocide. Considering Russia's criticism and propaganda on these court proceedings, and in politically sensitive cases, a proper application of legal norms and principles is of particular importance.

#### 14.3.3 Membership Fees in International Organizations

- Latvia pays its membership fees in international organizations diligently. The membership fees are paid to: the UN, UNESCO, the Council of Europe, OSCE, the Council of the Baltic Sea States, WTO, the Organization for the Prohibition of Chemical Weapons, the Hague Conference on Private International Law.
- Latvia has undertaken certain financial obligations (office space rent) regarding the presence of the UN Development Program in Latvia.
- Beginning 2004, these fees have increased by 500,000 lats due to the NATO accession. In 2005, the NATO membership will require even greater amounts (approximately 1 million lats).

#### **14.4 How far does the government respect its international obligations in its treatment of refugees and asylum seekers, and how free from arbitrary discrimination is its immigration policy?**

- Latvia has joined the 1954 Convention relating to the Status of Stateless Persons<sup>32</sup> and the 1951 *Convention relating to the Status of Refugees* and its 1967 Protocol.<sup>33</sup>
- Due to Latvia's EU membership the legislation regulating issues of refugees and asylum seekers was amended. A new *Law on Asylum* was adopted in 2002.<sup>34</sup> It improved the legal regulation of the issue in several aspects. It prescribes the granting of alternative status to persons who cannot be granted refugee status. Such a status is granted, if the person might face the death penalty or torture in the country of his or her prior residence. This status may be granted to persons who are unable to return to their home countries due to armed conflict. The law guarantees in particular the reuniting of families, which so far had not been regulated by the existing laws.
- The UN human rights mechanisms have indicated that the procedure of judgment appeal in the new Law is still imperfect. The deadlines are too short for the asylum seekers to defend their rights adequately.<sup>35</sup> Also, it is pointed out that the Law does not provide for the rights of children to education. The education system of refugees and asylum seekers remains unclear.
- At the moment, Latvia is not yet receiving many asylum seekers.<sup>36</sup>
- On May 1, 2003, the new *Immigration Law*<sup>37</sup> was also adopted. As the Latvian Center for Human Rights and Ethnic Studies points out, the Law is inadequate with regard to the issue of reviewing the status of the so-called illegal immigrants. The courts hear these cases superficially, and suspicions arise about an unjustified restriction of freedom of these persons, especially in the situations when the persons have lived in the territory of Latvia for years, but they do not possess documents (which often is the problem of gypsies).<sup>38</sup>
- In comparison to the 1992 law, the new law specifies the family rights to reunite. The definition of a family is broad. It may include both parents and cousins. At the same time, while a foreigner with at least one parent being a citizen of Latvia may receive an entrance visa without submitting additional documents, a person with one parent being a non-citizen of Latvia does not have such rights. Considering that the permanent residents of Latvia are citizens and non-citizens, this norm may be treated as discriminating against the non-citizens.
- All in all, one can conclude that, despite the fact that there are improvements in the regulatory enactments (which, however, have resulted from the EU pressure), significant shortcomings in both the procedural regulation and practice have remained. The government agencies dealing with the asylum seeker and illegal immigrant issues are not yet ready to observe the minimum human rights with regard to these persons. One of the fundamental problems is the attitude. The other problem is the question, not discussed on the state policy level, what should the attitude be toward the issue of non-citizens, refugees and asylum seekers in the new context of Latvia's membership in the EU, which involves a certain level of economic development and responsibility on the global level.

#### **14.5 How consistent is the government in its support for human rights and democracy abroad?**

- Latvia has not been systematically involved in supporting human rights and democracy in the world. Up until 2004, the experience of Latvian democracy building was brought to the world by selected Latvian experts and non-governmental organizations, which were involved in projects of the international organizations and the EU member states.
- An example worth considering is the summer school in Russian "Implementation of Human Rights: European and Baltic Experience", organized in 2000 by the Human Rights Institute of the University of Latvia, which was intended for lawyers from the former USSR countries, and which has become very popular in these countries over the three years. Unfortunately, in 2004, this project had to be halted, because Latvia was no longer provided with foreign funding, and the Latvian government had not yet directed itself toward such activities.

- Latvia does not have a systematic and consistent approach on the issue of punishing human rights violations in other countries of the world, and it does not have a common opinion on the mechanisms to be used to prevent such violations. So far, on the national and international level, Russia is the only country which has received Latvia's attention. However, this should be looked at more like an attempt to repulse Russia's attacks against Latvia about the Russian minority rights violations in Latvia. For example, the only statement adopted by the *Saeima* is the Statement on the Military Operations in Chechnya of 2000, which says that although terrorism is to be condemned in all its manifestations, the action of Russia's Army contradicts the OSCE principles and the Council of Europe human rights conventions, and that the conflicting parties must return to negotiations because political mechanisms are recognized as adequate ways of crisis resolution.<sup>39</sup> In December 2003 OSCE meeting the Minister of Foreign Affairs emphasized once again the position of Latvia on this issue.<sup>40</sup>
- At the same time, the Sudan's Darfour crisis of 2004 has not caused the adoption of such a statement in the *Saeima*. At the end of 2002 and the beginning of 2003, on the eve of the planned US attack on Iraq, Latvian officials and the *Saeima* did not invite the parties to continue searching for a solution by political mechanisms.
- During the December 2003 OSCE meeting of ministers of foreign affairs, Sandra Kalniete pointed out that Russia is violating its obligations of armed forces withdrawal from Moldova and is not solving the Georgia issue.<sup>41</sup> This statement, however, was related to the need to strengthen peace and security in the region that is identified as Latvia's center of attention. At the same time, the European Court of Human Rights is hearing the case on the human rights violations done by the Russian Army in the Transnistria, which could also be an element of Latvian foreign policy rhetoric. However, a careful observation of the Court of Human Rights work and the use of the Court conclusions in order to define the Latvian foreign policy position has not happened.
- Upon accepting the statement of support for the implementation of UN Security Council Resolution No. 1441, a new Latvian doctrine of support for intervention in third countries in the name of human rights protection was voiced during parliamentary debates.<sup>42</sup> It should be noted that international law does not recognize such a reason for restricting state sovereignty and territorial integrity. It remains unclear if Latvia will support intervention in all similar cases, or was the intervention in Iraq an exception, considering the desire to demonstrate a special loyalty to the United States. Why does Latvia not demand intervention in Sudan, where the situation is much more dramatic? The Latvian foreign policy so far does not indicate a consistent support for upholding human rights all over the world. However, it is not so much an issue of consistency, rather – an issue of forms and methods of government and *Saeima* action when planning its state position on the most diverse foreign policy issues. The forms and methods of action, the result of which are official statements and speeches etc., should be revised, considering the necessity to observe and to call on international law and human rights.
- Units of Latvia's National Armed Forces are carrying out peacekeeping missions in Afghanistan, the Balkans and Iraq, which indicates that at the level of political decision-making there is no opposition to sending Latvian troops to global hot spots.

#### **14.6 What measures, if any at all, are implemented to take into account the problems identified in this area by society, and how are they prioritized and supported by society?**

Since Latvia's participation in the international environment is recent, involvement of the society in the formulation and implementation of national foreign and security policy has been fragmented. On the one hand, all governments since the restoration of independence have received majority support for the implementation of foreign policy goals, i.e., membership in the EU and NATO, which was demonstrated both at the national elections by giving priority to pro-European and pro-Transatlantic parties and at the public opinion surveys which show a stable positive attitude of the majority toward unions of states so vital to Latvia. However, on the other hand, society participation in solving international issues has been insufficient between the elections and during those periods when the country made decisions on current international events (sending peace-keepers to conflict zones, beginning the war in Iraq).

Since 1999, issues related to the pace and results of the EU and NATO accession talks have dominated Latvian foreign policy. Two different practices have emerged. Although the public support of the EU has always been lower than that of NATO, it is the EU accession talks that have involved consultations with NGOs and professional associations of the respective areas. For example, the sections of the talks in which most of the transition periods have been acquired to help prepare for full-fledged action and survive the pressure of competition (agriculture, fishery, environment) were formulated with the participation of the non-governmental sector. Regarding the NATO integration policy, for its part, there has been no public involvement in discussions. Instead, informing society on the benefits of NATO membership was chosen.

The first more extensive discussions within the public space occurred in late 2002 and early 2003 regarding the start of the military action in Iraq. Although the government chose the policy of supporting the US, the public opinion was negative. The fact in itself does not make Latvia unique, because similar opinion polarization occurred in the majority of the democratic countries. Various civic activities, such as signing petitions, advertising materials, public debates, street demonstrations etc., implemented for the first time due to an international event, are particularly noteworthy. The practice of limiting discussions on international issues, which exists in Latvia, served as a reproach to the government that supporting the US and sending Latvian troops to Iraq ignored the public opinion.

The involvement of civic society and NGOs in the debates on the international dimension of democracy in Latvia became topical along with the composition of the new European Commission. Latvia was the only country where such a broad discussion on the candidate selection procedure took place. Although the Latvian Prime Minister Indulis Emsis followed an established EU practice of nominating commissioners (the Prime Minister names a candidate following consultations with the President of the European Commission), society grew dissatisfied, calling such a procedure non-democratic. During different level discussions an opinion was voiced that the EU and its member states, which have set the highest standards of democracy for themselves and others, are ignoring these standards during the commissioner nomination process by excluding society from the consultation mechanism. In this case, one can talk about the attempt of the Latvian civic society to influence the democratic procedures in the EU institutions.

The involvement of the NGO sector in the international dimension of democracy is versatile. The NGO sector can be divided into two groups:

- 1) NGOs outside international issues, but with a broad international network, which allows them to introduce international experience in Latvia and elsewhere with the support of their partners outside, to act internationally by bringing one or another democracy development-related issue to the forefront. For example, "Save the Children" and its action in the UN by preparing reports on the situation of children in Latvia. Another example – the Latvian Center for Human Rights and Ethnic Studies which, as a cooperation partner of the Helsinki Watch, works on the prevention and analysis of manifestations of the domestic and external dimensions of democracy.
- 2) The second group – NGOs that are created to support one or another state foreign policy priority. To increase the EU profile in society, to carry out informative work, the European Movement – Latvia (EML) was created. To popularize NATO ideas, the Latvian Transatlantic Organization (LATO) was established.

One of the problems is associated with the fact that there are no NGOs which are involved in a broad range of international topics and which would form as self-initiative groups. The above-mentioned organizations (EML and LATO) express the view of a certain part of society about Latvia's membership in the EU and NATO, and they are obvious lobbies of these international organizations and their policies. Both NGOs have a relatively small number of members and can, in essence, be called groups of enthusiasts. The governmental institutions – the Ministry of Defense and the Ministry of Foreign Affairs-play a large role in their establishment and development. The position of these NGOs is clearly positively oriented toward the respective institutions and the policies they implement. However, both NGOs are still not discussing broader international issues.

Two positive trends have appeared during the past 2 years:

- 1) For example, LATO has taken the initiative (not without help from the Ministries of Defense and Foreign Affairs) to promote discussions on Belarus and Russia. However, the main problem of LATO is that the organization is more influential in its action beyond Latvia, in supporting the democratic opposition within Belarus, and less active in introducing the international dimension of democracy in Latvia. Organization of seminars with a limited number of participants does not guarantee a broader introduction of international issues to the public discourse and may not claim the expression of public opinion.

- 2) The Foreign Policy Council has been established within the MFA. It includes representatives of NGOs, academia, and professional associations. A feedback link exists – the Ministry informs about the results in the foreign policy area and provides material for the introduction of international issues into public discussions.
- 3) A Council has been established for the discussion and discussion promotion on the development cooperation policy. In order to achieve that, informing the public on the necessity and essence of such policy is intended.<sup>43</sup> At the moment, it is difficult to assess its work because the Council and the Cooperation Development Policy itself are still in the preparation stage.
- 4) Representatives of NGOs and the academia have been invited to participate in the editing of the draft Guidelines of Latvian Foreign Policy.

Following the EU and NATO accession, Latvian foreign policy will be re-defined and adapted to the new situation. Public support is essential for such a process as a legitimization of the long-term task implementation in the international arena. If Latvia chooses the role of democracy exporter while society insists on a non-engagement policy, problems may occur in fulfilling the accepted obligations and in jeopardizing democracy domestically (disregard of public opinion, thereby generating public dissatisfaction) and internationally (ignorance of strengthening dictatorships).

In May 2004, the research center SKDS carried out a public opinion poll on Latvia's foreign policy. 43% of all the responding Latvian population believed that the national foreign policy should be more active. However, approximately the same number of respondents believe that Latvia's foreign policy should be more reserved (41.5%). The large percentage supporting reserved foreign policy is influenced by the war in Iraq. In comparison, in May 2002, 52.4% favored an active policy, while 31.6% favored reserved policy. In May 2003, when the war in Iraq had already started, the proportion changed, increasing the proportion of respondents favoring reservation to 49.6% and decreasing the proportion supporting active policy to 37.1%.<sup>44</sup>

In 2003, SKDS carried out a survey on the attitude toward the participation of Latvian citizens in international missions (which could only increase in number in the future instead of decreasing after the accession to NATO and the development of the EU ESDP). More than ¼ of the population (26.2%) believe that citizens of Latvia should participate in international peace missions regardless of where they occur. The opinion that Latvia should participate only when the peace missions occur in Europe was expressed with approximately the same frequency (25.4%). However, more than 1/3 of the respondents (35.2%) indicated that citizens of Latvia should not participate in peace missions.<sup>45</sup> These data testify to the ambiguous attitude of the Latvian public toward the international activities of the country, which proves the above-mentioned assumption that with such a large difference in opinions, the elite may face public opposition toward the implementation of the adopted decisions.

#### **Problems:**

- Latvian foreign policy is separated from other sectors (economy, culture, the social sphere), thereby creating an effect of isolation and alienation from society, and in practice highlighting that foreign policy is an elitist area of politics. Although with the beginning of the EU accession talks the Latvian Ministry of Foreign Affairs has paid more attention to public relations, they are used, however, to justify the actions of the MFA instead of aggregating opinions and involving society in foreign policy making. The Latvian Ministry of Defense, however, has chosen a different approach to public relations by making them its partners on relevant issues. The discussion on the radar placement in Audrini, where the local population was involved in the decision-making, including direct introduction of the village population with the operation of the same type of an installation in Berlin, might be an excellent example.
- There are no discussions on international issues in the public space of Latvia. The exchange of opinions on current world events occurs only when a crisis situation appears. Therefore, the attention of society is locked onto the fact itself instead of the causes and international consequences of the crisis or event in question.
- The tradition to look at foreign policy as a resource, including a resource for strengthening democracy, has not been established in the economic structures of Latvia.
- The lack of analytic media on international issues in Latvia. This leaves a negative impact on the increase of society competency, the increase of interest in international processes. At the same time, no public space, filled by diversity of opinion, is created, which would serve as the controller of the political elite as well as the influencer of decision-making on internationally significant issues.

- The public diplomacy practice, which is an important element of the international dimension of democracy and which facilitates societal involvement in international relations, is in an embryonic state.
- The acuteness of domestic issues (unaligned social sphere, low income level, etc.) hinders the expansion of debates on international issues.
- There are no discussions on international issues at the level of the political elite as well. Latvia has no practice of regular parliamentary debates, which would also stimulate society discussion on international processes and Latvia's role in them.
- Latvia, getting increasingly involved in international processes, will have to face the problem that is central to the foreign policy of all states – during certain periods the politicians must ignore public opinion in order to achieve the set goal in the long term. The decisions may be unpleasant to society. Therefore, in this situation, the provision of information on the particular fact and the broader context in general is the most important thing. The involvement of society in discussions on international processes minimizes the element of shock, which the unpopular decision may create.

#### Solutions:

- The establishment of public debate practice on international issues, involving the academic community, mass media, NGOs.
- Utilization of regional cooperation, because that is where community, state and regional interests meet, with a further involvement in the international environment.
- Increasing the role of the parliament in assessing international issues – parliamentary debates are important for both the consolidation of politicians for the achievement of specific tasks and for involving society in the debates.
- Activization of selected ministries and NGOs in singling out international elements of their activities and their coordination.
- Involvement of NGOs in the implementation of initiatives related to international issues.
- Considering the far-reaching state obligations in human rights, highlighting of the project preparation annotation section on project compliance with human rights obligations would be necessary.
- The development and implementation of training programs in international law for officials.
- Further domestic consolidation of democracy will facilitate its international expansion. In the case of Latvia, economic growth, provision of social stability, development of an integrated society, increase of social cohesion, development of modern education and science, as well as regional development, through which the export of democracy on the cross-regional cooperation level might take place, are particularly important.

#### Chapter 14 Assessment Summary

	Very Good	Good	Satisfactory	Poor	Very Poor
14.1.			X		
14.2.		X			
14.3.		X			
14.4.		X			
14.5.			X		

#### Best Feature:

Latvia has joined the European Union and NATO, which limits the negative influence of external agencies on the domestic political processes and increases Latvia's chances of utilizing opportunities provided by its membership in the union of the 25 strongest and most developed states.

#### Most Serious Problem:

Latvia has not developed midterm and long-term foreign policy, considering the opportunities provided by the EU and NATO membership. Instead of purposeful expression and defense of interests, based on broad



situation and process analysis, the “defense” posture still dominates when acting in international organizations. International law as a means of implementation and regulation of international politics is underestimated.

### Suggested Improvement:

- 1) To launch systematic parliamentary discussions of Latvian foreign policy;
- 2) The foreign policy is not the responsibility of the Ministry of Foreign Affairs alone. A successful State action in the international arena can be realized only by maintaining a regular coordination between the sectoral ministries;
- 3) Conducting academic research on State activities in the international environment;
- 4) The development and implementation of training programs in international law for state officials;
- 5) To give greater attention to the coordination of public administration activities in crisis situations;
- 6) Use of unified standards to support democracy abroad.

### REFERENCES

- <sup>1</sup> The authorized and unauthorized influence of external factors on the foreign and domestic policy should be separated from each other. Different relations with international actors may form especially in countries in the process of transition from one political and economic regime to another. The state may either involve them as promoters of development, or decline them.
- <sup>2</sup> Questions for the assessment of the society democratisation dynamics. Riga: Baltic Institute of Social Sciences, October 2004, p. 19.
- <sup>3</sup> *Ibid*, p. 23.
- <sup>4</sup> *Ibid*, p. 19.
- <sup>5</sup> Trust in international agencies is quite similar among all the surveyed social groups. The only visible difference is in the attitude toward NATO among the largest ethnic groups. 51.8% of Latvians trust in NATO (distrust 20.5%) and only 17.6% of Russians trust the alliance (58.5% distrust). This percentage difference is associated with historical experience, the chosen policies of the external agencies (NATO and Russia) as well as the way of communicating these policies, and a series of domestic factors – social isolation, the economic situation in various regions of Latvia, etc.
- <sup>6</sup> *Ibid*, pp. 23–24.
- <sup>7</sup> Report on the Economic Development of Latvia. Riga: Ministry of Economics, June 2004, p. 47.
- <sup>8</sup> *Ibid*, p. 48.
- <sup>9</sup> <http://www.mfa.gov.lv/lv/Arpolitika/Attistibas-sadarbiba/pamatnostadnes/> Downloaded on September 23, 2004.
- <sup>10</sup> <http://www.mfa.gov.lv/lv/Arpolitika/Attistibas-sadarbiba/plans-2005/> Downloaded on September 23, 2004.
- <sup>11</sup> <http://www.mfa.gov.lv/lv/Arpolitika/Attistibas-sadarbiba/pamatnostadnes/> Downloaded on September 23, 2004.
- <sup>12</sup> *Ibid*.
- <sup>13</sup> *Ibid*.
- <sup>14</sup> See the Latvia Human Development Report. Human Security. Riga: UNDP, 2002/2004, pp. 110–111; 118–119.
- <sup>15</sup> <http://www.mfa.gov.lv/lv/Arpolitika/Attistibas-sadarbiba/plans-2005/> Downloaded on September 23, 2004.
- <sup>16</sup> <http://lnweb18.worldbank.org/ECA/eca.nsf/ExtECADocbyUnid/1E8E5F8BB1472A878...> Downloaded on September 8, 2004.
- <sup>17</sup> *Ibid*.
- <sup>18</sup> <http://www.imf.org/external/np/ms/2004/042904.htm>. Downloaded on September 12, 2004.
- <sup>19</sup> See: LR MK sēdes protokols Nr. 14 (Cabinet Meeting protocol), 18.03.2004, 12 §.
- <sup>20</sup> For more detail see Ziemele, I. Mazākumgrupu tiesiskās aizsardzības nodrošināšana Latvijā: dažas mācību stundas Eiropai. *Likums un Tiesības*, 2001, 3. sēj., Nr. 10 (26), 290.–298. lpp.
- <sup>21</sup> Since the end of 2002, a range of questions in this context have been received and answered by the expert of the Charter of Fundamental Rights of the European Union of the EU group of independent experts. See partially the 2003 report on the implementation of the Charter of Fundamental Rights of the EU in Latvia, available at the [www.politika.lv](http://www.politika.lv).
- <sup>22</sup> Since 2002, Latvia has tried twice to propose its expert for two expert commissions – the UN Racial Discrimination Elimination Committee and the COE Social Charter Experts Committee. The initiatives are commendable, yet, apparently, there is a lack of experience and strategic approach to these tasks.
- <sup>23</sup> See: *Cilvēktiesību Žurnāls*, # 2, 1996.
- <sup>24</sup> See: CCPR/C/LVA/2002/2, November 29, 2002. The Committee permits countries to unite reports, if they have missed the previous report submission deadline. Thus, Latvia has had to report on the Covenant five times already. Yet, it has reported only twice, while five reports have been submitted.
- <sup>25</sup> See: CERD/C/398/Add.2, June 6, 2002.
- <sup>26</sup> See: CRC/C/11/Add.22, March 22, 2000 (owing obligation since 1994).
- <sup>27</sup> See: [www.politika.lv](http://www.politika.lv). The reports, while still in the draft stage, are published in the portal.

- <sup>28</sup> Latvia has still not recognized the jurisdiction of the International Criminal Court.
- <sup>29</sup> See: Kyoto Protocol to the UN Framework Convention on Climate Change, 10 December 1997, *International Legal Materials*, 37, 1998, p. 32. Latvia ratified the Kyoto Protocol on May 30, 2002. See: *Latvijas Vēstnesis*, Nr. 89, 13.06.2002.
- <sup>30</sup> For a summary of international treaties ratified by Latvia (up to 1995), or which it has acceded to, see: *Latvija. Starptautiskās organizācijas. Starptautiskie līgumi (Latvia. International Organizations. International Treaties, edition of the 5th Saeima)*, Rīga: 5. Saeimas izdevums, 1995, as well as the Internet home page of the Latvian Ministry of Foreign Affairs.
- <sup>31</sup> Saeimas Paziņojums (*Saeima Statement*), 19.03.2003.
- <sup>32</sup> The law adopted on September 16, 1999, published in "Latvijas Vēstnesis", # 325/327, 05.10.1999.
- <sup>33</sup> The law adopted on June 19, 1997, published in "Latvijas Vēstnesis", # 171, 04.07.1997.
- <sup>34</sup> The law adopted on September 1, 2002, published in "Latvijas Vēstnesis", # 48, 27.03.2002.
- <sup>35</sup> CCPR/CO/79/LVA, point 9.
- <sup>36</sup> There are 8 refugees in the country. The Office of Citizenship and Migration Affairs reports that from January 2003 to October 2003 five applications have been received. Three persons were granted the alternative status. See: [http://www.pmlp.gov.lv/?\\_p=309&menu\\_id=15](http://www.pmlp.gov.lv/?_p=309&menu_id=15) See also: Latvian Centre for Human Rights and Ethnic Studies. *Cilvēktiesības Latvijā 2003.gadā (Human Rights in Latvia 2003)*. April 2004, p. 19.
- <sup>37</sup> The law adopted on May 1, 2003, published in "Latvijas Vēstnesis", # 169, 20.11.2002.
- <sup>38</sup> See: Latvian Center for Human Rights and Ethnic Studies. *Cilvēktiesības Latvijā 2003.gadā (Human Rights in Latvia 2003)*. April 2004, p. 20.
- <sup>39</sup> Saeimas Paziņojums (*Saeima Statement*), 20.01.2000. Published in "Latvijas Vēstnesis", # 20/21, 25.01.2000.
- <sup>40</sup> The summary of Latvian foreign policy statements, in accordance with their legal consequences, is published in the *Baltijas Starptautisko tiesību gadagrāmatā (Baltic Yearbook of International Law, 4th edition)*, 4.sējums, 2004 (published at the end of the year).
- <sup>41</sup> Ibid.
- <sup>42</sup> See: Saeimas stenogramma (*Saeima minutes*). *Latvijas Vēstnesis*, 25.11.2003.
- <sup>43</sup> Ibid.
- <sup>44</sup> [http://www.skds.lv/doc/Latvijas\\_arpolitika\\_SKDS\\_052004.doc](http://www.skds.lv/doc/Latvijas_arpolitika_SKDS_052004.doc).
- <sup>45</sup> [http://www.skds.lv/doc/Latvijas\\_arpolitika\\_SKDS\\_082003.doc](http://www.skds.lv/doc/Latvijas_arpolitika_SKDS_082003.doc).

# Appendices



## **International IDEA Democracy Assessment Questionnaire**

### **Part One. CITIZENSHIP, LAW AND RIGHTS**

#### **1. Nationhood and Citizenship**

*Is there public agreement on a common citizenship without discrimination?*

- 1.1 How inclusive is the political nation and state citizenship of all who live within the territory?
- 1.2 To what extent are cultural differences acknowledged, and how well are minorities protected?
- 1.3 How much consensus is there on state boundaries and constitutional arrangements?
- 1.4 To what extent do constitutional and political arrangements enable major societal divisions to be moderated or reconciled?
- 1.5 How impartial and inclusive are the procedures for amending the constitution?

#### **Summary Assessment: Direction During the Past Five Years**

	Very High	High	Satisfactory	Low	Very Low
1.1					
1.2					
1.3					
1.4					
1.5					

**Best Feature**

**Most Serious Problem**

**Suggested Improvement\***

\* A table summarizing the assessment of the questions covered in the respective section, as well as the expert conclusions regarding the best feature, the most serious problem and the suggested improvements can be found at the end of all 14 sections.

#### **2. The Rule of Law and Access to Justice**

*Are state and society consistently subject to the law?*

- 2.1 To what extent is the rule of law operative throughout the territory?
- 2.2 To what extent are all public officials subject to the rule of law and to transparent rules in the performance of their functions?
- 2.3 How independent are the courts and the judiciary from the executive, and how free are they from all kinds of interference?

- 2.4 How equal and secure is the access of citizens to justice, to due process and to redress in the event of maladministration?
- 2.5 To what extent do the criminal justice and penal systems observe due rules of impartial and equitable treatment in their operations?
- 2.6 How much confidence do people have in the legal system to deliver fair and effective justice?

### 3. Civil and Political Rights

*Are civil and political rights equally guaranteed for all?*

- 3.1 How free are all people from physical violation of their person, and from fear of it?
- 3.2 How effective and equal is the protection of the freedoms of movement, expression, association and assembly?
- 3.3 How secure is the freedom for all to practise their own religion, language or culture?
- 3.4 How free from harassment and intimidation are individuals and groups working to improve human rights?
- 3.5 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

### 4. Economic and Social Rights

*Are economic and social rights equally guaranteed for all?*

- 4.1 To what extent is access to work or social security available to all, without discrimination?
- 4.2 How effectively are the basic necessities of life guaranteed, including adequate food, shelter and clean water?
- 4.3 To what extent is the health of the population protected, in all spheres and stages of life?
- 4.4 How extensive and inclusive is the right to education, including education in the rights and responsibilities of citizenship?
- 4.5 How free are trade unions and other work-related associations to organise and represent their members' interests?
- 4.6 How rigorous and transparent are the rules on corporate governance, and how effectively are corporations regulated in the public interest?

## Part Two. REPRESENTATIVE AND ACCOUNTABLE GOVERNMENT

### 5. Free and Fair Elections

*Do elections give the people control over governments and their policies?*

- 5.1 To what extent is appointment to governmental and legislative office determined by popular competitive election, and how frequently do elections lead to change in the governing parties or personnel?
- 5.2 How inclusive and accessible for all citizens are the registration and voting procedures, how independent are they of government and party control, and how free from intimidation and abuse?
- 5.3 How fair are the procedures for the registration of candidates and parties, and to what extent is there fair access for them to the media and other means of communication with the voters?
- 5.4 How effective a range of choice does the electoral and party system allow the voters, how equally do their votes count, and how closely does the composition of the legislature and the selection of the executive reflect the choices they make?

- 5.5 To what extent does the legislature reflect the social composition of the electorate?
- 5.6 To what extent do the political forces in and outside the country accept the electorate votes and the election results?

## 6. Democratic Role of Political Parties

*Does the party system assist the working of democracy?*

- 6.1 How freely are parties able to form, recruit members and campaign for office?
- 6.2 How effective is the party system in forming and sustaining governments in office?
- 6.3 How free are opposition or non-governing parties to organise within the legislature, and how effectively do they contribute to government accountability?
- 6.4 How fair and effective are the rules governing party discipline in the legislature?
- 6.5 To what extent are parties effective membership organisations, and how far are members able to influence party policy and candidate selection?
- 6.6 To what extent does the system of party financing prevent the subordination of parties to special interests?
- 6.7 To what extent do parties cross ethnic, religious and linguistic divisions?
- 6.8 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

## 7. Government Effectiveness and Accountability

*Is government accountable to the people and their representatives?*

- 7.1 To what extent is the elected government able to influence or control those matters that are important to the lives of its people, and how well is it informed, organised and resourced to do so?
- 7.2 How much public confidence is there in the effectiveness of government and its political leadership?
- 7.3 How effective and open to scrutiny is the control exercised by elected leaders and their ministers over their administrative staff and other executive agencies?
- 7.4 How extensive and effective are the powers of the legislature to initiate, scrutinise and amend legislation?
- 7.5 How extensive and effective are the powers of the legislature to scrutinise the executive and hold it to account?
- 7.6 How rigorous are the procedures for approval and supervision of taxation and public expenditure?
- 7.7 How comprehensive and effective is legislation giving citizens the right of access to government information?
- 7.8 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

## 8. Civilian Control of the Military and Police

*Are the military and police forces under civilian control?*

- 8.1 How effective is civilian control over the armed forces, and how free is political life from military involvement?
- 8.2 How publicly accountable are the police and security services for their activities?
- 8.3 To what extent does the composition of the army, police and security services reflect the social composition of society at large?
- 8.4 How free is the country from the operation of paramilitary units, private armies, warlordism and criminal mafias?

## 9.0 Minimizing Corruption

*Are public officials free from corruption?*

- 9.1 How effective is the separation of public office, elected and unelected, from party advantage and the personal business and family interests of office holders?
- 9.2 How effective are the arrangements for protecting office holders and the public from involvement in bribery?
- 9.3 To what extent do the rules and procedures for financing elections, candidates and elected representatives prevent their subordination to sectional interests?
- 9.4 To what extent is the influence of powerful corporations and business interests over public policy kept in check, and how free are they from involvement in corruption, including overseas?
- 9.5 How much confidence do people have that public officials and public services are free from corruption?

## Part THREE. CIVIL SOCIETY AND POPULAR PARTICIPATION

### 10. The Media In a Democratic Society

*Do the media operate in a way that sustains democratic values?*

- 10.1 How independent are the media from government, how pluralistic is their ownership, and how free are they from subordination to foreign governments or multinational companies?
- 10.2 How representative are the media of different opinions and how accessible are they to different sections of society?
- 10.3 How effective are the media and other independent bodies in investigating government and powerful corporations?
- 10.4 How free are journalists from restrictive laws, harassment and intimidation?
- 10.5 How free are private citizens from intrusion and harassment by the media?

### 11. Political Participation

*Is there full citizen participation in public life?*

- 11.1 How extensive is the range of voluntary associations, citizen groups, social movements etc. and how independent are they from government?
- 11.2 How extensive is citizen participation in voluntary associations and self-management organisations, and in other voluntary public activity?
- 11.3 To what extent do women participate in political life and public office at all levels?
- 11.4 How equal is access for all social groups to public office, and how fairly are they represented within it?

### 12. Government Responsiveness

*Is government responsive to the concerns of its citizens?*

- 12.1 How open and systematic are the procedures for public consultation on government policy and legislation, and how equal is the access for relevant interests to government?
- 12.2 How accessible are elected representatives to their constituents?
- 12.3 How accessible and reliable are public services for those who need them, and how systematic is consultation with users over service delivery?
- 12.4 How much confidence do people have in the ability of government to solve the main problems confronting society, and in their own ability to influence it?



### 13.0 Decentralisation

*Are decisions made at a level of government that is most appropriate for the people affected?*

- 13.1 How independent are the sub-central tiers of government from the centre, and how far do they have the powers and resources to carry out their responsibilities?
- 13.2 How far are these levels of government subject to free and fair electoral authorisation, and to the criteria of openness, accountability and responsiveness in their operation?
- 13.3 How extensive is the co-operation of government at the most local level with relevant partners, associations and communities in the formation and implementation of policy, and in service provision?

## Part Four. DEMOCRACY BEYOND THE STATE

### 14. International Dimensions of Democracy

*Are the country's external relations conducted in accordance with democratic norms, and is it itself free from external subordination?*

- 14.1 How free is the governance of the country from subordination to external agencies, economic, cultural or political?
- 14.2 To what extent are government relations with external donors based on principles of partnership and transparency?
- 14.3 To what extent does the government support UN human rights treaties and respect international law?
- 14.4 To what extent does the government respect its international obligations in its treatment of refugees and asylum seekers, and how free from arbitrary discrimination is its immigration policy?
- 14.5 How consistent is the government in its support for human rights and democracy abroad?
- 14.6 What measures, if any, are being taken to remedy publicly identified problems in this field, and what degree of political priority and public support do they have?

### Summary Assessment: Direction During the Past Five Years

	Very Good	Good	Satisfactory	Poor	Very Poor
1.1		X <sup>1</sup>		X <sup>2</sup>	
1.2			X		
1.3		X <sup>3</sup>	X <sup>4</sup>		
1.4		X			
1.5		X			
2.1		X			
2.2			X		
2.3			X		
2.4					X
2.5			X		
2.6				X	
3.1			X		
3.2			X		
3.3			X		
3.4		X			
3.5			X		
4.1			X		
4.2				X	
4.3					X
4.4		X			
4.5			X		
4.6			X		
5.1	X				
5.2		X			
5.3				X	
5.4		X			
5.5			X		
5.6	X				
6.1		X			
6.2				X	
6.3		X			
6.4		X			
6.5				X	
6.6					X
6.7				X	
6.8.			X		

<sup>1</sup> Legislation.

<sup>2</sup> Actual situation.

<sup>3</sup> Constitutional norms.

<sup>4</sup> Borders.

	Very Good	Good	Satisfactory	Poor	Very Poor
7.1			X		
7.2					X
7.3			X		
7.4				X	
7.5				X	
7.6			X		
7.7				X	
7.8			X		
8.1		X			
8.2			X		
8.3		X			
8.4			X		
9.1				X	
9.2				X	
9.3			X		
9.4					X
9.5				X	
10.1			X		
10.2			X		
10.3				X	
10.4				X	
10.5		X			
11.1			X		
11.2			X		
11.3			X		
11.4					
12.1			X		
12.2		X			
12.3			X		
12.4			X		
13.1			X		
13.2		X			
13.3			X		
13.4				X	
14.1			X		
14.2		X			
14.3			X		
14.4			X		
14.5			X		
Together:					
<b>75</b>	<b>2</b>	<b>18</b>	<b>35</b>	<b>16</b>	<b>5</b>



Baltic Institute of Social Sciences

**QUESTIONS TO ASSESS  
THE DYNAMICS OF  
SOCIETY DEMOCRATIZATION**

TABLE REPORT

October, 2004



## SURVEY DESCRIPTION

Direct interviews at the place of residence of the respondents were the method used for the public opinion poll. The multi-stage random stratified sampling representing the total of Latvia's population aged between 15 and 74 years was used as a method of selection for this survey. The poll was carried out by choosing 104 survey points in proportion to the number of people in all regions of Latvia. The size of the sample – 1002 respondents. Interviews were conducted by 80 interviewers. The period of the poll: September 30 – October 21, 2004.

### *Description of the Selection Procedure*

In the first stage of selection, survey points were selected randomly with the help of a computer program in proportion with the number of population. In the second stage of selection, a variation of the random selection – the route method was used. The starting addresses of the route method were selected randomly from the Population Register.

In the route method the interviewer begins his or her work at the designated address and proceeds along one side of the designated street (even-numbered addresses are visited in ascending order, odd-numbered addresses – in descending order), trying to conduct an interview in every fifth apartment or every third private house (in the country – every country estate located within the indicated survey point). The interviewer must re-visit the addresses included in the selection with no one at home or respondents not ready for the interview.

Respondents for the poll are chosen by using the “principle of the youngest male”, according to which the interviewer asks the youngest male in the family to participate in the poll first. If there is none, then – the youngest female. Such a method of selection ensures proportional representation of both genders and all ages of Latvia's population, since 1) a disproportion in the number of men and women exists in the population of Latvia; and 2) it is considerably more difficult to meet young people at their place of residence than people of older age.

In 10% of cases the quality of the interviews is tested by way of mail-in questionnaires and by reviewing the questionnaires.

In all the stages the survey was carried out in accordance with the quality and professional ethics requirements of the European Society for Opinion Market Research Code.

### *Analysis of Contacts with the Family of the Potential Respondents*

As a part of the survey the interviewers visited 1964 addresses, in 387 of which no one was at home, 138 were uninhabited apartments.

As shown in Table 2, in 1439 of the 1964 addresses the interviewers made contact with the family of the potential respondent. In 25 cases the interviewer refused to interview the potential respondents; in 63 cases the family refused to admit the interviewer inside the apartment and to participate in the interview; in 335 cases the potential respondents refused to provide the interview due to unwillingness, lack of time, fatigue or illness; in 13 cases the potential respondent was not at home.

Table 1

Total number of addresses visited:	1964
1) uninhabited apartments:	138
2) not at home:	387

Table 2

Contacts with the family of the potential respondent:	1439
1) interviews	1002
2) interviews do not take place, because of:	
a) family refusal:	63
b) respondent refusal:	335
c) interviewer refusal:	25
d) potential respondent not at home:	13
e) incomplete interview:	1

*Description of the Table Report*

The table report includes both simple tables – the division of responses to each question – and the cross-tables – the division of responses among different sociodemographic groups. The tables are prepared by using SPSS 12.0 for Windows. The table report was prepared by *mag. soc.* Jolanta Krišāne.



## SIMPLE TABLES

### 1. Assessment of Minority Rights Protection in Latvia

		ALL	
		*****	
		Count	Col %
How do you evaluate the Minority Rights Protection in our country?	Very good	76	7.6
	Good	284	28.3
	Satisfactory	348	34.7
	Poor	189	18.9
	Very poor	57	5.7
	Difficult to say, no answer	48	4.8
Total		1002	100.0

*Base: all respondents, n=1002*

### 2. Assessment of State Support for Opportunities of Minority Culture Development

		ALL	
		*****	
		Count	Col %
Does the State, in your opinion, provide sufficient support for opportunities of minority culture development ?	Support is too great, it should be decreased	35	3.5
	Support is sufficient	509	50.8
	Support is insufficient, it should be increased	377	37.6
	D/S, N/A	81	8.1
Total		1002	100.0

*Base: all respondents, n=1002*

### 3. Applying to a Court in Cases of State or Local Government Misadministration

		ALL	
		*****	
		Count	Col %
Would you apply to a court, if a state or local government institution had caused you damage?	Yes	473	47.2
	No	372	37.1
	D/S, N/A	157	15.7
Total		1002	100.0

*Base: all respondents, n=1002*

#### 4. Characterization of the Functions of Various Institutions

##### 4.1 Evaluation of the Courts

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: COURT	Operates in accordance with the laws, professionally	343	34.2
	Operation dependent on business influence	332	33.1
	Employees often incompetent, their activities are ineffective	246	24.6
	D/S, N/A	118	11.8

Base: all respondents, n=1002

Multiple choice question, total %>100

##### 4.2 Evaluation of the Operation of Political Parties

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: POLITICAL PARTIES	Operate in accordance with the laws, professionally	89	8.9
	Operation dependent on business influence	549	54.8
	Employees often incompetent, their activities are ineffective	293	29.2
	D/S, N/A	122	12.2

Base: all respondents, n=1002

Multiple choice question, total %>100

##### 4.3 Evaluation of the Government

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: GOVERNMENT	Operates in accordance with the laws, professionally	180	18.0
	Operation dependent on business influence	418	41.7
	Employees often incompetent, their activities are ineffective	337	33.6
	D/S, N/A	111	11.1

Base: all respondents, n=1002

Multiple choice question, total %>100

**4.4 Evaluation of the Parliament (Saeima)**

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: the SAEIMA	Operates in accordance with the laws, professionally	170	17.0
	Operation dependent on business influence	411	41.0
	Employees often incompetent, their activities are ineffective	311	33.0
	D/S, N/A	127	12.7

Base: all respondents, n=1002  
Multiple choice question, total %>100

**4.5 Evaluation of the Police**

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: POLICE	Operates in accordance with the laws, professionally	335	33.4
	Operation dependent on business influence	303	30.2
	Employees often incompetent, their activities are ineffective	308	30.7
	D/S, N/A	92	9.2

Base: all respondents, n=1002  
Multiple choice question, total %>100

**4.6 Evaluation of the Operation of Civil Service**

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: CIVIL SERVICE	Operates in accordance with the laws, professionally	201	20.1
	Operation dependent on business influence	327	32.6
	Employees often incompetent, their activities are ineffective	343	34.2
	D/S, N/A	165	16.5

Base: all respondents, n=1002  
Multiple choice question, total %>100

#### 4.7 Evaluation of the Mass Media

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: the MASS MEDIA	Operates in accordance with the laws, professionally	442	44.1
	Operation dependent on business influence	379	37.8
	Employees often incompetent, their activities are ineffective	113	11.3
	D/S, N/A	98	9.8

Base: all respondents, n=1002

Multiple choice question, total %>100

#### 4.8 Evaluation of Local Governments

		ALL	
		*****	
		Count	Col %
How would you describe the operation of the following institutions: LOCAL GOVERNMENTS	Operates in accordance with the laws, professionally	387	38.6
	Operation dependent on business influence	308	30.7
	Employees often incompetent, their activities are ineffective	201	20.1
	D/S, N/A	134	13.4

Base: all respondents, n=1002

Multiple choice question, total %>100

### 5. Bribery

#### 5.1 Bribery in Courts

		ALL	
		*****	
		Count	Col %
Have you or your acquaintances paid for a favourable outcome... in a COURT	Have paid	81	8.1
	Have not paid	900	89.8
	D/S, N/A	21	2.1
Total		1002	100.0

Base: all respondents, n=1002

**5.2 Bribery in the Ministries**

		ALL	
		*****	
		Count	Col %
Have you or your acquaintances paid for a favourable outcome... in the MINISTRIES	Have paid	20	2.0
	Have not paid	966	96.4
	D/S, N/A	16	1.6
Total		1002	100.0

Base: all respondents, n=1002

**5.3 Bribery in the Police**

		ALL	
		*****	
		Count	Col %
Have you or your acquaintances paid for a favourable outcome... in the POLICE	Have paid	269	26.8
	Have not paid	719	71.8
	D/S, N/A	14	1.4
Total		1002	100.0

Base: all respondents, n=1002

**5.4 Bribery in the Civil Service**

		ALL	
		*****	
		Count	Col %
Have you or your acquaintances paid for a favourable outcome... in CIVIL SERVICE	Have paid	145	14.5
	Have not paid	831	82.9
	D/S, N/A	26	2.6
Total		1002	100.0

Base: all respondents, n=1002

**5.5 Bribery in the Local Governments**

		ALL	
		*****	
		Count	Col %
Have you or your acquaintances paid for a favourable outcome... in LOCAL GOVERNMENTS	Have paid	114	11.4
	Have not paid	861	85.9
	D/S, N/A	27	2.7
Total		1002	100.0

Base: all respondents, n=1002

### 6. Sense of Security in One's Own Town, Parish During Nighttime

		ALL	
		*****	
		Count	Col %
How secure do you feel walking in your town, parish during nighttime?	Completely secure	131	13.1
	Rather secure	344	34.3
	Rather insecure	340	33.9
	Completely insecure	179	17.9
	D/S, N/A	8	0.8
Total		1002	100.0

Base: all respondents, n=1002

### 7. Opportunities for Minorities to Develop Their Language and Culture in Latvia

		ALL	
		*****	
		Count	Col %
How would you evaluate the opportunities for minorities to develop their language and culture in Latvia?	Very good	101	10.1
	Good	328	32.7
	Satisfactory	357	35.6
	Poor	143	14.3
	Very poor	41	4.1
	D/S, N/A	32	3.2
Total		1002	100.0

Base: all respondents, n=1002

### 8. Opportunities for Latvians to Develop Their Language and Culture in Latvia

		ALL	
		*****	
		Count	Col %
How would you evaluate the opportunities for Latvians to develop their language and culture in Latvia?	Very good	254	25.3
	Good	514	51.3
	Satisfactory	182	18.2
	Poor	20	2.0
	Very poor	6	0.6
	D/S, N/A	26	2.6
Total		1002	100.0

Base: all respondents, n=1002

## 9 Refusal

### 9.1 Giving Up Food Products

		ALL	
		*****	
		Count	Col %
Has your family had to give up the following during the past 12 months: food products	Often	92	9.2
	Sometimes	213	21.3
	Rarely	205	20.5
	Never	487	48.6
	D/S, N/A	5	0.5
Total		1002	100.0

Base: all respondents, n=1002

### 9.2 Giving Up Heating, Electricity

		ALL	
		*****	
		Count	Col %
Has your family had to give up the following during the past 12 months: heating, electricity	Often	38	3.8
	Sometimes	98	9.8
	Rarely	133	13.3
	Never	726	72.5
	D/S, N/A	7	0.7
Total		1002	100.0

Base: all respondents, n=1002

### 9.3 Giving Up Clothing or Footwear That Is Truly Necessary

		ALL	
		*****	
		Count	Col %
Has your family had to give up the following during the past 12 months: clothing or footwear that was truly necessary	Often	127	12.7
	Sometimes	258	25.7
	Rarely	234	23.4
	Never	381	38.0
	D/S, N/A	2	0.2
Total		1002	100.0

Base: all respondents, n=1002

#### 9.4 Giving Up Medicine, Medical Aid

		ALL	
		*****	
		Count	Col %
Has your family had to give up the following during the past 12 months: medicine, medical aid	Often	135	13.5
	Sometimes	195	19.5
	Rarely	218	21.8
	Never	443	44.2
	D/S, N/A	11	1.1
Total		1002	100.0

Base: all respondents, n=1002

#### 10. Were the Last Saeima Elections Free?

		ALL	
		*****	
		Count	Col %
Would you say, ingeneral, the last Saeima elections were free?	Yes	547	54.6
	No	224	22.4
	D/S, N/A	231	23.1
Total		1002	100.0

Base: all respondents, n=1002

#### 11. Participation in the Saeima Elections

		ALL	
		*****	
		Count	Col %
Did you participate in the last Saeima elections?	Yes	569	72.8
	No	205	26.2
	D/S, N/A	8	1.0
Total		782	100.0

Base: respondents who are citizens of Latvia, n=782



## 12. The Party Voted For in the Last Saeima Elections

		ALL	
		*****	
		Count	Col %
Which political party did you vote for?	Jaunais Laiks ( <i>New Era</i> )	167	29.3
	PCTVL ( <i>For Human Rights in a United Latvia</i> )	76	13.4
	Tautas partija ( <i>People's Party</i> )	78	13.7
	Latvijas Pirmā partija ( <i>Latvia's First Party</i> )	47	8.3
	Zaļo un Zemnieku savienība ( <i>Green and Farmers' Union</i> )	64	11.2
	TB/LNNK ( <i>For Fatherland and Freedom</i> )	43	7.6
	Other	36	6.3
	Do not remember	38	6.7
	No answer	20	3.5
Total		569	100.0

Base: respondents who participated in the Saeima elections, n=569

## 13. Did the Party Live Up to Your Expectations?

		ALL	
		*****	
		Count	Col %
Did the party you voted for live up to your expectations?	Yes, completely	32	5.6
	Yes, partially	279	49.0
	Did not, completely	192	33.7
	D/S, N/A	66	11.6
Total		569	100.0

Base: respondents who participated in the Saeima elections, n=569

## 14. Participation in Protest Actions and Meeting with People's Representatives

### 14.1 Participation in Protest Campaigns

		ALL	
		*****	
		Count	Col %
Have you participated in protest campaigns during the past 3 years?	Yes	94	9.4
	No	904	90.2
	D/S, N/A	4	0.4
Total		1002	100.0

Base: all respondents, n=1002

### 14.2 Meetings With Deputies, Ministers or Civil Servants Regarding Political Issues

		ALL	
		*****	
		Count	Col %
Have you met with deputies, ministers or civil servants regarding some political issue during the past 3 years?	Yes	71	7.1
	No	927	92.5
	D/S, N/A	4	0.4
Total		1002	100.0

Base: all respondents, n=1002

### 14.3 Meetings With Local Government Deputies Regarding Political Issues

		ALL	
		*****	
		Count	Col %
Have you met with local government deputies regarding some political issue during the past 3 years?	Yes	94	9.4
	No	905	90.3
	D/S, N/A	3	0.3
Total		1002	100.0

Base: all respondents, n=1002

### 15. Satisfaction With the Development of Democracy in Latvia

		ALL	
		*****	
		Count	Col %
In general, how satisfied are you with the development of democracy in our country?	Very satisfied	22	2.2
	Quite satisfied	304	30.3
	Rather dissatisfied	448	44.7
	Very dissatisfied	169	16.9
	D/S, N/A	59	5.9
Total		1002	100.0

Base: all respondents, n=1002

## 16. Statements

### 16.1 In General, the Government Takes the Public Opinion Into Account

		ALL	
		*****	
		Count	Col %
In general, the government takes the public opinion into account	Fully agree	34	3.4
	Partially agree	284	28.3
	Partially disagree	303	30.2
	Fully disagree	356	35.5
	D/S, N/A	25	2.5
Total		1002	100.0

Base: all respondents, n=1002

### 16.2 People in High Public Positions Usually Are Concerned More About Their Own Rather Than Public Benefit

		ALL	
		*****	
		Count	Col %
People in high public positions usually are concerned more about their own rather than public benefit	Fully agree	549	54.8
	Partially agree	331	33.0
	Partially disagree	72	7.2
	Fully disagree	19	1.9
	D/S, N/A	31	3.1
Total		1002	100.0

Base: all respondents, n=1002

### 16.3 A Few Strong Leaders Will Do More Good To Latvia Than All the Laws and Discussions Combined

		ALL	
		*****	
		Count	Col %
A few strong leaders will do more good to our country than all the laws and discussions combined	Fully agree	225	22.5
	Partially agree	361	36.0
	Partially disagree	166	16.6
	Fully disagree	113	11.3
	D/S, N/A	137	13.7
Total		1002	100.0

Base: all respondents, n=1002

#### 16.4 The Leading Newspapers in the Country Should Definitely Support the Government Opinion

		ALL	
		*****	
		Count	Col %
The leading newspapers in the country should definitely support the government opinion	Fully agree	89	8.9
	Partially agree	165	16.5
	Partially disagree	277	27.6
	Fully disagree	393	39.2
	D/S, N/A	78	7.8
Total		1002	100.0

Base: all respondents, n=1002

#### 16.5 There Should Be Various Press Publications in the Country That Reflect Different Political Opinions

		ALL	
		*****	
		Count	Col %
There should be various press publications in the country that reflect different political opinions	Fully agree	594	59.3
	Partially agree	309	30.8
	Partially disagree	49	4.9
	Fully disagree	19	1.9
	D/S, N/A	31	3.1
Total		1002	100.0

Base: all respondents, n=1002

#### 16.6 Newspapers That Criticize the Government Are More Valuable to a Free Society

		ALL	
		*****	
		Count	Col %
Newspapers that criticize the government are more valuable to a free society	Fully agree	292	29.1
	Partially agree	342	34.1
	Partially disagree	196	19.6
	Fully disagree	52	5.2
	D/S, N/A	120	12.0
Total		1002	100.0

Base: all respondents, n=1002

**16.7 All Permanent Residents of Latvia Should Enjoy All Civil Rights**

		ALL	
		*****	
		Count	Col %
All permanent residents of Latvia should enjoy all civil rights	Fully agree	472	47.1
	Partially agree	204	20.4
	Partially disagree	140	14.0
	Fully disagree	143	14.3
	D/S, N/A	43	4.3
Total		1002	100.0

Base: all respondents, n=1002

**16.8 Everybody Has Equal Opportunities to Express Their Opinion, Organize Pickets, Demonstrations**

		ALL	
		*****	
		Count	Col %
Everybody has equal opportunities to express their opinion, organize pickets, demonstrations	Fully agree	380	37.9
	Partially agree	245	24.5
	Partially disagree	184	18.4
	Fully disagree	118	11.8
	D/S, N/A	75	7.5
Total		1002	100.0

Base: all respondents, n=1002

**17. Attitude Toward the Amount of Funds Latvia Has Allocated for the Development of the Armed Forces**

		ALL	
		*****	
		Count	Col %
What is your attitude toward the amount of funds Latvia has allocated for the development of the armed forces?	Too much funds	262	26.1
	Sufficient funds	348	34.7
	Too few funds	193	19.3
	D/S, N/A	199	19.9
Total		1002	100.0

Base: all respondents, n=1002

**18. Interest in Politics**

		ALL	
		*****	
		Count	Col %
All in all, how interested are you in politics?	Very interested	43	4.3
	Interested	359	35.8
	Not very interested	507	50.6
	Not at all interested	91	9.1
	D/S, N/A	2	0.2
Total		1002	100.0

Base: all respondents, n=1002

**19. Belief in Being Able to Influence Government Decisions**

		ALL	
		*****	
		Count	Col %
Would you say you could do something, if the government adopted decisions against the public interest?	Definitely could do something	40	4.0
	Might be able to do something	221	22.1
	Most likely unable to do anything	276	27.5
	Unable to do anything	405	40.4
	D/S, N/A	60	6.0
Total		1002	100.0

Base: all respondents, n=1002

**20. Belief In Being Able to Influence Local Government Decisions**

		ALL	
		*****	
		Count	Col %
Would you say you could do something, if the local government institutions adopted decisions against the public interest?	Definitely could do something	103	10.3
	Might be able to do something	305	30.4
	Most likely unable to do anything	231	23.1
	Unable to do anything	297	29.6
	D/S, N/A	66	6.6
Total		1002	100.0

Base: all respondents, n=1002

## 21. Involvement in the Work of Organizations

		ALL	
		*****	
		Count	Col %
Which of the following organizations are you involved in or are a member?	Religious and church organizations, congregations	103	10.3
	Trade unions	69	6.9
	Political parties and groups	14	1.4
	Professional associations, societies	33	3.3
	Environmental protection organizations	10	1.0
	Ethnic minority organizations	11	1.1
	Youth clubs, organizations, fraternities	46	4.6
	Women's movements	14	1.4
	Volunteer health protection societies	7	0.7
	Sports and recreation organizations and clubs	74	7.4
	Organizations providing assistance to elderly, sick people, to persons in need	25	2.5
	Organizations participating in solving human rights problems	11	1.1
	Organizations participating in solving local problems at the place of residence	21	2.1
	Organizations of amateur art activities (choir, folk or modern dance group, rock band or other)	83	8.3
	Other organization	2	0.2
Not involved anywhere	620	61.9	

Base: all respondents, n=1002

Multiple choice question, total %>100

## 22. Time Spent at Various Non-Governmental Organizations

		ALL	
		*****	
		Count	Col %
How often do you spend time at various non-governmental organizations (sports, cultural, public)?	Each week	150	39.3
	Once or twice a month	105	27.5
	A few times a year	95	24.9
	Not at all	28	7.3
	D/S, N/A	4	1.0
Total		382	100.0

Base: respondents who are involved in the work of non-governmental organizations, n=382

### 23. Unfair or Inconsiderate Behaviour by Representatives of State Authority

		ALL	
		*****	
		Count	Col %
During the past year, have the representatives of state authority been unfair or inconsiderate toward you, or have not provided the required information?	Yes	139	13.9
	No	824	82.2
	D/S, N/A	39	3.9
Total		1002	100.0

Base: all respondents, n=1002

### 24. Unfair or Inconsiderate Behaviour by Representatives of Local Governments

		ALL	
		*****	
		Count	Col %
During the past year, have the local government representatives been unfair or inconsiderate toward you, or have not provided the required information?	Yes	156	15.6
	No	807	80.5
	D/S, N/A	39	3.9
Total		1002	100.0

Base: all respondents, n=1002

### 25. Independence of the Domestic Politics of Latvia

		ALL	
		*****	
		Count	Col %
How independent, would you say, is the domestic politics of Latvia?	Independent from the pressure of other countries	52	5.2
	Influence of other countries at the level of normal cooperation	349	34.8
	Pressure of other countries too great	444	44.3
	D/S, N/A	157	15.7
Total		1002	100.0

Base: all respondents, n=1002



## 26. Trust in Institutions

### 26.1 Trust in the President of Latvia

		ALL	
		*****	
		Count	Col %
Trust in institutions... the PRESIDENT	Trust	595	59.4
	Distrust	292	29.1
	D/S, N/A	115	11.5
Total		1002	100.0

Base: all respondents, n=1002

### 26.2 Trust in the Saeima

		ALL	
		*****	
		Count	Col %
Trust in institutions... the SAEIMA	Trust	220	22.0
	Distrust	668	66.7
	D/S, N/A	114	11.4
Total		1002	100.0

Base: all respondents, n=1002

### 26.3 Trust in the Local Governments

		ALL	
		*****	
		Count	Col %
Trust in institutions... LOCAL GOVERNMENTS	Trust	482	48.1
	Distrust	395	39.4
	D/S, N/A	125	12.5
Total		1002	100.0

Base: all respondents, n=1002

### 26.4 Trust in the Government

		ALL	
		*****	
		Count	Col %
Trust in institutions... the GOVERNMENT	Trust	250	25.0
	Distrust	636	63.5
	D/S, N/A	116	11.6
Total		1002	100.0

Base: all respondents, n=1002

**26.5 Trust in the Police**

		ALL	
		*****	
		Count	Col %
Trust in institutions... POLICE	Trust	426	42.5
	Distrust	476	47.5
	D/S, N/A	100	10.0
Total		1002	100.0

Base: all respondents, n=1002

**26.6 Trust in the Army**

		ALL	
		*****	
		Count	Col %
Trust in institutions... ARMY	Trust	550	54.9
	Distrust	259	25.8
	D/S, N/A	193	19.3
Total		1002	100.0

Base: all respondents, n=1002

**26.7 Trust in the Court System**

		ALL	
		*****	
		Count	Col %
Trust in institutions... COURT SYSTEM	Trust	357	35.6
	Distrust	510	50.9
	D/S, N/A	135	13.5
Total		1002	100.0

Base: all respondents, n=1002

**26.8 Trust in the Health Care System**

		ALL	
		*****	
		Count	Col %
Trust in institutions... HEALTH CARE SYSTEM	Trust	377	37.6
	Distrust	528	52.7
	D/S, N/A	97	9.7
Total		1002	100.0

Base: all respondents, n=1002

**26.9 Trust in Political Parties**

		ALL	
		*****	
		Count	Col %
Trust in institutions... POLITICAL PARTIES	Trust	104	10.4
	Distrust	759	75.7
	D/S, N/A	139	13.9
	Total	1002	100.0

Base: all respondents, n=1002

**26.10 Trust in Trade Unions**

		ALL	
		*****	
		Count	Col %
Trust in institutions... TRADE UNIONS	Trust	365	36.4
	Distrust	324	32.3
	D/S, N/A	313	31.2
	Total	1002	100.0

Base: all respondents, n=1002

**26.11 Trust in Commercial Banks**

		ALL	
		*****	
		Count	Col %
Trust in institutions... COMMERCIAL BANKS	Trust	450	44.9
	Distrust	368	36.7
	D/S, N/A	184	18.4
	Total	1002	100.0

Base: all respondents, n=1002

**26.12 Trust in Television**

		ALL	
		*****	
		Count	Col %
Trust in institutions... TELEVISION	Trust	668	66.7
	Distrust	208	20.8
	D/S, N/A	126	12.6
	Total	1002	100.0

Base: all respondents, n=1002

**26.13 Trust in Newspapers**

		ALL	
		*****	
		Count	Col %
Trust in institutions... NEWSPAPERS	Trust	600	59.9
	Distrust	246	24.6
	D/S, N/A	156	15.6
Total		1002	100.0

Base: all respondents, n=1002

**26.14 Trust in the Church**

		ALL	
		*****	
		Count	Col %
Trust in institutions... the CHURCH	Trust	591	59.0
	Distrust	183	18.3
	D/S, N/A	228	22.8
Total		1002	100.0

Base: all respondents, n=1002

**26.15 Trust in the Commonwealth of Independent States (CIS)**

		ALL	
		*****	
		Count	Col %
Trust in institutions... CIS	Trust	220	22.0
	Distrust	415	41.4
	D/S, N/A	367	36.6
Total		1002	100.0

Base: all respondents, n=1002

**26.16 Trust in the United Nations (UN)**

		ALL	
		*****	
		Count	Col %
Trust in institutions... the UN	Trust	378	37.7
	Distrust	266	26.5
	D/S, N/A	358	35.7
Total		1002	100.0

Base: all respondents, n=1002

**26.17 Trust in the European Union (EU)**

		ALL	
		*****	
		Count	Col %
Trust in institutions... the EU	Trust	374	37.3
	Distrust	365	36.4
	D/S, N/A	263	26.2
Total		1002	100.0

Base: all respondents, n=1002

**26.18 Trust in the International Monetary Fund (IMF)**

		ALL	
		*****	
		Count	Col %
Trust in institutions... the IMF	Trust	273	27.2
	Distrust	263	26.2
	D/S, N/A	466	46.5
Total		1002	100.0

Base: all respondents, n=1002

**26.19 Trust in NATO**

		ALL	
		*****	
		Count	Col %
Trust in institutions... NATO	Trust	380	37.9
	Distrust	348	34.7
	D/S, N/A	274	27.3
Total		1002	100.0

Base: all respondents, n=1002

**27. Worry About the Possibility of Losing a Job**

		ALL	
		*****	
		Count	Col %
Are you worried about the possibility of losing your job?	Yes, I am often worried about it	181	34.3
	Sometimes worried	203	38.5
	Not worried	142	26.9
	No answer	1	0.2
Total		527	100.0

Base: employed respondents, n=527

### 28. Social Security Tax

		ALL	
		*****	
		Count	Col %
Is the social security tax being paid for you?	Yes, fully	386	73.2
	Yes, partially	80	15.2
	No	38	7.2
	D/S, N/A	23	4.4
Total		527	100.0

Base: employed respondents, n=527

### 29. Businessmen, Employers – Payment of Social Security Tax

		ALL	
		*****	
		Count	Col %
Are you paying all taxes fully as a businessman and an employer?	Yes, fully	47	47.0
	Yes, partially	13	13.0
	No	8	8.0
	D/S, N/A	32	32.0
Total		100	100.0

Base: respondents who are businessmen or higher- or mid-level managers, n=100

## CROSS-TABLES

## 1. Assessment of Minority Rights Protection in Latvia

	How do you evaluate the Minority Rights Protection in our country?										Count		
	Very good		Good		Satisfactory		Poor		Very poor			Difficult to say, no answer	
	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %		Row %	
ALL	7.6	28.3	34.7	18.9	5.7	4.8						N=1002	
NATIONALITY	*****												
	Latvian	11.3	41.8	32.1	7.1	1.5	6.2						N=595
	Russian	1.9	8.2	36.8	38.4	12.3	2.5						N=318
	Other	3.4	10.1	44.9	28.1	10.1	3.4						N=89
CITIZENSHIP OF LATVIA	Yes	9.1	33.9	34.3	13.6	3.8	5.4						N=782
	No	2.3	8.6	36.4	37.7	12.3	2.7						N=220
GENDER	Male	8.8	26.3	34.3	19.7	5.8	5.1						N=411
	Female	6.8	29.8	35.0	18.3	5.6	4.6						N=591
AGE	15-34 years	5.9	23.1	41.4	18.9	4.5	6.2						N=355
	35-49 years	5.0	32.9	35.3	18.2	5.8	2.7						N=258
	50-74 years	10.8	30.1	28.3	19.3	6.7	4.9						N=389
PLACE OF RESIDENCE	Riga	7.8	19.8	32.7	26.4	9.6	3.6						N=333
	Other city, town	5.6	29.6	35.8	17.9	4.5	6.7						N=358
	Village, rural area	9.6	36.0	35.7	11.9	2.9	3.9						N=311
REGION	Riga	7.8	19.8	32.7	26.4	9.6	3.6						N=333
	Vidzeme	14.0	44.9	30.0	5.3	1.9	3.9						N=207
	Kurzeme	3.8	25.0	45.5	13.6	3.8	8.3						N=132
	Zemgale	6.0	29.3	34.7	20.4	3.0	6.6						N=167
	Latgale	3.7	26.4	36.2	23.3	6.7	3.7						N=163
EDUCATION	Basic or unfinished secondary	4.8	28.2	39.9	13.8	3.2	10.1						N=188
	Secondary	8.2	29.3	35.2	17.2	4.7	5.5						N=256
	Secondary professional	9.1	26.6	34.3	19.4	7.4	3.1						N=350
	Higher	6.8	30.6	30.1	24.8	5.8	1.9						N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	4.9	29.5	39.3	13.9	5.7	6.6						N=122
	Ls 41-70	6.6	30.1	38.1	17.5	4.2	3.5						N=286
	Ls 71-100	9.7	26.1	32.3	20.6	7.8	3.5						N=257
	Ls 101 and above	6.5	33.5	33.0	19.5	5.6	1.9						N=215
SOCIAL STATUS	Unemployed	5.4	25.0	33.9	28.6	5.4	1.8						N=56
	Homemaker	1.9	24.1	38.9	25.9	5.6	3.7						N=54
	Pensioner (incl. handicapped)	10.3	27.4	32.9	17.5	6.8	5.1						N=234
	Student (full-time), schoolchild	3.8	23.7	42.7	16.0	3.8	9.9						N=131
	Self-employed (businessman, etc.)	15.7	25.7	27.1	22.9	5.7	2.9						N=70
	Higher- or mid-level manager	13.3	43.3	20.0	10.0	10.0	3.3						N=30
	Professional (doctor, lawyer, economist, etc.)	9.0	26.0	33.0	22.0	5.0	5.0						N=100
	Common employee – civil servant, white-collar worker	7.7	40.5	33.3	12.5	4.2	1.8						N=168
	Common employee – blue-collar worker	3.8	23.4	38.6	22.2	6.3	5.7						N=158

ase: all respondents, n=1002

## 2. Assessment of State Support for Opportunities of Minority Culture Development

	Does the State, in your opinion, provide sufficient support for opportunities of minority culture development?					D/S, N/A	Count	
	Support is too great, it should be decreased		Support is sufficient		Support is insufficient, it should be increased			
	Row %	Count	Row %	Count	Row %			Count
ALL	3.5	50.8	37.6	8.1	N=1002			
NATIONALITY								
Latvian	5.5	68.2	17.8	8.4	N=595			
Russian	0.6	23.6	68.6	7.2	N=318			
Other	0.0	31.5	59.6	9.0	N=89			
CITIZENSHIP OF LATVIA								
Yes	4.2	56.6	31.3	7.8	N=782			
No	0.9	30.0	60.0	9.1	N=220			
GENDER								
Male	3.6	51.8	36.3	8.3	N=411			
Female	3.4	50.1	38.6	8.0	N=591			
AGE								
15-34 years	3.1	46.2	41.1	9.6	N=355			
35-49 years	3.1	55.4	35.7	5.8	N=258			
50-74 years	4.1	51.9	35.7	8.2	N=389			
PLACE OF RESIDENCE								
Riga	3.0	37.5	51.1	8.4	N=333			
Other city, town	3.4	54.7	33.8	8.1	N=358			
Village, rural area	4.2	60.5	27.7	7.7	N=311			
REGION								
Riga	3.0	37.5	51.1	8.4	N=333			
Vidzeme	6.3	70.0	16.4	7.2	N=207			
Kurzeme	1.5	57.6	30.3	10.6	N=132			
Zemgale	4.2	58.7	28.1	9.0	N=167			
Latgale	1.8	39.9	52.8	5.5	N=163			
EDUCATION								
Basic or unfinished secondary	3.2	46.3	35.1	15.4	N=188			
Secondary	3.5	57.4	31.6	7.4	N=256			
Secondary professional	4.0	49.1	41.1	5.7	N=350			
Higher	2.9	49.5	41.3	6.3	N=206			
INCOME PER HOUSEHOLD MEMBER								
Up to Ls 40	1.6	51.6	39.3	7.4	N=122			
Ls 41-70	3.5	54.5	36.4	5.6	N=286			
Ls 71-100	4.3	51.0	36.2	8.6	N=257			
Ls 101 and above	4.2	51.2	39.5	5.1	N=215			
SOCIAL STATUS								
Unemployed	0.0	44.6	44.6	10.7	N=56			
Homemaker	1.9	50.0	42.6	5.6	N=54			
Pensioner (incl. handicapped)	4.7	51.3	35.5	8.5	N=234			
Student (full-time), schoolchild	2.3	42.0	40.5	15.3	N=131			
Self-employed (businessman, etc.)	5.7	57.1	32.9	4.3	N=70			
Higher- or mid-level manager	10.0	46.7	36.7	6.7	N=30			
Professional (doctor, lawyer, economist, etc.)	3.0	55.0	33.0	9.0	N=100			
Common employee – civil servant, white-collar worker	4.8	57.1	33.9	4.2	N=168			
Common employee – blue-collar worker	1.3	48.7	43.0	7.0	N=158			

Base: all respondents, n=1002



## 3. Applying to a Court in Cases of State or Local Government Misadministration

	*****	Would you apply to a court, if a state or local government institution had caused you damage?			D/S, N/A	Count
		Yes Row %	No Row %	Row %		
ALL	*****	47.2	37.1	15.7		N=1002
NATIONALITY						
	Latvian	50.8	32.3	17.0		N=595
	Russian	42.8	43.4	13.8		N=318
	Other	39.3	47.2	13.5		N=89
CITIZENSHIP OF LATVIA	Yes	49.7	34.0	16.2		N=782
GENDER	No	38.2	48.2	13.6		N=220
	Male	50.9	32.4	16.8		N=411
	Female	44.7	40.4	14.9		N=591
AGE	15-34 years	56.9	25.1	18.0		N=355
	35-49 years	47.3	34.9	17.8		N=258
	50-74 years	38.3	49.6	12.1		N=389
PLACE OF RESIDENCE	Riga	46.2	36.3	17.4		N=333
	Other city, town	46.1	37.7	16.2		N=358
	Village, rural area	49.5	37.3	13.2		N=311
REGION	Riga	46.2	36.3	17.4		N=333
	Vidzeme	45.9	41.5	12.6		N=207
	Kurzeme	56.1	25.8	18.2		N=132
	Zemgale	45.5	37.1	17.4		N=167
	Latgale	45.4	42.3	12.3		N=163
EDUCATION	Basic or unfinished secondary	41.0	39.4	19.7		N=188
	Secondary	46.9	34.4	18.8		N=256
	Secondary professional	48.0	40.3	11.7		N=350
	Higher	51.9	33.0	15.0		N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	41.8	37.7	20.5		N=122
	Ls 41-70	42.3	45.8	11.9		N=286
	Ls 71-100	48.6	37.0	14.4		N=257
SOCIAL STATUS	Ls 101 and above	54.9	31.6	13.5		N=215
	Unemployed	42.9	35.7	21.4		N=56
	Homemaker	40.7	46.3	13.0		N=54
	Pensioner (incl. handicapped)	37.2	49.6	13.2		N=234
	Student (full-time), schoolchild	52.7	22.1	25.2		N=131
	Self-employed (businessman, etc.)	57.1	22.9	20.0		N=70
	Higher- or mid-level manager	56.7	33.3	10.0		N=30
	Professional (doctor, lawyer, economist, etc.)	56.0	30.0	14.0		N=100
	Common employee – civil servant, white-collar worker	49.4	33.9	16.7		N=168
	Common employee – blue-collar worker	47.5	43.0	9.5		N=158

Base: all respondents, n=1002

#### 4. Characterization of the Functions of Various Institutions

##### 4.1 Evaluation of Courts

	How would you describe the operation of the following institutions: COURTS												TOTAL
	Operates in accordance with the laws, professionally		Operation dependent on business influence		Employees often incompetent, their activities are ineffective		D/S, N/A						
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %	
ALL	*****												
NATIONALITY	Latvian	207	34.8	209	35.1	142	23.9	64	10.8	595	104.5		
	Russian	99	31.1	97	30.5	85	26.7	45	14.2	318	102.5		
	Other	37	41.6	26	29.2	19	21.3	9	10.1	89	102.2		
CITIZENSHIP OF LATVIA	Yes	271	34.7	266	34.0	190	24.3	86	11.0	782	104.0		
	No	72	32.7	66	30.0	56	25.5	32	14.5	220	102.7		
	Male	149	36.3	130	31.6	109	26.5	42	10.2	411	104.6		
GENDER	Female	194	32.8	202	34.2	137	23.2	76	12.9	591	103.0		
	15-34 years	141	39.7	110	31.0	83	23.4	38	10.7	355	104.8		
	35-49 years	86	33.3	84	32.6	70	27.1	26	10.1	258	103.1		
AGE	50-74 years	116	29.8	138	35.5	93	23.9	54	13.9	389	103.1		
	Riga	117	35.1	108	32.4	76	22.8	39	11.7	333	102.1		
	Other city, town	106	29.6	125	34.9	94	26.3	47	13.1	358	103.9		
PLACE OF RESIDENCE	Village, rural area	120	38.6	99	31.8	76	24.4	32	10.3	311	105.1		
	Riga	117	35.1	108	32.4	76	22.8	39	11.7	333	102.1		
	Vidzeme	60	29.0	62	30.0	60	29.0	28	13.5	207	101.4		
REGION	Kurzeme	47	35.6	48	36.4	29	22.0	16	12.1	132	106.1		
	Zemgale	62	37.1	59	35.3	38	22.8	19	11.4	167	106.6		
	Latgale	57	35.0	55	33.7	43	26.4	16	9.8	163	104.9		
EDUCATION	Basic or unfinished secondary	77	41.0	54	28.7	38	20.2	25	13.3	188	103.2		
	Secondary	90	35.2	76	29.7	57	22.3	38	14.8	256	102.0		
	Secondary professional	122	34.9	125	35.7	83	23.7	35	10.0	350	104.3		
INCOME PER HOUSEHOLD MEMBER	Higher	53	25.7	77	37.4	67	32.5	20	9.7	206	105.3		
	Up to Ls 40	42	34.4	37	30.3	32	26.2	15	12.3	122	103.3		
	Ls 41-70	97	33.9	88	30.8	73	25.5	39	13.6	286	103.8		
SOCIAL STATUS	Ls 71-100	88	34.2	114	44.4	47	18.3	16	6.2	257	103.1		
	Ls 101 and above	77	35.8	70	32.6	55	25.6	23	10.7	215	104.7		
	Unemployed	21	37.5	11	19.6	16	28.6	9	16.1	56	101.8		
Homemaker	Homemaker	17	31.5	18	33.3	10	18.5	9	16.7	54	100.0		
	Pensioner (incl. handicapped)	70	29.9	81	34.6	53	22.6	36	15.4	234	102.6		
	Student (full-time), schoolchild	58	44.3	37	28.2	21	16.0	20	15.3	131	103.8		
Self-employed (businessman, etc.)	Self-employed (businessman, etc.)	21	30.0	26	37.1	23	32.9	3	4.3	70	104.3		
	Higher- or mid-level manager	8	26.7	18	60.0	6	20.0	1	3.3	30	110.0		
	Professional (doctor, lawyer, economist, etc.)	31	31.0	35	35.0	28	28.0	14	11.0	100	105.0		
Common employee – civil servant, white-collar worker	Common employee – civil servant, white-collar worker	66	39.3	51	30.4	45	26.8	15	8.9	168	105.4		
	Common employee – blue-collar worker	51	32.3	54	34.2	44	27.8	14	8.9	158	103.2		

Base: all respondents, n=1002  
Multiple choice question, total %>100

## 4.2 Evaluation of the Operation of Political Parties

	How would you describe the operation of the following institutions: POLITICAL PARTIES												TOTAL
	Operates in accordance with the laws, professionally		Operation dependent on business influence		Employees often incompetent, their activities are ineffective		D/S, N/A						
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %	
ALL	89	8.9	549	54.8	293	29.2	122	12.2	1002	105.1			
NATIONALITY	Latvian	48	8.1	328	55.1	187	31.4	65	10.9	595	105.5		
	Russian	30	9.4	177	55.7	85	26.7	41	12.9	318	104.7		
CITIZENSHIP OF LATVIA	Other	11	12.4	44	49.4	21	23.6	16	18.0	89	103.4		
	Yes	62	7.9	428	54.7	243	31.1	90	11.5	782	105.2		
GENDER	No	27	12.3	121	55.0	50	22.7	32	14.5	220	104.5		
	Male	33	8.0	259	63.0	104	25.3	45	10.9	411	107.3		
AGE	Female	56	9.5	290	49.1	189	32.0	77	13.0	591	103.6		
	15-34 years	34	9.6	194	54.6	108	30.4	42	11.8	355	106.5		
PLACE OF RESIDENCE	35-49 years	18	7.0	150	58.1	78	30.2	26	10.1	258	105.4		
	50-74 years	37	9.5	205	52.7	107	27.5	54	13.9	389	103.6		
REGION	Riga	37	11.1	180	54.1	89	26.7	36	10.8	333	102.7		
	Other city, town	20	5.6	206	57.5	95	26.5	49	13.7	358	103.4		
EDUCATION	Village, rural area	32	10.3	163	52.4	109	35.0	37	11.9	311	109.6		
	Riga	37	11.1	180	54.1	89	26.7	36	10.8	333	102.7		
SOCIAL STATUS	Vidzeme	16	7.7	111	53.6	63	30.4	28	13.5	207	105.3		
	Kurzeme	11	8.3	66	50.0	45	34.1	20	15.2	132	107.6		
INCOME PER HOUSEHOLD MEMBER	Zemgale	8	4.8	113	67.7	43	25.7	16	9.6	167	107.8		
	Latgale	17	10.4	79	48.5	53	32.5	22	13.5	163	104.9		
EDUCATION	Basic or unfinished secondary	21	11.2	91	48.4	45	23.9	37	19.7	188	103.2		
	Secondary	18	7.0	142	55.5	75	29.3	37	14.5	256	106.3		
SOCIAL STATUS	Secondary professional	34	9.7	188	53.7	111	31.7	33	9.4	350	104.6		
	Higher	16	7.8	126	61.2	62	30.1	15	7.3	206	106.3		
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	7	5.7	59	48.4	42	34.4	19	15.6	122	104.1		
	Ls 41-70	26	9.1	146	51.0	89	31.1	42	14.7	286	105.9		
SOCIAL STATUS	Ls 71-100	30	11.7	153	59.5	73	28.4	17	6.6	257	106.2		
	Ls 101 and above	16	7.4	138	64.2	50	23.3	18	8.4	215	103.3		
SOCIAL STATUS	Unemployed	6	10.7	30	53.6	14	25.0	10	17.9	56	107.1		
	Homemaker	4	7.4	32	59.3	17	31.5	5	9.3	54	107.4		
SOCIAL STATUS	Pensioner (incl. handicapped)	23	9.8	113	48.3	73	31.2	34	14.5	234	103.8		
	Student (full-time), schoolchild	15	11.5	55	42.0	47	35.9	21	16.0	131	105.3		
SOCIAL STATUS	Self-employed (businessman, etc.)	5	7.1	49	70.0	16	22.9	3	4.3	70	104.3		
	Higher- or mid-level manager			21	70.0	5	16.7	5	16.7	30	103.3		
SOCIAL STATUS	Professional (doctor, lawyer, economist, etc.)	11	11.0	61	61.0	28	28.0	8	8.0	100	108.0		
	Common employee – civil servant, white-collar worker	16	9.5	95	56.5	47	28.0	15	8.9	168	103.0		
SOCIAL STATUS	Common employee – blue-collar worker	9	5.7	93	58.9	45	28.5	21	13.3	158	106.3		

Base: all respondents, n = 1002  
Multiple choice question, total % > 100

## 4.3 Evaluation of the Government

	How would you describe the operation of the following institutions: GOVERNMENT										TOTAL
	Operates in accordance with the laws, professionally		Operation dependent on business influence		Employees often incompetent, their activities are ineffective		D/S, N/A		Count	Row %	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %			
ALL	180	18.0	418	41.7	337	33.6	111	11.1	1002	104.4	
NATIONALITY	115	19.3	253	42.5	196	32.9	58	9.7	595	104.5	
	50	15.7	126	39.6	119	37.4	37	11.6	318	104.4	
	15	16.9	39	43.8	22	24.7	16	18.0	89	103.4	
	146	18.7	330	42.2	259	33.1	83	10.6	782	104.6	
	34	15.5	88	40.0	78	35.5	28	12.7	220	103.6	
	81	19.7	180	43.8	137	33.3	35	8.5	411	105.4	
	99	16.8	238	40.3	200	33.8	76	12.9	591	103.7	
	68	19.2	152	42.8	110	31.0	43	12.1	355	105.1	
	51	19.8	104	40.3	94	36.4	21	8.1	258	104.7	
	61	15.7	162	41.6	133	34.2	47	12.1	389	103.6	
	76	22.8	120	36.0	113	33.9	31	9.3	333	102.1	
	48	13.4	167	46.6	108	30.2	49	13.7	358	103.9	
	56	18.0	131	42.1	116	37.3	31	10.0	311	107.4	
	76	22.8	120	36.0	113	33.9	31	9.3	333	102.1	
	34	16.4	72	34.8	76	36.7	31	15.0	207	102.9	
	24	18.2	54	40.9	46	34.8	14	10.6	132	104.5	
	18	10.8	105	62.9	45	26.9	13	7.8	167	108.4	
	28	17.2	67	41.1	57	35.0	22	13.5	163	106.7	
	43	22.9	71	37.8	47	25.0	35	18.6	188	104.3	
	44	17.2	105	41.0	88	34.4	31	12.1	256	104.7	
	70	20.0	144	41.1	131	37.4	24	6.9	350	105.4	
	23	11.2	97	47.1	70	34.0	21	10.2	206	102.4	
	20	16.4	54	44.3	41	33.6	17	13.9	122	108.2	
	59	20.6	108	37.8	98	34.3	31	10.8	286	103.5	
	45	17.5	122	47.5	81	31.5	19	7.4	257	103.9	
	30	14.0	94	43.7	78	36.3	20	9.3	215	103.3	
	10	17.9	20	35.7	25	44.6	6	10.7	56	108.9	
	6	11.1	24	44.4	20	37.0	6	11.1	54	103.7	
	41	17.5	96	41.0	75	32.1	28	12.0	234	102.6	
	36	27.5	43	32.8	38	29.0	21	16.0	131	105.3	
	9	12.9	37	52.9	25	35.7	4	5.7	70	107.1	
	2	6.7	17	56.7	7	23.3	4	13.3	30	100.0	
	15	15.0	47	47.0	36	36.0	8	8.0	100	106.0	
	39	23.2	61	36.3	56	33.3	17	10.1	168	103.0	
	22	13.9	73	46.2	54	34.2	17	10.8	158	105.1	

Base: all respondents, n=1002

Multiple choice question, total %&gt; 100

## 4.4 Evaluation of the Parliament (Saeima)

	How would you describe the operation of the following institutions: the SAEIMA												TOTAL
	Operates in accordance with the laws, professionally			Operation dependent on business influence			Employees often incompetent, their activities are ineffective			D/S, N/A			
	Count	Row %	Row %	Count	Row %	Row %	Count	Row %	Row %	Count	Row %	Row %	
ALL	170	17.0	41.0	411	41.0	33.0	127	12.7	1002	103.7			
NATIONALITY													
	107	18.0	40.2	239	40.2	33.8	68	11.4	595	103.4			
	48	15.1	41.2	131	41.2	35.2	41	12.9	318	104.4			
CITIZENSHIP OF LATVIA													
	15	16.9	46.1	41	46.1	20.2	18	20.2	89	103.4			
	137	17.5	41.0	321	41.0	33.0	95	12.1	782	103.7			
GENDER													
	33	15.0	40.9	90	40.9	33.2	32	14.5	220	103.6			
	66	16.1	46.5	191	46.5	30.4	48	11.7	411	104.6			
AGE													
	104	17.6	37.2	220	37.2	34.9	79	13.4	591	103.0			
	66	18.6	41.4	147	41.4	29.9	50	14.1	355	103.9			
	46	17.8	40.7	105	40.7	38.8	20	7.8	258	105.0			
PLACE OF RESIDENCE													
	58	14.9	40.9	159	40.9	32.1	57	14.7	389	102.6			
	75	22.5	35.7	119	35.7	34.8	30	9.0	333	102.1			
REGION													
	47	13.1	45.3	162	45.3	29.6	56	15.6	358	103.6			
	48	15.4	41.8	130	41.8	35.0	41	13.2	311	105.5			
	75	22.5	35.7	119	35.7	34.8	30	9.0	333	102.1			
	28	13.5	34.3	71	34.3	31.9	47	22.7	207	102.4			
	23	17.4	40.2	53	40.2	34.8	17	12.9	132	105.3			
	21	12.6	59.9	100	59.9	26.9	10	6.0	167	105.4			
EDUCATION													
	23	14.1	41.7	68	41.7	35.6	23	5.8	163	105.5			
	34	18.1	36.7	69	36.7	28.2	36	19.1	188	102.1			
	40	15.6	39.8	102	39.8	32.0	39	15.2	256	102.7			
	68	19.4	40.6	142	40.6	34.9	32	9.1	350	104.0			
	28	13.6	46.6	96	46.6	35.9	20	9.7	206	105.8			
	22	18.0	34.4	42	34.4	36.9	20	16.4	122	105.7			
INCOME PER HOUSEHOLD MEMBER													
	51	17.8	37.1	106	37.1	33.6	43	15.0	286	103.5			
	46	17.9	45.9	118	45.9	31.9	17	6.6	257	102.3			
	34	15.8	50.2	108	50.2	28.8	19	8.8	215	103.7			
SOCIAL STATUS													
	10	17.9	37.5	21	37.5	32.1	10	17.9	56	105.4			
	9	16.7	35.2	19	35.2	40.7	6	11.1	54	103.7			
	44	18.8	39.3	92	39.3	28.2	35	15.0	234	101.3			
	29	22.1	30.5	45	30.5	34.4	21	16.0	131	103.1			
	7	10.0	51.4	36	51.4	37.1	6	8.6	70	107.1			
	2	6.7	63.3	19	63.3	20.0	4	13.3	30	103.3			
	12	12.0	50.0	50	50.0	40.0	6	6.0	100	108.0			
	37	22.0	35.7	60	35.7	33.9	18	10.7	168	102.4			
	20	12.7	46.8	74	46.8	31.6	21	13.3	158	104.4			

Base: all respondents, n=1002  
Multiple choice question, total %>100

## 4.5 Evaluation of the Police

	How would you describe the operation of the following institutions: POLICE												TOTAL
	Operates in accordance with the laws, professionally			Operation dependent on business influence			Employees often incompetent, their activities are ineffective			D/S, N/A			
	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %	Count	Row %	
ALL	335	33.4	303	30.2	308	30.7	92	9.2	1002	103.6			
NATIONALITY	214	36.0	174	29.2	181	30.4	48	8.1	595	103.7			
	88	27.7	98	30.8	110	34.6	33	10.4	318	103.5			
CITIZENSHIP OF LATVIA	33	37.1	31	34.8	17	19.1	11	12.4	89	103.4			
	272	34.8	229	29.3	241	30.8	67	8.6	782	103.5			
GENDER	63	28.6	74	33.6	67	30.5	25	11.4	220	104.1			
	142	34.5	128	31.1	131	31.9	32	7.8	411	105.4			
AGE	193	32.7	175	29.6	177	29.9	60	10.2	591	102.4			
	117	33.0	107	30.1	128	36.1	17	4.8	355	103.9			
	81	31.4	94	36.4	67	26.0	25	9.7	258	103.5			
	137	35.2	102	26.2	113	29.0	50	12.9	389	103.3			
PLACE OF RESIDENCE	91	27.3	96	28.8	123	36.9	29	8.7	333	101.8			
	116	32.4	109	30.4	108	30.2	37	10.3	358	103.4			
	128	41.2	98	31.5	77	24.8	26	8.4	311	105.8			
REGION	91	27.3	96	28.8	123	36.9	29	8.7	333	101.8			
	67	32.4	67	32.4	57	27.5	19	9.2	207	101.4			
	59	44.7	33	25.0	29	22.0	17	12.9	132	104.5			
	63	37.7	52	31.1	56	33.5	8	4.8	167	107.2			
	55	33.7	55	33.7	43	26.4	19	11.7	163	105.5			
EDUCATION	80	42.6	45	23.9	50	26.6	16	8.5	188	101.6			
	85	33.2	86	33.6	73	28.5	24	9.4	256	104.7			
	115	32.9	111	31.7	100	28.6	37	10.6	350	103.7			
	55	26.7	61	29.6	83	40.3	15	7.3	206	103.9			
	47	38.5	38	31.1	32	26.2	10	8.2	122	104.1			
INCOME PER HOUSEHOLD MEMBER	103	36.0	83	29.0	84	29.4	29	10.1	286	104.5			
	88	34.2	75	29.2	79	30.7	18	7.0	257	101.2			
	64	29.8	70	32.6	74	34.4	15	7.0	215	103.7			
SOCIAL STATUS	19	33.9	21	37.5	14	25.0	8	14.3	56	110.7			
	19	35.2	16	29.6	14	25.9	5	9.3	54	100.0			
	84	35.9	61	26.1	64	27.4	32	13.7	234	103.0			
	48	36.6	42	32.1	41	31.3	6	4.6	131	104.6			
	18	25.7	26	37.1	29	41.4	3	4.3	70	108.6			
	7	23.3	9	30.0	12	40.0	3	10.0	30	103.3			
	29	29.0	34	34.0	35	35.0	6	6.0	100	104.0			
	53	31.5	39	23.2	61	36.3	17	10.1	168	101.2			
	58	36.7	55	34.8	37	23.4	12	7.6	158	102.5			

Base: all respondents, n=1002  
Multiple choice question, total %>100

## 4.6 Evaluation of the Operation of Civil Service

	How would you describe the operation of the following institutions: CIVIL SERVICE												TOTAL
	Operates in accordance with the laws, professionally		Operation dependent on business influence		Employees often incompetent, their activities are ineffective		D/S, N/A		Count	Row %	Count	Row %	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %					
ALL	201	20.1	327	32.6	343	34.2	165	16.5	1002	103.4			
NATIONALITY													
	145	24.4	182	30.6	191	32.1	100	16.8	595	103.9			
	38	11.9	113	35.5	126	39.6	48	15.1	318	102.2			
CITIZENSHIP OF LATVIA													
	18	20.2	32	36.0	26	29.2	17	19.1	89	104.5			
	172	22.0	247	31.6	260	33.2	131	16.8	782	103.6			
GENDER													
	29	13.2	80	36.4	83	37.7	34	15.5	220	102.7			
	81	19.7	142	34.5	142	34.5	65	15.8	411	104.6			
AGE													
	120	20.3	185	31.3	201	34.0	100	16.9	591	102.5			
	72	20.3	115	32.4	119	33.5	59	16.6	355	102.8			
	57	22.1	93	36.0	85	32.9	34	13.2	258	104.3			
PLACE OF RESIDENCE													
	72	18.5	119	30.6	139	35.7	72	18.5	389	103.3			
	56	16.8	76	22.8	146	43.8	58	17.4	333	100.9			
REGION													
	64	17.9	134	37.4	115	32.1	58	16.2	358	103.6			
	81	26.0	117	37.6	82	26.4	49	15.8	311	105.8			
	56	16.8	76	22.8	146	43.8	58	17.4	333	100.9			
	50	24.2	61	29.5	62	30.0	39	18.8	207	102.4			
	18	13.6	52	39.4	39	29.5	30	22.7	132	105.3			
	37	22.2	70	41.9	55	32.9	16	9.6	167	106.6			
	40	24.5	68	41.7	41	25.2	22	13.5	163	104.9			
EDUCATION													
	38	20.2	62	33.0	50	26.6	45	23.9	188	103.7			
	45	17.6	93	36.3	82	32.0	44	17.2	256	103.1			
	83	23.7	110	31.4	117	33.4	51	14.6	350	103.1			
	35	17.0	60	29.1	94	45.6	25	12.1	206	103.9			
	20	16.4	51	41.8	41	33.6	16	13.1	122	104.9			
INCOME PER HOUSEHOLD MEMBER													
	59	20.6	99	34.6	93	32.5	46	16.1	286	103.8			
	60	23.3	85	33.1	85	33.1	32	12.5	257	101.9			
	41	19.1	63	29.3	89	41.4	29	13.5	215	103.3			
SOCIAL STATUS													
	14	25.0	24	42.9	15	26.8	9	16.1	56	110.7			
	10	18.5	16	29.6	16	29.6	12	22.2	54	100.0			
	41	17.5	68	29.1	82	35.0	49	20.9	234	102.6			
	30	22.9	41	31.3	33	25.2	31	23.7	131	103.1			
	17	24.3	23	32.9	31	44.3	4	5.7	70	107.1			
	4	13.3	12	40.0	10	33.3	5	16.7	30	103.3			
	23	23.0	35	35.0	43	43.0	5	5.0	100	106.0			
	35	20.8	43	25.6	68	40.5	24	14.3	168	101.2			
	27	17.1	65	41.1	44	27.8	26	16.5	158	102.5			

Base: all respondents, n=1002  
Multiple choice question, total %> 100

## 4.7 Evaluation of the Mass Media

	How would you describe the operation of the following institutions: the MASS MEDIA												TOTAL
	Operates in accordance with the laws, professionally			Operation dependent on business influence			Employees often incompetent, their activities are ineffective			D/S, N/A			
	Count	Row %	Row %	Count	Row %	Row %	Count	Row %	Row %	Count	Row %	Row %	
ALL	442	44.1	37.8	379	37.8	11.3	98	9.8	1002	103.0			
NATIONALITY	283	47.6	36.6	218	36.6	11.6	48	8.1	595	103.9			
	118	37.1	41.2	131	41.2	11.3	38	11.9	318	101.6			
CITIZENSHIP OF LATVIA	41	46.1	33.7	30	33.7	9.0	12	13.5	89	102.2			
GENDER	361	46.2	37.2	291	37.2	11.3	67	8.6	782	103.2			
	81	36.8	40.0	88	40.0	11.4	31	14.1	220	102.3			
	169	41.1	41.8	172	41.8	10.0	42	10.2	411	103.2			
AGE	273	46.2	35.0	207	35.0	12.2	56	9.5	591	102.9			
	149	42.0	39.4	140	39.4	12.1	32	9.0	355	102.5			
	117	45.3	39.9	103	39.9	9.7	25	9.7	258	104.7			
	176	45.2	35.0	136	35.0	11.6	41	10.5	389	102.3			
PLACE OF RESIDENCE	138	41.4	37.8	126	37.8	12.0	33	9.9	333	101.2			
	146	40.8	41.6	149	41.6	10.6	33	9.2	358	102.2			
	158	50.8	33.4	104	33.4	11.3	32	10.3	311	105.8			
REGION	138	41.4	37.8	126	37.8	12.0	33	9.9	333	101.2			
	109	52.7	33.3	69	33.3	8.2	15	7.2	207	101.4			
	60	45.5	34.1	45	34.1	9.8	16	12.1	132	101.5			
	78	46.7	41.9	70	41.9	11.4	13	7.8	167	107.8			
	57	35.0	42.3	69	42.3	14.7	21	12.9	163	104.9			
EDUCATION	100	53.2	26.1	49	26.1	10.1	20	10.6	188	100.0			
	117	45.7	37.1	95	37.1	7.8	28	10.9	256	101.6			
	141	40.3	43.1	151	43.1	11.4	31	8.9	350	103.7			
	82	39.8	40.8	84	40.8	16.5	19	9.2	206	106.3			
INCOME PER HOUSEHOLD MEMBER	54	44.3	35.2	43	35.2	13.9	11	9.0	122	102.5			
	137	47.9	31.8	91	31.8	11.2	33	11.5	286	102.4			
	121	47.1	40.9	105	40.9	9.3	13	5.1	257	102.3			
	82	38.1	47.0	101	47.0	9.8	19	8.8	215	103.7			
SOCIAL STATUS	19	33.9	41.1	23	41.1	17.9	6	10.7	56	103.6			
	24	44.4	38.9	21	38.9	14.8	3	5.6	54	103.7			
	126	53.8	25.2	59	25.2	10.3	29	12.4	234	101.7			
	59	45.0	36.6	48	36.6	11.5	12	9.2	131	102.3			
	25	35.7	45.7	32	45.7	11.4	9	12.9	70	105.7			
	8	26.7	50.0	15	50.0	13.3	4	13.3	30	103.3			
	41	41.0	47.0	47	47.0	17.0	4	4.0	100	109.0			
	72	42.9	41.7	70	41.7	8.9	13	7.7	168	101.2			
	68	43.0	39.9	63	39.9	7.6	18	11.4	158	101.9			

Base: all respondents, n=1002  
Multiple choice question, total %>100



## 4.8 Evaluation of Local Governments

	How would you describe the operation of the following institutions: LOCAL GOVERNMENTS										TOTAL
	Operates in accordance with the laws, professionally		Operation dependent on business influence		Employees often incompetent, their activities are ineffective		D/S, N/A		Count	Row %	
	Count	Row %	Count	Row %	Count	Row %	Count	Row %			
ALL	387	38.6	308	30.7	201	20.1	134	13.4	1002	102.8	
NATIONALITY	271	45.5	174	29.2	106	17.8	63	10.6	595	103.2	
	84	26.4	100	31.4	86	27.0	56	17.6	318	102.5	
	32	36.0	34	38.2	9	10.1	15	16.9	89	101.1	
CITIZENSHIP OF LATVIA	317	40.5	240	30.7	151	19.3	98	12.5	782	103.1	
	70	31.8	68	30.9	50	22.7	36	16.4	220	101.8	
	159	38.7	125	30.4	83	20.2	56	13.6	411	102.9	
GENDER	228	38.6	183	31.0	118	20.0	78	13.2	591	102.7	
	119	33.5	120	33.8	77	21.7	48	13.5	355	102.5	
AGE	108	41.9	85	32.9	45	17.4	31	12.0	258	104.3	
	160	41.1	103	26.5	79	20.3	55	14.1	389	102.1	
	87	26.1	104	31.2	85	25.5	60	18.0	333	100.9	
PLACE OF RESIDENCE	133	37.2	123	34.4	61	17.0	48	13.4	358	102.0	
	167	53.7	81	26.0	55	17.7	26	8.4	311	105.8	
	87	26.1	104	31.2	85	25.5	60	18.0	333	100.9	
REGION	107	51.7	55	26.6	33	15.9	14	6.8	207	101.0	
	61	46.2	38	28.8	25	18.9	12	9.1	132	103.0	
	70	41.9	57	34.1	24	14.4	24	14.4	167	104.8	
	62	38.0	54	33.1	34	20.9	24	14.7	163	106.7	
EDUCATION	87	46.3	45	23.9	31	16.5	28	14.9	188	101.6	
	105	41.0	75	29.3	43	16.8	38	14.8	256	102.0	
	134	38.3	121	34.6	65	18.6	39	11.1	350	102.6	
	61	29.6	67	32.5	60	29.1	29	14.1	206	105.3	
	52	42.6	39	32.0	23	18.9	12	9.8	122	103.3	
INCOME PER HOUSEHOLD MEMBER	140	49.0	74	25.9	55	19.2	28	9.8	286	103.8	
	82	31.9	95	37.0	54	21.0	31	12.1	257	101.9	
	74	34.4	70	32.6	50	23.3	26	12.1	215	102.3	
SOCIAL STATUS	26	46.4	15	26.8	13	23.2	7	12.5	56	108.9	
	16	29.6	24	44.4	9	16.7	6	11.1	54	101.9	
	111	47.4	52	22.2	46	19.7	28	12.0	234	101.3	
	53	40.5	37	28.2	19	14.5	23	17.6	131	100.8	
	21	30.0	25	35.7	17	24.3	10	14.3	70	104.3	
	5	16.7	17	56.7	4	13.3	5	16.7	30	103.3	
	29	29.0	37	37.0	31	31.0	11	11.0	100	108.0	
	69	41.1	50	29.8	30	17.9	22	13.1	168	101.8	
	57	36.1	51	32.3	31	19.6	22	13.9	158	101.9	

Base: all respondents, n = 1002  
Multiple choice question, total % > 100

## 5. Bribery

### 5.1 Bribery in Courts

	Have you or your acquaintances paid for a favourable outcome... in a COURT				Count
	Have paid	Have not paid	D/S, N/A		
	Row %	Row %	Row %	Row %	
ALL	8.1	89.8	2.1		N=1002
NATIONALITY					
	Latvian	91.1	2.4		N=595
	Russian	86.5	2.2		N=318
	Other	6.7	0.0		N=89
CITIZENSHIP OF LATVIA	Yes	7.3	2.2		N=782
	No	10.9	1.8		N=220
GENDER	Male	8.8	2.9		N=411
	Female	7.6	1.5		N=591
AGE	15-34 years	9.9	3.7		N=355
	35-49 years	8.9	1.9		N=258
	50-74 years	5.9	0.8		N=389
PLACE OF RESIDENCE	Riga	8.7	0.9		N=333
	Other city, town	8.7	4.2		N=358
	Village, rural area	6.8	1.0		N=311
REGION	Riga	8.7	0.9		N=333
	Vidzeme	6.8	0.0		N=207
	Kurzeme	7.6	7.6		N=132
	Zemgale	9.0	0.6		N=167
	Latgale	8.0	4.3		N=163
EDUCATION	Basic or unfinished secondary	6.4	5.3		N=188
	Secondary	10.5	2.0		N=256
	Secondary professional	6.6	1.4		N=350
	Higher	9.2	0.5		N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	4.9	5.7		N=122
	Ls 41-70	6.6	1.0		N=286
	Ls 71-100	10.9	1.2		N=257
	Ls 101 and above	9.3	0.5		N=215
SOCIAL STATUS	Unemployed	8.9	5.4		N=56
	Homemaker	16.7	0.0		N=54
	Pensioner (incl. handicapped)	5.6	1.3		N=234
	Student (full-time), schoolchild	6.9	8.4		N=131
	Self-employed (businessman, etc.)	10.0	1.4		N=70
	Higher- or mid-level manager	10.0	0.0		N=30
	Professional (doctor, lawyer, economist, etc.)	7.0	1.0		N=100
	Common employee – civil servant, white-collar worker	7.7	0.6		N=168
	Common employee – blue-collar worker	9.5	89.9	0.6	N=158

Base: all respondents, n=1002

## 5.2 Bribery in the Ministries

	Have you or your acquaintances paid for a favourable outcome... in the MINISTRIES				Count
	Have paid	Have not paid	D/S, N/A		
	Row %	Row %	Row %		
ALL	2.0	96.4	1.6	N=1002	
NATIONALITY	2.0	96.3	1.7	N=595	
	2.2	95.9	1.9	N=318	
CITIZENSHIP OF LATVIA	1.1	98.9	0.0	N=89	
	1.9	96.5	1.5	N=782	
	2.3	95.9	1.8	N=220	
GENDER	3.2	94.6	2.2	N=411	
	1.2	97.6	1.2	N=591	
AGE	3.4	94.1	2.5	N=355	
	2.3	96.1	1.6	N=258	
	0.5	98.7	0.8	N=389	
PLACE OF RESIDENCE	2.1	97.3	0.6	N=333	
	2.2	94.1	3.6	N=358	
	1.6	98.1	0.3	N=311	
REGION	2.1	97.3	0.6	N=333	
	1.4	98.6	0.0	N=207	
	3.8	89.4	6.8	N=132	
	0.6	99.4	0.0	N=167	
	2.5	94.5	3.1	N=163	
EDUCATION	0.5	95.7	3.7	N=188	
	3.1	95.7	1.2	N=256	
	1.1	97.7	1.1	N=350	
	3.4	95.6	1.0	N=206	
	0.8	95.1	4.1	N=122	
INCOME PER HOUSEHOLD MEMBER	1.0	97.9	1.0	N=286	
	3.1	95.7	1.2	N=257	
	2.3	97.7	0.0	N=215	
SOCIAL STATUS	7.1	91.1	1.8	N=56	
	1.9	98.1	0.0	N=54	
	0.0	98.7	1.3	N=234	
	2.3	90.8	6.9	N=131	
	1.4	98.6	0.0	N=70	
	10.0	90.0	0.0	N=30	
	2.0	97.0	1.0	N=100	
	1.8	97.6	0.6	N=168	
	1.9	97.5	0.6	N=158	

Base: all respondents, n=1002

## 5.3 Bribery in the Police

	Have you or your acquaintances paid for a favourable outcome... in the POLICE				Count	
	Have paid		Have not paid			D/S, N/A
	Row %	Row %	Row %	Row %		
ALL	26.8	71.8	1.4	N=1002		
NATIONALITY	Latvian	26.4	72.4	1.2	N=595	
	Russian	28.3	69.5	2.2	N=318	
CITIZENSHIP OF LATVIA	Other	24.7	75.3	0.0	N=89	
	Yes	26.9	72.0	1.2	N=782	
	No	26.8	70.9	2.3	N=220	
GENDER	Male	35.5	63.3	1.2	N=411	
	Female	20.8	77.7	1.5	N=591	
AGE	15-34 years	33.5	63.9	2.5	N=355	
	35-49 years	34.5	64.7	0.8	N=258	
	50-74 years	15.7	83.5	0.8	N=389	
PLACE OF RESIDENCE	Riga	31.2	68.2	0.6	N=333	
	Other city, town	31.0	66.2	2.8	N=358	
REGION	Village, rural area	17.4	82.0	0.6	N=311	
	Riga	31.2	68.2	0.6	N=333	
	Vidzeme	18.4	81.2	0.5	N=207	
	Kurzeme	34.1	62.1	3.8	N=132	
	Zemgale	29.3	70.7	0.0	N=167	
EDUCATION	Latgale	20.2	76.1	3.7	N=163	
	Basic or unfinished secondary	20.7	76.1	3.2	N=188	
	Secondary	28.1	70.7	1.2	N=256	
	Secondary professional	26.9	72.0	1.1	N=350	
	Higher	31.1	68.4	0.5	N=206	
	Up to Ls 40	23.0	75.4	1.6	N=122	
INCOME PER HOUSEHOLD MEMBER	Ls 41-70	19.9	79.0	1.0	N=286	
	Ls 71-100	28.0	70.8	1.2	N=257	
SOCIAL STATUS	Ls 101 and above	37.7	61.9	0.5	N=215	
	Unemployed	21.4	75.0	3.6	N=56	
	Homemaker	24.1	75.9	0.0	N=54	
	Pensioner (incl. handicapped)	11.1	88.0	0.9	N=234	
	Student (full-time), schoolchild	27.5	67.2	5.3	N=131	
	Self-employed (businessman, etc.)	45.7	54.3	0.0	N=70	
Common employee – blue-collar worker	Higher- or mid-level manager	40.0	60.0	0.0	N=30	
	Professional (doctor, lawyer, economist, etc.)	25.0	73.0	2.0	N=100	
	Common employee – civil servant, white-collar worker	31.0	68.5	0.6	N=168	
Common employee – blue-collar worker	38.6	61.4	0.0	N=158		

Base: all respondents, n= 1002

## 5.4 Bribery in the Civil Service

	Have you or your acquaintances paid for a favourable outcome... in CIVIL SERVICE	Have paid		Have not paid		D/S, N/A		Count
		Row %		Row %		Row %		
		Row %	Count	Row %	Count	Row %	Count	
ALL	*****	14.5	N=1002	82.9	N=1002	2.6	N=1002	
NATIONALITY	Latvian	13.4	N=595	83.9	N=595	2.7	N=595	
	Russian	16.7	N=318	80.8	N=318	2.5	N=318	
CITIZENSHIP OF LATVIA	Other	13.5	N=89	84.3	N=89	2.2	N=89	
	Yes	13.8	N=782	83.6	N=782	2.6	N=782	
	No	16.8	N=220	80.5	N=220	2.7	N=220	
GENDER	Male	18.5	N=411	78.8	N=411	2.7	N=411	
	Female	11.7	N=591	85.8	N=591	2.5	N=591	
AGE	15-34 years	15.5	N=355	80.6	N=355	3.9	N=355	
	35-49 years	19.0	N=258	79.1	N=258	1.9	N=258	
	50-74 years	10.5	N=389	87.7	N=389	1.8	N=389	
PLACE OF RESIDENCE	Riga	19.8	N=333	79.0	N=333	1.2	N=333	
	Other city, town	15.1	N=358	80.4	N=358	4.5	N=358	
REGION	Village, rural area	8.0	N=311	90.0	N=311	1.9	N=311	
	Riga	19.8	N=333	79.0	N=333	1.2	N=333	
	Vidzeme	10.1	N=207	88.4	N=207	1.4	N=207	
	Kurzeme	17.4	N=132	75.0	N=132	7.6	N=132	
	Zemgale	9.6	N=167	89.8	N=167	0.6	N=167	
EDUCATION	Latgale	11.7	N=163	83.4	N=163	4.9	N=163	
	Basic or unfinished secondary	6.9	N=188	86.7	N=188	6.4	N=188	
	Secondary	14.8	N=256	82.8	N=256	2.3	N=256	
	Secondary professional	13.7	N=350	84.9	N=350	1.4	N=350	
	Higher	22.3	N=206	76.2	N=206	1.5	N=206	
	Up to Ls 40	10.7	N=122	84.4	N=122	4.9	N=122	
	Ls 41-70	8.7	N=286	88.5	N=286	2.8	N=286	
INCOME PER HOUSEHOLD MEMBER	Ls 71-100	19.8	N=257	79.0	N=257	1.2	N=257	
	Ls 101 and above	19.5	N=215	80.0	N=215	0.5	N=215	
	Unemployed	12.5	N=56	82.1	N=56	5.4	N=56	
	Homemaker	22.2	N=54	77.8	N=54	0.0	N=54	
	Pensioner (incl. handicapped)	6.4	N=234	91.9	N=234	1.7	N=234	
SOCIAL STATUS	Student (full-time), schoolchild	9.2	N=131	81.7	N=131	9.2	N=131	
	Self-employed (businessman, etc.)	27.1	N=70	71.4	N=70	1.4	N=70	
	Higher- or mid-level manager	26.7	N=30	73.3	N=30	0.0	N=30	
	Professional (doctor, lawyer, economist, etc.)	20.0	N=100	79.0	N=100	1.0	N=100	
	Common employee – civil servant, white-collar worker	16.1	N=168	81.5	N=168	2.4	N=168	
Common employee – blue-collar worker	15.8	N=158	83.5	N=158	0.6	N=158		

Base: all respondents, n=1002

## 5.5 Bribery in Local Governments

	Have you or your acquaintances paid for a favourable outcome... in LOCAL GOVERNMENTS				Count	
	Have paid		Have not paid			D/S, N/A Row %
	Row %	Row %	Row %	Row %		
ALL	11.4	85.9	2.7	N=1002		
NATIONALITY						
	Latvian	10.6	86.4	3.0	N=595	
	Russian	14.2	83.3	2.5	N=318	
	Other	6.7	92.1	1.1	N=89	
CITIZENSHIP OF LATVIA	Yes	10.7	86.8	2.4	N=782	
	No	13.6	82.7	3.6	N=220	
GENDER	Male	12.9	82.7	4.4	N=411	
	Female	10.3	88.2	1.5	N=591	
AGE	15-34 years	13.2	83.4	3.4	N=355	
	35-49 years	14.3	83.3	2.3	N=258	
	50-74 years	7.7	90.0	2.3	N=389	
PLACE OF RESIDENCE	Riga	14.4	84.7	0.9	N=333	
	Other city, town	10.9	84.1	5.0	N=358	
	Village, rural area	8.7	89.4	1.9	N=311	
REGION	Riga	14.4	84.7	0.9	N=333	
	Vidzeme	7.2	91.3	1.4	N=207	
	Kurzeme	10.6	79.5	9.8	N=132	
	Zemgale	12.0	86.8	1.2	N=167	
	Latgale	10.4	85.9	3.7	N=163	
EDUCATION	Basic or unfinished secondary	9.6	84.6	5.9	N=188	
	Secondary	9.4	87.5	3.1	N=256	
	Secondary professional	10.9	87.4	1.7	N=350	
	Higher	16.5	82.5	1.0	N=206	
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	6.6	86.9	6.6	N=122	
	Ls 41-70	8.4	89.2	2.4	N=286	
	Ls 71-100	15.6	82.9	1.6	N=257	
	Ls 101 and above	14.0	85.6	0.5	N=215	
SOCIAL STATUS	Unemployed	12.5	82.1	5.4	N=56	
	Homemaker	14.8	85.2	0.0	N=54	
	Pensioner (incl. handicapped)	6.0	91.0	3.0	N=234	
	Student (full-time), schoolchild	9.2	84.0	6.9	N=131	
	Self-employed (businessman, etc.)	15.7	84.3	0.0	N=70	
	Higher- or mid-level manager	16.7	83.3	0.0	N=30	
	Professional (doctor, lawyer, economist, etc.)	15.0	84.0	1.0	N=100	
	Common employee – civil servant, white-collar worker	12.5	85.1	2.4	N=168	
	Common employee – blue-collar worker	13.3	84.8	1.9	N=158	

Base: all respondents, n=1002

## 6. Sense of Security in One's Own Town, Parish During Nighttime

	*****	How secure do you feel walking in your town, parish during nighttime?									
		Completely secure		Rather secure		Rather insecure		Completely insecure		D/S, N/A	
		Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Count
ALL		13.1	34.3	33.9	17.9						N=1002
NATIONALITY	Latvian	15.8	39.8	30.9	12.6						N=595
	Russian	7.2	24.5	40.3	27.7						N=318
CITIZENSHIP OF LATVIA	Other	15.7	32.6	31.5	18.0						N=89
GENDER	Yes	13.7	37.3	32.9	15.3						N=782
	No	10.9	23.6	37.7	26.8						N=220
	Male	18.2	43.6	27.5	10.0						N=411
	Female	9.5	27.9	38.4	23.4						N=591
AGE	15-34 years	13.8	38.6	34.9	12.7						N=355
	35-49 years	17.4	38.8	32.2	10.9						N=258
	50-74 years	9.5	27.5	34.2	27.2						N=389
PLACE OF RESIDENCE	Riga	5.1	27.3	40.8	25.5						N=333
	Other city, town	10.3	34.9	35.2	19.0						N=358
	Village, rural area	24.8	41.2	25.1	8.4						N=311
REGION	Riga	5.1	27.3	40.8	25.5						N=333
	Vidzeme	25.6	42.0	23.2	8.2						N=207
	Kurzeme	21.2	34.1	32.6	12.1						N=132
	Zemgale	12.0	34.7	31.7	21.0						N=167
	Latgale	8.0	38.7	36.8	16.0						N=163
EDUCATION	Basic or unfinished secondary	17.0	30.9	32.4	19.1						N=188
	Secondary	16.0	32.0	32.0	18.8						N=256
	Secondary professional	12.0	35.7	32.9	18.6						N=350
	Higher	7.8	38.3	39.3	14.1						N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	16.4	32.0	34.4	17.2						N=122
	Ls 41-70	14.0	31.1	35.0	19.2						N=286
	Ls 71-100	10.1	31.1	38.9	18.3						N=257
	Ls 101 and above	10.7	40.9	31.6	15.8						N=215
SOCIAL STATUS	Unemployed	17.9	37.5	26.8	16.1						N=56
	Homemaker	9.3	37.0	38.9	14.8						N=54
	Pensioner (incl. handicapped)	8.5	21.4	36.8	31.6						N=234
	Student (full-time), schoolchild	11.5	40.5	36.6	11.5						N=131
	Self-employed (businessman, etc.)	17.1	34.3	35.7	11.4						N=70
	Higher- or mid-level manager	3.3	53.3	33.3	10.0						N=30
	Professional (doctor, lawyer, economist, etc.)	10.0	40.0	40.0	10.0						N=100
	Common employee – civil servant, white-collar worker	14.3	42.3	26.8	16.1						N=168
	Common employee – blue-collar worker	21.5	31.0	31.0	15.8						N=158

Base: all respondents, n=1002

### 7. Opportunities for Minorities to Develop Their Language and Culture in Latvia

	How would you evaluate the opportunities for minorities to develop their language and culture in Latvia?							
	Very good Row %	Good Row %	Satisfactory Row %	Poor Row %	Very poor Row %	D/S, N/A Row %	Count	
ALL	10.1	32.7	35.6	14.3	4.1	3.2	N=1002	
NATIONALITY								
	15.0	44.0	30.9	5.4	1.2	3.5	N=595	
	2.5	13.8	42.8	30.2	8.8	1.9	N=318	
CITIZENSHIP OF LATVIA								
	12.0	37.2	34.1	9.8	3.3	3.5	N=782	
	3.2	16.8	40.9	30.0	6.8	2.3	N=220	
GENDER								
	10.7	33.3	34.8	13.6	4.4	3.2	N=411	
	9.6	32.3	36.2	14.7	3.9	3.2	N=591	
AGE								
	8.2	29.0	41.4	14.9	3.7	2.8	N=355	
	10.5	36.8	31.4	12.4	4.7	4.3	N=258	
	11.6	33.4	33.2	14.9	4.1	2.8	N=389	
PLACE OF RESIDENCE								
	9.0	22.2	34.5	23.7	7.2	3.3	N=333	
	7.8	38.8	37.7	10.6	2.5	2.5	N=358	
	13.8	37.0	34.4	8.4	2.6	3.9	N=311	
REGION								
	9.0	22.2	34.5	23.7	7.2	3.3	N=333	
	14.0	47.3	30.4	4.8	0.5	2.9	N=207	
	5.3	40.2	43.2	7.6	2.3	1.5	N=132	
	12.0	37.1	33.5	9.6	3.6	4.2	N=167	
	9.2	25.2	40.5	17.2	4.3	3.7	N=163	
EDUCATION								
	10.1	33.0	37.8	10.1	1.1	8.0	N=188	
	11.3	35.9	35.2	12.1	3.5	2.0	N=256	
	9.4	30.6	36.3	16.0	5.7	2.0	N=350	
	9.7	32.5	33.5	17.5	4.4	2.4	N=206	
	9.8	41.0	32.0	11.5	1.6	4.1	N=122	
	9.1	32.2	39.9	12.2	3.5	3.1	N=286	
	10.9	31.9	31.1	18.3	5.4	2.3	N=257	
	8.8	32.1	39.1	13.5	4.7	1.9	N=215	
SOCIAL STATUS								
	5.4	28.6	46.4	12.5	1.8	5.4	N=56	
	9.3	29.6	44.4	11.1	5.6	0.0	N=54	
	9.8	34.6	32.9	14.1	4.7	3.8	N=234	
	6.1	29.0	42.0	16.0	3.1	3.8	N=131	
	17.1	30.0	40.0	8.6	2.9	1.4	N=70	
	10.0	36.7	26.7	13.3	10.0	3.3	N=30	
	13.0	30.0	34.0	18.0	2.0	3.0	N=100	
	14.3	43.5	27.4	10.1	3.0	1.8	N=168	
	6.3	26.6	37.3	19.0	6.3	4.4	N=158	

Base: all respondents, n=1002



## 8. Opportunities for Latvians to Develop Their Language and Culture in Latvia

	How would you evaluate the opportunities for Latvians to develop their language and culture in Latvia?						
	Very good Row %	Good Row %	Satisfactory Row %	Poor Row %	Very poor Row %	D/S, N/A Row %	Count
ALL	25.3	51.3	18.2	2.0	0.6	2.6	N=1002
NATIONALITY							
Latvian	24.2	53.4	18.7	1.8	0.5	1.3	N=595
Russian	27.0	47.2	17.9	2.8	0.9	4.1	N=318
Other	27.0	51.7	15.7	0.0	0.0	5.6	N=89
CITIZENSHIP OF LATVIA							
Yes	25.2	51.4	19.1	1.9	0.5	1.9	N=782
No	25.9	50.9	15.0	2.3	0.9	5.0	N=220
GENDER							
Male	26.8	51.8	15.6	2.2	1.0	2.7	N=411
Female	24.4	50.9	20.0	1.9	0.3	2.5	N=591
AGE							
15-34 years	25.6	51.8	18.6	2.0	0.6	1.4	N=355
35-49 years	26.4	49.6	18.2	1.2	0.8	3.9	N=258
50-74 years	24.4	51.9	17.7	2.6	0.5	2.8	N=389
PLACE OF RESIDENCE							
Riga	25.2	49.8	16.8	2.4	1.2	4.5	N=333
Other city, town	24.0	51.7	20.9	1.7	0.3	1.4	N=358
Village, rural area	27.0	52.4	16.4	1.9	0.3	1.9	N=311
REGION							
Riga	25.2	49.8	16.8	2.4	1.2	4.5	N=333
Vidzeme	33.3	46.4	15.9	3.4	0.5	0.5	N=207
Kurzeme	18.9	55.3	24.2	0.8	0.0	0.8	N=132
Zemgale	18.6	59.3	19.2	0.0	0.6	2.4	N=167
Latgale	27.6	49.1	17.8	2.5	0.0	3.1	N=163
EDUCATION							
Basic or unfinished secondary	23.9	52.1	18.6	2.1	0.5	2.7	N=188
Secondary	22.3	52.3	19.9	3.1	0.0	2.3	N=256
Secondary professional	26.6	52.0	16.6	1.4	0.6	2.9	N=350
Higher	28.6	47.6	18.4	1.5	1.5	2.4	N=206
INCOME PER HOUSEHOLD MEMBER							
Up to Ls 40	24.6	58.2	13.9	1.6	0.8	0.8	N=122
Ls 41-70	26.9	49.3	18.5	2.1	0.0	3.1	N=286
Ls 71-100	24.9	48.2	21.8	1.2	0.8	3.1	N=257
Ls 101 and above	23.3	57.2	15.3	2.3	0.5	1.4	N=215
SOCIAL STATUS							
Unemployed	19.6	50.0	19.6	3.6	0.0	7.1	N=56
Homemaker	24.1	51.9	20.4	0.0	3.7	0.0	N=54
Pensioner (incl. handicapped)	23.9	53.0	17.9	2.1	0.0	3.0	N=234
Student (full-time), schoolchild	26.7	50.4	18.3	2.3	0.8	1.5	N=131
Self-employed (businessman, etc.)	27.1	54.3	12.9	4.3	0.0	1.4	N=70
Higher- or mid-level manager	26.7	46.7	23.3	3.3	0.0	0.0	N=30
Professional (doctor, lawyer, economist, etc.)	33.0	40.0	21.0	1.0	2.0	3.0	N=100
Common employee – civil servant, white-collar worker	23.2	54.8	17.9	2.4	0.6	1.2	N=168
Common employee – blue-collar worker	25.3	53.2	17.1	0.0	0.0	4.4	N=158

Base: all respondents, n=1002

## 9. Refusal

### 9.1 Giving Up Food Products

	*****	Has your family had to give up the following during the past 12 months:						D/S, N/A	Count
		FOOD PRODUCTS							
		Often	Sometimes	Rarely	Never	Row %	Row %		
ALL		9.2	21.3	20.5	48.6	0.5		N=1002	
NATIONALITY		8.4	18.5	17.8	55.0	0.3		N=595	
	Latvian							N=318	
	Russian							N=89	
CITIZENSHIP OF LATVIA	Other	16.9	20.2	25.8	37.1	0.0		N=782	
GENDER	Yes	8.8	19.3	19.6	51.8	0.5		N=220	
	No	10.5	28.2	23.6	37.3	0.5		N=411	
	Male	5.4	18.0	17.5	57.9	1.2		N=591	
	Female	11.8	23.5	22.5	42.1	0.0		N=355	
AGE	15-34 years	3.4	17.5	21.1	57.2	0.8		N=258	
	35-49 years	8.9	24.0	18.2	48.1	0.8		N=389	
	50-74 years	14.7	22.9	21.3	41.1	0.0		N=333	
PLACE OF RESIDENCE	Riga	6.6	22.5	24.6	45.3	0.9		N=358	
	Other city, town	10.6	20.4	19.8	48.9	0.3		N=311	
	Village, rural area	10.3	20.9	16.7	51.8	0.3		N=333	
REGION	Riga	6.6	22.5	24.6	45.3	0.9		N=207	
	Vidzeme	10.6	15.9	17.9	55.6	0.0		N=132	
	Kurzeme	11.4	24.2	17.4	47.0	0.0		N=167	
	Zemgale	7.8	20.4	13.2	57.5	1.2		N=163	
	Latgale	12.3	23.9	25.2	38.7	0.0		N=188	
EDUCATION	Basic or unfinished secondary	8.0	20.2	19.7	52.1	0.0		N=256	
	Secondary	12.1	20.7	18.0	48.4	0.8		N=350	
	Secondary professional	9.7	23.4	20.9	45.4	0.6		N=206	
	Higher	5.8	19.4	23.8	50.5	0.5		N=122	
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	17.2	23.8	20.5	38.5	0.0		N=286	
	Ls 41-70	16.8	26.2	19.6	37.1	0.3		N=257	
	Ls 71-100	4.7	26.1	24.9	44.0	0.4		N=215	
	Ls 101 and above	3.3	13.5	17.7	64.7	0.9		N=56	
SOCIAL STATUS	Unemployed	10.7	25.0	26.8	37.5	0.0		N=54	
	Homemaker	7.4	22.2	16.7	53.7	0.0		N=234	
	Pensioner (incl. handicapped)	19.2	22.6	21.8	36.3	0.0		N=131	
	Student (full-time), schoolchild	2.3	15.3	25.2	57.3	0.0		N=70	
	Self-employed (businessman, etc.)	1.4	20.0	17.1	60.0	1.4		N=30	
	Higher- or mid-level manager	6.7	13.3	26.7	53.3	0.0		N=100	
	Professional (doctor, lawyer, economist, etc.)	6.0	20.0	18.0	55.0	1.0		N=168	
	Common employee – civil servant, white-collar worker	6.0	19.6	20.8	53.6	0.0		N=158	
	Common employee – blue-collar worker	9.5	26.6	15.2	46.8	1.9			

Base: all respondents, n=1002

## 9.2 Giving Up Heating, Electricity

	Has your family had to give up the following during the past 12 months: HEATING, ELECTRICITY							D/S, N/A	Count
	Often	Sometimes	Rarely	Never	D/S, N/A				
	Row %	Row %	Row %	Row %	Row %	Row %			
ALL	3.8	9.8	13.3	72.5	0.7			N=1002	
NATIONALITY									
	2.0	5.7	7.9	83.4	1.0			N=595	
	6.3	15.7	22.0	56.0	0.0			N=318	
	6.7	15.7	18.0	58.4	1.1			N=89	
CITIZENSHIP OF LATVIA	3.5	7.4	11.1	77.2	0.8			N=782	
	5.0	18.2	20.9	55.5	0.5			N=220	
GENDER									
	2.4	9.2	13.6	73.7	1.0			N=411	
	4.7	10.2	13.0	71.6	0.5			N=591	
AGE									
	2.3	8.2	9.6	79.4	0.6			N=355	
	4.3	10.5	12.8	71.7	0.8			N=258	
	4.9	10.8	17.0	66.6	0.8			N=389	
PLACE OF RESIDENCE									
	2.1	10.8	18.3	68.2	0.6			N=333	
	5.9	10.3	12.8	70.4	0.6			N=358	
	3.2	8.0	8.4	79.4	1.0			N=311	
REGION									
	2.1	10.8	18.3	68.2	0.6			N=333	
	1.9	3.4	4.8	89.4	0.5			N=207	
	4.5	10.6	9.1	73.5	2.3			N=132	
	4.2	13.2	6.6	75.4	0.6			N=167	
	8.6	11.7	23.9	55.8	0.0			N=163	
EDUCATION									
	4.3	8.0	10.1	76.6	1.1			N=188	
	3.5	9.8	8.2	77.7	0.8			N=256	
	4.6	11.1	16.0	68.0	0.3			N=350	
	2.4	9.2	17.0	70.4	1.0			N=206	
INCOME PER HOUSEHOLD MEMBER									
	9.0	10.7	9.0	69.7	1.6			N=122	
	5.2	13.3	16.1	65.0	0.3			N=286	
	1.2	14.8	15.6	67.3	1.2			N=257	
	2.3	3.7	14.0	80.0	0.0			N=215	
SOCIAL STATUS									
	5.4	12.5	16.1	66.1	0.0			N=56	
	1.9	7.4	11.1	77.8	1.9			N=54	
	7.7	10.3	15.8	65.8	0.4			N=234	
	1.5	5.3	6.1	87.0	0.0			N=131	
	0.0	20.0	10.0	70.0	0.0			N=70	
	3.3	6.7	26.7	63.3	0.0			N=30	
	1.0	11.0	16.0	70.0	2.0			N=100	
	4.2	6.5	10.1	78.0	1.2			N=168	
	3.2	11.4	15.8	69.0	0.6			N=158	

Base: all respondents, n=1002

## 9.3 Giving Up Clothing or Footwear That Is Truly Necessary

	*****	Has your family had to give up the following during the past 12 months: CLOTHING or FOOTWEAR THAT WAS TRULY NECESSARY							
		Often	Sometimes	Rarely	Never	D/S, N/A	Count		
		Row %	Row %	Row %	Row %	Row %			
ALL		12.7	25.7	23.4	38.0	0.2	N=1002		
NATIONALITY									
	Latvian	11.3	22.4	20.7	45.5	0.2	N=595		
	Russian	12.3	29.9	28.9	28.6	0.3	N=318		
	Other	23.6	33.7	21.3	21.3	0.0	N=89		
CITIZENSHIP OF LATVIA									
	Yes	12.0	23.3	22.6	41.8	0.3	N=782		
	No	15.0	34.5	25.9	24.5	0.0	N=220		
GENDER									
	Male	6.6	22.6	24.6	46.0	0.2	N=411		
	Female	16.9	27.9	22.5	32.5	0.2	N=591		
AGE									
	15-34 years	7.3	23.1	26.8	42.5	0.3	N=355		
	35-49 years	12.8	29.1	23.3	34.5	0.4	N=258		
	50-74 years	17.5	26.0	20.3	36.2	0.0	N=389		
PLACE OF RESIDENCE									
	Riga	9.3	28.2	32.7	29.4	0.3	N=333		
	Other city, town	16.2	24.6	17.9	41.1	0.3	N=358		
	Village, rural area	12.2	24.4	19.6	43.7	0.0	N=311		
REGION									
	Riga	9.3	28.2	32.7	29.4	0.3	N=333		
	Vidzeme	15.9	22.2	19.3	42.5	0.0	N=207		
	Kurzeme	13.6	22.7	18.9	44.7	0.0	N=132		
	Zemgale	7.8	29.9	9.6	52.7	0.0	N=167		
	Latgale	19.6	23.3	27.0	29.4	0.6	N=163		
EDUCATION									
	Basic or unfinished secondary	9.6	29.8	20.2	40.4	0.0	N=188		
	Secondary	16.0	22.3	21.9	39.5	0.4	N=256		
	Secondary professional	14.0	27.7	23.1	35.1	0.0	N=350		
	Higher	9.2	23.3	28.2	38.8	0.5	N=206		
INCOME PER HOUSEHOLD MEMBER									
	Up to Ls 40	18.9	29.5	16.4	35.2	0.0	N=122		
	Ls 41-70	19.9	28.3	19.2	32.2	0.3	N=286		
	Ls 71-100	8.9	29.6	28.4	33.1	0.0	N=257		
	Ls 101 and above	7.9	19.5	29.3	42.8	0.5	N=215		
SOCIAL STATUS									
	Unemployed	14.3	28.6	26.8	30.4	0.0	N=56		
	Homemaker	11.1	33.3	22.2	33.3	0.0	N=54		
	Pensioner (incl. handicapped)	19.2	26.1	17.1	37.6	0.0	N=234		
	Student (full-time), schoolchild	8.4	16.8	28.2	45.8	0.8	N=131		
	Self-employed (businessman, etc.)	2.9	24.3	25.7	47.1	0.0	N=70		
	Higher- or mid-level manager	13.3	10.0	30.0	46.7	0.0	N=30		
	Professional (doctor, lawyer, economist, etc.)	8.0	25.0	26.0	41.0	0.0	N=100		
	Common employee – civil servant, white-collar worker	14.3	26.2	23.2	35.7	0.6	N=168		
	Common employee – blue-collar worker	12.0	32.3	24.1	31.6	0.0	N=158		

Base: all respondents, n=1002

## 9.4 Giving Up Medicine, Medical Aid

	*****	Has your family had to give up the following during the past 12 months: MEDICINE, MEDICAL AID						
		Often	Sometimes	Rarely	Never	D/S, N/A	Count	
		Row %	Row %	Row %	Row %	Row %	Count	
ALL	*****	13.5	19.5	21.8	44.2	1.1	N=1002	
NATIONALITY								
	Latvian	12.3	17.6	21.8	46.9	1.3	N=595	
	Russian	12.9	21.4	22.3	42.8	0.6	N=318	
	Other	23.6	24.7	19.1	31.5	1.1	N=89	
CITIZENSHIP OF LATVIA								
	Yes	11.6	18.3	21.7	47.1	1.3	N=782	
	No	20.0	23.6	21.8	34.1	0.5	N=220	
GENDER								
	Male	6.6	17.8	23.4	50.6	1.7	N=411	
	Female	18.3	20.6	20.6	39.8	0.7	N=591	
AGE								
	15-34 years	3.9	15.5	20.6	58.0	2.0	N=355	
	35-49 years	12.4	17.8	23.6	45.3	0.8	N=258	
	50-74 years	22.9	24.2	21.6	30.8	0.5	N=389	
PLACE OF RESIDENCE								
	Riga	10.5	17.4	22.8	47.1	2.1	N=333	
	Other city, town	15.4	19.8	20.7	43.9	0.3	N=358	
	Village, rural area	14.5	21.2	21.9	41.5	1.0	N=311	
REGION								
	Riga	10.5	17.4	22.8	47.1	2.1	N=333	
	Vidzeme	14.0	15.9	20.3	49.3	0.5	N=207	
	Kurzeme	14.4	26.5	19.7	38.6	0.8	N=132	
	Zemgale	15.6	21.6	18.6	43.7	0.6	N=167	
	Latgale	16.0	20.2	26.4	36.8	0.6	N=163	
EDUCATION								
	Basic or unfinished secondary	18.1	20.2	17.6	41.0	3.2	N=188	
	Secondary	15.6	20.3	20.7	42.6	0.8	N=256	
	Secondary professional	12.0	20.6	25.7	41.4	0.3	N=350	
	Higher	9.2	16.0	20.4	53.4	1.0	N=206	
INCOME PER HOUSEHOLD MEMBER								
	Up to Ls 40	20.5	24.6	22.1	32.8	0.0	N=122	
	Ls 41-70	21.7	26.2	21.3	30.4	0.3	N=286	
	Ls 71-100	9.7	23.0	22.2	43.6	1.6	N=257	
	Ls 101 and above	6.5	8.4	23.3	60.5	1.4	N=215	
SOCIAL STATUS								
	Unemployed	19.6	19.6	26.8	33.9	0.0	N=56	
	Homemaker	13.0	14.8	25.9	46.3	0.0	N=54	
	Pensioner (incl. handicapped)	27.8	26.5	19.2	26.5	0.0	N=234	
	Student (full-time), schoolchild	3.1	12.2	17.6	62.6	4.6	N=131	
	Self-employed (businessman, etc.)	4.3	10.0	30.0	55.7	0.0	N=70	
	Higher- or mid-level manager	10.0	20.0	13.3	56.7	0.0	N=30	
	Professional (doctor, lawyer, economist, etc.)	7.0	17.0	18.0	57.0	1.0	N=100	
	Common employee – civil servant, white-collar worker	11.3	16.7	23.2	47.6	1.2	N=168	
	Common employee – blue-collar worker	9.5	25.3	24.7	39.2	1.3	N=158	

Base: all respondents, n=1002

## 10. Were the Last Saeima Elections Free?

		Would you say, in general, the last Saeima elections were free?				Count	
		Yes		No			D/S, N/A
		Row %	Row %	Row %	Row %		
ALL	*****	54.6	22.4	23.1	N=1002		
NATIONALITY	Latvian	68.6	15.3	16.1	N=595		
	Russian	32.4	34.3	33.3	N=318		
	Other	40.4	27.0	32.6	N=89		
CITIZENSHIP OF LATVIA	Yes	64.3	18.4	17.3	N=782		
	No	20.0	36.4	43.6	N=220		
GENDER	Male	56.9	21.4	21.7	N=411		
	Female	53.0	23.0	24.0	N=591		
AGE	15-34 years	54.9	22.5	22.5	N=355		
	35-49 years	55.8	22.9	21.3	N=258		
	50-74 years	53.5	21.9	24.7	N=389		
PLACE OF RESIDENCE	Riga	49.2	24.9	25.8	N=333		
	Other city, town	51.4	24.3	24.3	N=358		
	Village, rural area	64.0	17.4	18.6	N=311		
REGION	Riga	49.2	24.9	25.8	N=333		
	Vidzeme	67.1	13.5	19.3	N=207		
	Kurzeme	49.2	18.2	32.6	N=132		
	Zemgale	62.9	22.8	14.4	N=167		
	Latgale	45.4	31.3	23.3	N=163		
	Basic or unfinished secondary	50.5	16.0	33.5	N=188		
EDUCATION	Secondary	57.0	18.8	24.2	N=256		
	Secondary professional	54.9	26.3	18.9	N=350		
	Higher	55.3	25.7	18.9	N=206		
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	46.7	25.4	27.9	N=122		
	Ls 41-70	54.9	19.9	25.2	N=286		
	Ls 71-100	61.9	22.2	16.0	N=257		
SOCIAL STATUS	Ls 101 and above	55.8	25.6	18.6	N=215		
	Unemployed	32.1	35.7	32.1	N=56		
	Homemaker	44.4	24.1	31.5	N=54		
	Pensioner (incl. handicapped)	52.1	18.4	29.5	N=234		
	Student (full-time), schoolchild	52.7	16.0	31.3	N=131		
	Self-employed (businessman, etc.)	67.1	22.9	10.0	N=70		
	Higher- or mid-level manager	70.0	26.7	3.3	N=30		
	Professional (doctor, lawyer, economist, etc.)	57.0	28.0	15.0	N=100		
	Common employee – civil servant, white-collar worker	66.7	19.6	13.7	N=168		
	Common employee – blue-collar worker	48.7	25.9	25.3	N=158		

Base: all respondents, n=1002

## 11. Participation in the Saeima Elections

		Did you participate in the last Saeima elections?				
		Yes		No		D/S, N/A
		Row %	Row %	Row %	Count	
ALL	*****	72.8	26.2	1.0	N=782	
NATIONALITY	Latvian	75.7	23.6	0.7	N=584	
	Russian	61.5	35.9	2.6	N=156	
	Other	73.8	26.2	0.0	N=42	
CITIZENSHIP OF LATVIA	Yes	72.8	26.2	1.0	N=782	
	Male	71.3	27.8	0.9	N=327	
GENDER	Female	73.8	25.1	1.1	N=455	
	15-34 years	55.6	42.5	2.0	N=306	
	35-49 years	80.1	18.9	1.0	N=201	
	50-74 years	86.5	13.5	0.0	N=275	
PLACE OF RESIDENCE	Riga	73.5	26.0	0.5	N=219	
	Other city, town	70.9	27.4	1.7	N=292	
	Village, rural area	74.2	25.1	0.7	N=271	
REGION	Riga	73.5	26.0	0.5	N=219	
	Vidzeme	75.1	24.3	0.5	N=185	
	Kurzeme	74.0	25.0	1.0	N=104	
	Zemgale	70.8	29.2	0.0	N=137	
EDUCATION	Latgale	69.3	27.0	3.6	N=137	
	Basic or unfinished secondary	45.6	53.0	1.3	N=149	
	Secondary	75.5	23.0	1.5	N=200	
	Secondary professional	81.0	18.3	0.7	N=268	
	Higher	80.6	18.8	0.6	N=165	
	Up to Ls 40	57.3	38.8	3.9	N=103	
	Ls 41-70	78.3	21.2	0.4	N=226	
INCOME PER HOUSEHOLD MEMBER	Ls 71-100	79.2	20.8	0.0	N=192	
	Ls 101 and above	80.2	19.2	0.6	N=167	
	Unemployed	55.3	42.1	2.6	N=38	
	Homemaker	58.5	41.5	0.0	N=41	
SOCIAL STATUS	Pensioner (incl. handicapped)	85.0	15.0	0.0	N=167	
	Student (full-time), schoolchild	33.0	61.7	5.2	N=115	
	Self-employed (businessman, etc.)	78.2	21.8	0.0	N=55	
	Higher- or mid-level manager	75.0	25.0	0.0	N=28	
	Professional (doctor, lawyer, economist, etc.)	84.1	14.6	1.2	N=82	
	Common employee – civil servant, white-collar worker	83.8	16.2	0.0	N=148	
Common employee – blue-collar worker	80.6	19.4	0.0	N=108		

Base: all respondents, n=1002

### 12. The Party Voted For in the Last Saeima Elections

	Which political party did you vote for?									
	<i>Jaunais Laiks</i> (New Era)	<i>PCTVL</i> (For Human Rights in a United Latvia)	<i>Tautas partija</i> (People's Party)	<i>Latvijas Pirmā partija</i> (Latvia's First Party)	<i>Zaļo un Zemieku savienība</i> (Green and Farmers Union)	<i>TB/LNNK</i> (For Fatherland and Freedom)	Other	Do not remember	No answer	
	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Count
ALL	29.3	13.4	13.7	8.3	11.2	7.6	6.3	6.7	3.5	N=569
NATIONALITY										
Latvian	34.6	3.4	15.4	10.0	11.5	9.0	5.7	7.9	2.5	N=442
Russian	12.5	53.1	7.3	2.1	7.3	2.1	8.3	1.0	6.3	N=96
Other	6.5	32.3	9.7	3.2	19.4	3.2	9.7	6.5	9.7	N=31

Base: respondents who participated in the Saeima elections, n=569

### 13. Did the Party Live Up to Your Expectations?

	Did the party you voted for live up to your expectations?					
	Yes, completely	Yes, partially	Did not, completely	D/S, N/A		
	Row %	Row %	Row %	Row %	Row %	Count
ALL	5.6	49.0	33.7	11.6		N=569
Which political party did you vote for?						
<i>Jaunais Laiks</i> (New Era)	5.4	52.7	38.3	3.6		N=167
<i>PCTVL</i> (For Human Rights in a United Latvia)	3.9	57.9	32.9	5.3		N=76
<i>Tautas partija</i> (People's Party)	5.1	50.0	29.5	15.4		N=78
<i>Latvijas Pirmā partija</i> (Latvia's First Party)	6.4	34.0	53.2	6.4		N=47
<i>Zaļo un zemieku savienība</i> (Green and Farmers Union)	7.8	57.8	28.1	6.3		N=64
<i>TB/LNNK</i> (For Fatherland and Freedom)	18.6	62.8	11.6	7.0		N=43
Other	0.0	36.1	50.0	13.9		N=36
Do not remember	0.0	15.8	21.1	63.2		N=38
No answer	0.0	45.0	30.0	25.0		N=20

Base: respondents who participated in the Saeima elections, n=569



## 14. Participation in Protest Actions and Meeting with People's Representatives

### 14.1 Participation in Protest Campaigns

		Have you participated in protest campaigns during the past 3 years?			Count
		Yes	No	D/S, N/A	
		Row %	Row %	Row %	
ALL	*****	9.4	90.2	0.4	N=1002
NATIONALITY	Latvian	3.4	96.3	0.3	N=595
	Russian	21.1	78.3	0.6	N=318
	Other	7.9	92.1	0.0	N=89
CITIZENSHIP OF LATVIA	Yes	8.4	91.0	0.5	N=782
	No	12.7	87.3	0.0	N=220
GENDER	Male	9.2	90.8	0.0	N=411
	Female	9.5	89.8	0.7	N=591
AGE	15-34 years	12.4	87.3	0.3	N=355
	35-49 years	10.1	89.1	0.8	N=258
	50-74 years	6.2	93.6	0.3	N=389
PLACE OF RESIDENCE	Riga	18.6	81.1	0.3	N=333
	Other city, town	6.4	93.0	0.6	N=358
	Village, rural area	2.9	96.8	0.3	N=311
REGION	Riga	18.6	81.1	0.3	N=333
	Vidzeme	2.9	97.1	0.0	N=207
	Kurzeme	3.0	96.2	0.8	N=132
	Zemgale	1.8	98.2	0.0	N=167
	Latgale	11.7	87.1	1.2	N=163
EDUCATION	Basic or unfinished secondary	8.0	91.5	0.5	N=188
	Secondary	6.3	93.4	0.4	N=256
	Secondary professional	8.9	90.9	0.3	N=350
	Higher	15.0	84.5	0.5	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	4.9	95.1	0.0	N=122
	Ls 41-70	7.0	92.7	0.3	N=286
	Ls 71-100	12.1	87.9	0.0	N=257
	Ls 101 and above	8.4	90.7	0.9	N=215
SOCIAL STATUS	Unemployed	8.9	91.1	0.0	N=56
	Homemaker	11.1	88.9	0.0	N=54
	Pensioner (incl. handicapped)	4.7	95.3	0.0	N=234
	Student (full-time), schoolchild	16.8	82.4	0.8	N=131
	Self-employed (businessman, etc.)	18.6	81.4	0.0	N=70
	Higher- or mid-level manager	6.7	90.0	3.3	N=30
	Professional (doctor, lawyer, economist, etc.)	16.0	82.0	2.0	N=100
	Common employee – civil servant, white-collar worker	8.3	91.7	0.0	N=168
	Common employee – blue-collar worker	3.2	96.8	0.0	N=158

Base: all respondents, n=1002

### 14.2 Meetings With Deputies, Ministers or Civil Servants Regarding Political Issues

		Have you met with deputies, ministers or civil servants regarding some political issue during the past 3 years?			Count
		Yes	No	D/S, N/A	
		Row %	Row %	Row %	
ALL	*****	7.1	92.5	0.4	N=1002
NATIONALITY	Latvian	8.2	91.3	0.5	N=595
	Russian	6.0	93.7	0.3	N=318
	Other	3.4	96.6	0.0	N=89
CITIZENSHIP OF LATVIA	Yes	7.8	91.8	0.4	N=782
	No	4.5	95.0	0.5	N=220
GENDER	Male	8.0	91.2	0.7	N=411
	Female	6.4	93.4	0.2	N=591
AGE	15-34 years	6.2	93.8	0.0	N=355
	35-49 years	10.9	88.0	1.2	N=258
	50-74 years	5.4	94.3	0.3	N=389
PLACE OF RESIDENCE	Riga	8.7	90.7	0.6	N=333
	Other city, town	6.1	93.3	0.6	N=358
	Village, rural area	6.4	93.6	0.0	N=311
REGION	Riga	8.7	90.7	0.6	N=333
	Vidzeme	6.3	93.2	0.5	N=207
	Kurzeme	8.3	91.7	0.0	N=132
	Zemgale	3.6	96.4	0.0	N=167
	Latgale	7.4	92.0	0.6	N=163
EDUCATION	Basic or unfinished secondary	1.6	98.4	0.0	N=188
	Secondary	4.7	94.9	0.4	N=256
	Secondary professional	6.9	92.9	0.3	N=350
	Higher	15.5	83.5	1.0	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	4.1	95.9	0.0	N=122
	Ls 41-70	5.6	94.4	0.0	N=286
	Ls 71-100	10.9	88.3	0.8	N=257
	Ls 101 and above	7.4	91.6	0.9	N=215
SOCIAL STATUS	Unemployed	8.9	91.1	0.0	N=56
	Homemaker	5.6	94.4	0.0	N=54
	Pensioner (incl. handicapped)	4.3	95.7	0.0	N=234
	Student (full-time), schoolchild	3.1	96.9	0.0	N=131
	Self-employed (businessman, etc.)	12.9	87.1	0.0	N=70
	Higher- or mid-level manager	16.7	80.0	3.3	N=30
	Professional (doctor, lawyer, economist, etc.)	14.0	85.0	1.0	N=100
	Common employee – civil servant, white-collar worker	10.1	88.7	1.2	N=168
	Common employee – blue-collar worker	2.5	97.5	0.0	N=158

Base: all respondents, n=1002

### 14.3 Meetings With Local Government Deputies Regarding Political Issues

		Have you met with local government deputies regarding some political issue during the past 3 years?			Count
		Yes	No	D/S, N/A	
		Row %	Row %	Row %	
ALL	*****	9.4	90.3	0.3	N=1002
NATIONALITY	Latvian	10.4	89.1	0.5	N=595
	Russian	9.4	90.6	0.0	N=318
	Other	2.2	97.8	0.0	N=89
CITIZENSHIP OF LATVIA	Yes	10.0	89.6	0.4	N=782
	No	7.3	92.7	0.0	N=220
GENDER	Male	10.5	89.1	0.5	N=411
	Female	8.6	91.2	0.2	N=591
AGE	15-34 years	6.5	93.5	0.0	N=355
	35-49 years	15.1	83.7	1.2	N=258
	50-74 years	8.2	91.8	0.0	N=389
PLACE OF RESIDENCE	Riga	9.0	90.4	0.6	N=333
	Other city, town	6.7	93.0	0.3	N=358
	Village, rural area	12.9	87.1	0.0	N=311
REGION	Riga	9.0	90.4	0.6	N=333
	Vidzeme	12.6	87.0	0.5	N=207
	Kurzeme	6.1	93.9	0.0	N=132
	Zemgale	4.8	95.2	0.0	N=167
	Latgale	13.5	86.5	0.0	N=163
EDUCATION	Basic or unfinished secondary	4.3	95.7	0.0	N=188
	Secondary	7.0	92.6	0.4	N=256
	Secondary professional	8.6	91.1	0.3	N=350
	Higher	17.5	82.0	0.5	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	9.0	91.0	0.0	N=122
	Ls 41-70	8.4	91.6	0.0	N=286
	Ls 71-100	14.4	85.2	0.4	N=257
	Ls 101 and above	8.4	90.7	0.9	N=215
SOCIAL STATUS	Unemployed	0.0	100.0	0.0	N=56
	Homemaker	7.4	92.6	0.0	N=54
	Pensioner (incl. handicapped)	6.0	94.0	0.0	N=234
	Student (full-time), schoolchild	4.6	95.4	0.0	N=131
	Self-employed (businessman, etc.)	24.3	75.7	0.0	N=70
	Higher- or mid-level manager	13.3	83.3	3.3	N=30
	Professional (doctor, lawyer, economist, etc.)	18.0	82.0	0.0	N=100
	Common employee – civil servant, white-collar worker	13.1	85.7	1.2	N=168
	Common employee – blue-collar worker	5.7	94.3	0.0	N=158

Base: all respondents, n=1002

## 15. Satisfaction With the Development of Democracy in Latvia

	In general, how satisfied are you with the development of democracy in our country?						D/S, N/A	Count
	Very satisfied	Quite satisfied	Rather dissatisfied	Very dissatisfied	Row %	Count		
ALL	2.2	30.3	44.7	16.9	5.9	N=1002		
NATIONALITY								
Latvian	2.5	37.8	42.5	11.4	5.7	N=595		
Russian	1.6	17.0	48.7	26.7	6.0	N=318		
Other	2.2	28.1	44.9	18.0	6.7	N=89		
CITIZENSHIP OF LATVIA								
Yes	2.3	34.7	44.5	13.2	5.4	N=782		
No	1.8	15.0	45.5	30.0	7.7	N=220		
GENDER								
Male	2.2	31.4	42.1	18.7	5.6	N=411		
Female	2.2	29.6	46.5	15.6	6.1	N=591		
AGE								
15-34 years	2.0	34.4	43.1	14.9	5.6	N=355		
35-49 years	1.6	29.8	47.3	14.7	6.6	N=258		
50-74 years	2.8	27.0	44.5	20.1	5.7	N=389		
PLACE OF RESIDENCE								
Riga	1.8	24.3	47.1	20.4	6.3	N=333		
Other city, town	2.0	30.7	43.6	17.3	6.4	N=358		
Village, rural area	2.9	36.3	43.4	12.5	4.8	N=311		
REGION								
Riga	1.8	24.3	47.1	20.4	6.3	N=333		
Vidzeme	3.4	46.4	36.7	10.1	3.4	N=207		
Kurzeme	3.0	28.0	49.2	9.1	10.6	N=132		
Zemgale	0.6	27.5	39.5	26.3	6.0	N=167		
Latgale	2.5	27.0	51.5	14.7	4.3	N=163		
EDUCATION								
Basic or unfinished secondary	3.2	30.9	37.8	18.1	10.1	N=188		
Secondary	3.5	30.9	42.6	16.4	6.6	N=256		
Secondary professional	1.4	32.6	45.4	15.7	4.9	N=350		
Higher	1.0	25.7	52.9	17.5	2.9	N=206		
INCOME PER HOUSEHOLD MEMBER								
Up to Ls 40	3.3	31.1	36.1	20.5	9.0	N=122		
Ls 41-70	1.7	31.1	45.8	14.7	6.6	N=286		
Ls 71-100	3.1	28.8	47.1	19.1	1.9	N=257		
Ls 101 and above	1.4	35.3	46.0	14.9	2.3	N=215		
SOCIAL STATUS								
Unemployed	3.6	17.9	48.2	23.2	7.1	N=56		
Homemaker	1.9	33.3	51.9	9.3	3.7	N=54		
Pensioner (incl. handicapped)	3.8	26.5	42.3	20.1	7.3	N=234		
Student (full-time), schoolchild	2.3	36.6	41.2	10.7	9.2	N=131		
Self-employed (businessman, etc.)	0.0	28.6	41.4	24.3	5.7	N=70		
Higher- or mid-level manager	6.7	36.7	43.3	13.3	0.0	N=30		
Professional (doctor, lawyer, economist, etc.)	2.0	28.0	52.0	14.0	4.0	N=100		
Common employee – civil servant, white-collar worker	1.2	40.5	44.6	9.5	4.2	N=168		
Common employee – blue-collar worker	0.6	24.7	44.9	24.1	5.7	N=158		

Base: all respondents, n=1002

**16. Statements**  
**16.1 In General, the Government Takes the Public Opinion Into Account**

	In general, the government takes the public opinion into account					D/S, N/A	Count
	Fully agree Row %	Partially agree Row %	Partially disagree Row %	Fully disagree Row %	Row %		
ALL	3.4	28.3	30.2	35.5	2.5	N=1002	
NATIONALITY							
Latvian	3.9	34.8	28.7	31.1	1.5	N=595	
Russian	2.5	19.2	33.0	42.1	3.1	N=318	
Other	3.4	18.0	30.3	41.6	6.7	N=89	
CITIZENSHIP OF LATVIA							
Yes	3.7	31.8	30.2	32.0	2.3	N=782	
No	2.3	15.9	30.5	48.2	3.2	N=220	
GENDER							
Male	3.4	29.9	31.6	33.1	1.9	N=411	
Female	3.4	27.2	29.3	37.2	2.9	N=591	
AGE							
15-34 years	3.7	31.3	34.6	27.0	3.4	N=355	
35-49 years	3.5	29.8	24.4	40.7	1.6	N=258	
50-74 years	3.1	24.7	30.1	39.8	2.3	N=389	
PLACE OF RESIDENCE							
Riga	3.6	24.0	30.6	39.9	1.8	N=333	
Other city, town	1.7	24.0	36.3	34.9	3.1	N=358	
Village, rural area	5.1	37.9	22.8	31.5	2.6	N=311	
REGION							
Riga	3.6	24.0	30.6	39.9	1.8	N=333	
Vidzeme	3.9	35.3	25.6	34.3	1.0	N=207	
Kurzeme	3.8	32.6	31.1	29.5	3.0	N=132	
Zemgale	1.8	21.6	31.1	43.1	2.4	N=167	
Latgale	3.7	31.9	33.7	25.2	5.5	N=163	
EDUCATION							
Basic or unfinished secondary	6.9	31.4	26.1	32.4	3.2	N=188	
Secondary	2.0	28.1	29.7	37.5	2.7	N=256	
Secondary professional	2.6	27.7	29.1	38.3	2.3	N=350	
Higher	3.4	27.2	36.9	30.6	1.9	N=206	
INCOME PER HOUSEHOLD MEMBER							
Up to Ls 40	2.5	26.2	22.1	46.7	2.5	N=122	
Ls 41-70	3.8	29.7	29.7	32.9	3.8	N=286	
Ls 71-100	5.1	26.8	32.7	34.2	1.2	N=257	
Ls 101 and above	0.9	30.2	31.6	36.3	0.9	N=215	
SOCIAL STATUS							
Unemployed	3.6	23.2	28.6	41.1	3.6	N=56	
Homemaker	3.7	29.6	35.2	31.5	0.0	N=54	
Pensioner (incl. handicapped)	3.8	28.6	24.8	38.9	3.8	N=234	
Student (full-time), schoolchild	5.3	39.7	26.7	24.4	3.8	N=131	
Self-employed (businessman, etc.)	2.9	24.3	31.4	40.0	1.4	N=70	
Higher- or mid-level manager	0.0	23.3	40.0	36.7	0.0	N=30	
Professional (doctor, lawyer, economist, etc.)	6.0	31.0	35.0	27.0	1.0	N=100	
Common employee – civil servant, white-collar worker	1.8	27.4	32.7	34.5	3.6	N=168	
Common employee – blue-collar worker	1.9	22.2	32.3	43.0	0.6	N=158	

Base: all respondents, n=1002

## 16.2 People in High Public Positions Usually Are Concerned More About Their Own Rather Than Public Benefit

		People in high public positions usually are concerned more about their own rather than public benefit					
		Fully agree	Partially agree	Partially disagree	Fully disagree	D/S, N/A	Count
		Row %	Row %	Row %	Row %	Row %	
ALL	*****	54.8	33.0	7.2	1.9	3.1	N=1002
NATIONALITY	Latvian	55.0	33.8	6.6	1.5	3.2	N=595
	Russian	53.1	32.7	8.5	2.5	3.1	N=318
	Other	59.6	29.2	6.7	2.2	2.2	N=89
CITIZENSHIP OF LATVIA	Yes	53.1	34.4	7.4	1.9	3.2	N=782
	No	60.9	28.2	6.4	1.8	2.7	N=220
GENDER	Male	51.1	36.0	7.8	2.2	2.9	N=411
	Female	57.4	31.0	6.8	1.7	3.2	N=591
AGE	15-34 years	48.2	38.3	9.0	1.1	3.4	N=355
	35-49 years	52.3	33.3	8.1	3.5	2.7	N=258
	50-74 years	62.5	28.0	4.9	1.5	3.1	N=389
PLACE OF RESIDENCE	Riga	52.3	35.7	7.8	1.5	2.7	N=333
	Other city, town	53.6	36.0	5.0	2.0	3.4	N=358
	Village, rural area	58.8	26.7	9.0	2.3	3.2	N=311
REGION	Riga	52.3	35.7	7.8	1.5	2.7	N=333
	Vidzeme	58.0	29.5	9.2	1.9	1.4	N=207
	Kurzeme	61.4	29.5	3.0	3.0	3.0	N=132
	Zemgale	59.3	31.7	3.6	0.6	4.8	N=167
	Latgale	46.0	36.2	10.4	3.1	4.3	N=163
EDUCATION	Basic or unfinished secondary	60.6	26.6	7.4	1.1	4.3	N=188
	Secondary	55.5	34.4	5.5	2.0	2.7	N=256
	Secondary professional	52.9	34.0	7.4	3.1	2.6	N=350
	Higher	51.9	35.4	8.7	0.5	3.4	N=206
	Up to Ls 40	63.1	27.0	5.7	1.6	2.5	N=122
INCOME PER HOUSEHOLD MEMBER	Ls 41-70	62.6	24.1	8.4	1.7	3.1	N=286
	Ls 71-100	54.9	33.9	7.0	1.9	2.3	N=257
	Ls 101 and above	48.8	40.9	6.0	1.9	2.3	N=215
SOCIAL STATUS	Unemployed	53.6	33.9	5.4	1.8	5.4	N=56
	Homemaker	59.3	29.6	5.6	3.7	1.9	N=54
	Pensioner (incl. handicaped)	67.5	21.8	6.0	0.9	3.8	N=234
	Student (full-time), schoolehild	39.7	43.5	11.5	0.8	4.6	N=131
	Self-employed (businessman, etc.)	51.4	42.9	4.3	0.0	1.4	N=70
	Higher- or mid-level manager	50.0	33.3	13.3	0.0	3.3	N=30
	Professional (doctor, lawyer, economist, etc.)	55.0	34.0	7.0	1.0	3.0	N=100
Common employee – civil servant, white-collar worker	Common employee – civil servant, white-collar worker	51.8	35.7	7.7	1.8	3.0	N=168
	Common employee – blue-collar worker	53.2	34.2	6.3	5.1	1.3	N=158

Base: all respondents, n=1002

## 16.3 A Few Strong Leaders Will Do More Good To Latvia Than All the Laws and Discussions Combined

		A few strong leaders will do more good to our country than all the laws and discussions combined					
		Fully agree	Partially agree	Partially disagree	Fully disagree	D/S, N/A	Count
		Row %	Row %	Row %	Row %	Row %	
ALL	*****	22.5	36.0	16.6	11.3	13.7	N=1002
NATIONALITY	Latvian	25.4	33.1	17.3	12.3	11.9	N=595
	Russian	18.6	38.7	15.4	11.0	16.4	N=318
	Other	16.9	46.1	15.7	5.6	15.7	N=89
CITIZENSHIP OF LATVIA	Yes	23.3	35.5	17.1	11.4	12.7	N=782
	No	19.5	37.7	14.5	10.9	17.3	N=220
GENDER	Male	25.1	37.5	16.1	10.5	10.9	N=411
	Female	20.6	35.0	16.9	11.8	15.6	N=591
AGE	15-34 years	20.8	39.4	15.8	9.6	14.4	N=355
	35-49 years	20.5	34.5	18.6	10.9	15.5	N=258
	50-74 years	25.2	33.9	15.9	13.1	11.8	N=389
PLACE OF RESIDENCE	Riga	20.1	36.9	18.3	11.1	13.5	N=333
	Other city, town	21.5	34.4	18.2	10.3	15.6	N=358
	Village, rural area	26.0	37.0	12.9	12.5	11.6	N=311
REGION	Riga	20.1	36.9	18.3	11.1	13.5	N=333
	Vidzeme	25.6	28.0	21.3	15.5	9.7	N=207
	Kurzeme	22.7	32.6	15.9	8.3	20.5	N=132
	Zemgale	24.6	37.1	12.0	13.2	13.2	N=167
	Latgale	20.9	46.0	12.3	6.7	14.1	N=163
EDUCATION	Basic or unfinished secondary	26.1	37.8	12.8	6.4	17.0	N=188
	Secondary	27.0	27.0	16.8	15.2	14.1	N=256
	Secondary professional	18.9	38.9	19.4	9.1	13.7	N=350
	Higher	19.4	40.8	15.0	14.6	10.2	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	27.9	36.9	13.1	5.7	16.4	N=122
	Ls 41-70	22.0	39.9	16.1	9.1	12.9	N=286
	Ls 71-100	19.5	37.4	19.8	11.3	12.1	N=257
SOCIAL STATUS	Ls 101 and above	24.2	31.6	18.1	15.3	10.7	N=215
	Unemployed	30.4	25.0	16.1	8.9	19.6	N=56
	Homemaker	18.5	42.6	22.2	7.4	9.3	N=54
	Pensioner (incl. handicapped)	24.8	33.3	15.4	12.4	14.1	N=234
	Student (full-time), schoolchild	21.4	34.4	17.6	9.2	17.6	N=131
	Self-employed (businessman, etc.)	27.1	34.3	15.7	10.0	12.9	N=70
	Higher- or mid-level manager	16.7	40.0	16.7	16.7	10.0	N=30
Professional (doctor, lawyer, economist, etc.)	15.0	46.0	12.0	19.0	8.0	N=100	
	Common employee – civil servant, white-collar worker	20.8	33.9	20.2	9.5	15.5	N=168
	Common employee – blue-collar worker	24.1	38.6	15.2	10.1	12.0	N=158

Base: all respondents, n=1002

## 16.4 The Leading Newspapers in the Country Should Definitely Support the Government Opinion

		The leading newspapers in the country should definitely support the government opinion					
		Fully agree	Partially agree	Partially disagree	Fully disagree	D/S, N/A	Count
		Row %	Row %	Row %	Row %	Row %	
ALL	*****	8.9	16.5	27.6	39.2	7.8	N=1002
NATIONALITY	Latvian	9.7	19.3	22.5	41.8	6.6	N=595
	Russian	7.5	12.6	34.0	36.8	9.1	N=318
	Other	7.9	11.2	39.3	30.3	11.2	N=89
CITIZENSHIP OF LATVIA	Yes	9.2	17.3	26.6	40.4	6.5	N=782
	No	7.7	13.6	31.4	35.0	12.3	N=220
GENDER	Male	8.3	16.5	29.9	38.9	6.3	N=411
	Female	9.3	16.4	26.1	39.4	8.8	N=591
AGE	15-34 years	7.9	17.7	28.5	39.2	6.8	N=355
	35-49 years	8.5	11.6	31.8	40.3	7.8	N=258
	50-74 years	10.0	18.5	24.2	38.6	8.7	N=389
PLACE OF RESIDENCE	Riga	7.5	12.3	31.5	38.4	10.2	N=333
	Other city, town	8.1	16.8	29.6	38.0	7.5	N=358
	Village, rural area	11.3	20.6	21.2	41.5	5.5	N=311
REGION	Riga	7.5	12.3	31.5	38.4	10.2	N=333
	Vidzeme	5.3	18.4	19.3	53.1	3.9	N=207
	Kurzeme	18.9	18.2	22.7	30.3	9.8	N=132
	Zemgale	7.8	19.2	29.9	37.1	6.0	N=167
	Latgale	9.2	18.4	31.9	32.5	8.0	N=163
EDUCATION	Basic or unfinished secondary	12.2	20.2	23.9	31.4	12.2	N=188
	Secondary	9.4	12.5	27.0	41.0	10.2	N=256
	Secondary professional	8.0	18.0	29.7	37.7	6.6	N=350
	Higher	6.8	15.5	28.2	46.6	2.9	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	10.7	17.2	27.0	38.5	6.6	N=122
	Ls 41-70	13.6	17.1	24.1	37.8	7.3	N=286
	Ls 71-100	6.2	22.2	29.6	35.4	6.6	N=257
	Ls 101 and above	6.5	11.2	34.4	42.8	5.1	N=215
SOCIAL STATUS	Unemployed	16.1	14.3	26.8	30.4	12.5	N=56
	Homemaker	5.6	24.1	33.3	35.2	1.9	N=54
	Pensioner (incl. handicapped)	10.7	17.1	23.5	37.2	11.5	N=234
	Student (full-time), schoolchild	6.9	16.0	26.7	40.5	9.9	N=131
	Self-employed (businessman, etc.)	8.6	14.3	28.6	41.4	7.1	N=70
	Higher- or mid-level manager	9.0	16.7	46.7	36.7	0.0	N=30
	Professional (doctor, lawyer, economist, etc.)	7.0	13.0	26.0	51.0	3.0	N=100
	Common employee – civil servant, white-collar worker	7.7	16.7	26.2	42.9	6.5	N=168
	Common employee – blue-collar worker	10.8	17.1	31.6	33.5	7.0	N=158

Base: all respondents, n=1002



## 16.5 There Should Be Various Press Publications in the Country That Reflect Different Political Opinions

	There should be various press publications in the country that reflect different political opinions							Count
	Fully agree	Partially agree	Partially disagree	Fully disagree	D/S, N/A	Row %	Count	
	Row %	Row %	Row %	Row %	D/S, N/A			
ALL	59.3	30.8	4.9	1.9	3.1	3.1	N=1002	
NATIONALITY	*****	61.8	30.3	4.0	1.7	2.2	N=595	
	Latvian	55.0	31.8	6.9	2.8	3.5	N=318	
CITIZENSHIP OF LATVIA	Russian	57.3	31.5	3.4	0.0	7.9	N=89	
	Other	61.4	30.2	4.3	1.7	2.4	N=782	
GENDER	Yes	51.8	33.2	6.8	2.7	5.5	N=220	
	No	57.7	32.4	5.1	2.7	2.2	N=411	
AGE	Male	60.4	29.8	4.7	1.4	3.7	N=591	
	Female	62.5	28.5	5.1	2.0	2.0	N=355	
	15-34 years	57.4	31.8	7.0	1.9	1.9	N=258	
	35-49 years	57.6	32.4	3.3	1.8	4.9	N=389	
PLACE OF RESIDENCE	50-74 years	56.8	30.6	6.6	3.3	2.7	N=333	
	Riga	58.7	33.2	4.2	1.4	2.5	N=358	
REGION	Other city, town	62.7	28.3	3.9	1.0	4.2	N=311	
	Village, rural area	56.8	30.6	6.6	3.3	2.7	N=333	
	Riga	59.9	31.9	2.4	1.9	3.9	N=207	
	Vidzeme	72.0	22.7	0.8	0.0	4.5	N=132	
EDUCATION	Kurzeme	51.5	40.7	6.6	0.6	0.6	N=167	
	Zemgale	61.3	26.4	6.1	1.8	4.3	N=163	
	Latgale	53.2	34.0	6.4	0.5	5.9	N=188	
	Basic or unfinished secondary	62.9	30.1	2.7	1.6	2.7	N=256	
	Secondary	54.3	34.6	5.4	3.1	2.6	N=350	
	Secondary professional	69.4	22.3	5.3	1.0	1.9	N=206	
INCOME PER HOUSEHOLD MEMBER	Higher	59.0	32.8	4.1	1.6	2.5	N=122	
	Up to Ls 40	58.7	28.3	6.3	1.0	5.6	N=286	
	Ls 41-70	59.1	30.0	6.2	3.5	1.2	N=257	
	Ls 71-100	62.3	33.0	2.3	1.9	0.5	N=215	
SOCIAL STATUS	Ls 101 and above	57.1	28.6	3.6	3.6	7.1	N=56	
	Unemployed	57.4	33.3	7.4	1.9	0.0	N=54	
	Homemaker	53.4	34.6	3.4	2.1	6.4	N=234	
	Pensioner (incl. handicapped)	63.4	29.8	5.3	0.8	0.8	N=131	
Professional (doctor, lawyer, economist, etc.)	Student (full-time), schoolchild	54.3	32.9	5.7	2.9	4.3	N=70	
	Self-employed (businessman, etc.)	73.3	13.3	6.7	6.7	0.0	N=30	
	Higher- or mid-level manager	70.0	15.0	10.0	3.0	2.0	N=100	
Common employee – white-collar worker	Common employee – civil servant, white-collar worker	58.3	35.7	2.4	1.2	2.4	N=168	
	Common employee – blue-collar worker	59.5	33.5	5.1	0.6	1.3	N=158	

Base: all respondents, n=1002

## 16.6 Newspapers That Criticize the Government Are More Valuable to a Free Society

	Newspapers that criticize the government are more valuable to a free society					
	Fully agree	Partially agree	Partially disagree	Fully disagree	D/S, N/A	Count
	Row %	Row %	Row %	Row %	Row %	
ALL	29.1	34.1	19.6	5.2	12.0	N=1002
NATIONALITY						
Latvian	30.8	35.8	18.2	4.4	10.9	N=595
Russian	25.5	29.9	23.9	7.5	13.2	N=318
Other	31.5	38.2	13.5	2.2	14.6	N=89
CITIZENSHIP OF LATVIA						
Yes	29.7	35.4	19.6	4.5	10.9	N=782
No	27.3	29.5	19.5	7.7	15.9	N=220
GENDER						
Male	29.4	36.3	20.0	5.4	9.0	N=411
Female	28.9	32.7	19.3	5.1	14.0	N=591
AGE						
15-34 years	21.7	40.0	21.1	4.2	13.0	N=355
35-49 years	28.7	32.9	22.9	3.5	12.0	N=258
50-74 years	36.2	29.6	15.9	7.2	11.1	N=389
Riga	24.9	27.6	24.0	8.7	14.7	N=333
Other city, town	26.8	39.9	18.2	3.4	11.7	N=358
Village, rural area	36.3	34.4	16.4	3.5	9.3	N=311
REGION						
Riga	24.9	27.6	24.0	8.7	14.7	N=333
Vidzeme	43.5	32.9	12.1	3.9	7.7	N=207
Kurzeme	30.3	30.3	20.5	4.5	14.4	N=132
Zemgale	26.9	42.5	16.8	1.2	12.6	N=167
Latgale	20.9	43.6	22.1	4.3	9.2	N=163
EDUCATION						
Basic or unfinished secondary	29.8	36.7	13.8	4.8	14.9	N=188
Secondary	33.6	34.8	16.4	2.0	13.3	N=256
Secondary professional	27.7	34.0	22.0	6.6	9.7	N=350
Higher	25.7	31.1	24.3	7.3	11.7	N=206
INCOME PER HOUSEHOLD MEMBER						
Up to Ls 40	31.1	36.1	18.9	0.8	13.1	N=122
Ls 41-70	29.0	33.2	19.9	5.9	11.9	N=286
Ls 71-100	27.2	39.3	18.7	5.8	8.9	N=257
Ls 101 and above	33.5	32.6	21.4	4.7	7.9	N=215
SOCIAL STATUS						
Unemployed	26.8	26.8	17.9	0.0	28.6	N=56
Homemaker	33.3	31.5	22.2	0.0	13.0	N=54
Pensioner (incl. handicapped)	35.0	29.9	15.4	7.7	12.0	N=234
Student (full-time), schoolchild	15.3	47.3	19.1	3.8	14.5	N=131
Self-employed (businessman, etc.)	38.6	32.9	17.1	5.7	5.7	N=70
Higher- or mid-level manager	26.7	36.7	26.7	3.3	6.7	N=30
Professional (doctor, lawyer, economist, etc.)	31.0	32.0	20.0	7.0	10.0	N=100
Common employee – civil servant, white-collar worker	21.4	33.9	25.6	5.4	13.7	N=168
Common employee – blue-collar worker	34.2	34.8	19.0	5.1	7.0	N=158

Base: all respondents, n=1002

## 16.7 All Permanent Residents of Latvia Should Enjoy All Civil Rights

		All permanent residents of Latvia should enjoy all civil rights									
		Fully agree		Partially agree		Partially disagree		Fully disagree		D/S, N/A	
		Row %	Row %	Row %	Row %	Row %	Row %	Row %	Row %	Count	
ALL	*****	47.1	20.4	14.0	14.3	4.3				N=1002	
NATIONALITY	Latvian	33.1	19.8	20.2	22.0	4.9				N=595	
	Russian	68.6	19.8	5.0	2.8	3.8				N=318	
	Other	64.0	25.8	4.5	3.4	2.2				N=89	
CITIZENSHIP OF LATVIA	Yes	40.0	21.4	16.6	17.3	4.7				N=782	
	No	72.3	16.8	4.5	3.6	2.7				N=220	
GENDER	Male	43.3	21.2	15.6	16.1	3.9				N=411	
	Female	49.7	19.8	12.9	13.0	4.6				N=591	
	15-34 years	45.1	25.4	13.0	11.3	5.4				N=355	
AGE	35-49 years	46.1	19.8	16.7	12.8	4.7				N=258	
	50-74 years	49.6	16.2	13.1	18.0	3.1				N=389	
	Riga	49.5	21.6	11.1	14.1	3.6				N=333	
PLACE OF RESIDENCE	Other city, town	45.3	19.6	16.5	12.6	6.1				N=358	
	Village, rural area	46.6	19.9	14.1	16.4	2.9				N=311	
	Riga	49.5	21.6	11.1	14.1	3.6				N=333	
REGION	Vidzeme	32.4	21.7	21.3	21.7	2.9				N=207	
	Kurzeme	51.5	13.6	15.2	7.6	12.1				N=132	
	Zemgale	46.7	16.8	14.4	21.0	1.2				N=167	
EDUCATION	Latgale	57.7	25.2	9.2	3.7	4.3				N=163	
	Basic or unfinished secondary	52.7	22.3	10.1	10.6	4.3				N=188	
	Secondary	45.3	18.8	17.2	14.1	4.7				N=256	
INCOME PER HOUSEHOLD MEMBER	Secondary professional	48.0	19.4	15.4	14.0	3.1				N=350	
	Higher	42.7	22.3	11.2	18.0	5.8				N=206	
	Up to Ls 40	48.4	25.4	12.3	8.2	5.7				N=122	
SOCIAL STATUS	Ls 41-70	51.4	18.5	11.2	15.4	3.5				N=286	
	Ls 71-100	42.8	20.2	18.7	14.8	3.5				N=257	
	Ls 101 and above	45.1	21.4	14.4	14.9	4.2				N=215	
UNEMPLOYED	Unemployed	51.8	25.0	8.9	7.1	7.1				N=56	
	Homemaker	51.9	16.7	18.5	11.1	1.9				N=54	
	Pensioner (incl. handicapped)	50.9	16.7	13.7	16.7	2.1				N=234	
STUDENT (full-time), schoolchild	Student (full-time), schoolchild	45.8	30.5	9.9	7.6	6.1				N=131	
	Self-employed (businessman, etc.)	37.1	20.0	20.0	20.0	2.9				N=70	
	Higher- or mid-level manager	26.7	30.0	20.0	20.0	3.3				N=30	
PROFESSIONAL (doctor, lawyer, economist, etc.)	Professional (doctor, lawyer, economist, etc.)	40.0	21.0	12.0	23.0	4.0				N=100	
	Common employee – civil servant, white-collar worker	43.5	15.5	14.3	18.5	8.3				N=168	
	Common employee – blue-collar worker	55.7	20.3	15.2	6.3	2.5				N=158	

Base: all respondents, n=1002

### 16.8 Everybody Has Equal Opportunities to Express Their Opinion, Organize Pickets, Demonstrations

		Everybody has equal opportunities to express their opinion, organize pickets, demonstrations						D/S, N/A	
		Fully agree	Partially agree	Partially disagree	Fully disagree				
		Row %	Row %	Row %	Row %	Row %	Row %	Count	
ALL	*****	37.9	24.5	18.4	11.8			7.5	N=1002
NATIONALITY	Latvian	47.4	25.0	13.9	8.6			5.0	N=595
	Russian	24.5	21.4	25.8	17.3			11.0	N=318
	Other	22.5	31.5	21.3	13.5			11.2	N=89
CITIZENSHIP OF LATVIA	Yes	41.8	24.6	17.0	10.6			6.0	N=782
GENDER	No	24.1	24.1	23.2	15.9			12.7	N=220
	Male	32.8	27.0	20.9	12.4			6.8	N=411
	Female	41.5	22.7	16.6	11.3			8.0	N=591
AGE	15-34 years	34.4	20.6	25.1	12.1			7.9	N=355
	35-49 years	36.0	28.7	17.4	10.5			7.4	N=258
	50-74 years	42.4	25.2	12.9	12.3			7.2	N=389
PLACE OF RESIDENCE	Riga	33.0	22.5	21.0	15.3			8.1	N=333
	Other city, town	37.2	27.4	20.1	8.4			7.0	N=358
	Village, rural area	44.1	23.2	13.5	11.9			7.4	N=311
REGION	Riga	33.0	22.5	21.0	15.3			8.1	N=333
	Vidzeme	42.5	23.2	18.8	11.6			3.9	N=207
	Kurzeme	43.9	25.8	9.1	7.6			13.6	N=132
	Zemgale	42.5	25.1	17.4	12.0			3.0	N=167
	Latgale	32.5	28.2	20.9	8.0			10.4	N=163
EDUCATION	Basic or unfinished secondary	38.8	25.5	16.0	11.2			8.5	N=188
	Secondary	43.4	19.5	20.7	6.3			10.2	N=256
	Secondary professional	32.6	27.4	19.1	14.6			6.3	N=350
	Higher	39.8	24.3	16.0	14.6			5.3	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	41.8	23.8	17.2	11.5			5.7	N=122
	Ls 41-70	39.9	25.2	17.1	9.4			8.4	N=286
	Ls 71-100	35.0	27.2	23.0	9.3			5.4	N=257
	Ls 101 and above	40.0	22.8	16.7	13.5			7.0	N=215
SOCIAL STATUS	Unemployed	30.4	19.6	21.4	19.6			8.9	N=56
	Homemaker	40.7	18.5	24.1	14.8			1.9	N=54
	Pensioner (incl. handicapped)	42.7	27.8	9.8	11.1			8.5	N=234
	Student (full-time), schoolchild	35.9	23.7	22.9	9.2			8.4	N=131
	Self-employed (businessman, etc.)	31.4	30.0	17.1	14.3			7.1	N=70
	Higher- or mid-level manager	40.0	16.7	26.7	10.0			6.7	N=30
	Professional (doctor, lawyer, economist, etc.)	44.0	16.0	18.0	17.0			5.0	N=100
	Common employee – civil servant, white-collar worker	36.3	29.2	22.6	6.5			5.4	N=168
	Common employee – blue-collar worker	34.2	23.4	19.0	12.7			10.8	N=158

Base: all respondents, n=1002

## 17. Attitude Toward the Amount of Funds Latvia Has Allocated for the Development of the Armed Forces

	*****	What is your attitude toward the amount of funds Latvia has allocated for the development of the armed forces?							
		Too much funds		Sufficient funds		Too few funds		D/S, N/A	Count
		Row %	Row %	Row %	Row %	Row %	Row %		
ALL		26.1	34.7	19.3	19.9		N=1002		
NATIONALITY									
	Latvian	20.3	40.7	22.7	16.3		N=595		
	Russian	36.5	24.2	14.2	25.2		N=318		
	Other	28.1	32.6	14.6	24.7		N=89		
CITIZENSHIP OF LATVIA	Yes	23.8	38.1	20.7	17.4		N=782		
	No	34.5	22.7	14.1	28.6		N=220		
GENDER	Male	29.0	34.8	23.6	12.7		N=411		
	Female	24.2	34.7	16.2	24.9		N=591		
AGE	15-34 years	22.3	36.6	23.4	17.7		N=355		
	35-49 years	27.9	35.7	20.2	16.3		N=258		
	50-74 years	28.5	32.4	14.9	24.2		N=389		
PLACE OF RESIDENCE	Riga	30.3	28.2	18.3	23.1		N=333		
	Other city, town	26.8	34.6	17.6	20.9		N=358		
	Village, rural area	20.9	41.8	22.2	15.1		N=311		
REGION	Riga	30.3	28.2	18.3	23.1		N=333		
	Vidzeme	21.7	42.5	18.8	16.9		N=207		
	Kurzeme	24.2	34.8	18.2	22.7		N=132		
	Zemgale	16.8	37.1	29.9	16.2		N=167		
	Latgale	34.4	35.6	11.7	18.4		N=163		
EDUCATION	Basic or unfinished secondary	21.3	37.2	19.1	22.3		N=188		
	Secondary	19.1	37.1	21.1	22.7		N=256		
	Secondary professional	28.3	36.0	18.6	17.1		N=350		
	Higher	35.0	27.7	18.4	18.9		N=206		
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	14.8	41.0	21.3	23.0		N=122		
	Ls 41-70	27.3	36.0	14.0	22.7		N=286		
	Ls 71-100	31.5	34.2	22.2	12.1		N=257		
	Ls 101 and above	28.8	34.9	22.3	14.0		N=215		
SOCIAL STATUS	Unemployed	21.4	30.4	12.5	35.7		N=56		
	Homemaker	20.4	35.2	18.5	25.9		N=54		
	Pensioner (incl. handicapped)	26.5	35.5	13.7	24.4		N=234		
	Student (full-time), schoolchild	15.3	41.2	22.1	21.4		N=131		
	Self-employed (businessman, etc.)	32.9	32.9	30.0	4.3		N=70		
	Higher- or mid-level manager	33.3	40.0	23.3	3.3		N=30		
	Professional (doctor, lawyer, economist, etc.)	28.0	29.0	20.0	23.0		N=100		
	Common employee – civil servant, white-collar worker	32.1	35.7	17.9	14.3		N=168		
	Common employee – blue-collar worker	25.9	32.3	23.4	18.4		N=158		

Base: all respondents, n=1002

## 18. Interest in Politics

		All in all, how interested are you in politics?						D/S, N/A	Count
		Very interested	Interested	Not very interested	Not at all interested	D/S, N/A			
		Row %	Row %	Row %	Row %	Row %	Row %		
ALL	*****	4.3	35.8	50.6	9.1	0.2		N=1002	
NATIONALITY	Latvian	4.9	37.0	50.4	7.6	0.2		N=595	
	Russian	3.1	34.0	53.5	9.4	0.0		N=318	
	Other	4.5	34.8	41.6	18.0	1.1		N=89	
CITIZENSHIP OF LATVIA	Yes	4.5	37.5	49.6	8.3	0.1		N=782	
GENDER	No	3.6	30.0	54.1	11.8	0.5		N=220	
	Male	4.1	44.3	45.3	6.1	0.2		N=411	
	Female	4.4	29.9	54.3	11.2	0.2		N=591	
AGE	15-34 years	2.0	30.7	54.1	13.0	0.3		N=355	
	35-49 years	4.3	38.0	53.1	4.7	0.0		N=258	
	50-74 years	6.4	39.1	45.8	8.5	0.3		N=389	
PLACE OF RESIDENCE	Riga	3.6	38.7	46.8	10.8	0.0		N=333	
	Other city, town	5.6	33.2	52.8	8.4	0.0		N=358	
	Village, rural area	3.5	35.7	52.1	8.0	0.6		N=311	
REGION	Riga	3.6	38.7	46.8	10.8	0.0		N=333	
	Vidzeme	2.9	41.5	48.8	6.8	0.0		N=207	
	Kurzeme	3.0	31.8	54.5	10.6	0.0		N=132	
	Zemgale	6.0	24.0	62.9	7.2	0.0		N=167	
	Latgale	6.7	38.0	44.8	9.2	1.2		N=163	
EDUCATION	Basic or unfinished secondary	2.7	23.9	56.4	17.0	0.0		N=188	
	Secondary	3.1	31.3	56.3	9.4	0.0		N=256	
	Secondary professional	4.3	38.3	49.4	7.4	0.6		N=350	
	Higher	7.3	47.6	40.8	4.4	0.0		N=206	
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	1.6	27.0	59.8	11.5	0.0		N=122	
	Ls 41-70	5.6	31.1	52.4	10.5	0.3		N=286	
	Ls 71-100	5.4	41.2	47.1	5.8	0.4		N=257	
SOCIAL STATUS	Ls 101 and above	3.7	43.7	45.1	7.4	0.0		N=215	
	Unemployed	5.4	25.0	57.1	12.5	0.0		N=56	
	Homemaker	7.4	35.2	48.1	9.3	0.0		N=54	
	Pensioner (incl. handicapped)	6.0	36.8	47.4	9.8	0.0		N=234	
	Student (full-time), schoolchild	1.5	27.5	54.2	16.8	0.0		N=131	
	Self-employed (businessman, etc.)	2.9	51.4	34.3	10.0	1.4		N=70	
	Higher- or mid-level manager	3.3	60.0	36.7	0.0	0.0		N=30	
	Professional (doctor, lawyer, economist, etc.)	8.0	41.0	47.0	4.0	0.0		N=100	
	Common employee – civil servant, white-collar worker	3.0	39.9	51.8	5.4	0.0		N=168	
	Common employee – blue-collar worker	2.5	26.6	61.4	8.9	0.6		N=158	

Base: all respondents, n=1002

## 19. Belief in Being Able to Influence Government Decisions

	Would you say you could do something, if the government adopted decisions against the public interest?						Count
	Definitely could do something	Might be able to do something	Most likely unable to do anything	Unable to do anything	D/S, N/A	Row %	
	Row %	Row %	Row %	Row %	Row %		
ALL	4.0	22.1	27.5	40.4	6.0	N=1002	
NATIONALITY							
	*****						
	Latvian	4.7	22.5	27.7	39.5	N=595	
	Russian	2.5	22.0	27.0	41.2	N=318	
	Other	4.5	19.1	28.1	43.8	N=89	
CITIZENSHIP OF LATVIA	Yes	4.0	24.8	28.5	36.8	N=782	
	No	4.1	12.3	24.1	53.2	N=220	
GENDER	Male	5.1	23.6	26.3	37.5	N=411	
	Female	3.2	21.0	28.4	42.5	N=591	
AGE	15-34 years	3.7	27.0	27.0	33.8	N=355	
	35-49 years	5.4	23.6	33.7	29.5	N=258	
	50-74 years	3.3	16.5	23.9	53.7	N=389	
PLACE OF RESIDENCE	Riga	4.2	26.4	28.2	33.6	N=333	
	Other city, town	4.7	20.4	21.8	46.1	N=358	
	Village, rural area	2.9	19.3	33.4	41.2	N=311	
REGION	Riga	4.2	26.4	28.2	33.6	N=333	
	Vidzeme	6.8	22.7	27.5	40.1	N=207	
	Kurzeme	1.5	18.9	25.0	50.8	N=132	
	Zemgale	1.2	12.0	26.3	50.3	N=167	
	Latgale	4.9	25.2	29.4	36.2	N=163	
EDUCATION	Basic or unfinished secondary	3.2	12.2	23.4	56.4	N=188	
	Secondary	3.1	18.8	27.3	44.5	N=256	
	Secondary professional	3.4	24.3	29.7	35.7	N=350	
	Higher	6.8	31.1	28.2	28.6	N=206	
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	3.3	13.1	27.0	52.5	N=122	
	Ls 41-70	5.2	13.6	26.9	52.4	N=286	
	Ls 71-100	3.1	26.1	29.2	36.2	N=257	
	Ls 101 and above	3.7	32.1	29.8	25.6	N=215	
SOCIAL STATUS	Unemployed	7.1	8.9	33.9	42.9	N=56	
	Homemaker	3.7	27.8	22.2	37.0	N=54	
	Pensioner (incl. handicapped)	3.4	13.2	20.5	61.1	N=234	
	Student (full-time), schoolchild	3.1	28.2	31.3	26.7	N=131	
	Self-employed (businessman, etc.)	5.7	35.7	25.7	25.7	N=70	
	Higher- or mid-level manager	13.3	36.7	23.3	16.7	N=30	
	Professional (doctor, lawyer, economist, etc.)	4.0	29.0	31.0	31.0	N=100	
	Common employee – civil servant, white-collar worker	4.2	30.4	29.8	28.0	N=168	
	Common employee – blue-collar worker	1.9	10.8	31.6	51.3	N=158	

Base: all respondents, n=1002

## 20. Belief In Being Able to Influence Local Government Decisions

		Would you say you could do something, if the local government institutions adopted decisions against the public interest?						D/S, N/A	Count
		Definitely could do something	Might be able to do something	Most likely unable to do anything	Unable to do anything	D/S, N/A			
		Row %	Row %	Row %	Row %	Row %	Row %		
ALL	*****	10.3	30.4	23.1	29.6	6.6	N=1002		
NATIONALITY	Latvian	11.9	32.4	21.3	27.9	6.4	N=595		
	Russian	7.9	27.4	26.4	31.1	7.2	N=318		
CITIZENSHIP OF LATVIA	Other	7.9	28.1	22.5	36.0	5.6	N=89		
	Yes	10.9	32.6	24.0	26.1	6.4	N=782		
GENDER	No	8.2	22.7	19.5	42.3	7.3	N=220		
	Male	11.7	33.6	21.2	25.8	7.8	N=411		
AGE	Female	9.3	28.3	24.4	32.3	5.8	N=591		
	15-34 years	9.9	34.1	24.8	22.3	9.0	N=355		
PLACE OF RESIDENCE	35-49 years	14.3	33.3	24.0	20.5	7.8	N=258		
	50-74 years	8.0	25.2	20.8	42.4	3.6	N=389		
REGION	Riga	9.6	31.2	24.3	25.8	9.0	N=333		
	Other city, town	8.9	27.4	20.7	36.3	6.7	N=358		
EDUCATION	Village, rural area	12.5	33.1	24.4	26.0	3.9	N=311		
	Riga	9.6	31.2	24.3	25.8	9.0	N=333		
INCOME PER HOUSEHOLD MEMBER	Vidzeme	16.4	36.2	19.8	25.1	2.4	N=207		
	Kurzeme	6.8	29.5	18.2	42.4	3.0	N=132		
SOCIAL STATUS	Zemgale	5.4	26.3	21.0	37.1	10.2	N=167		
	Latgale	11.7	26.4	30.7	25.2	6.1	N=163		
EDUCATION	Basic or unfinished secondary	4.8	20.7	24.5	43.6	6.4	N=188		
	Secondary	8.6	29.3	18.4	35.5	8.2	N=256		
INCOME PER HOUSEHOLD MEMBER	Secondary professional	12.9	31.1	25.7	24.0	6.3	N=350		
	Higher	12.6	39.8	22.8	19.4	5.3	N=206		
SOCIAL STATUS	Up to Ls 40	4.9	22.1	26.2	41.0	5.7	N=122		
	Ls 41-70	9.1	25.2	25.2	39.2	1.4	N=286		
SOCIAL STATUS	Ls 71-100	10.9	32.3	22.2	28.0	6.6	N=257		
	Ls 101 and above	14.4	40.5	22.3	14.4	8.4	N=215		
SOCIAL STATUS	Unemployed	7.1	21.4	21.4	37.5	12.5	N=56		
	Homemaker	3.7	44.4	20.4	25.9	5.6	N=54		
SOCIAL STATUS	Pensioner (incl. handicapped)	9.0	20.5	18.4	49.6	2.6	N=234		
	Student (full-time), schoolchild	8.4	31.3	29.0	19.8	11.5	N=131		
SOCIAL STATUS	Self-employed (businessman, etc.)	21.4	40.0	12.9	17.1	8.6	N=70		
	Higher- or mid-level manager	23.3	36.7	23.3	6.7	10.0	N=30		
SOCIAL STATUS	Professional (doctor, lawyer, economist, etc.)	12.0	41.0	22.0	20.0	5.0	N=100		
	Common employee – civil servant, white-collar worker	11.9	36.3	26.2	18.5	7.1	N=168		
SOCIAL STATUS	Common employee – blue-collar worker	7.0	24.7	28.5	34.2	5.7	N=158		

Base: all respondents, n=1002



## 21. Involvement in the Work of Organizations

	ALL		NATIONALITY		
	*****	Col %	Latvian	Russian	Other
	Count	Col %	Col %	Col %	Col %
Which of the following organizations are you involved in or are a member?					
Religious and church organizations, congregations	103	10.3	10.6	9.7	10.1
Trade unions	69	6.9	6.6	7.5	6.7
Political parties and groups	14	1.4	1.5	1.6	
Professional associations, societies	33	3.3	3.2	3.5	3.4
Environmental protection organizations	10	1.0	1.2	0.9	
Ethnic minority organizations	11	1.1	0.3	1.9	3.4
Youth clubs, organizations, fraternities	46	4.6	5.0	4.1	3.4
Women's movements	14	1.4	1.5	1.6	
Volunteer health protection societies	7	0.7	1.0		1.1
Sports and recreation organizations and clubs	74	7.4	8.2	7.5	1.1
Organizations providing assistance to elderly, sick people, to persons in need	25	2.5	3.5	1.3	
Organizations participating in solving human rights problems	11	1.1	0.8	1.9	
Organizations participating in solving local problems at the place of residence	21	2.1	2.2	2.2	1.1
Organizations of amateur art activities (choir, folk or modern dance group, rock band or other)	83	8.3	9.9	6.0	5.6
Other organization	2	0.2	0.3		
Not involved anywhere	620	61.9	60.2	62.9	69.7

Base: all respondents, n=1002  
Multiple choice question, total %>100

## 22. Time Spent at Various Non-Governmental Organizations

	How often do you spend time at various non-governmental organizations (sports, cultural, public)?						Count
	Each week	Once or twice a month	A few times a year	Not at all	D/S, N/A		
	Row %	Row %	Row %	Row %	Row %	Row %	
ALL	39.3	27.5	24.9	7.3	1.0	N=382	
NATIONALITY	42.2	27.4	23.6	5.9	0.8	N=237	
	34.7	28.0	26.3	9.3	1.7	N=118	
	33.3	25.9	29.6	11.1	0.0	N=27	
	41.1	28.2	23.7	6.3	0.6	N=316	
	30.3	24.2	30.3	12.1	3.0	N=66	
	45.3	20.9	29.7	3.4	0.7	N=148	
	35.5	31.6	21.8	9.8	1.3	N=234	
	48.6	26.0	18.6	5.6	1.1	N=177	
	40.7	29.1	24.4	5.8	0.0	N=86	
	24.4	28.6	34.5	10.9	1.7	N=119	
	40.2	31.5	22.8	5.5	0.0	N=127	
	39.5	26.8	22.9	8.9	1.9	N=157	
	37.8	23.5	30.6	7.1	1.0	N=98	
	40.2	31.5	22.8	5.5	0.0	N=127	
	48.1	20.3	24.1	7.6	0.0	N=79	
	42.1	24.6	22.8	5.3	5.3	N=57	
	20.5	31.8	34.1	13.6	0.0	N=44	
	37.3	28.0	25.3	8.0	1.3	N=75	
	54.2	23.6	16.7	5.6	0.0	N=72	
	36.8	33.3	24.1	5.7	0.0	N=87	
	34.6	23.6	26.8	13.4	1.6	N=127	
	36.5	30.2	29.2	2.1	2.1	N=96	
	45.7	34.3	11.4	8.6	0.0	N=35	
	35.7	21.4	25.5	15.3	2.0	N=98	
	29.3	31.3	32.3	6.1	1.0	N=99	
	44.0	27.0	27.0	2.0	0.0	N=100	
	36.4	36.4	18.2	9.1	0.0	N=11	
	40.0	46.7	6.7	6.7	0.0	N=15	
	23.1	32.3	27.7	15.4	1.5	N=65	
	64.3	23.8	9.5	1.2	1.2	N=84	
	34.4	25.0	31.3	9.4	0.0	N=32	
	50.0	28.6	21.4	0.0	0.0	N=14	
	36.0	24.0	38.0	0.0	2.0	N=50	
	32.4	32.4	23.9	9.9	1.4	N=71	
	30.0	15.0	42.5	12.5	0.0	N=40	

Base: respondents who are involved in the work of non-governmental organizations, n=382

## 23. Unfair or Inconsiderate Behaviour by Representatives of State Authority

	*****	During the past year, have the representatives of state authority been unfair or inconsiderate toward you, or have not provided the required information?			
		Yes		No	
		Row %	Row %	Row %	D/S, N/A
ALL		13.9	82.2	3.9	Count N=1002
NATIONALITY					
	Latvian	11.9	85.4	2.7	N=595
	Russian	18.2	76.1	5.7	N=318
	Other	11.2	83.1	5.6	N=89
CITIZENSHIP OF LATVIA	Yes	13.0	83.2	3.7	N=782
	No	16.8	78.6	4.5	N=220
GENDER	Male	17.0	80.5	2.4	N=411
	Female	11.7	83.4	4.9	N=591
AGE	15-34 years	17.2	78.6	4.2	N=355
	35-49 years	13.2	84.1	2.7	N=258
	50-74 years	11.3	84.3	4.4	N=389
PLACE OF RESIDENCE	Riga	14.4	82.0	3.6	N=333
	Other city, town	14.0	80.7	5.3	N=358
	Village, rural area	13.2	84.2	2.6	N=311
REGION	Riga	14.4	82.0	3.6	N=333
	Vidzeme	13.0	84.5	2.4	N=207
	Kurzeme	12.9	85.6	1.5	N=132
	Zemgale	9.6	90.4	0.0	N=167
	Latgale	19.0	68.7	12.3	N=163
EDUCATION	Basic or unfinished secondary	8.0	87.8	4.3	N=188
	Secondary	12.5	85.5	2.0	N=256
	Secondary professional	14.6	82.0	3.4	N=350
	Higher	19.9	73.3	6.8	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	11.5	86.9	1.6	N=122
	Ls 41-70	12.6	84.6	2.8	N=286
	Ls 71-100	14.8	81.3	3.9	N=257
	Ls 101 and above	15.8	80.0	4.2	N=215
SOCIAL STATUS	Unemployed	14.3	78.6	7.1	N=56
	Homemaker	13.0	85.2	1.9	N=54
	Pensioner (incl. handicaped)	9.0	86.8	4.3	N=234
	Student (full-time), schoolchild	16.0	77.1	6.9	N=131
	Self-employed (businessman, etc.)	22.9	75.7	1.4	N=70
	Higher- or mid-level manager	16.7	80.0	3.3	N=30
	Professional (doctor, lawyer, economist, etc.)	20.0	76.0	4.0	N=100
	Common employee – civil servant, white-collar worker	11.9	83.3	4.8	N=168
	Common employee – blue-collar worker	13.3	86.1	0.6	N=158

Base: all respondents, n = 1002

## 24. Unfair or Inconsiderate Behaviour by Representatives of Local Governments

	During the past year, have the local government representatives been unfair or inconsiderate toward you, or have not provided the required information?				
	Yes		No		
	Row %	Row %	Row %	D/S, N/A	
ALL	15.6	80.5	3.9	Count N=1002	
NATIONALITY	Latvian	13.6	83.2	3.2	N=595
	Russian	17.6	77.4	5.0	N=318
CITIZENSHIP OF LATVIA	Other	21.3	74.2	4.5	N=89
	Yes	13.8	82.5	3.7	N=782
GENDER	No	21.8	73.6	4.5	N=220
	Male	17.0	80.3	2.7	N=411
AGE	Female	14.6	80.7	4.7	N=591
	15-34 years	16.1	80.0	3.9	N=355
	35-49 years	13.6	83.3	3.1	N=258
PLACE OF RESIDENCE	50-74 years	16.5	79.2	4.4	N=389
	Riga	18.3	79.0	2.7	N=333
	Other city, town	15.4	80.4	4.2	N=358
REGION	Village, rural area	12.9	82.3	4.8	N=311
	Riga	18.3	79.0	2.7	N=333
	Vidzeme	12.1	83.6	4.3	N=207
EDUCATION	Kurzeme	17.4	80.3	2.3	N=132
	Zemgale	15.6	83.2	1.2	N=167
	Latgale	12.9	77.3	9.8	N=163
INCOME PER HOUSEHOLD MEMBER	Basic or unfinished secondary	14.4	81.9	3.7	N=188
	Secondary	16.4	80.9	2.7	N=256
	Secondary professional	15.1	82.0	2.9	N=350
SOCIAL STATUS	Higher	16.0	76.7	7.3	N=206
	Up to Ls 40	15.6	82.0	2.5	N=122
	Ls 41-70	14.0	82.9	3.1	N=286
SOCIAL STATUS	Ls 71-100	19.8	76.7	3.5	N=257
	Ls 101 and above	15.3	81.9	2.8	N=215
	Unemployed	14.3	78.6	7.1	N=56
SOCIAL STATUS	Homemaker	9.3	88.9	1.9	N=54
	Pensioner (incl. handicapped)	14.5	81.2	4.3	N=234
	Student (full-time), schoolchild	8.4	86.3	5.3	N=131
SOCIAL STATUS	Self-employed (businessman, etc.)	34.3	62.9	2.9	N=70
	Higher- or mid-level manager	16.7	80.0	3.3	N=30
	Professional (doctor, lawyer, economist, etc.)	16.0	78.0	6.0	N=100
SOCIAL STATUS	Common employee – civil servant, white-collar worker	13.1	82.7	4.2	N=168
	Common employee – blue-collar worker	19.6	79.7	0.6	N=158

Base: all respondents, n=1002

## 25. Independence of the Domestic Politics of Latvia

		How independent, would you say, is the domestic politics of Latvia?					
		Independent from the pressure of other countries		Influence of other countries at the level of normal cooperation		Pressure of other countries too great	
		Row %	Row %	Row %	Row %	Row %	Count
ALL	*****	5.2	34.8	44.3	15.7	N=1002	
NATIONALITY	Latvian	5.2	38.0	42.0	14.8	N=595	
	Russian	4.4	30.2	49.4	16.0	N=318	
	Other	7.9	30.3	41.6	20.2	N=89	
CITIZENSHIP OF LATVIA	Yes	5.9	36.8	43.6	13.7	N=782	
	No	2.7	27.7	46.8	22.7	N=220	
GENDER	Male	3.9	36.5	47.9	11.7	N=411	
	Female	6.1	33.7	41.8	18.4	N=591	
AGE	15-34 years	5.6	36.9	43.7	13.8	N=355	
	35-49 years	5.0	36.0	41.9	17.1	N=258	
	50-74 years	4.9	32.1	46.5	16.5	N=389	
PLACE OF RESIDENCE	Riga	5.1	31.8	46.2	16.8	N=333	
	Other city, town	4.7	32.7	45.5	17.0	N=358	
	Village, rural area	5.8	40.5	40.8	12.9	N=311	
REGION	Riga	5.1	31.8	46.2	16.8	N=333	
	Vidzeme	3.9	35.3	40.1	20.8	N=207	
	Kurzeme	3.0	34.1	43.9	18.9	N=132	
	Zemgale	6.6	40.7	45.5	7.2	N=167	
	Latgale	7.4	35.0	44.8	12.9	N=163	
EDUCATION	Basic or unfinished secondary	4.3	32.4	36.2	27.1	N=188	
	Secondary	3.9	37.5	41.4	17.2	N=256	
	Secondary professional	4.9	33.7	48.3	13.1	N=350	
	Higher	8.3	35.9	48.1	7.8	N=206	
	Up to Ls 40	4.9	36.1	34.4	24.6	N=122	
INCOME PER HOUSEHOLD MEMBER	Ls 41-70	4.5	37.4	41.6	16.4	N=286	
	Ls 71-100	4.7	37.0	49.4	8.9	N=257	
	Ls 101 and above	6.5	35.3	49.8	8.4	N=215	
SOCIAL STATUS	Unemployed	7.1	26.8	50.0	16.1	N=56	
	Homemaker	7.4	37.0	42.6	13.0	N=54	
	Pensioner (incl. handicapped)	3.4	30.8	46.6	19.2	N=234	
	Student (full-time), schoolchild	5.3	30.5	41.2	22.9	N=131	
	Self-employed (businessman, etc.)	2.9	42.9	48.6	5.7	N=70	
	Higher- or mid-level manager	3.3	33.3	56.7	6.7	N=30	
	Professional (doctor, lawyer, economist, etc.)	7.0	41.0	40.0	12.0	N=100	
	Common employee – civil servant, white-collar worker	7.7	38.7	37.5	16.1	N=168	
	Common employee – blue-collar worker	3.2	35.4	48.1	13.3	N=158	

Base: all respondents, n=1002

**26. Trust in Institutions**  
**26.1 Trust in the President of Latvia**

	Trust in institutions... the PRESIDENT				
	Trust		Distrust		D/S, N/A
	Row %	Row %	Row %	Row %	Count
ALL	59.4	29.1	11.5		N=1002
NATIONALITY					
Latvian	73.1	18.7	8.2		N=595
Russian	37.1	46.9	16.0		N=318
Other	47.2	36.0	16.9		N=89
CITIZENSHIP OF LATVIA					
Yes	66.4	23.0	10.6		N=782
No	34.5	50.9	14.5		N=220
GENDER					
Male	55.7	32.8	11.4		N=411
Female	61.9	26.6	11.5		N=591
AGE					
15-34 years	58.9	30.7	10.4		N=355
35-49 years	58.5	29.1	12.4		N=258
50-74 years	60.4	27.8	11.8		N=389
PLACE OF RESIDENCE					
Riga	58.3	31.8	9.9		N=333
Other city, town	54.7	33.8	11.5		N=358
Village, rural area	65.9	20.9	13.2		N=311
REGION					
Riga	58.3	31.8	9.9		N=333
Vidzeme	75.4	13.0	11.6		N=207
Kurzeme	68.2	21.2	10.6		N=132
Zemgale	56.3	32.3	11.4		N=167
Latgale	37.4	47.2	15.3		N=163
EDUCATION					
Basic or unfinished secondary	64.9	25.5	9.6		N=188
Secondary	63.7	26.6	9.8		N=256
Secondary professional	56.6	31.7	11.7		N=350
Higher	53.9	31.1	15.0		N=206
INCOME PER HOUSEHOLD MEMBER					
Up to Ls 40	59.0	27.9	13.1		N=122
Ls 41-70	60.5	30.8	8.7		N=286
Ls 71-100	59.5	29.2	11.3		N=257
Ls 101 and above	61.9	27.4	10.7		N=215
SOCIAL STATUS					
Unemployed	44.6	42.9	12.5		N=56
Homemaker	55.6	35.2	9.3		N=54
Pensioner (incl. handicapped)	63.7	27.8	8.5		N=234
Student (full-time), schoolchild	64.9	26.7	8.4		N=131
Self-employed (businessman, etc.)	55.7	25.7	18.6		N=70
Higher- or mid-level manager	56.7	33.3	10.0		N=30
Professional (doctor, lawyer, economist, etc.)	57.0	33.0	10.0		N=100
Common employee – civil servant, white-collar worker	66.1	19.6	14.3		N=168
Common employee – blue-collar worker	51.9	34.2	13.9		N=158

Base: all respondents, n=1002

## 26.2 Trust in the Saeima

	Trust in institutions... the SAEIMA				
	Trust Row %	Distrust Row %	D/S, N/A		
			Row %	Count	
ALL	22.0	66.7	11.4	N=1002	
NATIONALITY	Latvian	26.2	62.9	10.9	N=595
	Russian	14.8	73.6	11.6	N=318
	Other	19.1	67.4	13.5	N=89
CITIZENSHIP OF LATVIA	Yes	23.8	64.5	11.8	N=782
	No	15.5	74.5	10.0	N=220
GENDER	Male	20.0	69.3	10.7	N=411
	Female	23.4	64.8	11.8	N=591
AGE	15-34 years	22.3	65.4	12.4	N=355
	35-49 years	18.2	70.5	11.2	N=258
	50-74 years	24.2	65.3	10.5	N=389
PLACE OF RESIDENCE	Riga	21.3	67.3	11.4	N=333
	Other city, town	22.3	65.6	12.0	N=358
	Village, rural area	22.2	67.2	10.6	N=311
REGION	Riga	21.3	67.3	11.4	N=333
	Vidzeme	27.5	64.3	8.2	N=207
	Kurzeme	22.7	59.8	17.4	N=132
	Zemgale	16.8	74.3	9.0	N=167
EDUCATION	Latgale	20.9	66.3	12.9	N=163
	Basic or unfinished secondary	27.7	59.0	13.3	N=188
	Secondary	22.3	67.2	10.5	N=256
	Secondary professional	20.0	70.0	10.0	N=350
	Higher	19.9	67.0	13.1	N=206
	Up to Ls 40	18.0	67.2	14.8	N=122
	Ls 41-70	25.9	65.7	8.4	N=286
	Ls 71-100	22.2	68.5	9.3	N=257
	Ls 101 and above	20.0	72.1	7.9	N=215
	Unemployed	19.6	67.9	12.5	N=56
SOCIAL STATUS	Homemaker	16.7	66.7	16.7	N=54
	Pensioner (incl. handicapped)	26.9	63.7	9.4	N=234
	Student (full-time), schoolchild	31.3	52.7	16.0	N=131
	Self-employed (businessman, etc.)	21.4	72.9	5.7	N=70
	Higher- or mid-level manager	20.0	70.0	10.0	N=30
	Professional (doctor, lawyer, economist, etc.)	17.0	71.0	12.0	N=100
	Common employee – civil servant, white-collar worker	24.4	63.1	12.5	N=168
Common employee – blue-collar worker	10.8	79.7	9.5	N=158	

Base: all respondents, n=1002

## 26.3 Trust in the Local Governments

	Trust in institutions... LOCAL GOVERNMENTS			
	Trust Row %	Distrust Row %	D/S, N/A Row %	Count
ALL	48.1	39.4	12.5	N=1002
NATIONALITY				
	57.6	32.3	10.1	N=595
	31.1	52.2	16.7	N=318
	44.9	41.6	13.5	N=89
CITIZENSHIP OF LATVIA	52.3	35.9	11.8	N=782
GENDER	33.2	51.8	15.0	N=220
	47.0	40.1	12.9	N=411
	48.9	38.9	12.2	N=591
AGE	46.5	40.6	13.0	N=355
	50.4	37.6	12.0	N=258
	48.1	39.6	12.3	N=389
PLACE OF RESIDENCE	31.5	53.8	14.7	N=333
	49.2	36.0	14.8	N=358
	64.6	28.0	7.4	N=311
REGION	31.5	53.8	14.7	N=333
	65.7	30.9	3.4	N=207
	55.3	30.3	14.4	N=132
	46.7	38.3	15.0	N=167
	55.2	29.4	15.3	N=163
EDUCATION	53.7	35.1	11.2	N=188
	49.2	39.1	11.7	N=256
	49.4	40.9	9.7	N=350
	39.8	40.8	19.4	N=206
INCOME PER HOUSEHOLD MEMBER	54.1	40.2	5.7	N=122
	53.5	37.4	9.1	N=286
	45.9	43.2	10.9	N=257
SOCIAL STATUS	44.2	40.5	15.3	N=215
	41.1	48.2	10.7	N=56
	44.4	46.3	9.3	N=54
	52.1	39.3	8.5	N=234
	52.7	32.1	15.3	N=131
	41.4	45.7	12.9	N=70
	36.7	53.3	10.0	N=30
	43.0	41.0	16.0	N=100
	53.6	32.1	14.3	N=168
	44.3	41.8	13.9	N=158

Base: all respondents, n=1002



## 26.4 Trust in the Government

	Trust in institutions... the GOVERNMENT	Trust in institutions... the GOVERNMENT				
		Trust	Distrust	D/S, N/A		
		Row %	Row %	Row %		
ALL	*****	25.0	63.5	11.6	Count	N=1002
NATIONALITY	Latvian	28.9	60.5	10.6		N=595
	Russian	18.2	69.2	12.6		N=318
	Other	22.5	62.9	14.6		N=89
CITIZENSHIP OF LATVIA	Yes	27.1	61.1	11.8		N=782
	No	17.3	71.8	10.9		N=220
GENDER	Male	23.4	65.2	11.4		N=411
	Female	26.1	62.3	11.7		N=591
AGE	15-34 years	24.5	64.2	11.3		N=355
	35-49 years	23.6	63.6	12.8		N=258
	50-74 years	26.2	62.7	11.1		N=389
PLACE OF RESIDENCE	Riga	26.7	61.0	12.3		N=333
	Other city, town	22.3	63.7	14.0		N=358
	Village, rural area	26.0	65.9	8.0		N=311
REGION	Riga	26.7	61.0	12.3		N=333
	Vidzeme	30.9	62.3	6.8		N=207
	Kurzeme	22.0	60.6	17.4		N=132
	Zemgale	18.0	70.7	11.4		N=167
	Latgale	23.3	65.0	11.7		N=163
EDUCATION	Basic or unfinished secondary	33.0	55.3	11.7		N=188
	Secondary	25.0	64.1	10.9		N=256
	Secondary professional	21.7	67.7	10.6		N=350
	Higher	23.3	62.6	14.1		N=206
	Up to Ls 40	24.6	65.6	9.8		N=122
	Ls 41-70	26.2	64.7	9.1		N=286
INCOME PER HOUSEHOLD MEMBER	Ls 71-100	28.0	61.1	10.9		N=257
	Ls 101 and above	20.5	69.8	9.8		N=215
	Unemployed	23.2	64.3	12.5		N=56
SOCIAL STATUS	Homemaker	18.5	63.0	18.5		N=54
	Pensioner (incl. handicapped)	28.2	63.2	8.5		N=234
	Student (full-time), schoolchild	34.4	53.4	12.2		N=131
	Self-employed (businessman, etc.)	27.1	64.3	8.6		N=70
	Higher- or mid-level manager	26.7	63.3	10.0		N=30
Professional (doctor, lawyer, economist, etc.)	22.0	63.0	15.0		N=100	
Common employee – civil servant, white-collar worker	27.4	58.9	13.7		N=168	
Common employee – blue-collar worker	13.3	76.6	10.1		N=158	

Base: all respondents, n=1002

## 26.5 Trust in the Police

	Trust in institutions... POLICE				
	Trust		Distrust		D/S, N/A
	Row %	Count	Row %	Count	Row %
ALL	42.5	N=1002	47.5	N=1002	10.0
NATIONALITY					
	46.7	N=595	43.9	N=595	9.4
	34.6	N=318	54.7	N=318	10.7
	42.7	N=89	46.1	N=89	11.2
	45.1	N=782	45.0	N=782	9.8
CITIZENSHIP OF LATVIA					
	33.2	N=220	56.4	N=220	10.5
GENDER					
	43.1	N=411	48.4	N=411	8.5
	42.1	N=591	46.9	N=591	11.0
	42.0	N=355	51.0	N=355	7.0
AGE					
	43.0	N=258	45.3	N=258	11.6
	42.7	N=389	45.8	N=389	11.6
PLACE OF RESIDENCE					
	32.7	N=333	58.0	N=333	9.3
	46.9	N=358	42.7	N=358	10.3
	47.9	N=311	41.8	N=311	10.3
REGION					
	32.7	N=333	58.0	N=333	9.3
	46.9	N=207	44.0	N=207	9.2
	54.5	N=132	33.3	N=132	12.1
	40.7	N=167	50.3	N=167	9.0
	49.1	N=163	39.3	N=163	11.7
EDUCATION					
	47.3	N=188	45.2	N=188	7.4
	44.1	N=256	45.7	N=256	10.2
	39.7	N=350	49.4	N=350	10.9
	40.8	N=206	48.5	N=206	10.7
INCOME PER HOUSEHOLD MEMBER					
	50.0	N=122	38.5	N=122	11.5
	42.0	N=286	47.6	N=286	10.5
	44.0	N=257	48.6	N=257	7.4
	39.5	N=215	51.6	N=215	8.8
SOCIAL STATUS					
	44.6	N=56	44.6	N=56	10.7
	38.9	N=54	48.1	N=54	13.0
	45.3	N=234	46.2	N=234	8.5
	47.3	N=131	44.3	N=131	8.4
	31.4	N=70	62.9	N=70	5.7
	46.7	N=30	43.3	N=30	10.0
	49.0	N=100	46.0	N=100	5.0
	39.3	N=168	48.8	N=168	11.9
	38.6	N=158	46.2	N=158	15.2

Base: all respondents, n=1002

## 26.6 Trust in the Army

	*****	Trust in institutions... ARMY					
		Trust		Distrust		D/S, N/A	
		Row %	Row %	Row %	Row %	Count	
ALL		54.9	25.8	19.3		N=1002	
NATIONALITY							
	Latvian	63.4	18.7	18.0		N=595	
	Russian	39.0	40.6	20.4		N=318	
	Other	55.1	21.3	23.6		N=89	
CITIZENSHIP OF LATVIA							
	Yes	60.0	21.5	18.5		N=782	
	No	36.8	41.4	21.8		N=220	
GENDER							
	Male	57.4	28.5	14.1		N=411	
	Female	53.1	24.0	22.8		N=591	
AGE							
	15-34 years	57.5	28.7	13.8		N=355	
	35-49 years	56.2	24.8	19.0		N=258	
	50-74 years	51.7	23.9	24.4		N=389	
PLACE OF RESIDENCE							
	Riga	47.7	31.2	21.0		N=333	
	Other city, town	54.5	27.9	17.6		N=358	
	Village, rural area	63.0	17.7	19.3		N=311	
REGION							
	Riga	47.7	31.2	21.0		N=333	
	Vidzeme	64.7	18.4	16.9		N=207	
	Kurzeme	56.8	21.2	22.0		N=132	
	Zemgale	62.3	21.0	16.8		N=167	
	Latgale	47.9	33.1	19.0		N=163	
EDUCATION							
	Basic or unfinished secondary	61.7	19.7	18.6		N=188	
	Secondary	57.0	24.6	18.4		N=256	
	Secondary professional	54.6	25.7	19.7		N=350	
	Higher	46.6	33.0	20.4		N=206	
INCOME PER HOUSEHOLD MEMBER							
	Up to Ls 40	54.1	23.0	23.0		N=122	
	Ls 41-70	53.1	25.2	21.7		N=286	
	Ls 71-100	59.5	25.7	14.8		N=257	
	Ls 101 and above	59.5	26.0	14.4		N=215	
SOCIAL STATUS							
	Unemployed	39.3	39.3	21.4		N=56	
	Homemaker	53.7	27.8	18.5		N=54	
	Pensioner (incl. handicapped)	55.6	21.8	22.6		N=234	
	Student (full-time), schoolchild	61.1	24.4	14.5		N=131	
	Self-employed (businessman, etc.)	62.9	25.7	11.4		N=70	
	Higher- or mid-level manager	66.7	30.0	3.3		N=30	
	Professional (doctor, lawyer, economist, etc.)	47.0	28.0	25.0		N=100	
	Common employee – civil servant, white-collar worker	56.5	23.2	20.2		N=168	
	Common employee – blue-collar worker	52.5	27.8	19.6		N=158	

Base: all respondents, n=1002

## 26.7 Trust in the Court System

	Trust in institutions... COURT SYSTEM			
	Trust Row %	Distrust Row %	D/S, N/A Row %	Count
ALL	35.6	50.9	13.5	N=1002
NATIONALITY				
Latvian	40.0	48.7	11.3	N=595
Russian	27.4	56.9	15.7	N=318
Other	36.0	43.8	20.2	N=89
CITIZENSHIP OF LATVIA				
Yes	36.8	49.6	13.6	N=782
No	31.4	55.5	13.2	N=220
GENDER				
Male	34.8	52.6	12.7	N=411
Female	36.2	49.7	14.0	N=591
AGE				
15-34 years	38.0	50.1	11.8	N=355
35-49 years	33.7	53.5	12.8	N=258
50-74 years	34.7	49.9	15.4	N=389
PLACE OF RESIDENCE				
Riga	34.8	56.8	8.4	N=333
Other city, town	36.6	47.2	16.2	N=358
Village, rural area	35.4	48.9	15.8	N=311
REGION				
Riga	34.8	56.8	8.4	N=333
Vidzeme	27.1	63.8	9.2	N=207
Kurzeme	45.5	34.1	20.5	N=132
Zemgale	44.9	39.5	15.6	N=167
Latgale	30.7	47.9	21.5	N=163
EDUCATION				
Basic or unfinished secondary	42.0	43.6	14.4	N=188
Secondary	37.5	50.4	12.1	N=256
Secondary professional	33.4	52.3	14.3	N=350
Higher	31.6	55.3	13.1	N=206
INCOME PER HOUSEHOLD MEMBER				
Up to Ls 40	41.8	47.5	10.7	N=122
Ls 41-70	34.6	47.9	17.5	N=286
Ls 71-100	38.1	51.0	10.9	N=257
Ls 101 and above	35.8	57.2	7.0	N=215
SOCIAL STATUS				
Unemployed	37.5	53.6	8.9	N=56
Homemaker	31.5	51.9	16.7	N=54
Pensioner (incl. handicapped)	35.5	49.6	15.0	N=234
Student (full-time), schoolchild	42.7	42.7	14.5	N=131
Self-employed (businessman, etc.)	32.9	57.1	10.0	N=70
Higher- or mid-level manager	43.3	53.3	3.3	N=30
Professional (doctor, lawyer, economist, etc.)	39.0	48.0	13.0	N=100
Common employee – civil servant, white-collar worker	34.5	51.8	13.7	N=168
Common employee – blue-collar worker	29.1	56.3	14.6	N=158

Base: all respondents, n=1002

## 26.8 Trust in the Health Care System

	Trust in institutions... HEALTH CARE SYSTEM	Trust in institutions... HEALTH CARE SYSTEM			
		Trust	Distrust	D/S, N/A	
		Row %	Row %	Row %	
ALL	*****	37.6	52.7	9.7	Count
NATIONALITY	Latvian	37.8	53.1	9.1	N=1002
	Russian	36.8	51.3	11.9	N=595
	Other	39.3	55.1	5.6	N=318
CITIZENSHIP OF LATVIA	Yes	38.2	51.7	10.1	N=89
	No	35.5	56.4	8.2	N=782
GENDER	Male	38.2	49.9	11.9	N=220
	Female	37.2	54.7	8.1	N=411
AGE	15-34 years	47.3	43.1	9.6	N=591
	35-49 years	37.2	50.4	12.4	N=355
	50-74 years	29.0	63.0	8.0	N=258
PLACE OF RESIDENCE	Riga	36.0	57.1	6.9	N=389
	Other city, town	35.5	52.2	12.3	N=333
	Village, rural area	41.8	48.6	9.6	N=358
REGION	Riga	36.0	57.1	6.9	N=311
	Vidzeme	38.6	56.5	4.8	N=333
	Kurzeme	40.2	46.2	13.6	N=207
	Zemgale	31.1	56.3	12.6	N=132
	Latgale	44.2	40.5	15.3	N=167
EDUCATION	Basic or unfinished secondary	47.3	44.1	8.5	N=163
	Secondary	38.3	53.1	8.6	N=188
	Secondary professional	35.7	52.6	11.7	N=256
	Higher	30.6	60.7	8.7	N=350
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	38.5	50.0	11.5	N=206
	Ls 41-70	37.1	54.5	8.4	N=122
	Ls 71-100	38.5	54.9	6.6	N=286
	Ls 101 and above	37.7	51.2	11.2	N=257
SOCIAL STATUS	Unemployed	37.5	55.4	7.1	N=215
	Homemaker	38.9	57.4	3.7	N=56
	Pensioner (incl. handicapped)	31.6	62.4	6.0	N=54
	Student (full-time), schoolchild	55.0	34.4	10.7	N=234
	Self-employed (businessman, etc.)	34.3	48.6	17.1	N=131
	Higher- or mid-level manager	40.0	56.7	3.3	N=70
	Professional (doctor, lawyer, economist, etc.)	38.0	56.0	6.0	N=30
	Common employee – civil servant, white-collar worker	35.1	54.2	10.7	N=100
	Common employee – blue-collar worker	35.4	48.1	16.5	N=168

Base: all respondents, n=1002

## 26.9 Trust in Political Parties

	Trust in institutions... POLITICAL PARTIES			
	Trust Row %	Distrust Row %	D/S, N/A Row %	Count
ALL	10.4	75.7	13.9	N=1002
NATIONALITY				
	10.6	77.8	11.6	N=595
	9.4	73.9	16.7	N=318
	12.4	68.5	19.1	N=89
CITIZENSHIP OF LATVIA	9.6	77.1	13.3	N=782
	13.2	70.9	15.9	N=220
GENDER	10.2	76.6	13.1	N=411
	10.5	75.1	14.4	N=591
	10.1	76.3	13.5	N=355
	8.9	78.3	12.8	N=258
	11.6	73.5	14.9	N=389
PLACE OF RESIDENCE	14.7	70.9	14.4	N=333
	8.7	76.5	14.8	N=358
	7.7	80.1	12.2	N=311
REGION	14.7	70.9	14.4	N=333
	11.1	82.1	6.8	N=207
	5.3	76.5	18.2	N=132
	6.6	82.6	10.8	N=167
	8.6	69.9	21.5	N=163
EDUCATION	10.6	69.1	20.2	N=188
	9.8	77.0	13.3	N=256
	10.9	76.3	12.9	N=350
	9.7	79.6	10.7	N=206
	8.2	76.2	15.6	N=122
	11.2	76.2	12.6	N=286
	12.8	76.3	10.9	N=257
	9.3	80.5	10.2	N=215
	12.5	75.0	12.5	N=56
	13.0	72.2	14.8	N=54
	11.5	73.1	15.4	N=234
	12.2	67.9	19.8	N=131
	11.4	78.6	10.0	N=70
	23.3	70.0	6.7	N=30
	9.0	79.0	12.0	N=100
	7.1	81.5	11.3	N=168
	7.0	79.1	13.9	N=158

Base: all respondents, n=1002

## 26.10 Trust in Trade Unions

	Trust in institutions... TRADE UNIONS			
	Trust Row %	Distrust Row %	D/S, N/A Row %	Count
ALL	36.4	32.3	31.2	N=1002
NATIONALITY	Latvian	31.4	32.6	N=595
	Russian	36.5	36.8	N=318
CITIZENSHIP OF LATVIA	Other	39.3	22.5	N=89
	Yes	36.1	32.6	N=782
GENDER	No	37.7	30.9	N=220
	Male	34.1	35.0	N=411
AGE	Female	38.1	30.5	N=591
	15-34 years	37.2	34.4	N=355
PLACE OF RESIDENCE	35-49 years	38.0	32.6	N=258
	50-74 years	34.7	30.3	N=389
	Riga	35.7	36.3	N=333
REGION	Other city, town	35.2	33.5	N=358
	Village, rural area	38.6	26.7	N=311
EDUCATION	Riga	35.7	36.3	N=333
	Vidzeme	48.8	20.8	N=207
	Kurzeme	33.3	28.0	N=132
	Zemgale	30.5	37.7	N=167
	Latgale	30.7	36.8	N=163
	Basic or unfinished secondary	34.6	24.5	N=188
INCOME PER HOUSEHOLD MEMBER	Secondary	37.1	30.5	N=256
	Secondary professional	38.9	34.3	N=350
	Higher	33.0	38.3	N=206
	Up to Ls 40	32.0	32.8	N=122
SOCIAL STATUS	Ls 41-70	35.3	30.8	N=286
	Ls 71-100	40.1	35.8	N=257
	Ls 101 and above	38.1	32.1	N=215
	Unemployed	37.5	28.6	N=56
MEMBER	Homemaker	51.9	25.9	N=54
	Pensioner (incl. handicapped)	33.3	26.9	N=234
	Student (full-time), schoolchild	36.6	28.2	N=131
	Self-employed (businessman, etc.)	25.7	52.9	N=70
	Higher- or mid-level manager	40.0	43.3	N=30
etc.)	Professional (doctor, lawyer, economist, etc.)	39.0	37.0	N=100
	Common employee – civil servant, white-collar worker	35.1	29.2	N=168
Common employee – blue-collar worker	38.6	36.7	24.7	N=158

Base: all respondents, n=1002

## 26.11 Trust in Commercial Banks

	*****	Trust in institutions... COMMERCIAL BANKS				
		Trust		Distrust		D/S, N/A
		Row %	Row %	Row %	Row %	Count
ALL		44.9	36.7	18.4	N=1002	
NATIONALITY						
	Latvian	47.1	33.1	19.8	N=595	
	Russian	42.8	43.1	14.2	N=318	
	Other	38.2	38.2	23.6	N=89	
CITIZENSHIP OF LATVIA						
	Yes	48.3	32.6	19.1	N=782	
	No	32.7	51.4	15.9	N=220	
GENDER						
	Male	46.5	37.7	15.8	N=411	
	Female	43.8	36.0	20.1	N=591	
AGE						
	15-34 years	60.6	26.8	12.7	N=355	
	35-49 years	49.2	35.3	15.5	N=258	
	50-74 years	27.8	46.8	25.4	N=389	
PLACE OF RESIDENCE						
	Riga	50.8	36.9	12.3	N=333	
	Other city, town	41.3	38.5	20.1	N=358	
	Village, rural area	42.8	34.4	22.8	N=311	
REGION						
	Riga	50.8	36.9	12.3	N=333	
	Vidzeme	45.9	33.8	20.3	N=207	
	Kurzeme	51.5	26.5	22.0	N=132	
	Zemgale	34.7	44.3	21.0	N=167	
	Latgale	36.8	40.5	22.7	N=163	
EDUCATION						
	Basic or unfinished secondary	37.8	38.3	23.9	N=188	
	Secondary	45.7	37.1	17.2	N=256	
	Secondary professional	42.6	40.0	17.4	N=350	
	Higher	53.9	29.6	16.5	N=206	
INCOME PER HOUSEHOLD MEMBER						
	Up to Ls 40	39.3	42.6	18.0	N=122	
	Ls 41-70	35.3	41.6	23.1	N=286	
	Ls 71-100	49.4	38.1	12.5	N=257	
	Ls 101 and above	53.5	30.7	15.8	N=215	
SOCIAL STATUS						
	Unemployed	39.3	39.3	21.4	N=56	
	Homemaker	46.3	37.0	16.7	N=54	
	Pensioner (incl. handicaped)	24.8	47.4	27.8	N=234	
	Student (full-time), schoolchild	64.9	21.4	13.7	N=131	
	Self-employed (businessman, etc.)	58.6	30.0	11.4	N=70	
	Higher- or mid-level manager	63.3	30.0	6.7	N=30	
	Professional (doctor, lawyer, economist, etc.)	52.0	32.0	16.0	N=100	
	Common employee – civil servant, white-collar worker	50.6	33.9	15.5	N=168	
	Common employee – blue-collar worker	39.9	42.4	17.7	N=158	

Base: all respondents, n=1002



## 26.12 Trust in Television

	Trust in institutions... TELEVISION					
	Trust		Distrust		D/S, N/A	
	Row %	Count	Row %	Count	Row %	Count
ALL	66.7	N=1002	20.8	N=1002	12.6	N=1002
NATIONALITY						
	*****					
	Latvian	72.4	16.3	11.3	N=595	
	Russian	56.9	27.0	16.0	N=318	
	Other	62.9	28.1	9.0	N=89	
CITIZENSHIP OF LATVIA	Yes	69.8	18.2	12.0	N=782	
	No	55.5	30.0	14.5	N=220	
GENDER	Male	66.7	21.4	11.9	N=411	
	Female	66.7	20.3	13.0	N=591	
AGE	15-34 years	67.3	20.8	11.8	N=355	
	35-49 years	64.0	22.9	13.2	N=258	
	50-74 years	67.9	19.3	12.9	N=389	
PLACE OF RESIDENCE	Riga	68.5	22.2	9.3	N=333	
	Other city, town	61.7	24.0	14.2	N=358	
	Village, rural area	70.4	15.4	14.1	N=311	
REGION	Riga	68.5	22.2	9.3	N=333	
	Vidzeme	75.8	15.9	8.2	N=207	
	Kurzeme	65.9	21.2	12.9	N=132	
	Zemgale	70.1	16.8	13.2	N=167	
	Latgale	48.5	27.6	23.9	N=163	
EDUCATION	Basic or unfinished secondary	73.4	17.0	9.6	N=188	
	Secondary	69.9	21.9	8.2	N=256	
	Secondary professional	64.0	21.7	14.3	N=350	
	Higher	61.2	20.9	18.0	N=206	
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	61.5	28.7	9.8	N=122	
	Ls 41-70	72.0	15.7	12.2	N=286	
	Ls 71-100	63.4	26.8	9.7	N=257	
	Ls 101 and above	67.0	20.5	12.6	N=215	
SOCIAL STATUS	Unemployed	55.4	33.9	10.7	N=56	
	Homemaker	66.7	24.1	9.3	N=54	
	Pensioner (incl. handicapped)	72.2	18.8	9.0	N=234	
	Student (full-time), schoolchild	67.9	19.1	13.0	N=131	
	Self-employed (businessman, etc.)	60.0	27.1	12.9	N=70	
	Higher- or mid-level manager	53.3	26.7	20.0	N=30	
	Professional (doctor, lawyer, economist, etc.)	60.0	20.0	20.0	N=100	
	Common employee – civil servant, white-collar worker	68.5	19.0	12.5	N=168	
	Common employee – blue-collar worker	69.6	17.1	13.3	N=158	

Base: all respondents, n=1002

## 26.13 Trust in Newspapers

	Trust in institutions... NEWSPAPERS				
	Trust		Distrust		D/S, N/A
	Row %	Row %	Row %	Row %	Count
ALL	59.9	24.6	15.6		N=1002
NATIONALITY					
Latvian	66.9	18.7	14.5		N=595
Russian	46.9	35.2	17.9		N=318
Other	59.6	25.8	14.6		N=89
CITIZENSHIP OF LATVIA					
Yes	62.8	22.0	15.2		N=782
No	49.5	33.6	16.8		N=220
GENDER					
Male	59.6	24.6	15.8		N=411
Female	60.1	24.5	15.4		N=591
AGE					
15-34 years	57.5	27.3	15.2		N=355
35-49 years	59.7	24.0	16.3		N=258
50-74 years	62.2	22.4	15.4		N=389
PLACE OF RESIDENCE					
Riga	59.2	28.8	12.0		N=333
Other city, town	54.7	26.8	18.4		N=358
Village, rural area	66.6	17.4	16.1		N=311
REGION					
Riga	59.2	28.8	12.0		N=333
Vidzeme	70.5	16.9	12.6		N=207
Kurzeme	55.3	27.3	17.4		N=132
Zemgale	64.7	17.4	18.0		N=167
Latgale	46.6	30.7	22.7		N=163
EDUCATION					
Basic or unfinished secondary	66.0	20.7	13.3		N=188
Secondary	65.6	23.0	11.3		N=256
Secondary professional	58.9	24.9	16.3		N=350
Higher	49.5	28.6	21.8		N=206
INCOME PER HOUSEHOLD MEMBER					
Up to Ls 40	54.9	27.9	17.2		N=122
Ls 41-70	67.1	19.2	13.6		N=286
Ls 71-100	57.6	31.1	11.3		N=257
Ls 101 and above	57.2	25.1	17.7		N=215
SOCIAL STATUS					
Unemployed	51.8	30.4	17.9		N=56
Homemaker	55.6	29.6	14.8		N=54
Pensioner (incl. handicapped)	67.5	20.1	12.4		N=234
Student (full-time), schoolchild	59.5	26.0	14.5		N=131
Self-employed (businessman, etc.)	52.9	30.0	17.1		N=70
Higher- or mid-level manager	43.3	36.7	20.0		N=30
Professional (doctor, lawyer, economist, etc.)	52.0	26.0	22.0		N=100
Common employee – civil servant, white-collar worker	62.5	22.6	14.9		N=168
Common employee – blue-collar worker	62.0	22.2	15.8		N=158

Base: all respondents, n=1002

## 26.14 Trust in the Church

	Trust in institutions... CHURCH			
	Trust Row %	Distrust Row %	D/S, N/A Row %	Count
ALL	59.0	18.3	22.8	N=1002
NATIONALITY				
	55.5	19.0	25.5	N=595
	62.3	18.9	18.9	N=318
	70.8	11.2	18.0	N=89
CITIZENSHIP OF LATVIA	57.9	18.5	23.5	N=782
	62.7	17.3	20.0	N=220
GENDER	51.8	22.4	25.8	N=411
	64.0	15.4	20.6	N=591
AGE	53.2	22.8	23.9	N=355
	58.5	18.2	23.3	N=258
	64.5	14.1	21.3	N=389
PLACE OF RESIDENCE	63.4	20.4	16.2	N=333
	57.3	17.0	25.7	N=358
	56.3	17.4	26.4	N=311
REGION	63.4	20.4	16.2	N=333
	53.1	15.5	31.4	N=207
	47.7	22.0	30.3	N=132
	59.9	16.2	24.0	N=167
	65.6	16.6	17.8	N=163
EDUCATION	61.7	15.4	22.9	N=188
	55.9	18.8	25.4	N=256
	63.7	15.7	20.6	N=350
	51.9	24.8	23.3	N=206
INCOME PER HOUSEHOLD MEMBER	50.0	19.7	30.3	N=122
	69.2	14.0	16.8	N=286
	59.1	20.6	20.2	N=257
	57.7	21.9	20.5	N=215
	48.2	23.2	28.6	N=56
	63.0	20.4	16.7	N=54
	72.2	10.7	17.1	N=234
SOCIAL STATUS	51.1	19.1	29.8	N=131
	54.3	28.6	17.1	N=70
	43.3	33.3	23.3	N=30
	52.0	23.0	25.0	N=100
	59.5	19.0	21.4	N=168
	57.0	15.2	27.8	N=158

Base: all respondents, n=1002

## 26.15 Trust in the Commonwealth of Independent States (CIS)

	Trust in institutions... CIS		
	Trust Row %	Distrust Row %	D/S, N/A Row %
ALL	22.0	41.4	36.6
NATIONALITY			
Latvian	17.3	48.6	34.1
Russian	29.9	31.8	38.4
Other	24.7	28.1	47.2
CITIZENSHIP OF LATVIA			
Yes	19.4	45.1	35.4
No	30.9	28.2	40.9
GENDER			
Male	21.7	47.7	30.7
Female	22.2	37.1	40.8
AGE			
15-34 years	26.2	41.7	32.1
35-49 years	22.1	39.1	38.8
50-74 years	18.0	42.7	39.3
PLACE OF RESIDENCE			
Riga	25.2	36.3	38.4
Other city, town	20.1	48.6	31.3
Village, rural area	20.6	38.6	40.8
REGION			
Riga	25.2	36.3	38.4
Vidzeme	16.4	47.3	36.2
Kurzeme	18.2	38.6	43.2
Zemgale	23.4	47.9	28.7
Latgale	23.9	39.9	36.2
EDUCATION			
Basic or unfinished secondary	25.0	35.6	39.4
Secondary	18.4	41.0	40.6
Secondary professional	21.7	42.6	35.7
Higher	23.3	45.6	31.1
INCOME PER HOUSEHOLD MEMBER			
Up to Ls 40	23.0	32.0	45.1
Ls 41-70	25.2	38.5	36.4
Ls 71-100	23.7	44.0	32.3
Ls 101 and above	17.2	50.2	32.6
SOCIAL STATUS			
Unemployed	16.1	39.3	44.6
Homemaker	22.2	40.7	37.0
Pensioner (incl. handicapped)	19.7	38.5	41.9
Student (full-time), schoolchild	23.7	40.5	35.9
Self-employed (businessman, etc.)	15.7	54.3	30.0
Higher- or mid-level manager	33.3	43.3	23.3
Professional (doctor, lawyer, economist, etc.)	28.0	37.0	35.0
Common employee – civil servant, white-collar worker	19.0	48.8	32.1
Common employee – blue-collar worker	25.3	36.7	38.0

Base: all respondents, n=1002

## 26.16 Trust in the United Nations (UN)

	Trust in institutions... the UN			
	Trust	Distrust	D/S, N/A	
	Row %	Row %	Row %	Count
ALL	37.7	26.5	35.7	N=1002
NATIONALITY				
	*****			
	Latvian	20.2	35.0	N=595
	Russian	37.7	35.8	N=318
	Other	29.2	40.4	N=89
CITIZENSHIP OF LATVIA				
	Yes	24.0	34.0	N=782
	No	35.5	41.8	N=220
GENDER				
	Male	26.8	32.6	N=411
	Female	35.7	37.9	N=591
AGE				
	15-34 years	27.0	26.8	N=355
	35-49 years	35.7	38.8	N=258
	50-74 years	31.4	41.9	N=389
PLACE OF RESIDENCE				
	Riga	28.8	34.5	N=333
	Other city, town	27.1	33.8	N=358
	Village, rural area	23.5	39.2	N=311
REGION				
	Riga	28.8	34.5	N=333
	Vidzeme	20.3	38.6	N=207
	Kurzeme	17.4	39.4	N=132
	Zemgale	23.4	35.3	N=167
	Latgale	27.6	31.9	N=163
EDUCATION				
	Basic or unfinished secondary	24.5	38.8	N=188
	Secondary	23.8	40.6	N=256
	Secondary professional	30.3	32.9	N=350
	Higher	24.8	32.0	N=206
INCOME PER HOUSEHOLD MEMBER				
	Up to Ls 40	32.8	43.4	N=122
	Ls 41-70	24.8	39.2	N=286
	Ls 71-100	29.2	29.6	N=257
	Ls 101 and above	24.7	30.2	N=215
SOCIAL STATUS				
	Unemployed	32.1	41.1	N=56
	Homemaker	33.3	31.5	N=54
	Pensioner (incl. handicapped)	23.5	47.0	N=234
	Student (full-time), schoolchild	24.4	28.2	N=131
	Self-employed (businessman, etc.)	31.4	22.9	N=70
	Higher- or mid-level manager	20.0	26.7	N=30
	Professional (doctor, lawyer, economist, etc.)	25.0	31.0	N=100
	Common employee – civil servant, white-collar worker	27.4	31.5	N=168
	Common employee – blue-collar worker	27.2	39.9	N=158

Base: all respondents, n=1002

## 26.17 Trust in the European Union (EU)

	Trust in institutions... the EU		
	Trust Row %	Distrust Row %	D/S, N/A Row %
ALL	37.3	36.4	26.2
NATIONALITY			
Latvian	44.5	30.3	25.2
Russian	26.4	47.5	26.1
Other	28.1	38.2	33.7
CITIZENSHIP OF LATVIA			
Yes	41.4	33.4	25.2
No	22.7	47.3	30.0
GENDER			
Male	38.2	35.3	26.5
Female	36.7	37.2	26.1
AGE			
15-34 years	44.5	35.2	20.3
35-49 years	34.1	38.0	27.9
50-74 years	32.9	36.5	30.6
PLACE OF RESIDENCE			
Riga	35.1	41.4	23.4
Other city, town	38.8	36.0	25.1
Village, rural area	37.9	31.5	30.5
REGION			
Riga	35.1	41.4	23.4
Vidzeme	45.4	28.5	26.1
Kurzeme	42.4	37.9	19.7
Zemgale	37.7	29.3	32.9
Latgale	27.0	42.3	30.7
EDUCATION			
Basic or unfinished secondary	39.4	29.8	30.9
Secondary	40.6	33.2	26.2
Secondary professional	34.9	40.6	24.6
Higher	35.4	39.3	25.2
INCOME PER HOUSEHOLD MEMBER			
Up to Ls 40	27.9	38.5	33.6
Ls 41-70	34.3	35.7	30.1
Ls 71-100	42.4	37.7	19.8
Ls 101 and above	42.3	35.8	21.9
SOCIAL STATUS			
Unemployed	25.0	42.9	32.1
Homemaker	31.5	48.1	20.4
Pensioner (incl. handicapped)	34.2	32.5	33.3
Student (full-time), schoolchild	43.5	32.8	23.7
Self-employed (businessman, etc.)	45.7	37.1	17.1
Higher- or mid-level manager	50.0	36.7	13.3
Professional (doctor, lawyer, economist, etc.)	40.0	35.0	25.0
Common employee – civil servant, white-collar worker	40.5	33.3	26.2
Common employee – blue-collar worker	32.3	42.4	25.3

Base: all respondents, n=1002

## 26.18 Trust in the International Monetary Fund (IMF)

		Trust in institutions... the IMF				
		Trust		Distrust		D/S, N/A
		Row %	Count	Row %	Count	Row %
ALL	*****	27.2	N=1002	26.2	N=1002	46.5
NATIONALITY	Latvian	30.6	N=595	21.8	N=595	47.6
	Russian	23.0	N=318	35.5	N=318	41.5
CITIZENSHIP OF LATVIA	Other	20.2	N=89	22.5	N=89	57.3
	Yes	29.3	N=782	24.9	N=782	45.8
GENDER	No	20.0	N=220	30.9	N=220	49.1
	Male	29.0	N=411	28.7	N=411	42.3
AGE	Female	26.1	N=591	24.5	N=591	49.4
	15-34 years	33.8	N=355	27.6	N=355	38.6
PLACE OF RESIDENCE	35-49 years	26.7	N=258	25.6	N=258	47.7
	50-74 years	21.6	N=389	25.4	N=389	53.0
REGION	Riga	28.2	N=333	30.9	N=333	40.8
	Other city, town	27.7	N=358	25.4	N=358	46.9
EDUCATION	Village, rural area	25.7	N=311	22.2	N=311	52.1
	Riga	28.2	N=333	30.9	N=333	40.8
SOCIAL STATUS	Vidzeme	28.0	N=207	21.7	N=207	50.2
	Kurzeme	26.5	N=132	16.7	N=132	56.8
INCOME PER HOUSEHOLD MEMBER	Zemgale	28.7	N=167	20.4	N=167	50.9
	Latgale	23.3	N=163	36.2	N=163	40.5
EDUCATION	Basic or unfinished secondary	25.5	N=188	24.5	N=188	50.0
	Secondary	30.1	N=256	20.7	N=256	49.2
SOCIAL STATUS	Secondary professional	24.0	N=350	29.7	N=350	46.3
	Higher	30.1	N=206	29.1	N=206	40.8
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	22.1	N=122	26.2	N=122	51.6
	Ls 41-70	21.7	N=286	26.6	N=286	51.7
SOCIAL STATUS	Ls 71-100	32.3	N=257	28.0	N=257	39.7
	Ls 101 and above	36.7	N=215	24.2	N=215	39.1
SOCIAL STATUS	Unemployed	21.4	N=56	33.9	N=56	44.6
	Homemaker	27.8	N=54	29.6	N=54	42.6
SOCIAL STATUS	Pensioner (incl. handicapped)	18.8	N=234	24.4	N=234	56.8
	Student (full-time), schoolchild	34.4	N=131	20.6	N=131	45.0
SOCIAL STATUS	Self-employed (businessman, etc.)	45.7	N=70	25.7	N=70	28.6
	Higher- or mid-level manager	50.0	N=30	23.3	N=30	26.7
SOCIAL STATUS	Professional (doctor, lawyer, economist, etc.)	33.0	N=100	27.0	N=100	40.0
	Common employee – civil servant, white-collar worker	26.8	N=168	26.8	N=168	46.4
SOCIAL STATUS	Common employee – blue-collar worker	20.3	N=158	29.1	N=158	50.6

Base: all respondents, n=1002

## 26.19 Trust in NATO

	Trust in institutions... NATO	Trust in institutions... NATO			Count
		Trust	Distrust	D/S, N/A	
		Row %	Row %	Row %	
ALL	*****	37.9	34.7	27.3	N=1002
NATIONALITY	Latvian	51.8	20.5	27.7	N=595
	Russian	17.6	58.5	23.9	N=318
	Other	18.0	44.9	37.1	N=89
CITIZENSHIP OF LATVIA	Yes	44.0	28.1	27.9	N=782
	No	16.4	58.2	25.5	N=220
GENDER	Male	42.6	37.5	20.0	N=411
	Female	34.7	32.8	32.5	N=591
AGE	15-34 years	44.8	33.8	21.4	N=355
	35-49 years	34.5	36.0	29.5	N=258
	50-74 years	33.9	34.7	31.4	N=389
PLACE OF RESIDENCE	Riga	33.3	44.4	22.2	N=333
	Other city, town	39.1	35.5	25.4	N=358
	Village, rural area	41.5	23.5	35.0	N=311
REGION	Riga	33.3	44.4	22.2	N=333
	Vidzeme	50.7	19.3	30.0	N=207
	Kurzeme	41.7	30.3	28.0	N=132
	Zemgale	44.3	28.1	27.5	N=167
	Latgale	21.5	44.8	33.7	N=163
EDUCATION	Basic or unfinished secondary	41.0	25.0	34.0	N=188
	Secondary	40.2	32.4	27.3	N=256
	Secondary professional	36.3	39.1	24.6	N=350
	Higher	35.4	38.3	26.2	N=206
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	32.0	32.0	36.1	N=122
	Ls 41-70	33.9	31.8	34.3	N=286
	Ls 71-100	44.0	37.7	18.3	N=257
	Ls 101 and above	41.4	39.5	19.1	N=215
SOCIAL STATUS	Unemployed	26.8	39.3	33.9	N=56
	Homemaker	31.5	42.6	25.9	N=54
	Pensioner (incl. handicaped)	33.8	30.3	35.9	N=234
	Student (full-time), schoolchild	48.1	25.2	26.7	N=131
	Self-employed (businessman, etc.)	48.6	34.3	17.1	N=70
	Higher- or mid-level manager	40.0	43.3	16.7	N=30
Professional (doctor, lawyer, economist, etc.)	40.0	38.0	22.0	N=100	
Common employee – civil servant, white-collar worker	41.7	31.0	27.4	N=168	
Common employee – blue-collar worker	31.6	44.9	23.4	N=158	

Base: all respondents, n=1002



## 27. Worry About the Possibility of Losing a Job

	Are you worried about the possibility of losing your job?						Count		
	Yes, I am often worried about it		Sometimes worried		Not worried			No answer	
	Row %	Row %	Row %	Row %	Row %	Row %		Row %	
ALL	34.3	38.5	26.9	0.2			N=527		
NATIONALITY									
	*****								
	Latvian	32.8	36.9	30.0	0.3		N=317		
	Russian	33.7	41.6	24.7	0.0		N=166		
	Other	47.7	38.6	13.6	0.0		N=44		
CITIZENSHIP OF LATVIA	Yes	32.1	39.4	28.3	0.2		N=421		
	No	43.4	34.9	21.7	0.0		N=106		
GENDER	Male	24.0	40.8	34.8	0.4		N=250		
	Female	43.7	36.5	19.9	0.0		N=277		
AGE	15-34 years	16.1	45.0	38.9	0.0		N=180		
	35-49 years	37.6	38.0	24.4	0.0		N=213		
	50-74 years	53.7	30.6	14.9	0.7		N=134		
PLACE OF RESIDENCE	Riga	25.3	40.3	34.4	0.0		N=186		
	Other city, town	43.3	38.9	17.2	0.6		N=180		
	Village, rural area	34.8	36.0	29.2	0.0		N=161		
REGION	Riga	25.3	40.3	34.4	0.0		N=186		
	Vidzeme	31.1	37.9	31.1	0.0		N=103		
	Kurzeme	57.1	21.4	21.4	0.0		N=70		
	Zemgale	41.7	38.1	20.2	0.0		N=84		
	Latgale	32.1	50.0	16.7	1.2		N=84		
EDUCATION	Basic or unfinished secondary	51.4	31.4	17.1	0.0		N=35		
	Secondary	39.5	34.2	26.3	0.0		N=114		
	Secondary professional	34.5	42.5	23.0	0.0		N=226		
	Higher	26.7	37.3	35.3	0.7		N=150		
INCOME PER HOUSEHOLD MEMBER	Up to Ls 40	51.7	20.7	27.6	0.0		N=58		
	Ls 41-70	41.4	38.7	18.9	0.9		N=111		
	Ls 71-100	32.7	38.9	28.4	0.0		N=162		
	Ls 101 and above	23.5	47.1	29.4	0.0		N=153		
	Self-employed (businessman, etc.)	25.7	24.3	48.6	1.4		N=70		
	Higher- or mid-level manager	20.0	43.3	36.7	0.0		N=30		
	Professional (doctor, lawyer, economist, etc.)	29.0	38.0	33.0	0.0		N=100		
	Common employee – civil servant, white-collar worker	35.1	44.0	20.8	0.0		N=168		
	Common employee – blue-collar worker	43.0	38.6	18.4	0.0		N=158		

Base: employed respondents, n=527

## 28. Social Security Tax

	Is the social security tax being paid for you?				D/S, N/A	Count
	Yes, fully Row %	Yes, partially Row %	No Row %	Row %		
ALL	73.2	15.2	7.2	4.4		N=527
NATIONALITY						
Latvian	78.9	10.7	7.3	3.2		N=317
Russian	65.7	23.5	4.8	6.0		N=166
Other	61.4	15.9	15.9	6.8		N=44
CITIZENSHIP OF LATVIA						
Yes	79.1	10.5	7.4	3.1		N=421
No	50.0	34.0	6.6	9.4		N=106
GENDER						
Male	64.8	20.4	10.0	4.8		N=250
Female	80.9	10.5	4.7	4.0		N=277
AGE						
15-34 years	72.2	16.7	7.8	3.3		N=180
35-49 years	76.1	14.1	4.2	5.6		N=213
50-74 years	70.1	14.9	11.2	3.7		N=134
PLACE OF RESIDENCE						
Riga	62.9	26.3	7.5	3.2		N=186
Other city, town	77.8	10.6	4.4	7.2		N=180
Village, rural area	80.1	7.5	9.9	2.5		N=161
REGION						
Riga	62.9	26.3	7.5	3.2		N=186
Vidzeme	80.6	7.8	3.9	7.8		N=103
Kurzeme	77.1	8.6	11.4	2.9		N=70
Zemgale	73.8	14.3	7.1	4.8		N=84
Latgale	83.3	6.0	7.1	3.6		N=84
EDUCATION						
Basic or unfinished secondary	60.0	14.3	17.1	8.6		N=35
Secondary	67.5	15.8	8.8	7.9		N=114
Secondary professional	68.6	18.6	8.4	4.4		N=226
Higher	88.7	8.7	2.0	0.7		N=150
INCOME PER HOUSEHOLD MEMBER						
Up to Ls 40	74.1	5.2	17.2	3.4		N=58
Ls 41-70	76.6	12.6	7.2	3.6		N=111
Ls 71-100	67.3	20.4	8.6	3.7		N=162
Ls 101 and above	78.4	15.0	2.6	3.9		N=153
Self-employed (businessman, etc.)	54.3	20.0	17.1	8.6		N=70
Higher- or mid-level manager	90.0	6.7	3.3	0.0		N=30
Professional (doctor, lawyer, economist, etc.)	89.0	10.0	1.0	0.0		N=100
Common employee – civil servant, white-collar worker	83.9	11.3	2.4	2.4		N=168
Common employee – blue-collar worker	57.0	22.2	12.7	8.2		N=158

Base: employed respondents, n=527

## Appendix 3

## Latvia in Numbers

## POPULATION

Table 1

Resident Population by Major Age Group at the Beginning of the Year

Year	Total	Population			Proportion of Population, percent		
		Under working age	Of working age	Over working age	Under working age	Of working age	Over working age
1995	2 500 580	521 877	1 411 472	567 231	20,9	56,4	22,7
1996	2 469 531	505 896	1 413 597	550 038	20,5	57,2	22,3
1997	2 444 912	488 993	1 401 808	554 111	20,0	57,3	22,7
1998	2 420 789	469 672	1 391 700	559 417	19,4	57,5	23,1
1999	2 399 248	448 063	1 404 664	546 521	18,7	58,5	22,8
2000	2 381 715	428 082	1 402 249	551 384	18,0	58,9	23,1
2001	2 364 254	409 760	1 424 985	529 509	17,3	60,3	22,4
2002	2 345 768	390 478	1 425 116	530 174	16,6	60,8	22,6
2003	2 331 480	372 641	1 454 536	504 303	16,0	62,4	21,6
2004	2 319 203	356 505	1 457 858	504 840	15,4	62,8	21,8

Table 2

Population Change Components

Year	Population Change			Percent		
	Total	Natural increase	Net migration	Total	Natural increase	Net migration
1995	- 31 049	- 17 336	- 13 713	- 1.24	- 0.69	- 0.55
1996	- 24 619	- 14 538	- 10 081	- 1.00	- 0.59	- 0.41
1997	- 24 123	- 14 703	- 9420	- 0.99	- 0.60	- 0.39
1998	- 21 541	- 15 790	- 5751	- 0.89	- 0.65	- 0.24
1999	- 17 533	- 13 448	- 4085	- 0.73	- 0.56	- 0.17
2000	- 17 461	- 11 957	- 5504	- 0.73	- 0.50	- 0.23
2001	- 18 486	- 13 327	- 5159	- 0.78	- 0.56	- 0.22
2002	- 14 288	- 12 454	- 1834	- 0.61	- 0.53	- 0.08
2003	- 12 277	- 11 431	- 846	- 0.53	- 0.49	- 0.04

Diagram 1

Population by Age and Sex in 1995 and at the Beginning of 2004

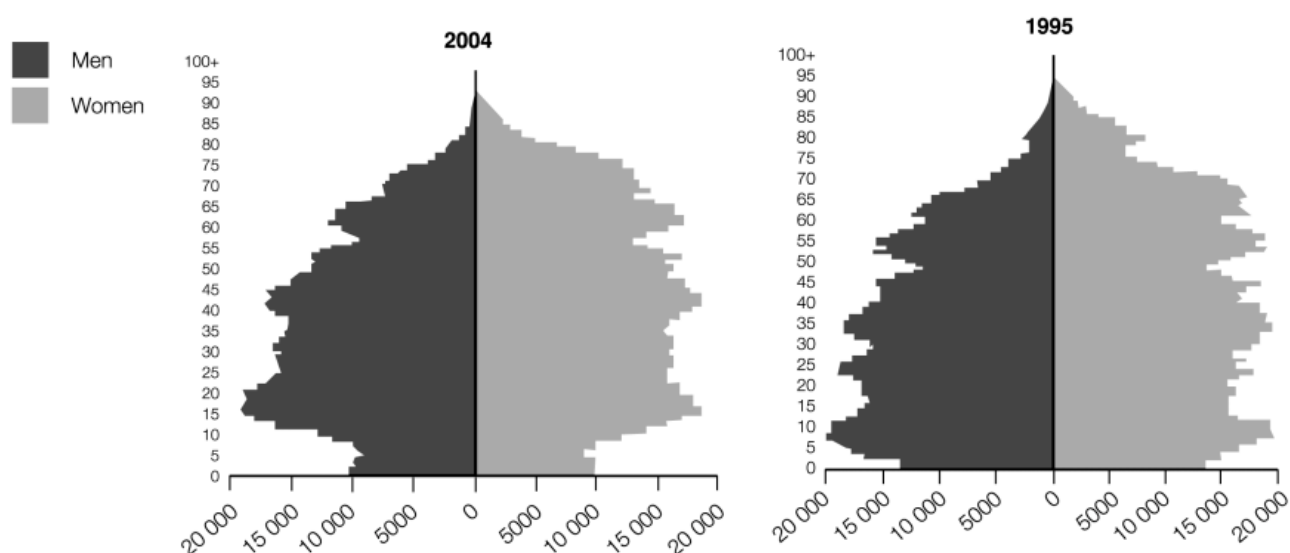


Table 3

## Ethnic Composition of Latvia's Population at the Beginning of the Year

Nationalities	Year		
	1935	1989	2004
Latvians	77,0	52,0	58,6
Russians	8,8	34,0	28,8
Belorussians	1,4	4,5	3,9
Ukrainians	0,1	3,5	2,6
Poles	2,6	2,3	2,5
Lithuanians	1,2	1,3	1,4
Jews	4,9	0,9	0,4
Roma	0,2	0,3	0,4
Other nationalities	3,8	3,8	1,4

## EMPLOYMENT

Table 4

Rate of Economically Active Population in Total Population (Rates of Economic Activity)  
(Annual data of Labour Force Selection Survey, percent)

	1996			2000			2003		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
<b>Total</b>	64,5	73,3	57,0	60,1	66,9	54,2	62,0	68,3	56,5
<b>Including ages (year):</b>									
15-19	28,0	33,0	22,8	13,2	16,4	9,8	13,4	15,9	10,9
20-24	75,6	85,9	64,7	64,6	74,1	55,0	67,2	76,8	57,2
25-29	84,8	93,6	75,5	82,5	90,8	74,0	83,5	92,6	74,3
30-34	86,9	92,8	81,4	87,9	91,9	84,0	85,7	90,9	80,4
35-39	91,0	92,9	89,1	88,7	90,8	86,7	88,6	90,2	87,0
40-44	90,8	91,4	90,2	87,4	87,6	87,2	89,1	90,6	87,7
45-49	87,1	86,9	87,3	84,7	82,4	86,7	87,6	88,7	86,6
50-54	81,7	85,3	78,7	81,5	82,3	80,8	82,0	83,8	80,5
55-59	53,8	74,4	37,6	54,8	71,7	41,7	65,1	71,8	59,9
60-64	28,6	39,3	20,8	25,2	35,9	17,6	33,2	42,1	26,9
65-74	12,3	17,6	9,7	10,0	14,1	7,8	11,7	16,3	8,9

Table 5

Rate of Employed Population in Total Population (Employment Rate)  
(Annual data of Labour Force Selection Survey, percent)

	1996			2000			2003		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
<b>Total</b>	51,1	57,9	45,4	51,4	56,7	46,9	55,4	61,0	50,6
<b>Including ages (year):</b>									
15-19	14,4	18,0	10,7	8,5	10,9	5,9	9,0	11,2	6,8
20-24	55,8	62,2	49,1	52,0	60,3	43,4	56,9	65,9	47,7
25-29	66,7	75,0	57,9	69,6	76,5	62,7	74,0	81,6	66,3
30-34	70,8	76,7	65,3	77,3	80,7	74,0	79,7	85,3	74,0
35-39	74,7	75,3	74,0	76,6	76,6	76,6	80,3	82,2	78,5
40-44	76,1	75,7	76,4	74,2	74,7	73,8	80,4	80,9	79,9
45-49	72,6	69,4	75,3	73,0	68,5	76,9	78,2	79,4	77,2
50-54	67,9	71,1	65,2	69,8	68,0	71,3	72,4	73,5	71,4
55-59	42,8	59,6	29,5	48,9	62,7	38,2	59,6	65,4	55,1
60-64	21,4	30,9	14,6	23,3	33,3	16,1	30,9	38,8	25,3
65-74	8,8	13,8	6,2	9,5	13,6	7,2	11,2	15,7	8,5

Table 6

Rate of Jobseekers to the Total of Economically Active Population  
(Annual data of Labour Force Selection Survey, percent)

	1996			2000			2003		
	Total	Males	Females	Total	Males	Females	Total	Males	Females
<b>Total</b>	20,7	21,0	20,3	14,4	15,3	13,5	10,6	10,7	10,5
<b>Including ages (year):</b>									
15–19	48,3	45,3	52,9	35,7	33,6	39,4	32,6	29,3	37,7
20–24	26,1	27,6	24,1	19,6	18,6	20,9	15,3	14,2	16,7
25–29	21,4	19,8	23,4	15,6	15,8	15,3	11,4	11,9	10,7
30–34	18,5	17,4	19,7	12,0	12,2	11,9	7,0	6,2	7,9
35–39	17,9	18,9	16,9	13,7	15,7	11,7	9,3	8,9	9,8
40–44	16,2	17,2	15,3	15,0	14,7	15,4	9,8	10,7	8,9
45–49	16,7	20,1	13,8	13,8	16,9	11,3	10,7	10,5	10,8
50–54	16,9	16,7	17,1	14,3	17,3	11,7	11,7	12,3	11,2
55–59	20,3	19,8	21,0	10,7	12,5	8,4	8,5	8,9	8,1
60–64	24,6	21,4	28,8	7,6	7,3	8,1	6,9	8,0	5,8
65–74	27,3	20,0	34,0	5,4	3,0	7,9	4,1	4,2	3,9

Table 7

Monthly Average Gross Wages and Salaries by Sex  
and Kind of Activity (Lats)<sup>1</sup>

	1995		2000		2003	
	Males	Females	Males	Females	Males	Females
<b>Total</b>	93	73	160	126	194	162
<b>Agriculture and forestry</b>	55	51	113	94	154	127
<b>Fishing</b>	89	69	85	86	105	104
<b>Industry</b>	97	78	156	127	185	147
<b>Construction</b>	82	67	127	111	143	138
<b>Hotels and restaurants</b>	67	59	106	78	126	100
<b>Transport, storage, communication</b>	140	100	204	170	239	198
<b>Financial intermediation</b>	179	126	491	281	645	362
<b>Real estate, renting and business activities</b>	77	72	181	145	213	176
<b>Public administration and defence</b>	103	97	182	181	220	228
<b>Education</b>	71	64	133	119	189	177
<b>Health and social work</b>	76	65	134	116	183	153

<sup>1</sup> Information is gathered in the 1<sup>st</sup> quarter of every year and describes the average trend of the year.

## ECONOMY

Table 8

## Gross Domestic Product

Year	Total, thousand Lats		Per capita, Lats	
	At current prices	At average prices of 2000	At current prices	At average prices of 2000
1995	2 580 087	3 638 725	1038	1451
1996	3 076 148	3 742 672	1252	1523
1997	3 562 863	4 052 658	1464	1666
1998	3 902 926	4 244 123	1619	1761
1999	4 224 228	4 383 635	1767	1834
2000	4 685 706	4 685 706	1975	1975
2001	5 168 292	5 060 983	2195	2149
2002	5 689 376	5 387 257	2433	2304
2003	6 322 483	5 788 915	2719	2489

Table 9

Volume Indices of Gross Domestic Product  
(At average prices of 2000)

Year	At percent of		
	1990	1995	Previous year
1990	100,0	-	102,9
1991	87,4	-	87,4
1992	59,3	-	67,9
1993	52,6	-	88,6
1994	53,7	-	102,2
1995	53,3	100,0	99,1
1996	55,3	103,8	103,8
1997	59,8	112,4	108,3
1998	62,7	117,7	104,7
1999	64,7	121,6	103,3
2000	69,2	129,9	106,9
2001	74,7	140,3	108,0
2002	79,6	149,4	106,4
2003	85,5	160,5	107,5

Table 10

Gross Domestic Product Per Employed Person<sup>2</sup>

	1997	1998	1999	2000	2001	2002	2003
At current prices, Lats	3586	3940	4342	4962	5356	5803	6339
At average prices of 2000, Lats	4080	4285	4506	4962	5245	5495	5804
Dynamics, 1995 = 100	109,8	115,3	121,2	133,5	141,1	147,8	156,2

<sup>2</sup> Between 1995–2001 employed persons aged 15 years and older, beginning in 2002 – aged 15–74.

Table 11

Gross Value Added by Kind of Activity in 2003 (current prices, percent)

Agriculture, hunting, forestry and fishing	4,3
Mining and quarrying, manufacturing, electricity, gas and water supply	17,2
Construction	5,6
Wholesale, retail trade, repairs of motor vehicles, motorcycles, personal, household goods	18,1
Hotels and restaurants	1,3
Transport, storage and communications	15,4
Financial intermediation	5,4
Real estate, renting and business activities	13,2
Public administration and defense	7,8
Education	4,8
Health and social work	2,9
Other community, social and personal service activities	4,0

Diagram 2

General Government Consolidated Budget Revenue and Expenditure (million Lats)

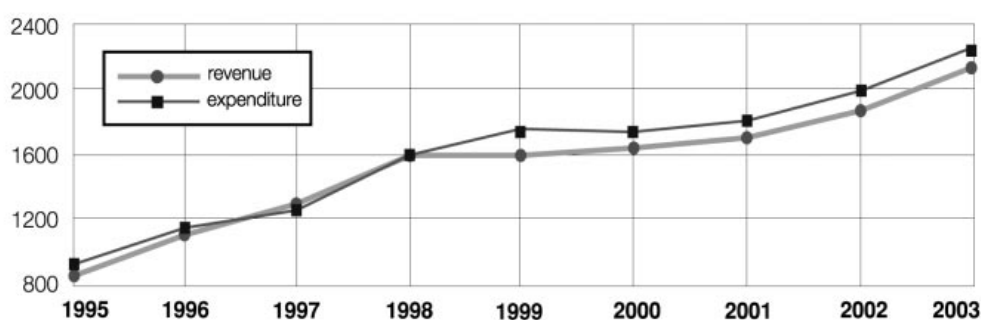


Table 12

General Government Consolidated Budget Tax Revenue by Type of Tax in 2003 (percent)

Value added	25,8
Excise	11,9
Corporate income	5,3
Personal income	20,6
Social	31,5
Other	4,9

Table 13

General Government Consolidated Budget Expenditure by Government Function in 2003 (percent)

General public services	8,4
Defence	3,6
Public order and safety, law enforcement	7,0
Education	17,5
Health care	9,4
Social security and welfare	30,5
Housing and community amenities, protection of environment	5,1
Agriculture, forestry and fishing	4,9
Recreation, sports, cultural and religious affairs	4,0
Transport and communication	4,9
Other	4,7

Diagram 3

Foreign Trade Turnover by Major Partners in 2003  
(million Lats)

			Export	Import
Germany	725.1		245.3	479.8
Lithuania	424.8		135.1	289.7
Sweden	361.3		174.2	187.1
Russia	349.5		88.8	260.7
Great Britain	323.9		256.6	67.3
Estonia	300.3		108.5	191.8
Finland	265.2		44.3	220.9
Denmark	200.9		99.0	101.9
Poland	177.3		24.6	152.7
Italy	173.6		43.3	130.3
Netherlands	146.3		53.7	92.6
Belarus	134.7		23.9	110.8
France	120.7		36.6	84.1
USA	99.7		47.7	52.0
Ukraine	89.0		34.3	54.7
Norway	71.0		32.1	38.9
Belgium	69.7		17.3	52.4
Switzerland	63.7		7.2	56.5
Austria	54.8		8.2	46.6
Spain	50.7		13.8	36.9
Czech Rep.	49.7		7.9	41.8
China	47.9		9.5	38.4
Other	340.0		138.7	201.3

Table 13

Foreign Investment in Latvia

	Foreign investment stock at the end of a year		Foreign direct investment received per year		
	Total, million Lats	Direct investment, million Lats	Total, million Lats	Per capita, Lats	As percent of GDP
1995	1037,5	330,5	94,1	37,9	3,6
1996	1510,7	520,5	210,6	85,7	6,8
1997	2187,3	750,2	303,4	124,7	8,5
1998	2418,3	886,2	209,9	87,1	5,4
1999	2979,4	1046,7	202,7	85,1	4,8
2000	3715,4	1277,3	250,5	106,0	5,3
2001	4572,8	1485,3	82,6	35,2	1,6
2002	5408,4	1634,3	156,6	67,2	2,8
2003	6375,8	1775,3	172,0	72,2	2,7



Table 14

Foreign Investment Stock by Kind of Activity in 2003  
(as percent of Latvia-registered company capital total)

Industry	21,1
Wholesale, retail trade; repair of motor vehicles, motorcycles, personal household goods	13,8
Hotels and restaurants	1,2
Transport, storage and communications	15,6
Financial intermediation, real estate, renting and business activities	35,0
Other community, social and personal service activities	4,3
Kind of activity not classified	8,1

## SOCIAL SPHERE, EDUCATION, HEALTH, RECREATION

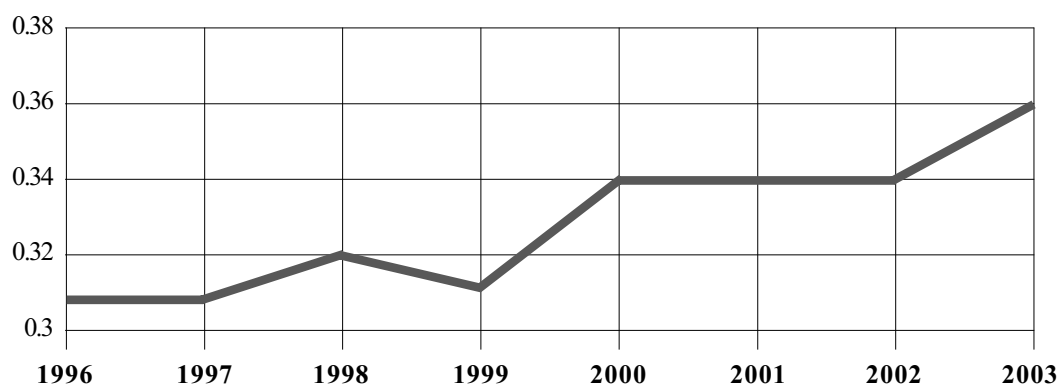
Table 15

Household Consumption Expenditure

	1996	2000	2003
Average consumption expenditure per household member per month, Lats	46,93	63,84	100,38
Including, percent:			
Food and non-alcoholic beverages	52,2	37,5	32,4
Alcoholic beverages and tobacco	2,5	2,8	3,6
Clothing and footwear	5,8	6,6	7,5
Housing, water, electricity, gas and other fuels	14,8	16,8	12,7
Furnishings, household equipment and routine household maintenance	2,6	4,9	5,4
Health	3,9	4,2	3,6
Transport	6,2	7,7	10,7
Communications	1,4	5,4	6,0
Recreation and culture	3,9	6,4	6,6
Education	1,9	1,0	1,6
Restaurants, cafes, Hotels	1,8	2,5	4,9
Miscellaneous goods and services	3,0	4,2	5,0

Diagram 4

Gini Coefficient





## AUTHORS

Daunis AUERS	Lecturer, Eurofaculty and the Faculty of Social Sciences, University of Latvia
Ilze BRANDS-KEHRE	Director, Latvian Centre for Human Rights and Ethnic Studies
Lolita ČIGĀNE	Researcher, Public Policy Centre “PROVIDUS”
Gīta FELDHŪNE	Researcher, Human Rights Institute, University of Latvia
<i>Dr.</i> Marija GOLUBEVA	Researcher, Public Policy Centre “PROVIDUS”
<i>Dr.</i> Jānis IKSTENS	Associate Professor, Vidzeme University College
Dace JANSONE	Assistant Professor, Chair of the Political Science Department, Vidzeme University College
Anhelita KAMENSKA	Researcher, Latvian Centre for Human Rights and Ethnic Studies
<i>Dr.</i> Rasma KĀRKLĪŅA	Professor, Illinois University (USA)
Ģirts Valdis KRISTOVSKIS	Member of the European Parliament
<i>Dr.</i> Sergejs KRUKS	Assistant Professor, Faculty of Social Sciences, University of Latvia
Artūrs KUČS	Director, Human Rights Institute, University of Latvia
Zinta MIEZAINĒ	Public participation expert, Civic Alliance of Latvia
<i>Dr.</i> Žaneta OZOLIŅA	Professor, Chair of the Political Science Department, Faculty of Social Sciences, University of Latvia
Ilvija PŪCE	Lawyer, Latvian Centre for Human Rights and Ethnic Studies
<i>Dr.</i> Feliciana RAJEVSKA	Associate Professor, Faculty of Social Sciences, University of Latvia
Iveta REINHOLDE	PhD student, Faculty of Social Sciences, University of Latvia
<i>Dr.</i> Juris ROZENVALDS	Professor, Faculty of Social Sciences, University of Latvia
<i>Dr.</i> Andris RUNCIS	Associate Professor, Faculty of Social Sciences, University of Latvia
Māra SĪMANĒ	Director, <i>Māras Sīmanes Konsultāciju birojs</i>
Ilze ŠULMANĒ	Lecturer, Faculty of Social Sciences, University of Latvia
Alfs VANAGS	Director, Baltic International Centre for Economic Policy Studies
<i>Dr.</i> Inga VILKA	Associate Professor, Faculty of Economics and Management, University of Latvia
<i>Dr.</i> Brigita ZĒPA	Professor, Faculty of Social Sciences, University of Latvia
<i>Dr.</i> Ineta ZIEMELE	Professor, Riga Graduate School of Law



## **MOST FREQUENTLY USED ABBREVIATIONS**

BDH – The Baltic Data House

BISS – The Baltic Institute of Social Sciences

COE – Council of Europe

COEATC – Council of Europe Anti-Torture Committee

CPL – Criminal Procedure Law

EC – European Commission

ECHR – European Court of Human Rights

GDP – Gross Domestic Product

GRECO – (*Group d'états contre corruption*) – Group of States Against Corruption

LNHRO – The Latvian National Human Rights Office

MES – Ministry for Education and Science

NGO – Non-Governmental Organisation

OECD – Organization of Economic Cooperation and Development

OSCE – Organization for Security and Cooperation in Europe

UN – The United Nations

UNICCPR – UN International Covenant on Civil and Political Rights

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LU Akadēmiskais apgāds  
Baznīcas ielā 5, Rīgā, LV 1010  
Tālrunis: 7034535

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Iespiests SIA “Latgales Druka”  
Baznīcas ielā 28, Rēzeknē, LV 4610