

(Cabinet
Order No. 29 of
21 January 2014)

**Guidelines for the Prevention of
Trafficking in Human Beings
2014-2020
(Informative Part)**

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ABBREVIATIONS USED

UN	United Nations Organization
MoD	Ministry of Defence
USA SD	State Department of the United States of America
MoFA	Ministry of Foreign Affairs
CBSS	Council of the Baltic Sea States
CBSS EGCC	Council of the Baltic Sea States Expert Group on Children at Risk
CBSS TF-THB	Council of the Baltic Sea States Task Force Against Trafficking in Human Beings
Directive 2011/36/EU	Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA
Shelter “Safe House”	Association “Shelter “Safe House””
EU	European Union
GRETA	Council of Europe Group of Experts on Action against Trafficking in Human Beings
MoI	Ministry of the Interior
MoES	Ministry of Education and Science
CL	Criminal Law
CPL	Criminal Procedure Law
MoC	Ministry of Culture
MoW	Ministry of Welfare
NLL	National Library of Latvia
LVL	Latvian lat
RCW Marta	Association “Resource Centre for Women “Marta””
Cabinet	Cabinet
No	Number
SEA	State Employment Agency
NGO	Non-governmental organisation
OCMA	Office of Citizenship and Migration Affairs
RMP	Riga municipal police
CA	Court Administration
CIS	Court Information System
MoJ	Ministry of Justice
JTC	Judicial Training Centre
State programme	Programme for the Prevention of Trafficking in Human Beings 2009-2013
SIPCR	State Inspectorate for Protection of Children's Rights

SLI	State Labour Inspectorate
NCE	National Centre for Education
SYIC	State Youth Initiative Centre
SC	State Chancellery
MoH	Ministry of Health

INTRODUCTORY PART

1. Introduction

Trafficking in human beings is a serious crime, which is frequently performed within the framework of organised crime, and it is a severe violation of human rights, unequivocally prohibited by the EU Charter of Fundamental Rights¹.

One of the purposes of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, is to protect the victims of trafficking in human beings and to help them, completely conforming to their human rights². In addition thereto one of the purposes of the United Nations Convention against Transnational Organized Crime is to protect the human rights of victims of trafficking in human beings³.

Norms of Chapter 8 “Fundamental Human Rights” of the Constitution of the Republic of Latvia⁴ prescribe that everyone has the right to liberty and security of person, that no one may be deprived of or have their liberty restricted, otherwise than in accordance with law, that torture or other cruel or degrading treatment of human beings is prohibited, that everyone has the right to freely choose their employment and workplace according to their abilities and qualifications, and forced labour is prohibited.

The basic definition of trafficking in human beings is laid down in Article 3 of Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

This definition is supplemented by the signs of the definition of trafficking in human beings included in Article 4⁵ of the Convention on Action against Trafficking in Human Beings and in Article 2⁶ of Directive 2011/36/EU.

¹ EU Charter of Fundamental Rights (2010/C 83/02), EU OJ 30.03.2010. C 83/389, <http://eur-lex.europa.eu/lv/treaties/dat/32007X1214/hm/C2007303LV.01000101.htm>

² Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Available at: <http://www.likumi.lv/doc.php?id=87670>

³ Council of Europe Convention on Action against Trafficking in Human Beings. Available at: <http://www.likumi.lv/doc.php?id=210786>

⁴ Law of 15 February 1922, Constitution of the Republic of Latvia (*Latvijas Vēstnesis*, No. 43, 1 July 1993) [shall come into force from 7 November 1922], <http://www.likumi.lv/doc.php?id=57980>

⁵ “Trafficking in human beings” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

⁶ “Offences concerning trafficking in human beings:

The requirements of the abovementioned international and EU legal acts have been incorporated in Section 154.² of the Criminal Law⁷.

In order to ensure purposeful and planned approach to the prevention of and action against trafficking in human beings in Latvia, the first policy planning document in this field – “National Programme for the Prevention of Trafficking in Human Beings 2004-2008” – was approved by Cabinet Order No. 132 of 3 March 2004.

“Programme for the Prevention of Trafficking in Human Beings 2009-2013” was approved by Cabinet Order No. 590 of 27 August 2009⁸, the main purpose of which is to plan and implement measures in order to prevent trafficking in human beings. The MoI and the MoW have been appointed as the institutions responsible for implementation of the programme. The MoI as the co-ordinating institution is responsible for aggregating information regarding the progress of implementing the National Programme and the submission of an informative report to the Cabinet for examination by 1 March in 2011 and 2014. The programme provides for five action directions – data compilation and research, improvement of laws and regulations, implementation of preventive measures, improvement of co-operation between State authorities and NGOs, improvement of the operation of law enforcement authorities, and implementation of 26 tasks subject thereto for achieving the results of the programme.

On 17 March 2011 the Prime Minister approved the “Informative Report on Implementation of the Programme for the Prevention of Trafficking in Human Beings 2009-2013 in 2009 and 2010”. Taking into account that the term of operation of the Programme for the Prevention of Trafficking in Human Beings 2009-2013 ends on 31 December 2013, the ex-post assessment report on the introduction of this programme has not been prepared yet.

1. Member States shall take the necessary measures to ensure that the following intentional acts are punishable: The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

2. A position of vulnerability means a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved.

3. Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.

4. The consent of a victim of trafficking in human beings to the exploitation, whether intended or actual, shall be irrelevant where any of the means set forth in paragraph 1 has been used.

⁷ The Criminal Law. Available at: <http://www.likumi.lv/doc.php?id=88966>.

Section 154.² of the Criminal Law. Meaning of Human Trafficking

(1) Human trafficking is the recruitment, transportation, transfer, concealment, accommodation or reception of persons for the purpose of exploitation, committed by using violence or threats or by means of deceit, or by taking advantage of the dependence of the person on the offender or of his or her state of vulnerability or helplessness, or by the giving or obtaining of material benefits or benefits of another nature in order to procure the consent of such person, upon which the victim is dependent.

(2) The recruitment, transportation, transfer, concealment, accommodation or reception of a minor for the purpose of exploitation shall be recognised as human trafficking also in such cases, if it is not connected with the utilisation of any of the means referred to in the Paragraph one of this Section.

(3) Within the meaning of this Section, exploitation is the involvement of a person in prostitution or in other kinds of sexual exploitation, the compulsion of a person to perform labour, to provide services or to commit criminal offences, the holding of a person in slavery or other similar forms thereof (debt slavery, serfdom or compulsory transfer of a person into dependence upon another person), and the holding a person in servitude or also the illegal removal of a person's tissues or organs.

⁸ Cabinet Order No. 590 of 27 August 2009, On the Programme for the Prevention of Trafficking in Human Beings 2009-2013 (Latvijas Vēstnesis, No. 138(4124), 1 September 2009) [shall come into force from 27 August 2009], <http://www.likumi.lv/doc.php?id=196802>

In order to continue the policy for the prevention of trafficking in human beings implemented by the Programme for the Prevention of Trafficking in Human Beings 2009-2013, Guidelines for the Prevention of Trafficking in Human Beings 2014-2020 (hereinafter – Guidelines), which is a medium-term policy planning document, have been drafted. The Guidelines have been drafted in co-operation with the competent State and local government authorities, law enforcement authorities and non-governmental sector, taking as the basis the GRETA Report concerning the Implementation of the Liabilities of the Council of Europe Convention on Action against Trafficking in Human Beings by Latvia⁹, the assessment report of the UN Independent Expert Dr Cephias Lumina on human rights, the general report of the UN Human Rights Council on human rights, the annual reports of the USA SD on actions against trafficking in human beings and the EU Strategy towards the Eradication of Trafficking in Human Beings 2012-2016. The Guidelines are based on four internationally acknowledged basic principles of the policy for action against trafficking in human beings: 1) preventive actions; 2) protection of victims; 3) criminal investigation, prosecution and trial; 4) co-operation of competent authorities and organisations at national and international level (prevention, protection, prosecution, partnership).

Drafting of the Guidelines took place in accordance with the Order No. 85 of the Prime Minister of 8 March 2013, On the Working Group for Co-ordinating the Implementation of the Programme for the Prevention of Trafficking in Human Beings 2009-2013.

2. BASIC PRINCIPLES AND OBJECTIVES OF THE POLICY FOR THE PREVENTION OF TRAFFICKING IN HUMAN BEINGS

Basic principles of the policy:

Intersectoral principle – prevention of trafficking in human beings is based on four internationally acknowledged basic principles of the policy for action against trafficking in human beings: prevention, protection (of victims), criminal investigation, prosecution and trial (prosecution), co-operation of competent authorities and organisations at national and international level (partnership).

Principle of human rights – everyone has the right to liberty and security of person, protection of honour and respect, to freely choose their employment and workplace according to their abilities and qualifications.

Principle of observing the rights and interests of children – all institutions act and treat a child according to the best interests of the child and, upon examining any issue, it must be evaluated from the perspective of the rights and interests of the child, and decisions that are in contradiction with this principle are inadmissible.

Principle of participation – all sectors, institutions and organisations must be involved and co-responsible, within the scope of their competence, in prevention of trafficking in human beings.

Principle of efficient policy planning – upon existence of a wide range of policy initiatives, there is a risk that initiatives may overlap and duplicate, therefore, the intent of such policy planning document is to create a cohesive framework for the current and planned activities.

⁹ Published on the website of the Council of Europe on 31 January 2013, recommendations approved on 15 February 2013.

Policy objectives:

1. to promote awareness and understanding of the society regarding trafficking in human beings and to ensure care for victims of trafficking in human beings;
2. to achieve that the latency of trafficking in human beings is decreased and the capacity of law enforcement authorities and competent partners for combating cases of trafficking in human beings is developed.

3. LINK OF THE GUIDELINES WITH OTHER POLICY PLANNING DOCUMENTS

The Guidelines have been co-ordinated with the following EU documents:

1. The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 (COM(2012) 286 final)¹⁰, which was approved on 19 June 2012, and with its help the EU Commission wishes to concentrate on specific measures that will help the Member States to transpose and implement Directive 2011/36/EU.
2. European Parliament Resolution of 10 February 2010 on preventing trafficking in human beings (2010/C 341 E/05)¹¹.
3. The Stockholm Programme – An open and secure Europe serving and protecting citizens (2010/C 115/01)¹².
4. The Strategy EU 2020 (approved at the European Council on 17 July 2010), which continues the objectives laid down in the Lisbon Strategy.

The Guidelines have been co-ordinated with the following UN documents:

1. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, adopted on 15 November 2000. The purpose of the Protocol is to prevent and combat trafficking in persons, paying particular attention to women and children; to protect and assist the victims of such trafficking, with full respect for their human rights; and to promote cooperation among States Parties in order to meet those objectives. It came into force in Latvia on 29 April 2004.
2. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, adopted on 25 May 2000. Protocol to this Convention came into force in Latvia on 22 March 2006. By this Protocol States Parties prohibit sale of children, child prostitution and child pornography.
3. UN Convention on the Rights of the Child, adopted by the UN General Assembly on 20 November 1989. This Convention came into force in Latvia on 14 May 1992. The Convention embraces the civic, political, social, economic and cultural rights of children from birth up to reaching legal age. The Convention recognises the child as an independent legal entity, also introducing the principle of priority of the interests of the child.
4. Convention on the Elimination of All Forms of Discrimination against Women, adopted by the UN General Assembly on 18 December 1979, determining an internationally unified standard of the human rights of women. It came into force in Latvia on 14 May 1992.

The Guidelines have been co-ordinated with the following documents of the Council of Europe:

1. Council of Europe Convention on Action against Trafficking in Human Beings, which was adopted in Warsaw, on 16 May 2005, and the purpose of which is to prevent and combat trafficking in human beings, while guaranteeing gender equality, to protect the human rights

¹⁰ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2012:0286:FIN:LV:PDF>

¹¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:341E:0018:0025:LV:PDF>

¹² <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:lv:PDF>

of the victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, while guaranteeing gender equality, as well as to ensure effective investigation and prosecution; to promote international cooperation on action against trafficking in human beings. The Convention has been in force in Latvia since 13 February 2008.

2. Action-Oriented Paper on strengthening the EU external dimension on action against trafficking in human beings; Towards Global EU Action against Trafficking in Human Beings (AOP), approved by the Council of the European Union on 30 November 2009.

3. European Convention for the Protection of Human Rights and Fundamental Freedoms, which was adopted by the Council of the European Union on 4 November 1950. In accordance with this Convention the enjoyment of the rights and freedoms set forth in law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. The Convention has been in force in Latvia since 27 June 1997.

The tasks included in the Guidelines conform to the following policy planning documents of national level:

1. Sustainable Development Strategy for Latvia until 2030¹³ (hereinafter – Latvia 2030), which was approved by the *Saeima* on 10 June 2010. The task of Latvia 2030 is to find a way for rational use of the capital of Latvia or the national wealth, determining a human being as the main capital.

2. National Development Plan of Latvia 2014-2020¹⁴, which was approved by the decision of the *Saeima* of the Republic of Latvia on 20 December 2012. The vision of NDP2020 is of Latvia as a state of active and responsible citizens, in which people will be willing and able to take care not only of themselves and their closest people, but also of other peers who need help.

I. CHARACTERISATION OF THE SITUATION AND FORMULATION OF PROBLEMS

1. General Information

On 24 January 2008 the *Saeima* adopted the Law On Council of Europe Convention on Action against Trafficking in Human Beings¹⁵ (hereinafter – Convention). In accordance with Article 38 of the Convention GRETA (group of experts on action against trafficking in human beings) shall take measures in order to evaluate how the parties to the Convention are implementing the obligations of the Convention. GRETA performed evaluation activities, evaluating how Latvia has implemented the obligations of the Convention in the time period from 2008 to 2012. During the evaluation process on 31 August 2011 Latvia sent written replies to a questionnaire prepared by GRETA; in the time period from 14 February 2012 to 17 February 2012 State evaluation visit took place; the comments of Latvia and additional information regarding the report prepared by GRETA were sent on 25 September 2012 and 21 January 2013.

¹³ Sustainable Development Strategy for Latvia until 2030. Available at: http://www.latvija2030.lv/upload/latvija2030_saeima.pdf

¹⁴ National Development Plan of Latvia 2014-2020. Available at: http://www.nap.lv/images/NAP2020%20dokumenti/20121220_NAP2020_Saeimā_apstiprināts.pdf

¹⁵ Law of 24 January 2008 On Council of Europe Convention on Action against Trafficking in Human Beings (*Latvijas Vēstnesis*, No. 23 (3807), 12 February 2008, *Ziņotājs*, No. 5, 13 March 2008) [came into force on 13 February 2008]

On 15 February 2013 Committee of the Parties to the Convention¹⁶ approved Recommendations No CP(2013)2 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings in Latvia. The efforts of Latvia in action against trafficking in human beings are welcomed in recommendations, in particular:

- the appointment of a National Co-ordinator for Combating Trafficking in Human Beings and the setting up of the Inter-Institutional Working Group for co-ordination of the implementation of the Programme for Prevention of Human Trafficking 2009-2013,
- the development of the national legal framework related to action against trafficking in human beings,
- the efforts to develop the aspect of prevention through awareness-raising campaigns, education in schools and training of professionals involved in action against human trafficking,
- the setting up of a multi-disciplinary commission of specialists for the identification of victims of trafficking,
- the availability of a six-month programme of State-funded social rehabilitation of victims of trafficking.

Concurrently Recommendations pay attention to the areas where further action is required in order to improve the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, in particular:

- strengthening the aspect of prevention of human trafficking through social and economic empowerment measures for vulnerable groups and ensuring the registration of all children at birth,
- improving the identification of victims of trafficking by setting up a formalised mechanism for their identification and referral to assistance, and by pursuing a proactive approach to victim identification, in particular as regards cases of trafficking for labour exploitation,
- providing all victims of human trafficking with effective access to assistance for the duration necessary to achieve their rehabilitation, taking into account their specific circumstances and regardless of their participation in criminal proceedings,
- ensuring that all victims of trafficking are systematically informed of the recovery and reflection period and are effectively granted such a period,
- facilitating access to compensation for victims of trafficking, including by providing them systematically with information on the right to compensation and ensuring their effective access to legal aid,
- taking measures to ensure that crimes related to human trafficking are investigated and prosecuted effectively, leading to proportionate and dissuasive sanctions.

From 14 May 2012 to 18 May 2012 Dr Cephias Lumina, UN Independent Expert, was visiting Latvia, and the purpose of this visit was to survey the ability of the State to establish and implement policies and programmes for exercising all human rights. It was particularly evaluated how the events of the previous years have affected economic, social and cultural rights of people.

On 18 January 2013 Latvia received an evaluation report, which was presented to a wider audience during the 23rd Session of the UN Human Rights Council from 27 May 2013 to 14 June 2013. It is pointed out in the report that as a result of unemployment, poverty and

¹⁶ In accordance with Article 37 of the Council of Europe Convention on Action against Trafficking in Human Beings – Committee of the Parties: the Committee of the Parties shall be composed of the representatives on the Committee of Ministers of the Council of Europe of the member States Parties to the Convention and representatives of the Parties to the Convention, which are not members of the Council of Europe.

immigration increasing during the previous years in Latvia the extent of trafficking in human beings has increased. The action of the government of Latvia in this direction is appreciated:

- the increase in the financing for the support of victims of trafficking in human beings,
- the implementation of campaigns for informing the society,
- the establishment of an interinstitutional working group for co-ordinating the implementation of the Programme for the Prevention of Trafficking in Human Beings 2009-2013.

Concurrently it is emphasised in the report that modest progress is observed in relation to criminal prosecution and punishing of persons engaged in trafficking of human beings.

The UN Independent Expert expresses the following recommendations to Latvia in the report:

- in co-operation with countries of destination of trafficking in human beings to strengthen measures in order to prevent trafficking of human beings,
- to ensure efficient support and compensations to victims of trafficking in human beings,
- to investigate cases of trafficking in human beings and to subject the persons who have committed the criminal offence to criminal prosecution,
- to strengthen efforts as regards increasing public awareness regarding forced prostitution and trafficking in human beings.

On 22 September 2011 the UN Human Rights Council (HRC) took a decision by which the process of evaluating the human rights situation in Latvia was closed within the scope of the first cycle of the UN Universal Periodic Review. The HRC approved the report on evaluation process of Latvia within the scope of the 11th session of the Universal Periodic Review Working Group on 5 May 2011, as well as the written opinion submitted by Latvia and appended thereto on the recommendations received within the scope of the UN General Periodic Review, which was approved by the Cabinet of the Republic of Latvia on 6 September 2011.

It is indicated in the report that:

- Latvia has established an effective system to combat human trafficking,
- Latvia has taken the steps towards the Palermo Protocol (Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime), determining that use of coercive measures against potential victims of sexual exploitation is not a pre-condition for initiating criminal proceedings against traffickers,
- a system for identification of victims of trafficking in human beings has been established in Latvia,
- funds from the State budget for identification and rehabilitation of victims of trafficking in human beings are being granted,
- Latvia is implementing the national policy planning document in prevention of trafficking in human beings,
- Latvia is organising informative campaigns, also regarding risks of marriages of convenience,
- the police is working with groups of persons who are easy subject to trafficking in human beings,
- border guards are trained to identify the possible cases of trafficking in human beings.

The following recommendations were put forward to Latvia in relation to prevention of and action against trafficking in human beings within the scope of the first cycle of the UN General Periodic Review:

- continue taking measures to eliminate human trafficking (Czech Republic),

- continue to take the necessary measures to end trafficking in human beings, including through the implementation of the national program on combating trafficking in human beings (Palestine),
- pursue its efforts to combat trafficking in human beings, especially women and children (Algeria),
- step up efforts to combat trafficking in human beings, including developing international cooperation with interested governments, international organizations and NGOs (Belarus),
- continue its efforts to combat trafficking in human beings, and pay special attention to its victims (Costa Rica),
- continue to adopt appropriate measures to prosecute and punish perpetrators of trafficking in human beings and develop effective systems for the timely prevention of sexual exploitation and trafficking in children (Republic of Moldova),
- prioritize the implementation of human trafficking protection and rehabilitation programmes (Norway),
- further develop and strengthen its programs and services to promote the rehabilitation of victims of trafficking (Canada),
- prioritize training for the judiciary and the police on how to treat victims of trafficking as well as domestic violence (Norway).

Since 2002 the USA SD has been evaluating the efforts of Latvia and other states in prevention of and action against trafficking in human beings, taking the standards laid down in the Trafficking Victims Protection Act 2000 (TVPA)¹⁷ as the basis for action against trafficking in human beings. Hitherto Latvia was assigned Level 2 of the USA SD annual trafficking in persons report¹⁸, thus assuming that Latvia takes measures in order to improve the current situation in prevention of and action against trafficking in human beings and provision of support to victims of trafficking in human beings, however, they are insufficient.

¹⁷ The minimum standards laid down in the Trafficking Victims Protection Act 2000 (TVPA): the government of the country should prohibit severe forms of trafficking in persons, prescribe punishment commensurate with that for grave crimes and that is sufficiently stringent to deter; should protect victims; should encourage their assistance in investigation and prosecution; should ensure training of laws enforcement and immigration authorities regarding identification of and treatment towards them; should take measures for educating and informing the public; should co-operate with the governments of other states in investigation of cases of trafficking in human beings; should extradite such persons to the governments of other states, who have committed the crimes of trafficking in human beings; should monitor immigration and emigration patterns which might attest to trafficking in human beings; should carry out an investigation, criminal prosecution and punish the officials who participate or promote trafficking in human beings; should systematically evaluate their efforts and ensure that these evaluations are accessible to the public; should implement efforts to reduce demand for commercial copulations and participation in international sex tourism. Available in English at: <http://www.state.gov/j/tip/rls/tiprpt/2012/192370.htm>

¹⁸ TIER 1 (Level 1) Countries whose governments fully comply with the TVPA minimum standards.
 TIER 2 (Level 2) Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards.
 TIER 2 Watch List (Level 2 with status of observation) Countries whose governments do not fully comply with the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards and: a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year.
 TIER 3 (Level 3) Countries whose governments do not fully comply with the minimum standards and are not making significant efforts to do so. Available in English at: <http://www.state.gov/j/tip/rls/tiprpt/2012/192363.htm>

It is indicated in the USA TIP Report 2012) that the Government of Latvia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so:

- by continuing to improve its anti-trafficking efforts, including by developing criteria for the identification of labor trafficking victims,
- by improving mechanisms to ensure that the foreign ministry referred trafficking victims to state-funded care,
- by strengthening efforts to address marriages of convenience, which create a vulnerability to trafficking,
- Latvian anti-trafficking working group provided strong leadership of the government's anti-trafficking policy and enhanced transparency of the government's efforts through reporting,
- by increasing State funding for NGO-provided victim assistance,
- by investigating and prosecuting several former anti-trafficking police officers for corruption.

Concurrently the weak points of the policy implementation of Latvia are indicated in the USA TIP Report (2012), identifying the low activity of law enforcement authorities, the results of the different practice of law enforcement institutions and NGOs in identification of victims of trafficking in persons, the practice of legal qualification of the severity of applicable criminal punishments and criminal offences committed in the field of trafficking in persons as deficiencies.

Also the recommendations expressed in the USA TIP Report (2012) and based on the deficiencies established for Latvia coincide with the abovementioned recommendations¹⁹ received within the scope of GRETA and UN General Periodic Review.

The judgment of the European Court of Human Rights (hereinafter – ECHR) of 10 January 2010 in case of Rantsev versus Cyprus (application No 25965/04)²⁰ is considered the first historical judgment in relation to cross-border trafficking in human beings in Europe. The ECHR recognised several violations of Cyprus and Russia in non-conformity with human rights. The ECHR confirmed in this judgment that trafficking in human beings is not compatible with the values laid down in the European Convention on Human Rights²¹ or the values of democratic society, and took the opportunity of explaining the duty of countries to protect persons from trafficking in human beings, as well as to investigate criminal offences related to trafficking in human beings. The ECHR confirmed thereby that trafficking in human beings is an infringement of human dignity and human rights, and it is prohibited by the European Convention on Human Rights. The ECHR has imposed a duty on countries to protect thousands of victims of trafficking in human beings throughout Europe and has demanded to increase the efforts of countries in investigating this cross-border crime. The case of Rantsnev very clearly shows the significance of intersectoral co-operation in prevention of and action against trafficking in human beings and the provision of support to victims of trafficking in human beings.

¹⁹ Section of the USA SD TIP Report (2012) regarding Latvia is available at: http://photos.state.gov/libraries/latvia/5/Reports/2012_TIP_LATV_LV.pdf. Full text of the report in English is available at: <http://www.state.gov/j/tip/rls/tiprpt/2012/>

²⁰ Judgment of the European Court of Human Rights in case of Rantsnev versus Cyprus and Russia, available in English at: http://www.coe.int/t/dghl/cooperation/economiccrime/corruption/Projects/CAR_Serbia/ECtHR%20Judgements/English/RANTSEV%20v%20CYPRUS%20%20RUSSIA%20-%20ECHR%20Judgment%20_English_.pdf

²¹ European Convention on Human Rights: http://www.echr.coe.int/NR/rdonlyres/56D2C838-7133-4010-8D00-99BE58570B95/0/Convention_LAV.pdf

2. Tendencies of Trafficking in Human Beings in Latvia

Trafficking in human beings, particularly trafficking in women, is considered the second most lucrative criminal business in the world after drug trafficking. Latvia has become the country of origin of victims of trafficking in human beings. Social exclusion and economic migration involving search for a better life in wealthier countries are the main factors promoting trafficking in human beings. Majority of victims are young women who are recruited, transported, sold and exploited by individual buyers, persons living on the avails of prostitution and traffickers for the purposes of sexual exploitation, forced labour and concluding marriages of convenience. Women find themselves in the situation of uncontrolled violence, their human rights are not conformed to, therefore, they become victims or a merchandise bringing in huge profit for groups of organised crime. Citizens of Latvia mainly find themselves in circumstances of exploitation in Ireland, Great Britain, Germany, the Netherlands, Greece, Belgium, Sweden. Mainly young women, single mothers, unemployed persons, persons from large families and poor families, orphanages and social care institutions, persons with low level of education and credit liabilities are subjected to the risk of becoming a victim of trafficking in human beings.

Such cases of trafficking in human beings become more frequent when recruiters of people are acquaintances, friends or even family members of people, who abuse the trust of the people close to them. Work placement agencies, advertisements on the Internet and social networks are used for trafficking in human beings and luring of people into exploitation. Job advertisements with good remuneration are one of the most frequently used methods of recruitment. Persons are offered an opportunity of going to a foreign country in a very short period of time and commencing employment relationship. Marriage is also one of methods of purposeful recruitment when a recruiter, most frequently on social networks, addresses a specific person using his or her social vulnerability. Marriages of convenience are concluded so that third-country nationals could receive a residence permit of a family member of a EU citizen, which would give the right to free movement and residence in EU Member States. As a result of marriages of convenience persons are frequently both exploited in forced labour in a household and sexually abused.

Trafficking in human beings and exploitation are not a widespread type of criminal offences in the territory of the State of Latvia. It is anticipated that Latvia will still remain a country of origin of victims of trafficking in human beings, and this tendency will remain because of the crisis in national economy. In wishing to improve their financial state, as well as to find an opportunity to continue living abroad, citizens of Latvia will voluntarily go to the most developed countries of the EU.

Similarly as in the previous years citizens of Latvia will henceforward be recruited for being sent for sexual exploitation with the consent of such persons, on the basis of the principle of mutual financial profitability, with the perspective that recruited persons will regularly return abroad in order to earn money and to engage in prostitution. Although the CL of Latvia provides for criminal liability for sending persons for sexual exploitation with the consent of the person, the recruited persons do not consider themselves as victims of a criminal offence because the possibilities of good profit abroad by engaging in prostitution are of great significance in such cases.

The tendencies of the previous years show that the number of cases of potential trafficking in human beings for the purpose of sexual exploitation increases when persons are intentionally misled regarding the actual work conditions abroad. The case when a person consented to go to England in order to find work, however, instead of an actual work was forced to conclude a

marriage of convenience and was raped in a group of persons serves as an example. Such case attests to the overall poor social and financial situation in our country, which compels people to leave the country in search of a better life, and the role of the State Police in such cases is mostly dealing with the consequences.

Although recruiters in Latvia receive remuneration for the persons recruited, which is not equivalent to the profit earned by human traffickers for exploitation of victims of trafficking in human beings abroad, as a result of the continuing crisis in national economy recruiters in Latvia might be ready to continue receiving remuneration, which, in their opinion, is an easy profit without involving great risk.

Hitherto no cases of forced labour exploitation, which would conform to the constituent elements of a criminal offence provided for in Section 154.¹ “Human Trafficking” provided for in the CL, have been detected in the territory of the State of Latvia. It may be foreseen that the situation will remain unchanged because employers do not use such means against employees, which would attest to human exploitation; in turn, inappropriate working and residence conditions, delayed or unpaid remuneration, long working hours are not the grounds for initiating criminal proceedings regarding trafficking in human beings.

Organised action against the avails of prostitution is one of the priorities of the 3rd Division for Action against Trafficking in Human Beings and Living on the Avails of Prostitution of the Organised Crime Enforcement Department of the Central Criminal Police Department of the State Police. In 2012 operation of four organised groups of persons living on the avails of prostitution was discontinued within the scope of criminal proceedings. In 2013 nine criminal proceedings regarding living on the avails of prostitution were initiated and 33 persons (10 of them men and 22 – women) were applied the status of a suspect. Preservation of similar tendencies in the field of living on the avails of prostitution may be foreseen henceforward in Latvia.

Taking into account that the number of women from Latvia who conclude marriages of convenience abroad has increased during the last years and the fact that in majority of cases the women found themselves in the situation of being exploited, which conforms to the definition of trafficking in human beings, Latvia has recognised marriages of convenience as a risk of trafficking in human beings. On 1 April 2013 amendments to the CL of Latvia came into force, introducing legal framework which provides for criminal liability for malevolent provision of a person with an opportunity of legally acquiring the right to reside in the Republic of Latvia, another European Union Member State, state of the European Economic Area or the Swiss Confederation. The State Police has already initiated five criminal proceedings regarding recruitment of persons for marriages of convenience²², applying the status of a suspect to three women.

Since 2008 the 3rd Division for Action against Trafficking in Human Beings and Living on the Avails of Prostitution of the Organised Crime Enforcement Department of the Central Criminal Police Department of the State Police is carrying out in-depth investigations in order to fully encompass all fields of operation of organised sexual exploitation and to hold the organisers to criminal liability in accordance with Section 195 “Laundering of Proceeds from the Crime” of the CL. In 2013 attachment was imposed on movable and immovable

²² In accordance with the definition provided in Council Resolution No.97/C 382/01 of 4 December 1997 on measures to be adopted on the combating of marriages of convenience “marriage of convenience” means a marriage concluded between a national of a Member State or a third-country national legally resident in a Member State and a third-country national, with the sole aim of circumventing the rules on entry and residence of third-country nationals and obtaining for the third-country national a residence permit or authority to reside in a Member State.

properties, as well as financial resources of the suspects and their relatives in order to ensure a solution for financial issues in criminal proceedings in the amount of more than LVL 611 182.

As the globalisation continues, the tourism develops, the poverty and social marginalisation increases, the economic and demographic segregation increases, the demand for and offer of sexual services and cheap labour force increases, the extent of trafficking in human beings, which is significant in the whole world, will not decrease. It is foreseeable that the extent of trafficking in human beings and exploitation in Latvia will not decrease. Therefore, such a policy planning document is necessary, which includes measures and activities the purpose of which is to ensure implementation of sustainable, co-ordinated and planned State action policy for the prevention of trafficking in human beings – to prevent and take action against trafficking in human beings, to protect and help the victims of trafficking in human beings, fully conforming to their human rights, and to promote intersectoral co-operation in order to achieve this objective.

3. Preventive Measures of Trafficking in Human Beings

Preventive measures of trafficking in human beings are very important because they are an important precondition for a person not to become a victim of trafficking in human beings. In the aspect of a policy planning document the overarching objective of preventive measures is to maximise the overall efforts in prevention of trafficking in human beings.

The main task of preventive measures of trafficking in human beings is to direct purposeful informative and educational measures and activities towards groups of persons who are the most susceptible and easy subject to exploitation.

3.1. Education and Information

3.1.1. Education

The MoES in co-operation with the subordinate institution NCE is continuously carrying out preventive measures, the objective of which is to educate pupils and teachers regarding problems and risks of trafficking in human beings.

Publications dedicated to the issues of prevention of trafficking in human beings are periodically published on the youth policy portal www.jaunatneslietas.lv administered by the Sports and Youth Department of the MoES, mainly informing regarding current events of non-governmental sector of Latvia in this field. The portal has developed good co-operation with the youth organisation “Youth Against AIDS”.

In accordance with Cabinet Regulation No. 1027 of 19 December 2006, Regulations Regarding the State Basic Education Standard and Basic Education Subject Standards, and Cabinet Regulation No. 281 of 21 May 2013, Regulations Regarding the State General Secondary Education Standard, Subject Standards and Sample Education Programmes, issues related to trafficking in human beings have been included in the content of general education subject standards, for example, “Social Sciences”, “Policy and Rights”, “Health Studies” and sample subject programmes.

The basic requirements for the acquisition of the subject “Social Sciences” include a condition that upon graduating from the 3rd grade the educatee, for example, is able to evaluate his or her actions and actions of others, characterise them as good or bad, and to justify his or her evaluation; understands that every action has consequences; knows how to keep himself or

herself and other people safe at home, on the street, at school; knows what is violence, the types of violence; knows where to look for help in emergencies and how to act in cases of violence.

The basic requirements for the acquisition of the subject “Social Sciences” include a condition that upon graduating from the 6th grade the educatee, for example, is able to understand the connection between action and consequences, knows how to see and evaluate correlation between causes and consequences in different life situations; knows what is violence, the types of violence; knows where to look for help in emergencies.

The basic requirements for the acquisition of the subject “Social Sciences” include a condition that upon graduating from the 9th grade the educatee, for example, is able to name fundamental human rights and is aware of their inviolability; knows the types of conflicts and is able to offer his or her way of solving a conflict; knows the difference between lawful and unlawful action; knows about sex industry; knows what is violence, the types of violence; knows where to look for help in emergencies and how to act in cases of violence.

For successful implementation of the basic requirements laid down in regulatory documents the NCE ensures teachers with methodological support. Support material for parents and teachers „*Vesels un drošs - interaktīvi par veselības un cilvēkdrošības jautājumiem pirmskolā un sākumskolā*” [Healthy and Safe – Interactively on Health and Human Safety Issues in Pre-school and Elementary School] are available on the NCE website, using the link http://visc.gov.lv/vispizglitiba/saturs/dokumenti/metmat/vesels_un_dross.pdf.

By supplementing the basic requirements laid down in the content of general education standards for subjects “Policy and Rights” and “Health Studies”, the mandatory study content includes topics which are related to improvement of issues of trafficking in human beings. The basic requirements for the acquisition of the subject “Health Studies” include a condition that upon graduating from the 12th grade the educatee, for example, knows about sexual offences and the liability laid down in the Criminal Law for them; expresses his or her opinion on measures for restricting the spread of HIV infection and the causes and consequences of sex industry; knows what precautions should be taken when travelling abroad.

Basic education subject standards and general education subject standards, as well as sample general education subject programmes are made public on section “*Vispārējā izglītība*” [General Education] of the website of the National Centre for Education – www.visc.gov.lv.

Upon organising the methodological work of teachers teaching social sciences, every year the NCE address issues related to the prevention of trafficking in human beings in methodological seminars and courses for vocational in-service training of teachers. Moreover, in order to prevent prejudiced attitude towards victims of trafficking in human beings, the NCE is offering methodological material “*Vadlīnijas mācību grāmatu vērtēšanai no dzimumu līdztiesības aspekta*” [Guidelines for Evaluation of Study Books from the Point of View of Gender Equality].

Upon organising work with upbringing specialists of local governments in 2012, the Interest-related Education and Upbringing Work Division of the Department of Interest-related Education and Continuing Professional Development of the NCE has included issues related to the prevention of trafficking in human beings.

The content of the methodological aid “Klases stundu programmas paraugs 1.-12.klasei” [Sample Programme of Class Lessons for Grades 1-12] includes issues related to the

prevention of trafficking in human beings, including protection of minors from criminal offences against morality and sexual inviolability

The 2009 methodological recommendations of the NCE for authors of study books (available here:

http://visc.gov.lv/vispizglitiba/saturs/dokumenti/metmat/mac_lit_izstrade_20100202.pdf)

include the main guidelines for the creation and evaluation of study literature (regulatory grounds and scientific justification, didactic principles of creating the study content, as well as methodological, legal, ethical and perceptibility aspects), which are also of significance as regards issues concerning educating pupils regarding issues related to trafficking in human beings.

3.1.2. Informing of the Society

Hitherto sectoral ministries have not organised informative campaigns on issues related to trafficking in human beings, which would be financed from the funds from the State budget. Sectoral ministries and the institutions and services supervised thereby have supported informative and social activities organised by the competent NGOs by participating therein, as well as ensuring information and lecturers, if necessary. The State programme does not provide for State financing for implementation of regular measures for informing the society, and basically the implementation of this task is based on the ability of NGOs to attract additional financing.

The MoFA is regularly participating in measures of informative campaigns in order to inform the society regarding safe travelling and the possibilities of receiving consular assistance abroad, regarding action in emergencies, possibilities of registering with the Consular Register, risks related to seeking employment abroad.

No.	Title of the project	Year	Source of financing	Target group	Amount of financing	Project implementer
1.	“Sold Freedom”	2012	Philip Morris International	environmental posters of 2 types were created: “Marriages of convenience – Sold Freedom” and “Forced labour – modern slavery”, which were displayed in 5 largest cities of Latvia, as well as 4 round table meetings took place in local governments in Daugavpils, Rēzekne, Liepāja and Valmiera, and in Human Rights and Public Affairs Commission of the 11 th Saeima	LVL 6 254.02	Shelter “Safe House”

				of the Republic of Latvia.		
2.	Youth programme-project for leisure time activities "A human being is not for sale!"	2012	Education, Culture and Sports Department of the RCC	more than 200 young persons from socially vulnerable youth groups from social institutions participated in reality games concerning the topic of trafficking in human beings, a film on the reality game was created	LVL 2 686.02	Shelter "Safe House"
3.	Information regarding topics related to marriages of convenience and trafficking in human beings was displayed in co-operation with portals www.anglobalticnews.co.uk and http://baltic-ireland.ie established in Great Britain and Ireland.	2012	Shelter "Safe House"	Latvians living abroad		Shelter "Safe House"
4.	Training of pupils within the scope of co-operation of "Safe House" with employees of the State Police and the Prosecutor's Office	2012	Shelter "Safe House"	more than 50 pupils educated, including 20 pupils who live in social care institutions of Riga		Shelter "Safe House"
5.	Booklet "Cilvēku tirdzniecības novēršana" [Prevention of Trafficking in Human Beings] in Latvian and Russian (45 000 copies)	2012; 2011; 2010	RCC foundation for maintaining public order	Booklets were distributed at seminars of professionals and pupils, social service offices, embassies of Latvia abroad, the Consular Department and elsewhere as much as possible.	LVL 1 992 26	RCC WD
6.	"Atver acis!" [Open Your Eyes!] and conference "Preventive Measures for Reduction of Trafficking in Human Beings", topical weeks regarding trafficking in human beings were prepared	2011	Philip Morris International	To 185 libraries and 118 pupils from Rīga, Rīgas district, Tukums, Vecpiebalga, Vecumnieki, Skrunda, Sēja, Smiltene, Dundaga, Tērvete, Talsi, Baldone, Strenči,	EUR 4 794.77	Shelter "Safe House"

				Salacgrīva, Saldus, Krāslava, Lubāna, Dobele, Limbaži, Amata, Madona municipalities, Valmiera, Preiļi un Jelgava		
7.	Alumni project competition "Be Aware! – Promoting Human Trafficking Awareness in Latvia" – a film "Plaisa" (Gap) and 3 videos on trafficking in human beings were created	2011-2012	USA Embassy in Riga	1066 pupils in different regions of Latvia	LVL 12 123.82	Shelter "Safe House"
8.	Representative materials within the scope of seminars organised for young persons regarding prevention of trafficking in human beings	2011	USA Innovation Award	pupils in different regions of Latvia, including pupils living in social care institutions of Riga		Shelter "Safe House"
9.	Informative campaign "Marriages of Convenience – A Trap!" and a press conference "In 2011 Latvian brides have rapidly increased the number of victims of trafficking in human beings"	2011	Philip Morris International	the society was informed regarding risks of becoming victims of trafficking in human beings by concluding marriages of convenience with third-country nationals with or without remuneration, a survey was performed in order to find out the level of awareness of the society regarding marriages of convenience; extensive interactive activities took place in place from which people leave Latvia to go abroad	LVL 2 241	Shelter "Safe House"
10.	Conference "Co-operation between the State and NGOs in Reduction of Trafficking in Human Beings"	2010	USA Embassy in Riga; MoI – premises	137 persons representing different professions, including public prosecutors, employees of	LVL 1 268.53	Shelter "Safe House" in co-operation with the MoI

				the State Police and social workers, border guards and representatives of NGOs were educated		
11.	Project of the Åland Islands Peace Institute and RCW Marta "Change the Traditional Gender Roles – Prevent Trafficking in Human Beings!".	2010-2012	Central Baltic Sea Region "INTERREG IV A" programme 2007-2013	Within the scope of the project informative activities and social campaigns took place in order to attract the attention of the society to issues related to the prevention of trafficking in human beings, legalisation of prostitution and punishing of people purchasing sexual services	LVL 44 726	RCW Marta
12.	Websites www.meitenes24.lv, www.izglabvalsti.lv and www.seksapolicija.lv created within the scope of the social campaign "Buy a Girl – Save the Country"	2010	Central Baltic Sea Region "INTERREG IV A" programme 2007-2013	society	LVL 6 527.95	RCW Marta
13.	Project "Training of Law Enforcement Authorities in Co-operation"	2010	Riga office of the International Organisation for Migration, USA Embassy in Riga	40 officials of law enforcement authorities	LVL 4 500	Riga office of the International Organisation for Migration
14.	Informative campaigns, press conferences on safe travelling and seeking employment abroad	2009-2012	Balttour, EU House, co-financing of the MoFA	Society, representatives of mass media	Within the scope of the budget	MoFA
15.	Campaign "Safety Days at Schools", within the scope of which pupils are informed and educated regarding risk factors and threats related to trafficking in human beings within the scope of other preventive measures on legal upbringing	2009-2010	State Police	Pre-school, basic education and secondary education institutions, special and vocationally oriented education institutions throughout the territory of Latvia were involved in the campaign – in total 3607	Within the scope of the budget	State Police

				educational institutions		
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State institutions and NGOs co-operate with mass media of Latvia (“*Diena*”, “*Neatkarīgā Rīta Avīze*”, “*Patiesā dzīve*”, *LTV Panorāma*, LNT, TV3, TV5, BNS, LETA, *Latvijas Kristīgais radio*, *Latvijas Radio 1,2,4*, BaltcomRadio) and foreign mass media (“*The Irish Times*”, “*Financial Times*”, *Newstalk Radio*, TV3, *BBC Russian* office) in order to inform the society regarding issues related to trafficking in human beings. During the preceding years the topic of marriages of convenience has been an especially recurring topic in mass media, and it was acknowledged in the programme “*Nekā personīga*” of Channel TV3 that marriages of convenience as the form of trafficking in human beings and solving of issues related thereto is one of the most important topics to be solved in 2012 in Latvia.

As a result of regularly implemented informative and social campaigns and activities, including the portal www.draugiem.lv, the number of victims of trafficking in human beings has a tendency to increase. Taking into account that the topic of trafficking in human beings is being constantly brought up, people are aware of themselves as victims of trafficking in human beings, are more frequently reporting on cases or potential cases of trafficking in human beings when there are risks for a person to become a victim of trafficking in human beings, as a result of which it is possible to take corresponding preventive measures before the actual trafficking in human beings has occurred.

No.	Training	Year	Source of financing	Target group	Amount of financing	Project implementer
1.	Project “Preventive Measures for Reduction of Trafficking in Human Beings”	2012	Riga City Council foundation for maintaining public order	25 social workers from Riga, 20 employees of municipal police, 50 social pedagogues, each social pedagogue received a DVD disk of the film “ <i>Plaisa</i> ” [Gap] created within the scope of the project “Be Aware!” with an explanation and recommendations for work with pupils of different ages; different training programmes were drawn up	LVL 2 559	Shelter “Safe House”
2.	Training of would-be social work specialists regarding the topic of trafficking in human beings	2012	Shelter “Safe House”	30 would-be social work specialists of the State social work institution of higher education “ <i>Attīstība</i> ”		Shelter “Safe House”
3.	Project “Preventive Measures for Reduction of Trafficking in Human Beings”	2011	Riga City Council foundation for maintaining public order	60 managers and social workers of Riga social institutions; 2 different training programmes were drawn up	LVL 2 010	Shelter “Safe House”
4.	Project “Preventive Measures for Reduction of Trafficking in Human Beings”	2010	Riga City Council foundation for maintaining public order	training of 60 social workers in two 3-day seminars	LVL 1 950	Shelter “Safe House”

It is very important to promote the understanding of such specialists regarding trafficking in human beings, the risks and consequences of trafficking in human beings, the identification of the current and potential victims of trafficking in human beings, who most frequently come into contact with members of the society most subjected to the risk of trafficking in human beings. The specialists who are able to identify the victims of trafficking in human beings are social work specialists, employees of medical treatment institutions. According to the statistics of the implemented training, training is mostly organised only for social workers, employees of municipal police and social pedagogues of schools in Riga. However, only half of persons who have been formally recognised as victims of trafficking in human beings and have received State funded social rehabilitation service have lived in Riga local government before they became victims of trafficking in human beings and were exploited abroad. Other victims of trafficking in human beings are from regions of Latvia: Ludza, Daugavpils, Nereta, Viesīte, Madona, Smiltene, Alūksne, Balvi, Vangaži, Salacgrīva, Sigulda, Rūjiena, Strenči, Valmiera, Ogre, Ķekava, Bauska, Iecava, Brocēni, Saldus, Nīca, Grobiņa, Liepāja, Kuldīga, Kandava, Tukums, Jelgava, Jūrmala. However, training of specialists in regions of Latvia is almost non-existent, moreover, taking into account the turnover of specialists, such training should take place regularly.

Problems detected:

- Financial resources from the State budget for organising and implementing informative and social campaigns are not granted.
- Resources from the State budget for organising training of specialists are not granted.
- Training of specialists in regions of Latvia is not organised.
- Responsibility for training of specialists mainly is imposed on NGOs.

3.1.3. Studies

Extensive studies in relation to the problems in the field of trafficking in human beings took place in Latvia in the time period until 2007. Studies were conducted on stereotypes regarding trafficking in human beings and characterisation of the situation in Latvia (2005), trafficking in human beings in the context of transnational organised crime, causes for, prevention of and action against it in the Baltic States (2005), on reintegration of victims of trafficking in human beings (2006/2007), on investigation, trial processes and legal regulation of crimes of trafficking in human beings in Latvia (2006), the awareness of young persons regarding work abroad and risks of trafficking in human beings (2007).

Since 2007 no study has been conducted in Latvia specifically on trafficking in human beings, its scope, risks, threats, recruitment mechanisms, victims of trafficking in human beings. However, the society has access to information regarding actual amounts and tendencies of trafficking in human beings, the work of law enforcement authorities, social rehabilitation services to victims of trafficking in human beings, preventive work, education and informative campaigns:

- On 26 March 2009 Informative Report on the Course of Implementation of the National Programme for the Prevention of Trafficking in Human Beings 2004-2008 in 2008²³ was approved.
- On 26 February 2010 Informative Report on the Evaluation and Results of the Operation of the MoI and the Institutions Subordinate Thereto in the Field of Prevention of and Action against Trafficking in Human Beings in 2009²⁴ was published.
- On 17 March 2011 the Prime Minister approved the Informative Report on Implementation of the Programme for the Prevention of Trafficking in Human Beings 2008-2013 in 2009 and 2010, prepared by the MoI.

In 2009 the United Nations Office on Drugs and Crime (UNODC) and the CBSS Secretariat in co-operation with 11 CBSS Member States, by interviewing officials of sectoral ministries, laws enforcement authorities, prosecutor's offices and representatives of NGOs and international organisations, prepared a report "Human Trafficking: Assessing Cooperation between State Actors and Civil Society in the Council of the Baltic Sea States Region with respect to Victims' Assistance and Protection Measures". The basic purpose of the study was to provide support to 11 member states of the CBSS by identifying the best practices, problematic fields and possible ways for improving co-operation both on national level and regionally, using purposeful and consistent approaches.

In 2010 within the scope of CBSS TF-THB study "Hard Data" was conducted on collection and collection of data on trafficking in human beings in all 11 members states of the CBSS. This study provides the current capacity evaluation of data collection in all member states of the CBSS. "Hard Data" is the first publication of such kind in the region, which reflects the national data flows and acquisition of the analysed data. Concurrently the study provides a comprehensive and comparative regional report on data collection instruments, national questionnaires, information regarding institutions participating in data collection and the best practice examples. The study reminds that without comprehensible, provable and clear data it is not possible to perform analysis of tendencies or impact of trafficking in human beings for the policy-making and practical work.

²³ <http://polsis.mk.gov.lv/LoadAtt/file47743.doc>

²⁴ Informative Report on the Evaluation and Results of the Operation in the Field of Prevention of and Action against Trafficking in Human Beings in 2009, <http://www.iem.gov.lv/lat/nozare/in/>

The embassy of Latvia in Ireland conducted a study in 2011 on potential participants of marriages of convenience, whose intention was to register marriage with third-country nationals in Ireland. The tendency of 2011 shows that female citizens of Latvia get involved in marriages of convenience by fraud or using their social vulnerability. Female citizens of Latvia who wanted to register marriage were less than 20 years of age, disabled, with low level of education, from poor or socially unfavourable large families, had been under guardianship or in care of social institutions of Latvia until reaching legal age, or whose parent or even both parents had died early in the childhood. Similarly female citizens of Latvia who wanted to register marriage had minor children, in several cases mothers had been revoked the child custody rights or also children were left with relatives in Latvia.

Problems detected:

- There is a lack of regular and comparable data to be obtained in studies, which would ensure proof-based conclusions and recommendations for improving the policy for the prevention of trafficking in human beings.

3.2. Identification of Victims of Trafficking in Human Beings

In accordance with Sub-paragraph (e) of Article 4 “Definitions” of the Council of Europe Convention on Action against Trafficking in Human Beings a “victim” shall mean any natural person who is subject to trafficking in human beings.

In accordance with the Law On Social Services and Social Assistance a victim of trafficking of human beings is a person who has been recognised as a victim in the criminal offence of trafficking of human beings or who the State Police has issued a statement that he or she is a victim of trafficking of human beings in a foreign state, as well as a person who has been recognised as conforming to victim of trafficking of human beings criteria by a social service provider.

The procedures, by which a person who has been recognised a victim of trafficking in human beings shall receive social rehabilitation services from the resources of the State budget, and the criteria for recognising a person as a victim of trafficking in human beings in Latvia is determined by Cabinet Regulation No. 889 of 31 October 2006, Regulations Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings. In accordance with that regulatory enactment a person may receive State funded social rehabilitation services, if he or she has been recognised as a victim in criminal proceedings regarding trafficking in human beings or are activities are performed, which may be the grounds for taking a decision that a person complies with the criteria for a victim of trafficking in human beings.

“Guidelines for Identification of Trafficking in Human Beings for the Purpose of Labour Exploitation”²⁵ have been drawn up for identification of trafficking in human beings in Latvia for the purpose of labour exploitation.

Employees of diplomatic and consular missions of Latvia use the electronic version of the Handbook for Diplomatic and Consular Personnel on how to Assist and Protect Victims of Human Trafficking, issued by the CBSS TF-THB, in which information is provided on how

²⁵ The document was published on 6 January 2012 on the website of the Ministry of the Interior http://www.iem.gov.lv/files/text/identificesanas_vadlinijas.pdf

to recognise victims of trafficking in human beings and how to act in order to provide the necessary help to them. By becoming acquainted and using the abovementioned handbook consular officials get an opportunity to supplement their professional knowledge regarding the criteria for identification of victims of trafficking in human beings and the actions to be taken in order to provide aid with as less delay as possible.

According to that laid down in the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 Member States should ensure that official, functional State advisory mechanisms are established. Within the scope of such mechanisms procedures should be described in order to identify victims as well as possible, to consult them and provide protection and aid to them; all respective State institutions and civic society should be involved therein. Also criteria for identification of victims, which would be used by all parties involved, should be included. In accordance with Directive 2011/36/EU, on the basis of individual assessment of risk and needs, victims should enjoy appropriate protection and assistance. Such evaluations should be performed within the scope of national advisory mechanisms. Also such issues as compensations and safe return should be solved within the scope of such mechanisms. The roles and duties of all parties involved should be clearly determined. Currently in cases when victims move across borders, problems are usually solved bilaterally according to ad hoc procedures. It often takes a lot of time and is inefficient. According to victim-oriented approach the EU Commission will draw up a sample model of EU cross-border advisory mechanism, which will link national advisory mechanisms in order to identify victims more successfully, to consult them and to provide protection and aid to them.

Problems detected:

- To improve the national advisory mechanism in order to better identify victims of trafficking in human beings, to consult them and to provide protection and aid to them

3.3. Aid and Support to Victims of Trafficking in Human Beings

Social rehabilitation services to victims of trafficking in human beings from the State budget funds are ensured since 2006 in accordance with Cabinet Regulation No. 889 of 31 October 2006, Regulations Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings, which prescribes the procedures, by which a person who has been recognised a victim of the trafficking in human beings shall receive social rehabilitation services for the State budget funds, and the criteria for the recognition of a person as a victim of the trafficking in human beings. Thus support services to victims of trafficking in human beings have been introduced in the State, ensuring access to psychosocial support services. Organisation of the provision of social rehabilitation services and administration of the financing granted by the State is within the competence of the MoW.

The Social Integration State Agency (SITA) is a State administrative institution supervised by the MoW, which ensures the co-ordination of the provision of social rehabilitation services from the State budget funds, takes a decision to provide services or to refuse to provide services, and creates the database of the services provided.

The shelter “Safe House” has been providing State funded social rehabilitation services to victims of trafficking in human beings since 2007 according to public procurement procedures. A procurement contract was entered into 18 April 2013 by and between the MoW

and the shelter “Safe House” regarding provision of social rehabilitation and support services to 48 victims of trafficking in human beings in relation to the participation of the victims of trafficking in human beings in criminal proceedings in 2013 and 2014. The total sum of the contract is LVL 174 252.

Information source: Shelter “Safe House”

No.	Reporting year	Planned financing	Planned number of persons for the receipt of the State funded social rehabilitation service	Financing actually utilised	Number of persons to whom social rehabilitation service from State budget funds is provided	Service provider
1.	2012	LVL 38 880	24	LVL 61 701	30	Shelter “Safe House”
2.	2011	LVL 17 000	12	LVL 29 898	14	Shelter “Safe House”
3.	2010	LVL 17 000	12	LVL 34 132	14	Shelter “Safe House”
4.	2009	LVL 17 000	12	LVL 28 264	12	Shelter “Safe House”

RSW Marta ensures the provision of social rehabilitation services to victims of trafficking in human beings within the scope of the financing attracted by the association.

Information source: RCW Marta

No.	Reporting year	Number of persons who have received social rehabilitation services	Service provider
1.	2012	4	RCW Marta
2.	2011	4	RCW Marta
3.	2010	4	RCW Marta
4.	2009	4	RCW Marta

The provider of social services to victims of trafficking in human beings selected according to the procedures of public competition (hereinafter – service provider) within the scope of social rehabilitation attracts a team consisting of different professionals (psychologist, psychotherapist, lawyer, medical employee, employee of the State Police) and, as necessary, also other specialists (stomatologist, gynaecologist, psychiatrist, etc.), as well as offers a safe house to victims of trafficking in human beings as rehabilitation place throughout the service time or for a time period, which is selected by the client, if it is necessary to the client. In case when it is necessary to change the safe location (for example, recruiters have received information regarding the location of the victim), it can be carried out owing to the co-operation of the service provider with several other institutions and NGOs. Minors who are victims of trafficking in human beings have access to aid according to general procedures with the service provider. The service provider also, within the scope of its possibilities, provides support to a victim of trafficking in human beings in seeking employment.

Long-term aid is possible with the participation of social service offices of local governments, with which, if necessary, co-operation at the initial stage of rehabilitation of the victim is established by NGO specialists, however, a special programme has not been created for victims of trafficking in human beings, which would provide for additional services, for example, State funded long-term aid for provision of a dwelling or another long-term aid, which is necessary for integration of the victim in the society and access to the labour market.

State ensured rehabilitation programme for victims of trafficking in human beings lasts up to six months. In this time period main attention is paid to reducing the consequences caused to the victim of trafficking in human beings. This programme does not include integration (inclusion) of victims of trafficking in human beings in the society, thus, official data on inclusion or non-inclusion of victims of trafficking in human beings in the society is not aggregated. Shelter “Safe House” has only unofficial information at the disposal thereof as to where former victims of trafficking in human beings are and what do they do, however, such information is not available regarding all victims who have received the social rehabilitation service.

In practice NGOs come across situations where victims of trafficking in human beings request aid electronically, by telephone or in person, however, they do not want to make their name public and to identify for the receipt of the social rehabilitation service from the State budget funds. Resources from the State budget for the provision of individual consultations to victims of trafficking in human beings who refuse to be identified are not provided for. Shelter “Safe House” provided such aid in 89 cases in 2011 and in 106 cases in 2012.

High-level guarantee of human rights has been incorporated in the criminal proceedings of Latvia and a person may be recognised a victim only with the consent of the particular person. In majority of cases victims of trafficking in human beings gladly co-operate with the State Police, providing important testimonies regarding organisers of trafficking in human beings and sending of persons for sexual exploitation, however, due to personal reasons they refuse from the possibility of receiving State ensured social rehabilitation for victims of trafficking in human beings in the status of witnesses, because, in their opinion, they do not need such rehabilitation. In each case of trafficking in human beings the State Police and NGOs motivate a person to consent for the receipt of State funded social rehabilitation services.

Upon introducing the requirements of Directive 2011/36/EU the MoW drafted corresponding amendments to Cabinet Regulation No. 889 of 31 October 2006, Regulations Regarding the Procedures, by Which Victims of the Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Trafficking in Human Beings, which came into force on 1 January 2013. The abovementioned amendments to Cabinet Regulation prescribe changes in duration of receipt of services for such victims of trafficking in human beings who need support due to participation in criminal proceedings, as well as in the content of the service and in the procedures for recognising a person as a victim or trafficking in human beings. In many cases after establishing the fact of trafficking in human beings and during receipt of the social rehabilitation service criminal proceedings in which the client is involved are not initiated. However, it does not preclude a possibility that the former recipient of the service is later involved in criminal proceedings as a victim or witness. Henceforward such clients will have an opportunity to receive such services as psychosocial assistance and support (including individual consultations of a lawyer, social worker, psychologist), services of an interpreter, assistance in drawing up of legal documents, also, if necessary, representation in a court, without exceeding 150 hours per year (throughout the criminal proceedings). Similarly, if necessary, an opportunity of receiving five consultations will be ensured to family members of minor victims of trafficking in human beings, if they reside in Latvia. If a person does not receive the abovementioned support during criminal proceedings, he or she will be offered an opportunity to use five one-hour consultations of a service provider within two years after receipt of the service. In addition to the abovementioned support to a person during criminal proceedings and for the provision of psychosocial support to minor family members of victims of trafficking in human beings amendments to the Cabinet Regulation also provide for such new support

measures as organising arrival of a victim or potential victim of trafficking in human beings being abroad, as well as his or her minor children (if they are with the victim or potential victim) to the service provider and accompanying of the victim or potential victim from abroad, if the victim or potential victim is unable to travel without assistance. Amendments also prescribe changes in the procedures for recognising a person as a victim of trafficking in human beings, providing for an opportunity for the commission of specialists to perform an evaluation of the person also without the person being present, using electronic means of communication.

On 1 January 2013 amendments to Cabinet Regulation No. 291 of 3 June 2003, Requirements for Social Service Providers, came into force, which specify more precisely the duties of a provider of social services to victims of trafficking in human beings in provision of services.

The MoW, according to public procurement procedures, chooses a service provider, which is registered with the register of social service providers and conforms to the requirements laid down in the laws and regulations regarding social service providers, for the provision of social rehabilitation and support services during criminal proceedings to victims of trafficking in human beings. Taking into account the increase in the number of victims of trafficking in human beings, since 2011 a situation arises regularly where the number of victims exceeds the financing provided for in the State budget for the provision of social rehabilitation services, as a result of which it is necessary to announce a new procurement competition, therefore, a queue of victims of trafficking in human beings for the receipt of services has formed, and such queue is basically inadmissible. Both in 2011 and 2012 a queue formed, in which six persons were waiting for the receipt of the social rehabilitation service.

Problems detected:

- Sometimes victims of trafficking in human beings receive State funded social rehabilitation services in order of a queue and not at the time when the need for receiving the service has arisen.
- Sectoral ministries do not have a uniform idea of what measures should be ensured for successful integration of victims of trafficking in human beings in the society in order to avoid that a person is repeatedly subjected to trafficking in human beings.

3.4. Legal Protection of Victims of Trafficking in Human Beings

In accordance with Section 17 of the State Ensured Legal Aid Law a person who, in accordance with the law, has the right to defence and representation may request legal aid until the time of the coming into effect of the final court adjudication. In turn, in accordance with Section 20, Paragraph one of the State Ensured Legal Aid Law a State-ensured advocate for the representation of a person in criminal proceedings shall be invited in the cases and according to the procedures specified in the Criminal Procedure Law. Therefore, the procedures for inviting a State-ensured representative of the victim are laid down in Section 104 of the CPL.

The Legal Aid Administration disburses remuneration to the providers of legal aid (lawyers) in accordance with the procedures and in the cases specified in laws and regulations and cover other expenses related to the provision of legal aid from the State budget resources granted for legal aid. The types, amount, payment amount of State-ensured legal aid and the expenses related to the provision of legal aid and to be reimbursed, their amount and payments procedures are laid down in Cabinet Regulation No. 1493 of 22 December 2009, Regulations

Regarding the Amount of State-ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof.

3.5. Legal Aid

Section 104, Paragraph five of the CPL prescribes the rights of a victim to State-ensured legal aid, Paragraph six of this Section provides for the procedures by which services of a lawyer are ensured to a victim. Taking into account the abovementioned, the Law provides for specific time periods to be conformed to both by the person directing the proceedings and the senior sworn advocate. The MoJ, the Legal Aid Administration, the persons directing the proceedings and the Latvian Council of Sworn Advocates regularly meet and discuss issues regarding the procedures for providing legal aid in criminal proceedings.

Statistical data regarding the number of victims who have suffered from trafficking in human beings and have received State-ensured legal aid are not aggregated separately in the State. The Legal Aid Administration, which is the institution responsible for the provision of State ensured legal aid, has information²⁶, at the disposal thereof, regarding notifications submitted and paid by advocates regarding provision of legal aid in criminal proceedings (together regarding both the offenders and the victims).

3.6. State Compensation to a Victim of Trafficking in Human Beings

In recognising a person as a victim, the person directing the proceedings informs the victim regarding his or her rights, including to State compensation to victims. The right of a person to State compensation arises from the Law On State Compensation to Victims, the purpose of which is to provide a natural person who, in accordance with the procedures laid down in the CPL, has been recognised as a victim with the right to receive a State compensation for moral injury, physical suffering or financial loss resulting from an intentional criminal offence. The Legal Aid Administration, which is the competent authority in disbursement of State compensation, is regularly organising seminars and training for the persons directing the proceedings and social workers, as well as widely informs the society regarding the possibility to request and receive State compensation (in newspapers, on the Internet www.jpa.gov.lv, www.tiesas.lv, as well as a free-of-charge telephone information line 80001801 has been established, a free-of-charge request form is available; 25 000 booklets have been distributed in a year in all regions, to the persons directing the proceedings, NGOs, also social service offices of local governments, etc.).

In the time period from 2009 to 2012 7 persons who have suffered from trafficking in human beings have turned to the Legal Aid Administration.

Information source: Legal Aid Administration

Year	Number of victims who have turned to the Legal Aid Administration	Number of cases when State compensation was disbursed
2009	5	2 (gender inviolability was violated)
2010	2	0
2011	0	0
2012	0	0

On 1 January 2013 the Law “Amendments to the Law On State Compensation to Victims” came into force, in which, inter alia, the Law was supplemented with a new case of granting State compensation due to the initiatives of Directive 2011/36/EU, if the victim has suffered

²⁶ <http://www.jpa.gov.lv/statistika>

from trafficking in human beings (previously victims of such criminal offences could receive State compensation, if the consequences specified in the Law had set in). The new regulation ensures that a person who has been recognised as a victim in criminal proceedings regarding trafficking in human beings, may receive, until 31 December 2013, State compensation in the amount of 70% from the maximum amount of the compensation to be disbursed by the State – LVL 800 (four minimum monthly wages), in turn from 1 January 2014 the amount of State compensation will be calculated, taking the amount of the maximum State compensation as the basis – five minimum monthly wages. A victim may receive State compensation in uncompleted criminal proceedings only on the basis of a statement issued by the person directing the proceedings that the person has been recognised as a victim in criminal proceedings regarding trafficking in human beings. In turn, if criminal proceedings are completed or a decision of the person directing the proceedings has entered into effect to terminate criminal proceedings due to circumstances not exonerating the person, the victim must add an adjudication of the person directing the proceedings, which has entered into effect, to the State compensation request form.

Upon carrying out the requirements of the Criminal Procedure Law, victims are informed regarding their rights, including the right to receive compensation for the harm caused. Mostly persons who have the right to be recognised as victims in criminal proceedings related to the living the avails of prostitution or sending a person for sexual exploitation, are not aware of the criminal offence committed against them and do not identify themselves as victims of trafficking in human beings, therefore, they do not submit a claim for compensation for the harm caused, but refuse to be recognised a victim in criminal proceedings. It may be explained by the fact that majority of women have voluntarily engaged in prostitution and have intentionally consented to criminal proposals, conditions and demands of the persons related to trafficking in human beings, therefore, they do not perceive the harm caused to them as a criminal offence. In turn, in criminal proceedings according to Section 154.¹ “Human Trafficking” of the CL where persons have been involved in human trafficking using violence, threats, fraud or the dependence of the person on the criminal, persons exercise their right to submit a compensation application for the receipt of compensation for the harm caused by the criminal offence. In 2012 none of the victims had submitted such an application for the criminal offence provided for in Section 154.¹ of the Criminal Law in the criminal proceedings sent to the court.

3.7. Return of the Victims of Trafficking in Human Beings

Upon identifying a potential victim of trafficking in human beings, at first embassies of Latvia ascertain the physical safety of the person, if necessary, involve the local security services, ascertain whether medical and/or psychological aid, as well as accommodation is needed. If the person consents, the State Police, NGOs and the family of the victim are informed regarding the case without delay in order to solve the issue of return of the person in Latvia. Usually embassies in co-operation with local authorities make sure that the person safely leaves the foreign country, concurrently ensuring that the person is met in Latvia. The embassy always informs the person regarding opportunities of receiving social rehabilitation in Latvia in order to prevent potential repeating of the case of trafficking in human beings.

The expenses related to repatriation to Latvia are usually covered by relatives, local governments or NGOs. In practice in the interests of a victim of trafficking in human beings representations of the Republic of Latvia abroad immediately contact the service provider and agree on purchase of return tickets. In cases when the return expenses of a person are covered by the provider of social rehabilitation services, travel expenses from the budget of the social service provider are covered for both the victim and, if necessary, also for the person who is

going to the foreign country after the person who has suffered from trafficking in human beings. Expenses from the State budget are reimbursed after the social service provider submits corroborative documents to the MoW.

Return of persons from abroad to Latvia may be implemented, using a loan from the MoFA in accordance with Cabinet Regulation No. 322 of 8 May 2012, Procedures for Provision of Material Assistance to Persons who have Found Themselves in an Emergency Situation²⁷, however, in such case covering of return expenses from the budget of the MoW is not provided for. This Cabinet Regulation is not the main instrument for ensuring return tickets from abroad to a victim of trafficking in human beings.

Problems detected:

- There is no specific general action procedure (risk assessment and necessary co-operation) in cases when return to Latvia of a victim of trafficking in human beings identified abroad is implemented in order to ensure the safety of the victim and to prevent potential repeat subjecting of the person to trafficking in human beings.

3.8. Staying of a Victim of Trafficking in Human Beings who is a Third-Country National in Latvia

In order to transpose the requirements of Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities, it is prescribed in Section 3 of the Law On Residence of a Victim of Trafficking in Human Beings in the Republic of Latvia that “if a third-country national provides information that possibly might aid in the disclosure and elimination of trafficking in human beings, but it is not sufficient in order to decide the matter regarding commencement of criminal proceedings or in order to decide the matter, within the framework of the commenced criminal proceedings, regarding recognition of such third-country national as a victim of a criminal offence that is related to trafficking in human beings, the State Border Guard, investigative institution, the person directing the proceedings or the social rehabilitation service provider shall inform in writing such third-country national regarding the possibility of the granting of the reflection period and rights that he or she accordingly would obtain”. In accordance with Section 1, Paragraph two of the abovementioned Law “reflection period” is a period of time that is granted to a person who has been recognised as a victim of trafficking in human beings so that he or she would consider a possibility to provide information, which would promote the disclosure or elimination of the cases of trafficking in human beings, to the investigative institution or the person directing the proceedings, who fulfils the functions specified in this Law”.

Thus, a victim of trafficking in human beings has an opportunity of receiving a residence permit in the Republic of Latvia, even if initially such person is considered an illegal immigrant. In accordance with Section 5, Paragraph four of the Immigration Law a foreigner who is not a Union citizen and who has been recognised as a victim of trafficking in human

²⁷ Cabinet Regulation No. 322 of 8 May 2012, Procedures for Provision of Material Assistance to Persons who have Found Themselves in an Emergency Situation, prescribe the procedures by which material assistance is provided to a person who has a Latvian passport and who has found itself in an emergency situation in a foreign country, in order to ensure the return of the person to Latvia. In cases when a person has found itself in an emergency situation in a foreign country and it does not have access to another possibilities of receiving aid, the person or its relatives may use the possibility provided for in these procedures for covering the return expenses. After return the resources granted must be repaid to the MoFA.

beings, as well as minor children accompanied by him or her has the right to reside in the Republic of Latvia without a visa or residence permit until the specified reflection period has ended or terminated or a decision to issue a temporary residence permit has entered into effect. The person directing the proceedings requests a temporary residence permit for such foreigners for a period, which is not less than six months (Section 23, Paragraph six of the Immigration Law).

In turn, in relation to such third-country nationals who are victims of trafficking in human beings and who were not specified a reflection period, in accordance with Section 23, Paragraph one, Clause 21 of the Immigration Law “a foreigner has the right to request a temporary residence permit for a period of time not exceeding one year if it is necessary for pre-trial investigation institutions or a court that the foreigner resides in the Republic of Latvia until a criminal case investigation is finished or adjudicated in a court”.

Moreover, in accordance with Sub-paragraph 13.16 of Cabinet Regulation No. 553 of 21 June 2010, Regulations Regarding Work Permits for Foreigners, if the abovementioned foreigner has received a temporary residence permit as a victim of trafficking in human beings, he or she is entitled to work with any employer in the Republic of Latvia.

In accordance with Section 35, Paragraph one, Clause 22 of the Immigration Law a residence permit shall be annulled if the person directing the proceedings has informed the OCMA in writing that the foreigner no longer needs to reside in the Republic of Latvia in the status of a victim of trafficking in human beings.

Hitherto there has been one case when three foreigners (three female citizens of Thailand) were issued temporary residence permits as victims of trafficking in human beings. After cancellation of residence permits all persons have voluntarily left the country.

3.9. Emergency Numbers

Help and informative telephone lines established in Latvia and dealing with issues of trafficking in human beings, in order to promote prevention of trafficking in human beings and identification of victims of trafficking in human beings, fully ensure provision of consultations and help, transfer of information to the competent units in cases when a potential case of trafficking in human beings is suspected.

Currently any person may provide information on potential cases of trafficking in human beings, using the single emergency telephone number, or contacting directly the 3rd Division for Action against Trafficking in Human Beings and Living on the Avails of Prostitution of the Organised Crime Enforcement Department of the Central Criminal Police Department of the State Police (hereinafter – SP CCPD OCED 3rd Division) or the NGO that provides support to victims of trafficking in human beings.

Employees of the 24-hour free-of-charge emergency number of the State Police 110 (02) and of the single emergency telephone number of the rescue service 112 are capable of identifying the potential cases of trafficking in human beings and to take appropriate measures for directing information to the competent units. Upon implementing the international project “A Safety Compass – signposting ways to escape trafficking” (No HOME/2011/ISEC/AG/4000002172) Union supported by Directorate General of Home Affairs of European Commission (EC) “Prevention of and Fight against Crime Programme” 300 operators of emergency and emergency numbers and employees of on-duty divisions of the State Police will be trained on trafficking in human beings, on how to recognise and

communicate with a potential victim of trafficking in human beings during conversation, and to direct him or her for receipt of help and support to the competent State, local government authority or NGO.

The Consular Department of the MoFA ensures free-of-charge informative telephone line to travellers in order to provide consultations on safe travelling, work abroad and other consular issues. Also it is possible to call the 24-hour emergency number for receipt of assistance when finding oneself in an emergency situation abroad.

NGOs ensure emergency numbers by calling which a victim of trafficking in human beings or his or her relatives are provide support and consultations by telephone.

3.10. Non-punishment Principle

The amendments to the CL and CPL, which came into force on 1 April 2013, prescribe that a person may be released from criminal liability if he or she has committed a criminal offence during a period when he or she was subjected to human trafficking and was compelled to commit it. The persons who have suffered from trafficking in human beings should be protected from being held criminally liable or from punishment for criminal activities, if they were compelled to perform the abovementioned activities and such compulsion has been the direct consequences of them being subjected to trafficking in human beings. The purpose of the abovementioned regulation is to protect the human rights of the victims, to prevent that they are repeatedly victimised, and to motivate them to become involved in criminal proceedings as witnesses against the persons who committed the crimes. Such legal order does not preclude a possibility of holding the person criminally liable or punishing for offences, which have been committed by the person or in which the person has participated voluntarily.

Compulsion means such situation when the person did not have the opportunity of choosing his or her action, because violence, threats or other form of influencing was used against him or her, which interdicts the person of avoiding the committing of a criminal offence.

4. Combating of Trafficking in Human Beings

4.1. Legal Framework

In accordance with the CL of Latvia²⁸ trafficking in human beings is classified as a serious or especially serious crime.

Section 7. Classification of Criminal Offences

(4) A serious crime is an intentional offence for which this Law provides for deprivation of liberty for a term exceeding three years but not exceeding eight years, as well as an offence, which has been committed through negligence and for which this Law provides for deprivation of liberty for a term exceeding eight years.

(5) An especially serious crime is an intentional offence for which this Law provides for deprivation of liberty for a term exceeding eight years or life imprisonment.

²⁸ The Criminal Law, <http://www.likumi.lv/doc.php?id=88966>

In the CL the liability for trafficking in human beings is included in the Chapter “Criminal Offences against Personal Liberty, Honour and Dignity”, which unequivocally shows that this criminal offence is considered a violation of human rights.

Section 154.¹ “Human Trafficking” of the CL

(1) For a person who commits human trafficking, the applicable punishment is deprivation of liberty for a term up to eight years, with or without confiscation of property.

(2) For a person who commits human trafficking if it has been committed against a minor, or if it has been committed by a group of persons pursuant to prior agreement, the applicable punishment is deprivation of liberty for a term of three years and up to twelve years, with or without confiscation of property and with or without police supervision for a term up to three years.

(3) For a person who commits human trafficking if it has endangered the life of a victim or serious consequences have been caused thereby, or it has been committed involving particular cruelty or against an underaged person, or it has been committed by an organised group, the applicable punishment is deprivation of liberty for a term of five years and up to fifteen years, with or without confiscation of property and with or without police supervision for a term up to three years.

Regulation of Section 154.¹ of the CL completely incorporates that laid down in Directive 2011/36/EU that Member States must provide for the punishment of deprivation of liberty to at least ten years, if the offence deliberately or by gross negligence endangered the life of the victim, if it was committed by use of serious violence or has caused particularly serious harm to the victim.

Section 154.² “Meaning of Human Trafficking” of the CL

(1) Human trafficking is the recruitment, transportation, transfer, concealment, accommodation or reception of persons for the purpose of exploitation, committed by using violence or threats or by means of deceit, or by taking advantage of the dependence of the person on the offender or of his or her state of vulnerability or helplessness, or by the giving or obtaining of material benefits or benefits of another nature in order to procure the consent of such person, upon which the victim is dependent.

(2) The recruitment, transportation, transfer, concealment, accommodation or reception of a minor for the purpose of exploitation shall be recognised as human trafficking also in such cases, if it is not connected with the utilisation of any of the means referred to in the Paragraph one of this Section.

(3) Within the meaning of this Section, exploitation is the involvement of a person in prostitution or in other kinds of sexual exploitation, the compulsion of a person to perform labour, to provide services or to commit criminal offences, the holding of a person in slavery or other similar forms thereof (debt slavery, serfdom or compulsory transfer of a person into dependence upon another person), and the holding a person in servitude or also the illegal removal of a person’s tissues or organs.

In order to take action against the recent tendencies of trafficking in human beings, by Directive 2011/36/EU a more extensive concept was adopted on what should be considered trafficking in human beings as it was in accordance with Framework Decision 2002/629/JHA,

therefore, it includes additional expressions of exploitation. Exploitation of a person in criminal activities is taken over in the CL, which means that a victim of trafficking in human beings is compelled to commit crimes – to sell drugs, to pick pockets, etc.

In practice it is necessary to separate cases of trafficking in human beings for the purpose of exploitation of labour force from civil legal disputes that have arisen in employment relationship. Quite often the abovementioned may be established only during the course of investigation, because the person who wishes to recover the promised remuneration may provide inadequate interpretation of facts, circumstances and action of other persons.

The most essential differences between forced labour and disputes of employment legal relations are violence or threats of violence to a person. I.e., in case of forced labour a person is compelled to perform work or to provide services against his or her will, applying violence, threats, fraud, as well as using the dependence of the person on the guilty party or his or her state of helplessness. Accordingly there is no violence present in disputes of employment legal relations, but there is a conflict of legal nature between the employer and the employee.

Information source: State Police and Office of the Prosecutor General

Year	Criminal proceedings initiated	Suspects	Criminal proceedings sent for trial	Number of persons against whom criminal proceedings have been sent for trial
2009	3 (2 – forced marriage, 1 – sexual exploitation)	4 (2 men and 2 women)	3	10 persons
2010	3 (2 – sexual exploitation, 1 – forced marriage)	4 (2 men and 2 women)	3	4 persons (3 men and 1 woman)
2011	0	0	0	0
2012	3 (sexual exploitation)	2 persons (2 men)	1	1 person (1 man)

In 2012 no cases of trafficking in human beings were detected in Latvia, also to Latvia or within the country. The State Police identified four cases of trafficking in human beings with five victims of trafficking in human beings (five citizens of Latvia were intentionally misled regarding the actual work abroad), from whom three persons were recognised victims. In Latvia in total three criminal proceedings regarding cases of trafficking in human beings according to Section 154.¹ “Human Trafficking” of the CL were initiated, two criminal proceedings regarding cases of trafficking in human beings to Germany and one criminal proceeding regarding the case of trafficking in human beings to Cyprus were initiated.

On 21 May 2009 amendments were made to **Section 165.¹ “Sending a Person for Sexual Exploitation” of the CL**, prescribing a more extensive explanation to the concept of trafficking in human beings, which provides for a punishment for sending a person with his or her consent for sexual exploitation, that is, for any act which facilitate legal or illegal movement, transit or residence of a person for such purpose within the territory of one country or several countries. Such normative regulation does not exist in majority of EU countries where sending of a person with his or her consent is not considered trafficking in human beings.

In Court Practice Summary 2006²⁹ the Supreme Court of the Republic of Latvia recognised sending of a person with his or her consent for sexual exploitation as a type of trafficking in

²⁹ “Analysis of the definitions included in international legal acts ^{[1][1]} leads to the conclusion that from the point of view of international law the criminal offences included in Section 154.¹ and 165.¹ of the Criminal Law (hereinafter crimes according to the classification given in Section 7 of the CL) should be evaluated as

human beings. In accordance with the UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 2 December 1949 any activities defined in definitions of trafficking in human beings are punishable and any activity of this section of the chain – beginning with initial recruitment until the moment when the respective intention or result (exploitation of the person or labour exploitation of the victim) is achieved – is punishable. Within the scope of an operational experiment for resolving criminal offences related to sending of persons for sexual exploitation, with involvement of specially trained female employees of the State Police, and as a result of activities of accused persons, which have been recognised as proven, no harm was caused to any person, because no person goes abroad for engaging in prostitution when fulfilling the conditions of operational experiment. As a result of such criminal activities the guilty person is convicted for the intention of sending any person for sexual exploitation. Very often the intention of a person is related to sending of another person to countries where sexual exploitation without the element of compulsion upon free will of the person is permitted.

The MoJ acknowledges that the offence provided for in Section 165.¹ of the CL should not be considered as trafficking in human beings in accordance with Section 154.² “Meaning of Human Trafficking” of the CL, however, concurrently according to international legal acts the offence provided for in Section 165.¹ of the CL should be recognised as one of the sub-types of trafficking in human beings. In Latvia the offence provided for in Section 165.¹ of the CL has been separated from Section 154.¹ of the CL, because a person is subjected to sexual exploitation with his or her consent, which is perceived as less dangerous criminal offence and milder sanctions are to be determined for it accordingly. It is important that in any case criminal liability is provided for such actions in Latvia. In the UN General Period Review of 22 September 2012 on the situation of human rights in Latvia it is highly appreciated that Latvia has gone beyond the requirements of the Palermo Protocol, because the use of violence against the potential victim of trafficking in human beings for the purpose of sexual exploitation is not a pre-condition for initiating criminal proceedings against organisers of trafficking in human beings.

Information source: State Police and Office of the Prosecutor General

Year	Criminal proceedings initiated	Suspects	Criminal proceedings sent for trial	Number of persons against whom criminal proceedings have been sent for trial
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trafficking in human beings, and one of its sub-types has been criminalised in Section 165.¹ of the CL when a person is subjected to sexual exploitation with his or her consent as opposed to that laid down in Section 154.¹ of the CL. In turn, trafficking in human beings within the meaning of Section 154.¹ of the CL is characterised by committing activities forming it, using violence or threats or by means of deceit, or by taking advantage of the dependence of the person on the offender or of his or her state of helplessness, or by the giving or obtaining of material benefits or benefits of another nature in order to procure the consent of such person, upon which the victim is dependent.^{[1][2]} It should be noted here that only fraud was detected as the only means used in trafficking in human beings in the materials researched.

^{[1][1]} See, for example, UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 2 December 1949. – Human Rights. Collection of International Treaties. Volume 1 (Part one). Universal Treaties. United Nations: New York and Geneva, 1994, pp. 223-241; Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime // *Latvijas Vēstnesis*, 28 April 2004; Recommendation R (2000) 11 of the European Council of 19 May 2000 to member states on action against trafficking in human beings for the purpose of sexual exploitation and the explanatory memorandum. – [http://www.coedriga.lv/tulkojums/MKRek/R11\(2000\).htm](http://www.coedriga.lv/tulkojums/MKRek/R11(2000).htm), Framework Decision 2002/629/JHI of the Council of the European Union of 19 July 2002 on combating trafficking in human beings. – <http://www.ttc.lc./index.pxp?id+58&dirid+443>.

^{[1][2]} For more information see the Comment of V.Liholaja for Sections 154.1 and 165.1 of the CL. – Krastiņš U., Liholaja V., Niedre A. Kriminālikuma zinātniski – praktiskais komentārs. 2. Sevišķā daļa. Rīga: firma “AFS”, 2003, pp. 298.-305.

2009	31	35 persons (25 men and 10 women)	12	16 persons
2010	28	34 persons (19 men and 15 women)	24	35 persons (20 men and 15 women)
2011	21	34 persons (20 men and 14 women)	16	27 persons (20 men and 7 women)
2012	13	15 persons (8 men and 7 women)	9	11 persons (8 men and 3 women)

Latvia has gathered information regarding marriages of convenience³⁰ as a potential risk for subjecting of a person to trafficking in human beings. Marriages of convenience are concluded without the intention of creating a family; the purpose of such marriages is to ensure the status of a family member (spouse) of a EU citizen to third-country nationals, a residence permit in the relevant EU state and the right of free movement in the EU. Mostly marriages of convenience are concluded with citizens of Pakistan, India and Bangladesh.

Usually marriages of convenience are concluded in Ireland, Cyprus and Great Britain. Since 2004 female citizens of Latvia have concluded significantly more than 1000 marriages with third-country nationals in Ireland alone (in the time period from 2009 to 2012 834 marriages were registered in Ireland alone, including 124 marriages in 2011, 108 – in 2012), from which part or even majority may be considered marriages of convenience. The tendencies of the previous years show that, upon arising of different complications, the marriage procedure in Ireland becomes longer, and female citizens of Latvia are married out in other countries (Pakistan, India, Nigeria, Spain, Denmark, Cyprus, France, even Tanzania, as well as Latvia) in order to ensure a residence permit to the foreigners staying in Ireland illegally. Taking into account the abovementioned, as well as that since October 2010 when the embassy started collecting data regarding female citizens of Latvia who have been noticed by the embassy in relation to planned marriage of convenience or marriage of convenience already concluded, their number already exceeds 450 persons. According to the estimates of the embassy, in total approximately 1500-1600 citizens of Latvia (including also men who have registered marriage of convenience mostly with citizens of Nigeria and China) are involved in marriages of convenience with the intention to obtain a residence permit in Ireland.

It is not possible to determine a specific number of marriages of convenience in Great Britain with female citizens of Latvia, because the authorities of Great Britain do not inform the embassy regarding marriages concluded by citizens of Latvia with third-country nationals.

The embassy of Latvia in Greece has information at the disposal thereof regarding 258 marriages concluded in Cyprus between female citizens of Latvia and third-country nationals in the time period from 2009 to 2012. According to the estimates of the embassy, 80-100 of these marriages may be considered marriages of convenience. Moreover, the embassy of Latvia does not have at the disposal thereof the whole information regarding marriages concluded by citizens of Latvia in Cyprus because persons do not notify either the embassy of Latvia or the OCMA regarding part of marriages concluded³¹, or notify the OCMA without the intermediation of the embassy of Latvia.

³⁰ “Marriage of convenience” means a marriage concluded between a national of a Member State or a third-country national legally resident in a Member State and a third-country national, with the sole aim of circumventing the rules on entry and residence of third-country nationals and obtaining for the third-country national a residence permit or authority to reside in a Member State; Council Resolution of 4 December 1997 on measures to be adopted on the combating of marriages of convenience (97/C 382/01).

³¹ Section 190.³ of the Latvian Administrative Violations Code provides for administrative liability for not notifying of information to be included in the population register to territorial offices of the OCMA in due time, providing for a fine from 10 to 25 lats.

All previous efforts of Latvia to attract the attention of foreign countries to the problem of marriages of convenience have not been efficient. Therefore, in order to prevent active recruitment of fiancées and fiancés in the territory of Latvia for concluding marriages of convenience, to deter the potential fiancées and fiancés from concluding marriages of convenience for the purpose of receiving remuneration, in order to prevent and take action against the phenomenon of marriages of convenience already in the territory of Latvia, without waiting for the setting-in of consequences abroad, a proposal for amendments to the CL was drafted, providing for a new legal norm that came into force on 1 April 2013:

Section 285.² of the CL Ensuring in Bad Faith with a Possibility to Acquire the Right to Stay in the Republic of Latvia Legally, other Member State of the European Union, Member State of the European Economic Area or Swiss Confederation

(1) For a person who commits provision in bad faith with a possibility to acquire the right to stay in the Republic of Latvia legally, other Member State of the European Union, Member State of the European Economic Area or Swiss Confederation, the applicable punishment is deprivation of liberty for a term up to three years or temporary deprivation of liberty, or community service, or a fine.

(2) For a person who commits provision in bad faith with a possibility to acquire the right to stay in the Republic of Latvia legally, other Member State of the European Union, Member State of the European Economic Area or Swiss Confederation, if it has been committed for the purpose of acquiring property or if such a possibility is ensured for two or more persons, or if it has been committed by a group of persons, the applicable punishment is deprivation of liberty for a term up to five years or temporary deprivation of liberty, or community service, or a fine, with or without confiscation of property.

This norm of the CL provides for holding to criminal liability of both the persons who have ensured another person, in bad faith, with an opportunity of lawfully obtaining the right to reside in the Republic of Latvia, in another European Union Member State, in a state of the European Economic Area or the Swiss Confederation, and the persons who organised the abovementioned criminal offences.

Section 165 “Living on the Avails of Prostitution” of the CL

(1) For a person who commits taking advantage, for purposes of enrichment, of a person who is engaged in prostitution, the applicable punishment is deprivation of liberty for a term up to five years or temporary deprivation of liberty, or community service, or a fine, with or without confiscation of property and with or without probationary supervision for a term up to three years.

(2) For a person who commits the same acts if they have been committed by a group of persons, or with respect to a minor, the applicable punishment is deprivation of liberty for a term up to eight years, with or without confiscation of property and with probationary supervision for a term up to three years.

(3) For a person who commits the same acts if they have been committed by an organised group or if commission thereof is with respect to a person who has not attained the age of sixteen years,

the applicable punishment is deprivation of liberty for a term of five years and up to fifteen years, with or without confiscation of property and with probationary supervision for a term up to three years.

In comparison to the previous years the number of persons who are suspected of living on the avails of prostitution has increased almost by half. Both women and men are among the suspected organisers of living on the avails of prostitution. In the area of sexual services men mainly fulfilled the functions of a guard and manager, in turn, women – the functions of an operator; some of the detained women themselves had been previously engaged in prostitution.

Similarly, several organised groups were detained, which had been engaged in living on the avails of prostitution for several years, including for the first time – a group of three persons organised by a foreigner (a citizen of the Netherlands), which specialised in servicing foreigners only and engaged several tens of young women in prostitution.

In none of the cases of living on the avails of prostitution it was established that persons were forced to engage in prostitution or they had previously suffered in trafficking in human beings. Similarly no minors engaged in prostitution were identified.

Information source: Information Centre of the Ministry of the Interior

Year	Criminal proceedings initiated	Suspects	Criminal proceedings sent for trial	Number of persons against whom criminal proceedings have been sent for trial
2009	5	26 persons (20 men and 6 women)	3	21 persons (16 men and 5 women)
2010	8	30 persons (15 men and 15 women)	6	26 persons (13 men and 13 women)
2011	9	32 persons (18 men and 14 women)	5	23 persons (11 men and 12 women)
2012	15	29 persons (10 men and 19 women)	10	20 persons (9 men and 11 women)

Intensified attention is paid to action against living on the avails of prostitution, including to action against criminal organised groups related to such criminal offence. The abovementioned criminal offence is becoming more latent and is masked behind legal commercial activity.

The State Police, in carrying control of the persons engaged in prostitution, verify their identity. If it is detected that a foreigner is engaged in prostitution, an in-depth interview is carried out in order to ascertain that there is no link to trafficking in human beings for the purposes of sexual exploitation or that any person has not organised his or her sexual exploitation in Latvia or in other countries. If necessary, employees of the State Border Guard may be involved, information may be checked, using information channels of the Europol or Interpol.

Taking into account that living on the avails of prostitution is based on earning profit, the next challenge for action against criminal offences related to trafficking in human beings is investigation of criminal proceedings in part related to laundering of proceeds from crime. Movable and immovable property is imposed an attachment in criminal proceedings in large scale, because there is a reason to consider that it has been purchased using criminally obtained financial resources, including from living on the avails of prostitution. The attached property is being hidden, corroborating the ownership rights in the name of the spouse or

other persons, thus complicating solving of financial issues in criminal proceedings, however, investigators and public prosecutors do everything in their power to prove the criminal origin of such property.

According to that decided in the Cabinet meeting of 28 February 2012 (protocol No. 11, Section 30, Paragraph 1), in order to survey and aggregate foreign experience in the field of restricting prostitution and to prepare proposals for further action directions for reduction of prostitution in Latvia, by Order No. 1-1/118 of the Minister for Justice of 30 March 2012 an interinstitutional working group was established, in which representatives from sectoral ministries, State Police and NGOs were involved. In aggregating information regarding foreign experience in the field of restricting prostitution, special attention was paid to the issue of punishing the buyers of sexual services and general prohibition of prostitution. Upon clarifying the situation in 30 states of the EU and European Economic Area, it was concluded that only in three of them (Sweden, Norway and Iceland) criminal liability specifically for buying sexual services is provided for, in turn, general prohibition of prostitution is determined in Lithuania, Romania and Lichtenstein.

Upon discussing whether such solutions would be appropriate and efficient for reduction of prostitution in Latvia, majority of members of the working group agreed that general prohibition of prostitution or criminalisation of buying sexual services does not merit support. Implementation of such repressive measures would not achieve the goal, because the reasons for prostitution and the circumstances promoting it will not disappear. By implementing such repressions, the State will basically reject any possibility of controlling the field of prostitution, moreover, as a result of prohibitions prostitution will become more latent and more difficult to detect. It was concluded that trafficking in human beings is not prostitution. Trafficking in human beings is a crime, but prostitution is a legal way of earning income, in relation to which a range of restrictions has been specified, however, such occupation at large is permitted. In accordance with Cabinet Regulation No. 32 of 22 January 2008, Regulations for Restricting Prostitution (hereinafter – Regulations for Restricting Prostitution) prostitution is provision of sexual services for a fee. A decision to provide sexual services to a third party for a fee may be taken only by the person voluntarily. Any compulsion or intermediation of third parties in provision of such services is prohibited and punishable (involvement of a person in prostitution or compelling to engage in prostitution (Section 164 of the CL); living on the avails of prostitution (Section 165 of the CL); establishment, maintenance, management and financing of brothel (Section 163.¹ of the CL); sending a person for sexual exploitation (Section 165.¹ of the CL); human trafficking (Section 154.¹ of the CL); encouraging to involve in sexual acts (Section 162.¹ of the CL); violation of provisions regarding the demonstration of a pornographic performance, restriction of entertainment of intimate nature and handling of a material of pornographic nature (Section 166 of the CL)). In turn, in case of trafficking in human beings actions of third parties can be detected in order to achieve, to promote exploitation of another person.

It is necessary to implement such measures for reduction of prostitution in Latvia, which are directed towards prevention of the causes and circumstances promoting prostitution (for example, informative measures, awareness-raising campaigns, stricter control of the content of publicly accessible information (particularly the information intended for minors), improvement of the study materials and the content of education, training of specialists, aid/support measures for persons involved in prostitution, etc.).

Taking into account that victims of trafficking in human beings may be employed in prostitution, according to that decided in the Cabinet meeting of 5 March 2013 (protocol No. 13, Section 30, Paragraph 2), the MoJ will evaluate the necessity of amendments to the CL

regulation, providing for a punishment for the use of sexual services of victims of trafficking in human beings. Concurrently the MoJ in co-operation with the MoI and the Office of the Prosecutor General, upon receipt of the study on causes why women get involved in prostitution within the scope of the project “A Safety Compass – signposting ways to escape trafficking” of the RCW Marta, the necessity of amendments to the CL regulation will be evaluated, providing for a punishment to buyers of sexual services.

Since 16 June 2011 **Section 280 “Violation of Provisions Regarding Employment of Persons” of the CL** provides for criminal liability for a violation of restrictions or provisions regarding employment of persons provided for in law if commission thereof is by the employer and if significant damage is caused thereby, as well as for the employment of such person who is not entitled to remain in the Republic of Latvia if commission thereof is by the employer and if a minor is employed or if more than five persons are employed, or if a person is employed in particularly exploitative working conditions, or if a victim of human trafficking has knowingly been employed. A punishment is specified for the abovementioned criminal offence – deprivation of liberty for a time period up to one year or custodial arrest, or community service, or a fine up to one hundred minimum monthly wages. In accordance with the data of the Punishment Register no person has been held criminally liable for the criminal offence provided for in the abovementioned norm.

In relation to “sex tourism” laws and regulations of Latvia do not contain a definition of such concept; also the criminal law system does not provide for a separate substance of such criminal offence. Concurrently it is covered, to a large extent, by criminal liability for participation or unfinished crime. For example, a person who organises trips with the purpose of ensuring an opportunity to commit a criminal offence may be held criminally liable for participation in the relevant criminal offence, for the committing of which the trip was organised (supporting), in turn, a person who goes on such trips for the purpose of committing a criminal offence may be held criminally liable for the preparation for the relevant criminal offence, if it may be classified as a serious or especially serious crime.

Until 2012 no cases of sex tourism were identified in Latvia when persons from other countries would have come to Latvia in order to sexually exploit minors, as well as no cases were identified when persons from Latvia would travel to other countries for the purpose of sex tourism in order to exploit minors in the target countries. In 2012 one case of “sex tourism” was identified in Latvia when three persons from Sweden had arrived to Latvia in order to sexually exploit minors (up to 18 years of age), one criminal proceedings were initiated, one citizen of Sweden, originally from Pakistan, was detained who organised sex tourism to Latvia.

Drawing up of tourism laws and regulations and policy planning documents in Latvia is based on the values included in the Global Code of Ethics for Tourism (hereinafter – Code) prescribing that exploitation of human beings in any form, particularly sexual, especially when applied to children, conflicts with the fundamental aims of tourism and is the negation of tourism. As such, in accordance with international law, it should be energetically combatted with the cooperation of all the States concerned. Although application of the norms of the Code is based on voluntarism and unanimity, conformity with the principles included therein is of the essence to sustainable development of the tourism sector. Tourism policy of Latvia is created and implemented so that Latvia would be positioned as a safe and trustworthy tourism destination.

Children are recognised as a group of persons to be specially protected, in relation to which special normative regulation is provided for. In large part of the Special Part of the CL intensified criminal liability for criminal offences is provided for, if they are committed

against a child (minor). According to the principle of non-discrimination corroborated in the UN Convention on the Rights of the Child, unjustified prevailing of the rights of any specific group of children over the rights of other children are not provided for in laws and regulations of Latvia. Protection of the rights of the children takes place in conformity with the principle of equality. Only children up to fourteen years of age (underaged persons) are distinguished, It is justified by the particularly vulnerable state of the children of such age, due to which they are considered as equivalent to persons in the state of helplessness. Especially severe punishments are provided for criminal offences committed against an underage person.

4.2. Law Enforcement and Controlling Authorities

Since 2003 a dedicated unit has been created in the State Police, the work of which is oriented towards action against trafficking in human beings and living on the avails of prostitution. 19 employees are working in Division 3 of the Organised Crime Enforcement Department of the Central Criminal Police Department of the State Police (SP CCPD OCED), in turn, in total 4 employees are working in regional departments.

The State Police is efficiently using the opportunity provided for in laws and regulations, to hold criminally liable for sending a person to be sexually abused, providing for prevention of actual violence against actual victims because specially prepared female employees of the State Police are used during criminal proceedings. Thus setting in of consequences of trafficking in human beings abroad is prevented, protecting people from the risks of violence, as well as saving funds from the State budget for return and identification of victims and provision of their rehabilitation.

The Task and Co-ordination Group of Tactical Level of Criminal Intelligence of the State Police regularly draws up tactical evaluation on criminal activities which are related to prostitution, living on the avails of prostitution, trafficking in human beings and activities related thereto. All regional departments of the State Police provide information regarding all crimes which are possibly related to violations of the regulations governing trafficking in human beings, living on the avails of prostitution or prostitution, thus ensuring wider possibilities for uncovering cases of trafficking in human beings in a more timely manner, or to take preventive measures for prevention of trafficking in human beings.

Division 3 of the SP CCPD OCED pays special attention to action against living on the avails of prostitution in the state, co-operating with regional departments of the State Police, departments of the local government police, NGOs and carrying out more intense operational work involving street and apartment prostitutes.

Riga Regional Department of the State Police continues to implement co-ordination of control and measures for restricting prostitution in Riga region and co-ordination of thematic checks at entertainment sites of Riga region.

In 2010 Division 3 of the OCED drew up and sent methodological materials to regional departments of the State Police on identification of victims of trafficking in human beings and action in case when a potential victim of trafficking in human beings is identified: “Guidance Document for Identification of Persons Related to Prostitution, Living on the Avails of Prostitution, Trafficking in Persons” and “Guidance Recommendations for Police Employees for the Investigation of Cases of Trafficking in Persons/Living on the Avails of Prostitution”.

The SPC provides acquisition of the vocational in-service training programme “Investigation of Cases of Trafficking in Human Beings/Living on the Avails of Prostitution”, which was

prepared on the basis of the annual plan on implementing priorities of the State Police, which is prepared based on public interests – to live in a safe environment, taking measures for the promotion of public safety and provision of public order, including for the prevention and combating of crime. The programme is implemented in regional study classes of the College. Since 2010 until now 239 officers of the State Police have acquired the programme, implementing the programme in 12 study groups.

For comparison:

in 2010: Riga regional study class of the SPC (one group, 22 officers acquired the programme);

in 2011:

- 1) Riga regional study class of the SPC (one group, 18 officers acquired the programme);
- 2) Kurzeme regional study class of the SPC (one group, 27 officers acquired the programme);
- 3) Latgale regional study class of the SPC (two groups, 30 officers acquired the programme);

in 2012:

- 1) Riga regional study class of the SPC (three groups, 54 officers acquired the programme);
- 2) Kurzeme regional study class of the SPC (one group, 28 officers acquired the programme);
- 3) Latgale regional study class of the SPC (two groups, 40 officers acquired the programme);
- 4) Vidzeme regional study class of the SPC (one group, 20 officers acquired the programme).

In the time period from 2009 until 2012 the SPC ensured implementation of several studies/seminars on themes which are closely related to trafficking in human beings issues:

- 1) Protection of the Rights of the Child (104 officers in 2009, 31 officers in 2010, 242 officers in 2011, 80 officers in 2012);
- 2) Psychological Special Features of Interrogating a Victim (93 officers in 2011, 94 officers in 2012);
- 3) Action of a Police Officer in Cases Related to Domestic Violence (86 officers in 2012);
- 4) Identification and Prevention of Hate Crimes (44 officers in 2010, 64 officers in 2012);
- 5) Criminal Offences against Morals and Sexual Inviolability (28 officers in 2009, 42 officers in 2010, 45 officers in 2011, 10 officers in 2012);
- 6) Human Rights. Racial Problems (20 officers in 2010);
- 7) Conformity with Human Rights in Police Work. The training course was organised by the Office of the Ombudsman (179 officers in 2012).

The SPC has drawn up vocational in-service training programmes “Liability of Police Officers for Violating the Rights in Fulfilment of Service Duties when Providing Public Order” and “Psychological and Legal Aspects of the Action of a Police Officer in Cases of Sexual Violence”, implementation of which was commenced in 2013.

In addition to the vocational in-service training programmes which are intended for implementation to officers of the State Police, the SPC implements study subjects and study courses that include topics on the issue related to different types of violence in the industrial

education programme of the State Police College “Police Work” and in the first level vocational higher education programme “Police Work”.

In accordance with Section 13, Clause 15 of the State Border Guard Law the task of the State Border Guard is to control the conformity with the provisions regarding entry, staying, exit and transit of foreigners in the territory of the Republic of Latvia. Persons who cross external border in order to enter Latvia or to exit from it are subjected to checks at the border crossing points. Border guards deny entry into the State to persons who cannot produce valid travel documents, visas.

Taking into account that quite often trafficking in human beings is concealed as committing of another criminal offence (for example, a promise to a person to move him or her across the State border illegally or to provide support for accessing a specific state may be only part of the actual intent – to use this person as a victim of trafficking in human beings), the State Border Guard takes measures for discovering and preventing such cases. Upon evaluating information regarding 2012, the State Border Guard has concluded that the number of using legal entry methods for illegal attempts of entering and staying in EU states has significantly increased, i.e., non-conformity of the actual purpose of entering with the previously indicated purpose. In 2012 in comparison to 2011 the amount of such cases has increased by 250%. The nationality of the persons who have received the refusal of main entry – Russia, Belarus, Kyrgyzstan. The State Border Guard does not have information at its disposal that victims of trafficking in human beings have been identified among the persons who have been identified in the Republic of Latvia as having illegally crossed the border or who have requested asylum. The main purpose of such persons – search for better living conditions in economically more developed EU states.

One of the tasks of immigration units of the State Border Guard is combating illegal employment of foreigners. The State Border Guard, within the scope of its competence and in co-operation with the OCMA, State Police and SEA, takes measures in order to detect violations of the norms for employing foreigners and to identify foreigners who are illegally staying in the state and who are potentially at risk of becoming victims of trafficking in human beings.

In 2012 4296 checks were performed in enterprises, institutions, tourism organisations, hotels, checking all potential violations in the field of immigration control, for example, working after expiry of the term of validity of a visa or residence permit. As a result of such checks also potential cases of trafficking in human beings may be discovered and victims of trafficking in human beings may be identified.

In order to improve the ability of border guards to identify the potential victims of trafficking in human beings during border control, border guards are regularly ensured the opportunities to participate in training regarding issues of preventing trafficking in human beings, identifying victims of trafficking in human beings, possibilities of helping the victims, unaccompanied children who are victims of trafficking in human beings. Representatives of the State Border Guard regularly attend meetings organised by the Risk Analysis Unit of Frontex Agency regarding profiles of organisers and victims of trafficking in human beings.

Topics regarding constitutional rights and freedoms of people and citizens, entry and staying of minor foreigners in the Republic of Latvia, rights and obligations of an asylum seeker (unaccompanied minor) are viewed within the scope of the SPC study programme.

In order to ensure the implementation of the human rights guaranteed in the Constitution and to ensure that forced labour is not used, the SLI performs supervision and control to which the following are subjected: employers, any persons who are considered employers in actual circumstances, as well as merchants and their authorised persons, enterprises (organisational units in which employees are working) and working places in which an employee or any other person who is considered an employee in actual circumstances performs work, as well as any other place within the scope of the enterprise, which is accessible to the employee during work or in which the employee is working with the permission or by an order of the employer.

Taking into account the cross-border nature of the criminal offence of trafficking in human beings, law enforcement authorities of Latvia participate in joint investigations of criminal offence and ensure exchange of information. Joint investigation teams (JIT) and law enforcement agencies of the EU – Europol, Interpol, Eurojust, Frontex Agency (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) have been recognised as an efficient instrument for the performance of cross-border investigations. Hitherto law enforcement authorities of Latvia have not been involved in joint investigation teams.

Taking into account that the majority of victims of trafficking in human beings are women, particularly young women, who are sent to other states, mainly in order to provide sexual services, and in order to prevent the possibility that the attitude and action of specialists of law enforcement and control authorities upon coming into contact with victims of trafficking in human beings are affected by the stereotypes existing in the society regarding such persons, it is important to educate the specialists also regarding different types of violence, also gender-based violence. Gender-based violence is a violation of human rights and one of the types of discrimination. It is violence that is directed towards a person due to his/her gender, thus promoting inequality. As it arises from Directive 2011/36/EC, trafficking in human beings is a gender-specific phenomenon because women and men are often trafficked for different purposes. Therefore, it is particularly important to educate specialists so that upon coming into contact with victims or potential victims of trafficking in human beings specialists would be able to identify cases of trafficking in human beings, provide the necessary support and prevent the risks of potential trafficking in human beings.

Problems detected:

- Due to the turnover of the staff, officials of the State Police, State Border Guard and State Labour Inspectorate have hindered formation of knowledge and practical skills in issues related to trafficking in human beings and different types of violence, also gender-based violence.
- It is necessary to continue ensuring of training for officers of the State Police and local government police, border guards, labour inspectors in issues related to trafficking in human beings.
- Co-operation of law enforcement authorities is insufficiently developed for investigating cases of cross-border trafficking in human beings.

4.3. Criminal Prosecution

Hitherto the chief prosecutor of the Criminal Legal Department of the Office of the Prosecutor General has determined trafficking in human beings as an especially current criminal offence alongside such types of criminal offences as murder, smuggling and laundering of proceeds derived from criminal activity. One of the priority action directions of

the Prosecutor's Office as a State authority and one of the individual work quality indicators of a public prosecutor is the efficiency of action against such criminal offences, which is related to trafficking in human beings.

One of the mechanisms for providing targeted investigations is implementation of supervision of public prosecutors in accordance with the procedures laid down in the Criminal Procedure Law, including in criminal proceedings related to trafficking in human beings. Public prosecutors are actively exercising the rights of a public prosecutor supervising investigation provided for in Section 37, Paragraph two of the Criminal Procedure Law to give instructions regarding the selection of the type of proceedings, the direction of an investigation and the performance of investigative actions, in order to ensure as quick, complete, comprehensive and impartial investigation in criminal proceedings as possible.

During the preceding years such cases of trafficking in human beings have been discovered and investigated, which are based on complicated action schemes of organised criminal groups. The Prosecutor's Office has established practice that criminal proceedings related to trafficking in human beings, supervision of investigation and criminal prosecution is organised by public prosecutors of the Specialised Prosecutor's Office for Organised Crime and Other Matters. Co-operation between the State Police as the investigation authority and the Prosecutor's Office as the authority supervising investigation has developed productively, ensuring efficient course of criminal proceedings. Investigators and supervising public prosecutors exchange information, directly and continuously, regarding the direction in which investigation should be performed, as well as regarding investigatory actions to be performed in criminal proceedings in order to ensure as quick discovery and investigation of a criminal offence and holding of the guilty persons criminally liable as possible.

Efficiency and quality of operation of the investigatory authority and of supervision implemented by the Prosecutor's Office in investigating such criminal proceedings which are related to trafficking in human beings are improving, and it is of significance for fair regulation of criminal legal relationship in criminal proceedings at large.

Criminal offences related to trafficking in human beings are mostly committed in a group of persons or in an organised group exhibiting distribution of different roles, differing nature of the offence and the damage caused. Therefore, criminal punishment should be determined individually, carefully evaluating the degree of liability and role of each person in the particular criminal offence. Co-operation of suspects or accused persons with law enforcement authorities is important in discovering and investigating criminal offences related to trafficking in human beings, which may be one of the circumstances for applying a lighter punishment to a person.

However, in cases if the punishment imposed by the court is significantly different from that requested by the public prosecutor and the punishment imposed according to the position of the State prosecutor does not ensure achievement of the objective of the punishment provided for in law, public prosecutors exercise their rights provided for in law and submit a protest to the court regarding the judgment rendered. According to internal regulatory enactments of the Prosecutor's Office issued by the Prosecutor General in situations if the court has adjudged conditional punishment of deprivation of liberty contrary to the opinion of the State prosecutor that an actual punishment of deprivation of liberty should be imposed, the public prosecutor has a duty to decide on submitting a protest in the particular criminal proceedings. The abovementioned procedures ensure that upon evaluating the work quality of the public prosecutor attention is also paid to how consistently the public prosecutor is implementing his or her rights provided for in law and how regularly the public prosecutor uses the legal means

provided for in law for implementation of the functions of the public prosecutor in the respective criminal proceedings.

Raising of qualification and improvement of professional skills of public prosecutors is the priority of the Office of the Prosecutor General, for ensuring of which special attention is paid.

The Prosecutor's Office has commenced a long-term co-operation with the Judicial Training Centre, thus the possibilities of the Prosecutor's Office to ensure regular raising of qualification and improving of professional skills of public prosecutors have significantly expanded.

Information source: Office of the Prosecutor General

No.	Year	Training organised by the foundation "Centre Dardedze" for public prosecutors "Inter-institutional Co-operation in Case of Violence against Children". Basic Principles for Establishing Communication According to the Specific Age Features of Children" (number of public prosecutors)	Participation in conferences and seminars (number of public prosecutors)
1.	2008-2009	90	3
2.	2010.	32	27
3.	2011.	30	17
4.	2012.	30	61 and 23 candidates for the office of a public prosecutor

Problems detected:

- It is necessary to continue the provision of training of public prosecutors and candidates of public prosecutors regarding trafficking in human beings.

4.4. Case Law

The task of courts of Latvia is to continue to ensure that uniform legal norms are applied in matters of trafficking in human beings, so that upon adjudicating analogical matters the punishment imposed by the court conforms to the nature and harm caused by the criminal offence.

Customary law does not exist in the criminal law system of Latvia. At the same time judges, in adjudicating matters and concurrently to application of laws, also take into account case law established in the particular category of matters, thus promoting uniform application of the law in the state.

The Division of Case-law of the Supreme Court aggregates and studies case law in separate issues related to the application of legal norms, selects, processes and publishes court judgments in the data base of case-law which are of significance for the promotion of coherence, research and development of case law. The purpose of establishing case law is to provide support to judges in examining a matter in analogical cases, to reduce the time of examining matters, as well as to promote uniform and stable case law. In accordance with Section 28.⁶, Paragraph four of the Law On Case Law the Supreme Court is creating a data base of case-law within the scope of the JIS. The data base of case-law of the Senate is also available to the society on the website of the Supreme Court www.at.gov.lv and the official Judicial Portal of Latvia www.tiesas.lv. Currently the case-law in matters related to trafficking in human beings is formed by three decisions of the Department of Criminal Cases of the Senate of the Supreme Court. The summary of case law of 2006 of the Department of

Criminal Cases of the Senate of the Supreme Court and the Department of Case-law “Case Law in Cases Related to Trafficking in Human Beings and Sending of Persons for Sexual Abuse”, in which in total court judgments in 41 criminal proceedings are analysed, and it is available at all courts of general jurisdiction of Latvia. Also reports of Prof. Dr.iur. Valentija Liholaja, Head of the Criminal Law Sciences Department of the Legal Faculty of the University of Latvia, on case-law findings have been published with the purpose of promoting the formation of uniform and correct case law: “Comments on Case Law of Latvia in Criminal Cases” [*Komentāri par Latvijas tiesu praksi krimināllietās*], “Principles for Determination of Punishment: Law and Practice” [*Soda noteikšanas principi: likums un prakse*], “Trafficking in Human Beings Crimes: Essence and Case Law” [*Cilvēku tirdzniecības noziegumi: būtība un tiesu prakse*], as well as other editions and publications.

The Supreme Court, in years 2014 and 2015, is planning to draw up summaries of case law on organised criminal offences.

The CA has performed a textual analysis of the court judgment of JIS on the persons convicted for trafficking in human beings in order to clarify the reasons for not applying confiscation of property. The CA has come to a conclusion that the reasons for not applying the punishment of confiscation of property are as follows:

- a) it has been ascertained during the process of adjudication that the convicted person does not have a permanent place of residence or has not property that could be confiscated;
- b) Section 49.1 of the CL regarding determination of a milder form or lesser form of a punishment has not been applied during the process of adjudication, if the right to termination of criminal proceedings within a reasonable period of time are not conformed to.

Moreover, there is no mentioning of the amount or content of the property to be confiscated from the convicted persons in texts of the full judgment added in the JIS.

The main reason for the small number of the convicted persons in comparison to the number of criminal proceedings initiated or examined in the first instance is the incommensurably long pre-trial period and period of proceedings, which is related to subjective reasons and not the work capacity of courts. In accordance with Section 154.1 of the CL the criminal proceedings initiated are characterised by large number of victims, frequent postponing of court hearings due to non-arrival of victims at the court or their being abroad, as well as frequent discontinuation of court proceedings due to the accused persons being in inpatient medical treatment institutions due to an illness. For example, on 14 July 2012 a judgment of conviction entered into effect in relation to one person in criminal proceedings that were initiated in 2004 and were examined in the first instance on 22 January 2008. In 2010 one case was received in courts of first instance, three terminated criminal proceedings were examined rendering a judgment of conviction, however, the judgment of conviction has entered into effect only in one criminal proceedings initiated in 2006. Court proceedings are still continuing in courts of higher instance in two remaining cases of trafficking in human beings examined in the first instance, in which a judgment was rendered. Therefore, it may be concluded that the small number of convicted persons in proportion to the number of initiated criminal proceedings is not related to acquitting the accused, terminating cases or other types of final judgments, as well as that the number of initiated criminal proceedings in the relevant reporting period cannot be compared to the number of persons in relation to whom a judgment of conviction has entered into effect.

The JTC in co-operation with other organisations is performing training of judges in relation to issues related to preventing trafficking in human beings. The training programme of 2013 of the JTC for judges and court employees includes a lecture “Directive 2011/36/EU on

preventing and combating trafficking in human beings and protecting its victims”, in which 65 judges and court employees will participate.

However, the topic of trafficking in human beings is not included in the annual training programme for judges because according to the JIS data within the time period from 1 January 2008 until 31 December 2012 in total two criminal proceedings were terminated in district (city) courts in the first instance in relation to trafficking in human beings, concluding that criminal proceedings of the abovementioned category form a very small number of cases undergoing legal proceedings and assuming that training regarding trafficking in human beings issues are not topical for judges.

Problems detected:

- Comparatively small number of adjudicated criminal proceedings related to trafficking in human beings in Latvia creates the risk of judges and lawyers being poorly prepared in issues related to the most widespread forms of trafficking in human beings and the importance of the infringement of rights caused thereby to a person.

5. Co-operation and Co-ordination

It is determined in Paragraph 16 of Table in Chapter 5 “Main Tasks for Achieving Results of the Programme” of the “Programme for Prevention of Trafficking in Human Beings 2009-2013” approved by Cabinet Order No. 590 of 27 August 2009 that, upon evaluating the usefulness, in case of necessity an advisory council is established for co-ordinating the operation of State administration institutions, local governments and NGOs in prevention of trafficking in human beings (hereinafter – task of the programme). In carrying out the task of the programme, the first working group for co-ordinating the implementation of the “Programme for Prevention of Trafficking in Human Beings 2009-2013” (hereinafter – working group) was established by Order No. 77 of the Prime Minister of 3 March 2010. The working group was re-established on 10 June 2011 when the working group was approved by Order No. 207 of the Prime Minister in an updated composition. The working group includes representatives from the MoI, MoFA, MoW, MoJ, Ministry of Economics, MoES, MoH, the Office of the Prosecutor General, the Prosecutor’s Office of Liepāja, the Welfare Department of Riga City Council, the Committee on Safety, Order and Corruption Prevention Issues, RLGP, State Police, State Border Guard, OCMA, shelter “Safe House”, resource centre for women “Marta” and Latvian Office of the International Organisation for Migration.

It was concluded in 2012 that a new order of the Prime Minister on the working group is necessary because changes in the staff of sectoral ministries and institutions have occurred. Representatives of GRETA who performed the initial assessment on how Latvia is implementing the Convention on Action against Trafficking in Human Beings, and after meeting with representatives of the competent ministries and authorities during the assessment visit of Latvia in February 2012 gave a recommendation to expand the composition and competence of the working group approved by Order No. 207 of the Prime Minister of 10 June 2011, On the Working Group for Co-ordinating the Implementation of the Programme for Prevention of Trafficking in Human Beings 2009-2013, involving representatives of the Office of the Ombudsman, MoC and Information Centre of the Ministry of the Interior in the working group.

Representatives of GRETA gave a recommendation not only to expand the composition and competence of the working group, but also to ensure high level representation in the working group for the prevention of trafficking in human beings. It was concluded that in the particular

case the composition of the expert working group should be approved, thus ensuring efficient carrying out of the tasks of the programme, operational exchange of information regarding activities in the field of prevention of and action against trafficking in human beings and action in issues related to provision of support and aid to victims of trafficking in human beings. The abovementioned format of the working group has proved its efficiency, moreover, activities of State authorities of Latvia, local governments, as well as NGOs have been expanded to a wider extent than provided for in the State programme, because the trends in the development of violations and criminal offences related to trafficking in human beings create a necessity to include officials of corresponding competent authorities in the working group in order to ensure efficient co-operation in exchange of information and action.

By Order No. 85 of the Prime Minister of 8 March 2013, On the Working Group for the Programme for Prevention of Trafficking in Human Beings 2009-2013 such working group was approved, in which representatives from the MoI, MoW, MoFA, MoES, Ministry of Economics, MoJ, MoH, State Police, State Border Guard, OCMP, Information Centre of the Ministry of the Interior, the Office of the Prosecutor General, the Prosecutor's Office of Liepāja, the Office of the Ombudsman, the National Library of Latvia, the Welfare Department of Riga City Council, shelter "Safe House", resource centre for women "Marta" and Latvian Office of the International Organisation for Migration are appointed.

Access to timely and complete information regarding issues related to the prevention of and action against trafficking in human beings is an essential precondition in order to co-ordinate the introduction of the programme. Basically information and data regarding different fields related to the prevention of trafficking in human beings is aggregated and analysed by each responsible sectoral ministry, institution and NGO individually. During the previous years collection of information and data has improved, however, there is still no uniform understanding and approach to data collection, therefore, the collected data is insufficient in order to perform evaluation of trends in trafficking in human beings and assessment of the results of measures directed towards trafficking in human beings.

In accordance with the requirements of Article 19 of Directive 2011/36/EC prescribing that Member States shall take the necessary measures to establish national rapporteurs or equivalent mechanisms, the tasks of which shall include the carrying out of assessments of trends in trafficking in human beings, the measuring of results of anti-trafficking actions, including the gathering of statistics in close co-operation with relevant civil society organisations active in this field, and reporting, the MoI according to that laid down in the programme co-ordinates the introduction of the programme, once in two years aggregating the information provided by the institutions responsible for carrying out the tasks of the programme and submitting it to the Cabinet for consideration. The MoI is also responsible for organising the work of the working group. The director of the Sectoral Policy Department of the MoI manages an inter-institutional working group and implements the functions of the National Co-ordinator in the field of trafficking in human beings. Thus, it is deemed that the co-ordination mechanism of Latvia in issues related to trafficking in human beings conforms to the status of the equivalent mechanism referred to in Article 19 of Directive 2011/36/EC.

The MoI actively continues ensuring the participation of Latvia in CBSS³² TF-THB. In order to ensure the participation of Latvia in CBSS TF-THB and the opportunity to obtain its

³² CBSS (<http://www.cbss.org/main>), founded on 5-6 March 1992 in Copenhagen, is a general political regional inter-governmental co-operation forum. CBSS is formed by 11 states of the Baltic Sea Region – Sweden, Finland, Estonia, Latvia, Lithuania, Germany, Poland, Denmark, Norway, Iceland and Russia, as well as the European Commission. Currently 10 states hold the status of CBSS Observer. They are Belarus, France, Italy, Slovakia, Romania, Spain, Ukraine, Great Britain and the United States of America. CBSS identifies the political

support for interest projects of Latvia, participation of Latvia in CBSS TF-THB was supported by Cabinet Order No. 657 of 15 December 2011, On Participation of Latvia in the Working Group of the Council of the Baltic Sea States. A decision was taken by the abovementioned Cabinet order to make payments into the CBSS TF-THB budget in the amount determined for the respective economic year from the resources of the MoI budget programme "Planning of Internal Affairs Policy". Making of payments of Latvia into the CBSS TF-THB budget is an essential precondition for promoting co-operation with the states of the Baltic Sea Region in the field of action against trafficking in human beings because this co-operation mechanism for the prevention of and action against trafficking in human beings should be considered as unique in the Baltic Sea Region. In long-term such co-operation provides contribution to improving the overall situation in prevention of trafficking in human beings in Latvia because the projects implemented by the CBSS TF-THB promote exchange of experience and information among the states involved therein, assessment of trends in trafficking in human beings at regional level and improving the work quality of the competent authorities in the field of action against and prevention of trafficking in human beings and the authorities responsible for protecting the rights of victims of trafficking in human beings.

The competent State authorities of Latvia and non-governmental organisations have taken active part in all activities of the working group, participating in studies on co-operation between State authorities of the Baltic Sea States and non-governmental organisations, on data exchange mechanisms, organising seminars for representatives of diplomatic and consular missions in Riga, in which altogether 70 participants from foreign embassies participated. In turn, the handbook drawn up jointly by the working group and the International Organisation for Migration for employees of diplomatic and consular missions on providing aid to victims of trafficking in human beings is used by employees in all diplomatic and consular missions of Latvia abroad. Taking the sample of the memorandum of understanding drawn up by the working group as the basis, co-operation agreements have been entered into regarding action against trafficking in human beings and support to victims of trafficking in human beings between the association "Shelter "Safe House"", which ensures State funded social rehabilitation to victims of trafficking in human beings, and the State Police and State Border Guard.

The MoI ensures representation of the National Co-ordinator for working in CBSS TF-THB, within the scope of which co-ordination of co-operation and exchange of information is ensured on international level in the Region of the Baltic Sea States, as well as ensures the operation of National Contact Point for Unaccompanied and Trafficked Children in order to ensure co-ordination of co-operation and exchange of information between the 11 member states of CBSS, Belarus, Ukraine and Moldova.

According to Cabinet Order No. 729 of 14 December 2010, On Participation of Latvia in the Working Group of the Council of the Baltic Sea States, the MoW ensures representation of Latvia in the CBSS Expert Group for Co-operation on Children at Risk, the priorities of which are protection of children against any form of sexual exploitation and sexual violence, protection of children subjected to trafficking in human beings and children involved in

objectives (summits of prime ministers and meetings of ministers for external affairs, conferences of sectoral ministers), draws up action plans (committee of senior officials and expert groups), suggest and implement strategic projects of significance to the region in areas which were put forward as five long-term priorities in the CBSS Reform Declaration adopted in June 2008 in Riga (education and culture; energy; environment; economic development; public safety and humanitarian dimension), as well as serves as the forum for exchange of opinions and ideas on issues topical for the region. Preparation of the agenda of summits of prime ministers and meetings of ministers for external affairs, as well as committee of senior officials is ensured by the presidency of CBSS, which is undertaken, on a rotational basis, by one of the members states each year (from 1 July to 30 June). Latvia has presided CBSS twice – in years 1996-1997 and 2007-2008.

migration processes and protection of their rights, early intervention and prophylaxis as the means for ensuring the rights of children to protection against any kind of violence, forms of violence and negligence. Within the scope of German presidency of TF-THB, it was decided during the CBSS TF-THB meeting which took place from 13-16 March 2012 in Berlin, Germany, that one joint meeting with CBSS EGCC will be organised within the scope of the presidency of each state.

Problems detected:

- The mandate of the inter-institutional working group does not conform to the actual range of issues to be solved in the field of preventing and combating trafficking in human beings.
- Inter-institutional co-operation in preventing trafficking in human beings at regional level is not implemented within sufficiently consistent and constant framework.

II. POLICY OUTCOMES, RESULTS OF THE ACTIVITY AND PERFORMANCE INDICATORS FOR THE ACHIEVEMENT THEREOF

Hierarchy of objectives, results and performance indicators thereof

Objective defined by the policy: To promote awareness and understanding of the society regarding trafficking in human beings and to ensure care for victims of trafficking in human beings.				
		Year 2012	Year 2017	Year 2020
Policy outcome A1: awareness and understanding of the society and the involved institutions regarding situation in the field of trafficking in human beings, regarding risks, threats and consequences of trafficking in human beings increase	Performance indicator: increase in implemented informative measures (number)	8	9	10
	Performance indicator: increase in studies performed (number)	0	2	2
Policy outcome A2: stability of access to services for meeting the needs of victims of trafficking in human beings is ensured in order to promote their integration in the society	Performance indicator: number of victims of trafficking in human beings who have received the State funded social rehabilitation service	24	24	24
	Performance indicator: State financial contribution (euro)	88949	88949	88949
Activity result A1: educating of pupils regarding risks, threats and consequences of trafficking in human beings is implemented	Performance indicator: number of educated pupils	35,702	36,000	37,000
	Performance indicator: number of educating measures (number of lessons in social sciences in the basic education programme)	35 – 70>	35 – 70>	35 – 70>
Activity result A2: vocational in-service training courses and seminars for teachers on issues related to prevention of trafficking in human beings and prostitution are ensured	Performance indicator: number of teachers who have acquired vocational in-service training courses	55	60	100
	Performance indicator: changes in proportion of positive self-evaluation of the knowledge of teachers regarding issues related to prevention of trafficking in human beings and prostitution	+5%	+10% (in comparison to 2012)	+15% (in comparison to 2012)
Activity result A3: inter-institutional co-operation in recognising	Performance indicator: number of persons who have received consultations	118	120	120

victims of trafficking in human beings is improved	Performance indicator: number of persons who have received the reflection period	0	1	1
Activity result A4: guidelines for reintegrating victims of trafficking in human beings are drawn up and introduced	Performance indicator: guidelines drawn up and introduced	0	1	0
Activity result A5: measures for reducing health risks for persons employed in prostitution are drawn up and introduced	Performance indicator: a plan of measures drawn up	0	0	1
Activity result A6: National Referral Mechanism for identifying victims of trafficking in human beings is created and its operation is ensured	Performance indicator: co-operation mechanism created (regulatory enactment)	0	1	0
Objective defined by the policy: To achieve that the latency of trafficking in human beings is decreased and the capacity of law enforcement authorities and competent partners for combating cases of trafficking in human beings is developed.				
Policy outcome B1: activity of the competent State authorities is increasing in order to address trafficking in human beings and promote action against criminal offences related to trafficking in human beings	Performance indicator: number of criminal offences discovered in relation to trafficking in human beings (criminal proceedings initiated)	30	31	33
	Performance indicator: number of criminal proceedings initiated in relation to trafficking in human beings, which have been sent for adjudication	19	20	20
Policy outcome B2: understanding of employees of the competent authorities regarding criminal offences related to trafficking in human beings increases	Performance indicator: proportion of victims of trafficking in human beings identified by employees of State and local government institutions (% from all identified victims of trafficking in human beings)	15%	+2% (in comparison to 2012)	+3% (in comparison to 2012)
	Performance indicator: number of measures for educating employees of State and local government institutions	4	6	6
Policy outcome B1: vocational in-service training courses and seminars for officials of	Performance indicator: number of officials of law enforcement authorities and judges who have acquired vocational in-service	193	200	200

law enforcement authorities and judges regarding trafficking in human beings are ensured	training courses and seminars Performance indicator: number of courses and seminars	15	15	15
Policy outcome B2: cross-border co-operation in investigating criminal offences related to trafficking in human beings is ensured	Performance indicator: number of the joint cross-border investigation groups created	0	2	3
	Performance indicator: proportion of criminal proceedings investigated jointly with law enforcement authorities of other states (% from the total number of criminal proceedings investigated with other states)	6	7	8
	Performance indicator: number of requests to extradite a person received from abroad and sent abroad	3	3	3
	Performance indicator: number of requests for legal assistance received from abroad and sent abroad	9	14	19
Activity result B3: wholesome participation of Latvia in the implementation of Priority F “Trafficking in Human Beings” of the Annual Operational Action Plan of the European Union is ensured	Performance indicator: number of activities of the Action Plan, in which law enforcement authorities of Latvia have participated	0	5	5
Activity result B4: taking of control measures for reduction of cases of trafficking in human beings and identification of victims of trafficking in human beings is ensured	Performance indicator: number of potential cases of trafficking in human beings established during checks performed within the scope of the competence of the SLI	1	2	4
	Performance indicator: number of checks performed at model agencies	0	1	2
	Performance indicator: number of checks performed in the field of immigration	4296	4300	4300

III. PLAN OF TASKS AND MEASURES PROVIDED FOR IN THE GUIDELINES

Policy objectives defined in the Guidelines: **To promote awareness and understanding of the society regarding trafficking in human beings and to ensure care for victims of trafficking in human beings.**

I Action direction: *Preventive Measures of Trafficking in Human Beings*

Tasks and main measures for achieving the objective brought forward	Term for execution	Responsible institution	Involved institutions	Necessary financing and sources thereof
1. To organise informative campaigns and activities regarding trafficking in human beings for the purpose of sexual abuse, exploitation of the labour force, entering into fictitious marriages and organ harvesting, in order to promote the public awareness and reduce the offer.	Permanently	State Police	MoI, MoFA, MoW, MoES, NLL, MoJ, NGOs, local governments	State Police In 2015 and hereinafter every year: EUR 7 114 – State budget financing (grant)
2. To draft an informative material regarding trafficking in human beings, which should be taken into account in order not to become a victim of trafficking in human beings, regarding the rights of victims of trafficking in human beings, support and aid possibilities for a victim of trafficking in human beings.	1 st half of 2017	MoW	MoI, MoFA, MoC, MoES, NGOs, local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
3. To conduct regular educating and informing of pupils and students regarding problems of trafficking in human beings: causes, risks, consequences.	Permanently	MoES	MoW, MoI, NGOs, local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
4. To conduct training of officers of the State Police and local government police, border guards, public prosecutors, social workers, consular officials, labour	Permanently	State Police	MoI, MoW, MoFA, MoE, Office of the Ombudsman, NGOs, local governments	State Police In 2015 and hereinafter every year EUR 4 089 – State budget

inspectors, employees of Orphan's courts, SIPCR and OCMA, persons involved in the tourism sector regarding trafficking in human beings and issues related to the protection of the rights of children.				financing (grant)
5. To conduct training of judges and employees of the judicial system regarding issues related to trafficking in human beings.	Permanently	MoJ	JTC, CA, Office of the Ombudsman, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
6. To conduct training of the military staff before missions abroad regarding trafficking in human beings.	Permanently	MoD	MoI Office of the Ombudsman NGO	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
7. To improve the competence of teachers in issues related to forming awareness of educatees regarding the significance of ethical and moral values, principles and expressions of norms.	Permanently	MoES (NCE)	Local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
8. To take the necessary measures in order to ensure the operation of the website regarding issues related to trafficking in human beings www.cilvektirdznieciba.lv , creating the site in an easy language so that it would be more accessible to people with special needs (creating a section "Easy to Read"), as well as to popularise it, also providing a possibility to notify only regarding cases of recruiting persons on Internet social networks or	1 st half of 2014 Permanently	MoI	MoW, State Police	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.

to provide information regarding potential cases or attempts of trafficking in human beings.				
9. To organise a conference for heads of State and local government institutions, high-level officials of law enforcement authorities, senior officials of the CA in order to shape and strengthen understanding regarding trafficking in human beings.	2 nd half of 2015	MoI	MoFA, MoES, MoW, MoC, local governments, NGOs, Office of the Ombudsman, MoJ	MoI in 2015 EUR 4 269 – State budget financing (grant)
10. To ensure State funded social rehabilitation services to identified victims of trafficking in human beings in co-operation with NGOs.	Permanently	MoW	NGOs, MoI, local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
11. To ensure regular informing of the society regarding services to be provided by responsible authorities to persons who have suffered from trafficking in human beings.	Permanently	MoW	MoH, MoI, local governments, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
12. To draw up and distribute clear and easy to use information regarding the rights of victims of trafficking in human beings in the field of employment and social field, the status of victims and rights of immigrants.	2 nd half of 2014	MoI	MoJ, MoW	MoI In 2014 within the scope of the financial resources provided for in the Law On the State Budget for the current year; in 2015 EUR 2 846 and in 2016 EUR 1 423 – State budget financing (grant)
13. To draft guidelines for risk assessment of	1 st half of 2014	MoI	MoW, MoFA, NGOs	Within the scope of the

victims of trafficking in human beings.				financial resources provided for in the Law On the State Budget for the current year.
14. To conduct training of officers of the State Police and local government police, public prosecutors, social workers, border guards, labour inspectors, consular official, employees of Orphan's courts regarding work with a victim of trafficking in human beings taking into account the gender aspect, victim-oriented approach and considering the best interests of the child.	Permanently	MoW	MoI, Office of the Ombudsman, NGOs, local governments, MoFA	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
15. To evaluate the Cabinet Regulation No. 889 of 31 October 2006 in force, Regulations Regarding the Procedures, by Which Victims of the Traffic in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of the Traffic in Human Beings, and in case of necessity to draft amendments, supplementing criteria for recognising a person as a victim of trafficking in human beings.	2 nd half of 2015	MoW	MoI, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
16. To develop the co-operation between social service offices of local governments and social service providers for victims of trafficking in human beings, ensuring successful re-integration of the victim of trafficking in human beings after receipt of social services.	Year 2017 of 2015	MoW	Local governments, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
17. To evaluate	1 st half	MoW	Local governments,	Within the

improvement of medium-term and long-term support programmes for support to children who have suffered from trafficking in human beings, also accommodation, the programmes being adjusted to the needs of children.	of 2014		NGOs	scope of the financial resources provided for in the Law On the State Budget for the current year.
18. To draw up and introduce guidelines for reintegration of victims of trafficking in human beings.	Year 2017 of 2014	MoW	NGOs, MoI	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
19. To evaluate the institutional framework and operational mechanism for identification, repatriation and return of victims of trafficking in human beings, for provision of support, conforming to the rights safety and honour of the victim of trafficking in human beings.	1 st half of 2015	Office of the Ombudsman		Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
20. To draw up methodological materials for sectoral specialists (social workers, labour inspectors) regarding identification of cases and victims of trafficking in human beings and action in such cases.	Year 2017 of 2014	MoW	MoI, MoJ, local governments, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
21. To draw up methodological materials for sectoral specialists (medical personnel) regarding identification of cases and victims of trafficking in human beings and action in such cases.	Year 2017 of 2014	MoH	MoI, MoJ, local governments, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
22. To survey risks which affect health of the persons involved in prostitution, and to develop	1 st half of 2014	MoH	MoI, NGOs, MoJ, local governments	Within the scope of the financial resources

measures for reducing such risks				provided for in the Law On the State Budget for the current year.
23. To evaluate the necessity of amendments to regulation of the Criminal Law in relation to punishing persons purchasing sexual services.	2014 of 2015	MoJ	MoI, Office of the Prosecutor General, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
Policy objectives defined in the Guidelines: To achieve that the latency of trafficking in human beings is decreased and the capacity of law enforcement authorities and competent partners for combating cases of trafficking in human beings is developed				
II Action direction: <i>Combating of Trafficking in Human Beings</i>				
Tasks and main measures for achieving the objective brought forward	Term for execution	Responsible institution	Involved institutions	Necessary financing and sources thereof
24. To improve the methodological materials for officers of the State Police: “Guidance Document for Identification of Persons Related to Prostitution, Living on the Avails of Prostitution, Trafficking in Persons” and “Guidance Recommendations for Police Employees for the Investigation of Cases of Trafficking in Persons/Living on the Avails of Prostitution”.	As necessary	MoI	State Police, SPC	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
25. To improve the teaching aids for employees of the State Police “Methodology for Investigating Crimes of Trafficking in Human Beings”.	As necessary	MoI	State Police, SPC	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
26. To ensure publishing of adjudications adopted by a court on the Internet in anonymous form.	Permanently	MoJ	CA	Within the scope of the financial resources provided for in

				the Law On the State Budget for the current year.
27. To form State law enforcement units for better investigation of cases of trafficking in human beings and criminal prosecution.	Permanently	MoI	State Police, Office of the Prosecutor General	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
28. To conduct training of judges, public prosecutors and lawyers regarding trafficking in human beings, rights of victims of trafficking in human beings, applicable legal acts, customary law, conformity with an approach oriented towards human rights.	Permanently	State Police	MoI, JTC, CA, CSA, Office of the Prosecutor General, MoJ	State Police in 2015 and henceforth EUR 820 – State budget financing (grant)
29. To improve the National Referral Mechanism in order to better identify victims of trafficking in human beings, to consult them and to provide protection and aid to them.	1 st half of 2015	MoI	MoJ, MoW, MoFA, MoH, MoES, Office of the Prosecutor General, NGOs, local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
Policy objectives defined in the guidelines:				
1. To promote awareness and understanding of the society regarding trafficking in human beings and to ensure care for victims of trafficking in human beings.				
2. To achieve that the latency of trafficking in human beings is decreased and the capacity of law enforcement authorities and competent partners for combating cases of trafficking in human beings is developed				
III Action direction: Co-ordination of co-operation and collection of information				
Tasks and main measures for achieving the objective brought forward	Term for execution	Responsible institution	Involved institutions	Necessary financing and sources thereof
30. To improve the national co-ordination mechanism of expert level of implementation of the policy for the prevention of trafficking in human beings (inter-institutional working group) and its operation.	1 st half of 2014	MoI	MoJ, MoW, MoFA, MoH, MoES, Office of the Prosecutor General, NGOs, local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current

				year.
31. To ensure the operation of the informal working group for prevention of exploitation of the labour force.	Permanently	MoI	MoJ, MoW, MoFA, Office of the Prosecutor General, NGOs, local governments	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
32. To ensure the creation of regional informal co-operation networks for the prevention of trafficking in human beings and its efficient operation.	Year 2017 of 2014	Institutions, NGOs, local governments	MoI	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
33. To ensure conducting of a study on the understanding of the society on trafficking in human beings, its risks, threats and consequences, including also the theme on the impact of the social environment on risk of trafficking of children.	2 nd half of 2015 2 nd half of 2015	MoW		MoW in 2015 EUR 25 612 and in 2019 EUR 7 114 – State budget financing (grant)
34. To conduct a repeat study on trends and risks of trafficking in human beings and recruiting mechanisms.	2 nd half of 2015	MoI		MoI in 2019 EUR 25 612 – State budget financing (grant) or project or programme co-financed by EU policy instruments (grant)
35. To expand the range of international partners, with which international agreements on co-operation in provision of legal aid and combating of organised crime are entered into.	Permanently	MoJ, MoI		Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
36. To ensure	Permanently	MoI		According to

representation of Latvia in CBSS TF-THB.				Cabinet Order No. 657 of 15 December 2011, On Participation of Latvia in the Working Group of the Council of the Baltic Sea States
37. To ensure presidency of Latvia in the CBSS TF-THB: - meeting of the CBSS TF-THB in autumn 2018; - meeting of the CBSS TF-THB and joint meeting of the CBSS TF-THB Observer States and the CBSS TF-THB in spring 2019; - meeting of the CBSS TF-THB and joint meeting of the CBSS TF-THB Observer States and the CBSS TF-THB in spring 2019.	1 July 2018 – 30 June 2019	MoI		MoI in 2018 EUR 854 and in 2019 EUR 1 281 – State budget financing (grant)
38. To ensure co-operation with GRETA (group of experts for action against trafficking in human beings) in evaluation of the second round of the Council of Europe Convention on Action against Trafficking in Human Beings.	2016-2017	MoI	MoW, MoJ, MoC, MoES, MoFA, MoD, MoE, Office of the Prosecutor General, RCC, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.
39. To draw up guidelines for collection, collection and analysis of data on trafficking in human beings.	Year 2017	MoI	MoW, MoFA, MoJ, NGOs	Within the scope of the financial resources provided for in the Law On the State Budget for the current year.

IV. ASSESSMENT OF IMPACT ON THE STATE BUDGET AND LOCAL GOVERNMENT BUDGETS

The financial resources planned for implementation of the Guidelines is the State and local government budget, international financing, as well as private capital to be attracted by successfully developing public-private partnership.

The largest part of implementation of the measures provided for in the Guidelines will be ensured within the scope of the resources from the State budget assigned to the institutions referred to in the Guidelines. In turn, the issue of assigning additional resources from the State budget to the institutions referred to in the Guidelines shall be examined during the process of preparing a draft Cabinet law on the medium-term budget framework and draft law on the State budget for the following economic years together with request other new policy initiatives of all ministries and other central State institutions according to the State budget possibilities.

	Three subsequent years (thous. euros)		
	2014	2015	2016
Total changes in budget revenue, including:			
Changes in the State budget revenue			
Changes in local government budget revenue			
Total changes in budget expenses, including:	0	44.8	13.5
Changes in the State budget expenses	0	44.8	13.5
Changes in local government budget expenses			
Total financial impact:	0	-44.8	-13.5
Financial impact on the State budget	0	-44.8	-13.5
Financial impact on local government budget	0		
Detailed calculation of revenue and expenses: see next table.			

Additional expenses for the **Ministry of the Interior – EUR 109 476**
(in total from 2014 to 2020)

No. of the task or main measure	Task and main measure/Expenses	Budget programme 97.00.00 “Sectoral Management and Policy Planning” of the Ministry of the Interior
	In total additionally necessary expenses for the Ministry of Interior (central institutions) (in total from 2014 to 2020)	EUR 36 284
9.	To organise a conference for heads of State and local government institutions, high-level officials of law enforcement authorities, senior officials of the CA in order to shape and strengthen understanding regarding trafficking in human beings. In 2015 – EUR 4 260. Payment for the service (IKK 2232). Necessary expenses for organising a one-day conference – EUR 4 269, therefrom: 1. Representation expenses and hand-outs – EUR	EUR 4 269

No. of the task or main measure	Task and main measure/Expenses	Budget programme 97.00.00 “Sectoral Management and Policy Planning” of the Ministry of the Interior
	2 134; 2. Catering of participants (170 participants) – EUR 2 134. 2 coffee breaks (170 participants x EUR 3.56 x 2 coffee breaks = EUR 1 209); lunch (170 participants x EUR 5.44 = EUR 925),	
12.	To draw up and distribute clear and easy to use information regarding the rights of victims of trafficking in human beings in the field of employment and social field, the status of victims and rights of immigrants. In 2015 – EUR 4 260. in 2016 – EUR 1 423. Payment for the service (IKK 2232).	EUR 4 269
34.	To conduct a repeat study on trends and risks of trafficking in human beings and recruiting mechanisms. In 2019 – EUR 25 612. Payment for the service (IKK 2232).	EUR 25 612
37.	To ensure presidency of Latvia in the CBSS TF-THB. in 2018 – EUR 854; In 2019 – EUR 1280. Payment for the service (IKK 2232). Estimate: in 2018 – EUR 854; One meeting (CBSS TF-THB – 17 participants): Catering expenses: 2 coffee breaks (2 coffee breaks x 17 participants x EUR 2.85 = EUR 96.76), lunch (17 participants x EUR 4.98 = EUR 84.66), dinner (17 participants x EUR 14.23 = EUR 241.89), In total: EUR 424 Representation expenses: EUR 430 In 2019 – EUR 1281. One meeting (one day CBSS TF-THB meeting (17 participants) and one day joint meeting with CBSS Observer States (27 participants): Catering expenses: – 2 coffee breaks (2 coffee breaks x 17 participants x EUR 2.85 = EUR 96.76), lunch (17 participants x EUR 4.98 = EUR 84.66), dinner (17 participants x EUR 14.23 = EUR 241.89), In total: EUR 424 – coffee break (27 participants x EUR 2.85 = EUR 76.84),	EUR 2 134

No. of the task or main measure	Task and main measure/Expenses	Budget programme 97.00.00 “Sectoral Management and Policy Planning” of the Ministry of the Interior
	<p>lunch (27 participants x EUR 4.98 = EUR 134.46), In total: EUR 213</p> <p>One meeting (one day CBSS TF-THB meeting (17 participants) and one day joint meeting with CBSS Expert Group on Children at Risk (in total 28 participants)): Catering expenses: – 2 coffee breaks (2 coffee breaks x 17 participants x EUR 2.85 = EUR 96.76), lunch (17 participants x EUR 4.98 = EUR 84.66), dinner (17 participants x EUR 14.23 = EUR 241.89), In total: EUR 424</p> <p>– coffee break (28 participants x EUR 2.85 = EUR 79.68), lunch (28 participants x EUR 4.98 = EUR 139.44), In total: EUR 219</p>	
	<p>In total additionally necessary expenses for the State Police (in total from 2014 to 2020)</p>	EUR 72,192
1.	<p>To organise informative campaigns and activities regarding trafficking in human beings for the purpose of sexual abuse, exploitation of the labour force, entering into fictitious marriages and organ harvesting, in order to promote the public awareness and reduce the offer.</p> <p>in 2015 – EUR 7,114; in 2016 – EUR 7,114; in 2017 – EUR 7,114; in 2018 – EUR 7,114; In 2019 – EUR 7,114. In 2020 – EUR 7,114.</p> <p>Payment for the service (IKK 2231). Costs of organising one informative campaign EUR 7 114 – printed materials (booklets, brochures, flyers), creation of banners on the Internet, etc.</p>	EUR 42,684
4.	<p>To conduct training of officers of the State Police and local government police, border guards, public prosecutors, social workers, consular officials, labour inspectors, employees of Orphan’s courts, SIPCR and OCMA, persons involved in the tourism sector regarding trafficking in human beings and issues related to the protection of the rights of children.</p> <p>in 2015 – EUR 4,098; in 2016 – EUR 4 098; in 2017 – EUR 4 098; in 2018 – EUR 4 098;</p>	EUR 24,588

No. of the task or main measure	Task and main measure/Expenses	Budget programme 97.00.00 “Sectoral Management and Policy Planning” of the Ministry of the Interior
	<p>in 2019 – EUR 4 098; in 2020 – EUR 4 098; Payment for the service (IKK 2231). It is intended to train 150 people a year (in 5 two-day training groups per 30 participants). Necessary expenses for organising one training measure – EUR 820, therefrom: 1. Catering of participants (2 dinners, 4 coffee breaks, costs per participant EUR 3.56 dinner, EUR 2.21 coffee break) – EUR 478; 2. Payment for lecturers (EUR 28.46 including VAT per lecture, in total 12 lectures) – EUR 342. Necessary expenses per year: EUR 820 x 5 = EUR 4 098.</p>	
28.	<p>To conduct training of judges, public prosecutors and lawyers regarding trafficking in human beings, rights of victims of trafficking in human beings, applicable legal acts, customary law, conformity with an approach oriented towards human rights.</p> <p>in 2015 – EUR 820; in 2016 – EUR 820; in 2017 – EUR 820; in 2018 – EUR 820; In 2019 – EUR 820. In 2020 – EUR 820. Payment for the service (IKK 2231). Necessary expenses for organising one training measure – EUR 820, therefrom: 1. Catering of participants (2 dinners, 4 coffee breaks, costs per participant EUR 3.56 dinner, EUR 2.21 coffee break) – EUR 478; 2. Payment for lecturers (EUR 28.46 including VAT per lecture, in total 12 lectures) – EUR 342.</p>	EUR 4,920

Additional expenses for the **Ministry of Welfare: EUR 51,224**
(in total from 2014 to 2020)

No. of the task or main measure	Task and main measure/Expenses	Sub-programme 05.01.00 “Social Rehabilitation State Programme” of the budget of the Ministry of Welfare
	<p>In total additionally necessary expenses for the Ministry of Welfare (in total from 2014 to 2020)</p>	EUR 51,224
33.	To ensure conducting of a study on the understanding	EUR 51,224

No. of the task or main measure	Task and main measure/Expenses	Sub-programme 05.01.00 "Social Rehabilitation State Programme" of the budget of the Ministry of Welfare
	of the society on trafficking in human beings, its risks, threats and consequences, including also the theme on the impact of the social environment on risk of trafficking of children. In 2015 – EUR 25 612; In 2015 – EUR 25 612; Payment for the service (IKK 2232).	

Other information	The Cabinet shall decide on assigning additional funds from the State budget during preparation of the State budget for 2015 and subsequent years.						
	Changes in budget expenses from 2014 to 2020, euro						
Task No.	2014	2015	2016	2017	2018	2019	2020
Ministry of the Interior – in total	0	EUR 19,147	EUR 13,455	EUR 12,032	EUR 12,886	EUR 38,924	EUR 12,032
Ministry of the Interior (central institutions) – in total	0	EUR 7,115	EUR 1,423	0	EUR 854	EUR 26,892	0
Task No. 9	0	EUR 4,269	0	0	0	0	0
Task No. 12	0	EUR 2,846	EUR 1,423	0	0	0	0
Task No. 34	0	0	0	0	0	EUR 25,612	0
Task No. 37	0	0	0	0	EUR 854	EUR 1,280	0
State Police – in total	0	EUR 12,032	EUR 12,032	EUR 12,032	EUR 12,032	EUR 12 032	EUR 12,032
Task No. 1	0	EUR 7,114	EUR 7,114	EUR 7,114	EUR 7,114	EUR 7,114	EUR 7,114
Task No. 4	0	EUR 4,098	EUR 4,098	EUR 4,098	EUR 4,098	EUR 4,098	EUR 4,098
Task No. 28	0	EUR 820	EUR 820	EUR 820	EUR 820	EUR 820	EUR 820
Ministry of Welfare – in total	0	EUR 25,612	0	0	0	EUR 25,612	0
Task No. 33	0	EUR 25,612	0	0	0	EUR 25,612	0
IN TOTAL	0	EUR 44,759	EUR 13,455	EUR 12,032	EUR 12,886	EUR 64,536	EUR 12,032

V. PROCEDURES FOR THE PROVISION AND EVALUATION OF REPORTS

No.	Description of the action	Term for execution	Responsible institution
1.	Submission of the interim informative report on implementation of the Guidelines to the SC	30 June 2017	MoI
2.	Submission of the final informative report on implementation of the Guidelines to the SC	30 June 2021	MoI
3.	Guidelines for Prevention of Trafficking in Human Beings 2021-2026 to SC for approval	30 June 2020	MoI

Minister for the Interior Rihards Kozlovskis

(Cabinet
Order No. 29 of
21 January 2014)

**Guidelines for Prevention of Trafficking in Human Beings
2014-2020
(summary)**

The Guidelines for Prevention of Trafficking in Human Beings 2014-2020 (hereinafter – the Guidelines) are a medium-term policy planning document for subsequent seven years. It lays down the objective of the trafficking in human beings prevention policy – to prevent and combat trafficking in human beings, to protect and help victims of trafficking in human beings, completely conforming to their human rights, and to promote inter-sectoral co-operation in order to achieve the objective.

The Guidelines have been drawn up according to the Government Action Plan for implementation of the Declaration of the Cabinet led by Valdis Dombrovskis Regarding Intended Activities (approved by Cabinet Order No. 84 of 16 February 2012), implementing Measure 125.2 – to draw up guidelines for prevention of trafficking in human beings – of Task No. 125 given in the Declaration – to implement a single crime prevention programme in the State.

The measures included in the Guidelines have been co-ordinated with the EU Strategy Towards the Eradication of Trafficking in Human Beings 2012-2016, the Council of Europe Convention on Action Against Trafficking in Human Beings and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children supplementing the UN Convention Against Transnational Organised Crime.

Three action directions and measures subordinate thereto have been brought forward in the Guidelines for implementation of the trafficking in human beings prevention policy in medium-term:

- 1) prophylaxis of trafficking in human beings;
- 2) action against trafficking in human beings;
- 3) co-ordination of co-operation and collection of information.

The working group established by Order No. 85 of the Prime Minister of 8 March 2013, On the Working Group for the Programme for the Prevention of Trafficking in Human Beings 2009-2013 participated in drawing up of the Guidelines, to which representatives from the Ministry of the Interior, the Minister of Welfare, the Ministry of Foreign Affairs, the Ministry of Education and Science, the Ministry of Economics, the Ministry of Justice, the Ministry of Health, the State Police, the State Border Guard, the Office of Citizenship and Migration Affairs, the Information Centre of the Ministry of the Interior, the Office of the Prosecutor General, the Prosecutor's Office of Liepāja, the Office of the Ombudsman, the National Library of Latvia, the Welfare Department of Riga City Council, Riga local government policy, association “Shelter “Safe House””, association “Resource centre for women “Marta”” and Riga office of the International Organisation for Migration were appointed.

The largest part of the measures provided for in the Guidelines will be ensured within the scope of the funds from the State budget assigned to the respective institutions. The institutions involved in implementation of the Guidelines have identified the necessity for additional budget funds in the following amount:

- 1) in 2015 – EUR 44 759;
- 2) in 2016 – EUR 13,455;
- 3) in 2017 – EUR 12 032;
- 4) in 2018 – EUR 12 886;
- 5) in 2019 – EUR 64 536;
- 6) in 2020 – EUR 12,032;

The issue on the additional financing necessary to the Ministry of the Interior and the Ministry of Welfare from 2015 in order to implement the tasks and measures included in the Guidelines shall be examined at the Cabinet during the process of preparing draft law on medium-term budget framework and draft law on the State budget for the subsequent economic years together with proposals of all ministries and other central State institutions for new policy initiatives and requests for additional financing according to the possibilities of the State budget.

The Ministry of the Interior will prepare and submit to the Cabinet an interim informative report (until 30 June 2017) and final informative report (until 30 June 2021) on carrying out of the Guidelines.

Minister for the Interior

Rihards Kozlovskis