



GRETA

Group of Experts on Action
against Trafficking in Human Beings

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Reply from Latvia to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties

Fourth evaluation round

Thematic focus: Addressing vulnerabilities to trafficking in human beings

Adopted by the Group of Experts on Action against
Trafficking in Human Beings (GRETA) on 30 June 2023

Reply submitted on 18 February 2025

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.¹

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.² Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.³ The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

¹ [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

² [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

³ https://www.avoiceforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

Part 1 – Addressing vulnerabilities to trafficking in human beings

I. PREVENTION (Articles 5, 6 and 7)

1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?

There are several sources which are used by the national coordinator to monitor the situation and to tackle new trends. The main sources are the annual data collection tool, which encloses information about victims – age, gender, citizenship, country of exploitation, education, form of exploitation, short description of the case. This tool allows to carry out ongoing monitoring of the situation, risk groups and areas. Another source is meetings with the stakeholders, joint conferences, seminars where vulnerabilities of victims are discussed. In addition, national coordinator receives annual report of the State Police and National SOCTA which provides additional information on cases, including risk areas and vulnerabilities.

These trends are reported annually to the US State Department for the TIP Report. In additions these trends are also reported in the annual report on the situation of THB in Latvia: <https://www.iem.gov.lv/lv/parskats-par-cilveku-tirdzniecibas-noversanu-un-apkarosanu-latvija>

Some of researches between 2019 and 2024

The **ELECT THB** (Enhanced Law Enforcement Cooperation and Training on Trafficking in Human Beings) project, running from 2021 to 2023, aimed to improve the identification and investigation of human trafficking for sexual and labour exploitation. Developed in collaboration with law enforcement and authorities in Finland, Estonia, and Latvia, the project sought to strengthen knowledge and approaches to combat human trafficking. Data collection was carried out within the framework of the project, including on vulnerabilities. The full information is available in the Patterns of exploitation. Trends and modus operandi in human trafficking in Finland, Latvia, Estonia, Poland and Ukraine: <https://heuni.fi/-/report-series-103-patterns-of-exploitation-elect-thb>

The project **CAPE** “Competence building, Assistance provision and Prosecution of labour Exploitation cases in the Baltic Sea Region” was another project under which several countries, including Latvia carried out a research on victims profiles: <http://www.trafficking.lv/en/competence-building-assistance-provision-and-prosecution-of-labour-exploitation-cases-in-the-baltic-sea-region-cape>

"They Have a Name" The association “Patvērums “Drošā māja” together with non-governmental organizations from Lithuania – “Active Youth” and Estonia – “Mittetulundusühing Eluliin”, implemented the project "They Have a Name". The project aimed at human trafficking prevention measures, including the development of a small-scale study on human trafficking prevention policies in the Baltic States. As a result, the project produced the report "Combating Trafficking in Human Beings: Report of the Experts Group on Trafficking in Human Beings. A Baltic Sea States Edition", which compiles information on the human trafficking situation in the Baltic region. Additionally, within the framework of the project, a five-minute video was created, highlighting vulnerability as a risk factor for human trafficking.

Link to the situation analysis: https://patverums-dm.lv/svs/uploads/files/Final_E_booklet_compressed.pdf

This is the summary of main risk groups:

Based on the stories and case descriptions of identified human trafficking victims, the following societal groups can currently be identified as being at higher risk of human trafficking:

- Third-country nationals (e.g., from Tajikistan, Uzbekistan, Kyrgyzstan, Moldova, Ukraine, and India) who come to Latvia in search of a better life. They are most commonly employed in construction and catering. These individuals are typically socially and economically vulnerable, unfamiliar with Latvian regulations, and distrustful of state institutions.
- Latvian citizens who migrate to other countries, mainly within the European Union, for work face similar risks. They often lack knowledge of employment regulations and distrust government institutions. Latvian nationals abroad are most commonly exploited in construction, agriculture, manufacturing, and hospitality sectors.
- Women aged 18 to 46 are particularly vulnerable to sexual exploitation, especially those with low socialization skills, naivety, or substance dependencies. The emergence of apartment brothels, which pose risks of pimping and potentially human trafficking for sexual exploitation, is facilitated by the arrival of third-country nationals in Latvia to provide prostitution services.
- Highly vulnerable groups include individuals with substance use disorders, the homeless, and those living in extreme social and economic hardship. These individuals are often recruited for forced begging in other European Union countries or involved in various financial fraud schemes

From the cases and stories of victims, it is very visible that often combination of segments of vulnerability can be observed – **social, economic, psychological, legal vulnerabilities**. For example, women that are involved in prostitution and subjected to trafficking often have, poor family condition, poor economic situation and slight mental health disorders. Third country nationals in construction areas often have very strong economical vulnerability, as well as legal vulnerability.

In addition, we would like to report information received from the services providers – Center MARTA and Shelter “Safe House”.

Center MARTA

Based on the cases that came into the care of the MARTA Centre for social rehabilitation over the past couple of years, the following are the identified vulnerable groups. Our experience clearly show that economic vulnerability, lack of social support, and targeted deception play critical roles in human trafficking, as well as it is significant to note the role of gender, as women are particularly vulnerable to being involved in trafficking for sexual exploitation, including prostitution and pornography.

1. **Women and Girls:**

- A significant number of cases involve women and girls trafficked for sexual exploitation. These victims are often deceived by false job offers, typically in the modeling, entertainment, or service industries, which turn out to be fronts for forced prostitution or pornography. For instance, one case involved a woman who responded to an online job ad for modelling. During the photoshoot, she was coerced into taking explicit photographs under threat. Despite promises that the images would remain private, they were later discovered on pornographic websites, leading to severe personal and emotional distress.

2. **Individuals with Financial Instability:**

- Poor economic situation is a key factor making individuals vulnerable to trafficking. Victims often accept job offers abroad, lured by the promise of financial stability, only to find themselves in exploitative situations. Individuals employed by a construction company were initially paid partially, but later received no wages at all, despite working extensive hours. This

lack of financial compensation and the pressure to continue working under threat highlights the economic manipulation traffickers use.

3. Individuals with Limited Social Support:

- Victims frequently come from unstable family environments or have histories of abuse, making them more vulnerable to exploitation. The lack of a strong support system makes it easier for traffickers to isolate and control them. One striking example is a young woman who fled from domestic abuse only to be manipulated into a forced marriage abroad. This reflects the complex interplay between personal vulnerability and systemic exploitation.

4. Migrants and Foreign Workers:

- Migrants seeking work in unfamiliar environments are particularly at risk. They are often unfamiliar with local laws, lack language proficiency, and are vulnerable to exploitation by unscrupulous employers or traffickers. A case in point involves a man lured to the United Arab Emirates under the pretence of legal employment. Upon arrival, his passport was taken away, and he was coerced into criminal activities under the threat of abandonment in a foreign country.

5. Minors and Young Adults:

- Younger individuals, particularly minors, are highly susceptible to trafficking, especially via online platforms. Traffickers exploit their naivety and manipulate them into situations of sexual exploitation. One case involved a minor coerced into participating in online sexual videos. The traffickers withheld promised payments and forced her to work under exploitative conditions, showcasing the digital dimension of modern trafficking.

6. Individuals Facing Coercion in Domestic Settings:

- Victims can also be coerced by family members into trafficking situations. For instance, a woman was forced by her husband to engage in prostitution to pay off household debts. He controlled her earnings and living arrangements, illustrating how trafficking can occur within domestic relationships.

The Association “Shelter “Safe House”

In 2020, the association carried out research work (project CAPE, please see link above) on “How people are recruited for work in Latvia: the relationship between recruitment practices and trafficking in human beings for labour exploitation”. When compiling the regulatory enactments regulating the field, it was concluded that trafficking in human beings for the purpose of using the labour force is not mentioned in the regulatory enactments and it is a relatively new term. Secondly, it was concluded that the alignment of the laws and regulations governing migration and labour law will reduce the risks of labour exploitation as a form of trafficking in human beings.

The research revealed that placement practices characterised by:

- (a) informal and non-systematic processes
- (b) job search only through familiar contacts
- (c) verbal work arrangements (and all related circumstances)
- (d) trust in and information provided by their nationals (not verified)) in the countries of origin of labour migrants facilitate their exploitation for work in Latvia, as labour migrants do not require a contract of employment or other documents
- (e) trust in all information, as claimed by the recruiter, especially if the recruiter is a countryman of the victim
- (f) is not familiar with information on placement and employment conditions in Latvia
- (g) allows the organisation of work informally (No record of working hours and wages, safety at work, etc.).

All labour migrants who have been subjected to the exploitation in Latvia have paid the recruiters up to EUR 3000 for a placement in Latvia.

As a result of the survey, five main expectations of labour migrants and consequently the reality encountered regarding their employment in Latvia have been identified.

- Firstly, it is the salary. Specific and regularly paid wages are promised to labour migrants, but in reality, wages were paid irregularly (or not at all), unjustifiably (for which they are paid), not enough, to reduce wages by artificially created debts, fines and other deductions (for housing, clothing, food) and creating debt slavery.
- Secondly, it is the place of residence. Labour migrants were promised a decent and paid place of residence, but in reality, they were accommodated in inappropriate and often unsanitary conditions (cellars, old shop halls, close to the production plant, old mattresses, etc.), with wage deductions.
- The third expression is job duties. Labour migrants met one specific employer with specific job responsibilities (e.g. locksmith), but in reality, they were engaged in the hiring business of employees, leases to many employers in different professions. The lease process has not been explained, understood, predictable and chosen by the target group. The fourth condition expected from work in Latvia is working conditions. Instead of the specific and decent working duties and conditions promised, the target group experienced long working hours (up to 18 hours per day), unscheduled and unpredictable working hours, without the possibility of taking holidays, or, on the contrary, forced idle hours for an indefinite period. Working conditions are also characterised by the expression of threats and the use of physical violence, with the aim of forcing employees to perform the specified work duties under specified conditions.
- The fifth condition that was expected was that the documentation ensuring legal employment in Latvia was settled. Labour migrants, paying a service fee, expected the visa, travel documents, residence permits and other necessary documents to be passed free of charge from the recruiter. In reality, only a visa is passed, tickets are bought. Additional fees (deductions from wages) are requested for the production of other documents, they are often not issued to employees (passports and residence permits), while employment contracts, applications and other documents must be signed in Latvian without explanation.

2. What specific measures are taken to reduce children’s vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:

- a. ***protecting children’s rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);***

The General Framework of Protection of children is set by the Law on the Protection of the children's Rights.⁴ Section 4 of the law establishes the Rights of the child shall be protected so as to ACHIEVE the following objects:

- 1) the development and reinforcement of an orientation of a child toward values corresponding to the interests of society;
- 2) orientation of a child to work as the only morally supportable source for obtaining resources for livelihood and welfare;
- 3) orientation of a child toward the family as the fundamental value in social organisation and one of the principal values of society and of individuals;
- 4) orientation of a child to a healthy life style as an objective precondition for the survival of the nation;
- 5) the safety of the child, and also maximum protection of the health and the life of the child, paying particular attention to such during public events or visits to a public recreation activity, sports or

⁴ <https://likumi.lv/ta/en/en/id/49096-law-on-the-protection-of-the-childrens-rights>

recreation location accessible to children, armed conflict, fires or other extreme positions (floods, storms, indexed radiation levels and the like).

In Latvia, the legal framework establishes comprehensive safeguards for children's rights, explicitly articulated in the Law on the Protection of Children's Rights. It is defined that "The state ensures the rights and freedoms of the child to all children without any discrimination - regardless of the race, nationality, gender, language, party affiliation, political and religious beliefs, national, ethnic or social origin, place of residence in the country, property and health status, birth or other circumstances of the child, his or her parents, guardians, and family members." The law provides that the child has the right to such living arrangements and a favourable social environment that ensures full physical and intellectual development. Every child must receive adequate food, clothing and shelter.

The regulatory framework stipulates that child marriage and forced marriage are prohibited. The Civil Law⁵ Section 32 provides that marriage prior to the reaching eighteen years of age is prohibited except in the case provided for in Section 33, which is as follows: "a person who has reached sixteen years of age may marry with the consent of his or her parents or guardians if he or she marries a person of age of majority. If the parents or guardians, without good cause, refuse to give permission, then permission may be given by an Orphan's and Custody Court of the place where the parents or appointed guardians reside."

In Latvia the institution that ensures supervision and control of compliance with regulatory enactments in the field of child rights protection and the activities of the Custody Court is The Child Protection Centre⁶. It is a direct administrative institution under the supervision of the Minister of Welfare. Additionally, it actively promotes public understanding of children's rights and carries out measures to improve the knowledge of child care professionals, legal guardians, and education professionals.

In addressing the issue of illegal adoption, a rigorously defined procedure governs the adoption process, ensuring the thorough assessment and evaluation of prospective adoptive parents. This procedure is established and regulated by Cabinet Regulation No. 667 "Procedures for Adoption".⁷ The mentioned regulation states that adoption to foreign countries is allowed if it is not possible to ensure the upbringing and proper care of the child to be adopted in the family in Latvia and the Orphan's and Custody Court, by whose decision the child is placed in out-of-family care, after receiving the opinion of the Foreign Adoption Commission, which includes the conclusion that the adoption process to a foreign country complies with the principles of protection of the child's rights and the best interests of the child stipulated in the Law on the Protection of Children's Rights, has made a relevant decision.

b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;

We consider that children's life skills are essential abilities that help them navigate daily challenges, make informed decisions, and interact effectively with others. These skills include critical thinking, problem-solving, emotional regulation, communication, and teamwork, as well as self-awareness, resilience, and conflict resolution. Practical skills like time management, financial literacy, digital safety, and personal health awareness are also crucial. Developing these skills enhances independence, confidence, and well-being, preparing children for future responsibilities and positive social interactions. Since this is very broad concept, therefore, the focus in the question will be put only on media literacy and online safety skills.

⁵ Civil law: <https://m.likumi.lv/ta/id/225418-civillikums>

⁶ <https://www.bac.gov.lv/lv>

⁷ Procedures for Adoption// <https://likumi.lv/ta/en/en/id/302796-procedures-for-adoption>

Ministry of Education and Science

The school curriculum includes classes aimed at helping children develop life skills. In addition to the work carried out by teachers and educators in schools and other educational institutions, significant contributions are also made by the private sector, including NGOs such as the “Latvian Child Welfare Network” and the “Latvian Internet Association”. These organizations provide educational programs for professionals, parents, and children, such as:

- “Jimbas Safety Program” (Dzimba.lv for a Safe Childhood): <https://dzimba.lv/>
- Safer Internet Centre (Drossinternets.lv) : <https://drossinternets.lv/>

Schools in Latvia regularly educate pupils about internet safety and cyberbullying issues. While learning the curriculum, pupils in Latvia also develop media literacy and online safety skills, including critical thinking and how to critically evaluate information available on the internet. The Latvian government has decided that every school will have to implement a violence prevention programme (KiVa) that develops pupils understanding of the nature and consequences of violence and will develop their skills to protect themselves and others from violence.

Ministry of Culture

Supported by the Ministry of Culture, teaching tools and methodological materials have been developed to enhance media literacy among children and adolescents. These resources are available online for teachers, parents, and individuals seeking to improve their media literacy skills. Additionally, training courses have been organized for librarians and teachers, equipping them with the necessary skills to help young people develop media literacy. All materials are accessible at: <https://datubaze.neplp.lv/datubaze>.

Coordinated by the Latvian Internet Association, the Latvian Safer Internet Centre educates children, adolescents, teachers, and parents about internet safety and online threats. Key activities include celebrating Safer Internet Day, developing educational materials, organizing seminars and training sessions, and conducting social campaigns on current online safety issues. More information is available at: <https://drossinternets.lv/>.

Child Protection Centre

To enhance media literacy, increase awareness of potential risks across various environments, and develop children's safety competencies in the online sphere as well as their general life skills, the Child Protection Centre organizes numerous educational seminars, information campaigns, and events annually. In cooperation with other state institutions and non-governmental organizations, the Child Protection Centre has implemented information campaigns such as the educational campaign "Dangerous Friendship on the Internet!" which invited children, young people, parents, and educators to engage with a self-help test developed by experts at sos.drossinternets.lv. The test aimed to evaluate the safety of children's online friendships, provide guidance on identifying signs of grooming, and offer information on where to seek assistance. This campaign was carried out in 2022 in collaboration with the Latvian Safer Internet Centre (www.drossinternets.lv) and the State Police to address the issue of child grooming on the Internet.

The structural unit of the Child Protection Centre, the Children’s Helpline **116111**⁸, annually organizes multiple campaigns and events. In 2024, the information campaign “Break the Silence!” was launched to raise public awareness, including among children, about the issue of sexual violence. The campaign aimed to encourage psycho-emotional and informational support for those affected by sexual violence against children.

⁸ https://www.bac.gov.lv/lv/uzticibas-talrunis-116111?utm_source=https%3A%2F%2Fwww.google.com%2F&utm_source=https%3A%2F%2Fvportals.lv%2F

The structural unit of the Child Protection Centre, the Support Services Department, is also actively engaged in developing children's life skills and knowledge to minimize the risk of experiencing different forms of violence. In 2024, the department organized two youth participation events: "Violence – What Role Do I Play?" and "Free Time Opportunities." These events focused on discussing issues related to violence and promoting safe and meaningful leisure activities.

On May 21, 2024, a new structural unit of the Child Protection Centre, the Prevention and Resources Department, was established. The main objective of the department is to reduce various forms of discrimination and violence in educational institutions as well as in online environments.

c. putting in place a system for monitoring and reporting cases of abuse;

If a child is experiencing emotional abuse, they have the opportunity to contact the Children and Adolescent Trust Line 116111 free of charge to receive counseling from psychologists. If it is more convenient to express their problem in writing, they can also contact specialists electronically. More information can be found on the State Inspectorate for the Protection of Children's Rights website, under the section "Trust Line 116111."

A person can also report concerns about their rights to the police, the Custody Court, or another child protection authority in the following cases:

- Any form of violence, criminal offense, or administrative violation committed against a child;
- Any violation of a child's rights or other threats to their well-being.

The municipal social service should be contacted if a family may be unable to provide a child's basic needs, has neglected the child, if the child is wandering, not returning home, behaving aggressively, or struggling with addiction problems. In such cases, the social service assesses the family's resources and determines necessary social services to help resolve the situation within the family.

If the social services provided by the municipality fail to improve the family situation, and the child's legal guardians show no interest or fail to engage in improving the circumstances, this indicates that the child's safety, health, and life may be at risk. If a child's legal representative is abusing their parental rights or if there are reasonable suspicions of parental violence against the child, the case should be reported to the municipal Custody Court.

Additionally, if there are suspicions that the Law on the Protection of the Rights of the Child or other child protection regulations are not being followed, the State Inspectorate for the Protection of Children's Rights should be notified.

Child Protection Center

As it is articulated in the Law on the Protection of Children's Rights the Section 73 "Obligations of Persons in Protection of the Rights of the Child", paragraph 1, each person has the obligation to immediately notify the police, the Child Protection Centre, the Custody Court, or social services of any violation of law against a child and also if the person suspects that a child is in possession of objects, substances, or materials, or that such circumstances exist which may endanger the life or health of the child or other persons.

The Child Protection Centre provides a resource - Children Helpline (hereinafter - CH) 116111⁹ that has an aim to provide psychological support to children and teenagers who are in difficult situations. Although, the person has the right to remain anonymous, in cases of suspicion of violence or other children's rights violation act, CH consultant's report the cases to further institutions such as the State Police, Orphan's and Custody Court or government Social Service Office depending on each individual case. CH is available 24/7 and is free of charge from fixed lines and mobile phones. It is possible to contact CH consultants via chat or email, and is accessible in a form of a mobile app ("Uzticības tālrunis").

⁹ <https://uzticibastalrunis.lv/>

Barnahus, a structural unit of the Child Protection Centre, serves as an internationally recognized model program (Barnahus) for multidisciplinary cooperation to provide optimal support to children who have experienced sexual abuse (also in the cases of physical abuse and domestic violence). Barnahus brings together various specialists, including investigators, physicians, forensic experts, psychologists, and prosecutors, to collaboratively address the needs of the child “under one roof”. It enables the simultaneous collection of the child's testimony for investigative purposes, the conduct of forensic and paediatric medical examinations, and the provision of support to both the child victim and their non-offending relatives. There are two ways how a child may be referred to Barnahus:

1) From Police if there is a criminal investigation and a child is a victim of abuse and there is a need for forensic interrogation;

2) From Social Services Office, Custody Court or children's hospital possess information or preliminary suspicions indicating that the child may have been a victim of sexual abuse, but there are not any additional facts or the acts of abuse occurred between two children under age of 11 and there is a need to interview the child.

Additionally, any professional concerned about a child's sexual behaviour may contact the Children's Home for support.

Ministry of Welfare

In order to prevent vulnerability of children to trafficking in human beings and violence, the Ministry of Welfare shall each year implement measures for protection of the rights of the child and ensuring prevention of violence in co-operation with the Foundation “Centre Dardedze”. The foundation “Centre Dardedze” organises the “Jimba Security School”, which is a programme for children aged 5-11. The aim of this programme is to educate children about safety in relationships, thereby reducing the risks of violence and trafficking in human beings. As part of the programme, complex themes are easily understood by children through music, toys, films and role-playing games. In 2024, with the financial support of the Ministry of Welfare, the knowledge of 4551 children regarding violence (both as a potential victim and as a violator) were promoted throughout Latvia. 3420 children participated in “visits to Jimba” and online classes, while 1131 children participated in “Jimba guest school”.

Similarly, on December 19, 2024, Latvia adopted a plan for the prevention and combating of violence against women and domestic violence for 2024-2029,¹⁰ the purpose of which is to develop and ensure a targeted and effective policy to prevent and reduce violence against women and domestic violence. The plan includes various measures aimed at preventing violence at the level of prevention, promoting support measures, strengthening accountability and developing a common policy. One of the measures included in the plan is “9.1. Guidelines and algorithms have been developed for action in case of suspected or established domestic violence, sexual exploitation or suspected signs of trafficking in human beings to the child in order to ensure a common approach to action by specialists in cases where violence or trafficking in human beings is detected or established. It is considered that the implementation of all measures of the Plan will significantly contribute to a safe environment for children.

As regards the improvement of data acquisition, the Ministry of Welfare carried out a study in 2022/2023 entitled “study on the establishment of a monitoring system for data on domestic violence and violence against children”,¹¹ the results of which pointed to the need to improve processes or systems for the collection,

¹⁰ The Plan: <https://likumi.lv/ta/id/357535-vardarbibas-pret-sievieti-un-vardarbibas-gimene-noversanas-un-apkarosanas-plans-20242029-gadam>

¹¹ The Survey : <https://ppdb.mk.gov.lv/wp-content/uploads/2024/04/Petijums-par-vardarbibas-gimene-un-vardarbibas-pret-bernu-datu-monitoringa-sistemas-izveidi.pdf>

accumulation and analysis of data from different departments, as well as studies carried out mainly in Latvia have been performed as separate, one-off or ad-hoc studies, and often long-term mechanisms of monitoring have not been developed for the performance of studies. Accordingly, work will continue in 2025 on the development of a common framework for monitoring violence data.

The State Police

The State Police Cybercrime Prevention Board (CIAP) conducts internet intelligence and is responsible for preventing and combating cybercrime and high-technology crimes. Its tasks also include monitoring and intelligence gathering within the internet environment, both in Latvia's most popular social networks, media, and news portals, as well as in foreign resources. CIAP officials carry out internet intelligence in OSINT (Open-Source Intelligence) areas that require in-depth knowledge and specialized logistical support. This intelligence gathering is primarily conducted covertly, focusing on serious and particularly serious crimes.

The State Police (SP) actively uses the ICSE DB (Interpol International Child Sexual Exploitation Database) platform, where information is directly exchanged with foreign investigators. Additionally, SP participates in maintaining the Interpol database's list of prohibited and blocked domains.

During the reporting period and currently, SP officials continue to participate in the fight against the circulation of child sexual abuse materials in the online environment through Operation "PLATFORM." As part of this initiative, the internet environment is continuously monitored, cyber-paedophile activities are disrupted, victims are identified, and data carriers containing child sexual abuse materials are seized.

From May 2018 to December 2024, the SP was involved in the international prevention project "IWOL," which brought together organizations and service providers that voluntarily joined efforts to filter, identify, and restrict access to child sexual abuse materials in Latvia. Within this project, domain names with prohibited content were blocked in the Latvian IP address segment, resulting in more than 7,700,000 access attempts being blocked annually. The list of prohibited sites included more than 5,768 constantly changing domains containing child sexual abuse materials. The project engaged Latvia's eight largest Internet service providers, including Latt telecom (TET), Baltcom, Latnet, Dautkom, LMT, Telia, Telenet, and Bite, covering over 2 million Latvian subscribers. In December 2024, CERT.LV took over the IWOL project from the SP, and since then, the SP has concluded its active participation while remaining an observer and cooperative partner. At the end of December 2024, SP also gained access to Projectport.com, an information exchange platform between Member States, where discussions and analysis on cybercrime are conducted.

SP representatives actively participate in the annual expert meeting "Violent Crimes Against Children International Task Force," organized by the U.S. FBI. This working group consists of 91 experts from 59 countries engaged in combating child sexual abuse offenses online. The annual meetings focus on sharing best practices, exchanging information, discussing IT solutions and tools, and case investigation details, as well as maintaining international contacts. Membership in the task force enables SP officials to send requests to the U.S. FBI as part of child sexual abuse investigations, allowing them to obtain internet user information from U.S. service providers (e.g., Facebook, Google, Instagram, Snapchat, etc.) within 2-3 weeks. However, obtaining content-related information requires a mutual legal assistance request.

SP representatives also participate in the planning and implementation of Europol's EMPACT Child Sexual Exploitation Operational Action Plan, ensuring a coordinated approach to combating child sexual exploitation across Europe.

- d. providing training to child care professionals, legal guardians, education professionals;**

Overall framework

There is a compulsory requirement to regularly attend educational programs for professionals, who work with children. In practice it means that all these professionals must attend accredited education or vocational trainings¹² that allow them to work with children.

Section 51 of the Law on the Protection of Children's Rights provides that the following persons are required to have special knowledge in the field of child rights protection:

- The manager of out-of-family care institutions, social workers, and social rehabilitators;
- The chairperson, vice-chairperson, members, assistants, and legal support personnel of an Orphan's and Custody Court responsible for decision-making and other tasks assigned by the government council;
- The head of an educational institution and the deputy head in educational work;
- A specialist of the Education Quality State Service;
- A specialist in youth matters;
- An employee of a place of imprisonment who works with minors;
- The chairperson, deputy chairperson, and members of the local government administrative committee or the sub-committee in child matters of the local government administrative committee;
- The head of the pedagogical medical commission of the local government;
- An employee of the municipal police who works with children and families;
- A social worker of the local government social service office who works with children and families;
- A public prosecutor;
- A social educator and a psychologist who works with children;
- The manager of the social service office;
- A judge;
- An official of the Child Protection Centre;
- The head of the State Pedagogical and Medical Commission;
- An official of the State Police who works with children;
- An educator of general education, vocational education, and interest education;
- An employee of the State Probation Service;
- A lawyer;
- A bailiff;
- A forensic psychology expert who assesses the psychological condition of children;
- A sworn notary;
- Any other person whose work involves making administrative decisions or performing actions that affect a child's rights and legal interests.

A similar requirement applies to foster families and guardians providing alternative care for children left without parental care, as well as to persons or spouses planning to adopt a child who has been left without parental care.

Some of vocational trainings provided by the various institutions

The Ombudsman

The Ombudsman in 2023 organized two-day training for Orphan's and Custody Courts on the recognition of human trafficking risks. A total of 59 employees from 26 Orphan's and Custody Courts were trained, including educating officials about the risks of trafficking in human beings in relation to asylum seekers, in particular unaccompanied minors. Also, in 2023 the Ombudsman delivered two online lectures to the staff of the childcare facilities training of around 70 employees about the risks of trafficking in human beings.¹³

¹² For example : https://lpmc.lv/u_course_cat/bernu-tiesibu-aizsardziba/#m-02-2025

¹³ https://www.tiesibsargs.lv/wp-content/uploads/2024/07/ombudsman_2023_annual_report.pdf, page 85.

In 2024 the Ombudsman, in close cooperation with the Ministry of Foreign Affairs, social service providers for victims of human trafficking – the association “Centrs MARTA” and the association “Patvērums “Drošā māja””, and with the financial support of the International Organization for Migration (IOM), trained social service employees of Latvian municipalities on recognizing the risks of human trafficking during four separate seminars. A total of 93 social workers were trained during the seminars. During the training, each institution, in accordance with its expertise, provided social service employees with both theoretical and practical knowledge, jointly solving tasks on recognizing human trafficking.¹⁴

Child Protection Center

In order to create a comprehensive understanding of the best interests of the child and the protection of children's rights in various areas of life for child care professionals, legal guardians and others who encounter children in their professional life the Child Protection Centre conducts or financially supports the organisation of a wide range of educational seminars, information campaigns, and events each year. In collaboration with other state institutions and non-governmental organizations, the Centre has successfully carried out these trainings from which few examples will be listed below.

In 2021 under the European Social Fund project titled "Improvement of the Support System for Children with Communication Difficulties, Behavioral Disorders, and Domestic Violence," implemented by the Child Protection Centre and coordinated by the Latvian Local Government Training Centre, employees of the Ombudsman's Office of the Republic of Latvia participated in a training initiative aimed at educating State Police officers, prosecutors, judges, and sworn attorneys on the topic of "Children as Victims of Human Trafficking." The lectures provided officials with an in-depth understanding of the legal framework surrounding human trafficking, its definition (including forms, methods, and types of actions), identifying indicators and risk factors for both victims and offenders, inter-institutional collaboration, and the social services available to trafficking victims. The training program was attended by 304 judges, lawyers, and prosecutors, along with 247 State Police officers. The realisation of this project and lectures was continuously carried out also in the year or 2022. In 2022, a total of 21 remote training sessions were conducted, each lasting three hours and attended by an average of approximately 30 participants per session. These lectures significantly enhanced the capacity of judicial sector employees and law enforcement officials to identify cases of human trafficking promptly, ensuring that perpetrators are held criminally accountable and victims receive the necessary state-provided assistance and support. Additionally, the training greatly improved the understanding of human trafficking issues among other officials and specialists, recognizing that this phenomenon can be encountered by any member of society.

On April 28, 2022, an online seminar titled "Children in War" was held, with 193 registered participants. The seminar was led by Dr. Sabine Gusic, a psychologist and clinical psychology expert from Sweden, with over 15 years of experience working with refugee children. The seminar focused on various critical topics, including the psychological effects of war and refugee movements on children, the impact of these crises on mental health, strategies for interviewing traumatized and vulnerable children, and addressing vicarious trauma and self-help methods for professionals working with war-affected children.

In November 2024, the Children's House, launched the public information campaign "Conversation Protects." The campaign included 30-second and 1.5-minute videos aimed at parents, emphasizing the importance of open conversations with children regarding sex education. These videos were broadcast on television and shared across social media platforms, collectively garnering over 58,000 views. An online discussion featuring professionals, also titled "Conversation Protects," was held as part of the campaign. In addition, informative digital resources (accessible on the website and available for printing) and printed materials for parents were developed, including interactive versions tailored for three distinct age groups (available on social media). A fact sheet on sexual abuse statistics was also created. Furthermore, a psychologist from the Children's House provided consultation services through the Children's House as part of the campaign's outreach.

¹⁴ For more information, see <https://www.tiesibsargs.lv/news/socialo-dienestu-darbiniekus-izglito-par-cilveku-tirdzniecibas-risku-atpazisanu/>.

In December 2024 the Child Protection Centre developed a comprehensive compilation outlining key aspects of ensuring the best interests of children in long-term social care and rehabilitation institutions. This compilation includes recommendations designed to assist staff in these institutions in understanding and applying specific criteria that safeguard the child's best interests, thereby fostering the development of staff competencies.

In 2023 and 2024 the Child Protection Centre, organized a series of seminars for employees of the Orphan's and Custody Court titled "Basic Principles of Conversations with Children in Assessing Cases of Neglect and Violence by Parents or Legal Representatives." In 2023 a total of 80 employees participated in the seminars. Continuing the series in 2024 a total of seven seminars were conducted, including four in regional locations and three in the capital city of Latvia. The seminars aimed to enhance the knowledge and skills of the specialists in addressing cases of neglect and violence involving parents or legal representatives, in accordance with the court's competencies. Over the course of one day, the seminars covered topics such as: fundamental principles of conversing with children; engaging with children about legally significant events, and techniques for conversing with children of different age groups. In total, 150 employees from 43 Orphan's and Custody Courts participated in the seminars.

The Society Integration Foundation

The Society Integration Foundation¹⁵ has been actively supporting THB prevention efforts through its projects. The project "Promotion of Diversity"¹⁶ included the activity "Providing Social Worker and Social Mentor Services for Asylum Seekers and Persons with Refugee or Alternative Status," implemented by the organization Caritas Latvija. As part of this project, Caritas Latvija ensured that its staff received specialized training to enhance their capacity to identify and address human trafficking risks. In 2020, staff participated in training sessions conducted by the Ombudsman, focusing on human trafficking and victim identification. Similar training sessions were organized in 2021 to further strengthen their expertise.

Since December 1, 2023, the Society Integration Foundation's One-Stop Agency¹⁷ has been implementing the ESF+ project "Support for Social Workers and Social Mentors for Asylum Seekers and Recipients of International Protection" (Project No. 4.3.4.8/1/23/l/001). This project builds on previous efforts and continues to strengthen the support system for asylum seekers and individuals granted international protection.

As a result, in 2023, the Latvian National Coordinator on Human Trafficking Issues delivered a lecture to employees of the "One-Stop Agency for Foreigners" project, covering topics such as types of human trafficking, key indicators for identifying potential victims, and approaches to working with suspected victims. As well as that in year 2023, employees of the One-Stop Agency for Foreigners participated in training organized by the International Organization for Migration (IOM) on "Establishing an Effective Referral Mechanism for Human Trafficking Cases in Latvia."

In 2024, One-Stop Agency colleagues from Daugavpils participated in specialized training that included lectures on human trafficking. Topics covered included "Working with Victims of Human Trafficking: Identification and Assistance," "What is Human Trafficking?" and "Travel Safely: The Risks of Human Trafficking Abroad for Latvian Citizens."

At the same time, employees of the One-Stop Agency and the ESF+ project in 2024 also participated in an online training program organized by the European Union Agency for Asylum (EUAA), titled "Trafficking in Human Beings." This online course lasted four weeks and consisted of two levels. The first level provided general knowledge about human trafficking, while the second level focused more on asylum issues and practical ways to protect trafficking victims within the asylum system.

¹⁵ Sabiedrības integrācijas Fonds : <https://www.sif.gov.lv/en>

¹⁶ <https://www.sif.gov.lv/lv/projekts/dazadibas-veicinasana>

¹⁷ <https://livelatvia.lv/lv/>

As well as that, some staff members participated in EUAA online training “*Reception of Vulnerable Persons*,” which included a module dedicated specifically to identifying and supporting victims of human trafficking.

These training initiatives, carried out over several years and across multiple platforms, demonstrate a consistent and growing effort to ensure that professionals involved in supporting asylum seekers and refugees are well-equipped to combat human trafficking, identify victims, and provide effective assistance to vulnerable individuals in Latvia.

e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

As it follows from the Law on the Protection of Children's Rights where it defined that “*The state ensures the rights and freedoms of the child to all children without any discrimination - regardless of the race, nationality, gender, language, party affiliation, political and religious beliefs, national, ethnic or social origin, place of residence in the country, property and health status, birth or other circumstances of the child, his or her parents, guardians, and family members.*” Persons from vulnerable groups have access to social and financial support from the state. In the context of the current political situation, a vulnerable group has grown in recent years - war refugees from Ukraine. In Latvia this group receives different benefits about which the information is provided also on the website of the Child Protection Centre. The children of Ukrainian refugees have access to health care and education on the same terms as Latvian civilians.

Regulation of the Cabinet of Ministers No.707 “*Procedures by which Alien Minors Enter and Reside in the Republic of Latvia Unaccompanied by Parents or Guardians*”¹⁸ defines that an alien minor who enter into and reside in the Republic of Latvia unaccompanied by their parents or guardians, and who is placed in a child care or instructional institution shall attend the educational institution according to his or her physical and mental development.

In accordance with Education law¹⁹ of the Republic of Latvia Article 3 “*Right to Qualitative and Inclusive Education*” everyone has the right to qualitative and inclusive education.

In the same Article it is stipulated that:

- a minor child of an asylum seeker and a minor asylum seeker has the right to basic education and secondary education, and also the right to continue the commenced education after attaining the age of majority and
- a minor third-country national or stateless person who has no legal basis to reside in the Republic of Latvia has the right to acquire basic education during the time period specified for voluntary exit or during the time period for which the expulsion is suspended, and also during his or her detention.

In accordance with Article 9, Paragraph 7 of the *Asylum Law*²⁰, a minor asylum seeker is provided with the opportunity to acquire education in the official language at a state or local government educational institution. According to Section 9, Paragraph 10, if an unaccompanied minor has started acquiring basic or general education and continues it after reaching the age of 18 while being accommodated in a childcare institution or a foster family, the State shall reimburse the local government for the expenses of accommodation until the end of the academic year in which the person attains legal age.

According to Section 2 of the *Asylum Law*, a minor who has been granted refugee or alternative status is provided with the opportunity to acquire education in the official language at a state or local government educational institution.

¹⁸ <https://likumi.lv/ta/en/en/id/82267-procedures-by-which-alien-minors-enter-and-reside-in-the-republic-of-latvia-unaccompanied-by-parents-or-guardians>

¹⁹ <https://likumi.lv/ta/id/50759-izglitiba-likums>

²⁰ <https://likumi.lv/ta/id/278986-patveruma-likums>

Regulation No. 488, adopted on 26 July 2016 by the Cabinet of Ministers²¹, determines the procedures by which a minor asylum seeker is provided with access to education. Article 2 of the Regulation stipulates that asylum seekers from the age of five shall be prepared for acquiring basic education and given the opportunity to obtain both basic and general education. The commencement of general education for an asylum seeker must be ensured within three months from the date when an application for refugee or alternative status is submitted to the State Border Guard.

Additionally, asylum seekers accommodated in an asylum seekers' center have the opportunity to use the center's facilities for recreation and education, following the center's specified schedule and procedures. These facilities include a library, a computer room (which can also be used as a teaching room), and a children's playroom equipped with educational materials and games.

According to Article 23 of Regulation No. 489 of the Cabinet of Ministers, "*Internal Rules of Procedure of the Accommodation Centre for Asylum Seekers*," a minor asylum seeker has the right to participate in leisure activities, games, and recreational activities appropriate for their age, as well as other outdoor activities.

Regulation No. 231 of the Cabinet of Ministers, "*Regulations Regarding Arranging and Equipping the Accommodation Centre for Detained Foreigners and Accommodation Premises for Asylum Seekers*," Article 5 states that the accommodation center must have a library, a teaching room, and a children's playroom with educational materials and games.

In accordance with Regulation No. 254 of the Cabinet of Ministers, "*Internal Rules of Procedure of Accommodation Premises for Detained Foreigners and Asylum Seekers*," the daily schedule of accommodation premises for detained foreigners includes time for learning, which must be provided for detainees who are legally entitled to education and wish to participate in it.

Access to Health Care

As defined in Article 11, Paragraph 2, Section 8 of the *Asylum Law*, an asylum seeker has the right to receive emergency medical assistance, primary health care, and outpatient and inpatient psychiatric assistance in cases of serious mental health disorders. Additionally, minors are entitled to all necessary medical assistance if its absence could pose a threat to their development and health. These services are funded by the State, taking into account the special reception needs of asylum seekers.

The Health Care Financing Law further clarifies that within the framework of mandatory state health insurance, which includes primary, secondary, and tertiary health care services, the following groups of migrants are entitled to receive health care services beyond the state-paid minimum medical assistance:

- Foreigners with permanent residence permits in Latvia
- Persons with stateless status granted in Latvia
- Asylum seekers, refugees, or persons granted alternative status
- Detained persons
- Children up to 18 years of age
- Orphans and children left without parental care until the age of 24
- Persons studying in general education institutions, vocational basic education, or vocational secondary education institutions

The state-paid minimum medical assistance includes emergency medical care, childbirth assistance, health care services provided by general practitioners, and treatment of diseases that significantly impact public health indicators or pose a threat to public health. Additionally, it covers medicinal products and medical devices for outpatient medical treatment.

²¹ <https://likumi.lv/ta/id/283808-kartiba-kada-nepilngadigam-patveruma-mekletajam-nodrosina-izglitibas-ieguves-iespejas>

f. birth registration for all children born in the country.

All children born in the country receive birth certificate. Birth certificates are issued by registry offices of municipalities.

3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?

This must be looked at the wider policy aiming to reduce gender-based violence. The Latvian government has approved the “*Action Plan for the Prevention and Combating of Violence Against Women and Domestic Violence 2024–2029.*” This plan aims to develop an integrated, targeted, and effective policy to prevent and reduce violence against **women** and domestic violence.

The plan outlines four main areas of action:

- Preventive measures – Raising public awareness and providing education to prevent situations of violence.
- Protection and support for victims – Ensuring and improving support mechanisms for victims of violence.
- Strengthening accountability for perpetrators – Developing support and rehabilitation programs for perpetrators to prevent repeat offenses.
- Establishing a unified and coordinated policy – Creating a harmonized legal framework and promoting interinstitutional cooperation to prevent violence.

The implementation of the plan is expected to be funded through *the European Social Fund Plus (ESF+)* for the 2021–2027 programming period, as well as the state budget. The issue of allocating additional state budget funds will be reviewed by the Cabinet of Ministers during the budget preparation and approval process.

This plan reflects Latvia’s commitment to effectively addressing violence against women and domestic violence through comprehensive legal, social, and preventive measures.

4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:

a. research;

Shelter “Safe House”

Between 2019 and 2025, the association has implemented various information campaigns to raise public awareness of human trafficking and ways to protect oneself.

In 2019-2020, the “*Stairs Up*” exhibition travelled across Latvia, using art to highlight the impact of trafficking on human life. In 2020, the “*Act Wisely*” project focused on labour exploitation, producing informative videos and broadcasts. That same year, the “*Prevention of Recruitment of Children and Young People via the Internet*” project addressed online child sexual exploitation, resulting in a report, training module, and handbook for educators.

In 2020-2021, the “*Miscellaneous Prevention Measures to Reduce Work Exploitation*” project studied the rehabilitation of labour exploitation victims, emphasizing challenges in criminal prosecution and victim protection. The study found gaps in legal definitions, difficulties in detecting transnational labour exploitation, and barriers to justice for third-country nationals, who often lack legal protection and access to redress mechanisms. The project recommended mandatory labour rights integration courses for foreign workers, to be implemented by the State Labour Inspectorate, the State Employment Agency, NGOs, and other stakeholders.

In 2022, the "Hear, See, Live" project continued public education on human trafficking. In 2023, the "Education and Information as Tools to Prevent Trafficking in Human Beings!" project focused on defending the rights of potential and current victims by developing support tools. Special attention was given to young people in Latvian schools, as they are a particularly vulnerable group, often with limited awareness of human trafficking risks.

Centrs MARTA

Here is the list of research projects, reports and handbooks on topics closely linked to THB by the MARTA Centre since 2019:

1. **Research Report "Improving Support and Services for Children Who Have Suffered from Human Trafficking"**
 - This report aims to improve social rehabilitation programs for minors who are victims of human trafficking in Latvia. It includes interviews with four European NGOs and a literature review on evidence-based support programs. [Read the full report here](#)
2. **Report "Notice the Difference"**
 - Developed under the EU-funded initiative "COALESCE," this report maps and analyzes the needs for support and integration of women victims of trafficking for sexual exploitation from third countries across six EU member states, including Latvia. It provides valuable insights into gaps in support services. [Read the full report here](#)
3. **Research Report on the Prevalence of Sexually Abusive Behaviour in Latvian Schools**
 - This research provides insights into the prevalence of sexual violence in Latvian schools and analyzes the findings within the context of gender equality. [Read the full report here](#)
4. **Compensation for Victims of Sexual Violence in EU Member States: Greece, Italy, Latvia, Netherlands, and Spain. Part II: Best Practices and Analysis of the Current Situation.** [Read the full report here](#)
5. **Compensation for Victims of Sexual Violence in EU Member States: Greece, Italy, Latvia, Netherlands, and Spain. Part I: Legal Framework for Compensation.** [Read the full report here](#)
6. **Handbook for Social Sector Professionals on the Procedures for Granting and Receiving Compensation for Victims of Sexual Violence.** [Read the full handbook here](#)

These reports reflect MARTA Centre's dedication to researching human trafficking, sexual violence, and victim compensation systems, particularly for vulnerable groups such as minors and women from disadvantaged minorities.

b. information, awareness-raising and education campaigns;

Ombudsman

Starting from 2019, the Ombudsman regularly participates in the school program "Ready for Life" to give for elementary and secondary school students guest lectures on human trafficking issues. The aim of the lectures is to strengthen students' knowledge of the various forms of trafficking in human beings, to develop their ability to recognize the possible risks and to improve their knowledge about the redress mechanisms available to them. For example, a total of 32 lectures were conducted in 2021²², 5 lectures in 2022²³, 9 lectures in 2023²⁴ and 12 lectures in 2024, 6 of which were conducted in cooperation with the Ministry of Foreign Affairs.

In 2022, the Ombudsman launched a new initiative on educating children and personnel in childcare facilities about the risks of trafficking in human beings. The employees of the Ombudsman's Office educated about 20

²² <https://www.tiesibsargs.lv/wp-content/uploads/2022/07/Annual-Report-2021.pdf>, page 180.

²³ https://www.tiesibsargs.lv/wp-content/uploads/2023/08/ombudsman_2022_annual_report.pdf, page 78.

²⁴ https://www.tiesibsargs.lv/wp-content/uploads/2024/07/ombudsman_2023_annual_report.pdf, page 85.

young people and around 50 staff members about the risks of human trafficking in two children and youth centres of Riga municipality.²⁵ In 2023, the staff of the Ombudsman's Office in cooperation with the association "Centrs MARTA" continued the activity started in 2022 and visited 18 childcare facilities across Latvia to educate children about the risks of trafficking in human beings and to inform where to turn for help. A total of 140 young people aged 13 and above were educated.²⁶

Centrs MARTA

MARTA has always been active in working towards reducing the vulnerability of disadvantaged minorities to human trafficking through carrying out comprehensive information, awareness-raising, and education campaigns. These initiatives are designed to build awareness about human trafficking (THB), its risks, and how to recognize and prevent it. Some of the key measures taken in this area include:

1. **Workshops and Seminars for Children and Care Facilities:** In 2023, MARTA Centre, in collaboration with the Ombudsman's office, visited orphanages across Latvia to conduct lectures on THB. These sessions focused on helping children and caregivers recognize the risks associated with trafficking and how to identify potential signs of exploitation. These workshops helped bridge gaps in knowledge and awareness, as some children and staff primarily associated THB with organ trafficking, rather than a broader range of exploitation.
2. **Specialized Seminars for Law Enforcement:** MARTA Centre organizes annual seminars for law enforcement officers to deepen their understanding of THB. These seminars aim to improve the identification, referral, and support systems for trafficking victims. For instance, a workshop was held to address challenges in identifying child victims and the obstacles that hinder effective referrals for assistance and rehabilitation. These seminars often feature case studies and offer an opportunity for interactive discussions, ensuring that law enforcement professionals can better respond to trafficking situations.
3. **International and Interdisciplinary Training:** In 2024, MARTA Centre, in cooperation with the Court Administration, launched a training course for law enforcement, including judges, prosecutors, and police officers. This initiative is part of the European Union's Recovery and Resilience Facility investment plan, focusing on strengthening the professional knowledge of judicial system employees. The training covers key topics such as gender-based violence and THB, with an emphasis on victim-friendly approaches to handling these cases. It involves experts from various NGOs, ensuring that law enforcement personnel have a comprehensive understanding of the legal, social, and psychological aspects of trafficking.

Child Protection Center

The Child Protection Centre website offers a range of informative materials designed to support Ukrainian refugees on various matters, while also providing information regarding their rights to receive benefits.

In Latvia legislation new form of alternative care, extraordinary guardianship, is introduced, specifically targeting children arriving in Latvia from the Ukrainian conflict zone. In the *Law on Assistance to Ukrainian Civilians* Section 18, paragraph 1, provides that in order to ensure the protection of the rights of a minor Ukrainian civilian entering the Republic of Latvia without being accompanied by parents (hereinafter - the unaccompanied child) and to provide assistance to him or her, the chairperson of the Custody Court, the vice-chairperson of the Custody Court, or a member of an Orphan's and Custody Court shall unilaterally take the decision to establish extraordinary guardianship and to appoint an extraordinary guardian for an

²⁵ https://www.tiesibsargs.lv/wp-content/uploads/2023/08/ombudsman_2022_annual_report.pdf, page 79.

²⁶ https://www.tiesibsargs.lv/wp-content/uploads/2024/07/ombudsman_2023_annual_report.pdf, page 85.

unaccompanied child. On the Child Protection Centre, information about the process of the establishing the extraordinary guardianship and the rights of this person to receive support from the state is provided.

The Child Protection Centre website includes information about a resource that is provided by the Ministry of Welfare. The supportive resource for this vulnerable group of Ukrainian refugees is a free phone number for social support for citizens of Ukraine – 80700011, where this target group can seek help and information.

c. socio-economic initiatives targeting underlying and structural causes;

This is a very broad question, as structural factors and underlying issues are not relevant only to victims of trafficking. There are numerous national and local programs and support opportunities for people from disadvantaged areas or affected by structural issues. Victims of trafficking can, of course, participate in these programs, as there are no restrictions preventing them from doing so. However, no specific programs have been established to directly address the structural causes of trafficking.

Overall description of the social support provided to people in vulnerable situations:
<https://www.lm.gov.lv/lv/pasvaldibu-sociala-palidziba>

d. education, vocational training and job placement programmes.

We want to point out that the State Employment Agency does not implement educational or vocational training programs specifically “to reduce the vulnerability to trafficking of persons from disadvantaged minorities”, however there is a system and programs in place to reduce structural factors related to employment and requalification.

Otherwise, training activities, within the framework of which clients (unemployed and employed persons at risk of unemployment) were provided with the opportunity to participate in vocational training programs and non-formal education programs, were implemented within the framework of the following European Social Funds projects, as well as from the state budget funding allocated for the implementation of active employment measures:

- Special budget of the State Employment Agency; - European Social Fund project “Support for the education of the unemployed” <https://likumi.lv/ta/id/271412-darbibas-programmas-izaugsmes-un-nodarbinatiba-7-1-1-specifiska-atbalsta-merka-paaugstinat-bezdarbnieku-kvalifikaciju-un-prasmes>;
- European Union Recovery Fund project “Skills Development for Adults” <https://likumi.lv/ta/id/343014-eiropas-savienibas-atveselosanas-un-noturibas-mehanismu-plana-31-reformu-un-investiciju-virinesa-reģionala-politika-312-reformas-socialo-un-nodarbinatibas-pakalpojumu-pieejamiba-minimalo-ienakumu-reformas-atbalstam-3125i-investicijas-bezdarbnieku-darba-mekletaju-un-bezdarba-riskam-paklauto-iedzivotaju-iesaiste-darba-tirgu-istenosanas-un-uzraudzibas-noteikumi>

5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:

a. deinstitutionalisation, including community and family-based services for children and support for independent living;

One of the new social services available in Latvia, especially for persons with disabilities and mental disorders, which also complies with the human rights standards contained in the UN Convention on the Rights of persons with Disabilities, is a support service for individual decision-making. Article 12 of that Convention provides that persons with disabilities have the right to have their legal capacity recognised, while obliging States to provide mentally impaired persons with support in decision-making.

The service is provided by professional and specially trained support persons for work with persons with mental disorders, which is a particularly specific target group and therefore requires specialist knowledge for work. In turn, the activity, ethics and internal control of the service of support persons shall be ensured by the service manager. The provision of the service therefore offers guarantees of protection. The results of the project show that the support person's decision-making service ensures good results in the field of protecting the rights and interests of persons with disabilities, for example by involving the police and law enforcement institutions, if the support person finds in the work with the person that the person has allegedly suffered violence or other harm to interests has occurred. There have been cases where the aid was provided in the context of pending proceedings and the person is recognised as a victim of special protection.

In the Law on the Protection of the Children's Rights Section 26, paragraph 1, provides: The family is the natural environment for the development and growth of a child and every child has the inalienable right to grow up in a family. The State and local government shall support the family, particularly a large family and a family which cares for a child with disability, and provide assistance to it. Adding to the previous statement, Section 27, paragraph 3, provides that when separating a child from the family, out-of-family care shall be ensured for him or her by a guardian or in a foster family. Out-of-family care in a child care institution shall be ensured only in such cases when care received from a guardian or in a foster family is not appropriate for the particular child. The child shall stay in a child care institution until he or she is ensured appropriate care by a guardian or in a foster family. In Latvia there is a specialised foster family type that is prepared and accordingly educated on the specific matters regarding the special needs of children with disabilities. Cabinet Regulation No. 354 "Regulations for Foster Families" provide definition of this type: foster family for a child with a disability for whom an opinion regarding the necessity of special care due to severe functional disorders has been issued (hereinafter - the foster family for a child with severe functional disorders) - a foster family in which at least one of the spouses (persons) has at least 12 months long personal or professional experience in work with children with severe functional disorders.

b. monitoring institutions and foster families accommodating persons with disabilities;

In accordance with the regulatory framework of Latvia, the Ministry of Welfare shall ensure the control of social service providers, including long-term social care and social rehabilitation institutions (hereinafter - institutions), regarding the compliance with the regulatory enactments regulating the provision of social services, as well as the quality of social services and the conformity of social service providers with the requirements of regulatory enactments, as an administrative punishment of social service providers for the violations committed. The monitoring of the implementation of the Convention laid down in Article 33(2) of the United Nations Convention on the Rights of persons with Disabilities (hereinafter – the Convention) shall be ensured by the Ombudsman of the Republic of Latvia. The employees of the Ombudsman's Office perform inspections in institutions regarding the observance of human rights and provide recommendations for the prevention of violations of human rights.

The Child Protection Centre of Republic of Latvia is the institution that monitors Custody Courts operations. The Custody Courts Supervision Department ensures planned supervisory inspections in institutions. The Law on the Protection of the Children's Rights Section 5. "Supervision, Monitoring of the Operation, and Methodological Assistance of Orphan's and Custody Courts", paragraph 1, provides that the Child Protection Centre shall supervise the operation of Custody Courts in the protection of rights and interests of a child and a person under trusteeship and provide them with methodological assistance. The Law on Orphan's and Custody Courts requires for regular, active supervision and monitoring of foster families to ensure that the rights of the children are respected in all aspects of life. The Law's Section 25, paragraph 1, the Custody Court takes a decision: on the suitability of a family or a person for the performance of the duties of a foster family; to grant the status of a foster family; to place a child into a foster family or terminate the residence in such family. Section 25, paragraph 2, provides that an the Custody Court shall take a decision to remove the status

of a foster family if the Custody Court detects that the foster family does not fulfil the duties of a foster family in accordance with the best interests of the child.

c. procedure for the selection and appointment of legal guardians and monitoring of their work;²⁷

In accordance with Section 17(1) of the Orphan's Courts Law the Orphan's Court shall defend the personal and property interests and rights of the person under trusteeship; 7 Paragraph 1 provides that the Custody Court is to hear a person under guardianship on any matter affecting his interests.

In accordance with Section 40 of the Orphan's Court Law, the Custody Court shall appoint a trustee in accordance with a court adjudication regarding establishment of trusteeship:

- 1) a person with mental or other health disorders for whom the capacity to act has been restricted by a court;
- 2) a person for whom the court has established temporary trusteeship;
- 3) a person whose capacity to act has been restricted by a court due to a dissolute or wasteful life, as well as due to excessive consumption of alcohol or other intoxicating substances;
- 4) the property of an absent or missing person;
- 5) for the execution of a will.

In accordance with Section 358¹ of the Civil Law: the capacity to act of a person with mental or other health impairments may be restricted to the extent that he or she is unable to understand the meaning of his or her activity or to manage his or her activity. In assessing the abilities of a person, the court shall first determine whether and to what extent the trustee and the trustee act together, and only afterwards – whether and to what extent the trustee will act independently. Section 356.¹ of the Civil Law provides that a person shall not be restricted in personal non-material rights, as well as to defend his or her rights and lawful interests in institutions and courts in relation to restrictions on his or her capacity to act and freedom, disputes, disputes with a trustee and appointment and revocation of a trustee.

However, in accordance with Section 360 of the Civil Law, if a court restricts the capacity of a person to act due to mental or other health disorders, it shall notify the Custody court, which, if necessary, appoints one or several trustees over such person who are assigned to act to the extent specified by the court. The trustee shall assist the person under trusteeship in acquiring the skills and abilities necessary in order for him or her to be able to renew his or her capacity to act.

The Custody court shall select trustees in accordance with Section 355 of the Civil Law and ascertain whether the selected person has the necessary abilities and qualities. The Custody court shall ascertain the opinion of the person under trusteeship regarding the trustee to be appointed.

In accordance with Section 355 of the *Civil Law*, trustees over adults shall be appointed by the relevant Custody court after a court judgment, which shall ascertain the opinion of a person regarding the trustee to be appointed, if such person is able to formulate it. The Custody court may appoint a trustee selected by a person, a spouse to be transferred to trusteeship or one of the nearest relatives as a trustee, moreover, the Custody court shall comply with the last will order of the person who has left the inheritance to him or her. In cases where the family or acquaintances of a person do not include an applicant who would be prepared to assume the duties of trustee, it is proposed that other existing trustees become trustee of another person. The opinion of the person under trusteeship shall be taken into account, unless it endangers the welfare, health, life or other interests of the person himself or herself. When performing the duties of a trustee, the trustee shall ascertain the opinion of the person under trusteeship, if he or she is able to formulate it, and act in the interests of the person.

²⁷ The overall system of the legal representation, guardianship, foster care: <https://likumi.lv/ta/id/49096-bernu-tiesibu-aizsardzibas-likums>

In appointing a trustee to a person, the Custody court in accordance with a court adjudication shall indicate in its decision the extent to which the trustee acts together with the person under trusteeship and independently in the place of such person, as well as the term of validity of the decision, if such is specified in the court adjudication.

In accordance with Section 356 of the Civil Law, guardianship of adults is subject to the relevant provisions regarding guardianship of minors, insofar as such provisions do not contradict the following.

Section 29, paragraphs one and two of the Custody Court Law provides that the Custody Court shall ensure that the person to be appointed as guardian has the abilities and qualities necessary for the performance of the duties of guardian, and shall evaluate the persons: 1) the motivation to become a guardian; 2) mutual relations of family members; 3) employment; 4) living conditions; 5) the ability to represent the child in personal and property relations. In evaluating the conformity of a person with the fulfilment of the duties of a guardian, the Custody court shall take into account opinions regarding the health condition of a person, which are provided by a family doctor, the health care of which has been for at least six months, as well as a psychiatrist and narcologist. In similarly assessing a trustee, the motivation, mutual relations and ability to represent the person under trusteeship in legal relations shall be taken into account. It is also assessed whether the person has committed administrative violations and has not been convicted of criminal offences, as well as the income of the person is taken into account.

In the methodological recommendations of the society “RESOURCE Centre for persons with mental disorders “ZELDA” to Custody courts regarding issues of custody matters (<https://www.bac.gov.lv/lv/media/1647/download?attachment>), it is emphasized that a trustee must basically be able to fulfil the duties of a trustee in fields where the court has restricted the capacity to act of a person.

In accordance with the referred to regulations, when assessing the issue regarding the capacity and characteristics of a trustee to assume the duty of a trustee, the Custody court shall carefully evaluate:

1) the motivation of a person to become a trustee – both the motivation indicated in the submission and the motivation heard during the negotiations. It is also important to assess the motivation from the perspective of the interests of a person with reduced legal capacity – namely, how the potential trustee sees his or her obligation in conjunction with the needs of the person and the restrictions imposed by the court. In practice, there have been cases when the interests of a person with limited legal capacity are not paid attention and a person is appointed as trustee whose motivation for the performance of duties is not aimed at ensuring the protection of the rights of the person under trusteeship. Consequently, the Custody court, when assessing the motivation of a person to become a trustee, must bear in mind that it must primarily defend the interests of a person with reduced capacity to act, not only formally appoint a trustee;

2) mutual relations of family members, regarding which the Custody court shall obtain information not only by performing a visit to the place of residence and discussing the matter with the person and family members, but also, for example, by talking with neighbours or other persons related to the particular family. If one of the close relatives wishes to become a trustee, it would be important to assess the personal relationship that the potential trustee has so far provided to a person with limited legal capacity. It is therefore also important to clarify the views of other family members, even if an application to become a trustee has been submitted by one specific person;

3) employment – this is an important issue for evaluation, which needs to be highlighted. The Custody court shall evaluate whether and what income (salary, benefits, pension) and material security of the potential trustee are. The income of the person under trusteeship is intended for the subsistence and care of the person under trusteeship, and the Custody court, in evaluating the potential trustee, shall eliminate the risk that the motivation of the potential trustee for the performance of duties may be the necessity to ensure his or her subsistence from the resources of the person under trusteeship;

4) living conditions – the Custody court must inspect them at the place of residence in order to be able to correctly assess the current situation, assessing them together with the needs of the person;

5) ability to represent a person in personal and property relations – this is the most difficult point to fulfil. Basically, the Custody court may obtain such information during a longer conversation, during which personal qualities of the person may be disclosed, and the actual intentions to become a trustee. For example, if it is known that a person with limited legal capacity has an agricultural holding or an undertaking or significant asset, the Custody court must assess whether the potential trustee has knowledge of the management of such assets. In the above matters, it is also important, as far as possible, to obtain the opinion of a person with reduced legal capacity, provided that that person is able to formulate it. In practice, there are frequent cases where the opinion of a person with limited legal capacity is allegedly expressed on his behalf by another person, in the presence or absence of a person with limited legal capacity. It should be noted that such an opinion cannot be regarded as an opinion of a person with limited legal capacity. An Custody court has a duty to ascertain the opinion of a person with limited capacity to act separately from other persons, for example, when located in a separate room. In practice, there have been cases when persons with limited capacity to act, while in a separate room with a Member of the Custody court, are able to formulate their opinion, although from the previous words of other persons, such person does not speak.

The methodological recommendations stress the importance of: to appoint to a person with restrictions of capacity to act such trustee to whom a person with restrictions of capacity to act trusts, rather than to be guided by one who is closer to the relevant person.

The Custody court shall supervise the actions of the trustee in the performance of the duties of the trustee and in the cases provided for in the Civil Law, taking into account the provisions laid down in the court judgment, allow the trustee to perform transactions ([https://www.at.gov.lv/files/uploads/files/6_Judikatura/Tiesu_prakses_apkopojumi/2016/9-on%20barintiesu% 20 rulings-2015.doc](https://www.at.gov.lv/files/uploads/files/6_Judikatura/Tiesu_prakses_apkopojumi/2016/9-on%20barintiesu%20rulings-2015.doc)).

An Custody court shall supervise the activities of trustees in the following cases specified by the Civil Law: 1) whether the trustee, in fulfilling his or her duties, clarifies the opinion of the person under trusteeship; 2) whether the trustee does not restrict the non-material rights of the person under trusteeship, as well as does not restrict the person under trusteeship in fields which are not restricted by a court judgment; 3) whether the trustee assists the person under trusteeship to acquire the skills and abilities necessary in order for him or her to be able to renew his or her capacity to act; 4) whether the trustee ensures adequate care of the person under trusteeship; 5) whether the trustee takes appropriate care and manages the property of the person under trusteeship in accordance with the interests of such person; 6) whether the trustee fulfils the duty to review restrictions on capacity to act in a timely manner, which may be reviewed at any time, if the circumstances have changed significantly, but not less than once every seven years from the day of coming into effect of the court judgment; 7) whether the temporary trustee performs the tasks specified for him or her.

Section 41 of the Custody Court Law prescribes the duties of the Custody Court under the supervision of trusteeship. The Custody court shall supervise the actions of the trustee in the performance of the duties of the trustee and in the cases provided for in the Civil Law, taking into account the provisions laid down in the court judgment, authorise the trustee to perform transactions. An Custody court, in defending the property interests of a person under trusteeship, in the cases provided for in the Civil Law, taking into account the provisions laid down in a court judgment: 1) decide on permission to accept or reject the inheritance accepted by the person under trusteeship; 2) decide on the sale of property belonging to a person under trusteeship regarding the market value or at an auction; 3) decide on alienation, pledge or encumbrance of immovable property belonging to a person under trusteeship (if the value thereof does not exceed 14000 euros) with other property rights; 4) take a decision regarding the usefulness of alienation, pledge or encumbrance with other property rights of the immovable property owned by the person under trusteeship (if the value thereof exceeds 14000 euros); 5) decide on the acquisition of property for a person under trusteeship; 6) ensure that the trustee does not act with property belonging to the person under trusteeship without the permission of the Custody court, if it is necessary in accordance with the law; 7) examine whether the trustee shall ascertain the opinion and will of the person under trusteeship and administer the property in conformity with the interests of such person and the requirements of regulatory enactments. The Custody court shall request that

a trustee who has been suspended, dismissed or revoked from trusteeship prior to the termination thereof provides a settlement of accounts. The Custody court shall receive and verify the settlement of accounts submitted by the trustee each year by 1 February, as well as by dismissing or suspending the trustee. The Chairperson of the Custody Court shall approve the settlement of accounts. The Custody court may impose an obligation on a trustee to provide accounting regarding the management of trusteeship at any time.

Section 42 of the Custody Court Law lays down the duties of the Custody Court, if violations at the disposal of the trustee have been determined. If errors in the settlement of accounts submitted by the trustee or the activities of the trustee unfavourable to the interests of management of trusteeship have been determined, the Custody court shall: 1) give the trustee appropriate instructions; 2) decide on the removal of the trustee; 3) decide on the revocation of the trustee. If the trustee has been suspended or removed from trusteeship, the Custody court shall appoint another trustee. If the action of the trustee has caused losses for which the trustee is responsible, the Custody court shall bring a relevant action to the court. If the Custody court determines the abuse of the rights of a trustee to be punished administratively or criminally, the Custody court shall notify the law enforcement authorities thereof.

d. access to adequate accommodation, education and work;

The Ministry of Welfare shall finance and supervise the work of the State Social integration Agency from the State budget, in which both social rehabilitation programmes for persons with functional disorders are ensured, as well as the possibility to acquire college level education for persons with disabilities.

The Law on the Protection of Children's Rights Section 10, paragraph 2, provides that a child with physical or mental disabilities also has the right to everything that is necessary for the satisfaction of his or her special needs. In Latvia's legislation, The Law on the Protection of Children's Rights Section 53, a term "A child with special needs" is defined as a child who in connection with an illness, trauma, or functional impairment of an organ system caused by an innate defect has need of additional medical, pedagogical, and social assistance irrespective of whether there is a determination of disability in accordance with procedures laid down in law. Same Law's Section 53, paragraphs 1-4, provides that:

- (1) A child with special needs has the right to special parental care.
- (2) The State and local governments shall assist a child with special needs to integrate into society and ensure for him or her education, health care, and social services in accordance with laws and regulations.
- (3) A child with special needs whose cares his or her family is not able to ensure shall be taken into the full care of the State or local government in accordance with the procedures laid down in laws and regulations.
- (4) Where a child with special needs is placed for adoption, the adopters shall be informed of the state of health of the child, developmental characteristics and their consequences, and the special nature of care for the child

e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.

Both recipients of social services and their trustees or relatives may address complaints, for example regarding attitude of personnel, both to the founder of the institution and to the Ministry of Welfare. The Ministry of Welfare also provides methodological support to institutions. Persons with disabilities, their guardians and relatives may also turn to the Ombudsman's Office with questions or complaints regarding respect for human rights.

The Child Protection Centre provides a resource - CH 116111 that can not only give psychological support in difficult situations, but can also fulfil the role of a reporting mechanism in cases of children's rights violation. Although, the person has the right to remain anonymous, in cases of suspicion of violence or other children's

rights violation act, CH consultant's report the cases to further institutions such as the State Police, Custody and Custody Court or government Social Service Office depending on each individual case. CH is available 24/7 and is free of charge from fixed lines and mobile phones. It is possible to contact CH consultants via chat or email, and is accessible in a form of a mobile app ("Uzticības tālrunis"), that can be advantageous for persons with limited capabilities for communication.

6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;**

In accordance with the Asylum Law, a person shall submit a submission regarding granting of refugee or alternative status in person to the State Border Guard:

1. at the border crossing point or border crossing transit zone prior to entering the Republic of Latvia;
2. In the unit of the State Border Guard if the person is located in the Republic of Latvia.

After receipt of a submission regarding granting of refugee or alternative status, the State Border Guard shall, within the scope of its competence, perform procedural actions with the asylum seeker, including assessing whether the asylum seeker has special reception or procedural needs.

Internal Regulations No. 23.1-8.2/12 of the State Border Guard of 31 May 2022, procedures by which measures in the field of Asylum shall be performed within the competence of the State Border Guard, determine the procedures by which an official of the State Border Guard who performs activities with asylum seekers shall act in case if there is a suspicion that signs of trafficking in human beings may have been recognised in relation to the asylum seeker. In case if during the performance of activities to be performed by officials of the State Border Guard there is a suspicion that any of the trafficking activities in human beings may have been committed in relation to the asylum seeker or the asylum seeker may conform to the criteria of the victim of trafficking in human beings, the official of the State Border Guard shall inform the asylum seeker that in order to ensure the initial needs, assistance and support of the victim, the State Border Guard shall inform the State Police, taking into account that the person directing the proceedings may recognise the person as a victim in criminal proceedings, as well as the service provider shall implement the assessment of the conformity of the person with the criteria of a victim of trafficking in human beings with the consent of the person, therefore the consent of the asylum seeker is necessary. An official of the State Border Guard after receipt of the written consent of the asylum seeker shall inform the State Police and provide information to the asylum seeker regarding the possibility to turn for assistance to associations.

a) Under the Asylum Law, an asylum seeker has the right to communicate, provide explanations and clarifications in a language which he or she understands or in a language which he or she may reasonably be expected to understand. If necessary, an interpreter shall be invited. In order to ensure that an asylum seeker is able to exercise the rights specified for him or her in the Asylum Law and fulfil the duties provided for him or her, the State Border Guard and the Office of Citizenship and Migration Affairs shall inform him or her in a timely manner regarding the asylum procedure, the time periods thereof, his or her rights and obligations during such procedure, regarding possible consequences if the asylum seeker fails to fulfil his or her duties and does not co-operate with the institutions involved in the asylum procedure, regarding the consequences of the explicit or indirect withdrawal of the application, on the competence of the institutions involved in the asylum procedure, on the institutions providing legal aid, as well as on reception conditions, including the right to receive health care services. Information shall be provided to an asylum seeker in writing in a language

which he or she understands or in a language which is reasonably supposed to be understandable to him or her, thus each asylum seeker shall be issued with:

- information regarding the course of the asylum procedure, the rights and duties of the asylum seeker within the scope of the asylum procedure, including the right to receive State ensured legal aid, as well as an informative sheet with contact information of the institutions involved in the asylum procedure (translated into Albanian, English, Arabic, Armenian, farsi, French, Italian, Russian, Chinese, Portuguese, Pashto, Somali, Spanish, Tigrinya and Urdu);
- Joint leaflets produced by the European Commission containing information on the conditions of the Dublin Regulation (available in Albanian, English, Arabic, Armenian, Farsi, French, Italian, Russian, Chinese, Portuguese, Pashto, Somali, Spanish, Tigrinya and Urdu);
- “Roadmap for asylum seekers in Latvia”, which has been prepared within the framework of the Programme project “support measures for the reception and accommodation of persons in need of International Protection in Latvia” of the Asylum, Migration and integration Fund 2014-2020 implemented by the Office of Citizenship and Migration Affairs and can be found by the address <https://www.pmlp.gov.lv/lv/sakums/pakalpojumi/iecelosana-LV/paternity-mecklesana/>, which contains information regarding the asylum procedure in Latvia (available in Arabic, Dari, English, Farsi, French, Pashto, Russian, Tigrinya, Kurdish, Georgian, Azerbaijan and Turkish).

Where necessary, that information shall also be provided orally.

The asylum seeker shall certify familiarisation and receipt of the abovementioned information or refusal to receive the abovementioned information by signing a certification. The certificate has been translated into English, Arabic, Bengali, Dari, Farsi, French, Georgian, Hindi, Russian, Kurdish, Kurdish Sorani, Nepali, Panjabu (India), Panjabu (Pakistan), Pashto, Spanish, Tamil, Tigrinya, Urdu, German, Vietnamese.

In addition, in relation to indicators of trafficking in human beings, an official of the State Border Guard shall inform the asylum seeker in a language understandable to him or her that he or she may be recognised as a victim of trafficking in human beings and issue him or her a certification with a list of the association and contacts in which the asylum seeker may turn for assistance.

The Office of Citizenship and Migration Affairs during the procedural activities carried out within the framework of asylum procedure is constantly assessing special needs of asylum seekers, by considering visible signs behaviour and statements of asylum seekers, documents being at the disposal of the asylum seekers and assessments of medical personnel.

In accordance with Asylum law Article 1 paragraph 10 a victim of human trafficking is considered as asylum seeker with special procedural or reception needs.

In case if during the asylum procedure it is presumed that an asylum seeker can be a potential victim of human trafficking the NGOs' (the association Shelter "Safe House" and the Marta Centre) are informed. During the asylum procedure asylum seekers are informed on the contacts of the mentioned NGOs.

In case there are indications defined upon which it is a reason to think that an asylum seeker can be a potential victim of human trafficking and upon this the criminal investigation can be initiated - the State Police is informed.

Victims of trafficking in human beings can be recognized by considering criteria stipulated in the Cabinet of Ministers Regulation adopted on 16 July 2019 No.344 "Regulations Regarding the Procedures by Which the Victims of the Trafficking in Human Beings Receive Social Rehabilitation Service, and the Criteria for the

Recognition of a Person as a Victim of the Trafficking in Human Beings” (hereinafter - Regulation No.344).

The potential victim of human trafficking within the asylum procedure is provided with possibility to communicate in a language he understands, to receive medical psychological assistance, if necessary. They are also entitled to receive support from the social mentors for solutions of practical aspects.

In the above-mentioned cases when asylum seekers are recognized as potential victims of human trafficking, they are informed about the possibilities and rights of granting a waiting period, identification of a person as a victim of human trafficking, the possibility of receiving state social rehabilitation service and other possible support.

Asylum seeker can be a subject of both procedures at the same time – asylum and human trafficking, but until a decision is made in one or the other procedure on granting protection status or on issuing a temporary residence permit as a victim of human trafficking.

There are leaflets and general information on THB procedure, authorities and organizations responsible for implementation of activities related with THB and contacts of NGOs providing support for victims, rights of victims and guarantees provided for them during procedure, are available for the asylum seekers placed in the asylum seekers accommodation centres “Mucenieki” and “Liepna”. The information mentioned is available in the languages accommodated asylum seekers understand or is reasonably supposed to understand (English, Russian, Tajik, Uzbek, Hindi and other languages). Additionally to that, a mailbox for “Alarm Reporters” is also located and available in the asylum seekers accommodation centres.

The social workers and mentors of the Society Integration Foundation, who provide support services for asylum seekers, provide comprehensive and accessible information in various relevant languages about the rights of asylum seekers, are able to recognize indicators of human trafficking, and as a result, report to the relevant authorities if suspicions arise. They also provide contact information for service providers who assist in recognizing and identifying individuals as victims of human trafficking."

b. access to legal assistance and representation;

In accordance with Section 11, Paragraph two of the Asylum Law, an asylum seeker has the right:

- to invite a person at his or her own expense for the receipt of legal aid;
- to receive State ensured legal aid in the amount specified in regulatory enactments, appealing to a city (district) court the decision of the State Border Guard regarding registration of an asylum seeker in a unit of the State Border Guard or regarding detention of an asylum seeker;
- to receive State ensured legal aid in the amount specified in regulatory enactments, appealing to the Administrative District Court the decision of an official authorised by the Office of Citizenship and Migration Affairs regarding leaving of the application without examination, regarding refusal to grant refugee or alternative status, regarding forwarding of the asylum seeker to the responsible Member State, which will examine the application in accordance with the Dublin Regulation²⁸, regarding suspension of examination of the application, regarding refusal to resume examination of the application and regarding refusal to disburse the resources intended for maintenance and a daily allowance, if the applicant does not have sufficient legal aid;

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Regulation No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person

- to communicate with relatives, the United Nations High Commissioner for Refugees or another organisation providing legal or other consultations to asylum seekers in accordance with the procedures laid down in laws and regulations.

The procedures for requesting State ensured legal aid, by appealing the decision taken by the State Border Guard regarding registration at a specified time in the structural unit of the State Border Guard and the decision regarding detention of an asylum seeker, shall be as follows.

In accordance with the conditions of Section 15 of the Asylum Law, an asylum seeker has the right, within seven working days after the coming into force of a decision regarding registration at a specified time in a structural unit of the State Border Guard, to first contest it in accordance with the procedures of subordination in a higher institution, in which case the State ensured legal aid is not provided for. On the other hand, a decision of a higher institution regarding registration at a specified time in a structural unit of the State Border Guard may be appealed to a city (district) court within seven working days from the day of coming into effect thereof. If an asylum seeker wishes to receive State ensured legal aid for appeal of the abovementioned decisions, he or she shall submit to the State Border Guard an application regarding a request for State ensured legal aid, the sample form of which is determined by Cabinet Regulation No. 409, Regulations regarding an application of an Asylum seeker, Refugee and a person to whom alternative status has been granted regarding a request for State ensured legal aid (hereinafter - Cabinet Regulation No. 409). The State Border Guard shall, without delay, but not later than on the next working day after receipt of the abovementioned submission, send a request to the legal aid Administration (submission regarding the request for State ensured legal aid) to provide legal aid, appending a copy of the decision to be appealed.

An asylum seeker has the right to appeal detention to a district (city) court within 48 hours after his or her familiarisation with the detention protocol and the information referred to in Section 17, Paragraph five of the Asylum Law. In such case an asylum seeker who wishes to receive State ensured legal aid shall submit the abovementioned application to the State Border Guard regarding the request for State ensured legal aid, but the State Border Guard shall, without delay, but not later than on the next working day after receipt of the application, invite the provider of legal aid included in the list of the legal aid Administration regarding the provision of State ensured legal aid.

When appealing to a city (district) court a decision taken by the State Border Guard regarding registration at a specified time in a structural unit of the State Border Guard and a decision regarding detention of an asylum seeker, the State ensured legal aid for asylum seekers shall be ensured without evaluating his or her financial situation.

We also draw your attention that in accordance with Section 11, Paragraph two, Clause 6 of the Asylum Law, if an asylum seeker does not have sufficient resources to invite a person for the receipt of legal aid, he or she has the right to State ensured legal aid in the amount specified in the regulatory enactments in the field of State ensured legal aid, appealing to the Administrative District Court the decision taken within the scope of the asylum procedure of the Office of Citizenship and Migration Affairs. Consequently, in case an asylum seeker is detained and accommodated in the accommodation premises of asylum seekers of the State Border Guard, he or she shall submit a submission regarding a request for State ensured legal aid to the State Border Guard. The State Border Guard shall, without delay, but not later than on the next working day, after receipt of the application of the asylum seeker regarding the request for State ensured legal aid, invite the provider of legal aid from the list prepared by the legal aid Administration.

In accordance with Paragraph 2 of Cabinet Regulation No 409, an asylum seeker may fill out the application form regarding a request for State ensured legal aid in a language which he or she understands.

In order to ensure the practical application of Cabinet Regulation No. 409 and the possibility for the asylum seeker to request State ensured legal aid in a language which he or she understands and which is justified in considering to be understandable to him or her, the Office of Citizenship and Migration Affairs has carried out a translation of Annexes 1 and 2 to Cabinet Regulation in the most frequently used languages (English, Arabic, Dari, Russian, Kurdish, French, Pandjabi). From now on, the translation of the forms will be provided by the

State Border Guard or the Office of Citizenship and Migration Affairs, as appropriate.

Section 11 paragraph 2 clause 6 of Asylum Law defines the right of an asylum seeker to receive state ensured legal aid in the amount specified in laws and regulations, when appealing to the District Administrative Court the decision taken by the Office of Citizenship and Migration Affairs to leave the application without examination, to refuse to grant refugee or alternative status, to transfer the asylum seeker to the responsible Member State, which will examine the application in accordance with Regulation No 604/2013, to discontinue examination of the application, to refuse to resume examination of the application, and to refuse to disburse the subsistence and daily allowance, if the asylum seeker does not have sufficient resources in order to invite a person for receipt of legal aid.

Section 36 of Asylum Law stipulates the following rules for granting a legal assistance for asylum seeker:

If the asylum seeker **who has been detained and accommodated in the State Border Guard accommodation premises for asylum seekers**, wishes to receive State ensured legal aid in order to appeal the decision mentioned in Section 11, Paragraph two, Clause 6 of this Law, he or she shall submit an application for requesting state ensured legal aid to the State Border Guard. The State Border Guard shall, without delay, but not later than on the following working day after receipt of the application of the asylum seeker for receipt of State ensured legal aid, invite the provider of legal aid who is included in the list drawn up by the institution responsible for provision of State ensured legal aid.

If the asylum seeker wishes to receive State ensured legal aid in order to appeal the decision of the Office of Citizenship and Migration Affairs referred to in Section 11 paragraph two clause 6 of Asylum Law, **and the asylum seeker has not been detained**, he or she shall submit an application to the Office for requesting State ensured legal aid and an application regarding his or her income. After assessment of the information referred to in the application for requesting state ensured legal aid and the application regarding income of the asylum seeker the Office shall, without delay, but not later than on the following working day, send to the institution, which is responsible for provision of state ensured legal aid, a request to provide legal aid and shall submit a copy of the document to be appealed.

As relates to victims of human trafficking:

The Social Integration State Agency decides on the granting of social rehabilitation service for identified victims of human trafficking to the person and coordinates the provision of the state social rehabilitation service for them.

Section 7 of the Law On Residence of a Victim of Trafficking in Human Beings in the Republic of Latvia stipulates that the social rehabilitation service provider, in accordance with the regulatory enactments, within the assessment of application for granting the waiting period, during the waiting period and during the temporary residence permit issued to the victim of human trafficking shall ensure a safe asylum and accommodation, first aid, the consultations of a psychologist, a lawyer, a medical practitioner and of other specialists, a possibility to receive emergency medical treatment, as well as a possibility to get involved in training and educational programmes, to the victim of trafficking in human beings, as well as to the minor in accompaniment thereof.

Additionally to that in accordance with Section 5 of the Regulation No. 344 within the criminal proceedings regarding the trafficking in human beings, the person, who does not wish to be recognized as a victim, has the status of a witness, after the end of the service has the right to additionally receive support in relation to the initiated criminal proceedings - psychosocial assistance (including individual consultations of a lawyer, social worker, psychologist), the service of an interpreter (insofar as this is not provided within the scope of the specific criminal proceedings), assistance in the drawing up of legal documents and, if necessary, representation in court (hereinafter - the support), not exceeding 150 hours per year. The person shall receive the support within the scope of the service. If the person receives State ensured legal aid in accordance with the laws and regulations determining the cases and procedures for the provision of State ensured legal aid,

the relevant person has the right to receive consultations of a social worker and psychologist, as well as, if necessary, service of an interpreter in such consultation as the support in accordance with this Regulation.

c. access to decent accommodation, health (including psychological) care, work and education.

If an asylum seeker, who during the asylum procedure is recognized as potential THB and his/her accommodation as a victim of human trafficking is not provided by service provider he/she continues to be accommodated in asylum seekers accommodation centre, but is placed separately from the ordinary asylum seekers, considering special needs of the person. Currently asylum seekers with special reception needs are placed in Asylum seekers Accommodation centre "Mucenieki" in its separate building "Bundulīši", that is specially foreseen for families, THB, unaccompanied minors and other vulnerable asylum seekers. Individual needs of each asylum seeker placed in "Bundulīši" are taken into account. An asylum seeker, who is a potential THB continues to receive support and guarantees defined for subject of asylum procedure. It should be noted that procedural guarantees as a victim of human trafficking the person will receive only after his/her identification as a victim or shortly before that.

As it is defined in Section 11 paragraph 2 clause 8 of Asylum Law an asylum seeker has the right in accordance with the procedures laid down in the laws and regulations to receive emergency medical assistance, primary health care, outpatient and inpatient psychiatric assistance in case of serious mental health disorders, and also any medical assistance to minors, non-provision of which may pose a threat to the development and health of the child, from the State funds, taking into account the special reception needs of the asylum seeker.

In accordance with Article 8 paragraph 4 of the Asylum Law if the asylum seeker wishes to be employed and the Office of Citizenship and Migration Affairs establishes that the conditions referred to in the Immigration Law have set in to grant to the asylum seeker the right to employment without restrictions, the identity card of a foreigner shall be issued to him or her.

In accordance with Education law of the Republic of Latvia Section 3 "Right to Qualitative and Inclusive Education" everyone has the right to qualitative and inclusive education.

In the same Section it is stipulated that:

- a minor child of an asylum seeker and a minor asylum seeker has the right to basic education and secondary education, and also the right to continue the commenced education after attaining the age of majority and
 - a minor third-country national or stateless person who has no legal basis to reside in the Republic of Latvia has the right to acquire basic education during the time period specified for voluntary exit or during the time period for which the expulsion is suspended, and also during his or her detention.
- In accordance with Asylum law Section 9 paragraph 7 a minor asylum seeker is provided with opportunities for acquiring education in the official language in a state or local government educational institution.

Within the framework of a State funded social rehabilitation service, safe housing, basic necessities, hygiene products, food and the possibility to prepare it, including clothing, shall be ensured to persons receiving the service. Consultations of a psychologist, social rehabilitator and social worker are ensured within the scope of the service, as well as part of the programme envisages involving a person in educational and job-seeking processes appropriate thereto.

7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;**

Information for employers: <https://www.lm.gov.lv/lv/information-employers>

Information on working conditions and terms of employment: <https://www.lm.gov.lv/en/information-working-conditions-and-terms-employment>

Information on Employment Requirements in Latvia: <https://www.vdi.gov.lv/en/article/information-employment-requirements-latvia>

Ministry of Foreign Affairs every year is organizing training for consular officers of Latvian diplomatic and consular missions abroad. The representatives of the Ministry of the Interior and NGO's- the society "Shelter "Safe House"" and Center "Marta" gave lectures on combatting of human trafficking.

On February 7, 2024 the Ministry of Foreign Affairs of the Republic of Latvia in cooperation with CBSS Secretariat held online training based on publication Handbook for Embassies and Diplomatic Missions on How to Assist and Protect Victims of Human Trafficking, for the Latvian Ministry for Foreign Affairs and staff at Latvian Embassies and Missions abroad. Online participated ~55 persons.

The handbook is a product of the Council of the Baltic Sea States (CBSS) and has been developed as a tool for diplomatic missions as a stand-alone practical and illustrative guide for embassies and diplomatic missions to prevent human trafficking, and to identify, refer and assist potential victims. The handbook was first issued in 2011 and has now been revised in cooperation with the Swedish Ministry for Foreign Affairs, The Swedish Civil Society Organisation Child 10 and the International Organisation for Migration (IOM).

On October 16, 2024 in Daugavpils the Ministry of Foreign Affairs with IOM, Ministry of the Interior and Center "Marta" organized seminar "What is human trafficking?".

Every seasonal worker upon on issuance of a visa is provided with the relevant information on labour laws, their obligations and rights regarding employment. This information leaflet contains the contacts of relevant organizations and is available in Latvian, English, Russian and Uzbek languages.

b. provision of clear employment contracts;

Please see the clear description here: <https://www.pmlp.gov.lv/en/article/how-invite-guest-workers-work-latvia-arranging-visa-worker>

c. access to decent work and housing, health care, social services and education;

The living condition of migrant workers are not controlled, but there are no restrictions that would not allow or hamper the access for decent work, housing, health care, social services or education. Employers and employees must obey the condition that are named at the Labour law²⁹ and Regulations Regarding Employment of Foreigners.³⁰

d. possibility to change employers;

Workers are allowed to change employers without a necessity to leave Latvia but they have to obtain new right to employment in these cases.

e. access to confidential complaints mechanisms;

It is possible to submit a confidential complaint on the website of the Labour Inspectorate: <https://www.vdi.gov.lv/en/form/zinot-par-neregistreto-nodarbina>

²⁹ <https://likumi.lv/ta/en/en/id/26019-labour-law>

³⁰ <https://likumi.lv/ta/en/en/id/264304-regulations-regarding-employment-of-foreigners>

f. right to join trade unions and to engage in collective bargaining;

Everyone with an employment contract in Latvia can access the trade unions.

g. legal avenues for regularising their stay in the country.

The phrase "legal avenues for regularising their stay in the country" refers to lawful procedures or mechanisms that allow individuals who are residing in a country irregularly (without proper documentation or authorization) to gain legal status and permission to stay.

This could involve:

- **Applying for specific visas or permits:** For example, humanitarian visas, work permits, or family reunification.
- **Amnesty programs:** Some governments periodically offer programs that allow undocumented individuals to legalize their status.
- **Appeals or legal remedies:** If someone's application for residence was previously denied, they might have options to challenge or reapply under certain conditions.
- **Pathways tied to integration:** Some countries allow individuals who have lived in the country for a certain number of years, or contributed to the community (e.g., through work or education), to apply for regularization.

It is possible to regularize a stay in the country, each case is considered individually.

Section 23 paragraph 7 of the Immigration Law provides a special regulation in certain cases: A foreigner who, whilst staying illegally in the Republic of Latvia, has been illegally employed in particularly exploitative working conditions, as well as a minor foreigner who, whilst staying illegally in the Republic of Latvia, has been illegally employed, has the right to request a temporary residence permit, if the foreigner has turned to the court with an application regarding recovery of the unpaid remuneration from the employer. A temporary residence permit may be requested repeatedly if the court proceeding for the collection of the unpaid remuneration has not been completed or the unpaid remuneration has not been received from the employer. The first and repeat temporary residence permit shall be issued for one year. Particularly exploitative working conditions are such working conditions and employment requirements which cause very incommensurate differences between the working conditions and employment requirements of legally employed workers and the working conditions and employment requirements of such foreigner who is staying illegally in the Republic of Latvia, as well as differences due to gender discrimination or another type of discrimination, or differences that affect the protection of health and safety of the foreigner at work, as well as violates his or her dignity.

Appeals are possible at any case.

Latvian immigration rules do not provide any amnesty programs.

8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?

The function of the Labour Inspectorate is the implementation of State supervision and control in the field of employment legal relations and labour protection.

In order to ensure the fulfilment of this function, the Labour Inspectorate shall perform the following tasks:

- 1) supervise and control compliance with the requirements of the regulatory enactments regarding employment legal relations and labour protection;

- 2) control how employers and employees mutually fulfil the duties laid down in employment contracts and collective agreements;
- 3) promote social dialogue;
- 4) take measures in order to facilitate the elimination of disputes between the employer and employees and, if necessary, invite representatives of employees;
- 5) analyse labour legal relations and labour protection issues in order to provide proposals regarding the improvement of regulatory enactments;
- 6) perform an investigation and unified registration of accidents at work in accordance with the procedures laid down in laws and regulations;
- 7) participate in the investigation of cases of occupational disease in accordance with the procedures laid down in laws and regulations;
- 8) control the work equipment at workplaces, as well as the use of personal and collective protective equipment of personnel, substances harmful to health and dangerous substances in accordance with the requirements of regulatory enactments;
- 9) provide information to the evaluation Commission of the competent authorities of the Ministry of Welfare in labour protection matters regarding the activities of the competent authorities and specialists in the field of labour protection in the objects subject to the supervision and control of the Labour Inspectorate referred to in Section 4, Clause 2 of this Law;
- 10) provide free consultations to employers and employees regarding the requirements of the regulatory enactments regarding employment legal relations and labour protection.

The above confirms the wide scope of supervision of the State Labour Inspectorate, the Authority has a comprehensive mandate to monitor employment conditions.

The structure of the State Labour Inspectorate shall be designed in such a way that supervision and control of the matters within the competence of the institution is ensured throughout the territory of Latvia. Inspectors of the State Labour Inspectorate are divided into 5 supervisory regions (territorial scope).

The State Labour Inspectorate, in performing surveys in relation to possible exploitation of labour force, shall co-operate with the State Police, the State Border Guard and non-governmental organisations.

The competence of the State Labour Inspectorate is separate from immigration control issues, however, in cases where inspections involving foreigners are carried out, intensive co-operation with the State Border Guard is taking place – planning, joint surveys and analysis of results are taking place.

9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?

According to Section 17, Paragraph 2 of the Support for Unemployed Persons and Persons Seeking Employment Law³¹ the provision of employment placement services (except for ship crew recruitment and services related to the selection of potential employees for work in Latvia) is permitted only for agencies who have been issued the appropriate license by the State Employment Agency (hereinafter referred to as the Agency).

As of December 31, 2024, 365 merchants are authorized to provide employment placement services.

In accordance with Cabinet Regulation No. 458 of July 3, 2007, "Procedures for Licensing and Supervision of Merchants - Providers of Work Placement Services"³² (hereinafter referred to as the Regulations), Paragraph 29 and Subparagraph 31.1, the Agency conducts document checks, inspections at the service provision locations of employment and work placement agencies, requests explanations, inspects documents, and ensures access to other necessary information.

³¹ <https://likumi.lv/ta/en/en/id/62539-support-for-unemployed-persons-and-persons-seeking-employment-law>

³² <https://likumi.lv/ta/en/en/id/160023-procedures-for-licensing-and-supervision-of-merchants-providers-of-work-placement-services>

From January 1, 2019, to December 31, 2024, the Agency conducted inspections at 312 recruitment agencies.

According to Subparagraphs 31.4 and 31.5 of the Regulations, the Agency has the right to request explanations from recruitment agencies in case of complaints regarding possible violations of regulatory acts related to the provision of employment placement services. The Agency is also entitled to inform the relevant state authorities if reports are received about the provision of employment placement services without a license.

In 2019, three complaints were received; in 2020, four complaints; in 2023, three complaints; and in 2024, four complaints.

According to Paragraph 24 of the Regulations, recruitment agencies are required to:

- Conclude written agreements with employers, other cooperation partners, and job seekers regarding the provision of employment placement services. If no agreement with the job seeker is planned, the merchant must inform the job seeker about the procedure for providing and receiving employment placement services and ensure that the agreements and service provision comply with the requirements of the laws and regulations of Latvia and the relevant foreign country.
- Adhere to the requirements set out in the Labour Law regarding the prohibition of discrimination and the principle of equal rights, as well as the rules governing the establishment of employment relationships.
- Inform job seekers in writing about the terms of agreements concluded with employers and other cooperation partners and provide employment placement services by these agreements.
- Provide job seekers with written information about the documents required to establish an employment relationship in the respective country and the procedure for establishing such relationships.
- Introduce the job seeker in writing to the employment contract or any other agreement under which they will be employed, as well as the basic terms of employment, ensuring compliance with the requirements set by Latvian or foreign legislation.
- Before sending a job seeker to an employer, provide written information about the specific job offer, including the employer's name, legal and business address, telephone number, job start date, employee's profession (occupation, position), a general description of the work, salary before and after tax, work location, working hours, and contract termination terms.
- Ensure that the terms of employment and remuneration offered to the job seeker comply with those specified in the job offer and are no less favourable.
- If employment placement services are to be provided abroad, ensure that the monthly salary of the job seeker, when establishing an employment relationship, is not less than the minimum monthly salary set by the laws or collective agreements of the respective country within the framework of normal working hours.
- Upon the job seeker's request, ensure that the documents referred to in this paragraph are available in Latvian or a language understandable to the job seeker. If the job seeker is a third-country national who does not hold a permanent residence permit or an EU permanent resident permit in the Republic of Latvia, the documents must be provided in a language they understand.

Based on Paragraph 26 of the Regulations, a merchant is entitled to charge a job seeker only for necessary expenses related to receiving employment placement services (preparing and processing the documents required for employment, up to a maximum of €50; transportation costs; health insurance expenses). The amount, purpose, and payment procedure for these necessary expenses must be specified in the agreement concluded with the job seeker.

Before the job seeker begins working, the recruitment agency is allowed to request an advance payment of no more than 50% of the necessary expenses.

A recruitment agency who is to receive payment from the employer or another cooperation partner, as well as a provider of workforce placement services, is not permitted to impose or receive any fees from the job seeker.

10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?

In order to prevent the abovementioned violations, the State Labour Inspectorate regularly co-operate with other institutions – the State Revenue Service, the State Border Guard, the State Police. The cooperation involves exchanging data/information, analysing risks and preventing them.

There is a Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing³³ which is an overarching legal framework to fight money laundering, including from **shell companies or shell banks** which of course are forbidden. There is an established anti money laundering institutional framework. More information: <https://www.coe.int/en/web/moneyval/jurisdictions/latvia>

As regards **self-employment** and posting of workers, these are risk areas, especially proving that a self-employment contract by its nature is an employment contract. The current legal framework requests self-employed people to pay social tax, which is basis for social support. However, the accountability of both sides largely depends on the contract.

The situation with **posted workers** is slightly improving. Information on the posting of workers and the associated issues is published on the State Labour Inspectorate website in accordance with the Directive 2014/67/EU of the European Parliament and of the Council of 15 May 2014 on the enforcement of the Directive 96/71/EC concerning the posting of workers in the framework of the provision of services and amending Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ("the IMI Regulation").

An employer from another European Union Member State or a European Economic Area country who posts an employee to work in Latvia is required, before the posting, to electronically inform the State Labour Inspectorate in the national language about the employee, providing the mandatory information specified in the Labour Law.

Moreover, the State Labour Inspectorate maintain both the reporting system and information in several languages for those who want to post workers in Latvia: <https://www.lm.gov.lv/en/posting-workers-0>

11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?

Immigration Law provides wide range of possibilities to obtain a visa or a residence permit for employment reasons. There is no quota system and it is possible to obtain the employment right with any level of professional experience/ education.

Latest Fact sheets available: <https://www.ela.europa.eu/en/documents?f%5B0%5D=country%3A898>

12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?

A comprehensive approach is taken to discourage demand that leads to trafficking in human beings (THB) by addressing the vulnerabilities of at-risk groups through legal frameworks, prevention measures, and support mechanisms.

³³ <https://likumi.lv/ta/en/en/id/178987-law-on-the-prevention-of-money-laundering-and-terrorism-and-proliferation-financing>

Legal Frameworks

- Criminal law criminalises Trafficking, thus demand for services of victims of trafficking.
- Employers and recruiters are subject to liability for exploitative labour practices, particularly in sectors with high risks of forced labour.
- Regulations prohibit exploitative recruitment practices, including high recruitment fees and fraudulent job offers, especially for third-country nationals.

Protection of Vulnerable Groups

- Victims are provided with assistance, legal aid, and residence permits.

Prevention and Awareness

- Public campaigns educate society about the risks of trafficking and the responsibility to avoid exploitative services.
- Training for employers, labour inspectors, law enforcement, and service providers helps identify and prevent trafficking-related exploitation.
- Focus is placed on online recruitment and sexual abuse, particularly targeting young people and vulnerable workers.

Cross-sectoral Cooperation

- Law enforcement, labour inspectorates, and civil society organizations collaborate to monitor high-risk industries.
- Employers in sectors such as construction, hospitality, agriculture, and domestic work are subject to inspections and compliance requirements.

13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?

Above all, border guards are professionals specialised and adequately trained in identifying and addressing situations of vulnerable persons such as unaccompanied minors and victims of trafficking in human beings. Border guards constantly improve their knowledge in the field of trafficking in human beings and participate in training, in which they acquire knowledge regarding identification of victims of trafficking in human beings and further procedural action. When carrying out border control measures, border guards shall apply all their knowledge and competence, as well as based on profiles developed by risk analysis, which are also applicable to tendencies of trafficking in human beings. Accordingly, prior to the establishment of the refusal of entry and the return, the person is always directed to an in-depth examination on line II, where the border guard carries out thorough checks and interviews, during which it may be suspected that the person meets the criteria of a victim of trafficking in human beings. An official of the State Border Guard shall inform a person that, in order to ensure the initial needs, assistance and support for the victim, the State Border Guard must inform the State Police, taking into account that a person directing the proceedings may recognise a person as a victim in criminal proceedings with the consent of the person, as well as the service provider shall implement the assessment of the conformity of the person with the criteria of a victim of trafficking in human beings with the consent of the person, thus the consent of the person is necessary. After receipt of the written consent of the person, the border guard shall inform the State Police and provide information to the person regarding the possibility to turn to associations for assistance.

14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?

THB in sports is a serious issue, with athletes, coaches, and support staff at potential risk. Latvia has taken significant steps to address the issue of human trafficking in sports, implementing a comprehensive approach

based on both national and international legal frameworks. The country adheres to European Union directives and international agreements aimed at combating human trafficking. For example, Latvia's Criminal Law provides a clear legal structure to address trafficking-related crimes, including forced labor and sexual exploitation. To raise awareness and equip stakeholders with the necessary knowledge, Latvia organizes regular training programs for sports federations, coaches, and athletes.

At-Risk Sectors and Groups: Certain sectors and categories of people are more vulnerable to trafficking in sports:

- **Young Athletes (especially minors):** Children and adolescents, especially from low-income or vulnerable backgrounds, may be targeted for trafficking due to their potential to excel in sports.
- **Female Athletes:** Women and girls are particularly at risk, facing risk of exploitation through forced labor, sexual exploitation, or trafficking for the purpose of sports-related events.
- **International Athletes:** Migrant athletes moving from one country to another for opportunities may be at risk if they are not properly supported or informed about their rights.
- **Coaches and Support Staff:** Sometimes, individuals in positions of power, such as coaches or sports agents, may abuse their authority and exploit vulnerable athletes.

15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?

The State Police does not identify online practices that may increase the risk of becoming a victim of THB in various forms of its operation.

16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?

During the reporting period, the following awareness campaigns were implemented:

- Marking Safer Internet Day 2022, the State Inspectorate for the Protection of Children's Rights operated the Children and Adolescents Trust Line 116111, running the campaign "I Choose to Speak" from February 7–13. The main goal of the campaign was to raise public awareness about children's safety online, particularly emphasizing the risks of emotional abuse and cyberbullying on the internet. More about the campaign: https://www.bti.gov.lv/lv/jaunums/notiks-informativa-kampana-par-bernu-drosibu-interneta?utm_source=https%3A%2F%2Fwww.google.com%2F
- Marking Safer Internet Day in 2022, Latvia focused on the issue of online child grooming, as there was a sharp increase in reports registered by Drossinternets.lv concerning the sexual exploitation of children and the circulation of grooming-related materials online. In response, Drossinternets.lv, the State Police, and the State Inspectorate for the Protection of Children's Rights launched the educational campaign "Dangerous Online Friendships." More information: <https://www.bti.gov.lv/lv/jaunums/informes-par-socialas-kampanas-bistama-draudziba-interneta-saksanos>
- In 2023, the Children and Adolescents Trust Line 116111 of the State Inspectorate for the Protection of Children's Rights (VBTAI) conducted an informational campaign "Break the Silence!" from November 21–26. The campaign aimed to draw public attention to the issue of sexual violence,

encouraging those in need to seek psycho-emotional and informational support on matters related to sexual violence against children. More information: <https://www.bti.gov.lv/lv/jaunums/uzticibas-talrunis-116111-uzsak-akciju-seksualas-vardarbibas-mazinasanai-0>

Additionally, the State Police also carried out educational activities in schools for children of various age groups on internet safety. In total:

- 238 activities were conducted in 2021,
- 332 activities in 2022,
- 400 activities in 2023.

The Ombudsman can additionally point out that in 2022, the campaign “All that glitters is not gold! (Lat. Ne viss ir zelts, kas spīd!)” was launched on social media to explain the problem of trafficking in human beings in Latvia. The Ombudsman paid particular attention to the digital environment, where people often see very tempting job or dating offers, but are not careful enough, make mistakes and find themselves in terrible or even life-threatening circumstances. As a result of the campaign, an informative educational material³⁴ on the risks of trafficking in human beings in the digital environment was developed.³⁵

17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?

Drossinternets.lv is Latvia’s Safer Internet Centre, dedicated to promoting online safety and combating harmful online content, including ICT-related sexual abuse. The platform operates a Hotline where users can anonymously report illegal content, such as child sexual exploitation materials and online grooming. Reports are reviewed and forwarded to law enforcement or relevant authorities for action. Additionally, Drossinternets.lv provides an online Helpline offering guidance and support for children, parents, and educators on digital safety and cyber threats.

For more information or to report harmful content, visit: <https://drossinternets.lv/en>.

It should be noted that in order to ensure Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on the single market in digital services and amending Directive 2000/31/EC (Digital services Act), the Law “Amendments to the Law on information society services” was adopted on 23.05.2024 and entered into force on 21.06.2024 (hereinafter - the Law). The Law has been supplemented with a new Chapter IX “application of the Digital services Act”.

The Digital services Act aims to contribute to the proper functioning of the internal market for intermediation services by establishing harmonised rules for a secure, predictable and reliable online environment that fosters innovation and effectively protects the fundamental rights enshrined in the Charter of Fundamental Rights of the European Union. The essence of the Digital services Act imposes new obligations on intermediary service providers in the digital sector (re-transfer, storage and hosting service providers) to reduce the spread of illegal content online and to create a secure, predictable and reliable digital environment.

The Consumer Rights Protection Centre (hereinafter - CRPC) is the competent authority of the Digital services Act within the meaning of Section 49 of the Digital services Act, as well as CRPC fulfils the function of a coordinator of digital services. Institutions, the functions of which include supervision or other activities in matters (which have special knowledge) related to the digital services act, shall, upon request of the CRPC, provide an opinion thereto.

³⁴ https://www.tiesibsargs.lv/wp-content/uploads/2023/01/ne_viss_ir_zelts_kas_spid_apkopojums.pdf.

³⁵ https://www.tiesibsargs.lv/wp-content/uploads/2023/08/ombudsman_2022_annual_report.pdf, page 79.

18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?

When tailoring new practices or policies, the fundamental sources of information are the cases and stories of victims. As already mentioned, service providers are very cautious about providing direct contact with victims and survivors. Additionally, the police and other institutions working with victims safeguard their data and privacy. Therefore, in the development of national policies, such as drafting the Action Plan Against Trafficking in Human Beings, policy advisors receive information about risk groups and risk areas from first responders.

Regarding the adaptation of the legal framework as a preventive measure, the primary needs assessment comes from first responders. However, service providers advocating for victims' rights are always involved in the process.

For more effective prevention activities—such as universal prevention for society as a whole and selective prevention for risk groups—needs assessments are consistently based on information from service providers. Additionally, the concepts for these activities are often coordinated with service providers.

It is also important to emphasize that prevention activities do not solely target potential victims. It is equally crucial to conduct activities with first responders and stakeholders working with at-risk groups to ensure they can recognize suspicious situations and intervene effectively, preventing individuals from becoming exploited.

II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)

19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?

No data on such cases.

20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?

The legal framework is defined in the Cabinet Regulation No. 344, adopted on 16 July 2019, establishing the procedures for providing social rehabilitation services to victims of human trafficking and defines the criteria for recognizing a person as a victim of trafficking.³⁶

Another legal act is the On Residence of a Victim of Trafficking in Human Beings in the Republic of Latvia.³⁷

The State Police shall inform victims (witnesses/victims) regarding the possibilities of State specialised assistance and support to receive social rehabilitation services regarding State budget funds in accordance with Cabinet Regulation No. 344 of 16.7.2019, Regulations regarding the procedures by which victims of trafficking in Human beings receive Social rehabilitation services and criteria for the recognition of a person as a victim of trafficking in Human beings, as well as State Police shall implement a gender, disability and including a sensitive approach in respect of the needs of the victim both prior to the commencement of criminal proceedings.

³⁶ <https://likumi.lv/ta/en/en/id/308253-regulations-regarding-the-procedures-by-which-the-victims-of-the-trafficking-in-human-beings-receive-social-rehabilitation-service-and-the-criteria-for-the-recognition-of-a-person-as-a-victim-of-the-trafficking-in-human-beings>

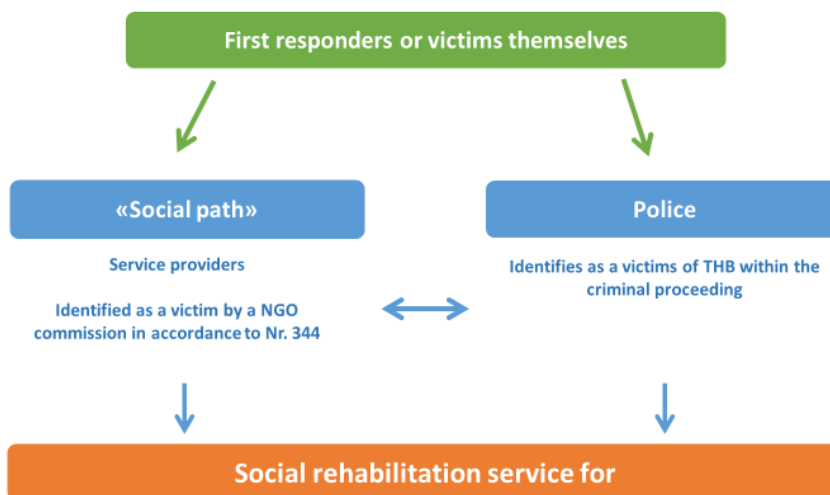
³⁷ <https://likumi.lv/ta/en/en/id/152712-on-residence-of-a-victim-of-trafficking-in-human-beings-in-the-republic-of-latvia>

If an official of the State Border Guard detects persons who are guest workers, including persons who are in an illegal situation and suspicions arise that persons may be victims of trafficking in human beings, the State Police shall be informed thereof without delay, which within the scope of its competence shall perform the necessary activities.

21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?

Example of the work of the State Border Guard: In accordance with the answer provided to question 6, if during the performance of activities to be performed by officials of the State Border Guard it is suspected that any of the trafficking activities may have been committed against the person or the person may conform to the criteria of the victim of trafficking in human beings, the official of the State Border Guard shall inform the person that in order to ensure the initial needs, assistance and support for the victim, the State Border Guard must inform the State Police, taking into account this, that a person directing the proceedings may recognise a person as a victim in criminal proceedings with the consent of the person, as well as the service provider implements the assessment of the conformity of the person with the criteria of a victim of trafficking in human beings with the consent of the person, thus the consent of the person is necessary. An official of the State Border Guard shall concurrently provide information to a person regarding the possibility to turn for assistance to associations.

However, the main encouraging point is the social path:



This approach allows victims to turn for help, even if they don't want to get involved with the police. As well as these measures can be named:

- THB Helpline (28612120) – A confidential, 24/7 support line providing information and assistance run by Shelter "Safe House".
- NGO Support (e.g., Shelter "Safe House", Center "MARTA") – Offers legal aid, psychological support, and safe accommodation.
- Awareness Campaigns and Trainings – Aimed at vulnerable groups and frontline professionals to improve identification and reporting.
- Compensation Mechanisms and judicial support ensured by the state to the victims of trafficking– victims may receive state-funded legal aid and financial support

22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?

In accordance with the answer given to question 13 and in accordance with Article 16 of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code), the State shall ensure that border guards are professionals specialised and trained accordingly, taking into account the common framework curricula for training border guards developed by the European Agency for the Management of Operational Cooperation at the European Union's External participating States. 2007/2004. Training programmes shall include specialised training on how to identify and address situations of vulnerable persons, such as unaccompanied minors and victims of trafficking in human beings. Thus, in case an official of the State Border Guard suspects that a person crossing the border or an asylum seeker may be a victim of trafficking in human beings commences procedural action at the border or within the scope of the asylum procedure described in question 6.

The Ombudsman

The Ombudsman can additionally point out that Section 50.⁷ of the Immigration Law³⁸ stipulates that the Ombudsman shall observe the removal process. In accordance with Clauses 1 and 2 of Paragraph 2 of this Article, observation of the removal process shall include visiting of the detained foreigners subject to removal at their place of accommodation and questioning foreigners.

Visiting foreigners at the accommodation centre generally takes place several days before the actual removal, and detained foreigners have the opportunity to meet with representatives of the Ombudsman's Office and express their complaints in person. When questioning foreigners in respect of whom a decision on removal has been made, representatives of the Ombudsman's Office shall ascertain whether the principle of non-refoulement will be violated in the removal process. Depending on the circumstances of the case, during the questioning, such issues as the method of entry, whether the person has borrowed money from their country of origin to leave, whether they have documents, etc. questions that could help recognise victims of human trafficking.

Office for Citizenship and Migration Affairs

The identification of a victim of human trafficking is carried out by the State Police (recognizing the person as a victim in criminal proceedings for human trafficking) or a specialist commission established by the service provider (in accordance with Regulation No.344), which assesses the person's compliance with the criteria for a victim of human trafficking.

The staff of the Office of Citizenship and Migration Affairs during the examination of asylum applications can recognize a victim of human trafficking upon the observation of asylum seekers during an interview, during their residence in asylum seekers accommodation centres, as well as at the result of analysis of the information provided by asylum seekers, their relatives, representatives of minors, medical staff, etc. Also, cases are not excluded when new circumstances may become known to the institutions involved in the asylum procedure only during the course of legal proceedings.

The staff of the Office of Citizenship and Migration Affairs involved in implementation of asylum procedure have attended special trainings and regularly continue to improve their knowledge in the field of recognition of victims of human trafficking and identification of their special needs during the asylum procedure, they are

³⁸ <https://likumi.lv/ta/en/en/id/68522-immigration-law>.

aware of the signs that indicate that an asylum seeker may be a victim of human trafficking (already occurring or likely to occur), and are informed about further action in relevant cases.

23. What measures are taken in your country to identify victims of THB in immigration detention centres and prisons?

Officials of the State Border Guard who have been trained to perform procedural actions with foreigners to be expelled are also trained to perform procedural actions with asylum seekers, therefore, the procedures for action in case signs indicating that the person is a potential victim of trafficking in human beings could be recognised in relation to the person shall also be known to those officials of the State Border Guard who, within the scope of their competence, come into contact with the detained persons of foreigners detained by the State Border Guard at the accommodation Centre.

Pursuant to Section 61⁵ (1) of the Sentence Execution Code of Latvia³⁹ (hereinafter referred to as the Code), within two months after the convicted person is placed in a prison to begin serving his or her sentence, the head of the institution shall ensure an assessment of the risks and needs of the convicted person by determining:

- 1) the convict's resocialisation needs, the degree of risk of anti-social behaviour and re-offending in the prison;
- 2) the most appropriate means of social behaviour correction or social rehabilitation and other measures to be implemented during the execution of the sentence and to be included in the re-socialisation plan of the sentenced person.

According to Section 61⁵ (2) of the Code, a reassessment of the risks and needs of the sentenced person shall be carried out at least once a year throughout the sentence.

In 2024, the Latvian Prison Administration introduced a new Risk and Needs Assessment Tool for General Recidivism Risk (hereafter – RVN-V). RVN-V does not contain the characteristic "Is a victim of HT", but contains one of the eligibility characteristics "Is a victim of violence", which in turn also includes the characteristics of a victim of HT.

Based on the results of the RVN-V, a resocialisation plan is drawn up for the sentenced person. The resocialisation plan shall specify the means of resocialisation to be applied to the sentenced person and the planned resocialisation measures, as well as the time limits for their completion.

Sentenced persons who are victims of violence, including HT victims, are eligible for the resocialisation programme "I know, I can, I do: a roadmap to a haven of peace". The target group of the programme is convicted prisoners who have been victims of violence (emotional, sexual, physical) before being imprisoned and/or have been victims of violence in a prison. The aim of the programme is to promote awareness and strengthen and develop self-regulation skills in prisoners, reducing the impact of experiences of violence and violent behaviour.

24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:

- a. **persons with disabilities;**
- b. **LGBTI+ persons;**
- c. **victims with children;**
- d. **victims with severe mental and physical trauma;**
- e. **homeless persons;**

³⁹ <https://likumi.lv/ta/id/90218-latvijas-sodu-izpildes-kodekss>

f. other.

Within the scope of the State ensured service it is possible to evaluate and reach the individual needs of different persons without prejudice to such persons due to disability, sexuality, race, age or gender. Due to the low total number of THB victims, there are currently no specific approaches to any of these particularly vulnerable groups.

The service provider shall offer the following services to all victims of trafficking in human beings within the scope of the rehabilitation programme:

- Preparation of return of a victim of trafficking in human beings from foreign States, informing a person regarding the activities to be performed.
- Repatriation of victims of trafficking in human beings where a THB victim has been identified.
- Getting a victim of trafficking in human beings to a service provider, if the client cannot do it independently – transport expenses are paid.
- Welcoming the victim of trafficking in human beings and the first interview to clarify acute needs.
- Transportation of victims of trafficking in human beings to safe accommodation, provision of acute needs.
- Convening of a Commission of specialists and assessment of the conformity of a person with the criteria of victims of trafficking in human beings.
- Development of a client rehabilitation plan, determining the time period for receipt of the necessary amount of services, attraction of necessary specialists.
- Provision of rehabilitation service – individual specialist consultations (social worker, psychologist, lawyer, medical or other specialist) in conformity with the rehabilitation plan.
- Support to the client during criminal proceedings and, if necessary, also after such proceedings, if the client authorises the specialist.
- Material support for the development and development of social skills.
- Renewal of withdrawn or lost identity documents.
- Translation of identity documents of victims of trafficking in human beings or persons accompanying them.
- Establishment of co-operation with the social service office of the local government of the client and depending on the rehabilitation plan also with other institutions, including State security institutions.
- Assessment of the situation of the customer at his or her actual place of residence.
- Writing of expert opinions regarding the psychological and medical condition of a victim, physical and moral offences for submission to the legal aid Administration.
- Conducting of psychological research of the injured person, preparation of an opinion to the State Police for the promotion of investigation of cases of trafficking in human beings.
- Customer involvement in training or educational programs that facilitate customer reintegration into society.
- An opportunity to improve self-care and self-service skills.
- Providing five free consultations to a customer after completion of a service course.
- Possibility to use the day-to-day telephone consultations of the association.

25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?

Please see Q24.

The State finances a 180-day social rehabilitation course for all THB victims recognised as such by law enforcement authorities or NGOs providing a publicly funded service. In both cases, the THB victim is only required to make an application to the service provider for a service.⁴⁰

The Center MARTA reports, that a positive aspect of the national program for human trafficking victims is its design, which allows authorized NGOs to develop individualized rehabilitation plans. These plans include tailored opportunities for professional training and job search assistance. This feature should be further strengthened to enhance the program's effectiveness. A significant problem, however, is the lack of long-term state-funded support. For most victims, especially women and girls who have suffered from sexual exploitation, a six-month rehabilitation period is not enough to regain stability in life, particularly if a criminal process is ongoing. Although it is possible to provide support beyond the rehabilitation program during the criminal process by offering consultations to clients who have not been able to secure stable income, require assistance not only in the form of consultations but also in covering daily expenses and housing costs. Otherwise, there is a risk that the person may become a victim of human trafficking again. Therefore, the state should, extend the rehabilitation.

26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

Section 23 paragraph 6 of the Immigration Law provides that the person directing the proceedings has the right to request a temporary residence permit for the foreigner who has been recognized as a victim of trafficking in human beings, as well as minor children accompanied by him or her for a period, which is not less than six months.

Moreover, the Section 23 paragraph 3 of the Immigration Law provides a possibility to grant a temporary residence permit for a time period of up to five years if it complies with the norms of international law or is related to reasons of a humanitarian nature. In these cases, individual circumstances are evaluated.

27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?

Since the General Data Protection Regulation (GDPR) is legally binding in Latvia, every institution follows a clear procedure for data protection. In general, sensitive data cannot be made public, whether for minors or adults. If an institution discloses such data publicly, it may face a significant fine from the Data Protection Center. Additionally, the victim can take legal action and request moral compensation.

No such cases have been observed in Latvia.

28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?

Please see Q27.

Usually service providers are very careful with information that is given to media, including the interviews with victims are not common practice in Latvia.

⁴⁰ Information about the programme: <https://www.siva.gov.lv/lv/pakalpojumi/socialas-rehabilitacijas-pakalpojumi-cilveku-tirdzniecibas-upuriem>

29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?

No data on such cases.

30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?

No information will be provided for this question.

31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

This is largely related to sexual exploitation. Yes, there is a procedure on reporting, taking out the content and blocking the content.

For detailed information please see Lanzarote Committee Implementation Report: <https://rm.coe.int/factsheet-latvia-the-protection-of-children-against-sexual-exploitation/1680acde4d>

Please also visit the leading NGOs that provides reports to the State Police - Safer Internet Association Webpage: <https://drossinternets.lv/en/info/about-us>

III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)

32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.

In Latvia criminal liability for trafficking in human beings is provided for in the following articles of the Criminal Law: Sections 154¹, 165, and 165¹.⁴¹

Section 154² of the Criminal Law clarifies the concept of trafficking in human beings.

Section 154². The concept of trafficking in human beings

(1) trafficking in human beings is the recruitment, transportation, transfer, concealment, accommodation or receipt of persons for the purpose of exploitation, using violence or threats, or removal by fraud or using the dependence of a person on the perpetrator or his or her vulnerability or state of helplessness, or by giving or receiving benefits of a material or other nature in order to obtain the consent of such person to trade on which the victim depends.

(2) recruitment, transport, transfer, concealment, accommodation or receipt of a minor for the purpose of exploitation shall be recognised as trafficking in human beings also in such case if it is not related to the utilisation of any of the means referred to in Paragraph one of this Section.

⁴¹ Criminal Law: <https://likumi.lv/ta/en/en/id/88966-criminal-law>

(3) within the meaning of this Section, exploitation is the involvement of a person in prostitution or other forms of sexual exploitation, forcing to perform work, provide services or commit criminal offences, keeping in slavery or other forms similar thereto (debt slavery, birth or other forced transfer of a person depending on another person), keeping in service or illegal removal of tissues or organs of a person.

(4) a vulnerability situation within the meaning of this Section shall mean that circumstances are used when a person has no real or acceptable choice other than to submit to exploitation.

In Latvia, prosecutors have sent criminal proceedings regarding trafficking in human beings to the court within the specified time period. A summary of the criminal cases examined and their problems can be found on the website of the Supreme Court in the <https://www.at.gov.lv/lv/tiesu-prakse/tiesu-prakses-apkopojumi/kriminaltiesibas> Name of the compilation, "Krimināllikuma 154.¹ pants (Cilvēku tirdzniecība) un 165.¹ pants (Personas nosūtīšana seksuālai izmantošanai). Tiesu prakses apkopojums (2014 - September 2023)". This summary provides court clarification, interpretation of vulnerabilities and use of vulnerabilities.

Additional information provided by the Supreme Court

In systemic approach the Supreme Court has emphasized the understanding of the use of victim's vulnerability in sexual abuse crimes. It has noted that the use of a victim's vulnerability (such as the use of a young child's addiction to smoking or alcohol, the presence of a child in a disadvantaged social environment) does not constitute the content of a person's state of helplessness, but constitutes an independent characteristic of the composition of sexual violence – other effects on the use of victims (see *Decision of the Supreme Court of Latvia, No. SKK-[O]/2023, available in Latvian*).

33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?

The general section of the Criminal Code contains the general principles governing the determination of sentences, which the legislature has defined as indispensable for determining the sentence in each individual case.

Section 46 of the Criminal Law. General principles for Determination of punishment

(1) a punishment shall be determined in the amount provided for in the relevant Section of the Special Paragraph of this Law for the committed criminal offence, observing the provisions of the General Paragraph of this Law.

(2) in determining the type of punishment, the nature of the committed criminal offence and the harm caused, as well as the personality of the offender shall be taken into account.

(3) in determining the amount of a punishment, mitigating and aggravating circumstances shall be taken into account.

(3¹) If the sanction of Section special part of this Law for the committed crime provides for only one basic punishment - deprivation of liberty, in determining the duration thereof, the nature of the criminal offence, the harm caused, the personality of the perpetrator, as well as mitigating and aggravating circumstances shall be taken into account.

(4) a punishment of deprivation of liberty for a criminal offence and a less serious crime shall be applied if the purpose of the punishment cannot be achieved by determining one of the types of lighter punishment provided for in the sanction of the relevant Section.

In the grounds of any court adjudication, including the penal order of a public prosecutor, an indication is found, justifying the application of a specific punishment, that in determining the punishment the court or

public prosecutor has taken into account the nature of the committed criminal offence and the harm caused, the identity of the offender, mitigating and aggravating circumstances, thus confirming that both the requirements of Section 46 of the Criminal Law, Section 527 of the Criminal Procedure Law or Section 421 of the Criminal Procedure Law of the public prosecutor have been complied with in the selection of the punishment.

The Criminal Law also sets out the aggravating circumstances which must be taken into account by the person responsible for the punishment, both when the public prosecutor draws up the public prosecutor's penal order and when the court makes the judgment, as provided for in the abovementioned Section 46 of the Criminal Law.

Section 48, Paragraph one of the Criminal Law lists 18 aggravating circumstances, but Paragraph four of the abovementioned Section provides that such circumstance, which is provided for in this Law as a constituent element of a criminal offence, shall not be recognised as aggravating circumstances.

This means that, if a particular circumstance is already considered to be part of a criminal offence, it cannot be used to increase liability.

Therefore, each case must be assessed and applied in the light of all the circumstances, and a particular vulnerability (vulnerability) may also be a factor in the imposition of a heavier penalty.

However, a particular vulnerability (vulnerability) cannot be regarded as an aggravating circumstance if that particular vulnerability is already included in the criminal offence as an element. For example, if the Criminal Law Section 154¹ the second paragraph of provides that trafficking in human beings, when committed against a minor, constitutes a more serious crime than trafficking in human beings, when committed against an adult.. In this case, particular vulnerability is already taken into account as a constituent element of the offence and cannot be used again as an additional aggravating factor.

It is part of the „body of the crime“ (*corpus delicti – lat.*) and is covered by the definition of criminal act. It is more harmful if the crime is committed against such victim. Therefore, this factor as an element of a criminal offence affects the offender's sentence.

34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of “abuse of a position of vulnerability” is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?

The State Police

Criminal Law Section 154² the fourth paragraph does not list the forms of vulnerability. Since 2014, Criminal Law Section 154² the disposition of Paragraph four has been supplemented with a vulnerability element of the injured person, stereotype of perception in the police - regarding “voluntary” involvement of the person in the role of lesser performers, committing criminal offences (including “narcotics”, “fictitious” brides, prostitutes from the war zone, refugees) has not changed dramatically. In practice, a common understanding of vulnerability forms has not yet been established.

Instructions of the Criminal cases Department of the Supreme Court of the Republic of Latvia regarding the vulnerability situation: '... the existence of a declared place of residence cannot be regarded as the possibility for victims to use the declared place of residence for accommodation, shelter ... because the true nature of the declaration is to be achievable in consultation with the State and the municipality. The difficult circumstances of the place of residence indicate the vulnerability of the victims and the current dependence

of the victims on the defendant who commissioned their work in the form of Section 154¹ of the Criminal Law. "For example, in 2018 criminal proceedings were investigated regarding recruitment, transportation and accommodation of citizens of the Republic of Latvia in severe social conditions (addictions, homeless persons) in an organised group for exploitation of work in British flower farms, in co-operation with the British Derbyshire Police, within the framework of JIT "Doubrava" operation of the Platform of the Joint investigation Group. 5 adult LV citizens (3 men, 2 women) were arrested in Latvia, ten victims of trafficking in human beings (Latvian nationals) were released in the United Kingdom. An arrest of EUR 301500 was imposed on movable and immovable property of detainees and their relatives. The investigation of criminal proceedings must demonstrate that the defendant knew or should have known of the vulnerability of the victim intentionally used for the exploitation of HT victims.

Prosecution

Economic vulnerability: victims in financial difficulties are often promised high-paid job opportunities, for example abroad. Traffickers use their financial desperation to force them to accept a hidden job offer that actually hides exploitation and exploitation.

Social vulnerability: Victims who are socially isolated, marginalised or immigrant are often victims of trafficking in human beings because they lack a social support system or access to legal protection.

Psychological vulnerability: Victims who suffer from low self-esteem, emotional disturbances or have experienced violence often become light victims to traffickers who use emotional manipulation and control to maintain control over them.

Legal or immigration vulnerability: Victims without documents or without legal status in a country are often manipulated using threats with deportation or legal consequences if they do not comply with traders' demands.

In 2022, the Financial Intelligence Unit, in co-operation with several law enforcement institutions (including the Prosecutor's Office of the Republic of Latvia), carried out a study available on the website of the Financial Intelligence Unit http://www.fid.gov.lv/uploads/files/2022/1FID_Pētījums_Cilvēku_tirdzniecība_un_NILL_23032022.pdf entitled "trafficking in human beings and money Laundering resulting therefrom". That study answers the questions referred.

Very detailed information on trafficking in human beings can be found on the <http://www.cilvektirdznieciba.lv> website.

In our view, there are indications that sometimes the public and sometimes those applying the rules do not understand the vulnerability situation. By way of example, we can point out that an employee remains alone and vulnerable to his employer on the issue of trafficking in human beings.

Mentally retarded persons, for example, with intellectual disabilities, are certain to be more easily manipulated or exploited because they may have difficulty understanding complex situations or consequences. Victims may find it difficult to distinguish good from evil, recognise manipulation or be aware of their rights. Unfortunately, the public does not understand why a person has not left unfavourable conditions.

Example when the court of first instance in a criminal case has seen the state of vulnerability of the victim, but the regional court has not seen the state of vulnerability of the victim and has acquitted the accused, but the protest of the prosecutor has resulted in the decision of the Department of Criminal Affairs of the Senate of the Republic of Latvia of 31 March 2021 IN Case No 11815003517, SKK-51/2021 [ECLI:LV:AT:2021:0331.11815003517.7.L](https://www.eclis.lv/AT/2021:0331.11815003517.7.L).

That decision goes on to state that the existence of a vulnerability situation results not only from the personality of the victims, but also from their social situation, living conditions, previous experience, the possibilities at that time, their state of health, the conduct of others, mainly from the criminal activity of the accused.

Contrary to the request of the victims, no employment relationship was established between the accused and the victims. By making false promises of lack of money, the accused intended to persuade the injured parties to continue working on his holding. There was no payment for the hard work done, no provision of decent living and working conditions, irregular food supply.

In order to prove the guilt of a person, the prosecutor must prove that the accused was aware and aware of the state of vulnerability of the victim. Prosecutors may, in order to prove that the accused was aware of the state of vulnerability of the victim, take a decision to determine an expert-examination in accordance with Section 200 of the Criminal Procedure Law. Experts are often invited to appear in court to give evidence to help understand and prove this vulnerability situation for the victim.

In Latvia, it must be proved that the accused knew about the state of vulnerability of the victim.

Supreme Court

Most common forms are the abuse of health condition, financial situation and living conditions.

Criminal case regarding use of 4 victims vulnerability (*Judgement of Riga district court of 7 September 2023, case No. 11815001121*). Only shortened version of judgement available. Here are the description of the criminal offences and charges brought against the perpetrator.

First victim: During the pre-trial criminal proceedings at an unspecified time, but not later than on 5 January 2021, the perpetrator, when contacting the victim and finding out that he is in a state of vulnerability, i.e. he is a person without income, workplace and subsistence, without a specific place of residence, without the support of his or her family and loved ones, long-term living in a garden cottage without convenience and heating, developed a criminal intent aimed at exploitation of the victim in his or her own interests and directly: force works to be carried out free of charge on the perpetrator's family properties, thereby not only maintaining them without expense, but also improving, repairing and making them more valuable. The perpetrator, promising compensation to the victim of EUR 500.00 per month, food and accommodation, as well as promising work in the field of woodworking in spring, recruited him to carry out repairs, which the perpetrator, being mistaken for the true intentions of the perpetrator, agreed to. Moreover, the victim, finding out that the perpetrator did not intend to enter into a contract of employment with him, but was permanently without income, without a place of residence appropriate to the winter conditions, agreed, after his sister refused to support him, i.e. without any other reasonable choice for a daily subsistence and in the hope of obtaining shelter and food, to carry out certain works by the perpetrator [..].

Second victim: the victim without a certain place of residence and low income was exploited for construction work for which the victim was not paid.

Third victim: the perpetrator offered the victim alcohol to mow down grass in the grounds of the private house, which he agreed to. For the work done, the perpetrator purchased and handed over several bottles of beer to the victim in return for payment and brought him to his residence. After that, the perpetrator, aware that the victim was capable of performing low-skilled work for alcohol-based remuneration, developed a criminal intent aimed at exploiting the victim for his own benefit and in order to pursue his criminal intent, the perpetrator contacted the victim to recruit him. In exercising his criminal intent, the perpetrator promised to pay the victim a salary for work done on his family property, good working and living conditions, to which the victim, being vulnerable, i.e. being a person without education, without family support and in a state of helplessness related to the mental state of the victim, agreed. The perpetrator, in order to carry out his criminal intention of forcing the victim to carry out works free of charge in the family property of the perpetrator, thereby not only maintaining them without expense, but also improving, repairing and making

them more valuable and giving the victim the impression that he would fulfil the promises of the proposed work, transferred the inheritance of the victim from his previously rented room to the property of the perpetrator's family, where he was accommodated in the caravan.

Fourth victim: during pre-trial criminal proceedings at an unspecified time, but not later than in April 2021, the victim, while in a state of vulnerability, i.e. being a person with irregular, low income, long-term living in a garden cottage without convenience, without the support of his family and loved ones, agreed to go to perform ancillary work on the property. Upon arriving at that location and agreeing to be accommodated in a caravan located in the enclosed area, the perpetrator had a criminal intent aimed at exploiting the victim in his own interests and directly: force works to be carried out free of charge on the perpetrator's family properties, thereby not only maintaining them without expense, but also improving, repairing and making them more valuable. The perpetrator, promising him compensation, maintenance and accommodation, recruited him to carry out ancillary work on the family estate, which the victim, being mistaken for the true intentions of the perpetrator, agreed to.

Another criminal case (*Judgement of Vidzeme Regional Court, 15 March 2023, case No. 11815000414, judgement publicly not available*). The Supreme Court refused to initiate the cassation proceedings.

The case regarded recruitment in Latvia of women with special mental backwardness, deliberate deception of the nature of their occupation, working conditions and conditions in England, Ireland and Cyprus, that is to say, concealing that they will have to register marriage with Pakistani citizens who need to legally obtain the right to reside in the European Union, arranging the necessary documents for registration of marriage, keeping the recruited women until departure from their place of residence, providing them with air tickets and bringing them to Riga International Airport on departure, receiving the relevant amount of money for the role played (about GBP 1000 per woman recruited).

Using the vulnerabilities of victims – mental and physical health problems, material difficulties, the need to provide for young children, the estrangement of family members from them – talks have been held with them to reassure them that the only way to solve their problems is to go abroad. To prevent victims from being prevented from being sent abroad and from carrying out the defendants' criminal intent, they have been deprived of their identity documents, which have been returned only before boarding the plane. [...].

In circumstances where human trafficking within the group organised by accused persons was carried out for a period of several years, all the accused persons with direct intent committed a criminal offence against particularly vulnerable persons who, by reason of their individual psychiatric characteristics, were in a state of vulnerability and who were held in captivity, subjected to emotional, physical and sexual abuse after being wrongfully transferred to third parties residing abroad, the Vidzeme Regional Court finds that the offence committed by the accused persons has the highest degree of harm.

35. Is the concept of “abuse of a position of vulnerability” addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.

The understanding of the state of vulnerability is addressed in the commentary to the Criminal Law⁴², i.e. '... the state of vulnerability is characterised by the use of circumstances in which a person has no real or acceptable choice other than to submit to exploitation. Vulnerability may be based on social factors such as

⁴²u.a. Kraft, V.Liholaja “Criminal Law comments”, Part two (Chapters IX-XVII), Second supplemented edition, Riga: Court House Agency, 2018, p. 558 (p. 430)

poverty, dysfunctional family, physical or mental problems, dependence on alcohol, narcotic drugs or psychotropic substances.'

Training on trafficking in human beings is included in the short-cycle vocational higher education programme "Police work" of the State Police College (SPC), the study course "Criminal Justice", the topic "Criminal offences against Freedom, honour and dignity of persons".

On 29 November 2023, the SPC Training centre organised training "Combating trafficking in Human beings" in cooperation with the US embassy. The seminar was led by an American expert with more than 20 years of practical experience in criminal law, including trafficking in human beings. Particular attention was paid to proving vulnerability in practice as carried out by US experts. 32 listeners, representatives of the SP, representatives of the Prosecutor's Office, one representative of the court, as well as representatives of the State Labour Inspectorate participated in the seminar.

36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?

In Latvia, several procedures and measures ensure that the specific needs of vulnerable victims are addressed at different stages of criminal proceedings⁴³:

1. Identification and Special Status Recognition

- Victims, including minors, persons with disabilities, and victims of trafficking in human beings (THB) or sexual violence, are identified as specially protected victims under the Criminal Procedure Law.
- Law enforcement and social services conduct individual assessments to determine necessary support and procedural adaptations.

2. Adapted Interrogation Procedures

- Minors and other vulnerable victims are interviewed using technical means (audio-video recording) and in the presence of a psychologist to prevent re-traumatization.
- Interrogations must take place in child-friendly or safe environments, ensuring that the victim is not exposed to the perpetrator.
- In urgent cases where a psychologist or technical means are unavailable, only specially trained officers may conduct the interview.

3. Legal and Psychological Support

- Victims are entitled to state-funded legal aid, including representation during proceedings.
- Shelters and NGOs provide psychological and social support, particularly for THB survivors and victims of sexual violence.

4. Protection from Repeated Victimization

- To prevent secondary victimization, vulnerable victims are generally exempt from testifying in court if their statements were previously recorded.
- Defense access to victim statements is ensured through recordings or interrogation minutes, minimizing the need for repeated questioning.
- Special measures, such as protective orders, can prevent contact between the victim and the suspect.

5. Compliance with International Standards

- Latvia follows the EU Victims' Rights Directive and the Lanzarote Convention, ensuring child-friendly justice and comprehensive victim protection.

⁴³ <https://m.likumi.lv/ta/id/107820-kriminalprocesa-likums>

- These measures ensure that vulnerable victims are protected, supported, and heard while maintaining fair trial principles and effective prosecution.

As regards practice, it is worth mentioning the situation with children that are also specially protected victims. According to experts, including “Centre Dardedze”, in practice several problems are detected also during the trial process in cases of sexual exploitation of children. It is emphasized that in practice it takes a long time to commence the trial of a case, or the commenced trials are lengthy and the trial of cases is postponed for several months, which is not in the best interests of the achievement of the objective of criminal proceedings or of children. At the same time, it is observed in practice that at such stages of the proceedings, judges are increasingly inviting victims of minors to give evidence, even if the psychologist justifiably does not recommend it. Repeated summoning of a child to testify in court is undesirable. Firstly, when retelling what has happened, the child is repeatedly traumatized, namely, recalling unpleasant experiences causes the same stress reactions in the child's body as when the abuse occurred. Similarly, if the victim has already undergone rehabilitation following that re-traumatization in court, the child is no longer entitled to rehabilitation. As a result, the child affected may resume undesirable activities such as resuming self-harmful behaviour, escalating suicidal thoughts and activities, enrolling in antisocial groups (wandering), performing antisocial activities, fleeing homes, using addictive substances, stealing, stopping school attendance, psychologists, etc. Secondly, if the child has already undergone a rehabilitation process and has integrated what is happening into his or her experience, the testimony of the child may be inaccurate or different from that provided during the pre-trial procedure. The child may already have forgotten what happened, especially if the court takes place longer after the event and the child was still small at the time of the event – for example, if the abuse occurred at the age of three years, but the court takes place two years later. The peculiarities of the development of a child in such a situation prevent a real and true account of the event so long after the event. It is important to stress that it is at the first interrogation that the testimony of the child is the most accurate to establish the circumstances of the case. Investigative actions in themselves create emotional tensions and may update the traumatization of a criminal offence, thus potentially creating the possibility of being traumatised as a result of investigative actions. Thirdly, evidence before a court may also involve meeting the offender, which may have a very negative impact on the victim's situation. It should be noted that increased security in court buildings is ensured in courtrooms, but not in the hallway or outside the court building when the perpetrator can meet the victim.

37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.

Section 164 of Criminal Law. Involvement of a person in prostitution and use of prostitution

(2) in the case of forcing to engage in prostitution or involvement of a person in prostitution by abusing his or her trust or by fraud, or by using the dependence of a person on the perpetrator or his or her state of helplessness, or in the case of knowingly using prostitution of a victim of trafficking in human beings -

the applicable punishment is deprivation of liberty for a period of up to five years or temporary deprivation of liberty, or probationary supervision, with or without confiscation of property.

As well as Section 280, Paragraph two of the Criminal Law determines liability and punishment:

Section 280 of Criminal Law. Violation of the conditions of Employment of a person

(2) in the case of employment of a person who is not entitled to reside in the Republic of Latvia, if it has been committed by an employer and if a minor has been employed or if more than five persons have been employed, or if the person has been employed under particularly exploitative working conditions, or if a victim of trafficking in human beings has been deliberately employed -

the applicable punishment is deprivation of liberty for a period of up to three years or temporary deprivation of liberty, or probationary supervision, or public service, or a fine.

There is no available court practice regarding Article 164 and 280 of Latvian Criminal Law and victims of human trafficking.

38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?

See report provided by LV on the implementation of GRETA recommendations: <https://www.coe.int/en/web/anti-human-trafficking/latvia1>, reply to recommendation 2, pages 5, 6.

In 2020, State Police officials participated in training organised by the Organisation for Security and Cooperation in Europe “on the use of technologies to combat sexual exploitation and trafficking in human beings effectively”, as well as in training organised by CEPOL: in 2019 on “Financial Investigation related to THB”, “Investigation of THB as a Cyber-enabled crime”, in 2022 on “Trading in Human beings — Investigation of the Digital Business Model of Human TRAFFICKERS”, in 2023 on “Trading in Human beings for the purpose of Sexual exploitation in the Digital age”, in 2024 on “Investigation of the Internet Digital Business Model of the trading in Human beings”.

State Police officials participated in the training programme “Forms and Prevention of trafficking in Human beings” organised by the SPC:

- 91 officials in 2019;
- 140 officials in 2020;
- 26 officials in 2021;
- in 2022 - 30 officials;
- in 2023 – 48 officials;
- in 2024 – 21 persons.

The Prosecutor's Office of the Republic of Latvia has acquired licenses and organised training related to the IBM I 2 Analysis Notebook software training. The I 2 tool is designed for processing and visualizing large amounts of data. This software can be used to process a variety of data-only numbers are required to enter into the system. 16 prosecutors and assistant prosecutors participated in the training in 2024.

In 2023 2 Prosecutors participated in training organised by CEPOL on the use of social networks, detection of trafficking in human beings (The use of Social Media in Human trafficking Investigations)

Prosecutors have participated and have information regarding the Council of Europe's HELP platform, where e-training on trafficking in human beings is available:

<https://help.elearning.ext.coe.int/course/view.php?id=1936>

39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?

The State Police uses instruments in international cooperation to gather evidence of criminal offences in electronic form.

The Prosecutor's Office has not used, because the person directing the proceedings in pre-trial criminal proceedings is an investigator. A public prosecutor shall become a person directing the proceedings at the stage of criminal prosecution. Therefore, if it has been necessary to use this provision, the investigator shall use it as the person directing the proceedings.

Part II – Country-specific follow-up questions

40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA’s previous reports:

- **adopt protocols for the identification of victims of trafficking amongst unaccompanied and separated children detained for immigration purposes;**

The State Border Guard

In addition to the answer to question 23, it should be noted that Section 3, Paragraph one of the Law on the Protection of the Rights of the child states that “*a child is a person who has not reached the age of 18 years, except those persons who have been declared by law as adults or have entered into marriage before reaching the age of 18 years*”. Section 3, Paragraph two of the Protection of the Rights of the child Law states that “the rights and freedoms of the child shall be ensured by the State to all children without discrimination - regardless of the race, nationality, gender, language, party affiliation, political and religious belief, national, ethnic or social origin, state of residence, property and health condition, birth or other circumstances of the child, his or her parents, guardians, family members.” Section 54, Paragraph five of the Custody Court Law prescribes that, if the parents of the child are unknown or the child is a finding, a decision regarding out-of-family care of the child shall be taken by the Custody Court in the territory of operation of which the child has been found. The role of the Custody court as a representative of a minor person is important, because the function of the Custody court is to provide support and assistance to an unaccompanied person and to represent him or her, to ensure the best interests and needs of the child, to implement the legal capacity and capacity to act of the child. It follows from the above that in Latvia a unified system of protection of the rights of the child established in the State (a system applicable to all children present in the State) is applicable to foreigners who are minors (asylum seekers, foreigners to be expelled, as well as foreigners whose expulsion has been postponed). Special legal norms determine special rights and procedures, which are applicable to a particular category of unaccompanied minor foreigners.

Upon detecting a minor foreigner who is unaccompanied by a parent or his or her legal representative and whose stay in the Republic of Latvia is illegal, the State Border Guard shall inform the Custody Court. The Chairperson of the Custody Court shall, by an order or on the basis of a power of attorney, appoint an official of the Custody Court to become a representative of the child. Representation of an unaccompanied minor - protection of rights and legal interests - shall be implemented by the Custody court of such local government (city or municipality) in the administrative territory of which the unaccompanied minor is staying.

If an unaccompanied minor submits a submission regarding the granting of refugee or alternative status in the Republic of Latvia, the State Border Guard shall immediately contact the Custody court, which shall decide on the appointment of a guardian to the unaccompanied minor. All procedural actions with a minor shall be performed in the presence of a representative of such person.

Both in procedures for granting asylum and in the process of removal, unaccompanied minors shall be represented in personal and property relations by the Custody court until the moment when a guardian has been appointed to the minor person, or by the head of a child care institution, if the child has been placed in a long-term social care and social rehabilitation institution, or until the removal of a minor foreigner.

Thus, in exercising the duty of a lawful representative, the Custody court shall participate both in the initial survey of an unaccompanied minor foreigner to be removed, as well as in the preparation of the minutes of detention of an unaccompanied minor asylum seeker or in the taking of a decision regarding the application of alternative means of detention, as well as in procedural measures after his or her detention, as well as in in-depth discussions with the minor, as well as to represent the unaccompanied minor in court and also participate, if possible, in actual expulsion, as in all other procedural activities.

In addition, we would like to note that the State Inspectorate for Protection of the Rights of the child in co-operation with the State Border Guard has already developed guidelines “On ensuring representation for unaccompanied minors and asylum seekers and co-operation of the institutions involved” in 2018. The purpose of the Guidelines is to establish an effective system of protection of unaccompanied minor foreigners and to develop practical co-operation between institutions that perform procedural activities depending on the situation in which a minor foreigner (asylum seeker, foreigner to be expelled, foreigner whose expel has been postponed) has arrived and institutions that represent the interests and rights of unaccompanied minor foreigner, representing them in personal and property relations (guardian or legal representative). These guidelines are used in daily work.

Ombudsman

In 2020 experts of the Ombudsman Office within the Project “Implementation of effective monitoring and extradition process (Stage 1)” (No. TSB/PMIF/2018/1) developed a teaching aid⁴⁴ for recognition of the victims of trafficking in human beings in the extradition procedure, paying special attention to inter-institutional cooperation in the field of children's rights protection. Also, two training seminars were organized on the basis thereof to facilitate the recognition of potential victims of trafficking in human beings in forced extradition procedure and to strengthen cooperation of the involved institutions. A total of 42 participants from the State Border Guard, Custody Courts, the State Inspectorate for the Protection of Children's Rights, and non-governmental organizations were trained. Results of the project also included supplemented polling list regarding observation of a forced extradition procedure as well as guidelines for implementation of supervisory mechanism in respect of the subjects of forced extradition including information and questions related to the trafficking in human beings.⁴⁵

Comprehensive information on the measures taken as a part of the project and the results of implementation is available on the Ombudsman’s website⁴⁶.

In addition, considering the importance of further improving the understanding of the relevant institutions on trafficking in human beings and the recognition of victims in the forced return process, the Ombudsman organised another training on 27 May 2021, after the conclusion of the project “The Implementation of an Effective Monitoring and Forced Return Process (Phase 1)” (No TSB/PMIF/2018/1). 25 participants took part, including State Border Guard and Citizenship and Migration Affairs Office officials, members of Custody Courts and sworn attorneys.⁴⁷

- **ensure sufficient funding for the assistance to victims of trafficking and reintegration services and programmes;**

The Ministry of Welfare takes the need to provide all victims of HT with immediate access to the social rehabilitation service they need. So far, it has always been possible either to provide a service within the planned budget or, if necessary, to request and receive additional funding from the Ministry's total social services budget.

Information provided by the Center MARTA

Funding for social rehabilitation for victims of THB was increased in 2023. However, as described previously, longer-term support beyond the 6 months of rehabilitation is still lacking, especially in terms of long-term

⁴⁴ https://www.tiesibsargs.lv/wp-content/uploads/migrate_2022/content/cilvtirdzn_makets_01_1606300823.pdf.

⁴⁵ https://www.tiesibsargs.lv/wp-content/uploads/2023/04/annual_report_2020.pdf, page 117.

⁴⁶ <https://www.tiesibsargs.lv/par-mums/projekts-patveruma-migracijas-un-integracijas-fonds-2019-2021/>.

⁴⁷ <https://www.tiesibsargs.lv/wp-content/uploads/2022/07/Annual-Report-2021.pdf>, page 180.

housing support and help with daily expenses, which can pose risks for victims to become involved in trafficking again.

There is significant confusion and concern regarding situations where criminal proceedings are not initiated, despite clear indications that the client has been a victim of human trafficking (THB) and qualifies for social rehabilitation as a THB victim. This issue highlights a broader problem of insufficient awareness and understanding among institutional staff about the proper identification of THB victims. As a result, victims are rarely referred to appropriate services by other social service providers.

Another critical challenge is the limited duration of the THB rehabilitation program. The current six-month period is inadequate for the comprehensive rehabilitation of severely traumatized clients. Effective recovery and reintegration require more time to address the complex physical, psychological, and social impacts of trafficking.

Additionally, the THB program suffers from constrained financial resources, making it difficult to provide a personalized approach to each victim. Many cases involve individuals who lack personal resources or support networks and require extensive assistance. This includes shelter, food, clothing, hygiene products, specialized services, medical care, medication, transportation, and accompaniment. Such resource-intensive cases often involve migrant victims, homeless individuals with addictions, and women who have suffered sexual exploitation. Addressing these needs is essential for the effective rehabilitation and long-term recovery of THB victims.

➤ **adopt measures to facilitate and guarantee access to compensation for victims of human trafficking;**

There are two types of compensation available to victims of trafficking:

1. State guaranteed compensation
2. Court-defined compensation

The procedure for receiving state compensation is defined in the [Law on State Compensation to Victims](#).

Law on State Compensation to Victims: <https://likumi.lv/ta/en/en/id/136683-on-state-compensation-to-victims>

As defined in Section 7 “Maximum Amount of the State Compensation”:

*2) if severe bodily injuries have been caused to the victim or the criminal offence has been classified as rape or sexual violence, or the morality or sexual inviolability of the minor victim has been violated, or the victim is a victim of trafficking in **human beings** - in the amount of 90 %;*

Court-defined compensation for Victims of Trafficking

In 2024, the maximum amount of compensation for victims of trafficking has increased to €3,150. The number of granted compensations is directly linked to the number of launched investigations and formally identified victims. The statistics of compensation decisions are as follows: 2021 – 14; 2022 – 10; 2023 – 5.

The data on compensation returned to victims according to court orders is unreliable. In some cases, the compensation has been redirected to civil court. Even with a court order, sometimes the sentenced person responsible does not have any official income, which limits the possibilities for bailiffs. Consequently, it is not possible to draw reliable statistics on the actual compensations received by victims.

However, it is important to note that, according to information from prosecutors and judges, compensation requests are being made. Victims can request compensation for damages only until the court investigation has been initiated. The types of compensation that can be requested include:

- Damaged or destroyed property
- Moral damage
- Physical suffering

When determining the amount of compensation to be awarded, the court considers:

- The severity of the criminal offense and the nature of its commission
- Inflicted physical suffering, permanent disfigurement, and loss of working capacity
- The depth and public nature of the moral offense
- Psychological trauma

According to information from judges, there is established case law on how these compensations are estimated (in general, not specifically for trafficking cases), which can vary depending on the case.

- **amend the legislation related to the recovery and reflection period;**

The legal act has not been amended.

- **take measures to ensure that human trafficking cases are investigated proactively, prosecuted effectively, and lead to effective, proportionate and dissuasive sanctions;**
- ***Whether alternative punishments are still applied to traffickers, such as community service or fines;***

According to our legal system, punishments such as community services or fines are not possible in case if a person is convicted for trafficking. At the same time, the suspended convictions or suspended deprivation of liberty can still be sentenced.

Criminal Law Section 154¹Human Trafficking

(1) For a person who commits human trafficking, the applicable punishment is the deprivation of liberty for a period of 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 according to a prior agreement, the applicable punishment is the deprivation of liberty for a period of three and up to twelve years, with or without confiscation of property and with or without probationary supervision for a period of 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 the deprivation of liberty for a period of five and up to fifteen years, with or without confiscation of property and with or without probationary supervision for a period of up to three years.

- ***The number of investigations related to human trafficking cases (please complete the relevant section of the statistics in the questionnaire);***

Please see statistics.

- ***The number of convictions and their types, including whether the number of suspended sentences has remained the same;***

Please see statistics.

Arrested Assets

The procedure for the confiscation of assets is defined in the [Law on Execution of Confiscation of Criminally Acquired Property](#).

Regarding human trafficking, between 2021 and 2023, under Section 154¹ (Human Trafficking) of the Criminal Law, the State Police seized assets estimated to be worth €809,903.47. For a comparison, in total for all crimes between 2021 and 2023, the state police arrested assets with estimated worth of 2.2 billion euro. The actual confiscation take place after the court order, thus between 2021 and 2023 in total 299.9 million Euro has been confiscated, most of this amount is returned to the State budget, and the actual return to owners is rather small – 1.7 million Euro in respective years.

This funding is also used for the Ministry of Justice Fund of the Proceeds of Crime from Confiscation, where institutions can apply for a funding aiming to improve fight with economic crimes and strengthen support to victims of crimes. This fund can be also used to improve fight with human trafficking.

Link to description of the fund: <https://likumi.lv/ta/en/en/id/296013-procedures-for-the-use-of-the-funds-of-the-basic-budget-programme-of-the-ministry-of-justice-fund-of-the-proceeds-of-crime-from-confiscation>

- ***The duration of court proceedings in trafficking cases;***

Up to 10 years, usually 5 to 7 years. Please note that this is rather common length of the trial for more complex cases. Such length of the trial is not an issue only to trafficking cases. Therefore, it is a system, not the problem with trying THB cases.

- ***Any changes in legislation that have impacted the investigation and prosecution of trafficking cases;***

No.

- ***Whether the Police Anti-Trafficking Unit has adequate resources and capacity for proactive investigations (for example, are officers responsible for trafficking full-time, or has the unit expanded with new staff);***

According to the information provided by the Police, the resources and capacity of the Anti-Trafficking Unit is satisfactory.

- ***Whether prosecutors and judges are trained on human trafficking, including the number of training hours provided and the number of participants.***

2019

Employees of the Ombudsman's Office responded to the invitation from the Latvian Association of Local and Regional Governments Training Center to train State Police officers, prosecutors, judges, and sworn advocates on the topic "Children as Victims of Human Trafficking."

The training was conducted within the framework of the European Social Fund project No. 9.2.1.3./16/I/001, titled *“Enhancing the Support System for Children with Communication Difficulties, Behavioral Disorders, and Family Violence,”* implemented by the State Inspectorate for the Protection of Children's Rights and organized by the Latvian Association of Local and Regional Governments Training Center.

During the lectures, officials were educated on the legal framework of human trafficking, including:

- The definition of human trafficking (its forms, means, and methods),
- Indicators and warning signs of human trafficking,
- Risk factors leading to victimization or criminal involvement,
- Interinstitutional cooperation, and
- Social services available to victims of human trafficking.

A total of 202 participants - judges, advocates, and prosecutors, State Police officers, psychologists, social specialists and others.

2020

The Ombudsman's Office in cooperation with the Latvian Association of Local and Regional Governments Training Center to train State Police officers, prosecutors, judges, and sworn advocates on the topic *“Children as Victims of Human Trafficking.”*

A total of 256 participants - judges, advocates, and prosecutors, State Police officers, psychologists.

2021

The Ombudsman's Office in cooperation with the Latvian Association of Local and Regional Governments Training Center to train State Police officers, prosecutors, judges, and sworn advocates on the topic *“Children as Victims of Human Trafficking.”*

A total of 304 participants - judges, advocates, and prosecutors, State Police officers.

2022

The organization of training sessions in 2022 was initially passive due to the outbreak of Covid-19 at the beginning of the year. Seminars and trainings resumed in the summer of 2022. Participants from the State Police and Prosecutors' Offices attended a CEPOL training on human trafficking for labour exploitation.

At the end of 2022, participants from the State Police, Prosecutor's Office, Ministry of the Interior, and Labour Inspectorate took part in a study visit to Poland as part of the ELECT THB project (Enhanced Law Enforcement Cooperation and Training on Trafficking in Human Beings). The agenda included presentations by a prosecutor and a judge on their cases and the challenges of prosecuting and trying THB cases.

In Latvia, training sessions for judges took place in November and December 2022. The training course included four lectures:

- Introduction to the problem of human trafficking
- Working with victims of human trafficking
- Investigation and trial of human trafficking cases
- Practical workshop: analysis of the ECtHR case S.M. against Croatia

2023

In 2023, as part of the ELECT THB project, several training sessions involved prosecutors and judges:

- In March 2023, participants from Latvia, Estonia, and Finland participated in a study visit to Vilnius, Lithuania, which included a presentation by a judge and police.
- In May 2023, participants from Latvia (investigators and prosecutors) attended an international seminar in Tallinn, Estonia on trafficking for labour exploitation, which included presentations by prosecutors.
- In April and May, the Ministry of the Interior of Latvia organized four national one-day training sessions. Two focused on sexual exploitation trafficking, and two on labour exploitation trafficking. The agenda covered trends, vulnerabilities, investigation, and prosecution. The target group included investigators, border guards, labour inspectors, prosecutors, and judges.
- In early June 2023, an international seminar was organized in Latvia on the investigation and prosecution of sexual exploitation cases. The agenda included victimless prosecution, evidence gathering, the impact of trauma on victims, and appropriate investigative interview techniques. Police, prosecutors and judges from Latvia also took part in the training.

In September 2023, the Latvian Judicial Training Centre, in cooperation with the Ministry of the Interior, organized an international one-day training session for judges, which included:

- A presentation by a Helsinki district judge on trying THB cases for labour exploitation, highlighting challenges and evidence.
- A presentation by a judge from the specialized Amsterdam court on trying THB sexual exploitation cases, including a practical workshop/discussion focused on recognizing pimping cases versus trafficking cases.

In November 2023, the State Police College organized a short two-hour online workshop. A participant from the US State Department on Judicial Assistance provided a lecture to police and prosecutors on human trafficking for labour exploitation.

2024

These activities continued into 2024. For example, "Centre MARTA" is organizing training sessions for police, prosecutors, and judges to emphasize how to work with victims of violence and individuals who commit violent acts. The aim is to provide training on working with victims of violence and individuals who have committed violence, adapting the training content to the needs of the justice system and drawing on examples of best practices, including those from abroad, with the possibility of adapting them to the situation in Latvia. These lectures also include information on working with victims of trafficking. Approximately 160 academic hours of training are included as part of the program and training will continue until May 2026.

Additionally, on January 1, 2025, the Academy of Justice will be opened as a unified training center for the further education of judges, court employees, prosecutors, and assistant prosecutors. It will also provide qualification improvement measures for investigators on interdisciplinary issues essential for the effective conduct of court proceedings. Training programs will be regularly updated to include the latest trends and best practices, ensuring a high quality of court work.

41. Please provide information on developments in your country since GRETA's third evaluation report concerning:

➤ **emerging trends of trafficking in human beings;**

Currently, Latvia is undergoing a period of transition in the context of human trafficking. While Latvia was previously known primarily as a country of origin—since Latvian nationals were often subjected to exploitation abroad—today, it functions as a country of origin, destination, and transit, as well as a country where its own residents are exploited. Therefore, strategic policy planning requires the implementation of diverse measures covering multiple areas. This approach significantly differs from that of countries that primarily serve as destination states or those characterized solely as countries of origin.

It is important to note that during this transitional period, many established practices and systems—such as approaches to risk environments, victim identification and referral, and victim assistance—must be modified or adapted. Additionally, new services are required; for instance, the unavailability of interpreters can significantly impact victim support and reduce access to assistance. As a result, in the context of combating human trafficking, both the number of cooperating institutions and the range of issues that need to be addressed have expanded significantly.

Since 2016, **303** human trafficking victims have been identified in Latvia. Of these, **213** are Latvian nationals, while **90** are third-country nationals. The identified victims have been subjected to human trafficking both within Latvia and abroad.

Criminal activities such as drug trafficking or financial fraud have been observed. There have also been cases where individuals, including minors, have been forced into begging abroad.

Elevated risks are associated with vulnerable groups in society, as human trafficking is significantly influenced by various structural (social and economic) factors that cannot be addressed solely within the framework of anti-trafficking policies.

Based on the stories and case descriptions of identified human trafficking victims, the following groups can currently be identified as being at a higher risk of human trafficking:

- **Third-country nationals** (e.g., from Tajikistan, Uzbekistan, Kyrgyzstan, Moldova, Ukraine, and India) who come to Latvia in search of a better life are most often employed in construction and the hospitality industry. These individuals are typically socially and economically vulnerable, unfamiliar with Latvia's legal framework, and distrustful of state institutions.
- **Latvian nationals seeking employment abroad**, primarily within the European Union, face similar risks. They often lack knowledge of labour regulations and do not trust public authorities. Latvian nationals are most frequently exploited in the construction, agriculture, manufacturing, and hospitality sectors.
- **Women aged 18 to 46** are at risk of **sexual exploitation**, particularly those with low social integration, a tendency toward gullibility, or substance dependencies. The arrival of third-country nationals in Latvia to provide prostitution services has contributed to the emergence of apartment-based brothels, increasing the risks of pimping and, potentially, human trafficking for sexual exploitation.
- **Highly vulnerable individuals** include those with substance use disorders, no fixed residence, or living in extreme social and economic hardship. These individuals are frequently recruited for forced begging in other EU countries or coerced into various financial fraud schemes.

Annual reports: <https://www.iem.gov.lv/lv/parskats-par-cilveku-tirdzniecibas-noversanu-un-apkarosanu-latvija>

➤ **the legislation and regulations relevant to action against THB;**

Latvia has established a comprehensive legal and regulatory framework to combat trafficking in human beings (THB), encompassing several key legislative instruments:

1. Criminal Law Provisions:

- **Section 154¹: Human Trafficking**
This section criminalizes all forms of human trafficking, prescribing penalties of up to eight years' imprisonment.
- **Section 154²: Meaning of Human Trafficking**
This provision defines human trafficking, detailing the acts, means, and purposes that constitute the offense.

2. Cabinet Regulations:

- **Regulation No. 344 (2019):**
Titled "Procedures by which Victims of Trafficking in Human Beings Receive Social Rehabilitation Services, and the Criteria for the Recognition of a Person as a Victim of Trafficking in Human Beings," this regulation outlines the procedures for providing state-funded social rehabilitation services to victims and establishes criteria for their recognition.

3. Immigration Law:

- **Law on Residence of a Victim of Trafficking in Human Beings:**
This law grants foreign victims the right to reside in Latvia without a visa or residence permit during the reflection period or while holding a temporary residence permit. It also allows victims with a temporary residence permit to work without restrictions.

4. Social Services and Assistance:

- **Law on Social Services and Social Assistance:**
This law provides the legal basis for offering social services and assistance to victims of human trafficking, ensuring their access to necessary support mechanisms.

5. Victim Compensation:

- **Law on State Compensation to Crime Victims:**
Under this law, victims of human trafficking are entitled to state compensation, with the maximum amount set at five times the minimum monthly wage in Latvia.

6. Non-Punishment Provisions:

- **Criminal Law Section 58 (6):**
Allows for the release from criminal liability of individuals who committed offenses while being subjected to human trafficking and were forced to commit such offenses.
- **Criminal Procedure Law Section 379 (1)(5):**
Permits the termination of criminal proceedings if the person committed the offense during the time they were subjected to human trafficking and were compelled to commit it.

These legislative measures are complemented by national action plans and inter-institutional cooperation frameworks aimed at preventing human trafficking, protecting victims, and prosecuting offenders. Latvia's

commitment to combating THB is further evidenced by its ratification of international instruments, such as the Council of Europe Convention on Action against Trafficking in Human Beings.

- **the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);**

Latvia has established a comprehensive institutional and policy framework to combat trafficking in human beings (THB), involving various coordinating bodies, specialized entities, and collaborative efforts with civil society and the private sector.

Coordinating Bodies:

- **Ministry of the Interior:** The Ministry of the Interior is responsible for coordinating national anti-trafficking policies. An inter-institutional working group, established in 2010, operates under its leadership, comprising representatives from line ministries, law enforcement agencies, governmental and municipal institutions, and non-governmental organizations (NGOs). This group ensures a cohesive approach to THB prevention and response.

Specialized Entities:

- **State Police Anti-Trafficking Unit:** This specialized unit within the State Police focuses on investigating human trafficking cases, including those related to sham marriages and associated crimes. As of recent reports, the unit comprises 20 full-time officers based in Riga, dedicated to combating THB.

National Rapporteur or Equivalent Mechanism:

- While Latvia does not have a designated National Rapporteur, but this function is carried out by the National Coordinators.

Involvement of Civil Society:

- **Non-Governmental Organizations (NGOs):** NGOs play a crucial role in Latvia's anti-trafficking framework. They are actively involved in policy development, victim support, and awareness-raising initiatives. The National Coalition of NGOs unites organizations dedicated to preventing THB and is represented in the inter-institutional working group, facilitating collaboration between the government and civil society.

Policy Framework:

- **National Action Plans:** Latvia has implemented successive National Action Plans (NAPs) to prevent trafficking in human beings. The latest plan, covering 2021–2023, was approved by the Cabinet of Ministers in September 2021. The new NAP 2025 – 2027 is now under the process of adoption.

Through this comprehensive framework, Latvia strives to address the multifaceted challenges of human trafficking, ensuring a coordinated and effective response involving governmental agencies, civil society, and the private sector.

- **the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the**

Information will be updated in April 2025, since the coordination and adoption of the new plan is still in the process.

- **recent case-law concerning THB for different forms of exploitation.**

In 2023 the Division of Case law of the Supreme Court of Latvia prepared a [summary of case law](#) that also consists of examination of article regarding criminal liability of human trafficking.

It follows from the definition that trafficking in human beings comprises three main components: 1) activity (recruitment, transport, transfer, receipt, accommodation or hiding of a person), 2) means for the performance of such activities (violence or threats, deceit, dependence on the perpetrator, vulnerability, state of helplessness or granting of benefit to the person who controls the victim); and 3) the purpose of performing these activities (purpose of use – to exploit a person) (*Judgement of Vidzeme Regional court of 9 March 2020, case No. 11815003517, ECLI:LV:VAT:2020:0309.11815003517.6.S, para. 12. This judgement has been annulled by the Supreme Court*).

The physical age of a person, the need for physical capacity and means of subsistence, without any specific explanation giving him or her individual meaning, cannot be a decisive objective criterion for determining the state of vulnerability. Otherwise, it will be possible in case law to attribute any age, physical capacity and subsistence need of a person to being in a state of vulnerability and to target any potential employer (*Judgement of Vidzeme Regional court of 9 March 2020, case No. 11815003517, ECLI:LV:VAT:2020:0309.11815003517.6.S, para. 15. This judgement has been annulled by the Supreme Court*).

Human trafficking may involve the giving or receiving of material or other benefits in order to obtain the consent of the person on whom the victim depends. Money, securities, food, industrial goods, services of all kinds, rights to property, deposits in the name of the person concerned, involvement in advantageous work, etc. shall be regarded as benefits (*Judgement of Riga city Latgale suburb court of 3 May 2017, case No. 11815002309, K29-0046-17/10, p. 28*).

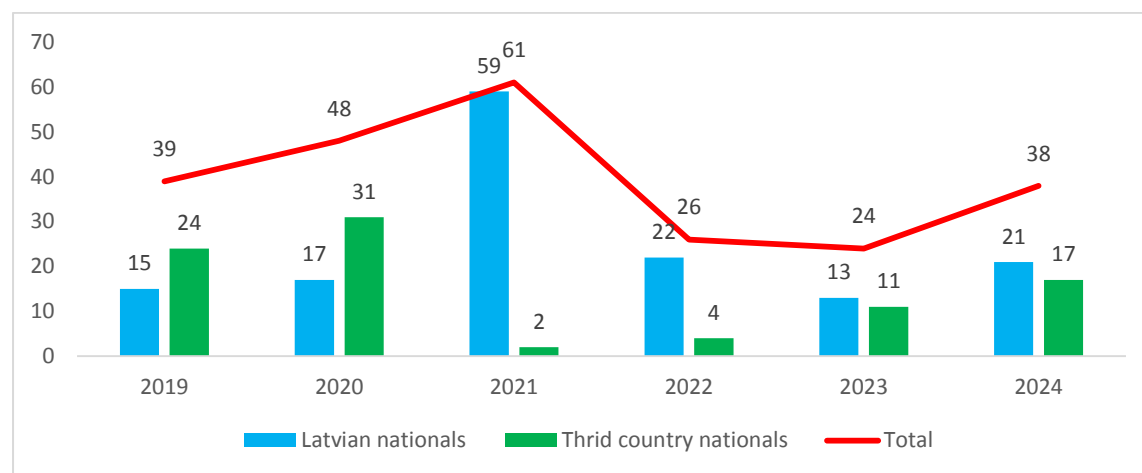
In systemic approach the Supreme Court has emphasized the understanding of the use of victim's vulnerability in sexual abuse crimes. It has noted that the use of a victim's vulnerability (such as the use of a young child's addiction to smoking or alcohol, the presence of a child in a disadvantaged social environment) does not constitute the content of a person's state of helplessness, but constitutes an independent characteristic of the composition of sexual violence – other effects on the use of victims (see *Decision of the Supreme Court of Latvia, No. SKK-[O]/2023, [available in Latvian](#)*).

Part III - Statistics on THB

42. Please provide the following statistics, per year starting with 2019, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Graph 1. The number of identified victims, Latvian nationals and third country nationals, 2016 – 2024



*nationalities:

2019 – 14 Tajikistan, 8 Uzbekistan, 2 India

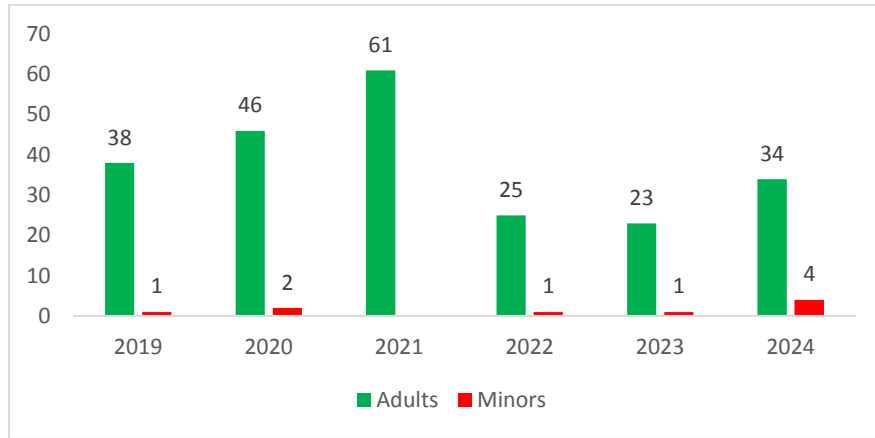
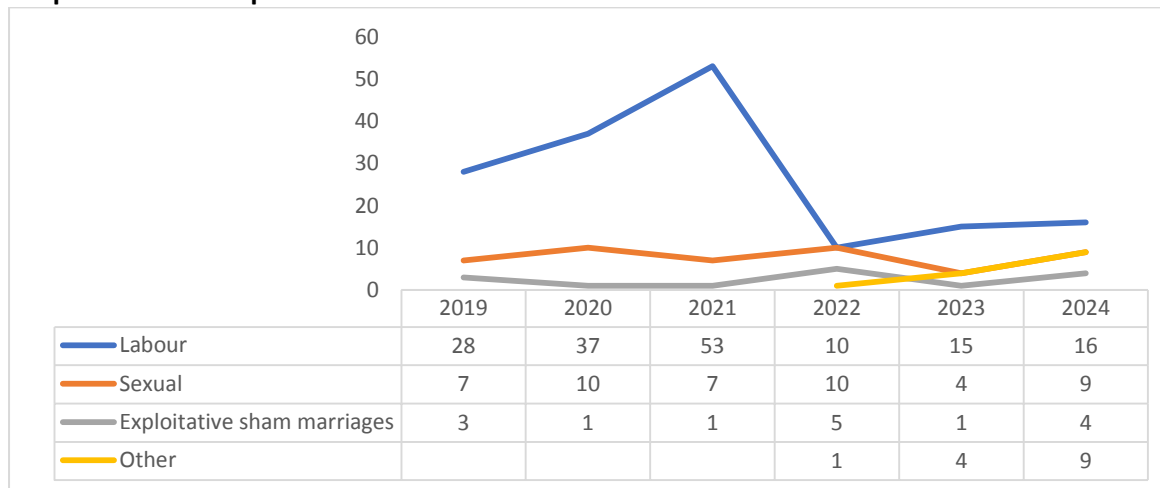
2020 – 18 Tajikistan, 7 India, 6 Uzbekistan

2021 – 1 China, 1 Russia

2022 – 2 Belarus, 2 Moldova

2023 – 3 India, 3 Tajikistan, 1 Belarus, 1 Guinea, 1 Cameroon, 1 Kenia, 1 Ukraine,

2024 – 11 Tajikistan, 3 Uzbekistan, 1 Cameroon, 1 Pakistan, 1 Somalia

Graph 2. Age of victims of identified victims**Graph 3. Form of exploitation of identified victims**

Graph 4. Victims exploited in Latvia and victims exploited abroad, 2019 – 2024

	Exploited in Latvia (total, citizenships)	Exploited in other countries*
2019	N/A	N/A
2020	41 – Latvia	7 other countries – 1 Serbia, 1 Romania, 1 USA, 1 Russian Federation, 1 UK, 1 the Netherlands, 1 Brazil
2021	56 Latvia – 54 Latvian, 1 China, 1 Russia	5 other countries – 2 Netherlands, 2 Poland, 1 Ireland, 1 Germany
2022	18 Latvia – 15 Latvian, 1 Belarus, 2 Moldova,	8 other countries – 2 France, 1 Greece, 1 Cyprus, 1 multiple countries, 1 UK, 1 Poland, 1 Sweden
2023	14 Latvia – 5 Latvians, 3 India, 3 Tajikistan, 1 Belarus, 1 Kenia, 1 Ukraine	10 other countries – 1 USA, 1 Austria, 1 Guinea, 1 multiple countries, 1 Cameroon, 1 Cyprus, 1 UK, 3 Suriname
2024	17 Latvia – 11 Tajikistan, 3 Latvia, 3 Uzbekistan	21 in foreign countries - 1 Denmark, 1 South Africa, 8 – multiple countries, 2 Ireland, 1 Cameroon, 2 Cyprus, 1 Pakistan, 1 Somalia, 1 Spain, 1 Germany

*not broken down by nationalities, mostly Latvian citizens, but can be also citizens from other countries identified as victims in Latvia, but trafficking took place in another country.

Identified victims the State Police or NGO Commission

(Please be advised that this is formal identification. Often the State Police recognises victims, but refer them to NGOs so as to ensure that these people receive support)

	Identify by police as a victim	Identified by NGO Commission
2019	3	36
2020	15	33
2021	17	44
2022	10	16
2023	3	21

2024	5	33
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➤ **Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).**

Formally no such cases, but in 2023 and 2024 Asylum centre organised consultations days, including with the State Police and Shelter Safe house. Since these consultation days, there have been case when service providers recognise persons as victim, even though they have been exploited in other countries.

➤ **Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).**

Please see Graph 4. With some minor exception, all persons that have been recognised as the victims received social rehabilitation.

➤ **Number of child victims of THB who were appointed legal guardians.**

Legal representatives from the Custody Court are appointed to all unaccompanied foreign children. Regarding children in families, the Custody Court assesses the situation to determine whether it is safe and in the child's best interest to remain with the family. If the environment is deemed safe, the parents remain the child's legal guardians. However, if staying in the family is not safe, the child is placed in foster care, and a new legal representative or, later, a legal guardian is appointed. Although we do not have statistics on how many children have been assigned a legal guardian, according to our legislation, it is not possible for a minor to remain without a legal representative or guardian. Furthermore, no institution is permitted to work with a child without prior confirmation from the legal representative or guardian.

➤ **Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).**

Year	Number of victims granted a cooling-off period	Number of victims by sex	Number of victims by age	Number of victims by nationality	Number of victims by type of operation
2019	22	22 men	22 adults	14 Tajikistan 8 Uzbekistan	22 exploitation of labour, forced labour
2020	8	8 men	8 adults	7 Indians 1 Uzbekistan	8 exploitation of labour, forced labour
2021	-	-	-	-	-
2022	-	-	-	-	-

2023	-	-	-	-	-
2024	-	-	-	-	-

- **Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).**

	Number of victims	Number of victims by sex	Number of victims by age	Number of victims by nationality
2019	0			
2020	17	All male	20-24 years – 3 persons, 25-29 – 3 persons, 30-34 – 2 persons, 35-39 – 7 persons, 40-44 – 1 person, 45-49 – 1 person	7 citizens of India, 5 – Tajikistan, 5 – Uzbekistan
2021	0			
2022	0			
2023	1	male	20-24	Tajikistan
2024	2	male	age groups – 25-29 and 39-40.	India

- **Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).**

There were no such cases.

- **Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).**

The amount of compensation paid is attributable to the persons to whom the State compensation was granted and actually paid. The breakdown by sex, age, citizenship, type of operation is not accounted for. In accordance with Section 7, Paragraph two, Clause 2 of the Law on State compensation to victims, if the victim is a victim of trafficking in human beings, compensation shall be disbursed in the amount of 90% of the maximum amount of State compensation (5 minimum monthly wages at the moment when a person is recognised as a victim).

Year	Number of decisions taken	Paid total in EUR
2019	4	7310
2020	2	3870
2021	14	29295
2022	10	20250
2023	5	11790
2024	4	10 620

- **Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.**
- **Number of victims of THB who received free legal aid.**

Information regarding the number of victims of trafficking in human beings who received free legal aid is not accumulated, taking into account that in accordance with Section 96.¹ of the Criminal Procedure Law a person is a “specially protected victim”.

- **Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).**

The State Border Guard has not carried out return or repatriation measures for persons who have been recognised as victims of trafficking in human beings.

- **Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).**

Number of criminal proceedings investigated/form of operation/number of victims between 2019 and 2024.

Year	CL 154. Article ¹		CL 165. Article ¹		
	Criminal proceedings in investigation number/form of operation		Number of victims	Criminal proceedings in investigation number	Number of victims
2019	3	1 operation of work (international) 1 sexual exploitation (internal) 1 forced marriages (international)	2 Women 1 woman 0	1	0
2020	7	3 for the operation of the work of foreigners inland 3 on the operation of work inland 1 investigation into sexual exploitation (international)	15 men 1 woman	1	0
2021	4	1 on working marriages of convenience (international) 1 on working marriages of convenience (international) 1 on the operation of agricultural work (internal) 1 on the operation of work in the catering sector. (internal)	0 0 15 men, 1 woman 1 Chinese citizen of legal age.	2	0
2022	8	2 on recruitment to set up fraud networks (international) 4 on sexual exploitation in Latvia 1 on the exploitation of the work in HORECA (international) 1 on working marriages of convenience (international)	2 Women 4 Women 1 man 2 Women + year k/p for work exploitation (2 men in Latvia)	0	0
2023	2	exploitation of domestic work operation of work abroad.	2 men 0	0	0

			+ year k/p for work exploitation (2 women in Latvia)		
2024	3	Begging abroad Begging/donations domestic Exploitation of domestic work	2 boys and 2 girls 0 0 + 1 woman for Prep. G. k/p sexual exploitation abroad	0	0

- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).

2019

	Section of the Criminal Law	Victims	Accused	Trafficking form
1.	154. ¹	1 male	1 male	Sexual exploitation
2.	154. ¹	1 female	1 male	Exploitative sham marriage
3.	154. ¹	1 female	1 male	Exploitative sham marriage

2020

	Section of the Criminal Law	Victims	Accused	Trafficking form
1.	154. ¹	2 females	1 male	Sexual exploitation
2.	154. ¹ and 285. ²	1 female	1 male	Labour exploitation

2021

	Section of the Criminal Law	Victims	Accused	Trafficking form
1.	154. ¹	7 males	3 males	Labour exploitation
2.	154. ¹ and 285. ²	2 females	1 female	Forced sham marriages

2022

	Section of the Criminal Law	Victims	Accused	Trafficking form
1.	154. ¹	5 males	1 male	Labour exploitation
2.	154. ¹	1 male	1 male	Labour exploitation

2023

	Section of the Criminal Law	Victims	Accused	Trafficking form
1.	154. ¹	1 female (under 18)	1 male	Sexual exploitation

2.	154. ¹	3 victims – 2 female and 1 male	2 accused – 1 male and 1 female	Forced labour
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2024

	Section of the Criminal Law	Victims	Accused	Trafficking form
1.	154. ¹ part 3	14	10 accused (8 male, 2 female)	Forced labour
2.	154. ¹ part 3	2	3 accused – 1 male and 2 female	Forced labour

- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).

Court statistics of court cases in 2019 after Criminal Law section 154.¹ (trafficking in human beings)

	Instance	Section of the Criminal law (THB form)	Prosecuted persons			Sanction
			sex	age	nationality	
1.	First	154. ¹ part 1	male	adult	Latvian	Deprivation of liberty for 5 years and probation for 3 years

Court statistics of court cases in 2020 after Criminal Law section 154.¹ (trafficking in human beings)

	Instance	Section of the Criminal law (THB form)	Prosecuted persons			Sanction
			sex	age	nationality	
1.	First	154. ¹ part 1	male	adult	Latvian	Suspended deprivation of liberty for 2 years and probation for 2 years

Court statistics of court cases in 2021 after Criminal Law section 154.¹ (trafficking in human beings)

	Instance	Section of the Criminal law (THB form)	Prosecuted persons			Sanction
			sex	age	nationality	
1.	First	154. ¹ par 1 (sexual)	male	29	Latvian	Deprivation of liberty for 3 years

Court statistics of court cases in 2022 after Criminal Law section 154.¹ (trafficking in human beings)

	Instance	Section of the Criminal law (THB form)	Prosecuted persons			Sanction
			sex	age	nationality	
1.	First	154. ¹ par 1 (not specified)	female	29	Latvian	Suspended deprivation of liberty for 2 years and probation for six years.
2.	First	154. ¹ part 3. (not specified)	male	48	Latvian	Case closed
	First	154. ¹ part 3	female	31	Latvian	Deprivation of liberty for 6 years and 1 month
	First	154. ¹ part 3	female	40	Latvian	Deprivation of liberty for 5 years and probation for 2 years
	First	154. ¹ part 3	female	31	Latvian	Deprivation of liberty for 5 years
3.	First	154. ¹ part 3 (sham marriages)	male	33	Latvian	Deprivation of liberty for 5 years and 5 months and probation for 1 year
4.	First	154. ¹ part 3; 154. ¹ part 2; 285. ² part 2 (sham marriages)	female	36	Latvian	Deprivation of liberty for 5 years and 6 months and probation for 2 years and 6 months
5.	Appeal	154. ¹ 1.d.	male	35	Latvian	acquitted

Court statistics of court cases 2023 after Criminal Law section 154.¹ (trafficking in human beings)

	Instance	Criminal law section (form of trafficking)	Prosecuted persons	Sanction
1.	Appeal	154. ¹ p. part 3 (sham marriages)	male	Deprivation of liberty 5 years and probation 1 year
2	First	154. ¹ part 1 (forced labour, forced criminality)	male	Suspended deprivation of liberty 4.5 years and a fine 12 400 euro
3	First	154. ¹ part 3 (not specified)	female	Deprivation of liberty 6.08 years and probation 2 years
			female	Deprivation of liberty 5 years and probation for 2 years
			female	Deprivation of liberty 5 years

- **Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.**

Cases adjudicated

The data are compiled according to the heaviest accusation Article.

Article KL	Instance	Number of cases adjudicated						
		2019	2020	2021		2022	2023	2024
154-1	First instance	1	3	1		4	1	1
	Appellate instance	1	1	1		1	4	1
	Cassation instance	1		1		1	2	
	Total	3	4	3		6	7	2
164	First instance					2	3	2
	Appellate instance	1						1
	Cassation instance	1						
	Total	2				2	3	3
165	First instance	7	5	1		6	7	2
	Appellate instance	2				1	2	2
	Cassation instance		1			1		2
	Total	9	6	1		8	9	6
165-1	First instance	3	1	2		3	1	

	Appellate instance	2	3	1			1	
	Cassation instance	3		2				
	Total	8	4	5		3	2	
285-2	First instance	2	3	9		5	6	2
	Appellate instance					2		
	Total	2	3	9		7	6	2
Total		24	17	18		26	27	13

Article KL	Number of persons					
	2019	2020	2021	2022	2023	2024
154-1	2	1	1	1	6	
164				1	2	3
165	27	8	3	15	14	4
165-1	6		3	2	2	
285-2	4	7	5	11	5	2
Total	39	16	12	30	29	9

➤ **Number of judgments in THB cases resulting in the confiscation of assets.**

➤ **Number of convictions of legal entities for THB.**

No such case in the reporting period.