

## **Violence Against Children in LATVIA**

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### **Relevant extracts from an NGO alternative report presented to the UN Committee on the Rights of the Child**

**CRC Session 26, 8-26 January 2001**

Latvian Save the Children – English

[www.crin.org/docs/resources/treaties/CRC.26/Latvia\\_ngo\\_report.pdf](http://www.crin.org/docs/resources/treaties/CRC.26/Latvia_ngo_report.pdf)

[...]

Since January, 1997, in "Bulduri" is functioning a Violence Centre ( hereinafter -the Centre) a special rehabilitation department for sexually abused children and for child victims of violence.

Unfortunately,

the Centre receives no financing from the state budget, its by-laws have not been approved by Welfare Ministry , and rights of the employees of the Centre have not been determined by the law. Currently, the parent suspected of having committed violence against the child can take this child out of the Centre and take him or her back home without any restrictions. For example, in January , 1997, a father of a child, placed in the Centre, came and demanded the child being returned to him, and took this child home, regardless the fact that the mother of the child appealed to the Centre due to suspicions that the father sexually abuses that child. In this case, employees of the Centre had no legal basis to keep the child in the Centre as the father's power of a parent had not been legally suspended or annulled. A parent can be divested of his power over a child in case of existence of substantial evidence proving the fact of sexual abuse (in this case father having sexually abused his daughter).

[...]

The information gathered by Latvian "Save the Children" and provided by the population suggests that in certain cases the police ignores reports of the people requesting to find out living conditions of a child begging on the streets. However, the police is quite powerless in such situations, because it is impossible to gather all the children beggars, without proper system of social welfare assistance, because the children taken away from the streets are back there in one or two days as, the social reasons pushing him/her to beg have not been averted, and that child has not been placed in an orphanage or a foster family.

[...]

High-quality medical services are available only to wealthy people against considerable fees which most of the Latvian families are unable to pay. Local doctors do not send children to the central specialized clinics, since in that case the local governments must transfer the money for the treatment of children to Riga, as a result of which the local medical institutions loose these funds. Parents are often unable to bring their children to the best hospitals of Latvia, because they do not have the money to pay for the transportation. Parents are also unable to stay with their children in hospitals, because they cannot pay for they stay. Adequate care for children is not provided in most of the Latvian hospitals if parents are absent.

Those children who are not citizens or permanent residents of Latvia, receive only minimum medical aid, which is in contradiction with general human rights.

[...]

Generally about 80% of children are already living under the subsistence minimum, but life is especially hard for those groups who do not receive the state allowances or receive such allowances in absolutely insufficient amounts.

The following groups are unable to provide the necessary means for food and development of their children:

single parents, especially if a mother has a child under the age of three;

unemployed;  
-older disabled persons;  
grandparents;  
if children are disabled or seriously ill

It is mentioned in the Government's report, what groups receive state allowances, but it is not mentioned that these allowances cover only a small part of their needs.

Many people do not have an officially registered residence, and in this case they receive no allowances whatsoever.

It is not mentioned in the Government's report that the state allowance for a family with a child covers only about 5-10% of the actually necessary expenditures to support the child.

[...]

In addition to the information included in the Government's report, it should be noted that living conditions of refugees, including children, placed in the temporary camp for the illegal refugees in Latvia, do not correspond to requirements of the international human rights. Latvian "Save the Children" has repeatedly appealed to officials responsible for these issues to ensure that living conditions of the child refugees are improved.

[...]

In Latvia, conditions in penal institutions of juvenile offenders do not comply with the Beijing rules of November 29, 1985 which set the minimum standard requirements of the United Nations respective regulations. The situation has slightly improved since 1991, yet the children placed in penal institutions are still not ensured appropriate health care, and education opportunities are restricted. Treatment of children in such institutions by no way promotes the child's sense of human dignity and self-respect. No measures are taken to reintegrate such children. Actually, after returning from penal institutions the children remain outcasts, they do not receive appropriate social assistance and cannot take up a job, and very often they commit new crimes.

[...]

Latvia's legislation provides for criminal penalty to a person found guilty in rape or in obscene sexual activities, and for having sexual intercourse with a person under 16 years of age, or seduction of such persons to obscenity. In opinion of Latvian "Save the Children", the legislation is still too vague as to naming criminal activities of persons inducing or using children in unlawful sexual activities. In 1995, Latvian "Save the Children" submitted to the Parliament drafts of appropriate amendments to the Criminal Code on sexual exploitation of children. The proposed amendments have been supported by various Parliamentary committees, yet they have not been considered at the plenary session. The fact that official institutions only recently recognized the existence of sexual exploitation of children and launched research as to how widespread it is, stands behind the delay. Statistical data as to sexual abuse of children in family are not available because many of the families (children and mothers of the children) are hiding facts unwilling to unveil them in public.

Upon launching the Emergency Telephone Line project, Latvian "Save the Children" urged children sexually abused within their family, their mothers, grandmothers or neighbors to call the line and tell about their problems. The children have been provided medical and psychological treatment thanks to the Emergency Telephone Line, but in several cases, legal proceedings were initiated. We should note with regret that approach of police and Prosecutor's Office to investigation of cases of sexual abuse of children within family is of formal nature. To illustrate this statement a following example can be mentioned: in 1996, a mother of a child reported to the police that her son-in-law sexually abused her daughter. Basing on evidence of the man who denied the accusations, the police inspector took decision to refuse to initiate a criminal case and instead charged the mother and the daughter for submission of untrue information. The criminal case on the fact of sexual abuse of the girl was filed only after lawyers of Latvian "Save the Children" sent a letter of complaint to the Prosecutor General. Until now the investigation of the criminal case has not been finished and the victim-girl has been repeatedly interrogated about the fact. The fact of sexual exploitation, repeated interrogations, insufficient measures of rehabilitation has left substantial influence to the girl's psychic and physical health. The Prosecutor of Aluksne district has not yet taken a decision on forwarding the concrete criminal case to Court. The above example once more approves that each child should be ensured

competent legal assistance to protect his/her rights. At present, Latvian "Save the Children" is the only organization providing legal consultations to children and their parents on rights of the children, two times a week and free of charge.

[...]

Although only about 10-20% of children in the country are practically healthy, adequate food is provided only for 20-30% of children, thousands of children do not attend school and are not even officially registered as being out of school, for thousands of children (10-15) their health and life is endangered in their own families, and there is no real movement under the state policies towards elimination of such gross violations of children's rights, which is in contradiction with all international standards of human rights.

[...]