

[National Laws](#)

Legislation of Interpol member states on sexual offences against children

Latvia - Lettonie - Letonia

Riga

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of majority

The legal age of majority in Latvia is eighteen (18) years.

Age of consent to a sexual activity

The legal age of consent for sexual activity is sixteen (16) years.

Age of consent to marriage

The legal age of consent for marriage is eighteen (18) years.

II. Rape

Article 159

1) For a person who commits an act of sexual intercourse by means of violence, threats or taking advantage of the state of helplessness of a female victim, the applicable sentence is deprivation of liberty for a term not exceeding 7 years, with or without police supervision for a term not exceeding 3 years.

2) For a person who commits rape where commission is by a person who has previously committed rape or commission is by a group of persons or who commits rape of a female minor, the applicable sentence is deprivation of liberty for a term of not less than 5 years and not exceeding 15 years, with or without police supervision for a term not exceeding 3 years.

3) For a person who commits rape, if serious consequences are caused thereby, or commits rape of a female juvenile, the applicable sentence is life imprisonment, or deprivation of liberty for a term of not less than 10 years and not exceeding 20 years, with or without police supervision for a term not exceeding 3 years.

III. Other forms of child sex abuse

Article 160- Forcible sexual assault

1) For a person who commits pederastic or lesbian or other unnatural sexual acts of gratification, if such acts have been committed using violence or threats or by taking advantage of the state of helplessness of a person, the applicable sentence is deprivation of liberty for a term not exceeding 6 years, or custodial arrest.

2) For a person who commits the same acts, if commission thereof is on a minor, or is repeated, or by a person who has previously committed rape, or by a group of persons, the applicable sentence is deprivation of liberty for a term of not less than 3 years and not exceeding 12 years.

3) For a person who commits acts provided for in Paragraphs 1 or 2 of this Section, if serious consequences are caused thereby, or if commission thereof is on juvenile, the applicable sentence is deprivation of the liberty for a term of not less than 5 years and not exceeding 15 years.

Article 161- Sexual intercourse, pederasty, lesbianism with a person who has not attained the age of sixteen years

For a person who commits an act of sexual intercourse, or pederastic, lesbian or other unnatural sexual act of gratification, with a person who has not attained the age of 16 years and who is in financial or other dependence on the offender, or if such offence has been committed by a person who has attained the age of majority, the applicable sentence is deprivation of liberty for a term not exceeding 4 years.

Article 162- Immoral acts with a minor

1) For a person who commits immoral acts with a minor against the will of the minor or if such act have been committed by a person who has attained majority, the applicable sentence is deprivation of liberty for a term not exceeding 3 years or custodial arrest.

2) For a person who commits immoral act with a juvenile, the applicable sentence is deprivation of the liberty for a term not exceeding 6 years.

'Sexual Abuse', Article 121 of the Penal Code

*For sexual Abuse committed in group or minors sexual abuse, imprisonment for five to fifteen years.

*For sexual abuse with particularly heavy consequences or committed by an especially dangerous recidivist, as well as for child sex abuse, imprisonment for two to five years with banishment or without, or death penalty.

'Sexual intercourse with a person under sixteen (16) years', Article 122 of the Penal Code

*For sexual intercourse with a person under sixteen (16) years old, imprisonment for up to four years

'Inveigling persons under sixteen (16) years old into lechery', Article 123 of the Penal Code

*For inveigling persons under sixteen (16) years old into lechery, imprisonment for up to three years.

IV. Child prostitution

Article 164 (3) - Compelling engaging in prostitution

3) For a person who commits inducing or compelling a minor to engage in prostitution, or commits providing premises to minors for purposes of prostitution, the applicable sentence is deprivation of liberty for a term not exceeding 6 years with or without confiscation of property.

4) For a person who commits inducing or compelling a juvenile to engage in prostitution, the applicable sentence is deprivation of liberty for a term not less than 5 and not exceeding 12 years, with or without confiscation of the property.

Article 165- Living on the avails of prostitution

1) For a person who commits taking advantage, for purposes of enrichment, of a person who is engaged in prostitution, the applicable sentence is deprivation of liberty for term not exceeding 4 years, with or without confiscation of the property.

2) For a person who commits the same acts if commission thereof is by group of persons pursuant of prior agreement, or with respect to minors, the applicable sentence is deprivation of liberty for a term not exceeding 8 years, with confiscation of the property.

3) For a person who commits the same acts if commission thereof is with respect to juveniles, the applicable sentence is deprivation of liberty for a term not less than 5 and not exceeding 12 years with confiscation of property.

Article 165.1 -Sending a person for sexual exploitation

1) For a person who commits sending a person with his or her consent to a foreign state for sexual exploitation, the applicable sentence is deprivation of liberty for a term not exceeding 4 years.

2) For a person who commits the same acts, if commission thereof is for purposes of enrichment or with respect to a minor, the applicable sentence is deprivation of liberty for a term not exceeding 10 years, with or without confiscation of the property.

3) For a person who commits the acts provided in Paragraphs 1 and 2 of this section, if commission thereof is by an organised group or if commission thereof is with respect of juvenile, the applicable sentence is deprivation of liberty for a term of not less than 8 and not exceeding 15 years, with confiscation of the property.

Article 165.2- Sending to a foreign state

Within the meaning of this section, sending shall be construed as any action that encourages legal or illegal departure from the State or entry into the State, transit or residence in a foreign state.

V. Child pornography

Article 166 - Violation of provisions regarding importation, production and distribution of pornographic or erotic materials.

1) For a person who commits violation of provisions regarding importation, production, distribution, public demonstration, playing or advertising of pornographic writings, printed publications, pictures, films video and audio recordings or other pornographic materials, if commission thereof is repeated within a one year period, the applicable sentence is deprivation of liberty for a term not exceeding 1 year, or custodial arrest, or community service, or a fine not exceeding 30 times the minimum monthly wage. *(the minimum monthly wage in Latvia is approximately 116 euros)*

2) For a person who commits the importation, production, public demonstration, advertising or other distribution of such pornographic or erotic materials as relate or portray the sexual abuse of children, bestiality, necrophilia or violence of pornographic nature, or the keeping of such materials for similar purposes, the applicable sentence is deprivation of liberty for a term not exceeding 6 years, or a fine not exceeding 50 times the minimum monthly wage, with or without confiscation of the property.

3) For a person who commits procurement or utilisation of minors in the production (manufacturing) of pornographic or erotic materials, the applicable sentence is deprivation of liberty for a term not exceeding 6 years, or a fine not exceeding 80 times the minimum monthly wage, with or without confiscation of property.

4) For a person who commits procurement or utilisation of juveniles in the production (manufacturing) of pornographic or erotic materials, the applicable sentence is deprivation of liberty for a term of not less than 5 and not exceeding 12 years, with or without confiscation of property.

Possession of child pornography is an offence in Latvia. For the first time penalty is fine from 100 to 250 Latvian Lats (150 -400 USD) with confiscation. If repeatedly, penalty is 1 year imprisonment.

The Article 50 of the Protection of the Rights of the Child Law “The Child and Games, Films and Mass Media”

(1) It is prohibited to show, sell, give as a gift, rent or promote to a child toys and video recordings, computer games, newspapers, magazines and other types of publications, in which cruel behaviour, violence, erotica and pornography are promoted and which pose a threat to the psychological development of a child.

(2) Materials, which promote cruel behaviour, violence, erotica and pornography and which pose a threat to the psychological development of a child may not be accessible to a child, irrespective of the form of expression, devices for showing and location thereof.

(3) Restrictions on radio and television programmes for the purposes of protection of the rights of the child shall be as determined by the Radio and Television Law.

(4) It is prohibited for a child to be located in places where materials of an erotic and pornographic nature are manufactured or shown.

(5) It is prohibited to involve a child in the manufacture, distribution and showings of materials of erotic and pornographic nature.

(6) The Cabinet shall determine restrictions on the importation, manufacture, distribution, public showings and advertising of materials of an erotic and pornographic nature.

(7) A child who has not reached 16 years of age is prohibited during school hours without the written permission of the educational institution administration and during the night to be located in internet premises, computer salons, internet cafes and other similar premises where for payment internet and computer game services are provided. The concrete time periods shall be determined by local governments.

(8) In accordance with the Law on Lotteries and Gambling, a child may not have access to gaming houses and a child may participate in gambling.

(9) The Cabinet shall determine the regulations for the distribution of computer games.

(10) For violation of the prohibitions and restrictions referred to in this Section, the persons at fault shall be held liable as prescribed by law.

VI. Internet

There is no legislation covering 'crimes against children using the Internet' in Latvia.

