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Justice elusive in Baltic states 20 years after independence from Soviet domination



(Mindaugas Kulbis/Associated Press) - In this photo taken Friday, Dec. 16, 2011, Lithuania's Justice Minister Remigijus Simasius attends a meeting of officials in the President palace in Vilnius, Lithuania. Twenty years after gaining independence from the Soviet Union, the Baltic nations of Latvia and Lithuania still struggle to operate a functioning justice system despite their enthusiastic embrace of the West and entry into

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By Associated Press, Published: December 17

RIGA, Latvia — Arturs Spigulis took on the government — and won. But that's when his frustrations began.

The lawyer persuaded a court to make state-owned Riga Free Port accept his client's tugboat services. But the port refused to honor the ruling, preferring to use its own tugboats exclusively.

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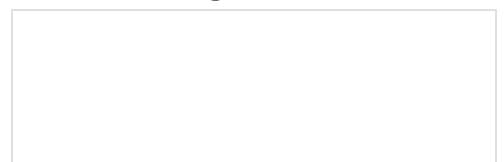
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When Spigulis complained to Prime Minister Valdis Dombrovskis, he was told the port was acting according to law. The lawyer sent Dombrovskis a copy of the court ruling — “and he answers again, ‘We consider that the port is run properly,’” Spigulis said.

Twenty years after gaining independence from the Soviet Union,

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the Baltic nations of Latvia and Lithuania still struggle to operate a functioning justice system despite their enthusiastic embrace of the West and entry into the European Union.

Disputes drag on for years, cronyism is rife, judges are inundated with cases and, as the Riga port case shows, verdicts are often ignored.

Throughout the former Soviet Union — which collapsed 20 years ago this December — the idea of a rule of law has

failed miserably, with Russia and other countries maintaining a “pocket judiciary” that caters to the powerful and wealthy.

But the Western-leaning Baltics, members of NATO and the EU since 2004, might be expected to be an exception.

“The problem in the Baltic states is that you don’t have the law used in that perverse sense (as in Russia), but you have all the real post-Soviet problems of judicial independence,” said Andrew Wilson, an analyst at the European Council for Foreign Relations.

Guntars Krasts, a former Latvian prime minister, filed suit against a businesswoman in December 2008 and has yet to have a first hearing in court.

“It’s very simple. I just loaned money and never got it back. But for different reasons the judges postpone this case from year to year. It’s so obvious that something is behind this, there’s no doubt that somebody is paying (someone),” he said.

Six years ago, Elvira Serbakova filed suit against the co-owner of her apartment in Riga, Latvia’s capital, to prevent her from selling half of the apartment on the open market. She has yet to receive a judgment. Since court procedures allow participants to skip hearings for medical reasons, the defendant skips every hearing.

“One time she (the defendant) even had a sore eye and couldn’t come to court,” said Serbakova.

People in the Baltics look poorly on the judiciary. In Latvia, only 36 percent of the population trust their courts, according to a Eurobarometer survey in November 2010, while only 22 percent of Lithuanians trust their judiciary.

“I must say that Lithuania is among those countries where trust in judiciary institutions is lowest” in the EU, said Justice Minister Remigijus Simasius.

For many plaintiffs, the biggest frustration stems from the enormous backlog of cases and overloaded judges.

Millionaire Latvian businessman Jevgenijs Gombergs has been in dozens of disputes over the years as a plaintiff, including one involving a \$1 million hedge deal now in its seventh year.

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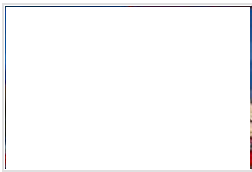
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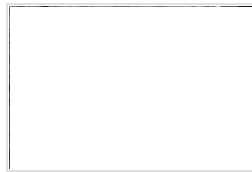
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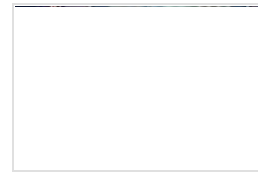
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