

## **Shadow report submission on the Implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) in Latvia**

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### **About the Association MARTA Centre (further in the text MARTA Centre)**

One of MARTA Centre's fundamental aims since its founding in Riga, Latvia in 2000 has been the eradication and prevention of violence against women and children and human trafficking, especially for sexual exploitation. The MARTA Centre implements a holistic approach in the efforts to end violence, combining frontline work with victims of violence in the form of psychosocial rehabilitation and legal support with advocacy in order to change the existing legal and social framework in the society, as well as with focused and comprehensive prevention work to shape the future society into a non-violent community, inclusive of diverse people and open for every member of the society to fulfil their potential.

**The ratification of the Istanbul Convention marks a historic milestone for Latvia in its commitment to combating violence against women and domestic violence. It represents not only the State's recognition of gender-based violence as a grave violation of human rights, but also a promise to adopt a comprehensive and coordinated approach to prevention, protection, prosecution, and policy-making. As the leading civil society organization in Latvia working to eliminate gender-based violence, the MARTA Centre warmly welcomes the opportunity to contribute to this baseline evaluation by GREVIO. We view this process as an essential step towards ensuring that the Convention's principles are fully implemented in practice and that the rights and safety of all women and girls in Latvia are effectively safeguarded.**

### **Recent Achievements in the Implementation of the Istanbul Convention**

Since the ratification of the Istanbul Convention, **Latvia has undertaken a series of important legislative and policy reforms that significantly strengthen the national framework for the prevention and combating of gender-based violence. These**

**achievements reflect the government’s growing commitment to upholding international standards and ensuring greater protection for women, while also demonstrating the impact of consistent civil society advocacy.** The MARTA Centre welcomes these developments and highlights their transformative potential for victims of violence across Latvia.

### **1. Stronger sanctions for stalking, threats, and violations of protection orders**

In 2023, amendments were introduced to the *Criminal Law* (Articles **132** and **132.1**) and related provisions in the *Criminal Procedure Law*, significantly strengthening sanctions for stalking and threats in the context of domestic and intimate partner violence<sup>1</sup>. Previously, the maximum sentence for such offences was three months of imprisonment, which rarely reflected the severity of the harm inflicted. Following the amendments, the maximum penalty was raised to **three years of imprisonment**. Similarly, the sanction for violating a temporary protection order was increased to three years. These changes represent a substantial shift in recognising the seriousness of repeated threats, intimidation, and violations of protective measures, and they send a clear signal that the state is committed to prioritising the safety of victims over leniency for perpetrators. By introducing stricter penalties, Latvia has taken a decisive step towards ensuring compliance with Articles 45 and 53 of the Istanbul Convention, strengthening victim protection and enhancing deterrence.

### **2. Introduction of crisis apartments and expanded rehabilitation services**

Also in 2023, amendments were adopted to the Cabinet of Ministers Regulation “Procedures for the Provision of Social Rehabilitation Services to Adult Persons Suffering from Violence and Adult Persons Having Committed Violence”<sup>2</sup>. These changes introduced the **crisis apartment service** across the entire country. Victims of violence at high risk — where life and health are directly threatened — are now entitled to safe accommodation for up to **30 days**, with the possibility of extension to **180 days** if needed, based on an assessment by social services or rehabilitation professionals. This service is especially vital for adult victims with dependent children and other household members who need immediate safety and stability. In addition, the amendments extended the scope of social rehabilitation services for victims, allowing up to **120 counselling sessions** where necessary. This is a crucial improvement, as victims of prolonged and severe violence often require long-term psychological and social support to rebuild their lives. The introduction of crisis apartments and extended rehabilitation

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<sup>1</sup> <https://likumi.lv/ta/id/88966-kriminallikums>

<sup>2</sup> <https://likumi.lv/ta/id/343250-grozijumi-ministru-kabineta-2014-gada-23-decembra-noteikumos-nr-790-socialas-rehabilitacijas-pakalpojumu-sniegšanas-kartiba-no->

measures represents a landmark achievement in providing comprehensive, victim-centred protection and support in line with Articles 20 and 23 of the Istanbul Convention.

### **3. Criminalisation of Emotional Violence**

With the June 2024 amendments to the *Criminal Law*, Latvia introduced a new provision – Article 174.1<sup>3</sup> – which for the first time explicitly criminalises emotional violence. This reform closes a critical protection gap by recognizing that psychological abuse can cause profound harm and must be treated with the same seriousness as physical violence. For many years, emotional abuse was underestimated and rarely prosecuted, leaving victims without recourse to justice. The new provision, which aligns with Article 3 of the Istanbul Convention, ensures that women suffering from emotional violence now have access to criminal procedure. The impact of this reform is already visible: as of 30 September 2024, 185 criminal cases had been initiated under Article 174.1 in 2024, confirming both the prevalence of emotional violence and the necessity of this legal safeguard.

### **4. Strengthened Penalties for Perpetrators of Violence**

The June 2024 amendments to the *Criminal Law*<sup>4</sup> also addressed sentencing practices in cases of gender-based and domestic violence. Specifically, Articles 81.1, 119, 120, 124, 126, 130, 130.1, 132, 132.1, 143, and 145 were revised to ensure that fines or community service are no longer imposed in cases involving violence against women, domestic violence, stalking, threats, or violations of protection orders. Instead, offenders must face imprisonment or probation supervision. This change responds directly to Article 18 of the Istanbul Convention and represents a critical step in prioritizing victim safety and justice. It eliminates the practice of treating serious violence as a minor offense and reinforces the principle that such acts carry real consequences for perpetrators.

### **5. Introduction of Electronic Surveillance for High-Risk Offenders**

On July 1<sup>st</sup>, 2025, Latvia introduced electronic monitoring of suspects and accused persons posing a high risk of violence through amendments to the *Criminal Procedure Law* (Articles 243 and 246.1)<sup>5,6</sup>. This reform is a groundbreaking measure that directly enhances victim protection. Electronic surveillance will make no-contact orders and house arrest more enforceable, preventing perpetrators from re-approaching or intimidating victims. The provision also safeguards procedural fairness, as such intrusive measures require judicial oversight. According to State Police estimates, electronic

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<sup>3</sup> <https://likumi.lv/ta/id/352942-grozijumi-kriminallikuma>

<sup>4</sup> <https://likumi.lv/ta/id/352942-grozijumi-kriminallikuma>

<sup>5</sup> <https://likumi.lv/ta/id/107820-kriminalprocesa-likums>

<sup>6</sup> <https://titania.saeima.lv/LIVS14/saeimalivs14.nsf/0/05C5AA58EE9C2F4DC2258B9C004A2B0A?OpenDocument>

surveillance could apply to around 400 high-risk cases annually, bringing Latvia closer in line with Articles 51 and 56 of the Istanbul Convention. For women under threat, this change represents a tangible improvement in safety and peace of mind.

## **6. Adoption of the First National Action Plan Against Violence against Women and Domestic Violence (2024–2029)**

The government’s adoption of the *National Action Plan Against Violence against Women and Domestic Violence 2024–2029* is another landmark achievement, as it is the first strategic document of its kind in Latvia. The plan comprehensively addresses prevention, protection, prosecution, and policy coordination — the four “P’s” at the heart of the Istanbul Convention. It strengthens prevention through public awareness campaigns and education, particularly targeting youth to build non-violent cultural norms. It expands support for victims by committing to wider access to crisis centers, 24/7 helplines, and specialized services. It reinforces the legal framework by introducing stronger protective measures, such as electronic monitoring, and by emphasizing cooperation across government institutions and civil society organizations. Importantly, the plan also foresees improved data collection and research, creating the evidence base necessary for effective policymaking. This multi-dimensional strategy demonstrates the government’s recognition of gender-based violence as a systemic problem requiring coordinated action.

## **7. Criminalisation of Sexual Harassment in Administrative Law**

In line with its commitments under the Istanbul Convention, Latvia has also introduced Article 11.2 into the *Administrative Violations Law*. This provision specifically addresses sexual harassment, imposing fines of up to 140 penalty units for unwanted physical, verbal, or written actions that degrade a person’s dignity or create hostile, humiliating, or offensive conditions. By explicitly covering harassment across digital communication channels as well, the law acknowledges the growing prevalence of online abuse. The designation of the State Police as the authority responsible for handling these cases ensures that incidents of harassment are no longer dismissed as private matters but are formally recognized as violations of public order and human rights.

## Chapter I – Purposes, definitions, equality and non-discrimination, general obligations (Articles 1–4).

The MARTA Centre fully commends the extensive efforts undertaken by the Latvian government to align national legislation with the requirements of the Istanbul Convention. The numerous amendments to the *Criminal Law*, *Criminal Procedure Law*, and the adoption of the first-ever *National Action Plan Against Violence Against Women and Domestic Violence* clearly demonstrate progress in integrating the Convention's standards.

### Article 3 - Definitions

At the same time, from the perspective of practitioners and experts working directly with victims, there remains a need for a **dedicated umbrella article on gender-based violence and domestic violence** within national law. Such a provision would provide coherence by explicitly recognising all forms of violence against women as part of the same continuum, including newer and emerging manifestations of violence in the digital space. Without a unifying article, violence against women is often fragmented across various legal instruments, which makes it more difficult to ensure systematic recognition, prioritisation, and resourcing.

This fragmentation risks the minimising of certain forms of violence against women and girls (VAWG), treating some as less urgent or less serious than others. For example, while domestic violence has received significant attention, other forms — such as stalking, online harassment, sexual harassment in the workplace, or so-called “lower-level” sexual offences — are often deprioritised or minimised. In Latvia, sexual harassment has only recently been introduced as an administrative offence rather than as a criminal one. This means that **harassment cases, including those where perpetrators exploit authority or the vulnerability of the victim, are not addressed with adequate severity** or appropriate penalties. Such an approach risks normalising behaviours that should instead be seen as warning signs of escalating patterns of abuse.

A stronger umbrella article in national legislation would not only ensure that the definition of gender-based violence fully reflects Article 3 of the Istanbul Convention, but also help guarantee that all forms of VAWG — from psychological abuse to sexual harassment, from physical assault to digital violence — are recognised as interconnected expressions of the same systemic problem. This would send a clear message that **all violence against women is unacceptable, that no form is too “minor” to warrant serious attention, and that women and girls in Latvia deserve equal protection across the full continuum of violence.**

## **Article 4.2 - Non-discrimination**

In line with Article 4.2, we underline that **structural gender inequality continues to shape Latvian women’s exposure to, and exit pathways from, violence**, and requires a more explicitly gender-responsive policy approach across economic and social domains.

- **Persistent economic inequality.** Latvia’s unadjusted gender pay gap remains material: in 2023 women earned **16.5% less per hour than men**, reinforcing economic dependency and constraining safety-seeking options for victims of abuse<sup>7</sup>. EIGE’s Gender Equality Index confirms that Latvia’s overall equality performance lags EU averages, signalling systemic barriers beyond pay alone<sup>8</sup>.
- **Gendered impacts of crises.** Evidence from EIGE, UN Women, and Latvian surveys shows that the COVID-19 pandemic and the subsequent cost-of-living crisis had **disproportionate effects on women’s employment, incomes, unpaid care, and exposure to GBV**. Women were more likely to face income reduction, more likely to take on increased unpaid work, and more likely to experience or remain trapped in violent relationships<sup>9</sup>. Yet Latvia’s crisis responses, including the Civil Protection Plan, which was updated in 2024, rarely integrated a gender perspective, leaving structural inequalities unaddressed<sup>10</sup>.
- **Housing affordability as a barrier to safety.** Safe exit from abuse is determined by access to affordable housing. Latvia faces a **severe shortage of social housing (under 2% of total stock, compared with ~7% OECD average)**<sup>11</sup>, leaving women reliant on private rentals, where high costs are often prohibitive. Without housing pathways, women remain in abusive relationships, unable to secure independence or long-term safety. As mentioned before, there have been advances in terms of crisis apartments, which are now available and are state-funded, however there is currently no long-term solution.
- **Access to public services.** Rural women in Latvia encounter **systemic disadvantages** in accessing healthcare, childcare, and other essential services due to a combination of **geographic distance, transport shortages, financial barriers, and limited service infrastructure**. These challenges reinforce gender

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<sup>7</sup> <https://stat.gov.lv/en/statistics-themes/indicators-well-being-and-equality/gender-equality/press-releases/22941?themeCode=GE&>

<sup>8</sup> <https://eige.europa.eu/gender-equality-index/2024>

<sup>9</sup> <https://library.fes.de/pdf-files/bueros/baltikum/19916.pdf>

<sup>10</sup> <https://likumi.lv/ta/id/349111-grozijums-ministru-kabineta-2020-gada-26-avgusta-rikojuma-nr-476-par-valsts-civilas-aizsardzibas-planu>

<sup>11</sup> <https://www.eib.org/en/press/all/2024-357-eib-and-latvian-government-to-collaborate-on-affordable-rental-housing>

inequalities, restricting women's health outcomes, economic participation, and overall well-being.<sup>12</sup>

## Chapter II – Integrated policies and data collection (Articles 7–11)

### **Article 7 - Comprehensive and coordinated policies**

The adoption of the National Action Plan Against Violence against Women and Domestic Violence 2024–2029 is a milestone achievement for Latvia. It is the first strategic document focused explicitly on preventing and combating violence against women and domestic violence, and it reflects a commitment to implementing the Istanbul Convention in a structured way. The plan rightly emphasises prevention, protection, prosecution, and coordinated multi-sectoral cooperation.

However, MARTA would like to underline that the plan still faces challenges. Its implementation is highly dependent on sectoral ministries and municipal authorities, without clear mechanisms for accountability or enforcement. Moreover, the plan risks being under-resourced, as no ring-fenced budgets have been allocated to guarantee the roll-out of its measures.

A further necessity is the **creation of a unified database** that can be accessed by the State Police, municipal police, prosecutors, and courts. Without such a tool, monitoring perpetrators and ensuring consistency across regions remains fragmented and ineffective. A centralised register containing information on prior convictions, the issuing and violation of protection orders, and appeals would allow institutions to respond in a coordinated and evidence-based manner.

Equally important is the **need for clear responsibility at the local level**. Each municipality should have specifically mandated officials tasked with coordinating domestic and gender-based violence prevention and response measures. Currently, responsibilities are diffused, resulting in inconsistent approaches across municipalities. Designating accountable officials would ensure a more uniform and coordinated implementation of national policies.

Another pressing necessity is the **development of inter-agency response mechanisms within municipalities**. Formal cooperation agreements between police, prosecutors, courts, and social services are needed to ensure timely and effective intervention in

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<sup>12</sup> <https://www.zm.gov.lv/lv/media/14064/download>

cases assessed as high risk. Without such frameworks, responses remain dependent on individual initiative rather than systemic coordination, and only functions in a limited number of municipalities.

Finally, victim safety and empowerment require that **every woman encountering state institutions is provided with comprehensive information about available support services**, including free legal aid. Currently, many victims report that when police respond to incidents of domestic violence, they are not systematically referred to specialist support organisations. This omission significantly weakens victims' ability to seek help, protect their rights, and break free from cycles of violence.

Taken together, these gaps demonstrate the urgent necessity for Latvia to move beyond strategy documents and towards concrete, coordinated mechanisms that ensure consistent, victim-centred action across all levels of governance.

### **Article 8 - Financial resources**

Despite the progress in policy development, sustainable financing for measures to combat violence against women remains insufficient. A critical cross-cutting gap is the lack of systematic gender-responsive budgeting in Latvia. Despite EU commitments, budget planning and allocation processes in Latvia do not integrate gender analysis, meaning resources are not assessed or adjusted according to their differential impact on women and men. This perpetuates underfunding of specialised GBV services, limits investment in prevention and survivor support, and reinforces economic inequalities. Without a gender lens in fiscal planning, violence against women remains treated as a sectoral issue rather than a structural problem embedded in wider economic and social policies.

### **Article 9 - NGOs and civil society**

Civil society organisations, particularly women's NGOs, play an indispensable role in delivering specialist services, raising awareness, and advocating for policy change in Latvia. The MARTA Centre and other organisations have been key drivers of progress, including pushing for legislative reforms, developing expertise, and providing direct support to victims. The state has acknowledged these contributions and involved NGOs in consultations, such as in the drafting of the 2024–2029 Action Plan - in fact, the first structural draft of the Plan was written by the MARTA Centre. **Yet the meaningful involvement of NGOs in ongoing implementation and monitoring is not yet formalised.** High-level policy meetings, held on a quarterly basis and bringing together ministries, state institutions, and specialised NGOs, would ensure ongoing monitoring of progress, facilitate problem-solving, and strengthen trust between stakeholders. At present, such engagement is limited and ad hoc, preventing the kind of sustained oversight that the Istanbul Convention envisages.

## **Article 10 - Coordinating body**

At present, Latvia does not have a fully empowered national coordinating body responsible for overseeing and monitoring policies on violence against women. Responsibilities are distributed across ministries, most prominently the Ministry of Welfare, but coordination mechanisms remain weak. This fragmentation reduces efficiency and accountability, and it limits Latvia's ability to ensure consistent national implementation of the Istanbul Convention.

Establishing a permanent, well-resourced coordinating body would be a decisive step forward. Such a body should be tasked with overseeing the National Action Plan, monitoring progress, liaising with GREVIO, ensuring data collection, and facilitating structured cooperation between state institutions, municipalities, and NGOs. Without this, policies risk being applied unevenly and without clear accountability.

## **Article 11 - Data collection and research**

Data collection on domestic and gender-based violence in Latvia remains fragmented and insufficiently disaggregated by gender, age, victim–perpetrator relationship, and type of violence. Without consistent and comparable statistics, it is impossible to design effective prevention and protection policies.

Latvia should establish an **annual statistical overview** covering all forms of violence against women, including a separate category for **femicide** with detailed information on victim–perpetrator relations, weapons used, and regional trends. To ensure consistency, a **designated coordinating body** must oversee data collection, consolidation, and public dissemination.

Broader data capture is also essential. Police should document all incidents of domestic and gender-based violence from the already existing forms filled by police — not only cases linked to protection orders — and digitalise reporting tools for faster, more accurate consolidation.

Regular **interdisciplinary research** is needed at least every two years to examine causes, risk factors, and victims' needs, while the government should publish an **annual report** with regional analysis on policy implementation.

Finally, systematic data should be collected on **sanctioning practices and perpetrator programmes**, including penalties imposed and the effectiveness of rehabilitation measures. Such monitoring is vital to evaluate whether Latvia's justice and support systems are providing both accountability and protection.

## Chapter III – Prevention (Articles 12–17)

### Article 12 - General obligations

Latvia has made initial progress in strengthening prevention measures, but overall efforts remain fragmented and insufficiently coordinated. A comprehensive prevention strategy must not only address structural gender inequality but also ensure that the **public is well informed about rights, available services, and perpetrator accountability**. At present, many victims report limited knowledge of what support exists or how to access it. Public information campaigns must systematically explain who provides services, what rights victims have, and what consequences perpetrators face. Furthermore, **prevention must be coordinated across national, regional, and local levels**, with municipal authorities carrying specific responsibility to develop integrated prevention programmes targeting children, youth, and families.

### Article 13 - Awareness-raising

Awareness campaigns remain irregular and underfunded, despite persistent myths and stereotypes surrounding domestic and gender-based violence. **Latvia urgently needs coordinated state and regional campaigns at least twice a year, focused on recognising violence, encouraging reporting, and educating different target groups** — including children, students, men, seniors, migrants, and people with disabilities. Campaigns must also **directly address consent in intimate relations**, aiming to reduce tolerance of sexual violence, and raise awareness of how pornography and the sex trade perpetuate violence against women and undermine gender equality. In parallel, materials tailored for migrant communities are needed, assuring women, including undocumented migrants, that they will be fully protected and supported if they experience violence. Opinion leaders and men should be actively engaged in these campaigns, ensuring prevention efforts resonate across society and challenge harmful norms.

### Article 14 - Education

Violence prevention begins in schools, yet **gender equality and non-violence are not systematically embedded in Latvia's curricula**. Early education must include themes of communication, non-violent conflict resolution, emotional literacy, gender equality, and non-discrimination. These should be incorporated into preschool and primary education, supported by teacher training across all regions. **Municipalities must also ensure regular, structured prevention programmes for youth, equipping them with the skills to build healthy, respectful relationships**. Additional educational materials

should be developed for schools and municipalities to address dating and intimate partner violence among adolescents under the age of 18.

### **Article 15 - Training of professionals**

Professionals in education, youth work, law enforcement, and social services need systematic training on non-violent behaviour, conflict resolution, and recognising and responding to gender-based violence. Such training is currently project-based and uneven across regions.

In 2024, the MARTA Centre participated in the procurement of the Courts Administration and was awarded the right to provide the training judges, prosecutors, and investigators on domestic violence and the victim's perspective. This initiative is highly commendable and represents an important step towards building a justice system that is better equipped to respond to gender-based violence. However, it remains project-based, without long-term state funding or institutionalisation. To meet the Convention's requirements, Latvia must embed such training into national systems, making it mandatory and continuous, with regular refresher courses and evaluation of impact.

A particularly **pressing concern in Latvia is the response of children-orphan and custody courts** to domestic violence. According to the OECD's 2023 Towards a Child-Friendly Justice System in Latvia, while there are high-level commitments to making the justice system more responsive to children, there remains wide variation in how children's legal and justice needs are recognised and addressed<sup>13</sup>.

OECD. Moreover, there is no consistent practice ensuring that social workers or child protection bodies are trained specifically on domestic abuse and the victim's perspective, especially within custody or orphan's court proceedings. Institutional reports indicate that many cases involving children in families with domestic violence are processed without centralised data or coordinated practice across municipalities<sup>14</sup>.

In the experience of the MARTA Centre, even when full information about domestic violence is available to children's courts and social services, **decisions are not always victim- or child-friendly**. Courts at times grant temporary protection against violence to the mother but exclude her children from the order, or they extend protection to some but not all children in the household. In other cases, despite clear evidence of violence, custody or visitation rights are awarded in ways that expose children and victims to ongoing risk. This demonstrates not only gaps in training but also a systemic lack of

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<sup>13</sup> [https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/04/towards-a-child-friendly-justice-system-in-latvia\\_15ef94e3/83ab7bf5-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/04/towards-a-child-friendly-justice-system-in-latvia_15ef94e3/83ab7bf5-en.pdf)

<sup>14</sup> <https://www.tieslietupadome.lv/lv/media/6297/download?attachment=>

understanding of domestic violence dynamics, where perpetrators often use children as tools of continued control. These practices reinforce secondary victimisation, undermine the protective purpose of the law, and highlight the urgent need for mandatory, specialised training for orphan's courts, social workers, and judges on the impact of domestic violence on both victims and children.

### **Article 16 - Preventive intervention and treatment programmes**

Latvia has in place a **state-funded Social Rehabilitation Programme for persons with violent behaviour** since 2015 which can be assigned by both social services and the courts or judges, in particular in connection with decisions on temporary protection orders<sup>15</sup>. Data from recent years show a growing number of individuals receiving this service: in **2023**, 805 persons participated in the service to reduce violent behaviour, of which **267 cases** stemmed from a court or judge decision<sup>16</sup>. This marks an increase compared to previous years, evidencing both recognition of the utility of such programmes and greater use of judicial assignment.

While this is a positive development, several limitations persist:

- The **geographical coverage** of these programmes is uneven. Some municipalities have better access and capacity for assigning participants; others lag behind, leaving many perpetrators without the option of appropriate intervention or rehabilitation.
- The programme is **project-based and somewhat external to mainstream criminal justice or probation structures**, meaning that consistency in quality, follow-up, and monitoring is uneven. For example, connections between perpetrator programmes and victim support services are weak or not systematically maintained.
- The programmes **lack a gender perspective**, as women who are victims of violence but are labeled as violent mothers are treated in the same way as male perpetrators.
- Although courts can order perpetrators to attend, there is limited publicly available evaluation of **effectiveness**, impact on recidivism, or behaviour change. The outcomes (especially long term) are not sufficiently documented in a way that allows for assessment of whether these programmes fulfil standards such as those in the Council of Europe's "Guidance for safe and effective perpetrator programmes" (Article 16 of the Istanbul Convention).
- **The quality of the programme** is not always adequate. According to MARTA Centre specialists, many perpetrators become more manipulative and, in some

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<sup>15</sup> <https://rm.coe.int/state-report-of-latvia-addressed-to-greivio-received-on-25-march-2025/1680b4fa6f>

<sup>16</sup> <https://rm.coe.int/state-report-of-latvia-addressed-to-greivio-received-on-25-march-2025/1680b4fa6f>

cases, even more violent after attending the programme. Specialists also note that programme staff have at times encouraged perpetrators to initiate litigation against women, even in cases where the women had already experienced coercive control, strangulation, and other forms of severe abuse.

A comprehensive system of preventive programmes is required, including interventions in the **military sector**, where both domestic violence prevention and sexual harassment prevention programmes must be developed — particularly in light of the reintroduction of mandatory military service.

### **Article 17 - Participation of the private sector and the media**

The private sector and media in Latvia are still insufficiently engaged in prevention. Employers should be mandated to strengthen internal policies on harassment and workplace violence, including clear reporting procedures, protective measures for victims, and sanctions for perpetrators. **Regular staff training on recognising and responding to violence — including the role of bystanders — is essential.** Employers and state institutions should be required to review internal rules on sexual harassment, sexual exploitation, and gender-based violence, and to provide regular staff training on bystander intervention, recognition, and reporting mechanisms.

Media outlets should be encouraged to report sensitively and responsibly, avoiding sensationalism and victim-blaming. At the same time, prevention strategies should include targeted measures to involve men and boys, ensuring they are not only seen as potential perpetrators but also as allies in ending violence.

## **Chapter IV – Protection and Support (Articles 18–28)**

### **Article 18 – General obligations**

Latvia has taken meaningful steps to expand protection and support, including the 2023 introduction of crisis apartments and the ongoing work to strengthen inter-agency cooperation. However, provision remains uneven across municipalities and insufficiently victim-centred in practice. A number of systemic prerequisites are missing: **stable, ring-fenced financing for specialist NGOs; long-term cooperation contracts with municipalities; and parity measures that recognise the real administrative and personnel costs of service delivery.**

MARTA’s operational experience highlights three urgent system fixes. **First**, introduce an **anonymous access pathway** to state-funded services (using a client ID rather than

personal identifiers at the initial stage), because a non-trivial share of victims—incl. public-sector employees—decline support when identification is mandatory. **Second, tighten SOPA data-access controls** (role-based access and audit trails) to prevent excessive visibility of sensitive case data that discourages help-seeking. **Third, ensure equitable administrative-cost coverage** nationwide: today, municipal reimbursement ranges from 0% to 20%, creating geographic inequities and undermining sustainability. The MARTA Centre has repeatedly approached the Ministry of Welfare, pointing out that several municipalities – Liepāja and Saldus – do not allocate administrative costs for social rehabilitation, requesting either an amendment to the Cabinet of Ministers’ regulations or the development of methodological guidelines for municipalities to ensure that the costs provided for in the regulations are directed to the service provider. On 17th October, the latest response from the Ministry confirmed that it would take no action to address the situation.

Service quality and continuity also depend on **workforce conditions**. Current state tariffs (e.g., max 35 EUR for a 45-minute psychological consultation inclusive of taxes) are **below average market price** and do not reflect the complexity and emotional load of GBV cases. This impedes recruitment/retention, limits access to **supervision** (which, unlike for perpetrator services, is not financed for victim-service providers), and ultimately constrains capacity. Aligning tariffs with market reality, financing supervision for victim-service teams, and recognising tasks beyond face-to-face sessions (e.g., crisis calls, documentation, inter-institutional coordination) are essential to a reliable, trauma-informed system.

### **Article 19 – Information**

Victims are still too often **not informed at first contact** about their rights, available services (including free legal aid), and protection options. A standardised, multilingual information package—delivered by police and social services at every incident response—should be mandated. Clear guidance on **where and how to access services anonymously**, and assurances about data confidentiality in SOPA, are integral to trust. Tailored informational materials should also target **migrant communities** to signal protection irrespective of status, especially given the high influx of asylum-seekers from Ukraine after Russia’s full-scale invasion in 2022.

In addition, considering the reality of a large minority population being Russian-speaking in Latvia, and the state politics moving to completely excluding Russian language from use, that will put an even higher strain on access to information among Russian-speaking

communities, where, as observed by the MARTA Centre, awareness is already limited on issues related to GBV and gender stereotypes tend to be even more prevalent than among Latvian-speakers.

### **Article 20 – General support services**

Access to housing remains a decisive barrier to safety. Beyond short-term crisis apartments, Latvia needs **pathways to permanent, affordable housing** for victims exiting abusive households (especially where the home is owned by the perpetrator). Municipal social services should plan GBV support based on **local needs assessments** (including seniors, persons with disabilities, and LGBTQ+ persons), with transparent budgeting for the required service mix. **Anonymous state-funded help** must be possible for both victims and individuals proactively seeking to change violent behaviour. A **mentor programme** for victims would improve navigation between institutions and reduce attrition.

### **Article 21 – Assistance in individual/collective complaints**

Latvia currently does not currently have easily accessible mechanisms to provide formal legal advice, or specific advice about applying to the European Court of Human Rights, CEDAW or other international bodies. Similarly, the complaints mechanisms outlined for the Victims' Code are not specifically relevant. The government does not provide information on access to assistance in individual or collective complaints or promote the NGOs or individual lawyers who provide representation in such cases – where legal aid is not provided. NGOs would also require a clearer mandate and streamlined procedures to assist and, where appropriate, submit information in individual and collective complaints. Formalising NGO standing and information-sharing channels (with consent safeguards) would strengthen access to justice and reduce procedural burdens on victims.

### **Article 22 – Specialist support services**

Specialist NGOs, the key one being the MARTA Centre, deliver the backbone of GBV services in Latvia and have built accredited rehabilitation programmes over decades. To meet Convention standards, the State should: (i) stabilise core funding through **multi-year contracts**, (ii) guarantee **administrative-cost coverage** on a uniform national basis, (iii) finance **regular supervision** for victim-service teams, and (iv) ensure national **quality standards** with monitoring focused on victim safety and outcomes—not just output counts. These steps will prevent service interruptions and enable sustained capacity in Riga and the regions (e.g., MARTA's sites in Rīga, Liepāja, Rēzekne).

### **Article 23 – Shelters**

The 2023 **crisis apartment** service is a notable advance (30 days, extendable up to 180 days for high-risk cases). Next priorities: (i) guarantee **anonymous crisis apartments** where there is fear of data leakage and lethal risk, (ii) ensure **regional availability** and predictable funding, and (iii) integrate shelter/crisis apartments with rapid legal, social, and psychological support, including the new electronic surveillance system, so women do not have to return to unsafe environments due to housing constraints.

### **Article 24 – Telephone helplines**

Latvia **does not yet provide a 24/7 national GBV helpline**. Establishing a **round-the-clock, toll-free** line with real-time triage to emergency protection, social services, legal aid, and shelters/crisis apartments is critical. Call flows and **outcome monitoring** should be standardised.

### **Article 25 – Support for victims of sexual violence**

Latvia **does not yet have** specialist **sexual assault centres/one-stop services** (SACs) that provide immediate forensic examination, PEP/EC, trauma-informed care, and evidence preservation. These services are **under discussion and included in the National Action Plan**; civil society, including MARTA, expects and **awaits their creation with urgency**. Placement at regional hospitals, with 24/7 on-call forensic capacity and clear referral protocols, is recommended to avoid re-traumatisation and evidence loss. There unfortunately still are cases among MARTA's clients where court medical examination appointments are assigned with significant delay and the procedure altogether is not victim-friendly and risks re-traumatization of the victim.

### **Article 26 – Protection and support for child witnesses**

As mentioned in the previous chapter, practice gaps persist in decisions by children's/orphan courts and related services. Even where domestic violence is documented, temporary protection orders may cover the mother but not the children—or not all children—and contact/visitation arrangements may expose them to ongoing risk. Latvia should mandate **supervised contact** in neutral, specialist venues when there is a history or risk of violence, and require **mandatory GBV training** for orphan courts, social workers, and judges on the impact of coercive control on children.

Schools, sport, and out-of-school settings need **clear protocols** for responding to sexual violence and harassment against children.

### **Article 27 – Reporting by professionals**

Professionals (health, education, social services) need a **clear, low-burden mechanism** to report suspected violence—including options to **anonymise initial reports** to protect therapeutic relationships. Inter-institution information-sharing should be improved with **data-minimisation and confidentiality safeguards**. Mandatory training on when and how to report, with feedback loops to reporters, will increase appropriate referrals.

### **Article 28 – Reporting by the general public**

Public-facing mechanisms should be strengthened so bystanders can report concerns safely and receive guidance. Latvia should also examine **disclosure / right-to-know schemes** (e.g., notification to potential partners about serious violence risk, with human-rights safeguards) and **victim notification upon offender release**. Public communication must emphasise that **abusers alone are responsible** for their actions, countering victim-blaming narratives, which currently still strongly persist in society.

## **Chapter V – Substantive Law (Articles 29–48)**

### **Article 29 – Civil remedies and compensation**

Latvian legislation provides several formal avenues for civil redress to victims of domestic and gender-based violence, primarily through the *Law on the Compensation of Victims of Crime* and general civil procedures. However, practical access remains limited. As noted by the European Institute for Gender Equality, victims in Latvia often face delays, complex evidentiary standards and high emotional costs when pursuing civil claims.<sup>17</sup>

MARTA's case experience confirms that many survivors withdraw from proceedings due to fear of confrontation or lack of affordable legal representation. Although the state guarantees compensation in theory under the *State-Guaranteed Compensation Law*, in practice it covers only direct pecuniary losses and medical costs, excluding psychological harm. Latvia should develop a simplified and survivor-centred

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<sup>17</sup> [https://eige.europa.eu/gender-based-violence/countries/latvia?language\\_content\\_entity=en](https://eige.europa.eu/gender-based-violence/countries/latvia?language_content_entity=en)

compensation pathway accessible independently of criminal conviction, as recommended in OECD's regional analysis.<sup>18</sup>

### **Article 30 – Compensation**

The *Law on State-Guaranteed Compensation for Victims of Criminal Offences* provides financial support only in narrowly defined criminal cases.<sup>19</sup> Victims of intentional crimes, including sexual offences, who have been formally recognized as victims in criminal proceedings, are entitled to apply for state compensation under the *Law On State Compensation to Victims*. The maximum amount available is capped at the equivalent of five minimum monthly wages. For rape and sexual violence cases, the law provides for a 90% compensation tier<sup>20</sup>, applied within this overall cap. Importantly, state compensation can be granted before the criminal case has been concluded, once victim status is confirmed. It is provided as a lump-sum payment and is therefore not linked to actual expenses incurred by the victim. The system is also undergoing change. In 2024, the Constitutional Court ruled part of the law unconstitutional with regard to caps in cases of death<sup>21</sup>. The amendments resulting from this judgment will enter into force in 2026, demonstrating that the framework is still evolving.

Victims may also seek compensation directly from the perpetrator. This can be done in two ways: by filing an adhesion claim within the criminal proceedings (once prosecution begins) or by initiating a separate civil lawsuit. The compensation claim may cover both material damages—such as medical costs, therapy expenses, and lost income—as well as non-material (moral) damages for the harm suffered.

However, research and monitoring reports highlight that there are significant gaps between the rights established in law and their effective enforcement in practice. Council of Europe monitoring bodies have recommended that Latvia strengthen victims' access to offender compensation to ensure that these rights are not merely theoretical but effective in reality. According to EIGE's national assessment, this mechanism fails to address the needs of victims of psychological or economic violence, many of whom are not recognised as crime victims<sup>22</sup>. Latvia should broaden eligibility criteria to include non-material harm and align with Council of Europe GREVIO guidance.<sup>23</sup>

### **Article 31 – Custody, visitation rights and safety**

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<sup>18</sup>[https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/10/breaking-the-cycle-of-gender-based-violence\\_34f3b602/b133e75c-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/10/breaking-the-cycle-of-gender-based-violence_34f3b602/b133e75c-en.pdf)

<sup>19</sup> <https://likumi.lv/ta/en/en/id/141458-law-on-the-compensation-of-victims-of-crime>

<sup>20</sup> <https://likumi.lv/ta/id/301801-grozijumi-likuma-par-valsts-kompensaciju-cietusajiem>

<sup>21</sup> <https://www.satv.tiesa.gov.lv/cases/?search%5Bnumber%5D=2024-07-01>

<sup>22</sup> <https://eige.europa.eu/gender-based-violence/countries/latvia>

<sup>23</sup> <https://rm.coe.int/state-report-of-latvia-addressed-to-grevio-received-on-25-march-2025/1680b4fa6f>

Despite legislative progress, custody and visitation decisions in Latvia often disregard the presence of domestic violence. The Government of Latvia's 2025 report to GREVIO itself notes that orphan courts and judges still lack systematic training in risk assessment (<https://rm.coe.int/state-report-of-latvia-addressed-to-grevio-received-on-25-march-2025/1680b4fa6f>).

MARTA's field experience shows that temporary protection orders sometimes apply only to the adult victim, leaving children unprotected, or that courts grant unsupervised visitation to abusive parents. Latvia must ensure that **domestic violence is an explicit risk factor** in custody decisions and provide **mandatory specialised training** for orphan courts and judges.

### **Article 32 – Civil consequences of forced marriage**

Forced marriage is criminalised under *Criminal Law Article 154*<sup>1,24</sup> but no dedicated civil procedure exists for annulment at the victim's initiative. EIGE recommends introducing explicit annulment mechanisms and legal aid for affected persons.<sup>25</sup>

### **Article 33 – Psychological violence**

Psychological violence has historically been one of the most under-recognised and least effectively prosecuted forms of domestic violence in Latvia. Until recently, such conduct was mentioned only in the Annex to the Criminal Law, as a component of "cruel or violent treatment" but not as a distinct offence. Consequently, there were no known court judgments in Latvia where psychological or emotional abuse was recognised as a standalone criminal act. The absence of a clear legal basis for prosecution left victims of prolonged emotional control, intimidation, humiliation and isolation — most of them women — without effective access to justice.

The 2024 amendments to the Criminal Law have, for the first time, explicitly criminalised psychological violence through the introduction of **Article 174**<sup>1</sup>, which establishes liability for *cruel or violent treatment of a person with whom the perpetrator has, or has had, an intimate or household relationship*. This provision recognises that mental suffering, degradation of dignity and systematic emotional coercion are forms of violence in their own right — not merely accompanying elements of physical abuse. The law provides for imprisonment of up to **five years**, and in cases where the victim is

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<sup>24</sup> <https://likumi.lv/ta/en/en/id/88966-criminal-law>

<sup>25</sup> <https://eige.europa.eu/gender-based-violence/countries/latvia>

materially or otherwise dependent on the perpetrator, the maximum penalty increases to **seven years**<sup>2627</sup>.

This legislative reform represents a major advancement in aligning Latvian law with the Istanbul Convention — particularly Articles 3 and 33, which require states to criminalise psychological violence and to recognise the harm it causes to victims’ mental and emotional integrity. The amendments reflect a growing understanding that domestic violence is not limited to visible injuries, but also includes coercive control and psychological trauma. **In 2024, 185 criminal proceedings were initiated under this Article, confirming both the necessity and effectiveness of the new regulation. In the first eight months of 2025, 213 proceedings have already been initiated, encompassing 224 criminal offences.**

Nevertheless, practical implementation remains a pressing concern. Law enforcement institutions still require comprehensive training to identify and prove patterns of psychological violence, which are often evidenced through communication records, testimonies, and behavioural assessments rather than physical traces. The introduction of Article 174<sup>1</sup> must therefore be accompanied by targeted professional education, clear investigative protocols and the development of jurisprudence that recognises coercive control and intimidation as punishable acts. It is also critical that the judiciary and prosecutors receive ongoing guidance to ensure that the new provision is applied consistently across regions. The lack of historical case law on emotional abuse presents both a challenge and an opportunity — a challenge because precedents are absent, but an opportunity to establish progressive practice that protects victims’ dignity and psychological wellbeing.

From the perspective of MARTA, this reform marks an essential step forward for victims’ rights in Latvia. Yet, to translate the legislative progress into tangible protection, it is necessary to develop methodological tools for evidence collection, ensure that psychological violence is considered when issuing temporary protection orders, and strengthen inter-institutional cooperation so that victims are not retraumatised during investigations. Only with these accompanying measures can Article 174<sup>1</sup> achieve its intended effect — to recognise, prevent, and punish psychological violence as a severe violation of human rights.

### **Article 34 – Stalking**

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<sup>26</sup> <https://www.tm.gov.lv/en/article/changes-criminal-code-criminalise-violence-against-relatives>

<sup>27</sup> <https://www.saeima.lv/en/aktualitates/saeimas-zinas/33603-increased-punishment-for-violence-against-family-members>

Stalking was criminalised in Latvia in earlier years, but until mid-2023 remained penalised only as a misdemeanour with short maximum sentences. With the July 2023 amendment to the Criminal Law and Criminal Procedure Law, stalking—particularly when directed at an intimate partner, housemate or former partner—was upgraded to a criminal offence carrying a maximum of **up to one year imprisonment**, and in the context of family or household relationships up to **three years**<sup>28</sup>. The amendments also removed the requirement for a victim’s complaint in stalking proceedings in domestic contexts and mandated expedited court hearings within four weeks in certain cases.

These changes mark an important legal milestone. We have also heard from police that because of these amendments in recent years there have been significantly more imprisonment cases. Nonetheless, practical application remains uneven: training for police and prosecutors, clear guidelines for gathering evidence (especially digital stalking/harassment) and regional consistency must accompany these legislative gains to ensure the law realises its protective promise.

### **Article 35 – Physical violence**

The 2024 amendments to the **Criminal Law (Article 174<sup>1</sup>)** have significantly strengthened protection against domestic violence by criminalising even *minor bodily harm* (*maznozīmīgi miesas bojājumi*) committed within intimate or household. This reform closes a critical gap in Latvian legislation, where many victims previously saw their cases treated as administrative offences, resulting only in fines or warnings.

From **MARTA Centre’s experience**, particularly in regional areas, such outdated practices unfortunately persist. Police sometimes still apply administrative penalties rather than opening criminal proceedings, even when victims experience repeated physical assaults or ongoing coercive control. This approach contradicts both the new law and the Istanbul Convention’s requirement that *all forms of physical violence* be treated as criminal acts.

To ensure full compliance, Latvia must provide clear guidance to police and prosecutors, prohibiting the use of administrative sanctions in domestic violence cases and ensuring uniform application of Article 174<sup>1</sup> nationwide.

### **Article 36 – Sexual violence, including rape**

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<sup>28</sup><https://lvportals.lv/skaidrojumi/353447-pastiprina-kriminalatbildibu-par-vajasanu-draudiem-un-vardarbibu-gimene-2023>

Latvia's definition of rape (*Criminal Law Article 159*) is coercion-based and does not incorporate the absence of consent.<sup>29</sup> EIGE and the Council of Europe both emphasise the need for a **consent-based definition** consistent with the standard “only yes means yes”.<sup>30</sup> It does, however, include circumstances of “by means of violence, threats or using trust, authority or exerting other influence over the victim”, which is an improvement from older definitions.

In MARTA Centre's practice, **rape remains one of the most underreported crimes in Latvia**. Many women do not turn to the police due to fear of disbelief, shame, social stigma, or secondary victimisation during investigation. Survivors often report feeling that their experience will not be taken seriously, particularly in smaller municipalities where confidentiality cannot always be guaranteed and where law enforcement lacks specialised training in handling sexual violence cases.

Currently, Latvia does not yet have fully established **specialised centres for victims of sexual violence**, where survivors could receive comprehensive, immediate assistance — including medical examination, forensic evidence collection, psychological support, and legal counselling — all in one place. These centres are, however, **under active development**, and their creation is included as a priority in the **National Action Plan on Combating Violence Against Women and Domestic Violence 2024–2029**.<sup>31</sup>

MARTA welcomes this planned reform, as the establishment of such centres will be a vital step towards ensuring that victims of sexual violence receive sensitive, trauma-informed support in a **safe and non-judgmental environment**. The availability of these services is expected to increase reporting rates, improve evidence collection, and help restore survivors' trust in the justice system.

### **Article 37 – Forced marriage**

Although criminalised, forced marriage remains underreported and insufficiently recognised.<sup>32</sup> Social services need clearer protocols and awareness campaigns to identify early warning signs.

### **Article 38 – Female genital mutilation (FGM)**

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<sup>29</sup> <https://likumi.lv/ta/en/en/id/88966-criminal-law>

<sup>30</sup> <https://rm.coe.int/state-report-of-latvia-addressed-to-greivio-received-on-25-march-2025/1680b4fa6f>

<sup>31</sup> [https://tapportals.mk.gov.lv/legal\\_acts/64bd5415-c6ba-4575-8ea2-73a02b04879e#](https://tapportals.mk.gov.lv/legal_acts/64bd5415-c6ba-4575-8ea2-73a02b04879e#)

<sup>32</sup> <https://eige.europa.eu/gender-based-violence/countries/latvia>

FGM is not widespread in Latvia but is covered under general assault offences.<sup>33</sup>

### **Article 39 – Forced abortion and forced sterilisation**

Latvian legislation formally prohibits coercion in reproductive health decisions. **Compelling a woman to undergo an abortion** is recognised as a criminal offence, and **sterilisation** is permitted only on the basis of *written consent* or a clearly defined *medical indication*.<sup>34</sup><sup>35</sup> According to the 2023 U.S. State Department *Country Report on Human Rights Practices*, there were **no reported cases of forced abortion or involuntary sterilisation** conducted by state authorities in Latvia.<sup>36</sup>

However, from a compliance perspective with **Article 39 of the Istanbul Convention**, Latvia's current legal framework remains **fragmented and incomplete**. While the general provisions of the Criminal Law protect bodily integrity, there is **no explicit standalone offence** that criminalises forced sterilisation or abortion in all possible contexts — including cases of coerced consent, abuse of authority, or where the victim is a person with disability or under institutional care.

From MARTA Centre's perspective, this legal gap risks leaving survivors without adequate protection or access to justice in situations where coercion occurs outside of formal state systems. We therefore recommend **introducing a dedicated provision** in the Criminal Law explicitly criminalising both *forced abortion* and *forced sterilisation* in accordance with the Istanbul Convention's standards. Furthermore, Latvia should establish **specialised monitoring and reporting mechanisms** to ensure that reproductive rights violations are detected, documented, and addressed effectively.

### **Article 40 – Sexual harassment**

Sexual harassment remains an administrative offence under the *Administrative Liability Law*, rather than a criminal act.<sup>37</sup> The MARTA Centre commends the creation of such an offence, however from the very start we have strongly advocated for criminalising it as well under specific aggravating circumstances, such as using authority or trust of the victim. There was an especially loud case in the media in 2024, when the victim was a

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<sup>33</sup> <https://likumi.lv/ta/en/en/id/88966-criminal-law>

<sup>34</sup> <https://www.cilvektiesibugids.lv/en/themes/health/right-to-health/right-to-health-and-specific-groups/right-to-health-and-women>

<sup>35</sup> <https://www.cilvektiesibugids.lv/en/themes/family/reproductive-rights/sterilisation>

<sup>36</sup> <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/latvia/>

<sup>37</sup> <https://likumi.lv/ta/en/en/id/303007-administrative-liability-law>

university student at the hands of a professor at the Musical Academy, and in a case such as this, an administrative fine should not be sufficient punishment<sup>38</sup>.

### **Articles 41–45 – Aiding, attempt, justifications, sanctions, jurisdiction**

Latvian law criminalises aiding and attempt<sup>39</sup>, but sentencing is often lenient. MARTA’s practice confirms that suspended sentences are common even in repeated-offence cases.

### **Articles 46–48 – Aggravating circumstances and prohibition of mediation**

Although aggravating factors exist, their consistent use is uneven across courts. Mediation is not mandatory under Latvian law, but NGOs, including MARTA, report instances like, court, custody court or social service encourage “reconciliation” in cases involving violence, and often times the victims agree out of fear of, for example, losing custody and to “please” the court thus allowing violence to continue.

## **Chapter VI – Investigation, Prosecution, Procedural Law and Protective Measures**

### **Article 49 – General obligations**

Latvia has made notable progress in improving the investigation and prosecution of domestic violence cases, particularly following the **ratification of the Istanbul Convention** and the **Jēkabpils femicide case**, which prompted public and institutional reform. Law enforcement authorities now generally treat domestic violence as a serious criminal offence rather than a private dispute. However, the MARTA Centre notes that **inconsistent application of the law persists**, especially in rural areas, where police still occasionally require a victim’s written complaint before initiating criminal proceedings – despite clear legal provisions that mandate the **State Police to act ex officio** in cases of domestic or gender-based violence. Such practices delay protection and leave victims exposed to further harm.

MARTA recommends that the Ministry of the Interior develop **clear operational guidelines** for all police and municipal units, ensuring that **criminal proceedings are initiated immediately upon identification of violence** and that protection measures are applied without delay to both the victim and their children.

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<sup>38</sup><https://eng.lsm.lv/article/society/education/03.06.2024-music-academy-lecturer-dismissed-over-alleged-sexual-harassment-scandal.a556490/>

<sup>39</sup> <https://likumi.lv/ta/en/en/id/88966-criminal-law>

## **Article 50 – Immediate response, prevention and protection**

Since July 2025, Latvia has introduced **electronic monitoring (“electronic bracelets”)** as a new security measure under the Criminal Procedure Law, following amendments adopted on 6 June 2024<sup>40</sup>, which came into force on 1 July 2025. The system enables continuous monitoring of high-risk perpetrators to enforce restraining orders and prevent violations of protection orders. However, the measure is currently **applied in only one case**, largely because courts increasingly apply **detention** in 98–99% of high-risk cases since the Jēkabpils tragedy.

Police also apply the **DASH high-risk assessment model**, which supports structured evaluation of danger levels for victims and informs decisions on electronic monitoring and immediate separation of the perpetrator. While this represents substantial progress, the MARTA Centre stresses that **implementation must remain consistent across all regions**, and that electronic surveillance should complement — not replace — broader protection mechanisms for victims and children. In addition, as the leading NGO in the field, we are disappointed **we were not consulted in the creation of the risk assessment tool, as well as we find it problematic that it is not currently in alignment for the assessment tool that was created for the crisis shelter system, as they should be unified.**

## **Article 51 – Risk assessment and risk management**

The MARTA Centre welcomes the formalisation of structured risk assessments within the police but calls for **greater interinstitutional cooperation**. At present, risk evaluations are primarily conducted by the police; however, effective risk management also requires coordination with **social services, courts, probation services, and NGOs**. A comprehensive model should ensure that risk assessments trigger **immediate, binding actions**, including removal of the perpetrator, access to emergency accommodation, and safety planning for children.

MARTA reiterates the need for a **national high-lethality risk protocol** as well as clear guidelines for enforcement to ensure swift isolation of perpetrators in the most dangerous cases. This would bring Latvia fully in line with Article 51 of the Convention.

## **Article 52 – Emergency barring orders**

In Latvia, the concept of an **emergency barring order (“nošķiršana”)** allows the police to **immediately remove a perpetrator from the shared residence and prohibit contact** with the victim as an urgent safety measure. Under the current framework,

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<sup>40</sup> <https://likumi.lv/ta/id/352942-grozijumi-kriminallikuma>

police may issue a nošķiršana decision for **up to eight working days**, during which the perpetrator must not approach or communicate with the victim.<sup>41</sup>

However, in practice, the MARTA Centre observes a **serious and recurring problem**: police frequently apply the barring order **only when the perpetrator is physically present at the scene**. In many cases, perpetrators **flee before police arrival**, and officers **do not conduct active searches** to locate and enforce the removal order. As a result, these individuals often return to the home freely, placing victims at renewed risk and undermining the preventive function of the emergency measure.

We recommend that the Ministry of the Interior develop **clear procedural guidelines** mandating that when a nošķiršana decision cannot be issued on-site due to the perpetrator's absence, the police must **initiate an active search** and **formally document the case for follow-up risk assessment, assist victims to apply for temporary protection order to court**. Without this, the purpose of Article 52 — to ensure *immediate protection* — remains only partially achieved.

### **Article 53 – Restraining or protection orders**

The MARTA Centre commends Latvia's legislative framework for enabling **restraining and protection orders**, but notes gaps in their enforcement. Latvia's **system** represents the next level of protection after emergency barring. Civil Procedure Law Section 250<sup>45</sup> requires that **if any physical, sexual, psychological or economic violence against a person occurs between former or current spouses or other related persons**, regardless of whether the offender lives or has lived in the same household as the victim of violence, the court or judge on the basis of application or an application made through the police may **decide on temporary protection against violence**.<sup>42</sup>

A **temporary protection order** (pagaidu aizsardzība pret vardarbību - PAPV) is issued by the court within 24 hours upon application from the victim, no evidence can be submitted and it can prohibit any contact, require the perpetrator to leave the shared home, and restrict visitation or communication. The legal basis allows victims to request such orders swiftly, and police are obliged to **assist victims in preparing and submitting applications**.<sup>43</sup>

In practice this protection tool is widely used by victims since it was introduced in 2014, however, the MARTA Centre has documented **multiple cases where police fail to provide the support**. Instead of helping the victim complete and submit the necessary

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<sup>41</sup> <https://www.cilvektiesibugids.lv/en/themes/domestic-violence/safe-exit/decision-on-separation>

<sup>42</sup> <https://likumi.lv/ta/en/en/id/50500-civil-procedure-law>

<sup>43</sup> <https://www.cilvektiesibugids.lv/en/themes/domestic-violence/safe-exit/order-on-temporary-protection/application>

documentation, officers frequently **instruct victims to “go to court themselves”**, offering **no procedural guidance**. This approach contradicts the intent of the law, which clearly assigns the police a **duty of assistance** in the PAPV process.

#### **Article 54 – Investigations and evidence**

Although Latvia’s criminal justice framework requires **ex officio investigation** of gender-based violence, MARTA continues to receive reports that **State Police sometimes refuse to initiate criminal proceedings without a victim’s formal complaint**, even when clear evidence of injury or repeated violence exists. This is particularly common in rural municipalities where awareness of gender-based violence dynamics remains limited.

To address this, the Ministry of the Interior should establish **mandatory investigation protocols**, ensuring that officers launch proceedings based on evidence alone, without requiring victim consent. Furthermore, the **use of medical, psychological and forensic expertise** must be strengthened — for instance, by guaranteeing access to **immediate forensic examination for sexual violence victims** and expanding psychological assessment capacities.<sup>44</sup>

#### **Article 55 – Ex parte and ex officio proceedings**

MARTA fully supports Latvia’s legislative framework that allows prosecution of domestic and gender-based violence without the victim’s complaint. However, the organisation highlights that this **principle must be implemented consistently**. Victims should not bear the responsibility to initiate or sustain proceedings. Prosecutors and police should act independently, especially in repeat or high-risk cases.

We recommend **nationwide procedural monitoring** to ensure uniform application and accountability when officials fail to act as required by law as well as more clear guidelines and information as to where one should report if certain members of the police service have not acted in complete accordance with the law.

#### **Article 56 – Measures of protection**

Latvia’s legislative improvements — such as electronic monitoring and immediate restraining orders — demonstrate commitment to victim protection. Yet MARTA notes that victims often face **unequal access to protection**, depending on their municipality and the capacity of local services.

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<sup>44</sup> <https://likumi.lv/ta/id/107820-kriminalprocesa-likums>

Furthermore, **psychological and psychiatric expert evaluations** are often delayed, hindering both protection and prosecution. MARTA calls for **immediate expert assessments** in cases involving high lethality or sexual violence, as well as expanded training for law enforcement on trauma-informed interviewing and victim safety.

### **Article 57 – Legal aid**

Victims of domestic and sexual violence in Latvia are eligible for state-funded legal aid. However, in practice, **access remains uneven**, particularly in smaller regions where legal aid providers lack specialisation in gender-based violence. MARTA recommends expanding the **network of trained legal aid professionals** and ensuring that information about these services is **automatically provided by police officers during the first contact**.

### **Article 58 – Statute of limitation**

Latvia's statute of limitation for crimes of domestic and gender-based violence generally aligns with European standards. However, MARTA supports **extending limitation periods** for sexual and psychological violence offences, given the often-delayed reporting by survivors. The government should ensure that **prosecution remains possible even years after the offence**, in line with trauma-informed justice principles.

## **Chapter VII – Migration and Asylum**

Latvia's current legal framework provides certain mechanisms to protect third-country nationals who are victims of domestic or gender-based violence, primarily through the **Immigration Law**<sup>45</sup> and the **Asylum Law**<sup>46</sup>.

Under existing provisions, victims may be granted **temporary residence permits** on humanitarian grounds if their safety is at risk or if cooperation with law enforcement is necessary. In principle, this complies with Article 59 of the Istanbul Convention. However, MARTA's experience shows that **implementation remains fragmented** and that awareness of these rights among both victims and officials is very limited. Women whose residence status depends on their abusive partners often **avoid reporting violence** out of fear of losing their right to stay in Latvia, as they frequently lack access to legal aid or interpretation services that would allow them to understand and exercise their rights.

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<sup>45</sup> <https://likumi.lv/ta/id/97822-imigracijas-likums>

<sup>46</sup> <https://likumi.lv/ta/id/68488-patveruma-likums>

## Conclusion

The MARTA Centre welcomes Latvia's ratification of the Istanbul Convention as a **historic and transformative milestone** in the country's commitment to protecting women and girls from all forms of gender-based violence. Annual amendments to the **Criminal Law**, the development of the **National Action Plan 2024–2029**, and the expansion of social rehabilitation and protection mechanisms for victims demonstrate Latvia's willingness to align with the principles of equality, dignity, and non-violence set forth in the Convention.

However, **MARTA's daily experience** supporting victims reveals that the journey towards full implementation remains incomplete. Systemic issues persist: the absence of a unified legal definition of gender-based violence, fragmented inter-institutional coordination, regional disparities in service delivery, and project-based rather than long-term funding for support services, regular training for professionals delivered by organizations working with victims of gender based violence. Although legislative reforms and institutional commitments are in place, women in Latvia continue to face real structural barriers to protection and justice.

At this critical moment, MARTA expresses **deep concern about the political developments** surrounding the Convention. On 25 September 2025, the Saeima voted 55 to 33 to refer an initiative to the Foreign Affairs Committee to begin Latvia's withdrawal from the Istanbul Convention.<sup>47</sup> The initiative was initially driven by the opposition party *Latvija Pirmajā vietā* ("Latvia First"), and gained momentum after the governing coalition partner **Union of Greens and Farmers (ZZS)** switched sides to support the motion.<sup>48</sup> On 16 October 2025, the Saeima approved by 56 votes a declaration to develop an alternative to the Convention, strongly signalling a potential detraction from the international treaty.<sup>49</sup>

This turn of events is **extremely troubling** for gender equality in Latvia. The Istanbul Convention is not merely a legal instrument—it is a **lifeline for countless women and girls** whose safety, dignity, and freedom depend on its protections. To withdraw at this time would undermine years of progress, isolate Latvia from its European partners, and send a harmful message to victims who rely on state assurances of protection.

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<sup>47</sup><https://eng.lsm.lv/article/politics/saeima/25.09.2025-latvian-lawmakers-consider-pulling-out-of-istanbul-convention.a615762/>

<sup>48</sup> <https://bnn-news.com/zs-claims-istanbul-convention-declaration-is-being-violated-in-latvia-272478>

<sup>49</sup><https://eng.lsm.lv/article/politics/saeima/17.10.2025-latvian-saeima-passes-an-alternative-to-istanbul-convention.a618749/>

We are **grateful** for Latvia's ratification and the progress already achieved under the Convention. However, our gratitude is tempered by a **profound sense of urgency**: the country must now demonstrate sufficient political will to **defend the Convention** against populist backlash and misinformation.

Latvia stands at a crossroads. The legislative foundation may be in place, but its success hinges on consistent implementation, cross-sector cooperation, and sustained resources. The MARTA Centre remains committed to working with national institutions, municipalities, and GREVIO, to ensure that the **promise of the Istanbul Convention—freedom from violence—becomes a lived reality for every woman and girl in Latvia.**