

# ECRI REPORT ON LATVIA

(sixth monitoring cycle)



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## FOREWORD

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The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI's country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI's reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

**The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 20 November 2024; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.**

## SUMMARY

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**Since the adoption of ECRI's fifth report on Latvia, progress has been made and good practices have been developed in a number of fields.**

As regards inclusive education, ECRI positively notes that a bullying prevention programme ("KiVa") was initiated in more than 60 Latvian schools and aimed at reducing cases of bullying and promoting a safe, respectful and supportive school environment for all.

In the area of LGBTI equality, in November 2023, a legal framework on civil partnerships, including same-sex partnerships, was adopted, taking effect in July 2024.

Action has been taken to improve the effectiveness of police investigations into hate crimes in recent years. Countering hate crimes is also defined as one of the priorities in the Latvian Interior Sectoral Strategy for 2023-2027, as well as in the Operation and Development Strategy of the State Police for 2023-2027. Both strategies aim to improve the work of the State Police in identifying and investigating hate crimes, as well as ensuring relevant professional training for police officers.

In 2023, a "One-Stop-Shop" national coordinating body was established in Riga and in the regions (i.e. Liepāja, Jelgava, Daugavpils and Valmiera) to ensure access to information and integration support to third-country nationals and persons in need of international protection (refugees, persons granted subsidiary status and asylum seekers). The online platform *Ukraine to Latvia* also provides detailed information for displaced Ukrainians coming to Latvia as result of Russia's war of aggression against their country.

In 2023, the Ministry of Culture set up a Working Group for developing the Plan for Implementing Measures of the Roma Strategic Framework for 2024-2027.

As concerns "non-citizens" (i.e. citizens of the former Soviet Union who were residents in Latvia on 1 July 1991 and who, to the knowledge of the authorities, do not possess the citizenship of any other country), the Office of Citizenship and Migration Affairs organises "information days", as part of which interested persons are informed about acquiring Latvian citizenship through naturalisation procedures and have the opportunity to test their Latvian language fluency and, among other things, the basics of the history and culture of Latvia in a free trial test.

**ECRI welcomes these positive developments in Latvia. However, despite the progress achieved, some issues give rise to concern.**

There is no system in place to collect data on racist and anti-LGBTI incidents in schools.

ECRI is concerned about the absence of a dedicated strategy or action plan on LGBTI equality and notes that no working group has been set up to bring together relevant government services and institutions dealing with LGBTI equality and relevant civil society actors to discuss issues of concern to them.

ECRI learned about a number of instances of hate speech and hate crime, including online, targeting people on the basis of their sexual orientation, gender identity, national or ethnic background, citizenship, skin colour and religion. In ECRI's view, there is a need for a structure aimed at cooperating with relevant stakeholders in the monitoring and analysis of hate speech and hate crime trends, including the different expressions of and grounds for hatred, both online and offline, in compliance with existing European human rights and data-protection standards; this would help develop evidence-based policies against hate speech and hate crime.

According to a 2022 study conducted by the Ombudsman on the "Roma situation in Latvia", Roma inclusion in education and employment remains among key areas of concern. It also emerged during the ECRI country visit that the number of Roma mediators in schools and teaching assistants remains insufficient.

Since Russia's war of aggression against Ukraine, the number of applications made by "non-citizens" for naturalisation has significantly increased. However, many applicants do not pass the Latvian language and history exams.

Concerns have been raised about the situation of citizens of the Russian Federation who fail to regularise their stay. ECRI considers that this remains a complex and challenging process for those concerned and, more generally, it may fuel a negative public sentiment against Russians living in Latvia.

**In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.**

In the field of inclusive education, the authorities should, as a matter of priority, set up a country-wide monitoring system for racist and anti-LGBTI incidents in schools, including through appropriate data collection, taking inspiration from ECRI's General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education.\*

When it comes to migrants irregularly present in Latvia, the authorities should ensure that the provision of social and humanitarian assistance to such migrants in all areas of public and private services is not criminalised. In this context, the authorities should have due regard to ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.

As concerns LGBTI equality, the authorities should establish a permanent working group on LGBTI equality that brings together representatives of relevant government services and institutions and civil society actors representing or working in support of LGBTI communities, and based on proposals made by the working group in question, develop and adopt a detailed strategy and/or action plan on LGBTI

equality with a suitable budget for its implementation.

The authorities should, as a matter of priority, establish an inter-institutional working group tasked with monitoring hate speech and hate crime, with a particular emphasis placed on racist and LGBTI-phobic forms of hate speech and hate crime. This group should include representatives of the relevant authorities, civil society organisations and the Ombudsman, respecting the institution's independence.\*

As regards Roma inclusion, the authorities should monitor closely and ensure a regular evaluation of the implementation of the Plan for Implementing Measures of the Roma Strategic Framework for 2024-2027, in cooperation with the local authorities, the Ombudsman, representatives of the Roma community and relevant civil society organisations and redefine as appropriate any project parameters and goals to reach the expected outcome, in particular in the areas of education, employment, housing and health.

As concerns citizens of the Russian Federation living in the country, the authorities should ensure that state language tests required to regularise their stay are organised taking due account of individual circumstances and providing support as appropriate, as well as refraining from fuelling negative sentiment towards ethnic Russians in Latvia and promoting integration and inclusion.

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\* The recommendations in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

## FINDINGS AND RECOMMENDATIONS

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### I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

#### A. Equality bodies<sup>1</sup>

1. The Ombudsman of the Republic of Latvia acts as the equality body to combat racism and intolerance at national level.<sup>2</sup> The Ombudsman's Office is an institutionally and functionally independent public body that ensures the operation of the institution within the scope of competences stipulated in the Ombudsman Law and other regulatory acts.<sup>3</sup>
2. ECRI observes that, according to the information made available to it in the context of the 2024 visit to Latvia, there has been an increase of financial resources allocated to the functioning of the Office of the Ombudsman, from €1.9 million in 2022 to €2.6 million in 2023, and to €3.2 million in 2024. Furthermore, since January 2024, a separate Discrimination Prevention Division (composed of four staff members) was established within the Ombudsman's Office. According to data from the Ministry of Finance, the Discrimination Prevention Division has been specifically allocated €330 803 for 2024, and a planned budget of €326 335 per year for 2025 and 2026.<sup>4</sup>
3. As required by law, the Office of the Ombudsman publishes annual reports. According to the 2023 annual report,<sup>5</sup> it received 58 complaints about discrimination or infringement of the equality principle (which amounted to 2.88% of all complaints). However, during its 2024 visit to Latvia, the ECRI delegation learned that most of these complaints concerned discrimination on grounds that did not fall within ECRI's mandate and regrettably noted that the Office of the Ombudsman was not in a position to provide any disaggregated data. ECRI trusts that the recent establishment of a distinct Discrimination Prevention Division within the Office will help in developing the capacity of the institution in its equality body function to collect and analyse disaggregated data about various discrimination complaints and make them public in annual reports or otherwise, as well as to conduct surveys on racial and other forms of discrimination in the country.<sup>6</sup> If necessary, Council of Europe support should be sought.

#### B. Inclusive education

4. This part of the report deals with policies aimed at combating exclusion and marginalisation through inclusive education and fostering a society that is respectful of diversity and tolerant (sections II and III of ECRI's General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education). The specific measures for the education of children belonging to minority groups are dealt with in section III of this report.

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<sup>1</sup> The term "national specialised bodies" was updated to "equality bodies" in the revised version of General Policy Recommendation (GPR) No. 2 (revised) on equality bodies to combat racism and intolerance at national level, which was published on 27 February 2018.

<sup>2</sup> It also has the Ombudsman's specific mandate, acts as National Human Rights Institution (NHRI), National Preventive Mechanism (NPM) under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and is responsible for whistleblower protection, among other mandates: [Ombudsman's Office of the Republic of Latvia – Equinet \(equineteurope.org\)](https://www.ombudsman.lv/en/about-us/)

<sup>3</sup> For more information, including reference to the Ombudsman Law, see: <https://www.tiesibsargs.lv/en/about-us/>

<sup>4</sup> 05. Tiesībsarga birojs / 2024.gads | Finanšu ministrija (fm.gov.lv)

<sup>5</sup> Available in Latvian: <https://www.tiesibsargs.lv/wp-content/uploads/2024/03/2023.-gada-zinojums.pdf> and English: [ombudsman 2023 annual report.pdf \(tiesibsargs.lv\)](https://www.tiesibsargs.lv/wp-content/uploads/2024/03/2023.-gada-zinojums.pdf)

<sup>6</sup> Reference is made in this regard to paragraph 112 of the Explanatory Memorandum of ECRI's GPR No. 2. See also, in this connection, Article 16 (Data collection and access to equality data) and Article 17 (Reports and strategic planning) of [Council Directive \(EU\) 2024/1499](https://eur-lex.europa.eu/eli/dir/2024/1499/oj/1) of 7 May 2024 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC.



5. In 2018, the authorities introduced a competence-based curriculum that includes human rights topics, notably equality issues and respect for diversity, in a cross-cutting fashion across different subjects and at various levels of education.<sup>7</sup> In this connection, the ECRI delegation learned during the 2024 visit to Latvia that teachers should undergo at least 36 hours of ongoing training every three years.<sup>8</sup> However, no monitoring mechanism was set up to assess whether and to what extent human rights issues, including topics of relevance to ECRI, are actually part of teacher training and human rights education in schools. ECRI invites the authorities to ensure that a suitable amount of time is dedicated to human rights topics in initial and ongoing teacher training as well as in school education.
6. ECRI notes that the guidelines for the education of students and procedures for the evaluation of information, teaching support and material and methods of education<sup>9</sup> set objectives and standards for civic education and respect for human rights. However, it is concerned about elements of “moral” education contained in these guidelines that may lead to discriminatory content in teaching and limiting age-appropriate education on LGBTI equality in schools.<sup>10</sup>
7. ECRI recommends that the authorities review the guidelines provided to teachers and other relevant teaching material pertaining to ethics and civic education and remove any references that may encourage prejudice, stereotyping or discrimination, in the light of its General Policy Recommendation No. 10 on racism and racial discrimination in and through school education and its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.
8. On a positive note, the ECRI delegation was informed during the country visit that the Ministry of Education and the University of Latvia were developing a mandatory course for teachers on gender identity.
9. In October 2023, the Rīga Stradiņš University published a study according to which more than 40% of pupils regularly experience bullying (at least once in a two-month period) in schools in Latvia.<sup>11</sup> The “KiVa” bullying prevention programme, which was initiated in more than 60 Latvian schools, is an attempt to reduce cases of bullying and promote a safe, respectful and supportive school environment.<sup>12</sup> ECRI considers this programme as an example of **good practice**.
10. ECRI welcomes the fact that the authorities have started working on a new protocol to address bullying in schools. This initiative is coordinated by the Ministry of Education in consultation with the Child Protection Centre. However, ECRI regrets to note that there is still no system in place to collect data on racist and anti-LGBTI incidents in schools.

<sup>7</sup> For more information see: Regulations Regarding the State Basic Education Standard and Samples of Basic Education Programmes. Number of lessons in three years per subject (annex Nr 11) <https://likumi.lv/ta/id/303768-noteikumi-par-valsts-pamatizglitiba-standartu-un-pamatizglitiba-programmu-paraugiem>; Regulations Regarding the State General Secondary Education Standard and Samples of General Secondary Education Programmes. Number of lessons in three years per subject (annex Nr 11) <https://likumi.lv/ta/id/309597-noteikumi-par-valsts-visparejas-videjas-izglitiba-standartu-un-visparejas-videjas-izglitiba-programmu-paraugiem>; Regulations Regarding the State Guidelines for Pre-school Education and Samples Pre-school Education Programmes <https://likumi.lv/ta/id/303371-noteikumi-par-valsts-pirmsskolas-izglitiba-vadlinijam-un-pirmsskolas-izglitiba-programmu-paraugiem>.

<sup>8</sup> [Education and Training Monitor 2023 \(europa.eu\)](https://european-council.europa.eu/media/1000000/1/related/education-and-training-monitor-2023.pdf)

<sup>9</sup> Regulation of the Cabinet of Ministers No. 480, which was adopted on 15 July 2016. See: [Izglītājamo audzināšanas vadlīnijas un informācijas, mācību līdzekļu, materiālu un mācību un audzināšanas metožu izvērtēšanas kārtība \(likumi.lv\)](https://likumi.lv/ta/id/303371-noteikumi-par-valsts-pirmsskolas-izglitiba-vadlinijam-un-pirmsskolas-izglitiba-programmu-paraugiem)

<sup>10</sup> By way of illustration, according to §10.4 of the guidelines, education should promote the understanding of family and marriage as “specially protected values, starting a family, the role of parents and mutual relationships in the family, and events should be organised to promote the strengthening of these values (for example, celebrating the Family Day, Mother’s Day, Father’s Day)”.

<sup>11</sup> <https://www.mk.gov.lv/lv/jaunums/petijums-vairak-neka-40-skolenu-saskaras-ar-sistemisku-vardaribu-latvijas-skolas>

<sup>12</sup> [Large proportion of Latvian school pupils regularly experience bullying / Article \(ism.lv\)](https://www.mk.gov.lv/lv/jaunums/petijums-vairak-neka-40-skolenu-saskaras-ar-sistemisku-vardaribu-latvijas-skolas)



11. ECRI recommends, as a matter of priority, that the authorities set up a country-wide monitoring system for racist and anti-LGBTI incidents in schools, including through appropriate data collection, taking inspiration from ECRI's General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education.

### **C. Irregularly present migrants**

12. The authorities could not provide ECRI with information about the number or situation of irregularly present migrants – understood as foreign nationals present in Latvia who do not, or no longer, fulfil the conditions under national law for entry or stay in the country.
13. The authorities confirmed that irregularly present migrants have, in any event, access to emergency health care. However, the content of this form of health care is unclear and is provided on a case-by-case basis. In addition, the authorities were not in a position to provide ECRI with information about existing “firewalls” aimed at separating the verification of residence status (or lack thereof) from the provision of key services, such as education, housing, employment or justice. During the visit and meetings with government officials and civil society representatives, the ECRI delegation gained the impression that irregularly present migrants were at risk of being reported to the police if and when accessing such services. ECRI invites the authorities to review the existing legal framework and practices with a view to ensuring that there is no unjustified differential treatment in irregularly present migrants’ access to basic services and that “firewalls” are clearly and formally prohibiting relevant services, notably in the areas of education, housing, employment, healthcare, social assistance and justice, from sharing data on the legal status of migrants with the immigration authorities for purposes of immigration control and enforcement.
14. ECRI is concerned about reports that the provision of humanitarian or legal assistance to irregularly present migrants has at times been considered a criminal offence. For example, ECRI learned about the case brought against a member of the human rights organisation called “I Want to Help Refugees”, who is standing trial for her work in supporting a group of migrants who irregularly crossed the Latvian border with Belarus.<sup>13</sup>
15. ECRI recommends that the authorities ensure that the provision of social and humanitarian assistance to irregularly present migrants in all areas of public and private services is not criminalised. In this context, the authorities should have due regard to ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.
16. At the same time, ECRI came across reports according to which state border guards encouraged local inhabitants living at or near the Latvian-Belarusian border to inform them of cases where “foreign, unknown and suspicious” persons or groups of persons are seen in the area.<sup>14</sup> ECRI underlines that border control tasks should be entrusted to qualified and adequately trained personnel and invites the authorities to refrain from any practices that involve local inhabitants in border and immigration control and fuel xenophobic sentiment in the population.

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<sup>13</sup> [«Gribu palīdzēt bēgļiem» darbinieces Raubiško lietā atsāk tiesas izmeklēšanu / Raksts](#)

<sup>14</sup> By way of example, in March 2024, Aluksne municipality published the following message on its website: “Due to warmer weather, the risks of illegal migration will increase, therefore the State Border Guard invites residents to inform the Vilaka border Guard Board by calling +371 64501927 when they notice foreign, unknown and suspicious persons and vehicles in the border area.” (Source: <https://aluksne.lv/index.php/2024/03/25/valsts-robezarsardze-aicina-informet-par-nepazistamam-personam/>). Civil society activists also observed that, along the border zone, there were posters with similar information and respective contact of the local State border guard unit and local inhabitants confirmed to them that they were following such guidance.

17. In the context of human rights violations at Europe's borders, including migrants' deaths at the border with Belarus<sup>15</sup>, ECRI refers to the work of other Council of Europe institutions and bodies, including the European Court of Human Rights, the Commissioner for Human Rights and the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), which are better placed, based on their respective mandates, to consider and pronounce themselves on this matter.

#### **D. LGBTI equality<sup>16</sup>**

18. On the 2024 Rainbow Europe Map and Index, Latvia ranks 37<sup>th</sup> out of 49 countries with an overall score of 23.97%.<sup>17</sup> In March 2023, the Market and Opinion Research Centre (SKDS), an opinion polling agency, and the NGO Mozaika found that half of the Latvian population took a neutral stance towards "homosexual" people and 26% were "accepting" them (against 9% in 2015).<sup>18</sup>
19. In November 2023, a legal framework on civil partnerships, including same-sex partnerships, was adopted, taking effect in July 2024.<sup>19</sup> While some key challenges for same-sex couples remain<sup>20</sup>, ECRI nevertheless wishes to welcome this positive development, which is partly in line with the recommendation made in its previous report.<sup>21</sup> It encourages the authorities to review the new legal framework on same-sex partnership in the light of its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons, notably as regards inheritance rights, the establishment of the legal relationship between parents and their children, and the recognition of same-sex partnerships and other family ties in cross-border situations.
20. More generally, ECRI is concerned about the absence of a dedicated strategy or action plan on LGBTI equality. It also notes that no working group has been set up to bring together relevant government services and institutions dealing with LGBTI equality and relevant civil society actors to discuss issues of concern to them.
21. ECRI recommends that the authorities i) establish a permanent working group on LGBTI equality that brings together representatives of relevant government services and institutions and civil society actors representing or working in support of LGBTI communities, and ii) based on proposals made by the working group in question, develop and adopt a detailed strategy and/or action plan on LGBTI equality with a suitable budget for its implementation.
22. Latvian law provides for legal gender recognition and ECRI was informed by the health authorities that 106 people have undergone legal gender recognition processes over the last 25 years. However, according to the information made available to the ECRI delegation during the 2024 visit, transgender persons are required to provide a medical opinion from a panel of doctors attesting to their stated gender for the authorities to change their gender identity markers. At the same time, ECRI learned that doctors had not issued such a decision without the person concerned first undergoing sterilisation.

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<sup>15</sup> [ENG No-Safe-Passage.-Migrants-deaths-at-the-European-Union-Belarusian-border-2.pdf \(gribupalidzetbegliem.lv\)](#)

<sup>16</sup> For terminology, see the definitions set out in Council of Europe, Commissioner for Human Rights 2011.

<sup>17</sup> [Latvia - Rainbow Map \(ilga-europe.org\)](#)

<sup>18</sup> ILGA Annual Review 2024, p. 96: <https://www.ilga-europe.org/report/annual-review-2024/>

<sup>19</sup> [Latvian parliament legalises same-sex partnerships | Reuters](#); [Latvia's parliament votes to allow same-sex civil unions – POLITICO](#); <https://eng.lsm.lv/article/politics/saeima/09.11.2023-latvian-saeima-adopts-partnership-law.a531042/>; [Izmantojot jauno likuma regulējumu, četros mēnešos nodibinātas 277 partnerattiecības](#)

<sup>20</sup> [Partnership law will not solve major issues, says LGBT+ community / Article \(lsm.lv\)](#)

<sup>21</sup> ECRI (2019), Fifth report on Latvia, §95.

23. ECRI recommends that the authorities move forward with clear legislative proposals aimed at guaranteeing a quick, transparent, and accessible process by which people can obtain legal gender recognition, in the light of its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons. If necessary, Council of Europe support should be sought.
24. There is no information available on the situation of intersex persons in Latvia and ECRI did not receive any indication from the authorities about plans to fill this gap. At the same time, ECRI was pleased to learn that the 2024 Baltic Pride<sup>22</sup> included for the first time a debate on intersex persons. However, civil society actors met by ECRI during the 2024 visit to Latvia underlined that the situation of intersex people remains largely unknown in the country.
25. ECRI recommends that the authorities commission an independent study on intersex persons in the country in order to learn about their situation and meet their needs.
26. It also appeared during the visit that there was no formal ban on medically unnecessary sex-“normalising” surgeries and other treatments. ECRI invites the authorities to ensure that medically unnecessary sex-“normalising” surgeries and other treatments are clearly prohibited by law until such time as the child is able to participate in the decision, based on the right to self-determination and on the principle of free and informed consent.

## **II. HATE SPEECH AND HATE-MOTIVATED VIOLENCE**

### **A. Hate speech<sup>23</sup>**

27. Section 78 of the Criminal Law provides sanctions for triggering national, ethnic and racial hatred and Section 150 provides sanctions for incitement to social hatred and enmity. Liability for hate crimes is determined by Section 48 of the Criminal Law, which considers that an aggravating circumstance is present where “the criminal offence was committed due to racist, national, ethnic, or religious motives or due to social hatred”. The authorities informed ECRI that amendments brought to the Criminal Law in 2021 added the reference to “social hatred” in Section 48 and that the concept of “social hatred” includes targeting, among others, sexual orientation. ECRI nevertheless considers it important to include all relevant grounds explicitly into the legislation, including sexual orientation, gender identity and sex characteristics.
28. ECRI recommends that the authorities take action to ensure the explicit inclusion of the grounds of sexual orientation, gender identity and sex characteristics in the criminal legislation pertaining to hate speech and hate crime, in the light of ECRI’s General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons, the Council of Europe Committee of Ministers’ Recommendation CM/Rec(2022)16 on combating hate speech and Recommendation CM/Rec(2024)4 on combating hate crime.
29. Against this background, ECRI notes that there have been discussions about revising or merging Sections 78 and 150 of the Criminal Law in order to streamline criminal proceedings and ensure better implementation.<sup>24</sup> ECRI encourages the authorities to look into every such opportunity at the legislative, policy or operational level to allow for more effective criminal proceedings and to take into

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<sup>22</sup> [Baltic Pride](#)

<sup>23</sup> See definitions of hate speech and hate crime in [ECRI’s glossary](#).

<sup>24</sup> See, in this connection, “Hate Crimes and Hate Speech. International Standards and Latvian Legal Regulation and Its Application in Practice”, research within the framework of the EU CALDER project (2023), pp. 107-118: [Neiecietības novēršanai un apkarošanai Latvijā \(CALDER\) | Sabiedrības integrācijas fonds \(sif.gov.lv\)](#)

account that manifestations of hatred may be linked to several intersecting personal characteristics or statuses.

30. According to information received from the authorities, in 2019-2023 criminal proceedings initiated by law enforcement agencies under Sections 78 and 150 of the Criminal Law were mainly related to the Russian Federation's war of aggression against Ukraine after February 2022. During the 2024 visit to Latvia, the ECRI delegation also learned that criminal proceedings were initiated by law enforcement agencies under Article 150 of the Criminal Law as a result of hateful comments and video materials posted online against refugees and sexual minorities.
31. Under Section 78 of the Criminal Law, law enforcement agencies initiated a total of six criminal proceedings in 2019, four in 2020, five in 2021, thirty-seven in 2022 and thirteen in 2023, out of which sixteen proceedings concluded in prosecutions.
32. Under Section 150 of the Criminal Law, law enforcement agencies initiated three criminal proceedings in 2019, eight in 2020, four in 2021, seven in 2022 and two in 2023.
33. Between 2019 and 2023, nine persons were convicted in application of Section 78 of the Criminal Law and three persons by virtue of Section 150 of the Criminal Law. They were sentenced with either deprivation of liberty or community service.
34. In this context, it clearly appeared during the 2024 visit to Latvia that Russia's war of aggression against Ukraine polarised Latvian society. According to a 2022 survey, 60% of the total population in Latvia agreed that Russia's aggression against Ukraine increased tensions in society (regardless of their ethnic affiliation)<sup>25</sup>, which also led to an increase in online hate speech against ethnic Latvians, Russians and Ukrainians, with hateful content originating from Latvia and abroad.
35. The monitoring of online hate speech is mainly conducted by two civil society organisations, namely the Latvian Centre for Human Rights (LCHR) and the LGBT association "Mozaika", on their own initiative or in the context of monitoring exercises supported by the EU Commission.
36. From January 2021 to November 2023, the LCHR identified 2 414 instances of online hate speech in user-generated content on Latvian internet sites (or in connection with content generated by Latvian internet users). The majority of hate speech cases were identified on global social networks, i.e. 1 607 incidents (whilst 807 cases were identified on Latvian internet news sites). Of the total number of hate speech instances, 50% targeted LGBT people (more specifically, 45% against LGB persons and 5% against transgender people), 20% concerned hate speech against people on the ground of their ethnic or national background, 18% related to xenophobic hate speech, 6% targeted people on the ground of their skin colour and 2% on the ground of religion. As regards more specifically hate speech in relation to ethnic or national background, 44.9% was antisemitic and 30.7% of hate speech cases were anti-Russian. After Russia's full-scale invasion of Ukraine in February 2022, hate speech against Ukrainians also increased significantly and constituted 13.4% of all identified cases. 6.2% of hate speech cases were against ethnic Latvians and 3% against Roma.<sup>26</sup>
37. ECRI considers that the authorities should set up a structure aiming at cooperating with relevant stakeholders in the monitoring and analysis of hate speech and hate crime trends, including the different expressions of and grounds for hatred, both

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<sup>25</sup> Kvantitatīva Latvijas iedzīvotāju aptauja par iedzīvotāju drošības sajūtu, cenu pieaugumu, Krievijas karu Ukrainā (Quantitative survey of the Latvian population on their sense of security, rising prices, Russia's war in Ukraine), December 2022: <http://petijumi.mk.gov.lv/node/4084>

<sup>26</sup> Latvian Centre for Human Rights (2024), Hate speech in Latvia - trends and challenges 2023, available in Latvian [here](#).

online and offline, in compliance with existing European human rights and data-protection standards. In ECRI's view, such a structure would also help the authorities to develop evidence-based policies against hate speech and hate crime.

38. ECRI recommends, as a matter of priority, that the authorities establish an inter-institutional working group tasked with monitoring hate speech and hate crime, with a particular emphasis placed on racist and LGBTI-phobic forms of hate speech and hate crime. This group should include representatives of the relevant authorities, civil society organisations and the Ombudsman, respecting the institution's independence. It should also make effective use of ECRI's relevant general policy recommendations and other Council of Europe instruments, such as Recommendation CM/Rec(2022)16 of the Committee of Ministers on combating hate speech and Recommendation CM/Rec(2024)4 of the Committee of Ministers on combating hate crime.
39. In the area of prevention, ECRI takes positive note of regular police awareness-raising activities in schools, including through lectures on various topics (e.g. hate speech, security and risks in the online environment), as well as specific ad hoc interventions (upon parents' requests). The authorities informed ECRI that, within the first six months of 2023, a total of 1 818 activities of the kind had been conducted in schools.
40. ECRI was made aware of cases of counter-speech and alternative speech in political discourse. By way of example, in a press conference in March 2022, the Prime Minister stressed that the political leaders of the Russian Federation bear sole responsibility for Russia's shameless attack on Ukraine and underlined that Latvian "[s]ociety and politicians are more united than they have ever been".<sup>27</sup>
41. At the same time, there have been recent instances of politicians using racist or anti-LGBTI hate speech. For example, in June 2023, the police initiated an investigation into a case involving a former Member of the European Parliament who published a homophobic social media post in reaction to the election of the President of Latvia.<sup>28</sup>
42. ECRI recommends that the authorities encourage public figures, such as high-level officials, politicians and religious, economic and community leaders to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech and react to any such expression with strong counter-hate speech messages and alternative speech. In doing so, due account should be taken of ECRI's General Policy Recommendation No. 15 on combating hate speech and the Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech.
43. ECRI was informed that, in 2023, the Criminal Law Policy Subcommittee of the Parliamentary Legal Affairs Committee, on the initiative of the Ombudsman, addressed the question of introducing administrative liability for hate speech in relation to inciting national, ethnic and racial hatred, as well as inciting social hatred and enmity. The objective of the initiative was to avoid a sense of impunity for persons who use hate speech that does not reach the level of criminal liability. ECRI noted that discussions on the matter were ongoing and involved relevant stakeholders such as the Ministry of Justice, the State Police and the Ombudsman.<sup>29</sup> Against this background, it encourages the authorities to continue to participate in discussions on this matter and make every effort to ensure that

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<sup>27</sup> <https://eng.lsm.lv/article/politics/politics/latvian-pm-karins-russias-isolation-will-continue-as-long-as-putin-remains-in-power.a448306/>

<sup>28</sup> [Latvian State Police checks ex-MEP Mamikin's homophobic post about Rinkēvičs - Baltic News Network \(bnn-news.com\)](#)

<sup>29</sup> In this connection, ECRI was informed of the serious reservations of the Ministry of Justice about the introduction of such a piece of legislation on incitement to hatred as it could undermine the use of the relevant criminal law provisions.



effective legal protection against hate speech is also provided under civil law and administrative law, in consultation with the Ombudsman and relevant civil society organisations.

44. As regards hate speech victim support, according to information received from civil society actors during the ECRI visit, hate speech victims often lack information about their rights and avenues of redress. ECRI was also informed about the reluctance of the relevant authorities to grant the status of “specially protected victim” to LGBTI victims of criminal hate speech.<sup>30</sup>
45. ECRI recommends that the authorities develop awareness-raising measures for persons and groups targeted by hate speech to make them aware of their rights and of the possibility to obtain redress through criminal and other legal proceedings, and ensure, including through legislative measures if necessary, that all persons reporting hate speech are protected against any adverse treatment or consequences as a result of their reporting or complaint and that sanctions are imposed on the perpetrators in the event of renewed victimisation, taking due account of the relevant principles and guidelines contained in ECRI’s General Policy Recommendation No. 15 on combating hate speech and in the Committee of Ministers’ Recommendation CM/Rec(2022)16 on combating hate speech.
46. Media self-regulation is ensured by the Latvian Media Ethics Council,<sup>31</sup> which consists of 49 members from various media and related associations and organisations. Protecting the right to equality and the prohibition of discrimination and taking action against incitement to hatred are among the Council’s main objectives. However, it appeared during the ECRI visit to Latvia that there was little awareness amongst journalists and other media professionals of what constitutes hate speech.
47. ECRI recommends that the authorities, without encroaching on the independence of the media, encourage and support training for journalists and other media professionals, as part of their initial and ongoing training, on how to recognise, report on and react to hate speech, as well as on how to avoid using and disseminating it, in the light of the Council of Europe Committee of Ministers’ Recommendation CM/Rec(2022)16 on combating hate speech.

## **B. Hate-motivated violence**

48. Section 48 of the Criminal Law, which defines committing a crime due to racial, national, ethnic or religious motives or social hatred as an aggravating circumstance, is a key provision for handling hate-motivated violence falling within ECRI’s mandate (see also section II.A. of the present report). Regrettably, the Latvian authorities have not reported hate crime data to the Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Co-operation in Europe (OSCE) since 2016.<sup>32</sup>
49. ECRI was made aware of several hate incidents involving people with a migration background and foreign students.<sup>33</sup> Furthermore, according to the results of a 2019 survey of 169 foreign students, 70% of respondents had faced different forms of intolerance from 1 to 5 times, 5% 6-9 times, and 9% more than 10 times while residing in Latvia. 76% experienced verbal insults / harassment due to their skin colour, ethnicity, nationality, religion, and language. 6% experienced physical

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<sup>30</sup> Cf Section 96 of the Criminal Procedure Law. Such a status is provided in view of the vulnerability and/or higher risk of secondary victimisation of a person, amongst others, who has suffered from a criminal offence possibly committed due to racial, national, ethnic, or religious reasons. However, this provision does not include other grounds of relevance to ECRI, such as sexual orientation and gender identity.

<sup>31</sup> [Latvijas Mediju ētikas padome - Home \(lmepadome.lv\)](https://www.lmepadome.lv/)

<sup>32</sup> OSCE/ODIHR Hate Crime Reporting, accessed on 15 January 2024: [Latvia | HCRW \(osce.org\)](https://hcrw.osce.org/latvia)

<sup>33</sup> For example, see: [Indian businessman hospitalised by suspected racist attack in Rīga / Article \(ism.lv\)](#); [Make Room Global \(makeroomeu.com\)](#); <https://gigwork.lka.edu.lv/en/>

assaults such as punching and spitting. According to the survey, students most often are confronted with intolerant attitudes in public transport (65%), in night clubs or bars (20%), other public places such as streets, shops, hospitals (17%) and at university (17%).<sup>34</sup>

50. In addition, the NGO Mozaika documented nine anti-LGBT hate incidents in 2023. In May 2023, for instance, two people were assaulted in Daugavpils and one suspect was identified. However, the police decided to drop the case. The Prosecutor General challenged the police decision, and the investigation was subsequently reopened.<sup>35</sup> During the visit, the ECRI delegation learned that court proceedings started in early 2024. On 14 October 2024, the perpetrator was sentenced to seven months of imprisonment and was ordered to pay compensation<sup>36</sup> to both victims.<sup>37</sup>
51. In its judgment of 18 July 2024 in the case of *Hanovs v. Latvia*,<sup>38</sup> which concerns the first publicly known case where a victim of homophobic hate-motivated violence complained to the Latvian police, the European Court of Human Rights found that the authorities failed in their obligation to provide adequate protection for the applicant's dignity and private life by ensuring the effective prosecution of the attack against him, while taking into account the hate motive behind the attack. The Court emphasised the crucial importance for states to address impunity in cases of hate crimes, as they pose a significant threat to the fundamental rights protected by the European Convention on Human Rights and that failure to address such incidents can normalise hostility towards LGBTI individuals, perpetuate a culture of intolerance and discrimination and encourage further acts of a similar nature.<sup>39</sup> The Prosecutor General's Office reopened criminal proceedings after the Court's judgment.<sup>40</sup>
52. ECRI is pleased to note that action has been taken to improve the effectiveness of police investigations into hate crimes in recent years.<sup>41</sup> It also welcomes that countering hate crimes is defined as one of the priorities in the Latvian Interior Sectoral Strategy for 2023-2027<sup>42</sup>, as well as in the Operation and Development Strategy of the State Police for 2023-2027. Both strategies aim to improve the work of the State Police in identifying and investigating hate crimes, as well as ensuring relevant professional training for police officers. These policies could be considered as a **promising practice** in terms of prioritising action against hate crime within the police forces.
53. Furthermore, in 2023, the Ministry of Justice prepared and sent to law enforcement and prosecutions services, as well as to courts, guidance on the qualification of hate crimes against persons belonging to the LGBTI community. Relevant training activities on hate speech and hate crime were also carried out by the State Police College, in partnership with the NGO Mozaika. This is a positive development.
54. ECRI was also informed that, as a result of police reforms, the Riga Regional Criminal Police Department was restructured and, since 1 January 2023, the

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<sup>34</sup> [Results of a survey of foreign students about intolerance in Latvia \(January – February 2019\) | Latvian Centre for Human Rights \(cilvektiesibas.org.lv\)](https://cilvektiesibas.org.lv/en/Results-of-a-survey-of-foreign-students-about-intolerance-in-Latvia-January-February-2019)

<sup>35</sup> ILGA Annual Review 2024, p. 95: <https://www.ilga-europe.org/report/annual-review-2024/>; [Latvian Radio investigates LGBT+ issues in eastern Latvia / Article \(lsm.lv\)](https://www.lsm.lv/raksts/zinas/latvija/14.10.2024-par-lgbt-kopienas-parstavju-piekausanu-daugavpili-piespriests-7-menesu-cietumsods.a572443/).

<sup>36</sup> 2,500 euros and 2,000 euros respectively.

<sup>37</sup> <https://www.lsm.lv/raksts/zinas/latvija/14.10.2024-par-lgbt-kopienas-parstavju-piekausanu-daugavpili-piespriests-7-menesu-cietumsods.a572443/>

<sup>38</sup> [HANOVS v. LATVIA \(coe.int\)](https://hudoc.echr.coe.int/), application no. 40861/22.

<sup>39</sup> <https://hudoc.echr.coe.int/eng-press?i=003-8004073-11170858>

<sup>40</sup> [Pēc ECT sprieduma prokuratūra atjauno lietu par homofobisko uzbrukumu RSU pasniedzējam Hanovam / Raksts \(lsm.lv\)](https://www.lsm.lv/raksts/zinas/latvija/14.10.2024-par-lgbt-kopienas-parstavju-piekausanu-daugavpili-piespriests-7-menesu-cietumsods.a572443/)

<sup>41</sup> [Human rights activist: Latvian police are getting better with hate crimes / Article \(lsm.lv\)](https://www.lsm.lv/raksts/zinas/latvija/14.10.2024-par-lgbt-kopienas-parstavju-piekausanu-daugavpili-piespriests-7-menesu-cietumsods.a572443/)

<sup>42</sup> <https://www.iem.gov.lv/lv/media/9988/download?attachment>



Department's Fifth Bureau (multi-branch criminal investigation bureau) is responsible for the investigation of hate crimes in the Riga region. In addition, ECRI learned that focal points have been appointed across the country and can liaise with the Department's Fifth Bureau in Riga when needed. However, it emerged from ECRI's findings during the visit that more training would be needed for increasing awareness about hate crime, including victim support, and better coordination among law enforcement officials.

55. ECRI also learned that, in the context of the future establishment of a Justice Academy<sup>43</sup> dedicated to training for court employees, prosecutors and judges, training components are expected to address hate speech and hate crime issues in the light of the relevant case-law of the European Court of Human Rights. In ECRI's view, the introduction of such training components should be strongly supported.
56. ECRI recommends that the authorities pursue their efforts to develop practical training and capacity-building activities on countering hate crime, including criminal hate speech, for police officers and other criminal justice actors, in close cooperation with the State Police College and the future Justice Academy.

### III. INTEGRATION AND INCLUSION

#### A. Migrants

57. According to the information received from the authorities, the total number of registered migrants as of 31 December 2023 was 126 273 (63 845 men and 62 428 women). 39% of them had permanent residence permits (20 187 men and 29 351 women). In 2023, out of 1 624 asylum requests, 128 were granted (88 resulted in refugee status and 40 in subsidiary protection status).<sup>44</sup> In addition, in March 2022, in line with the EU Temporary Protection Directive,<sup>45</sup> Latvia adopted the Law on Assistance to Ukrainian Civilians.<sup>46</sup> Over 43 000 people displaced from Ukraine as a result of Russia's war of aggression were granted temporary protection status.
58. In 2023, Latvia established a "One-Stop-Shop" national coordinating body in Riga and in the regions (i.e. Liepāja, Jelgava, Daugavpils and Valmiera) to ensure access to information and integration support to third-country nationals and persons in need of international protection (refugees, persons granted subsidiary status and asylum seekers). Its responsibilities include the development, maintenance and coordination of a single database of the target group; advice and consultations (telephone, electronically and in person) on residence permits and visas, social support, employment, housing, education and health; translation and interpretation services in various languages (e.g. Arabic, Farsi, Turkish); tailored and personalised socio-economic inclusion mentoring and individual consultations with social workers, lawyers, psychologists and other specialists. Information is generally provided in English, Latvian and Russian and, where necessary, an interpreter is provided. In 2023, advisers provided 3 633 individual consultations to 2 131 persons. ECRI considers such an initiative as a **good practice**.
59. ECRI also noted that the online platform *Ukraine to Latvia*,<sup>47</sup> developed and managed by the NGO "I Want to Help Refugees", provides detailed information for Ukrainians coming to Latvia. In ECRI's view, this platform is another **good practice**, which should be actively supported by the authorities in the longer term.

<sup>43</sup> <https://www.esfondi.lv/en/about-eu-funds/news/academy-of-justice-will-be-opened-on-january-1-2025>

<sup>44</sup> <https://www.pmlp.gov.lv/lv/patveruma-mekletaju-statistika-lidz-2023-gadam>

<sup>45</sup> Directive - 2001/55 - EN - EUR-Lex (europa.eu); Temporary protection - European Commission (europa.eu); Implementing decision - 2022/382 - EN - EUR-Lex (europa.eu)

<sup>46</sup> [Ukrainas civiliedzīvotāju atbalsta likums \(likumi.lv\)](https://likumi.lv)

<sup>47</sup> [Relocation | Ukraine To Latvia \(ukraine-latvia.com\)](https://ukraine-latvia.com)

60. Free Latvian language courses within the framework of the Asylum, Migration and Integration Fund (2014-2020) were provided to 4 613 third-country nationals and to 308 persons in need of international protection for the period from 2016 to 2022. Since 2023 such courses have been organised within the framework of the Asylum, Migration and Integration Fund (2021-2027). Latvian language courses for displaced Ukrainian persons are funded by the state budget and implemented by the Society Integration Foundation.<sup>48</sup> ECRI was informed that 5 973 Ukrainians took part in state-funded language courses in 2023. According to the authorities, such courses were also made available in 2024.
61. However, according to information received from civil society interlocutors, the offer of language and integration courses remains insufficient to meet the demand. It also seems to be often limited to project-based interventions, with varying degrees of human and financial resources allocated to such interventions, thereby resulting in inequalities in the provision of such services depending on the target groups concerned. ECRI strongly encourages the authorities to develop, in close cooperation with local authorities, relevant institutions and civil society organisations, further language and integration courses for third-country nationals, refugees, persons granted subsidiary status, asylum seekers and Ukrainian displaced persons.<sup>49</sup>
62. In the area of education, ECRI takes note of an increasing trend of foreign students in higher education in Latvia (approximately 14% of all students). 10 801 foreign students were enrolled in Latvian higher education institutions from the first level of vocational higher education at the beginning of the school year 2023/2024, not including those who moved to Latvia within the framework of various exchange programmes (in particular from India and Uzbekistan).<sup>50</sup> In 2023, the Student Union of Latvia (LSA), in cooperation with the Students' Council and the University of Latvia (UL), conducted a survey to find out about any discrimination students, academics and general staff are confronted with in higher education.<sup>51</sup> ECRI trusts that the outcome of this survey will be made widely available and that the authorities will take suitable measures to address any integration and inclusion issues concerning foreign students and students with a minority background.
63. In the field of employment, the State Employment Agency offers support measures for unemployed persons and jobseekers with refugee status or other persons benefitting from international protection who are registered with the Agency. From 2016 to 2023, a total of 418 refugees and other persons in need of international protection (161 women and 257 men) registered with the Agency as unemployed persons. Regarding Ukrainians, from March 2022 until February 2024 a total of 26 626 Ukrainian citizens have been registered with the Agency. 7 994 persons have been granted unemployment or jobseeker status and 2 995 have participated in the various active employment measures. In 2023, 1 943 Ukrainian citizens (unemployed and jobseekers who sought support) ultimately found work.
64. ECRI recommends that the authorities pursue their efforts to support unemployed third-country nationals, refugees and other persons in need of international or temporary protection in their integration into the labour market.

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<sup>48</sup> [Home page | Sabiedrības integrācijas fonds](#)

<sup>49</sup> In this connection, reference can also be made to ECRI's [statement](#) on the consequences of the aggression of the Russian Federation against Ukraine (adopted at its 88<sup>th</sup> plenary meeting, 29 March-1 April 2022).

<sup>50</sup> [How to help foreign students stay in Latvia? / Article \(ism.lv\)](#)

<sup>51</sup> [Invitation to complete a survey on discrimination in higher education institutions in Latvia \(lu.lv\)](#). See also, in this connection, Section II of the present report.

## B. Roma

65. Roma are a relatively small community in Latvia and, according to official statistics, there were 4 630 Roma people in 2024.<sup>52</sup> ECRI notes that, according to a 2022 study conducted by the Ombudsman on the “Roma situation in Latvia”,<sup>53</sup> Roma inclusion in education and employment remains among key areas of concern.
66. In the field of education, a few developments have been observed in response to ECRI’s and other Council of Europe bodies’ long-standing concerns. In its Fourth Opinion, the Council of Europe’s Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC) pointed to the authorities’ shift to inclusive education, which is expected to have a positive impact and leads to a significant decrease in the number of Roma children attending special schools. However, according to the ACFC, there is still a lack of data on the share of Roma children diagnosed as having special educational needs and the kind of support provided to them in the framework of mainstream education, as well as insufficient monitoring of Roma children’s enrolment and performance in schools.<sup>54</sup> As regards Roma mediators in schools and teaching assistants, it emerged during the ECRI visit in June 2024 that their number remains insufficient.<sup>55</sup>
67. In the area of employment, according to the information received from the authorities, the number of unemployed Roma gradually decreased in 2022 and in 2023 when compared to previous years (e.g. 608 unemployed Roma in 2021, 524 in 2022 and 478 in 2023). In 2022, the State Employment Agency launched a new training programme to improve literacy among unemployed persons, including Roma. However, the programme was not implemented due to the small demand. ECRI invites the authorities to strengthen their efforts to offer vocational trainings and skills-building activities for unemployed Roma and to make such programmes appealing to Roma and tailored to their needs.
68. In the fields of healthcare and housing, ECRI also notes the recent findings of the ACFC about specific challenges faced by Roma and the need for relevant data and analyses on the situation of Roma, including Roma women.<sup>56</sup>
69. As regards policy-making, ECRI learned that the Advisory Council for the Promotion of Participation of Roma, under the Ministry of Culture, is involved in policy planning processes. It is currently composed of six civil society representatives and meets three times a year.
70. The Ministry of Culture has been implementing the project entitled “Latvian Roma Platform”. The project’s seventh phase, which started in September 2023, should be completed on 31 May 2025.<sup>57</sup> Its main activities include support services through Roma mediators and their regular training, as well as specific measures for Roma youth and women.
71. In 2023, the Ministry of Culture set up a Working Group for developing the Plan for Implementing Measures of the Roma Strategic Framework for 2024-2027. This Working Group includes the Ministry of Education and Science, the Ministry of Welfare, the Ministry of Health, the Ministry of Economy, the Agency for International Youth Programmes, the State Employment Agency, representatives of the Office of the Ombudsman, the Latvian Association of Local Governments,

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<sup>52</sup> Official statistics portal, [Population by ethnicity at the beginning of year 1935 - 2024. PxWeb \(stat.gov.lv\)](https://stat.gov.lv/PxWeb)

<sup>53</sup> [https://www.tiesibsargs.lv/wp-content/uploads/2022/07/romu\\_situacija\\_latvija\\_2022\\_1648646871.pdf](https://www.tiesibsargs.lv/wp-content/uploads/2022/07/romu_situacija_latvija_2022_1648646871.pdf)

<sup>54</sup> ACFC (2024), [Fourth Opinion on Latvia](#), §10; ECRI (2019), Fifth report on Latvia, §69.

<sup>55</sup> At the time of the visit, there were only seven Roma mediators and one teaching assistant across the country. See, in this connection, ECRI fifth-cycle report on Latvia, §68.

<sup>56</sup> ACFC (2024), [Fourth Opinion on Latvia](#), §191-192.

<sup>57</sup> [Latvijas romu platforma VII | Kultūras ministrija \(km.gov.lv\)](#)

the Society Integration Fund and representatives of Roma and civil society organisations working in support of Roma.

72. In early 2024, the above-mentioned Plan was released for public consultation. It was then submitted for inter-institutional evaluation and for adoption, in May, by the Cabinet of Ministers. One of its objectives is to promote the participation of Roma in various areas of public life, in particular education, employment, health, housing and culture. It includes a total of 21 activities. For their implementation, a total funding of €317 634 in 2024, €315 154 in 2025 and €293 303 in 2026 is foreseen (as well as €560 000 per year as additional necessary funding from 2025).
73. ECRI recommends that the authorities monitor closely and ensure a regular evaluation of the implementation of the Plan for Implementing Measures of the Roma Strategic Framework for 2024-2027, in cooperation with the local authorities, the Ombudsman, representatives of the Roma community and relevant civil society organisations and redefine as appropriate any project parameters and goals to reach the expected outcome, in particular in the areas of education, employment, housing and health. In this context, the authorities should take due account of the Recommendation CM/Rec(2024)1 of the Committee of Ministers of the Council of Europe on equality of Roma and Traveller women and girls.
74. During its field visit to the Community Centre in Jelgava, the ECRI delegation learned from a Roma association about an interesting experience, the “TOY centre – library”, which placed a particular focus on Roma children. The initiative consisted of initially creating a public space where Roma children could play with many different toys, which was later expanded to include all children relying on the variety of civil society organisations that are part of the Community Centre (e.g. the Polish Association, the Ukrainian Cultural Association and the Refugee Centre). This initiative enabled children of different ages, from the very young to schoolchildren, and from different social and ethnic backgrounds, to play together as well as to learn and speak in several languages. It has also led their families to get to know each other and regularly interact, making the Community Centre a place of integration and inclusion. ECRI considers it as a **good practice**.

### C. Ethnic Russians

75. According to official statistics, ethnic Russians amount to 24% of the general population in Latvia, thereby constituting the largest ethnic group in the country after Latvians (63%).<sup>58</sup> Among ethnic Russians, 67% have Latvian citizenship.<sup>59</sup> As regards the specific situations of citizens of the Russian Federation and Russian “non-citizens” residing in Latvia, reference is made to section IV of the present report. During the ECRI visit to Latvia, representatives of the Russian community shared their concerns about the situation of Russian pupils in schools, notably in the context of Russia’s war of aggression against Ukraine as from February 2022. These concerns mainly related to the phasing out of teaching in Russian in schools by 2025. Against this background, ECRI recalls that this matter goes beyond ECRI’s mandate and refers to the relevant case-law of the European Court of Human Rights and the work of the ACFC.<sup>60</sup>
76. It also emerged from the information gathered during the ECRI visit to Latvia that there had recently been an acceleration in the renaming of streets and removal of monuments linked to the Soviet period.<sup>61</sup> Such a move reportedly generated public debate and controversies. ECRI encourages the relevant authorities to ensure that any action in the area of culture takes into account considerations related to the

<sup>58</sup> [Statistical Yearbook of Latvia 2023 | Oficiālās statistikas portāls](#)

<sup>59</sup> [Society integration in Latvia | Ārlietu ministrija \(mfa.gov.lv\)](#)

<sup>60</sup> <https://hudoc.echr.coe.int/eng?i=001-235015>; ACFC (2024), [Fourth Opinion](#) on Latvia, §176.

<sup>61</sup> See, for instance, [Maskavas and several other streets in Riga to be renamed - Baltic News Network \(bnn-news.com\)](#)

integration and inclusion of members of the ethnic Russian minority into Latvian society.

#### **IV. TOPICS SPECIFIC TO LATVIA**

##### **A. “Non-citizens”<sup>62</sup>**

77. On 17 October 2019, the Parliament adopted the Law “On the Discontinuation of Assignment of the Status of Non-Citizen to Children”. According to this law, as of 1 January 2020, all children born to “non-citizens” in Latvia are automatically assigned Latvian citizenship, unless the child’s parents opt for the citizenship of another country for their child or unless the child is a citizen of another country. With the entry into force of this law, the assignment of “non-citizen” status to newborn children in Latvia has been terminated, marking a positive step towards better integration and the abolition of this population category in the long-term, as envisaged by the authorities. Therefore, ECRI considered its previous recommendation on this matter implemented.<sup>63</sup>
78. According to official statistics, there were 169 276 “non-citizens” of Latvia in 2024,<sup>64</sup> mainly ethnic Russians, Belarussians and Ukrainians. Since Russia’s war of aggression against Ukraine, the number of applications for naturalisation has significantly increased (562 in 2021, 1 175 in 2022; 1 280 in 2023).<sup>65</sup> However, many applicants do not pass the Latvian language and history exams.<sup>66</sup> According to the authorities, the acquisition of Latvian citizenship through naturalisation concerned 75 persons in 2021, 183 in 2022 and 156 in 2023.
79. In order to raise public awareness about the naturalisation process, the Office of Citizenship and Migration Affairs organises “information days”, as part of which interested persons are informed about acquiring Latvian citizenship through naturalisation procedures and have the opportunity to test their Latvian language fluency and, among other things, the basics of the history and culture of Latvia in a free trial test. ECRI strongly encourages the authorities to increase their efforts to promote and facilitate the naturalisation of “non-citizens” through awareness-raising and information campaigns.

##### **B. State language examination for citizens of the Russian Federation living in Latvia**

80. According to the information received from the authorities, in the light of the amendments of 23 September 2022 to paragraph 58 of the Transitional Provisions of the Immigration Law, Latvian language proficiency tests were organised between April and November 2023 for citizens of the Russian Federation who, before acquiring Russian citizenship, (a) were Latvian citizens or Latvian non-citizens, (b) are residing in Latvia with a permanent residence permit (PRP), and (c) need a document confirming their knowledge of the state language<sup>67</sup> to obtain a PRP. A total of 17 865 persons were concerned.
81. In February 2024, the Constitutional Court ruled that the amendment to the immigration law affecting citizens of the Russian Federation was compatible with

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<sup>62</sup> Non-citizens are a special category of persons, citizens of the former USSR who were residents in Latvia on 1 July 1991 and who, to the knowledge of the Latvian authorities, do not possess the citizenship of any other country. The term “non-citizens” does not cover foreign nationals.

<sup>63</sup> <https://rm.coe.int/lat-ifu-v-2021-26-eng/1680a401bc>

<sup>64</sup> [Usually resident population by citizenship at the beginning of year – Citizenship and Time period. PxWeb \(stat.gov.lv\)](#)

<sup>65</sup> <https://www.pmlp.gov.lv/lv/naturalizacija>

<sup>66</sup> European Network on Statelessness (2024), ENS Statelessness Index Survey 2023: Latvia, [Latvia | Statelessness Index](#).

<sup>67</sup> At least A2 level according to the Common European Framework of Reference for Languages (CEFR).



the Constitution.<sup>68</sup> ECRI was informed that, as of June 2024, Latvian language proficiency tests were taken by 11 861 people and 54% passed.

82. Serious questions have therefore been raised about the fate of citizens of the Russian Federation who fail to regularise their stay.<sup>69</sup> Certainly, according to the authorities, those who failed the language exam were given two years to retake the test. However, at the time of the ECRI visit in June 2024, the Office of Citizenship and Migration Affairs already issued 57 notifications for departure from Latvia for citizens of the Russian Federation in connection with the amendments to the Immigration Law.
83. ECRI is aware that there are certain exceptions for the language test obligations (for instance, there is no such obligation for people aged over 75 years) and that the authorities are trying to apply a case-by-case approach as much as possible to take specific individual situations into account. However, in ECRI's view, this remains a complex and challenging process for those concerned and, more generally, it may also fuel a negative public sentiment against Russians as whole.<sup>70</sup>
84. ECRI also notes that, in May 2023, the National Electronic Mass Media Council (NEPLP)<sup>71</sup> imposed a fine of €8 500 on the portal of a local news outlet for the alleged misuse of the word "deportation"<sup>72</sup> with reference to the expulsion of Russian citizens from Latvia if they fail to comply with the state language requirement.<sup>73</sup> The Media Ethics Council criticised the NEPLP's decision.<sup>74</sup>
85. ECRI recommends that the authorities ensure that state language tests required to regularise the stay of citizens of the Russian Federation living in the country are organised taking due account of individual circumstances and providing support as appropriate, as well as refraining from fuelling negative sentiment towards ethnic Russians in Latvia and promoting integration and inclusion.

### **C. The situation of Jehovah's Witnesses**

86. There are currently no official restrictions hindering the religious activities of Jehovah's Witnesses in Latvia, which consists of 30 registered congregations (around 2 100 people in total). They may build places of worship, hold large conventions and manifest their faith in other ways. At the same time, during the country visit, representatives of Jehovah's Witnesses raised various concerns with the ECRI delegation.
87. ECRI was informed that a local news outlet published a series of articles that reported on accusations against Jehovah's Witnesses members and officials, including accusations of paedophilia, child abuse, domestic violence, misrepresentation, and concealing information about such crimes. After such claims were made public, on 30 March 2022, the Prosecutor General's Office released a press statement<sup>75</sup> stating that the activities of Jehovah's Witnesses may be in conflict with the Constitution of Latvia and that it had initiated an inquiry. At the time of the visit, there were no criminal charges against any member of the

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<sup>68</sup> <https://www.pmlp.gov.lv/en/article/constitutional-court-ruling-permanent-residence-permits-citizens-russian-federation-declares-amendments-immigration-law-compatible-constitution-republic-latvia>

<sup>69</sup> Amnesty International (April 2024), The State of the World's Human Rights, p. 236: [The State of the World's Human Rights: April 2024 - Amnesty International](#)

<sup>70</sup> See for example: [Krievu valodas vide Latvijā ir apdraudējums valsts drošībai \(retv.lv\)](#); [Filips Rajevskis: Šoreiz krievu valoda ir vainīga, tas ir ierocis - Preses klubs - RīgaTV24 - XTV](#)

<sup>71</sup> [Home | National Council for Electronic Media \(nepļp.lv\)](#)

<sup>72</sup> The word "deportation" is strongly associated with the mass deportations of the Baltic people to Gulag camps by the Soviet regime in 1941 and 1949.

<sup>73</sup> [Media watchdog fines news portal for alleged word misuse / Article \(ism.lv\)](#)

<sup>74</sup> [Liberties Rule Of Law Report 2024 FULL.pdf \(dq4n3btxm8c9.cloudfront.net\)](#), p.421-422.

<sup>75</sup> [LRP \(prokuratura.lv\)](#)

Jehovah's Witnesses. However, ECRI is concerned that this may lead to religious intolerance and hate crimes against Jehovah's Witnesses.

88. As regards conscientious objection, Jehovah's Witnesses reiterated their willingness to perform truly alternative civilian national service instead of military conscription, an option that they state does not currently exist in Latvia since the law that deals with compulsory conscription law requires that alternative civilian service be performed under the auspices of the Ministry of Defence. Jehovah's Witnesses met by the ECRI delegation during the country visit referred to the case-law of the European Court of Human Rights<sup>76</sup> and argued that the existing alternative service in Latvia is not sufficiently separate from the military and it does not constitute a genuine alternative civilian service. According to the information received from the authorities, the first mandatory conscription took place in 2024 (everyone was a volunteer until then). There has been only one application for civilian service that was subsequently approved by a special commission, i.e. by replacing the military service with civilian service in one of the subordinate institutions of the Ministry of Defence.<sup>77</sup>
89. Jehovah's Witnesses in Latvia also have misgivings about the National Civilian Defence Service and the National Defence Training which, starting from 1 September 2024, is a compulsory subject for all students in grades 10 and 11 in general education schools and years two and three in vocational schools.
90. According to the authorities, a meeting was held with Jehovah's Witnesses on 6 November 2024. ECRI considers this as a step in the right direction and invites the authorities to organise regular consultation meetings with Jehovah's Witnesses and other religious communities to discuss how to address their concerns in relation to conscientious objection.

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<sup>76</sup> See in particular the Court's judgment of 7 June 2022 (final 9 September 2022) in the case of [Teliatnikov v. Lithuania](#) (app. no. 51914/19).

<sup>77</sup> In this context, the authorities drew ECRI's attention to the fact that maintaining a system in which conscripts can perform alternative service in institutions subordinate to ministries other than the Ministry of Defence involves high costs and preparation, which would require political will and acceptance of other ministries to get involved.



## INTERIM FOLLOW-UP RECOMMENDATIONS

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The two specific recommendations for which ECRI requests priority implementation from the authorities of Latvia are the following:

- (§ 11) ECRI recommends that the authorities set up a country-wide monitoring system for racist and anti-LGBTI incidents in schools, including through appropriate data collection, taking inspiration from ECRI's General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education.
- (§ 38) ECRI recommends that the authorities establish an inter-institutional working group tasked with monitoring hate speech and hate crime, with a particular emphasis placed on racist and LGBTI-phobic forms of hate speech and hate crime. This group should include representatives of the relevant authorities, civil society organisations and the Ombudsman, respecting the institution's independence. It should also make effective use of ECRI's relevant general policy recommendations and other Council of Europe instruments, such as Recommendation CM/Rec(2022)16 of the Committee of Ministers on combating hate speech and Recommendation CM/Rec(2024)4 of the Committee of Ministers on combating hate crime.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

## LIST OF RECOMMENDATIONS

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The position of the recommendations in the text of the report is shown in parentheses.

1. (§ 7) ECRI recommends that the authorities review the guidelines provided to teachers and other relevant teaching material pertaining to ethics and civic education and remove any references that may encourage prejudice, stereotyping or discrimination, in the light of its General Policy Recommendation No. 10 on racism and racial discrimination in and through school education and its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.
2. (§ 11) ECRI recommends, as a matter of priority, that the authorities set up a country-wide monitoring system for racist and anti-LGBTI incidents in schools, including through appropriate data collection, taking inspiration from ECRI's General Policy Recommendation No. 10 on combating racism and racial discrimination in and through school education.
3. (§ 15) ECRI recommends that the authorities ensure that the provision of social and humanitarian assistance to irregularly present migrants in all areas of public and private services is not criminalised. In this context, the authorities should have due regard to ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.
4. (§ 21) ECRI recommends that the authorities i) establish a permanent working group on LGBTI equality that brings together representatives of relevant government services and institutions and civil society actors representing or working in support of LGBTI communities, and ii) based on proposals made by the working group in question, develop and adopt a detailed strategy and/or action plan on LGBTI equality with a suitable budget for its implementation.
5. (§ 23) ECRI recommends that the authorities move forward with clear legislative proposals aimed at guaranteeing a quick, transparent, and accessible process by which people can obtain legal gender recognition, in the light of its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons. If necessary, Council of Europe support should be sought.
6. (§ 25) ECRI recommends that the authorities commission an independent study on intersex persons in the country in order to learn about their situation and meet their needs.
7. (§ 28) ECRI recommends that the authorities take action to ensure the explicit inclusion of the grounds of sexual orientation, gender identity and sex characteristics in the criminal legislation pertaining to hate speech and hate crime, in the light of ECRI's General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons, the Council of Europe Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech and Recommendation CM/Rec(2024)4 on combating hate crime.
8. (§ 38) ECRI recommends, as a matter of priority, that the authorities establish an inter-institutional working group tasked with monitoring hate speech and hate crime, with a particular emphasis placed on racist and LGBTI-phobic forms of hate speech and hate crime. This group should include representatives of the relevant authorities, civil society organisations and the Ombudsman, respecting the institution's independence. It should also make effective use of ECRI's relevant general policy recommendations and other Council of Europe instruments, such as Recommendation CM/Rec(2022)16 of the Committee of Ministers on combating hate speech and Recommendation CM/Rec(2024)4 of the Committee of Ministers on combating hate crime.

9. (§ 42) ECRI recommends that the authorities encourage public figures, such as high-level officials, politicians and religious, economic and community leaders to take a prompt, firm and public stance against the expression of racist and LGBTI-phobic hate speech and react to any such expression with strong counter-hate speech messages and alternative speech. In doing so, due account should be taken of ECRI's General Policy Recommendation No. 15 on combating hate speech and the Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech.
10. (§ 45) ECRI recommends that the authorities develop awareness-raising measures for persons and groups targeted by hate speech to make them aware of their rights and of the possibility to obtain redress through criminal and other legal proceedings, and ensure, including through legislative measures if necessary, that all persons reporting hate speech are protected against any adverse treatment or consequences as a result of their reporting or complaint and that sanctions are imposed on the perpetrators in the event of renewed victimisation, taking due account of the relevant principles and guidelines contained in ECRI's General Policy Recommendation No. 15 on combating hate speech and in the Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech.
11. (§ 47) ECRI recommends that the authorities, without encroaching on the independence of the media, encourage and support training for journalists and other media professionals, as part of their initial and ongoing training, on how to recognise, report on and react to hate speech, as well as on how to avoid using and disseminating it, in the light of the Council of Europe Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech.
12. (§ 56) ECRI recommends that the authorities pursue their efforts to develop practical training and capacity-building activities on countering hate crime, including criminal hate speech, for police officers and other criminal justice actors, in close cooperation with the State Police College and the future Justice Academy.
13. (§ 64) ECRI recommends that the authorities pursue their efforts to support unemployed third-country nationals, refugees and other persons in need of international or temporary protection in their integration into the labour market.
14. (§ 73) ECRI recommends that the authorities monitor closely and ensure a regular evaluation of the implementation of the Plan for Implementing Measures of the Roma Strategic Framework for 2024-2027, in cooperation with the local authorities, the Ombudsman, representatives of the Roma community and relevant civil society organisations and redefine as appropriate any project parameters and goals to reach the expected outcome, in particular in the areas of education, employment, housing and health. In this context, the authorities should take due account of the Recommendation CM/Rec(2024)1 of the Committee of Ministers of the Council of Europe on equality of Roma and Traveller women and girls.
15. (§ 85) ECRI recommends that the authorities ensure that state language tests required to regularise the stay of citizens of the Russian Federation living in the country are organised taking due account of individual circumstances and providing support as appropriate, as well as refraining from fuelling negative sentiment towards ethnic Russians in Latvia and promoting integration and inclusion.

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## APPENDIX: GOVERNMENT'S VIEWPOINT

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The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Latvia.

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Latvia on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 20 November 2024, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.



## **Comments of the Government of Latvia on the European Commission's Against Racism and Intolerance sixth report on Latvia**

On 18 March 2025, the European Commission against Racism and Intolerance (hereinafter – ECRI) adopted its sixth-cycle report on Latvia (hereinafter – the Report).

The Government of Latvia (hereinafter the Government) appreciates ECRI's comprehensive work on monitoring the situation of the fight against racism and discrimination (on the grounds of race, ethnic/national origin, colour, citizenship, religion, language, sexual orientation, gender identity, and sex characteristics), as well as xenophobia, antisemitism, and intolerance in Latvia, through ongoing dialogue with the Latvian authorities. The Government thanks ECRI for recognising the progress achieved in various related areas. The Government also undertakes to carefully evaluate ECRI's recommendations.

With regard to the Report, the Government would like to provide additional information and comments on the aspects outlined in this Report and recommendations.

ECRI Recommendation No. 1 (paragraph 7 of the Report) states, that the authorities are suggested to review the guidelines provided to teachers and other relevant teaching material pertaining to ethics and civic education and remove any references that may encourage prejudice, stereotyping or discrimination, in the light of its General Policy Recommendation No. 10 on racism and racial discrimination in and through school education and its General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons.

The goal of the [\*Guidelines for the Upbringing of Students and the Procedures for the Evaluation of Information, Teaching Aids, Materials, and Study and Upbringing Methods\*](#) is to enable each student to become a decent human being, a moral, capable, and responsible personality in society, to promote the understanding of the student of the values and virtues by facilitating their introduction, to enrich their cultural and historical experience, to strengthen their affiliation and loyalty to the State of Latvia and the Constitution of the Republic of Latvia. The Guidelines are issued pursuant to the [Education Law](#) (Article 14, Paragraphs 38 and 39) and set objectives and standards for civic education and respect for human rights, not advising any discriminatory content in teaching, including regarding the LGBTI equality.

Moreover, in order to ensure compliance with the rules according to the [Education Law](#) (Article 30, Paragraph 3.<sup>6</sup>) the head of an educational institution has the obligation to assess the information received on violence against the person involved in the implementation of the education process, to inform the founder of the educational institution, and to address the situation in the educational institution. The founder of an educational institution after receiving information from the head of the educational institution on violence against the persons involved in the implementation of the education process, is obliged to ensure the assessment of this information and, if necessary, submit it to law enforcement authorities, and also provide support for addressing the situation in the educational institution (Article 29, paragraph 6).

In relation to the ECRI recommendation 2 (Paragraph 11 of the Report) to establish a national monitoring system for racist and anti-LGBTI incidents in schools, including through appropriate data collection, it is important to note that the State Education Quality Service (SEQS) examines complaints about the educational process, including about manifestations of discrimination related to racism and/or directed against LGBTI persons in educational institutions. Complaints to the SEQS can be submitted verbally or in writing, using any available channel. The information provided in the application is verified, requesting explanations from educational institutions or additional information from other institutions, if necessary. After a comprehensive evaluation of the information provided in the application, a response is provided to the applicant.<sup>1</sup> According to the Cabinet of Ministers Regulation No. 325 of 4 June 2024 "Procedures for the Accreditation of General Education and Vocational Education Institutions and the Assessment of the Professional Activities of their Leaders", the SEQS, within the framework of regular assessments of the activities of the educational institution and its head, evaluates various criteria regarding compliance with objectives, high-quality learning, an inclusive environment and good governance, which include, among other things, equality and inclusion, as well as safety and

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<sup>1</sup> <https://www.ikvd.gov.lv/lv/pakalpojumi/iesniegums-sudziba-izglibas-kvalitates-valsts-dienestam>

psychological well-being. The SEQS also evaluates information about the safety and psychological well-being of students, parents and staff, physical and emotional safety and the identification and prevention of associated risks.<sup>2</sup>

Every year, the educational institution carries out a self-assessment, prepares a report and publishes it on its website. The self-assessment uses the Guidelines for Quality Assurance in General and Vocational Education and the descriptions of the quality levels of education. The information and data obtained by the educational institution in the annual self-assessment should also reflect the assessment of discrimination and/or other forms of intolerance in the educational institution.<sup>3</sup>

The measures mentioned above provide a system that allows for the monitoring of manifestations of discrimination in educational institutions, including those related to racism and/or directed against LGBTI persons.

The ECRI Recommendation 3 (Paragraph 15 of the Report) calls on the authorities to ensure that the provision of social and humanitarian assistance to irregularly present migrants in all areas of public and private services, is not criminalised. In this context, the authorities will give due consideration to ECRI's General Policy Recommendation No. 16 on safeguarding irregularly present migrants from discrimination.

It is important to emphasize, that this recommendation may conflict with the Proposal for a Directive of the European Parliament and of the Council laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union, and replacing Council Directive 2002/90/EC and Council Framework Decision 2002/946 JHA.

The Consideration 7 of the Proposal of the Directive states that nothing in this Directive should be understood as requiring the criminalisation, on the one hand, of assistance provided to close family members and, on the other hand, of humanitarian assistance or the support of basic human needs provided to third-country nationals in compliance with the applicable national and international legal framework.

Therefore, the Proposal of the Directive does not impose an obligation to criminalize humanitarian assistance provided to third-world nationals or migrants if they are close family members. It is important to note that there is no such practise in Latvia to criminalize humanitarian assistance and penalise organisations for providing humanitarian assistance to migrants.

The report mentions one case brought against a member of the human rights organisation called 'I Want to Help Refugees', who is standing trial for supporting a group of migrants who irregularly crossed the Latvian border with Belarus. It has to be noted that this case is far more complicated, and the legal proceedings are still ongoing, therefore, the court as an independent institution will assess the liability of the person and therefore decide whether a criminal offence has been committed by taking into account any national and international law that regulates the provision of assistance. As of now, the court has not delivered a judgment that states if above mentioned support is considered as a criminal offence.

Regarding paragraph 13 of the Report, which addresses the situation of irregularly present migrants and their access to healthcare. It's important to emphasize that the scope of provided healthcare services depends on the patient's health condition and may vary on a case-by-case basis. Latvian legislation ensures a minimum level of state-funded medical assistance for the following categories: refugees or persons granted alternative status; asylum seekers; and children under the age of 18 belonging to the above-mentioned groups.<sup>4</sup> The minimum state-funded medical assistance includes emergency medical care, maternity care, primary healthcare services, healthcare services related to the treatment for diseases that significantly impact public health indicators or pose a threat to public health.<sup>5</sup>

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<sup>2</sup> <https://www.ikvd.gov.lv/lv/akreditacija>

<sup>3</sup> <https://www.ikvd.gov.lv/lv/pasvertesana>

<sup>4</sup> Health Care Financing Law, Section 9, <https://likumi.lv/ta/en/en/id/296188-health-care-financing-law>

<sup>5</sup> Ibid, Section 8.

In addition to the information mentioned in paragraph 13 of the Report regarding possible cases where individuals may be reported to the police, it should be noted that within the healthcare sector, the primary role of the doctor is to provide medical care. According to Latvian legislation, patient information is already protected under data protection laws. Such information may only be disclosed with the patient's written consent or in cases specified by law, for example, if there is a suspicion that the patient has been a victim of violence.<sup>6</sup>

The 'One-Stop Agency' (hereinafter – OSA) initiative implemented by the Society Integration Foundation (hereinafter – SIF), as the National Coordinating Institution, provides integration services for third-country nationals, including beneficiaries of international protection. The operation of the OSA is based on the principles of equality and inclusion, ensuring support to all individuals regardless of their ethnic origin, religious beliefs, level of education, social status, or sexual orientation.

Since 1 December 2023, SIF has launched an ESF+ funded project titled “*Support for Social Workers and Social Mentors for Asylum Seekers and Beneficiaries of International Protection*” (No. 4.3.4.8/1/23/I/001). The goal of the project is to provide individually tailored and urgent support measures for asylum seekers, refugees and persons granted subsidiary protection status. Support is provided at the accommodation centres for asylum seekers (PMICs) – “*Mucenieki*” and “*Liepna*”. The project promotes the socio-economic inclusion of the target group and fosters social cohesion by offering professional services from social workers and mentors. Support is offered for up to 12 months or until the implementation of the individual's socio-economic inclusion plan is completed, for a maximum period of 24 months.

The project also includes activities aimed at promoting the horizontal principle of “*equality, inclusion, non-discrimination, and respect for fundamental rights.*”

In Paragraph 28 of the Report, the ECRI recommends *that the authorities take action to ensure the explicit inclusion of the grounds of discrimination based on sexual orientation, gender identity and sex characteristics in the criminal legislation pertaining to hate speech and hate crime, in the light of ECRI's General Policy Recommendation No.17 on national legislation on preventing and combating intolerance and discrimination against LGBTI persons, the Council of Europe Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech and Recommendation CM/Rec(2024)4 on combating hate crime.*

Article 150 of the Criminal Law already provides criminal liability in cases of hate speech and hate crime for inciting social hatred and hatred based on sexual orientation, gender identity and sex characteristics. In accordance with Article 150 of the Criminal Law, criminal liability arises for a person who commits an act oriented towards inciting hatred or enmity depending on the gender, age, disability of a person or any other characteristics, if substantial harm has been caused thereby

ECRI recommendation No. 11 (paragraph 47 of the Report) states that *the authorities, without encroaching on the independence of the media, encourage and support training for journalists and other media professionals, as part of their initial and ongoing training, on how to recognise, report on and react to hate speech, as well as on how to avoid using and disseminating it, in the light of the Council of Europe Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech.*

The multi-stakeholder working group established by the Ministry of Culture as part of the Council of Europe Safety of Journalists' Campaign 'Journalists Matter' is finalising an action plan whose aim is to promote the safety and protection of journalists and other media professionals against attacks, harassment, hate speech, strategic litigation and gender-based violence under various action lines. The action plan includes training for journalists, media professionals and law

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<sup>6</sup> Law on the Rights of Patients, Section 10, <https://likumi.lv/ta/en/en/id/203008-law-on-the-rights-of-patients>

enforcement authorities as well as measures to protect journalists in particular groups such as female journalists, those belonging to minority groups (e.g. ethnic minorities and asylum seekers).

In relation to the ECRI Recommendation 12 (Paragraph 56 of the Report), it should be noted that in 2021-2023, within the framework of the European Commission project “*Capacity Building and Awareness Raising to Prevent and Counter Intolerance in Latvia – CALDER*”,<sup>7</sup> the project partners, the Faculty of Law of the University of Latvia, the SIF, the State Police, the Prosecutor’s Office of the Republic of Latvia and the Court Administration:

- 1) organised training aimed at supplementing the knowledge of the State Police, courts, the Prosecutor’s Office of the Republic of Latvia and the SIF employees in the recognition, investigation and prevention of hate crimes and hate speech, thus ensuring a professional response to possible manifestations of hate crimes;
- 2) conducted a study “Hate crimes and hate speech. International standards and Latvian legal framework and practice”.<sup>8</sup>
- 3) developed new and up-to-date Guidelines for the identification and investigation of hate crimes and hate speech.<sup>9</sup>

Paragraph 61 of the Report states that ECRI strongly encourages the authorities to develop, in close cooperation with local authorities, relevant institutions and civil society organisations, further language and integration courses for third-country nationals, refugees, persons granted subsidiary status, asylum seekers and Ukrainian displaced persons.

The Ministry of Culture, as the institution responsible for promoting a cohesive and civically active society, considers the Latvian language to be an integral element of integration and participation in society, and it emphasizes the need for an accessible and continuous system of Latvian language learning for adults.

In 2024, the Ministry of Culture in cooperation with SIF, prepared a conceptual vision for a unified state language learning model for adults, which was presented to the Ministry of Education and Science, the Ministry of Welfare, and the State Employment Agency. The Ministry of Culture, in cooperation with the abovementioned institutions will take steps to ensure the establishment of uniform qualification requirements, quality criteria, and other conditions in project competitions for the allocation of funding for Latvian language learning for adults, as well as conduct an assessment and consider the possibility of reducing the number of institutions organizing Latvian language courses for adults. A coordinated approach will be adopted, which will allow a more targeted promotion of language course offerings.

ECRI Recommendation No. 13 (paragraph 64 of the Report) states *that the authorities pursue their efforts to support unemployed third-country nationals, refugees and other persons in need of international or temporary protection in their integration into the labour market.*

The Ministry of Culture is also the delegated institution in the field of integration for the Asylum, Migration and Integration Fund 2021-2027 (AMIF). Within the AMIF, the Ministry of Culture ensures availability of Latvian language courses and integration courses to third-country nationals, refugees and other persons in need of international or temporary protection who are legally residing in Latvia. Participation in the aforementioned courses is important for promoting inclusion into society and the labour market.

In addition, since 2025, in order to promote the successful integration of Ukrainian civilians into the labour market, the topics of employment and job opportunities have been included as a mandatory topic in the cultural orientation courses of Ukrainian civilians.

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<sup>7</sup> Enhancing police, prosecutor's office and forensic expertise in recognizing hate crimes | Society Integration Foundation

<sup>8</sup> LU (2023). Naida noziegumi un naida runa. Starptautiskie standarti un Latvijas tiesiskais regulējums un prakse. Available: <https://www.sif.gov.lv/lv/media/4287/download?attachment>

<sup>9</sup> LU Juridiskās fakultāte (2023). Vadlīnijas naida noziegumu un naida runas identificēšanai un izmeklēšanai. Available: [https://www.jf.lu.lv/fileadmin/user\\_upload/lu\\_portal/fakultates/jf/Naida\\_noziegumi.pdf](https://www.jf.lu.lv/fileadmin/user_upload/lu_portal/fakultates/jf/Naida_noziegumi.pdf)

In Paragraph 76 of the Report, ECRI notes that *the information it has obtained indicates that there has been a rapid renaming of streets and monuments associated with the Soviet period, and at the same time, the ECRI calls for ensuring that any such event takes place taking into account considerations related to the integration and inclusion of representatives of ethnic Russian minorities in Latvian society.*

It is important to emphasize that Latvia protects and promotes the rights of minorities to preserve and develop their language, ethnic and cultural identity as set out in the Constitution of the Republic of Latvia. At the same time, the state language policy is aimed on the preservation, protection, and development of the Latvian language, while also supporting the integration of national minorities into Latvian society, with due respect for their right to use their native or any other language. The broader use of the Latvian language among persons belonging to national minorities contributes to a stronger sense of belonging to the state and enhances their resilience to disinformation.

The overwhelming majority of Latvian society, including representatives of many different ethnic minorities, have made the choice to shape their future based on the protection of the principles of freedom, democracy and human rights, as well as on the preservation of international law, the sovereignty and territorial indivisibility of states.

With regard to the issue mentioned in the Report concerning the examination of Latvian language skills for citizens of the Russian Federation residing in Latvia, it should be emphasized that, on 22 September 2022, Latvian Parliament (Saeima), in light of the need to strengthen national security and promote inclusion, adopted amendments to the Immigration Law. These amendments repealed the provision set out in Article 24, paragraph one, subparagraph 8 of the Immigration Law, which had allowed a foreigner residing in Latvia – who was previously a Latvian citizen or a Latvian non-citizen before acquiring the citizenship of another state – to obtain a permanent residence permit without additional requirements of Latvian language skills.

The permanent residence permits issued in accordance with Article 24, Paragraph One, Subparagraph 8 of the Immigration Law before the aforementioned amendments enter into force continued to be valid until September 1, 2023. In order to receive a permanent residence permit after 1 September 2023, a foreigner was required to submit a document certifying basic Latvian language skills (Level A2). At the same time the validity period of the permanent residence permit for the aforementioned persons has been extended several times, to ensure a gradual transition to the new regulation, and to provide applicants who have not passed the basic Latvian language skills exam with sufficient time to prepare and retake Latvian language test.

It is important to highlight that the information in the last sentence of paragraph 78 of the Report refers only to **citizens of third countries** who have acquired Latvian citizenship through naturalization and does not pertain to **non-citizens of Latvia** who have acquired Latvian citizenship through naturalization. The figures cited in the Report were provided by the Office of Citizenship and Migration Affairs in response to ECRI questions in 2024 regarding the number of migrants (residents of third countries) who have acquired Latvian citizenship through naturalization.

Regarding paragraphs 88 to 90 of the Report, it should be considered that national defence civil or alternative service in Latvia is currently carried out within civil institutions subordinate to the Ministry of Defence. The Ministry of Defence is a civilian institution, which, together with the Cabinet of Ministers and the Saeima (all jointly ensure overall state governance), exercises control within its competence over the National Armed Forces. For example, alternative service at the War Museum is linked to the preservation of the country's cultural heritage.

Each application for alternative service is evaluated individually by the Conscription Control Commission, which also includes representatives from the Advisory Council on Religious Affairs, the Ministry of Education and Science, the Ministry of Health, and the Latvian Student Union. In addition, it is important to note that maintaining a system in which conscripts could also perform alternative service in institutions subordinate to other ministries would entail high costs and significant preparation.

Additionally, national defence education (hereinafter – NDE) in secondary schools plays a vital role in the framework of comprehensive national defence by fostering civically responsible and loyal citizens of Latvia. By familiarising students with the comprehensive national defence system, developing an understanding of the individual's role in strengthening national security, and highlighting the importance of cooperation in influencing socio-political processes, NDE equips students with essential knowledge and skills applicable in various crisis situations. Upon completion of the programme, students may voluntarily participate in the NDE camp.

It should be noted that, in accordance with current regulations, students who – due to their religious beliefs or other objective circumstances – are unable to participate in parts of the NDE curriculum may request modifications. In such cases, the head of the educational institution, in cooperation with a Youth Guard instructor, prepares an individual learning plan. This request must be submitted by the student's parents or legal representative or by the student themselves if they are of legal age.

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.