

**REPLIES TO THE LIST OF ISSUES IN RELATION TO THE FOURTH PERIODIC REPORT OF LATVIA ON THE IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS IN 2014-2019**

1. Latvia's replies to the list of issues concerning its Fourth Periodic Report of Latvia ('Fourth Report') were compiled by the Ministry of Foreign Affairs in cooperation with the Ministry of Culture ('MoC'), the Ministry of Defence ('MoD'), the Ministry of Education and Science ('MoES'), the Ministry of Health ('MoH'), the Ministry of the Interior ('MoI'), the Ministry of Justice ('MoJ'), the Ministry of Welfare ('MoW'), the Prosecutor General's Office ('PGO'), the Prison Administration ('PA'), the State Border Guard ('SBG'), the State Police ('SP'), the State Labour Inspectorate ('SLI'), the Internal Security Bureau ('ISB'), the Bureau of Combating and Prevention of Corruption ('KNAB'), the Central Elections Committee, the Constitutional Court, the Supreme Court, and the Office of the Ombudsperson.

**I. Constitutional and legal framework**

*Mechanisms to implement the Committee's concluding observations and views*

2. Pursuant to Articles 11.2 and 12.5 of the *Cabinet of Ministers' Regulations no.121 Representation of Latvia before International Human Rights Institutions of 7 March 2021*, the Office of the Representative of Latvia ('Office') before International Human Rights Institutions disseminates the concluding observations of the Committee to the competent domestic authorities. The Office also publishes the concluding observations and a translation thereof into Latvian together with its report and replies to the list of issues on its official webpage.<sup>1</sup> As regards the Committee's views in proceedings under the Optional Protocol to the Covenant, the Office publishes the findings of the Committee on its official webpage;<sup>2</sup> if the Committee finds a violation of the Covenant, the Office publishes also a translation of the views in Latvian and submits a report on measures necessary to implement the Committee's findings to the Cabinet of Ministers ('CoM').
3. Pursuant to Article 89 of the *Constitution* Latvia recognises and protects fundamental rights in accordance with its Constitution, laws, and international agreements binding upon Latvia. Thus, the views of the Committee are frequently used to interpret the scope of the fundamental rights under the *Constitution (Annex I)*. From 1 January 2014 to 31 December 2019, the Supreme Court has applied the Covenant in at least 40 rulings. Moreover, if upon the adoption of the views by the Committee, a person seeks reopening of domestic proceedings, which the domestic legal framework foresees, the court examining the request attributes great weight to the views of the Committee.

*Awareness-raising activities*

4. The general legal education and specific training for judges, prosecutors, lawyers, investigators, and other legal professionals includes extensive discussions of topics related to human rights, including an analysis of the Covenant and the practice of the Committee (*Annex I*). The Academy of Justice, described in paragraph 59 of this document, will also offer courses on human rights.

*Legal framework and resources for the Ombudsperson's activities*

5. The Ombudsperson's Office has received the highest "A" status accreditation by the International Coordinating Committee of National Human Rights Institutions Sub-

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<sup>1</sup> <https://www.mfa.gov.lv/lv/ano-1966gada-starptautiskais-pakts-par-pilsoniskajam-un-politiskajam-tiesibam>.

<sup>2</sup> <https://www.mfa.gov.lv/lv/jaunumi?category%5B586%5D=586>.

Committee on Accreditation. Amendments to the *Ombudsperson's Law*, effective since 8 February 2021, stipulate that the same person may serve as the Ombudsperson for not more than two consecutive terms.<sup>3</sup> The *Amendments* also provide that the Ombudsperson shall be elected by the *Saeima* pursuant to the proposal of not less than ten members of the *Saeima*. The dismissal of the Ombudsperson from the office may be proposed by not less than one third of the members of the *Saeima*. Additional amendments to the *Ombudsperson's Law* were discussed at the Human Rights and Public Affairs Committee of the *Saeima*, on 15 January 2025, and, at present, amendments are being considered by the *Saeima* in third reading.<sup>4</sup> However, these amendments are related to the implementation of the Ombudsperson's role as the national preventive mechanism in relation to visits in penitentiary and detention facilities and do not concern matters such as tenure, protection from criminal or civil liability, or organisational structure of the Ombudsperson's Office.

6. In 2017, the Ombudsperson was entrusted with the function of the national preventive mechanism as envisaged in the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment ('OPCAT'). Since 1 March 2018, a Prevention Division has been established in the Ombudsperson's Office, with the main task of carrying out regular visits to institutions where individuals have or may have had their liberty restricted, with the aim of preventing risks of ill-treatment. The OPCAT entered into force with respect to Latvia on 9 January 2022. Information on the resources of the Office of the Ombudsperson is provided in *Annex 2*.

#### *Implementation of the Ombudsperson's recommendations*

7. Measures to ensure the implementation of the Ombudsperson's recommendations by the authorities are listed in *Annex 2, Table 2*. The annual rate of implementation of the Ombudsperson's recommendations has never been lower than 72%.

## **II. Anti-corruption measures**

#### *Implementation of the Corruption Prevention and Combating Action Plan*

8. Detailed information on the implementation of the *Corruption Prevention and Combating Action Plan 2023-2025* and statistics on the corruption cases are provided in *Annex 3*. The statistics do not contain separate data on proceedings involving high-level public officials and the judiciary. Article 5 of *Ordonnance no.199 of 11 April 2023* requires institutions responsible for the implementation of the measures included in the *Action plan* to submit to the KNAB information on the progress by 1 February 2025, as well as information on the results of implementation for the entire period by 31 December 2025. Therefore, updated information on the progress of implementation of the measures in 2024 will likely become available in March 2025. The *Corruption Prevention and Combating Action plan 2026-2027* is currently being drafted. After 2027, the KNAB plans to draft a new long-term anti-corruption policy planning document for 2028-2036.

#### *Anti-corruption institutional framework*

9. Detailed information on the improvements to the anti-corruption institutional framework and the capacities of the KNAB and the ISB in the period of 2020-2024 is provided in *Annex 3, Tables 3-5*.

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<sup>3</sup> <https://www.vestnesis.lv/op/2021/16.1>

<sup>4</sup> <https://titania.saeima.lv/LIVS14/saeimalivs14.nsf/webSasaiste?OpenView&restricttocategory=770/Lp14>.

### *The Law on Transparency of Interest Representation*

10. The *Law on Transparency of Interest Representation* entered into force on 1 January 2023.<sup>5</sup> An *ex-post* evaluation report of this *Law* has been submitted to the CoM in 2024.<sup>6</sup> Work to establish an interest representation register and declaration system is ongoing. According to this *Law*, the interest representation register and declaration system must become operational on 1 September 2025. While there is no register yet, general rules of interest representation are in force. In accordance with Article 4 of the transitional provisions of this *Law*, the CoM in its report for 2025 will evaluate the need for administrative liability for breaches of this *Law*.

### **III. Non-discrimination**

#### *Amendments to the Criminal Law*

11. In addition to the amendments described in the Fourth Report,<sup>7</sup> on 6 July 2021, Article 48, paragraph 1, subparagraph 14, of the *Criminal Law* was amended to broaden its scope to include “social enmity” as an aggravating circumstance for a crime. The concept of “social enmity” covers enmity towards sexual minorities. Further amendments were made to Article 150 of the *Criminal Law* by rephrasing paragraph 1 as follows: “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”, thereby broadening its scope. “Any other characteristic” covers sexual orientation and gender identity.

#### *Efforts to prevent and punish hate crimes*

12. Since 2022, the PGO and the SP have participated in numerous trainings, discussions, and seminars (*Annex 4*). In 2023, the College of the SP produced a methodological material and various trainings, whereas, in 2023 and 2025, the MoJ issued a circular letter addressed to all law-enforcement authorities and courts on the investigation and prosecution of hate crimes. The trainings and methodological materials were prepared during the project CALDER, organised by the University of Latvia, NGOs, the PGO, the Court Administration, and the SP. On 1 January 2023, a special unit to investigate hate crimes was established within the SP. Statistics on hate crime and hate speech are provided in *Annex 4*.
13. The Latvian Media Ethics Council has an important role in preventing hate speech in Latvia. It is the media’s self-governing body that promotes the development of ethical media practices, including ensuring that published material is free from hate speech. Its members are major news organisations, and the board consists of journalists and other industry professionals.<sup>8</sup> The Council hears complaints and mediates disputes involving statements made in the media, although the opinions it issues are non-binding. In addition, the Ombudsperson for Public Media supervises the adherence of public media programmes to the Code of Ethics adopted by the Latvian Media Ethics Council.

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<sup>5</sup> <https://likumi.lv/ta/en/en/id/336676-law-on-transparency-of-interest-representation>.

<sup>6</sup> [https://tapportals.mk.gov.lv/legal\\_acts/a5a1727a-e043-4240-a2b9-33a0fd049b61](https://tapportals.mk.gov.lv/legal_acts/a5a1727a-e043-4240-a2b9-33a0fd049b61).

<sup>7</sup> Fourth periodic report submitted by Latvia, CCPR/C/LVA/4, paragraph 124.

<sup>8</sup> <https://www.lmepadome.lv/etikaspadome/>.

## *Non-citizen residents and amendments to the Immigration Law*

14. At the outset, Latvia reiterates the information provided in its Common Core Document regarding the restoration of Latvia's independence and creation of the status of non-citizen (HRI/CORE/LVA/2017, paras.200-201). Given the range of rights that non-citizens have under national law, they cannot be and are not equated to citizens, aliens, or stateless persons.
15. On 22 September 2022, in view of the need to strengthen national security and promote integration, the *Saeima* amended the *Immigration Law*. *Amendments to the Immigration Law* removed Article 24, paragraph 1, subparagraph 8, of the *Immigration Law*, which provided an alien residing in Latvia who, prior to acquisition of citizenship of another state, was a citizen of Latvia or a non-citizen of Latvia, an opportunity to obtain a permanent residence permit. These *Amendments* stipulated that the permanent residence permits issued pursuant to Article 24, paragraph 1, subparagraph 8, of the *Immigration Law* prior to the *Amendments* were valid until 1 September 2023. To obtain a permanent residence permit after 1 September 2023, an alien has to submit proof of sufficient basic Latvian language skills (Common European Framework of Reference - A2 language level) and respond to inquiries by the authorities. In this relation, Latvia draws the Committee's attention to the Constitutional Court's judgment in case no.2023-04-01-06 of 15 February 2024,<sup>9</sup> in which it found the provisions of the *Amendments to the Immigration Law* to be compatible with the *Constitution* (*Annex 5*). It is noteworthy that between the time when the case was initiated and when the judgment was adopted the regulation was amended on a number of occasions, in order to, *inter alia*, extend the term of validity of the permanent residence permits, to make the transition to the new regulation more gradual, and introduce a special temporary right to reside for up to two years to give sufficient time to prepare for the Latvian language tests for those applicants who have attempted to pass the test but have failed. The number of foreign nationals affected by the legislative changes is reflected in *Annex 5, Table 2*.
16. As for the procedural guarantees and remedies available to persons who have not obtained a right to reside in Latvia, persons against whom a decision on their removal (voluntary return or a decision on expulsion) has been adopted have a right to appeal against this decision. The decision on expulsion which the SBG adopts pursuant to Article 46, paragraph 5, of the *Immigration Law* is subject to administrative review and then, if the administrative review is unfavourable to the person concerned, to judicial review by the Administrative District Court, whose ruling then can be appealed on points of law to the Supreme Court.<sup>10</sup> Moreover, the decision on expulsion of a person pursuant to Article 50, paragraph 1, of the *Immigration Law* is suspended during the administrative review, and the person concerned may ask the administrative courts to stay expulsion pursuant to Article 185<sup>1</sup>, paragraph 1, of the *Administrative Procedure Law*. Persons subject to expulsion have an opportunity to raise arguments regarding matters such as the State to which they will be expelled, the itinerary, the mode of transport, and any special needs with respect to health. The process of expulsion is monitored by the Office of the Ombudsperson. The relevant provisions of the *Immigration Law*, the *Administrative Procedure Law*, and the *CoM Regulations no.454 Regulations Regarding Forced Return of Foreigners, Standard Travel Document and Issue Thereof* are included in *Annex 5, Tables 3-5*.

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<sup>9</sup> [https://www.satv.tiesa.gov.lv/wp-content/uploads/2023/03/2023-04-0106\\_Judgement.pdf](https://www.satv.tiesa.gov.lv/wp-content/uploads/2023/03/2023-04-0106_Judgement.pdf).

<sup>10</sup> Article 50.<sup>1</sup> of the *Immigration Law* and Article 185<sup>1</sup> of the *Administrative Procedure Law*.

## *Measures and programmes to address alleged barriers faced by Roma*

17. In 2022, Latvia adopted the *Plan for Implementing Measures of the Roma Strategic Framework 2022-2023*<sup>11</sup> followed, in 2024, by the *Plan for Implementing Measures of the Roma Strategic Framework 2024-2027*.<sup>12</sup> Both plans include measures to promote the participation of Roma in various fields of public life and ensure access to services in the fields of education, employment, health care, housing, *etc.* The latest plan was developed considering the findings and recommendations from a study on the problems faced by the Roma community in Latvia since 2015, commissioned in 2023.<sup>13</sup> The study identified challenges the Roma face in access to adequate housing and healthcare.
18. Regarding specific programmes related to inclusion of Roma, the MoC continues to implement the Latvian Roma platform projects within the EU's *Citizens, Equality, Rights and Values Programme*. Currently, the 7<sup>th</sup> Latvian Roma platform project is being implemented, and in May 2025 the implementation of the 8<sup>th</sup> project will commence and run for 2 years. The projects continue to implement a set of activities aimed at strengthening coordination and implementation of policy measures on Roma inclusion at the national, regional, and local levels. The practice of Roma mediators, offered within the scope of the projects, continues to ensure effective cooperation and dialogue between Roma families and municipality and governmental agencies at the local level improving Roma's access to education, labour market, housing, and healthcare services. Roma mediator's services are offered in 8 municipalities of Latvia.

### ***IV. State of emergency***

#### *The Ordonnance no.518 of 10 August 2021*

19. Since the summer of 2021, Latvia, Lithuania, and Poland are confronted with an influx of third-country nationals at their borders with Belarus, who are instrumentalised by Belarus for political purposes. As of 21 November 2021, 7 831 third country nationals had entered the territories of Latvia, Lithuania, and Poland from Belarus in an unauthorised manner, compared to 257 in the entire 2020. In addition, 42 741 attempts to cross the borders had been prevented by the EU, with up to 10 000 more migrants remaining in Belarus.<sup>14</sup>
20. On 10 August 2021, following the appearance of a large number of third-country nationals near the external borders of the EU in the region and the increase of illegal entry attempts, the CoM adopted the *Ordonnance no.518* from 11 August 2021 until 10 November 2021 declaring a state of emergency in four municipalities bordering Belarus (*Annex 6*). The *Ordonnance no.518* was adopted pursuant to Article 6, paragraph 1, subparagraph 2, of the *Law on the State of Emergency and the State of Exception (Annex 6)*. The state of emergency was subsequently periodically reviewed and extended until 10 August 2023. Initially, Article 6 of the *Ordonnance no.518* provided that the SBG could not accept applications for asylum lodged within the administrative territories affected by the state of emergency. However, individuals could apply to the administrative courts of Latvia and request that their requests for international protection be accepted. On 6 April 2022, Article 6 of the *Ordonnance no.518* was amended to expressly provide that asylum applications may be lodged at the official border crossing points within the administrative territories, as well as at the

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<sup>11</sup> <https://www.km.gov.lv/en/media/25001/download?attachment>.

<sup>12</sup> <https://www.km.gov.lv/lv/media/45951/download?attachment>.

<sup>13</sup> [km.gov.lv/lv/media/35865/download?attachment](https://www.km.gov.lv/lv/media/35865/download?attachment).

<sup>14</sup> *European Commission Proposal for Council Decision on provisional emergency measures for the benefit of Latvia, Lithuania and Poland*, COM(2021) 752 final, Brussels, 1.12.2021.



SBG Accommodation Centre for Detained Aliens “Daugavpils” (‘the Accommodation Centre’) (*Annex 6*). Latvia underlines that the domestic authorities, being aware of the unprecedented scale and challenges of the situation caused by the Belarusian hybrid attack, carefully followed the developments at the regional and international level. The domestic legal framework and practice in Latvia consistently took note of the requirements under the EU legal framework, including under the *Directive 2013/32 on common procedures for granting and withdrawing international protection (recast)* of 26 June 2013, the obligations enshrined in the EU treaties, the European Convention on the Protection of Human Rights and Fundamental Freedoms, and the Covenant. This can be seen from the Explanatory reports that complemented the *Ordonnance no.518* and the connected legal enactments (*Annex 6*).<sup>15</sup>

21. The measures adopted were required in view of the unprecedented situation faced by Latvia, and its neighbouring countries as a result of the hybrid attack launched by Belarus, and a declaration of a state of emergency was issued according to the national law and conditions for such declarations determined therein. These measures were fully in line with Latvia’s obligations under the present Covenant and, therefore, unlike during the Covid-19 pandemic, no derogation pursuant to Article 4 of the Covenant was deemed necessary.

## V. Gender equality

### *Law on gender equality and the Gender Equality Committee*

22. The principle of gender equality and non-discrimination is enshrined in Article 91 of the *Constitution* and finds its expression in several sectoral laws such as the *Labour Law*, the *Education Law*, the *Law on Social Security*, etc. The implementation of this constitutional guarantee is entrusted to the authorities under each respective sector and the national courts.
23. The Gender Equality Committee was established with the purpose of monitoring and developing gender equality policies and to facilitate cooperation between ministries, NGOs, social partners, municipalities, and other stakeholders. The Gender Equality Committee has a key role in defining gender equality policy priorities and policy action, as well as in monitoring the implementation of gender equality policies in other sectoral policies. The Committee is established under the auspices of the MoW and usually convenes every 3 months.

### *Plan for the Promotion of Equal Rights and Opportunities for Women and Men*

24. The implementation of the *Plan for the Promotion of Equal Rights and Opportunities for Women and Men 2021-2023* concluded in 2023. Overall, the plan encompassed 62 performance indicators of which 34 were achieved, 4 were partially achieved, 10 were not achieved, and 11 have been transferred to the new plan for 2024-2027. The new *Plan for the Promotion for Equal Rights and Opportunities for Women and Men 2024-*

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<sup>15</sup> See, e.g., Explanatory report to the CoM *Ordonnance no.518 On Declaring the State of Emergency* of 10 August 2021, available:

[https://likumi.lv/wwwraksti/ANOTACIJAS/TAP/2021\\_08/IEMANOT\\_09082021.1905.DOCX](https://likumi.lv/wwwraksti/ANOTACIJAS/TAP/2021_08/IEMANOT_09082021.1905.DOCX); Explanatory report to the CoM *Ordonnance no.749* of 21 October 2021 “*Amendments to the CoM Ordonnance no.518 of 10 August 2021 On Declaring the State of Emergency*”, available: <https://tapportals.mk.gov.lv/annotation/32fd3e39-8acd-4491-bf20-053cdb1c252a>;

Explanatory report to the CoM *Ordonnance no.45* of 1 February 2022 “*Amendments to the CoM Ordonnance no.518 of 10 August 2021 On Declaring the State of Emergency*”, available: <https://tapportals.mk.gov.lv/annotation/33387a4c-cda8-4ef3-a8b7-a40f08190086>.

2027 was approved by the CoM on 18 June 2024. The new plan was developed in close cooperation with other ministries and the relevant NGOs (*Annex 7*).

#### *The Inclusive Employment Guidelines for 2015-2020 and measures to address pay-gap*

25. The *Inclusive Employment Guidelines for 2015-2020*, which were implemented until 2020, have since been replaced by the *Guidelines on Social Protection and Labour market Policy for 2021-2027*. The aforesaid *Guidelines* note that the performance indicators set out in the previous guidelines were achieved or partially achieved by 2020. Simultaneously, it was observed that the pay-gap between women and men continued to increase (in 2019, the pay-gap between women and men had reached 21.2%), meaning that additional measures were required. The measures adopted since 2020 have had a positive impact, and women's pay has significantly improved in recent years (*Annex 7, Tables 2-3*). According to the Central Statistical Bureau, gender pay-gap has narrowed from 22.3% in 2020 to 16.5% in 2023.
26. As for the upcoming policy action to further narrow the pay-gap, by 7 June 2026 Latvia will transpose the *Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms* to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms, which provides for a whole series of additional provisions that would ensure even more effective implementation of the principle of equal pay in practice. Additionally, the MoW is planning a pilot project for Latvian enterprises on how to best incorporate pay transparency mechanisms to reduce gender pay-gap, and informative and awareness-raising activities for employers and employees about this topic.

#### *Addressing stereotypes and biases concerning social and family roles*

27. The MoW in cooperation with social partners – the Employers Confederation of Latvia and the Free Trade Union Confederation of Latvia – from 1 March 2020 until 28 February 2022 implemented the project *Balance for All (B4A)*, funded by the EU programme *Rights, Equality and Citizenship*. Overall, 95 awareness-raising measures were taken to promote father's role in childcare and equal share of household responsibilities between men and women (*Annex 7, Table 4*). Additionally, the *Plan for the Promotion for Equal Rights and Opportunities for women and men 2024-2027*<sup>16</sup> includes various awareness-raising activities to fight gender-based stereotypes, especially among young people, men and boys.

## **VI. Measures to address violence against women, including domestic violence**

#### *Efforts to eradicate gender-based violence*

28. On 30 November 2023, Latvia ratified the *Council of Europe Convention on the Prevention and Suppression of Violence against Women and Domestic Violence*, which entered into force in Latvia on 1 May 2024. Latvia has also developed its first *National Plan for the Prevention and Combating of Violence Against Women and Domestic Violence 2024-2029* (*Annex 7, Table 5*). In addition, the *Criminal Law* was amended to broaden the elements of aggravating circumstances (Article 48, paragraph 1, subparagraph 15, of the *Criminal Law*) and introduced a new criminal offence that

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<sup>16</sup> <https://www.lm.gov.lv/lv/media/28254/download?attachment>.

prescribes more serious penalties for violence, threats of violence, and violation of sexual inviolability when committed against a person to whom the perpetrator is related in kinship, or when committed against a spouse, a person with whom the perpetrator is or has been in intimate relationship, or has a joint household.

29. On 20 January 2022, the *Saeima* amended the *Law on Police* to ensure that in cases of immediate threat that a person who is in or near a dwelling may cause harm to the life, freedom, or health of a protected person, the police officers shall ensure the separation of the person who poses the threat without a written application from the protected person. On 7 November 2024, the *Saeima* amended the *Criminal Procedure Law* to strengthen the capacity of the authorities to control compliance with the security measures (restraining order; house arrest; police supervision). Where there are reasonable grounds to believe that the suspect or accused person poses a high risk of violence to another person, such suspect or accused person may be subjected to continuous electronic supervision by means of an electronic device by a decision of a judge. Although the SP has not established a special investigative unit for cases involving gender-based violence, the investigation in such cases is handled by officers that have undergone specific training to acquire skills to investigate such crimes.

#### *Awareness-raising activities and training*

30. In 2023, the Council of the Judiciary, a self-governing public body of the judicial system consisting of judges and prosecutors and chaired by the President of the Supreme Court, identified certain “systemic shortcomings” in the handling of domestic violence cases. To address these shortcomings, the training *A Victim-Centred Approach to the Justice System* was organised. Judges, prosecutors, investigators, and various social partners, including experts from crisis centres and professionals from the justice and law-enforcement, participated in the training (*Annex 7, Table 6*). The training will continue in 2025 and will be implemented within the Academy of Justice. Furthermore, in 2023, the implementation of the Council of Europe HELP programme online course *Online Course on Violence Against Women and Domestic Violence* was launched. In addition, the Ombudspersons’ Office has carried out a study and presented it to the wider public in a discussion on the effectiveness of the temporary protection mechanism against domestic violence.
31. In the area of prevention, in 2022-2024, the MoW, together with the NGO “Centrs MARTA” organised workshops and discussions for young people on how to build non-violent and respectful relationships based on the principle of gender equality. Workshops were organised in various regions of Latvia for young people aged 15-19. With the help of informal education methods, youth mentors from the NGO “Centrs MARTA” discussed healthy relationship-building, gender stereotypes, and how to recognise discrimination and violent behaviour in relationships. Each year, the MoW organises an international conference for specialists who work with the victims and perpetrators of violence. In 2020, a methodological material<sup>17</sup> for social work with victims of violence and perpetrators was developed. Within the framework of this methodology, in-depth training was established and made available to social workers of municipalities free of charge. A six-week, total 12-hour online module has also been prepared, available on the learning platform of the School of State Administration.

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<sup>17</sup> <https://www.lm.gov.lv/lv/media/8377/download>.



### *Measures to encourage reporting of violence against women*

32. To encourage reporting of violence against women, as part of the campaign *My Security* the SP has created easy-to-understand materials for the victims of violence, with special focus on violence against women, explaining the indicators for violent relationships and the course-of-action to prevent and report any incidents of violence.<sup>18</sup> Information about the helpline for victims of a crime is included in Fourth Report.<sup>19</sup> Data on the criminal-law response to gender-based violence is included in *Annex 7, Table 7*.

### *Psychological, social, legal, and rehabilitative services for victims*

33. Latvia has transposed *Directive 2012/29/EU of the European Parliament and of the Council of October 2012 establishing minimum standards on the rights, support and protection of victims of crime*. In addition to the *Directive*, On 27 September 2018, Article 96<sup>1</sup> of the *Criminal Procedure Law* was amended to afford special protection and rights to victims of violence or threat of violence where the act has been committed by a relative, spouse, or person of intimate long-term relationship. In this regard, it should also be noted that as of 2022 victims of sexual and gender-based violence also are entitled to state-funded legal aid. Furthermore, since 1 July 2023, victims of gender based and domestic violence have access to a safe house (shelter) (*Annex 7, Table 8*).

## **VII. Right to life**

### *Measures to reduce the risk of suicidal behaviour in prisoners*

34. In 2020-2024, in total there have been 141 registered deaths in prisons (*Annex 8*). A new resocialisation programme *I am aware* has been developed and implemented for prisoners with suicidal behaviour. This programme was developed with the funding of the ESF project No 9.1.3.0/16/I/001 “increasing the efficiency of the Resocialisation system”. The objective of the programme is to promote the ability of prisoners to control emotions, thoughts, self-regulation of behaviour, and develop awareness and interpersonal relationships by reducing risk factors for suicidal behaviour (*Annex 8, Table 2*).

### *The Law on the Protection of the Body of Deceased Human Beings and Use of Human Tissues and Organs in Medicine*

35. The *Law on the Protection of the Body of Deceased Human Beings and Use of Human Tissues and Organs in Medicine* outlines specific conditions under which a post-mortem pathological examination is mandatory. These include, *inter alia*, cases when the cause of death is suspected to be an infectious disease, undiagnosed medical condition, or complications from treatment. Additionally, forensic medical examinations are required if requested by an investigator, prosecutor, or other authorities. While the *Law on the Protection of the Body of Deceased Human Beings and Use of Human Tissues and Organs in Medicine* requires a pathological or forensic examination in certain cases and it does not explicitly address the independent review and examination of deaths in psychiatric institutions, in practice, it can be interpreted as suggesting that deaths in psychiatric settings might fall under the second category of undiagnosed conditions or complications (*Annex 8, Table 3*). It follows that that certain cases of death in psychiatric institutions require an independent review. Medical institutions have concluded an agreement with an independent institution that conducts pathological and anatomical examinations and issues its conclusions to the medical institution. Furthermore, if a

<sup>18</sup> [https://www.manadrosiba.lv/pieaugusajiem/?materialu\\_temas=vardarbiba](https://www.manadrosiba.lv/pieaugusajiem/?materialu_temas=vardarbiba).

<sup>19</sup> Fourth periodic report submitted by Latvia, CCPR/C/LVA/4, paragraph 40.

relative has concerns about the care of the deceased, they may contact the Health Inspectorate, which conducts investigation on the cause of the death.

### ***VIII. Prohibition of torture and other cruel, inhuman or degrading treatment or punishment***

#### *Torture as a distinct criminal offence*

36. In 2014, the *Criminal Law* was amended to include a new provision – Article 130<sup>1</sup> of the *Criminal Law* – establishing torture as a distinct offence. Although the previous legal framework made it possible to prosecute cases that covered archetypical situations of torture, that is, involving infliction of physical harm under Articles 124, 126, and 130 of the *Criminal Law*, which concern crimes of intentional infliction of bodily injury and view torture as an aggravated form of bodily injury, in the light of the evolving nature of the international definition of torture, a distinct offence that does not require any bodily injury as an element of the crime was introduced (*Annex 9*).

#### *Independence of the ISB*

37. The functions of the ISB are set-out in the Fourth Report. The ISB operates outside of the institutional hierarchy of the SP, the PA, and the SBG or other institutions, including municipal institutions and officials tasked with police duties. Therefore, it is fully independent from the officials that it investigates. Additionally, although institutionally the ISB is supervised by the Minister of the Interior, this supervision is exercised only in regards to the ISB's unlawful administrative acts and *de facto* actions; all of the actions taken by the ISB officials within criminal proceedings are supervised by the PGO's unit, specialised in criminal offences committed by officials.

#### *Reporting ill-treatment and torture while in detention*

38. Persons deprived of their liberty (convicted persons and detainees) have a right to meet with a defence counsel or a person providing legal assistance without restrictions. Convicted persons are provided with unlimited use of telephone, if used for communicating with the defence counsel or a person providing legal assistance. Detainees may contact a defence counsel or a person providing legal assistance and communicate with them within the limits of the use of the telephone specified by the official in charge of the criminal proceedings. Detainees may confidentially communicate with a defence counsel and other authorities, including the ISB. Furthermore, since 2017, complaint procedures have been streamlined to make it easier for prisoners to report violence or threats thereof and such complaints can be lodged without any restrictions (*Annex 9, Tables 2-3*). Correspondence of the persons deprived of their liberty with the Office of the Ombudsperson, human rights institutions of the United Nations and the Council of Europe, the Human Rights and Public Affairs Committee of the *Saeima*, the PGO, the national courts, the official in charge of the criminal proceedings, a medical institution, as well as correspondence of a foreigner with the diplomatic or consular mission is not supervised, and the costs of such correspondence are covered by the prison.

#### *Community-based or alternative social care services for persons with disabilities*

39. As of 6 November 2023, persons with mental disabilities can receive the State-funded personal supported decision-making service with the aim of providing support in decision-making in one or more of the following areas: protection of rights and interests, finances, daily life, healthcare, social care, building a circle of support, expanding the range of support for the target group, and encouraging persons to make informed

decisions about themselves and their needs.<sup>20</sup> The supported decision-making service is one of the forms of community-based social services available in Latvia. The service has reduced the need for frequent hospitalisation and increased the independence of persons with disabilities with recipients being able, with the help of their personal assistant, to pay utility or telephone bills, apply for benefits, settle inheritance cases, etc.

40. As regards community-based social care, since 2014, 39 municipalities implement the EU-funded project “support to improve access to community-based social services”. Under this project, 145 social service providers were made available for people with mental disabilities – 53 day-care centres, 50 group apartments, 34 specialised workshops, 8 respite services (a total of 2 080 client places). As a result of measures to promote community-based services for target groups, the number of people with mental disabilities living in a group home has increased by 45% and the number of people visiting a day-care centre has increased by 32% since 2018. In 2015, only 20% people with mental disabilities received community-based services, whereas in 2022 – 38%.

#### *Legal safeguards regarding voluntary placement in psychiatric institutions*

41. As a general rule, Article 6, paragraph 1, of the *Patient Rights Law* provides that medical treatment is permissible only if a patient has given informed consent. Additionally, Article 6, paragraph 4, of the *Patient Rights Law* stipulates that the patient has the right to refuse treatment before it begins, to decline a specific treatment method without rejecting treatment as a whole, or to discontinue treatment at any point. Article 67 of the *Medical Treatment Law* states that psychiatric care is provided in accordance with the principle of volition. Care is provided in a psychiatric medical treatment institution or psychiatric department of a medical treatment institution only if, due to the patient’s health considerations, such care cannot be provided in an out-patient basis or at the place of residence. A patient may be admitted to a psychiatric medical treatment institution after his/her written consent and a reasoned decision by a psychiatrist regarding the necessity for medical examination, treatment, or rehabilitation in a psychiatric medical treatment institution.
42. Article 68, paragraph 1, of the *Medical Treatment Law* outlines two circumstances under which psychiatric care may be provided without the patient’s consent, if the patient: (1) has threatened or is threatening or has attempted or is attempting to inflict bodily harm on him/herself or another, or has acted or is acting violently towards others and a medical professional determines that the patient has a mental health disorder that could result in serious bodily harm to him/herself or another or (2) has exhibited or is exhibiting inability to care for themselves or individuals under their guardianship and a medical professional determines that the patient has a mental health disorder that could lead to inevitable and serious deterioration of their health. Article 68, paragraph 2, of the *Medical Treatment Law* states that, in the above-mentioned cases, the necessity of providing psychiatric care must be explained to the patient, if possible.
43. Pursuant to Article 607, paragraph 3, of the *Criminal Procedure Law*, a request to cancel or amend court-imposed compulsory measures of a medical nature may be submitted to the court by the person subjected to such a measure, their representative, or another close relative. In such cases, the court requests an evaluation from the relevant medical institution regarding the person's health condition. Furthermore, Article 607, paragraph 6, of the *Criminal Procedure Law*, states that the court has an obligation to periodically review such decisions. This review mechanism is designed to ensure the protection of human rights and to guarantee that coercive measures are applied only

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<sup>20</sup> <https://likumi.lv/ta/id/346948-noteikumi-par-atbalsta-personu-lemumu-pienemsana-pakalpojumu>.

when necessary and justified. Additionally, the Health Inspectorate regularly monitors psychiatric medical institutions through inspections and complaints submitted by patients and their relatives.

## ***IX. Liberty and security of the person***

### *Pre-trial detention*

44. Data on the number of detainees is included in *Annex 10*. Latvia does not compile data on the period of detention. To reduce the frequency of pre-trial detention, since 2017, Latvia has undertaken numerous awareness-raising activities and trainings for law-enforcement officials to promote the use of bail and other non-custodial measures as an alternative to pre-trial detention (*Annex 10, Tables 2-3, 8*).

### *Non-custodial alternatives*

45. The *Criminal Procedure Law* lists several non-custodial security measures (*Annex 10, Tables 1-2, 7*). The following may also be applied to a minor as a security measure: 1) supervision by parents or guardians and 2) placement in a social correctional educational institution.

### *Safeguards for the detained*

46. Pursuant to Article 60<sup>2</sup>, paragraphs 1 and 3, of the *Criminal Procedure Law* detainees have numerous rights to ensure that they are informed about the criminal proceedings and have a right to consult a defence counsel (*Annex 10, Tables 4-5*). Pursuant to Article 60<sup>2</sup>, paragraph 4, of the *Criminal Procedure Law*, as soon as the person has acquired the right to defence, information related to his/her rights, including rights of a detained person, is immediately issued in writing and, where necessary, explained to the person by the official in charge of the proceedings. The person confirms the fact that the information has been issued and explained to him or her with a signature. Audio-visual recordings of interviews, although used in practice by various investigative authorities, have not been provided or mandated in all cases.

## ***X. Elimination of slavery, servitude and trafficking in human beings***

### *Training for law-enforcement authorities and other professionals and awareness-raising*

47. Statistical data on victims, the instituted criminal proceedings and sentences imposed in relation to trafficking in human beings is included in *Annex 11*. The list of trainings for officials and awareness-raising activities is included in *Annex 11, Tables 7-9*. An instructor training programme has been developed at the College of the SBG, which includes guidelines providing for action of officials in identifying victims of trafficking in human beings. Additionally, the curriculum of the College of the SP includes a subject *Forms and Prevention of Trafficking in Human Beings*. Trainings related to the prevention of trafficking in human beings will continue to be included in the study programmes of the Academy of Justice. Awareness-raising activities, in addition to those outlined in the Fourth Report, are listed in *Annex 11, Table 10*.

### *Support to victims*

48. Support schemes for victims of trafficking are described in paras.56, 63-64 of the Fourth Report. The criteria for recognition of a person as a victim of trafficking in human beings are provided in the CoM *Regulation no.344 Regulations regarding the procedures by which victims of trafficking in human beings receive a social rehabilitation service*. This *Regulations* set out the so-called “social path” where the

criteria are not linked to whether the person has been formally recognised as a victim in criminal proceedings (*Annex 11, Tables 3-5*). This has allowed more persons to receive rehabilitation services and motivates victims to engage in criminal proceedings.

#### *Plan for the Prevention of Trafficking in Human beings 2021-2023*

49. Out of 31 measures set out in the *Plan for the Prevention of Trafficking in Human beings 2021-2023*, 22 have been fully implemented, four measures were partially implemented, and five measures were not implemented (*Annex 11, Table 11*).<sup>21</sup> Although a centralised national referral mechanism or a special rapporteur has not been established yet, its introduction has been debated with a view to establish an institution by the second half of 2026.

#### *Measures to investigate, prosecute, and punish*

50. The relevant measures have been described in paragraphs 53-62 of the Fourth Report. In addition, several of the reorganisations and reforms that have been implemented in both the SP and the Prosecutors' Office also are relevant to the detection, investigation, prosecution, and adjudication of cases of trafficking in human beings (*Annex 11, Table 8*). Training on the prevention of trafficking in human beings is included in the short-cycle professional higher education programme of the SP College "Police work", under the theme "Criminal offences against the freedom, honour and dignity of a person".

51. In all cases where the SBG or the SLI observes indications that a person is a potential victim of trafficking in human beings the authorities notify the SP. The number of cases investigated, prosecuted, the number of perpetrators punished, and the compensation to the victims provided is listed in *Annex 11, Table 3*.

### ***XI. Treatment of aliens, including migrants, refugees and asylum seekers***

52. Latvia underlines that under international law the States have the right to control the entry, residence, and expulsion of aliens from its territory.<sup>22</sup> States must make available genuine and effective access to means of legal entry to allow all persons who face persecution to submit asylum applications. Where such arrangements exist, States may, in the fulfilment of their obligation to control borders, require applications for such protection to be submitted in line with the rules in force in the State. This is consistent with the view expressed by the Committee that it is a matter for the State to decide who it will admit on its territory and that consent for entry may be given subject to conditions. Consequently, States may refuse entry to their territory to aliens, including potential asylum-seekers, who have failed, without cogent reasons, to comply with these arrangements by seeking to cross the border irregularly. Latvia has always ensured that there are genuine and effective access to means of legal entry to allow applications for international protection. On 6 April 2022, Article 6 of the *Ordonnance no.518* was amended to expressly provide that asylum applications may be lodged at the official border-crossing points within the territories affected by the state of emergency and at the Accommodation Centre. Whereas prior to these amendments, the SBG officials at those border-crossing points were authorised to issue single-entry visas or limited duration visas on humanitarian grounds (see, also paragraphs 19-21).

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<sup>21</sup> [https://tapportals.mk.gov.lv/attachments/legal\\_acts/document\\_versions/4e52d3e9-d743-4aaa-a07d-a75b67557da5/download](https://tapportals.mk.gov.lv/attachments/legal_acts/document_versions/4e52d3e9-d743-4aaa-a07d-a75b67557da5/download).

<sup>22</sup> The Committee *General Comment No. 15: The Position of Aliens Under the Covenant* of 11 April 1986 at paragraph 5.



53. In addition to domestic avenues to notify the authorities such as application to the SP, the Office of the Ombudsperson, the domestic courts, it has consented to various international mechanisms that provide a right to individual petition. Therefore, any allegations of ill-treatment can be lodged at various mechanisms including those that are required to undertake independent investigation on their own motion. The ISB has undertaken a comprehensive and substantial general inquiry concerning the alleged ill-treatment of the migrants who had attempted to cross the Latvia-Belarus border between 10 August 2021 and 10 February 2022. Having obtained and analysed a large volume of information, including information available in the public domain, the statements given by the questioned individuals, including the statements of migrants themselves, and photo and video materials, on 12 November 2022, the ISB completed the inquiry, having found no instances of ill-treatment by the Latvian authorities against migrants. The information on the number of asylum-seekers apprehended is included in *Annex 12*.

## ***XII. Reduction of statelessness***

### *Measures to reduce statelessness and the number of “non-citizens”*

54. Latvia draws the Committee’s attention to the information provided in its Common Core Document regarding the restoration of Latvia’s independence and creation of the status of non-citizen (HRI/CORE/LVA/2017, paras.200-201). Latvia strongly underlines that non-citizens are not stateless persons as they enjoy the right to reside in Latvia *ex lege* and a set of rights and obligations generally beyond the rights prescribed by the *1954 Convention relating to the Status of Stateless Persons*, including protection from removal, and as such “non-citizens” may be considered persons to whom the *Convention relating to the Status of Stateless Persons* does not apply.<sup>23</sup>

55. In addition to the information provided in its Fourth Report,<sup>24</sup> Latvia continues, as in previous years, informational days to explain the conditions and procedures for naturalisation. These events are organised in Riga, Liepaja, Daugavpils and Ventspils Regional departments of the Office of Citizenship and Migration Affairs (‘OCMA’). In addition, the OCMA has developed various informative materials that assist persons in preparations for the citizenship exams and to acquire requisite Latvian language skills.<sup>25</sup> Since 2021, the website also includes a self-testing tool on all of subjects necessary to acquire Latvian citizenship (*Annex 13, Tables 6-7*). Data on the number of stateless persons and non-citizen residents is included in the *Annex 13, Tables 1-5*.

56. The *Law on the Discontinuation of the Non-Citizen’s Status for Children* is a major accomplishment in reducing the number of non-citizens in Latvia. As a result, all 142 children born to non-citizen parents in 2020 were automatically recognized as Latvian citizens. Since 2019, the number of non-citizens in the 0-4 years age group has significantly decreased. In 2024, there were just 29 non-citizens in the 0-4 years age group (*Annex 13, Tables 3, 5*).

### *Amendments to the Citizenship Law of April 2022*

57. On 21 April 2022, the *Saeima* adopted the *Amendments to the Citizenship Law* adding an additional ground when Latvian citizenship may be revoked. Namely, Latvian citizenship may be revoked if a Latvian national has aided a state or a person that has committed genocide, aggression, war crimes, crimes against humanity by means of financial, material, technological or other means, or by acts of propaganda or

<sup>23</sup> <https://www.unhcr.org/refugee-statistics/insights/annexes/trends-annexes.html?situation=1>.

<sup>24</sup> Fourth periodic report submitted by Latvia, CCPR/C/LVA/4, paragraphs 10-11.

<sup>25</sup> <https://www.pmlp.gov.lv/lv/informacijas-dienas-pilsonibas-pretendentiem>.

participated in such acts themselves. This amendment also clearly states that the Latvian citizenship may be revoked only if by such a decision the person in question would not be rendered stateless. At present, three decisions on the revocation of citizenship have been according to the *Amendments*.

### ***XIII. Access to justice, independence of the judiciary, and fair trial***

#### *Independence and impartiality of the judiciary*

58. In its *Report on the Evaluation of the Territorial Reform of Courts*, approved by the Council of the Judiciary, the Working Group for Strengthening the Efficiency of Courts, noted that the reform had produced several positive outcomes, increasing the efficiency of the judicial system (*Annex 14, Table 4*). With respect to financial resources for the judicial system, please see *Annex 14, Tables 1-3*. The Council of the Judiciary has considered the amounts from the State budget to the Supreme Court and the general judicial system courts every year in the period 2014-2024 to be sufficient.<sup>26</sup>
59. On 15 September 2020, the *Saeima* amended the *Law on the Constitutional Court* strengthening the independence of judges of the Constitutional Court by introducing an employment guarantee, a permanent court administration, and a guarantee that the budget of the Constitutional Court shall be appropriate to ensure effective exercise of the constitutional review and independence of the Constitutional Court. These *Amendments* were described by the Constitutional Court as “improving the budgetary autonomy of the Constitutional Court”.<sup>27</sup> On 24 October 2024,<sup>28</sup> the *Saeima* amended the *Law on Judicial Power* concerning the workload of the judges for the purposes of case allocation. These *Amendments* allow for consideration of the workload of a judge outside of his/her principal duties.

#### *Centralised training centre for judges, investigators, and prosecutors*

60. On 24 October 2024, the *Saeima* adopted the *Law on the Academy of Justice*. The Academy of Justice has been operational since 1 January 2025. The goal of the Academy is to create a unified training centre for the improvement of the qualifications of judges, prosecutors, prosecutor assistants, and investigators in interdisciplinary issues that are essential for an effective judicial administration. The Academy will implement training programmes, including the creation of a unified long-term continuous education model.

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<sup>26</sup> <https://www.tieslietupadome.lv/lv/media/1992/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/2358/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/2694/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/2940/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/2937/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/4359/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/4356/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/4803/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/4800/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/5013/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/5010/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/5520/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/5685/download?attachment>;  
<https://www.tieslietupadome.lv/lv/media/5682/download?attachment>.

<sup>27</sup> [https://www.satv.ties.gov.lv/wp-content/uploads/2021/02/WEB\\_pa\\_atverumiem\\_2020\\_Satversmes-tiesas-gada-gramata.pdf](https://www.satv.ties.gov.lv/wp-content/uploads/2021/02/WEB_pa_atverumiem_2020_Satversmes-tiesas-gada-gramata.pdf)

<sup>28</sup> <https://www.vestnesis.lv/op/2024/213A.2>.

### *Appointment of judges to the Supreme Court*

61. A Supreme Court judge is appointed to office by the *Saeima* upon a proposal of the President of the Supreme Court following a recommendation from the Council of the Judiciary. As regards to the decision by the *Saeima* not to appoint a certain judge to the Supreme Court, the judge concerned was re-nominated for appointment as a Supreme Court judge and was elected by a majority vote in the *Saeima* in October 2023. All subsequent judges, recommended by the Council of the Judiciary, have been elected by the *Saeima*.

### *Timely issuance of judgments*

62. Statistics on the average length of proceedings for each court instance are provided in *Annex 14, Tables 5-8*. The Council of the Judiciary, in cooperation with partners from the private sector, is implementing a project with the aim of improving the efficiency of the judicial system and budgetary planning capacity for structural reforms. The project *Improvement of the Efficiency of the Latvian Judicial System and Budget Planning* began on 6 September 2024 and will be implemented until 5 March 2026. During the project a baseline report, recommendations, and a roadmap for an institutional reform of the judiciary will be drawn up. It will also develop a statistical model for court workload assessment and budgeting, as well as provide methodological testing, training, and produce a manual on data collection, methodology, and resource availability assessment.
63. Work continues on the digitisation of the judicial system and the development of the E-Case IT platform to increase the efficiency of case-processing (*Annex 14, Table 9*). The E-Case Supervisory Board has approved the *E-Case Programme Action Plan* and extended the transitional period for the full migration for all proceedings before 31 May 2026.<sup>29</sup> Currently, all district courts handle complaints in administrative offence cases in a fully digital environment. The Council of the Judiciary plans to expand the categories of digitised cases in 2025.<sup>30</sup>

### *Juvenile criminal justice and detention*

64. Latvia has transposed the *Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime*. Pursuant to Article 244 of the *Criminal Procedure Law* detention of a minor is used only as a measure of last resort, after consideration of all other security measures. In choosing a measure involving the restriction of a minor's liberty, account shall be taken of the age of the minor and the possible risks to the minor's physical, mental and social development, as well as the ability to reintegrate back into society. Data on the type and length of sentences applied to minors during the period under the review is included in *Annex 10*. Since 22 October 2024, the placement of a minor in a social correctional educational institution for the purposes of detention on remand, similar to that previously provided for in Article 285 of the *Criminal Procedure Law* is no longer possible (*Annex 10, Table 7*).

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<sup>29</sup> <https://www.tm.gov.lv/lv/jaunums/e-lietas-uzraudzibas-padome-apstiprina-e-lietas-programmas-ricibas-planu>.

<sup>30</sup> <https://www.tieslietupadome.lv/lv/jaunums/tieslietu-padome-apsprieda-elektroniskas-tiesvedibas-ieviesanas-gaitu>.

#### *XIV. Conscientious objection to military service*

##### *Alternative service*

65. According to the *National Defence Service Law* persons subject to the national defence service, who cannot perform the military service due to their thoughts, conscience, or religious affiliation, may substitute it with the alternative service. The duration of alternative service is the same as military service (11 months). The alternative service can be performed in one of the civilian institutions subordinated to MoD (*Annex 15*). Persons undertaking alternative service are subordinated to the head of the institution who determines their work duties.

##### *Early release of conscientious objectors*

66. According to the *Military Service Law* professional service soldiers may terminate their contract before the end of the term at any time based on a mutual agreement with the National Armed Forces. Similarly, the *Military Service Law* states that reserve soldiers who cannot perform military service due to their thoughts, conscience or religious beliefs and a conscientious objector may submit an application to the Conscription Control Commission stating the reasons for their desire to change the type of the service. Similarly, to apply for the alternative service, a conscientious objector must apply to the Conscription Control Commission, stating the reasons for the desire to change the type of service and attach documents which, in their opinion, are important in the examination of the issue and which confirm the validity of the information specified in the application. As of now, the Conscription Control Commission has received two applications for the replacement of national defence service by alternative service. One application was approved, and in the other case, since the person was declared not valid for national defence service due to health reasons and the review was terminated. With respect to remedies in case of a negative decision, a person also has the right to appeal the decision of the Conscription Control Commission before a court in accordance with the procedures laid down in the *Administrative Procedure Law*.

##### *Military training at the Youth Guard and the National Defence Course*

67. At the outset, Latvia notes that joining the Youth Guard is voluntary. The majority of subjects included in the curriculum of the National Defence Course and the Youth Guard are designed to give participants practical outdoor skills and knowledge, first-aid, civic and civil defence education (*Annex 15*). Only the subject “safe handling of arms” includes exercises involving arms, and only within the curriculum of the Youth Guard are the students expected to physically handle firearms. The subject “safe handling of arms” represents 20% (30 out of 120 contact hours) of the National Defence Course curriculum and 11% (55 out of 480 contact hours) of the Youth Guard’s curriculum. Within the National Defence Course, the shooting practice is limited to pneumatic weapons and, although students are introduced to the standard issue arms and equipment of the National Armed Forces through informative materials, no actual firearms are used in teaching.
68. To accommodate students, including students who due to their religious or philosophical beliefs or other objective circumstances cannot take part in a particular subject of the National Defence Course, including the subject “safe handling of arms”, the Youth Guard Centre, in collaboration with MoD, has developed additional lesson plans for alternative classes. In these classes, students learn about the civil defence plans of their municipality and the concept of *Grey Zone* in international relations. Where a student, due to his or her religious or philosophical beliefs or other objective

circumstances, cannot take part in a specific part of the subject or exercise included in the curriculum of the National Defence Course, the instructor offers a modified alternative exercise. The modified alternative exercise usually requires the student to become acquainted with one of the subjects of the National Defence Course curriculum and to present his/her research to other students. The content of the modified alternative exercise is designed to include interdisciplinary matters, such as knowledge and skills on the use of technology. With respect to the Youth Guard, the standard curriculum includes certain exercises with firearms, however these exercises mostly concern assembly, disassembly, and safe handling of firearms. Shooting practice is organised in the final – fourth – level of the courses, at the time when the student is at least 16 or 17 years old, and only with small-calibre rounds. Furthermore, pursuant to Article 4, paragraph 6, of the *Law on the National Defence Course and the Youth Guard*, as amended on 13 June 2024, the instructor can devise a modified study plan where an exercise would be inappropriate for a particular student.

## ***XV. Freedom of expression***

### *Protection of journalists*

69. On 12 March 2020, a memorandum was signed between the SP and the Association of Latvian Journalists to cooperate in prevention of attacks against journalists. The memorandum also identifies a point of contact to whom report any threats.
70. On 10 April 2024, the MoC formed a multi-stakeholder working group to support journalists and develop an action plan addressing their safety, aligned with the *Secure Media Space* action points of the *Media Policy Guidelines 2024-2027*. The plan will include studies on journalists' safety in Latvia and Europe and the implementation of recommendations from the Council of Europe, the European Commission, and the *Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU*. Furthermore, in mid-2024, the MoC launched a study on the *Safety Situation of Journalists and Other Media Professionals in Latvia*, identifying key security challenges and risks, with recommendations for improving the implementation of Council of Europe and European Commission guidelines in Latvia's legal framework.
71. Furthermore, Latvia is participating in the Council of Europe's *Journalists Matter Campaign*, and the Association of Latvian Journalists was selected as the national focal point for this campaign. The Association's website now includes an alarm button for journalists to report violence or threats, with the focal point monitoring cases and contacting authorities as needed. To promote the tool, accounts have been created on X, BlueSky, Facebook, Threads, and Instagram.
72. The criminal proceedings concerning bodily injuries inflicted to L.Jākobsons were terminated on 19 February 2025 since the authorities were unable to find the perpetrators.

### *Safeguards with respect to revocation of the broadcasting licences*

73. In the context of the decision of the National Electronic Media Council ('NEPLP') on the revocation of a broadcasting license, Latvia notes that any decision on revocation of broadcasting licences is subject to various administrative and judicial safeguards. Such a decision is an administrative act and therefore is subject to judicial review by national administrative courts. Regarding the specific case of the revocation the TV Rain's



broadcasting licence, Latvia notes that on 6 December 2022 having found violations of the domestic law and the conditions for the broadcasting licence the NEPLP revoked TV Rain's broadcasting licence. In its decision, the NEPLP states that the channel: 1) failed to provide a Latvian-language track as required, 2) broadcasted inaccurate information, including by depicting Crimea as part of Russia, 3) encouraged viewers to share details about mobilised Russian soldiers, indirectly supporting Russian forces in the armed conflict with Ukraine. These actions were deemed by the NEPLP a threat to national security and public order.<sup>31</sup> The decision has been upheld by the first instance court; however, at present, the case is pending before the Administrative Regional Court, and that judgement has not entered into force yet. Latvia underlines that it is for the national courts to rule on the legality of a decision revoking a broadcast licence and that it is up to the national courts to balance the rights of the persons concerned and obligations of the authorities and the media in the specific situation. Latvia will, therefore, not provide comments on an ongoing case where a ruling with the force of *res judicata* is still forthcoming.

#### *Amendments to the Electronic Mass Media Law*

74. The *Amendments to the Electronic Mass Media Law* that entered into force on 24 September 2022 introduced various measures aimed at strengthening the national security and the use of the State language. Among the measures that ensure transparency in ownership of broadcasters, Latvia also set-out a requirement that programmes with a language track in a language other than an official language of a Member State of the EU or EEA must also include a Latvian-language track. The aim of the *Amendments* is to enhance the availability of the Latvian language in electronic media programmes. As specified by the *Electronic Mass Media Law*, a language track is an audio track in a language different to the programme's primary language as defined in the broadcast licence. The *Amendments* do not limit but rather improve content diversity as they ensure access to content through Latvian-language options, while allowing the content to be broadcast in its original language.

#### *National Security Concept*

75. The *National Security Concept* of 28 September 2023<sup>32</sup> is a policy document that requires further legislative and administrative action in strengthening Latvia's national security in the current geopolitical context. The *National Security Concept* does not envisage a prohibition on the production of TV and Radio content in a minority language since the restriction in question applies only to public media and does not extend to the production of TV and radio content in a minority language by commercial media. Therefore, the commercial media remains free to broadcast content in any language.

### **XVI. Participation in public affairs**

#### *Amendments to the Law on Pre-Election Campaigns*

76. On 1 January 2024, amendments to the *Law on Pre-Election Campaigns* entered in to force establishing requirements for paid pre-election campaign materials. That is to say, the amendments do not have an impact of other pre-election campaigning activities. During the pre-election campaign period, paid campaign materials shall be in the State language, including Latgalian and Livonian languages. At the same time, the *Law* permits paid pre-election campaign materials to be in another language, provided that it is one of the official languages of the Member States of the EU. In person, candidates

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<sup>31</sup> <https://www.neplp.lv/lv/media/5346/download?attachment>.

<sup>32</sup> <https://likumi.lv/ta/id/345911-par-nacionalas-drosibas-koncepcijas-apstiprinasanu>.

may address voters orally in other languages, as well. On 13 February 2025, the Constitutional Court rendered a judgment in the case no.2024-06-01 finding these amendments to be compliant with the *Constitution*<sup>33</sup> (see, in detail, *Annex 16*).

#### *Accessibility of polling stations*

77. At the outset, Latvia underlines that in Latvia everyone has the right to vote at any polling station without prior application. This means that voters can choose the polling station that is the most convenient for them. In 2010, wheelchair users had access to 41% of the polling stations. In 2014-2019, access to polling stations was increased primarily by two measures: first, by moving the polling stations to more accessible premises, second, by reconstruction of the buildings where the polling stations are located. As a result of these measures, in 2014 that percentage rose to 53% and to 67% in 2018. In 2022, 71% of the polling stations and, in 2024, 79% of the polling stations were accessible to wheelchair users (*Annex 16, Table 2*). Future improvements on ensuring equal access to voting are envisioned in the *Plan to Promote Equal Opportunities for Persons with Disabilities 2024-2027* (*Annex 16, Table 3*).<sup>34</sup>

#### *Measures to achieve equitable representation of women in political and public life*

78. Presently, 30 out of 100 members of the *Saeima* are women. Since 15 September 2023, the Prime Minister of Latvia is a woman. Currently, the CoM consists of 15 ministers, of which six are women. On 20 September 2023, Ms. D.Mieriņa assumed the office of the speaker of the *Saeima*. Regarding local government authorities, 34% of elected members were women after the 2017 local government elections. After the Riga City Council elections of 2020 and the general local government elections of 2021, 30.5% of all members of the local governments are women (*Annex 16, Tables 4-5*).

79. In 2021 and 2022, the *Women's Leadership Awards* celebrated women whose leadership has made a significant contribution to society at the regional level. A total of six awards are presented each year by Latvian Women's NGO Network – five for women leaders in historical Latvian regions of Riga, Kurzeme, Zemgale, Vidzeme and Latgale, and one for a female leader of the Latvian diaspora.

### **XVII. Rights of minorities**

80. Latvia notes that it has already provided a list of activities to ensure gradual and inclusive transition to Latvian as the language of instruction as well as the trainings to teachers in its Fourth Report (see also *Annex 17, Table 1*).<sup>35</sup> On 29 September 2022, the *Saeima* adopted amendments to the *Education Law* and the *General Education Law* determining to gradually complete the transition to teaching only in the Latvian language within three years. According to these amendments, since 1 September 2023, at the pre-school education level and in grades 1, 4, and 7, since 1 September 2024, in grades 2, 5, and 8, and from 1 September 2025, in grades 3, 6, and 9 instruction in education institutions in Latvia will be conducted only in Latvian. At the same time, national minority pupils at the pre-school and primary education levels have a right to request the local government authority to provide them with opportunities to learn their language and cultural history as part of interest-education programmes. The State, as well as local governments, participate in financing of the salaries of teachers involved in the implementation of the minority language and cultural history education

<sup>33</sup> Full judgment in Latvian available at: [https://www.satv.tiesa.gov.lv/wp-content/uploads/2025/02/2024\\_06\\_01\\_Prieksvēšanas-agitācijas-valoda.pdf](https://www.satv.tiesa.gov.lv/wp-content/uploads/2025/02/2024_06_01_Prieksvēšanas-agitācijas-valoda.pdf).

<sup>34</sup> <https://likumi.lv/ta/id/352154-plans-personu-ar-invaliditati-vienlidzigu-iespeju-veicinasanai-20242027-gadam>.

<sup>35</sup> Annex 18 to the Fourth periodic report submitted by Latvia, CCPR/C/LVA/4.

programmes and purchase of teaching materials. Therefore, children belonging to national minorities can continue to learn and maintain their language, culture and traditions.

81. In 2024, the Constitutional Court rendered two judgments concerning this stage of the education reform in private and public schools (*Annex 17, Tables 2-3*). The issues raised in the questions of the Committee are addressed in detail in those judgments. Latvia notes that the legislative discussions included a wide range of stakeholders representing those affected by the amendments. The draft laws were discussed at eight sittings of Committee of Education, Culture and Science of the *Saeima*, with the participation of the relevant stakeholders, including heads and teachers of the educational institutions that previously implemented minority education programmes.

-End of the text-