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## USDOS – US Department of State (Author)

### 2022 Country Report on Human Rights Practices: Latvia

#### EXECUTIVE SUMMARY

The Republic of Latvia is a multiparty parliamentary democracy. A unicameral parliament (Saeima) exercises legislative authority. Observers considered the elections on October 1 for the 100-seat parliament to be free and fair.

The State Police and municipal police forces share responsibility for maintaining internal security. The State Border Guard, the armed forces, the Defense Intelligence and Security Service, the Constitution Protection Bureau, the State Security Service, and the National Guard are responsible for external security but also have some domestic security responsibilities. The State Police, State Security Service, and State Border Guards are subordinate to the Ministry of Interior. Municipal police are under local government control. The armed forces, the Defense Intelligence and Security Service, the Constitution Protection Bureau, and the National Guard are subordinate to the Ministry of Defense. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included credible reports of members of the security forces subjecting third-country, irregular migrants to ill-treatment when they attempted unlawfully to enter the country from Belarus.

The government had mechanisms in place to identify and punish officials who may commit human rights abuses or engage in corruption.

## Section 1. Respect for the Integrity of the Person

### a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

### b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and other Related Abuses

The law prohibits such practices. The ombudsman received no reports of physical abuse by police officers during the year.

## Prison and Detention Center Conditions

The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) noted in 2017 some prison or detention center conditions that raised human rights concerns. Prisoners complained regarding insufficient ventilation, natural light, hygiene, cleaning supplies, and nutrition.

**Abusive Physical Conditions:** Through September the ombudsman received 16 complaints from prisoners regarding living conditions, particularly insufficient ventilation, and 17 complaints regarding doctors' alleged unwillingness to prescribe medicine convicts desired and limitations on access to health care in prisons. The CPT noted in 2017 that most patients in the Olaine Prison Hospital Psychiatric Unit and most prisoners sentenced to maximum security at the Daugavgriva and Jelgava Prisons were locked in their cells for up to 23 hours a day.

The Daugavpils Detention Center, operated by the State Border Guards, held at any given time dozens of asylum seekers and third-country, irregular migrants who unlawfully entered the country from Belarus throughout the year. Families, including children, were housed in a separate ward within the detention center that houses male detainees. Detainees' movements were limited. All requests for health services, legal counsel, and other needs, as well as complaints, went through the State Border Guards. Detainees indicated they feared retaliation if they made complaints about conditions at the center or reported abuses.

**Administration:** Prison authorities generally investigated credible allegations of mistreatment and documented the results of their investigations in a publicly accessible manner. Through September the ombudsman received 16 complaints of mistreatment.

**Independent Monitoring:** The government permitted monitoring by national and international human rights monitors, including the CPT, the Office of the UN High Commissioner for Refugees (UNHCR), the ombudsman, and an independent nongovernmental organization (NGO) observer. At least one international organization and one NGO made visits to the Daugavpils Detention Center.

**Improvements:** At the Daugavpils Detention Center, the administration introduced in November a complaint box with forms in English for those detained to submit complaints to the State Border Guards.

Prisons introduced centralized administration of medical care and created a COVID-19 patient care department in their facilities. The Prison Administration developed a treatment and prevention plan for HIV, Hepatitis C, and Sexually Transmitted Diseases for 2023 to 2027 and began providing €150 (\$160) per prisoner per year for planned dental services.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements. Third-country, irregular migrants complained that they were not able to challenge their detention once admitted to the Daugavpils Detention Center.

#### **Arrest Procedures and Treatment of Detainees**

In most cases officials require a warrant issued by an authorized judicial official to make an arrest. Exceptions are specifically defined by law and include persons caught by police in the act of committing a crime, suspects identified by eyewitnesses, and suspects who pose a flight risk. The law requires prosecutors to charge detainees and bring them before a judge within 48 hours. Through September the ombudsman did not receive any complaints concerning detention without timely charges.

Officials generally informed detainees promptly of charges against them. Some detainees complained that authorities failed to provide verbal information regarding their rights immediately upon arrest. Instead, they received information sheets explaining their rights and duties. While a bail system exists, judges used it infrequently and did so most often in cases involving economic crimes.

Detainees have the right to an attorney who may be present during questioning. Some detainees alleged they were physically mistreated or threatened with physical violence during such periods of initial questioning. The government generally provided attorneys for indigent defendants. Third-country, irregular migrants who unlawfully entered the

country from Belarus received legal counsel only if they challenged their initial detention, or after their request for asylum was denied and they wished to appeal the decision. No third-country migrants won their appeal cases.

The CPT visited the country in May and inspected three prisons, two migrant detention centers, two psychiatric hospitals, five police stations, and a holding room at the Riga airport.

### e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence and impartiality. The government's complaints register collected information on complaints or breaches of ethical conduct by members of the judiciary.

### Trial Procedures

The constitution and law provide for the right to a fair and public trial, and the independent judiciary generally enforced this right.

Through September the ombudsman received six complaints concerning lengthy proceedings, some related to delays caused by COVID-19 restrictions.

### Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

### Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters. Individuals and organizations may bring a lawsuit through domestic courts seeking civil remedies for human rights violations. After exhausting the national court system, individuals may appeal cases involving alleged government violations of the European Convention on Human Rights to the European Court of Human Rights.

### Property Seizure and Restitution

In February, parliament passed a restitution bill providing €40 million (\$42.8 million) to the Jewish community of the country in lieu of returning 265 communal properties confiscated during World War II and the Soviet occupation. The president signed the bill into law on February 21. The law states that the funds should be allocated over the next 10 years to revitalize the country's Jewish community, provide social and material assistance to Holocaust survivors, and fund Jewish schools, building restoration, and cultural projects.

The Department of State's *Justice for Uncompensated Survivors Today (JUST)* Act report to Congress, released publicly in July 2020, can be found on the

Department's website at: <https://www.state.gov/reports/just-act-report-to-congress/>.

#### f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and the law prohibit such actions, and there were no reports that the government failed to respect these prohibitions.

### Section 2. Respect for Civil Liberties

#### a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and the law provide for freedom of expression, including for members of press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media. The government legally restricts racial and ethnic incitement, denial, or glorification of crimes against humanity and certain war crimes.

**Freedom of Expression:** Although the law generally provides for freedom of expression, it criminalizes incitement to racial or ethnic hatred and the spreading of false information regarding the financial system. The law forbids glorifying or denying genocide, crimes against humanity, or war crimes against the country perpetrated by the Soviet Union or Nazi Germany. Violation of these provisions can lead to a five-year prison sentence, community service, or a fine. There are also restrictions on speech deemed a threat to national security. The law criminalizes nonviolent acts committed against the state or that challenge its "independence, sovereignty, territorial integrity, or authority." Parliament passed a law in June calling for the removal of all public symbols that glorify totalitarian regimes, resulting in the demolition of Riga's Soviet-era "Victory" monument and several dozen smaller plaques and monuments around the country.

As of September, the State Security Service initiated 22 criminal cases against individuals for inciting national, ethnic, religious, or racial hatred.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** Independent media were active and expressed a wide variety of views with few restrictions. The law requires that 65 percent of all television broadcast time in national and regional electronic media be in Latvian or be dubbed or subtitled. Extensive Russian-language programming was also available in all national and local media. Restrictions on speech that incites racial hatred, spreads false information regarding the financial system, or glorifies or denies genocide, crimes against humanity, or crimes against the country by the

Soviet Union or Nazi Germany also apply to print and broadcast media, the publication of books, and online newspapers and journals.

Electronic media are legally required to present news and current affairs programs with due accuracy and impartiality. All companies, including media and other publishers, are required to disclose their ownership, and this data is publicly available. Electronic mass media are required to disclose their ultimate beneficiaries and to report any changes to the media regulator.

In June, the national electronic media regulator suspended the broadcast of 80 television channels registered in Russia in accordance with amendments to the Electronic Media Law authorizing the prohibition of programs registered in a country that threatens the territorial integrity and independence of another country.

## Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. Internet speech was subject to the same restrictions as other forms of speech and the media.

## b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, and the government generally respected these rights. Authorities denied some public demonstration permits based on protecting public safety and national security.

### Freedom of Peaceful Assembly

The constitution and the law provide for freedom of peaceful assembly. The government generally respected this right, with some restrictions. Organizers of demonstrations typically must notify authorities 10 days in advance. Authorities can approve demonstrations within 24 hours if longer advance notice is “reasonably impossible.” Officials may deny or modify permits to protect public safety or national security. In August, the State Police, State Security Services, and Riga municipal police prevented any public gatherings around the demolition of Riga’s Soviet-era “Victory” monument due to public safety concerns. Police detained 31 persons throughout the week for ignoring police commands near the monument.

In April the government lifted all restrictions on public gatherings due to COVID-19 transmission and threats to public health.

### Freedom of Association

The constitution and the law provide for freedom of association, and the government generally respected this right. The law prohibits the



registration of communist, Nazi, or other organizations that contravene the constitution or advocate the violent overthrow of the government.

### c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

### e. Protection of Refugees

The government generally cooperated with the UNHCR, the UN International Organization for Migration (IOM), and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers as well as other persons of concern.

**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system to provide protection to refugees. Residents of Ukraine fleeing Russia's aggression were granted admission under a special law passed in March, which facilitated the employment, accommodation, and integration of these refugees. The Ministry of Welfare oversaw the assignment of emergency guardians to more than 600 children who arrived without parents.

In November, the government extended through February 2023 a state of emergency in four regions near the border with Belarus to respond to attempts by Alyaksandr Lukashenka's regime to unlawfully transport irregular, third-country migrants into the EU. Since the state of emergency was first declared in August 2021, media outlets and NGOs have reported these border crossings have been the result of attempts by the Lukashenka regime in Belarus to "weaponize" migration and destabilize the EU. The state of emergency suspended the acceptance of asylum requests except in humanitarian cases, which the State Border Guards determined on a case-by-case basis. The State Border Guards detained 189 persons who unlawfully crossed the border from Belarus. Authorities granted asylum to 233 persons.

International and local NGOs criticized the state of emergency because it suspended acceptance of asylum requests in the border regions and prevented anyone, including the media and NGOs, from accessing the border with Belarus. Due to their lack of access, journalists were limited in their ability to observe and report on how "push-backs" of irregular migrants were carried out, and they faced bureaucratic obstacles when accessing migration centers. The government said it had provided

migrants on the border with food, water, and medical care, and considered requests for asylum on a case-by-case basis.

Amnesty International released a report on October 12 accusing the government of ill-treatment and arbitrary detention of third-country migrants, mostly from Iraq, attempting to unlawfully enter the country from Belarus. Many of the alleged abuses took place in late 2021 and early 2022, when migrant flows peaked. Government officials, including the ombudsman, foreign minister, state border guard chief, minister of interior, as well as the media, disputed these accusations and criticized the organization for publishing what they characterized as distorted or false information. Interior Minister Kristaps Eklons rebutted Amnesty International's allegations in a letter to the Council of Europe's Commissioner for Human Rights, in which he cited the international and national laws that underpinned the country's handling of asylum-seekers and migrants. The Internal Security Bureau conducted an internal investigation to determine if the actions of the state border guards in dealing with migrants at the border were unlawful, after which it did not initiate any criminal proceedings. In November, it made several recommendations for the state border guards, including the use of body cameras for all personnel at the border.

**Access to Basic Services:** The government passed a law in March that provided emergency assistance to refugees fleeing Russia's war against Ukraine. The law helped integrate tens of thousands of Ukrainian refugees into the country's education system and other institutions. The government funded projects through various ministries, municipalities, and local NGOs to integrate Ukrainian refugees. Emergency payments were made available, as well as education, health care, psychological support, and employment opportunities. The government exempted Ukrainians from Latvian language requirements for employment purposes.

**Durable Solutions:** The government provided a quarter of the funding for the IOM's voluntary return program and administered most of IOM's remaining budget. During the year, IOM assisted in the voluntary return of 103 persons: 62 Iraqis, 19 Uzbeks, 10 Azerbaijanis, three Tajiks, two Iranians, and one person each from Georgia, Russia, Moldova, Armenia, Kazakhstan, Sri Lanka, and Colombia.

The government provided assistance to more than 40,000 Ukrainian citizens and other residents of Ukraine who fled Russia's war.

**Temporary Protection:** The law allows for the granting of temporary protection to individuals not found to qualify for refugee status but who were nonetheless determined to need international protection. Through December, 37,175 persons, mostly Ukrainian citizens, were granted



temporary protection status. In the first eight months of the year, the government granted alternate status to 22 persons.

#### **f. Status and Treatment of Internally Displaced Persons**

Not Applicable.

#### **g. Stateless Persons**

UNHCR reported 195,354 stateless persons resident in the country at the end of 2021. This number included 195,190 persons the government considered “noncitizens.” UNHCR included most of the country’s noncitizen population in the stateless category, but as of 2018 also considered them persons to whom the 1954 Convention Relating to the Status of Stateless Persons does not apply. The government preferred to designate this population as noncitizen residents, since they were eligible to naturalize under the law.

The government recognized as stateless only those persons with no claim to foreign citizenship or noncitizen resident status. As of July 1, the government reported 160 stateless persons resided in the country and had been granted stateless status in accordance with the 1954 Convention relating to the Status of Stateless Persons. Persons categorized by authorities as stateless may pursue citizenship through naturalization after obtaining a permanent residence permit and lawfully residing in the country for five years.

Noncitizen residents, mostly persons of Slavic origin who moved to the country during the Soviet occupation and their descendants, did not automatically become citizens when the country regained independence in 1991. They have permanent residency status, equal protection in the country and consular protection abroad, the right to leave and return to the country, and the right to all government social benefits. They also have employment rights, except in some government and private-sector positions related to the legal system, law enforcement, and national security. Noncitizens may not vote in local or national elections and may not organize a political party without the participation of at least an equal number of citizens.

Noncitizen residents may seek naturalization. From January to September, authorities received 669 naturalization applications; 327 applicants received their citizenship by September, and 26 failed to pass the language exam but could reapply.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and

based on universal and equal suffrage.

## Elections and Political Participation

**Recent Elections:** International observers from the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights assessed the parliamentary elections on October 1 as free and fair.

**Political Parties and Political Participation:** Citizens may organize political parties without restriction. The law prohibits the country's noncitizen residents from organizing political parties without the participation of at least an equal number of citizens. It prohibits from holding public office persons who remained active in the Communist Party or other pro-Soviet organizations after 1991 or who worked for such institutions as the Soviet KGB.

**Participation of Women and Members of Minority Groups:** No law limits the participation of women and citizen members of minority groups in the political process, and they did participate. Approximately 26 percent of the ethnic minority population were noncitizen residents who could not participate in elections and choose their representation. Twenty-nine percent of members of parliament elected October 1 were women.

## Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not consistently implement the law effectively. Officials sometimes engaged in corrupt practices, and polling data consistently showed that the majority of the public believed that corruption was widespread, that officials were rarely held accountable, that investigation and prosecution of corruption cases were slow, and that convictions were rare.

**Corruption:** Corruption was a problem. Investigation of corruption cases continued to improve, but prosecutions were slow, and conviction rates low. NGOs stated concerns with the quality of investigations, efficiency of the Corruption Prevention and Combating Bureau's (KNAB) leadership, lack of appropriate judicial training, quality of law education, lack of interagency communication, poor work organization, and lengthy written procedures as the main problems in the judicial sector.

In June KNAB initiated criminal proceedings against a group of high-level State Revenue Service (SRS) and Tax and Customs Police officials on charges of extortion and bribery. Five individuals were detained, and the SRS head was suspended.

## Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally cooperated with NGOs and were responsive to their criticisms and inquiries.

**Government Human Rights Bodies:** The Office of the Ombudsman is responsible for monitoring the government's performance on human rights. The ombudsman reported good cooperation with the agencies he monitored and said his office operated without direct government or political interference. In its most recent report in 2019, the Council of Europe's European Commission against Racism and Intolerance (ECRI) observed that the ombudsman's mandate does not include providing independent assistance to victims of racism and racial discrimination. The ombudsman cannot enforce its recommendations or levy fines, although it may apply to the Constitutional Court to initiate proceedings against a public institution that fails to address a source of discrimination. The ombudsman can also file a complaint in an administrative court if it is in the public interest or bring a case to the civil courts if the problem concerns a violation of equal treatment. As required by law, the Office of the Ombudsman published an annual report describing its activities and making recommendations to the government.

A standing parliamentary committee on human rights and public affairs met weekly when parliament was in session. It considered initiatives related to human rights.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law specifically criminalizes rape of a person, regardless of gender. Spousal rape is explicitly considered rape with "aggravated circumstances." Criminal penalties for rape range from four years to life imprisonment. The government effectively enforced the law.

When police receive a report of rape, they are required to open an investigation. Through September, police initiated 92 criminal charges for rape against 43 individuals, of which 30 cases were sent to the prosecutor's office. Because the Ministry of Justice does not distinguish between spousal rape and nonspousal rape cases involving aggravated circumstances, there were no reports available on whether any spousal rape case was prosecuted.

The law provides a broad definition of violence that includes physical, sexual, psychological, and economic violence. Domestic and intimate partner violence is criminalized and considered an aggravating factor in certain criminal offenses. There are penalties for causing even “minor” bodily harm when the survivor and perpetrator are spouses, former spouses, or civil partners. Penalties range from fines to imprisonment.

The law allows police to investigate domestic violence without a survivor’s prior approval and criminalizes stalking. The law allows survivors of domestic violence to request that police officers issue an order for the eviction of the perpetrator for eight days. Upon such a request, police must react immediately. Only courts can issue restraining orders and must respond to such requests within one business day. Once a restraining order is issued, it remains in force until a court revokes it.

Domestic violence remained a serious problem. NGOs stated the number of reports of domestic violence remained high, which they attributed in part to the impact of the pandemic. Through August, police initiated 193 criminal proceedings for domestic violence and detained 66 persons. In the same period, police issued 465 restraining orders. NGOs stated that in some domestic violence cases, police and doctors were reluctant to act or arrest domestic partners. NGOs also stated police and doctors sometimes minimized the seriousness of the accusations when responding to reports of abuse.

Police are required to use standardized protocols to report and investigate gender-based violence, including domestic violence. Responding police officers are required to complete and send an evaluation to the social service of the relevant local government within one working day.

There was a government-run safe shelter designated specifically for battered and abused women in the Tukums municipality. The government provided state funding to shelters. There was one government-funded survivor support hotline and several NGO-managed crisis hotlines; none were dedicated exclusively to rape or assault reports. The government hotline referred survivors to an appropriate NGO for further support.

**Sexual Harassment:** Sexual harassment was prosecuted under discrimination statutes, but the government did not consistently implement the law effectively. Penalties range from a reprimand to imprisonment. Survivors have the right to submit complaints to the Office of the Ombudsman and the State Labor Inspectorate.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The country's cultural norms and "virtue" laws limited consistent education in schools on sexual and reproductive health. The law obliges schools to provide students with a "moral" education that reinforces "traditional" values regarding marriage and family life. As a result, many teachers avoided educating adolescents regarding reproductive health and contraception. In November, parliament amended the law on education to expand the definition of a "moral" education to include values such as life, human dignity, freedom, family, marriage, work, nature, culture, the Latvian language, and the Latvian state.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of clinical management of rape.

**Discrimination:** The law provides for equal treatment of women. The government enforced its antidiscrimination laws effectively. There were instances of hiring and pay discrimination against women, particularly in the private sector (see section 7.d.).

### Systemic Racial or Ethnic Violence and Discrimination

The law provides for equal treatment and protection of members of racial and ethnic minority groups against violence, discrimination, and hatred. The government enforced its antiviolenace laws effectively.

NGOs representing minority groups stated that discrimination and harassment of members of national minority groups, including what they considered hate speech, remained underreported to authorities. Amnesty International and local NGOs accused the government of racial discrimination against third-country, irregular migrants from Iraq, Azerbaijan, Afghanistan, and other countries due to the government's suspension of normal asylum procedures while it simultaneously welcomed into the country tens of thousands of refugees from Ukraine. The government said it was taking necessary actions to respond to the migrant smuggling operation of Lukashenka's regime and responded to the allegations of racist immigration practices, noting that that through November, it had admitted on humanitarian grounds 48 Iraqi, 19 Iranian, 12 Afghan, seven Sri Lankan, seven Belarusian, two Indian, two Guinean, two Pakistani, one Eritrean, and one Russian national. Through September, the ombudsman did not receive any written complaints of racial discrimination, although he received one complaint of hate speech targeting certain ethnicities.

Roma continued to face widespread societal discrimination, high levels of unemployment (see section 7.d.), and illiteracy. The government continued integration and awareness programs in support of Roma, although some community members expressed concern that the support was inconsistent.

## Children

**Birth Registration:** Citizenship derives from one's parents. Only one parent must be a citizen to transmit nationality to a child. The law bestows automatic birthright citizenship to children of noncitizen residents. Children with noncitizen resident status are eligible for citizenship via naturalization.

**Child Abuse:** Violence against children was a problem. The law provides for protection of children against violence, exploitation, sexual abuse, involvement in commercial sexual exploitation, and serious threats to their life, health, or development, such as hazardous conditions. Violation of the law is punishable by imprisonment, community service, or a fine and supervised probation for a period of up to three years. The law empowers custody courts to remove vulnerable and abused children from violent homes if parents or guardians cannot do so or are themselves perpetrators of the violence. Police effectively enforced laws against child abuse.

**Child, Early, and Forced Marriage:** The legal minimum age for marriage is 18. Persons younger than 18 may legally marry only with parental permission and if one party is at least 16 and the other is at least 18.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for prostitution, and practices related to child pornography. Authorities generally enforced the law. Through September police initiated 127 criminal proceedings for the sexual exploitation of minors younger than 16. The purchase, display, reproduction, or distribution of child pornography is punishable by up to three years in prison. Involving a minor in the production of pornography is punishable by up to 12 years in prison, depending on the age of the child. The minimum age for consensual sex is 16.

## Antisemitism

Government sources estimated there were between 4,200 and 7,500 Jewish residents in the country. There were no reports of antisemitic attacks against individuals, although on the internet there were public references to stereotypes by some fringe groups. As of September, the State Security Service initiated one criminal case against individuals for antisemitic comments. The government provided financial support to Jewish history, religious, and cultural institutions.

The annual commemoration of Latvian Legionnaires who fought in German Waffen SS units against the Soviet army in World War II resumed after a two-year hiatus due to COVID-19 pandemic. As in recent years, the event was sparsely attended; an estimated 200 persons, including five MPs from National Alliance (NA), attended the march and flower-laying



ceremony in central Riga on March 16. The number of attendees decreased from an estimated 250 persons in 2019, the last time the event was held. Separately, the Speaker of Saeima (parliament), three ministers, and several MPs attended a memorial event at the regimental cemetery in Lestene.

On July 4, President Egils Levits, Jewish community representatives, government officials, and foreign diplomats attended the Holocaust commemoration ceremony in Riga. The ceremony was open to the public.

## Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** No laws criminalize consensual same-sex sexual conduct between adults.

**Violence against LGBTQI+ Persons:** NGOs stated that instances of violence and other abuses based on sexual orientation or gender identity tended to be underreported, and that they observed a rise in online hate speech against the lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) community starting in 2019 that continued through 2022.

**Discrimination:** The law prohibits discrimination based on sexual orientation or gender identity. Authorities generally enforced the law. The government did not collect data regarding sexual orientation and gender identity and thus could not accurately assess the magnitude of the problem or need for specialized services. NGOs expressed concern regarding the lack of explicit protection in the law against incitement to hatred and violence on grounds of sexual orientation and gender identity.

NGOs reported stigmatization of, intolerance of, and discrimination against LGBTQI+ persons. Ahead of national elections in October, NGOs reported that some political parties politicized LGBTQI+ human rights and organized anti-LGBTQI+ protests in support of undefined "traditional" families. Some members of parliament used anti-LGBTQI+ rhetoric in parliamentary debates on a bill to legalize civil unions that ultimately failed to pass in December.

NGOs reported an improved relationship with the Ministry of Justice and with police, reflected by increased responsiveness by police to complaints filed by LGBTQI+ persons and an increased police presence, compared to

previous years, during the Riga Pride march. NGOs reported good cooperation with the Ministry of Justice as it drafted the civil unions bill.

On May 31, a court recognized a same-sex couple as a family unit for the first time, citing a judgment by the Constitutional Court that all families are protected equally by the constitution. Through December, courts recognized 28 same-sex couples as a legal family unit. Another 22 same-sex couples were waiting at the end of the year for their cases to be heard in court. At least six families applied for state benefits provided for families, ranging from tax benefits to diplomatic privileges. In September, the Ministry of Welfare denied one same-sex couple's request for additional child support.

**Availability of Legal Gender Recognition:** The law provides a process for legal gender recognition, but there were no documented cases of an individual completing this process. The law requires transgender persons to provide a medical opinion from a panel of doctors attesting to their stated gender for authorities to change their gender identity markers. According to NGOs, doctors have never issued such a decision without the patient first undergoing sterilization.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** There were no publicly documented cases of such practices.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** The government generally allowed for the expression, association, and peaceful assembly of LGBTQI+ persons and other individuals speaking out about LGBTQI+ issues.

In September the Daugavpils City Council denied, on the day of a pre-planned event, the use of municipal premises by organizers of a "Mental Health and LGBTQIA+" event at the Daugavpils Youth Initiative Center. Organizers said the Daugavpils vice mayor informed them that municipal premises could not be used for "LGBT propaganda" and the Daugavpils mayor had forbidden the event and demanded the removal of posters with the rainbow flag. The event was moved to private premises.

## Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities and mandate their access to education, health services, and transportation. The government generally enforced these provisions.

The law mandates access to public buildings for persons with disabilities. Nevertheless, NGOs stated that building accessibility continued to be low while an improved 2021 regulation was implemented.

While health and labor services were provided as stipulated by law, NGOs stated that most persons with disabilities had limited access to work (see section 7.d.) and health care due to a lack of personal assistants, the lack of specialized job education and training programs, the weak performance of the State Employment Agency, and a lack of government support for businesses employing persons with disabilities. The accessibility of health services was limited in regions due to the lack of medical staff. Access to housing and mortgage loans remained limited.

Schools were generally able to accommodate the needs of children with physical disabilities. NGOs cited a lack of psychological support for students with mental disabilities. Several schools dedicated only to students with disabilities still existed, although children were increasingly integrated into the regular educational system.

Access to some polling stations and information regarding election candidates and processes remained a problem for persons with disabilities.

## Section 7. Worker Rights

### a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. Unions may not have fewer than 15 members or less than 25 percent of the total number of employees in the company (which cannot be fewer than five). The law prohibits antiunion discrimination and employer interference in union functions, and it provides reinstatement for unlawful dismissal, including dismissal for union activity.

There were several limitations on these rights. Uniformed members of the military and members of the State Security Services may not form or join unions. According to the International Trade Union Confederation, collective bargaining in the public administration is a formal procedure with no real substance since all employment conditions are fixed by law.

While the law provides for the right to strike, it requires a strike vote by a simple majority at a meeting attended by more than half of the union's members. It prohibits strikes in sectors related to public safety and by personnel classified as essential, including judges, prosecutors, police, firefighters, border guards, employees of state security institutions, prison guards, and military personnel. The law prohibits "solidarity" strikes by workers who are not directly involved in a specific labor agreement between strikers and their employers, a restriction criticized by local labor groups. It also bans "political" strikes. The law provides arbitration mechanisms for essential personnel not permitted to strike.

The government generally enforced applicable labor laws. EU labor regulations also applied. Resources, inspections, and remediation were adequate under the law. Penalties for violations were commensurate with those under other civil rights laws, ranging from a few hundred to several thousand euros, but were insufficient to deter violations. Penalties were regularly applied against violators. Administrative and judicial procedures were subject to lengthy delays and appeals. Labor rights organizations expressed concern regarding employer discrimination against union members.

Freedom of association and the right to collective bargaining were generally respected. The law on trade unions requires trade unions to be independent. Anticorruption officials and press reports stated, however, that external funding and support called into question the independence of some individuals and groups active in unions.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law, although staffing problems hindered more effective enforcement. IOM reported an increase in the number of labor exploitation cases, especially involving Central Asian migrants. Many migrants reported arriving for work only to have employers withhold some or all of their pay and tell them they were “unqualified.” When employees refused to accept insufficient pay, employers threatened to cancel their visas, and some had the employees deported. Most cases of labor exploitation were in the construction and peat extraction sectors.

Penalties for labor exploitation range from fines to imprisonment and were commensurate with those for other analogous serious crimes. The Ministry of Welfare’s State Labor Inspectorate, the agency responsible for enforcing labor laws, conducted regular inspections of workplaces and reported no incidents of forced labor through September. The inspectorate reported a high employee turnover, with approximately 16 percent of positions unfilled, a situation made worse by perennial wage issues.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The statutory minimum age for employment is 15. Children aged 13 or older may work in certain jobs outside of school hours with written permission from a parent. The law prohibits children younger than 18 from performing nighttime or overtime work. The law provides that children may not work in jobs that pose a risk to their physical safety,

health, or development. The government effectively enforced child labor and minimum age laws. Penalties were commensurate with those for other analogous serious crimes and were regularly applied against violators.

There were no reports of labor abuses involving children or unregistered employment of youth. There were no confirmed reports during the year of the worst forms of child labor. The law prohibits all the worst forms of child labor.

#### d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations prohibit discrimination. Penalties were commensurate with those under other laws related to civil rights. Despite the existence of a sizeable Russian-speaking minority, the government requires the use of Latvian as the officially recognized language where employment activities “affect the lawful interests of the public.” Citing the continuing political and economic threat posed by Russia to Latvia, the government restricted some sensitive civil service positions for candidates who previously worked for the former Soviet intelligence apparatus.

According to the World Bank Group’s publication *Women, Business and the Law 2022*, women in the country have equal legal standing with men. There were instances of hiring and pay discrimination against women, particularly in the private sector, but they were underreported to the ombudsman. Through September the ombudsman opened no cases alleging discrimination against women. In the most recent data from 2021, the average gross hourly earnings of women in the country were 14.6 percent lower than those of men.

Employment discrimination also occurred with respect to sexual orientation, gender identity, and ethnicity. Roma faced discrimination and high levels of unemployment. Persons with disabilities experienced limited access to work, although they were free to work in all labor markets and were able to receive government employment support services, including those specifically designed for persons with disabilities. Penalties were regularly applied against violators of labor laws that prohibit discrimination (see section 6).

#### e. Acceptable Conditions of Work

**Wage and Hour Laws:** The law sets a monthly minimum wage that was above the official poverty line. The law provides for a maximum workweek of 40 hours. The maximum permitted overtime work calculated over a four-month reference period may not exceed eight hours on average within a seven-day period. The law requires a minimum of 100 percent premium pay in compensation for overtime, unless the parties agree to other forms of compensation in a contract; however, this requirement was rarely enforced. Workers in low-skilled manufacturing and retail jobs



as well as some public-sector employees, such as firefighters and police, were reportedly most vulnerable to poor working conditions, including long work hours, lack of overtime pay, and arbitrary remuneration.

**Occupational Safety and Health:** The law establishes minimum occupational safety and health (OSH) standards for the workplace that were current and appropriate for the main industries. While the law allows workers to remove themselves from situations that endanger health or safety without jeopardizing their employment, these regulations were not always followed. Workers were able to complain to the State Labor Inspectorate when they believed their rights were violated.

**Wage, Hour, and OSH Enforcement:** The State Labor Inspectorate is responsible for enforcing minimum wage regulations, restrictions on hours of work, and OSH standards. The number of labor inspectors was sufficient to enforce compliance, and the inspectorate has the authority to make unannounced inspections and initiate sanctions.

OSH standards were not always enforced in the informal economy. Penalties were commensurate with those for other analogous crimes and sufficient to deter violations. Penalties for violations are fines and vary widely, depending on the severity and frequency of the violation. Penalties were regularly applied against violators. Through September the State Labor Inspectorate reported 30 workplace fatalities. The inspectorate also reported 171 serious workplace injuries. The State Labor Inspectorate reported that 61 injuries and 10 deaths occurred as a result of industrial accidents. Workplace injuries and fatalities were primarily in the construction, wood processing, and lumber industries.

**Informal Sector:** Real wage estimates were difficult to calculate in the sizeable informal economy, which according to some estimates accounted for 27 percent of GDP. Most workers in the informal sector were officially registered and received an official wage (with all taxes paid and eligibility for all benefits). These individuals also received some tax-free money in cash. In this case, they were covered by OSH laws and inspections.

Some persons who were employed illegally without any papers, paid no taxes, and received their wages in cash, did not have wage, hour, and OSH protection but did have access to social protection provided by the Ministry of Welfare, such as unemployment benefits, as well as to various social assistance programs provided by municipalities. The State Labor Inspectorate conducted inspections to find these cases and punish employers for illegal employment.

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