

# LATVIA

## ASYLUM

In late April, Latvia's administrative district court overturned a decision by the Office of Citizenship and Migration Affairs to deny asylum to a Ghanaian LGBTI asylum seeker. The ruling ordered the granting of asylum, rejecting the initial assessment that questioned the credibility of his claims.

## BIAS-MOTIVATED SPEECH

Following last year's investigation into former MEP Andrejs Mamikins' homophobic social media post in response to the election of President Rinkēvičs, further investigations were launched concerning his support for Russian aggression in Ukraine. Mamikins has since fled to Russia, where he has been reportedly involved in activities aligned with Russian state narratives.

## BIAS-MOTIVATED VIOLENCE

In July, the ECtHR ruled that Latvia mishandled the case of Denis Khanov, a lecturer who was attacked due to his sexual orientation. The ECtHR ruled that Latvia failed to properly address the hate crime he experienced and instead downgraded his case from a criminal to an administrative offence. The court emphasised that public authorities must prevent hate violence and properly investigate discriminatory motives. Following the entry of the court's judgement into force, the Prosecutor General Office reopened the criminal proceedings, which are currently pending fresh investigation.

In May, two individuals were attacked in Daugavpils due to being LGBTI. While one suspect was initially identified, the police closed the case. However, Prosecutor General Juris Stukāns questioned the legality of the police's decision and ordered the investigation to be reopened. In October, one of the offenders was found guilty of hooliganism causing bodily harm, under Article 231 of the Criminal Code, sentenced to seven months in prison and ordered to pay moral compensation, amounting to 2,500 Euro to one victim, Līvai Amareen, and 2,000 Euro to his companion. Although this case marks the first time in Latvia that a homophobic attack has been officially recognised and punished by law, the criminal proceedings were initiated on the grounds of "disturbing public peace - hooliganism" rather than under the charge of "inciting hatred/enmity against a social group" as outlined in Article 150 of the Criminal Law. Following the judgement, the prosecutor's office expressed its intention to file an appeal to seek a harsher sentence.

## EQUALITY AND NON-DISCRIMINATION

In June, the Latvian Supreme Court reviewed appeals against decisions by the Administrative Regional Court, which had previously dismissed applications seeking legal recognition of same-sex couples' family relationships. The appellants argued

that the registry office should be compelled to issue favorable administrative acts to legally register their relationships. The Supreme Court's decision on these appeals is pending.

## FAMILY

In early July, Latvia's law recognising civil unions for same-sex couples came into force. The bill, passed in November 2023, grants registered couples equal rights in household management, tax benefits, social security, and emergency hospital access.

In July, a Latvian gay couple became the first same-sex couple to register their union under the November 2023 law recognising same-sex partnerships. The couple was followed swiftly by six more couples.

In August, Latvian President Edgars Rinkēvičs, the EU's first openly gay head of state, stated that the legalisation of same-sex marriage in Latvia is not imminent. Rinkēvičs emphasised that the government is not yet ready to push for any immediate changes to the country's marriage laws.

In September, a "singing" protest advocating for marriage equality took place in front of the Saeima (National Parliament) in Latvia. Several dozen people, including a queer choir, gathered to remind lawmakers and the public that, despite the introduction of partnership registration three months earlier, the law remains inadequate. Protesters highlighted key issues, such as the lack of inheritance rights and the inability of partnerships to secure residency permits for foreign partners, emphasising the need for full marriage equality to ensure equal protection for all families.

## INSTITUTIONAL SUPPORT

Latvia officially ratified the Istanbul Convention, which entered into force in May, marking a significant development in the country's commitment to combating gender-based violence. Nonetheless, alongside the ratification, Latvia affirmed that it would apply the Convention in accordance with the principles, values, and norms outlined in its Constitution. The government also emphasised that the term "gender," as used in the Convention, would not be understood as an obligation to introduce any alternative understanding of sex beyond the traditional categories of men and women into Latvia's legal or educational systems.



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