

European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Latvia

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Data Explorers and tools

Violence against women survey data explorer

<http://fra.europa.eu/DVS/DVT/vaw.php> (data included on all EU Member States)

Roma survey data explorer

<http://fra.europa.eu/DVS/DVT/roma.php> (Slovenia NOT included)

Jewish people's experiences and perceptions of hate crime, discrimination and anti-Semitism

<http://fra.europa.eu/DVS/DVT/as2013.php> (Slovenia NOT included)

EU LGBT survey data explorer

<http://fra.europa.eu/DVS/DVT/lgbt.php> (data included on all EU Member States)

Violence against women: an EU-wide survey. Main results report (March 2014)

http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results_en.pdf

Fundamental rights: challenges and achievements in 2014 - Annual Report 2014 (June 2015)

(Specific link only available as of 25 June 2015, <http://fra.europa.eu/en>)

1. Equality and non-discrimination

“Austria, Belgium, Bulgaria, Denmark, France, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Poland, Romania, Slovakia, Sweden and the United Kingdom took steps towards meeting this conditionality [on the arrangements to monitor the implementation of Article 9 of the CRPD on accessibility, in the context of disbursing structural and investment funds.] The criteria to be met under this conditionality are having in place monitoring, redress and enforcement mechanisms on accessibility in all its forms, and clear technical guidance being available.” (p. 31)

2. Racism, xenophobia and related intolerance

[Implementation of the EU acquis in combating racism, xenophobia and ethnic discrimination] “A number of Member States, including Greece, Latvia and Germany, adopted new laws and initiated criminal code amendments.” (p. 49)

“Latvia amended its Criminal Law by extending the list of aggravating circumstances for a criminal offence with national, ethnic or religious motivation in addition to ‘racist’ motivation. Under the new provision, penalisation of incitement to hatred no longer depends on whether the offender acted intentionally or not.” (p. 49)

[2.2.1 Experiences of racism and ethnic discrimination in social life] “A Latvian survey found that 59 % of all foreign and 45 % of all native local students experienced high rates of ethnic discrimination during their studies.” (p. 51)

4. Asylum, borders, immigration and integration

[Fundamental rights remain central in return policy discussions] “One of the indicators of an effective monitoring system is the presence of monitors on return flights, particularly on charter flights, rather than just monitoring the preparation and pre-removal phase. In 2014, four more Member States (Belgium, Finland, France and Latvia) sent observers aboard return flights.” (p. 91)

[4.1.5 Survey findings draw mixed picture across the EU] “Similarly, research conducted in Riga in Latvia shows that one out of three respondents express negative attitudes towards migrants. They justify this by blaming migrants for the rise in unemployment.” (p. 94)

Twelve EU Member States (Austria, Croatia, the Czech Republic, Denmark, Germany, Greece, Ireland, Italy, Latvia, Malta, the Netherlands and Slovenia), implement training programmes and capacity building for public administration.” (p. 96)

5. Information society, privacy and data protection

[5.1.4. Role of data protection authorities] “In 12 Member States, the DPAs have no powers over NIS. They are excluded either expressly by the general data protection law or by specific laws on the functioning of the national intelligence services. In Latvia, for instance, the DPA, according to the general data protection law, is not competent to supervise files classified as ‘official secrets’. Personal data processed by the national intelligence services fall entirely within that scope, as the investigatory operations law stipulates.” (p. 112) [note, this is an objective information and should not be taken as a critical comment. If other specialised oversight body carry out a proper oversight of intelligence services’ work, that would be perfectly fine and the DPA could work in other areas.]

6. Rights of the Child

[6.1.2 Member States' measures, including the use of EU funds] Croatia, Greece, Hungary, Ireland, Latvia and Spain, which have high or very high poverty rates, made good use of EU funds." (p. 132)

[6.2.2 Protection of child victims of violence] "The Convention on the protection of children against sexual exploitation and abuse (Lanzarote Convention) already has 19 ratifications, with Latvia joining in 2014." (p. 134)

"Some other Member States have undertaken or are discussing reforms to civil or criminal child abuse-related legislation, including Belgium, Bulgaria, Finland, Germany, Latvia, Lithuania, Poland, Sweden and the United Kingdom." (p. 134)

[6.3.1 Children before courts: laws and standards] "Latvia reformed its law on the protection of children's rights, requiring that professionals working with children acquire specialised knowledge. At least 50 % of the training programme aimed at prosecutors, judges, prison officers, lawyers and police who work with children should now cover how to communicate with children, including during criminal proceedings. This reform addresses one of the challenges FRA identified in its research: the need for more and better professional training." (p.136-7)

"In 2014, Croatia, Cyprus, Germany, Hungary, Latvia, Lithuania, Malta, the Netherlands, Spain and the United Kingdom reformed or began reforming their legislation. These reforms mainly relate to legal assistance and legal aid for children who are victims, training, hearing proceedings, guardianship and protection measures." (p. 137)

7. Access to justice, including rights of crime victims

[7.2. EU and Member States progress on the Roadmap on procedural rights in criminal proceedings] "On the initiative of the Ministry of Justice in Latvia, 30 interpreters will gradually be hired by the court system to implement the directive and ensure assistance with interpretation as envisaged by the national implementing law." (p. 149)

[7.3. Member States' implementation of victims' rights] "Draft amendments to the Criminal Procedure Law in Latvia, proposed in May 2014 by the Ministry of Justice, expand victims' rights. Victims have the right to be informed about how to receive state compensation, about conciliation and protection measures, as well as about the case and available support. Amendments also set out particular rights for victims who require special protection, including minors, persons under guardianship, victims of sexual offences, victims of human trafficking, victims of domestic violence, victims of violent crime and victims of crime motivated by racist, national, ethnic or religious hatred." (p. 150)

[7.4.1. Measures to combat violence against women at Member State level] "Amendments to several laws introducing temporary protection measures in Latvia entered into force in March. The amendments to the Law on Police extended the competences of the police to intervene in domestic violence cases. The police have a duty to prevent immediate danger until the court considers the question of temporary protection against violence; to enforce the implementation of the decisions of the court or judge regarding temporary protection against violence; to take a decision about separation; and to forward any application for temporary protection to the court." (p. 155)

"Amendments to the Criminal Law in Latvia entered into force in June, aiming to bring the definitions of rape and sexual violence into line with those in the Istanbul Convention. The legal definition of rape was amended such that sexual violence and rape are punishable in all cases where these acts are conducted against a person's will, with or without physical violence." (p. 156)

Severe labour exploitation: workers moving within or into the European Union (June 2015)

http://fra.europa.eu/sites/default/files/fra-2015-severe-labour-exploitation_en.pdf

“Desk research revealed that at the level of Member State legislation the protection of workers against the most severe forms of labour exploitation is not as comprehensive and strong as could be expected. In half of EU Member States (Bulgaria, the Czech Republic, Denmark, Finland, Germany, Greece, Ireland, Latvia, Luxembourg, Malta, the Netherlands, Poland, Slovakia and Sweden) slavery, servitude and forced labour are criminalised only in specific contexts.” (p. 36)

“Bulgaria, Cyprus, Greece, Latvia, Lithuania, Luxembourg, Malta and Slovenia protect *only third-country nationals in irregular situations*.” (p. 38)

“In addition, labour inspectorates or similar monitoring authorities in more than 10 Member States can support or even act on behalf of workers in proceedings (the Czech Republic, Estonia, France, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia and Spain).” (p. 85)

The fundamental rights situation of intersex people – Focus Paper (May 2015)

<http://fra.europa.eu/sites/default/files/fra-2015-focus-04-intersex.pdf>

“In Latvia, sex is not included on the birth certificate, but ‘unclear sex’ is allowed in medical certificates issued by medical staff.” (p. 5)

“Sex (re)assignment or sex-related surgery seems to be performed on intersex children, and young people, in at least 21 EU Member States (Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Slovakia, Spain, Sweden and the United Kingdom). [...] Patient consent seems to be legally required in at least 18 Member States (Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Slovakia, Spain, Sweden and the United Kingdom). This is provided that the child is considered to possess adequate cognitive faculties and the ability to decide. In 14 Member States (Austria, Belgium, Bulgaria, Denmark, Germany, Ireland, Lithuania, Latvia, the Netherlands, Poland, Slovenia, Spain, Sweden and the United Kingdom), the child is presumed to have such abilities after a certain age.” (p. 7)

Implementing the United Nations Convention on the Rights of Persons with Disabilities (CRPD). An overview of legal reforms in EU Member States – Focus Paper (May 2015)

<http://fra.europa.eu/sites/default/files/fra-2015-focus-05-2015-crpd.pdf>

“The implementation plan for the Latvian Guidelines for the implementation of the CRPD 2014-2020 highlights four priority areas: education, employment, social protection and awareness raising.” (p. 5)

“Member States, including the Czech Republic, Hungary, Latvia and Malta, have reformed their civil codes to comply with Article 12, although in several cases the law continues to permit some restrictions on legal capacity.” (p. 9)

“According to the provisions of the 2010 Disability Law in Latvia, from 2,013 people with disabilities have access to two new support services: personal assistance at municipality level of up to 40 hours per week and sign language interpretation for up to 120 hours per year.” (p. 11)

“Many Member States, including Austria, Belgium, Bulgaria, Germany, France, Latvia, Luxemburg and the United Kingdom are taking steps towards an inclusive education system, reflecting the requirements of Article 24 of the CRPD.[...] The action area on inclusive education and reduction of social exclusion of the Latvian Guidelines on education development 2014- 2020 includes steps to ensure remuneration for assistants of teachers and pedagogues, introduces measures to integrate young people with special needs, facilitates the early diagnosis of special needs, and ensures the availability of support personnel.” (p. 12)

Victims of crime in the EU: the extent and nature of support for victims (January 2015)

http://fra.europa.eu/sites/default/files/fra-2015-victims-crime-eu-support_en_0.pdf

[1.Development of victims’ rights – origins of victim support at Member State level] “Victim support structures first developed in the older EU Member States (such as France, Germany, the Netherlands and the United Kingdom), with newer Member States such as the Czech Republic, Latvia and Slovakia only establishing such structures in the late 1990s.” (p. 19)

“Eight EU Member States do not, however, currently provide generic victim support services (Bulgaria, Cyprus, Greece, Italy, Latvia, Lithuania, Romania and Slovenia).” (p. 21)

“Plans are underway in Latvia to establish a support structure for victims of crime and amend national legislation in line with the Victims’ Directive. In that regard, the not-for-profit organisation the ‘Centre for Public Policy (PROVIDUS)’ has published several reports concerning victims’ rights and support in Latvia.” (p. 22)

[2.4. Provision of information] “In some of the remaining EU Member States, including Greece, Italy, Lithuania, Portugal and Spain, the obligation to provide information on available victim support services is not universal and applies only to victims of specified offences, such as domestic violence. Cyprus and Latvia alone appear not to provide this type of information.” (p. 50)

[3.4. The role of volunteers in victim support provision] “In newer EU Member States such as the Czech Republic, Hungary, Latvia, Lithuania and Romania, social work, as with volunteerism, is a relatively recent development, beginning in the late 1990s. Such Member States, where civil society activities were suppressed over decades of authoritarian rule, today show encouraging signs of increased citizen involvement in victim support.” (p. 67)

Being Trans in the EU - Comparative analysis of the EU LGBT survey data (December 2014)

http://fra.europa.eu/sites/default/files/fra-2014-being-trans-eu-comparative_en.pdf

“Respondents from Latvia, Denmark and the Czech Republic are the most likely to have experienced a positive school atmosphere towards LGBT persons.” (p. 40)

“The analysis shows that avoiding gender expression ranges from 19 % in Italy to 57 % in Latvia, and avoiding certain places varies from 37 % in Austria to 70 % in the United Kingdom.” (p. 72)

EU LGBT survey - European Union lesbian, gay, bisexual and transgender survey - Main results (October 2014)

http://fra.europa.eu/sites/default/files/fra-eu-lgbt-survey-main-results_tk3113640enc_1.pdf

“Figure 22: Respondents who have seen any programme or awareness campaign addressing discrimination against certain groups, by country and by group (%) [55% in Latvia compared to the EU LGBT average of 56]” (p. 47)

[1.4.4. Reporting discrimination incidents] “In addition, respondents in Belgium, France, Italy, Malta, the Netherlands, Portugal and the United Kingdom are five times as likely to have reported the most recent incident of discrimination against them because of being LGBT as those in Latvia or Slovenia.” (p. 47)

“Looking at the results by country, the last incident of hate-motivated violence is most likely to have included an attack in France (48 % of all violent incidents), Latvia, Portugal and Sweden (all 41 %), and least likely to have involved an attack in Malta (17 %)” (p. 62)

“None of the most recent incidents of hate-motivated harassment experienced by respondents living in Latvia, and fewer than or 2 % of those experienced by respondents residing in Austria, Finland, Greece, Poland, Romania and Slovakia were reported to the police, according to respondents.” (p. 76-77)

“Figure 70: Respondents who have never been open about being LGBT at work in the last five years, by country (%) [52% of respondents in Latvia]” (p. 100)

Fundamental rights: challenges and achievements in 2013 - Annual report 2013 (June 2014)

http://fra.europa.eu/sites/default/files/fra-2014-annual-report-2013-0_en.pdf

1. ASYLUM, IMMIGRATION AND INTEGRATION

[1.4. Some Member States require excessive or disproportionate fees for residence permits – an example of practical obstacles for migrant integration] “The fees under the Free Movement Directive are lowest in Hungary (€3–€32), Romania (€3) and Slovakia (€5) and highest in Finland (€114) and Latvia (€114–€359).” (p. 50)

4. THE RIGHTS OF THE CHILD AND THE PROTECTION OF CHILDREN

“Children with special needs are also taken into consideration when reforming access to justice. Latvia, for example, is discussing draft regulations for the police to support children with special needs. The draft regulations determine the procedure whereby the police evaluate if the child has special needs and if specialist support is required. A child with hearing impairments will have to be provided with a sign language interpreter, and a child with communication difficulties will have to be provided with a psychologist. A child brought to the police will have to be provided with a secure environment, movement opportunities and opportunities to visit an accessible toilet.” (p. 106)

“Thus, 2013 continued to witness criminal law reforms in the area of sexual abuse, domestic violence, child pornography and sex tourism in Member States such as Austria, Germany, Hungary, Italy, Latvia and the Netherlands.” (p. 107)

5. EQUALITY AND NON-DISCRIMINATION

“Croatia, the Czech Republic, Hungary and Latvia adopted reforms to remove or reduce restrictions for persons with psychosocial or intellectual disabilities who have been deprived of legal capacity.” (p. 135)

“Cyprus, Denmark, Italy, Latvia, Lithuania, Slovakia and the United Kingdom introduced action plans in the area of disability.” (p. 136)

“Latvia adopted new Regulations on Civil Status, allowing, among other amendments, for legal change of gender. According to the new law, the registry record shall be supplemented if the person has undergone partial or complete gender reassignment and the persons’ gender record shall be changed according to the certificate issued by the healthcare institution or healthcare practitioner, which confirms the change of the gender.” (p. 137)

6 RACISM, XENOPHOBIA AND RELATED INTOLERANCE

[6.5 EU Member States need better official data collection to address racist crime effectively] “They [Reports published by law enforcement agencies and criminal justice systems in EU Member States] show increases in recorded racist crime in Austria, Denmark, France, Germany, Greece, Lithuania, Latvia, the Netherlands, Poland, Slovakia, Spain and Sweden, as well as in England, Northern Ireland and Wales (all UK).” (p. 158)

7. ROMA INTEGRATION

[7.2. Member States begin implementation of national Roma integration strategies] “Croatia, Finland, France, Latvia, Romania, Slovenia and Spain established working groups and platforms to develop and consult on national Roma integration strategies.” (p. 171)

[7.3. Member States target integration in four priority areas] “Latvia offered support classes on Latvian, sciences and foreign languages, and Roma teachers and assistants were hired in various municipalities.” (p. 174)

8. ACCESS TO JUSTICE AND JUDICIAL COOPERATION

[8.2.1. Member States tackle length of proceedings] “Croatia, Hungary, Latvia, Lithuania the Netherlands, Portugal and Slovakia, for example, introduced new legislative regimes or amended existing laws to tackle undue delays.” (p. 198)

9. RIGHTS OF CRIME VICTIMS

[9.3.3. Measures to enhance protection of women from domestic violence] “In a second reading in June, the Latvian parliament adopted amendments to the law on the police, allowing police to ban a presumed offender from the victim’s home for up to eight days. This power is, however, dependent on the victim’s written application.” (p. 217)

“Bulgaria, Latvia and Slovenia also stipulate, in certain cases, that protection measures, investigation or prosecution depend on the initiative of the violent crime victim.” (p. 218)

[9.5.1. Most Member States increase efforts to tackle human trafficking] “Compensation was extended to victims of trafficking in several Member States, in line with Directive 2011/36/EU, including Austria, Estonia, Greece, Latvia and Luxembourg.” (p. 222)

[9.5.3. Concern that victims may be prosecuted for ‘crimes’] “Similar amendments to the Latvian criminal law entered into force in April 2013, providing that a person may be released from criminal

liability if the offence was committed at a time when the person was subjected to human trafficking and the person was forced to commit the offence.” (p. 224)

The right to political participation for persons with disabilities: human rights indicators (May 2014)

http://fra.europa.eu/sites/default/files/fra-2014-right-political-participation-persons-disabilities_en.pdf

The **Latvian** Guidelines for the Implementation of the CRPD 2014–2020 highlight a number of key challenges in the area of political participation, including a lack of accessible information, and the absence of alternative means of voting or legislation prescribing how assistance is to be provided to persons with disabilities in the electoral process.” (p. 39)

[Can persons deprived of legal capacity vote?] “Seven out of the 28 EU Member States – Austria, Croatia, Italy, **Latvia**, the Netherlands, Sweden and the United Kingdom – guarantee the right to vote for all persons with disabilities, including those without legal capacity.” (p. 40)

[Is there legislation in place regulating how people living in long-term institutions may vote?] “Hungary, **Latvia**, Lithuania, Slovakia and Slovenia also provide for polling stations at long-term institutions but require an individual application or notification to use such a polling station in advance, which could act as a barrier to exercising the right to vote.” (p. 44)

“Conversely [to the situation in Malta], in Croatia, **Latvia**, Lithuania, Poland and Slovakia, legislation specifically prohibits election officials from providing assistance.” (p. 51)

“Laws in force in Austria, Croatia, Cyprus, Finland, Germany, Italy, **Latvia**, Malta and the United Kingdom provide that all persons with disabilities, including those who have been deprived of their legal capacity, have access to redress mechanisms in cases where they have not been able to exercise their right to political participation.” (p. 53)

“In **Latvia**, collaboration between the Central Elections Commission and two NGOs has resulted in the publication of booklets containing guides to accessibility and non-discrimination for disabled people.” (p. 58)

[Making election and candidate information accessible] “In **Latvia**, the public broadcaster LTV showed video clips prepared by the Central Election Commission ahead of the recent municipal and parliamentary elections, which included information about voting times and the possibility to apply to vote at home.” (p. 77)

[Translating voter information into sign language] “According to **Latvian** Television, the main public television station, all main programmes providing information about election candidates have sign language interpretation. For the 2009 European Parliament elections and the 2010 parliamentary elections, the Central Election Commission implemented a specific project to improve the accessibility of political broadcasts for persons with hearing impairments. Information about the candidate lists and election programmes was translated into **Latvian** Sign Language.” (p. 78)

Violence against women: an EU-wide survey. Main results report (March 2014)

http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf

“Considering the results at the country level (Table 2.1), the rates of partner violence range from 30 %–32 % in Finland, Denmark and Latvia to 13 % in Austria, Croatia, Poland, Slovenia and Spain.” (p. 30)

“At the EU Member State level, the results range from 60 % of women in Denmark and Latvia, and 53 % of women in Finland having experienced some form of psychological violence in their relationships, to one in three women in Ireland (31 %), Greece (33 %) and Spain (33 %) having experienced this.” (p. 73)

Access to data protection remedies in EU Member States (January 2014)

http://fra.europa.eu/sites/default/files/fra-2014-access-data-protection-remedies_en_0.pdf

[2.1. Non-judicial bodies] “A superior authority in Latvia can demand a public or written apology, as well as order compensation in the form of both pecuniary and non-pecuniary damages.” (p. 20)

[2.3.2. Criminal procedures] “In Latvia, fines range from €25,000 to €50,000, with Belgium setting the limit at €100,000 and Luxembourg at €125,000.” (p. 22)

[3.1. Data protection violations faced] “Less common ways in which people found out about data protection violations were through awareness-raising articles or activities (e.g. Austria, Latvia), or by being told about the disclosure of personal data or learning of it from a third party (the Netherlands and the United Kingdom). Some of the complainants found out by consulting experienced professionals such as lawyers (Latvia and Portugal).” (p. 25)

[3.3. Reasons for seeking remedy] “In several of the 16 EU Member States studied (e.g. Austria, France, Germany, Latvia, the Netherlands), doubts over the chances of success or satisfactory outcomes stopped the non-complainants initiating the redress procedure.” (p. 30)

[4.1. Obstacles related to the procedural aspects of the remedies] “At the lower end of the scale, respondents in Hungary estimate proceedings to take anything between six and ten months, whereas Latvia at the other end of the scale reports criminal cases lasting more than five years.” (p. 38)

“In Latvia, the DSI [Latvian DPA] noted that the duration of proceedings depends to a large extent on its capacity, as well as the need to collect evidence.” (p. 39)

[4.1.2. Costs] “In most of the 16 EU Member States researched, costs and financial risk were among the major concerns individuals had when deciding to initiate or continue their case (Austria, the Czech Republic, Finland, France, Greece, Hungary, Italy, Latvia, the Netherlands, Poland, Portugal, Romania and Spain).” (p. 39)

“For instance, in Latvia, whereas several research participants considered the state fee in the administrative proceedings quite high, the judge said that, because courts had such a heavy case-load, the fee needed to be raised depending on the amount of compensation requested, with a view to preventing unfounded applications.” (p. 41)

“Interviewees in Latvia pointed out that access to legal assistance was quite limited, and there were not enough qualified lawyers and defence counsels.” (p. 42)

[4.1.4. Burden of proof] “Most of the complainants interviewed during the social fieldwork mentioned difficulties they encountered in providing sufficient and complete evidence. The complainants interviewed in the Czech Republic, Greece, Latvia, Portugal, Romania and Spain clearly indicated the burden of proof as a barrier to seeking remedies in the area of data protection.” (p. 44)

“Participants in various EU Member States expressed criticism of the national DPAs. In some countries they questioned the independence of the authority or described it as not completely independent (as noted in Austria, Bulgaria, the Czech Republic, Hungary, Italy, Latvia, the Netherlands, Spain and the United Kingdom).” (p. 46)

“Judges and practising lawyers in Austria, Bulgaria, the Czech Republic, France, Germany, Greece, Italy, Latvia, the Netherlands, Portugal and Romania confirmed that very few complaints concerning data protection were recorded, and, consequently, very few court cases took place.” (p. 48)

Discrimination and hate crime against Jews in EU Member States: experiences and perceptions of antisemitism (November 2013)

http://fra.europa.eu/sites/default/files/fra-2013-discrimination-hate-crime-against-jews-eu-member-states-0_en.pdf

“Over 90 % of respondents in five countries (France, Hungary, Italy, Latvia and the United Kingdom) saw the state of the economy as ‘a very big’ or ‘a fairly big problem’.” (p. 15)

“A notable share of respondents in Latvia and the United Kingdom identified the state of health services as a problem (92 % and 69 % of respondents, respectively).” (p. 16)

“Respondents in Latvia were less likely than those in the other countries surveyed to highlight any of the four arenas [internet, reporting in the media, in discussions people have, in political speeches and discussions] as very or fairly problematic with regard to spreading antisemitic content.” (p. 21)

“In Latvia, one third of the respondents face statements related to the exploitation of Holocaust victimhood all the time or frequently.” (p. 23)

“About 90 % of the respondents in Belgium and France reported that the Israeli-Arab conflict has a notable impact on their feelings of safety as Jews (‘a great deal’ or ‘a fair amount’), compared with around 40 % of respondents in Hungary and Latvia.” (p. 38)

[3.2. Harassment] “The extent of perceived antisemitic harassment shows some notable differences between EU Member States. About one third of respondents in Hungary (35 %), Belgium (31 %) and Germany (29 %) experienced at least one type of antisemitic harassment in the 12 months before the survey, while 21 % of respondents in both the United Kingdom and Sweden, and 12 % in Latvia, had similar experiences over the same time period (Figure 20).” (p. 43-44)

[5.1. Awareness of protection measures against discrimination] “Awareness of legislation prohibiting the discrimination of Jewish people when applying for a job is highest among respondents from the United Kingdom (73 %), Sweden (64 %), France (58 %) and Belgium (53 %) (Figure 29). By contrast, only 12 % of respondents in Latvia said that they are aware of laws protecting Jewish people from discrimination when applying for a job.” (p. 60)

Legal capacity of persons with intellectual disabilities and persons with mental health problems (July 2013)

<http://fra.europa.eu/sites/default/files/legal-capacity-intellectual-disabilities-mental-health-problems.pdf>

[2.1. National legal frameworks] “More recently, on 27 December 2010, the Constitutional Court of Latvia ruled that Articles 358 and 364 of the Civil Code do not conform with the Latvian Constitution, because they unreasonably restrict a person’s right to a private life since the only option to deprive a person of their legal capacity was to impose a full deprivation of legal capacity. The court based its reasoning on Latvia’s international human rights obligations and noted that a person’s legal capacity should be restricted only to the degree necessary. The court also said that “[...] in order to implement Article 12 of the [CRPD], amendments must be made to the Civil Law, the Civil Procedure Law and the Law on Orphan’s Courts, prohibiting full restriction of legal capacity” and concluded that the disputed norms shall be invalid from 1 January 2012. Consequently, on 29 November 2012, the Latvian parliament adopted extensive amendments abolishing plenary guardianship and introducing revisions to all relevant aspects of the national framework.” (p. 28)

“In Latvia, until recently, the legal framework provided only for total deprivation of legal capacity. Amendments to the law, which entered into force on 1 January 2013, abolished full guardianship and introduced several other forms of supported/partly substituted decision-making.” (p. 31)

[3. Personal accounts – evidence from fieldwork research] “Among participants with mental health problems, respondents in Bulgaria, Hungary, Latvia and Romania were sometimes unaware of the implications of being placed under guardianship and even about whether or not this had happened to them” (p. 45)

Fundamental rights: challenges and achievements in 2012 (June 2013)

http://fra.europa.eu/sites/default/files/annual-report-2012_en.pdf

1. ASYLUM, IMMIGRATION AND INTEGRATION

“In Latvia, recognised non-citizens in Latvia, who do not hold Latvian nationality, have a broad set of rights, including permanent residence status, consular protection abroad and are protected from expulsion.” (p. 44)

[1.3.1. Legal migration] “Latvia simplifies the rules concerning work permits and does not introduce any waiting period or requirements for family reunification allowing for immediate family reunification.” (p. 47)

“Table 1.5: Types of alternatives applied by EU Member States, EU-25 and Croatia” [Latvia applies the duty to surrender documents and regular reporting] (p. 53)

[1.4.2. National action plans on integration] “Some Member states (Austria, Estonia, Finland, Germany, Ireland, Latvia, Luxembourg, Portugal and Spain) aim to be all-encompassing, including nationals and non-nationals, as well as first-and second-generation migrants.” (p. 60)

“A number of Member States (Austria, the Czech Republic, Estonia, Finland, Germany, Ireland, Latvia, Luxembourg, Portugal, Romania, Spain and Sweden) thus include programmes with majority involvement in their action plans or policy papers. Such involvement may encompass activities including: increasing awareness for diversity, initiating intercultural contacts, addressing attitudes

among the wider public or providing intercultural training and awareness-raising in the public administration, relevant institutions and support services.” (p. 61)

[1.4.3. Monitoring integration] “Some EU Member States that do not have any public monitoring are debating the use of indicators (Latvia and Portugal).” (p. 64)

2. BORDER CONTROL AND VISA POLICY

[2.1.2. Persons held in airport transit zones – access to food, water and a place to rest] “The time span after which authorities must make food and water available varies considerably: two to three hours in Germany and Latvia; four to five hours in Slovenia, six hours in Lithuania and Slovakia and 12 hours in Finland.” (p. 83)

[2.1.3. Automated Border Control (ABC) gates and smart borders] “Austria, Belgium, Denmark, Estonia, Hungary, Latvia and Romania plan to introduce ABC gates at the airports in their respective capitals.” (p. 84)

[2.1.4. Immigration liaison officers (ILOs)] “By 2012, approximately two thirds of EU Member States as well as Croatia had posted immigration liaison officers abroad: Austria, Belgium, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Latvia, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom.” (p. 87)

4. THE RIGHTS OF THE CHILD AND PROTECTION OF CHILDREN

“In addition, Austria, Latvia, the Netherlands, Slovenia and Croatia, put in place national action plans against trafficking.” (p. 124)

5. EQUALITY AND NON-DISCRIMINATION

[5.2.1. Legislative and non-legislative developments: cross-cutting aspects] “Legislative developments aimed at combating discrimination in employment occurred in 2012 in Latvia, where a new law regulates the prohibition of discrimination in self-employment. Latvia also adopted another piece of legislation with a view to implementing EU Directive 2010/41/EC prohibiting unequal treatment of natural persons conducting independent paid activities in private or public. The law broadens the list of protected discrimination grounds by adding age, political and other belief, religion, sexual orientation, and disability to those areas covered by the law previously in force: sex, race and ethnic origin.” (p. 143)

[5.2.3. Discrimination on the ground of age] “In Latvia, the Ministry of Welfare in cooperation with the Ministry of Education and Science prepared a report on the involvement of persons above the age of 50 in life-long education and active labour market policy measures. The level of employment among persons aged 50–64 in Latvia used to far exceed the EU average for the same age group, with 67.5 % in Latvia in 2008 against the EU’s 56.5 %, according to the report. But the economic crisis brought the fourth-quarter 2011 Latvian rate of 60.1 % closer to the EU’s 57.8 % for the same period.” (p. 147)

“On 29 November 2012, the Latvian Parliament approved amendments to the Civil Law and Civil Procedure Law, which took effect from 1 January 2013. The new laws abolish full guardianship of persons with disabilities and introduce two forms of guardianship: provisions for a person and guardian to make decisions together; and partial restriction of legal capacity under which a guardian is entitled to make decisions alone in certain areas of life. The amendments also require the review of all pre-existing cases of persons deprived of legal capacity.” (p. 151)

6. RACISM AND ETHNIC DISCRIMINATION

[6.4.4. Ethnic discrimination in employment] “In addition, the role of social partners, such as employers and trade unions, on raising awareness of anti-discrimination legislation and policies on ethnic grounds at work remains weak and in need of reinforcement, as is the case in **Latvia** or Sweden.” (p. 194)

[6.5.3. Discrimination against Roma populations in education] “Alternatively, they may be put in special classes or schools as is the case, for example, in Austria, Finland, Greece, **Latvia**, Portugal or Spain.” (p. 199)

“This is also the case for **Latvia**, where ECRI stresses that schools with separate classes for Roma remain and a large proportion of Roma children find themselves in special needs schools.” (p. 200)

7. PARTICIPATION OF EU CITIZENS IN THE UNION’S DEMOCRATIC FUNCTIONING

“In many EU Member States, namely Denmark, Estonia, Finland, Hungary, Ireland, **Latvia**, Luxembourg, Malta, the Netherlands, Portugal, Slovakia, Spain, Sweden and the United Kingdom, nothing prevents non-national EU citizens from running for or being nominated to the position of mayor.” (p. 215)

“The European Commission report also refers to the Czech Republic, Germany, Greece, **Latvia**, Lithuania, Poland, Slovakia and Spain, which limit the right of non-national EU citizens to become members of, or found, a political party.” (p. 216)

“The difficulties some EU Member States, such as Bulgaria, **Latvia** and Slovenia, experience with length of proceedings stem from problems in distributing cases evenly.” (p. 239-240)

8. ACCESS TO EFFICIENT AND INDEPENDENT JUSTICE

“**Latvia** introduced video conferencing to allow courts to hold remote hearings with persons residing abroad, witnesses, court experts, children, patients in hospitals or elderly homes, prisoners and other participants. The use of such equipment in courts is designed to: reduce costs by saving on transport of detained persons to court or parties’ personal travel costs; ensure timely contributions by parties to case hearings; and enhance court accessibility, such as for persons with disabilities who could opt not to physically attend hearings. Such a system could also enable hearings for crime victims who do not wish to confront the perpetrator.” (p. 245)

Access to justice in cases of discrimination in the EU – Steps to further equality (Dec 2012)

<http://fra.europa.eu/sites/default/files/fra-2012-access-to-justice-social.pdf>

Table A1: Equality bodies at national level (members of Equinet), by mandate and ‘predominant type’ (quasi-judicial or promotion)” [The Office of the Ombudsman or the *Tiesībsarga Birojs* operates in **Latvia**, but information was not available on its grounds of discrimination] (p. 65)

Making hate crime visible in the European Union: acknowledging victims' rights (Nov 2012)

http://fra.europa.eu/sites/default/files/fra-2012_hate-crime.pdf

[3. The impact of the Framework Decision on Racism and Xenophobia on the visibility of hate crimes]

“The readiness of legislators in EU Member States to extend definitions of hate crimes to a wide range of categories is a clear trend observable in Austria, Belgium, Croatia, Finland, Latvia, Lithuania, Malta, the Netherlands, Romania and Spain.” (p. 25)

“A much larger group – Austria, Croatia, the Czech Republic, Denmark, Finland, France, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Romania, Spain and Sweden – opted instead to make racist and xenophobic motivation an aggravating circumstance, sometimes in addition to qualified criminal law definitions.” (p. 27)

[4. The visibility of hate crime: official data collection in the European Union] “Thirteen EU Member States can be said to operate limited data collection mechanisms pertaining to hate crime: Bulgaria, Cyprus, Estonia, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, Portugal, Slovenia and Spain.” (p. 36)

“The police forces in Latvia collect data on the number of criminal cases initiated in relation to incitement to national, ethnic and racial hatred. The Information Centre of the Ministry of Interior (*Iekšlietu ministrijas Informācijas centrs*), which maintains the national crime register, collects data on the number of cases relating to incitement to religious hatred and to interference with religious rituals.” (p. 37)

Choice and control: the right to independent living (June 2012)

http://fra.europa.eu/sites/default/files/choice_and_control_en_13.pdf

“While most persons with disabilities in Sweden live independently, some of those with specific support needs also live in group homes. In Latvia, in contrast, in 2009 there were only 12 group homes for people with intellectual disabilities or mental health problems, for a total of 168 residents.” (p. 23)

“Countries such as Bulgaria, Hungary, Latvia and Romania still rely on institutional settings for the provision of care for people with disabilities.” (p. 24)

“In Latvia, the NGO Saule runs a Supported Employment Bureau, which provides assistance to persons with intellectual disabilities in finding jobs and, if necessary, provides coaching and further support once the person is working. The system has helped eight clients with intellectual disabilities to stay in jobs for long periods of between three and eight years.” (p. 28)

“People with intellectual disabilities were in the past often prevented from having children. Obstacles continue to prevent people with disabilities from forming a family. In Latvia, for instance, municipal regulations in Riga do not permit people with intellectual disabilities in community-based group homes to continue living there if they bear a child or start a family life.” (p. 29)

“Five out of Latvia's 14 ministries' websites have information in easy-to-read language developed in cooperation with the NGO Agency of Easy-to-read Language (*Vieglās valodas aģentūra*). Important state bodies, such as the Ombudsman, the State Inspectorate for Protection of Children's Rights, the Central Election Commission and the State Employment Agency also provide easy-to-read versions on their websites.” (p. 37)

“In **Latvia**, the respondents said the only specialised community-based care service for people with mental health problems is outpatient visits to psychiatrists.” (p. 50)

“According to respondents access to this type of psychotherapy was often not easy, as they were not always available as part of the health system. In **Latvia** and Romania, for instance, access to such therapies was made available, on a limited basis, through NGOs.” (p. 50)

“The new Disability Law in **Latvia**, which entered into force on 1 January 2011, introduces the right to have a personal assistant initially for persons with visual impairments and from 2013 for persons with other disabilities, up to a maximum of 40 hours per week.” (p. 53)

“Since 2009, **Latvian** NGO RC ZELDA has organised regular capacity-building meetings, in which 10–15 people with mental health problems discuss issues of importance to them, such as: access to social services; access to out-patient mental healthcare; the rights provided by the CRPD; the new Law on the Rights of Patients (2009); and what reasonable accommodation means in education and employment. RC ZELDA published a handbook in 2010 on peer advocacy for users of mental health services. The NGO plans to conduct train-the-trainer courses on peer advocacy to facilitate more active participation by people with mental health problems in advocacy.” (p. 56)

Involuntary placement and involuntary treatment of persons with mental health problems (June 2012)

http://fra.europa.eu/sites/default/files/involuntary-placement-and-involuntary-treatment-of-persons-with-mental-health-problems_en.pdf

[2.2.1. The risk of harm and the therapeutic purpose] “In 13 Member States two criteria – the risk of harm *and* the need for treatment – are listed alongside having a mental health problem. This is the case in Denmark, Greece, Finland, France, Ireland, **Latvia**, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden and the United Kingdom.” (p. 31)

[2.3.3. Mandatory hearing of the person] “In **Latvia**, a person has the right to be heard at review procedures if a judge considers it ‘possible’. The CPT commented on this suggesting to strengthen the right to be heard of the person by a judge.” (p. 37-38)

[2.4.2. Review and appeal concerning lawfulness of involuntary placement and/or involuntary treatment] “Once the initial review has confirmed the placement measure, a timeframe for regular review of the decision is prescribed. In some Member States regular reviews of placement measures take place every three months (Bulgaria, Portugal), every six months (Finland, France, **Latvia**, Lithuania), after one year (Estonia, Slovenia), or after two years (Belgium, Luxembourg).” (p. 40)

[3.1.2. Experiences of ‘voluntary’ placements without choice and control] “Respondents were often unaware of possibilities to challenge their hospital admission, for example the right to refuse to be admitted as inpatients. Such experiences were relayed by Hungarian respondents, as well as by a number of **Latvian** respondents who had been hospitalised since 2005, suggesting that this remains an issue.” (p. 43)

“Stakeholders in **Latvia** and Sweden said that people with mental health problems are frequently not informed of their diagnosis.” (p. 46)