

Latvia

BIAS-MOTIVATED SPEECH

On 13 July, far-right politician, former Parliamentary Secretary of Minister of Justice, and currently Member of Parliament, Janis Iesalnieks retweeted a post of an “LGBT-Free zone” sign in Latvian, similar to those used in Poland. The Development/For! party turned to the Saeima Mandate, Ethics and Submissions Committee. On 5 August, with a vote of 4-3, the Ethics Committee sided with Iesalnieks, ruling that the post fell under freedom of speech. Local LGBTI organisations filed a case with the police and the Ombudsman’s Office, citing hate speech. The police refused to start criminal proceedings, but the Ombudsman’s Office launched an investigation.

Similar to 2019, over 500 anti-LGBT posts were removed by a social media platform in 2020. 32 of these were reported to the police, but criminal proceedings were only initiated in nine cases. Two cases were initiated in 2019.

BIAS-MOTIVATED VIOLENCE

Four anti-LGBT hate crimes were reported to Mozaika this year, all targeting gay men. Three attacks were reported to the police and criminal proceedings were started in two of the cases. Compared to 2019 (29 cases), the number of reported hate crimes decreased in 2020, possibly because of COVID-19 lockdowns.

DATA COLLECTION

Mozaika conducted a study on LGBT people’s quality of life in Latvia this year. The preliminary findings show that the political climate on LGBT issues has improved, and that legal progress would significantly improve both LGBT people’s well-being and social attitudes towards them.

EQUALITY AND NON-DISCRIMINATION

In July, the Constitutional Court admitted a case focusing on discrimination on grounds of sexual orientation regarding land registration. The law sets out a 60 times higher registration fee for people who are unmarried, placing same-sex couples in a disadvantaged position as they marriage equality has not been introduced in Latvia. The case was referred to the Court by the Ombudsman’s Office.

FAMILY

On 27 May, the Parliament’s Social and Employment Matters Committee decided to launch an official consultation and needs assessment concerning social protection for families where the partners live together, but are not married. The COVID-19

pandemic revealed that partners and children in such families are at a serious disadvantage with regard to inheritance, access to healthcare, and other areas.

A petition calling for the legalising of same-sex marriage passed the mandatory threshold of 10,000 signatures, mandating a parliamentary review. In September, with a vote of six-to-three, the Commission for Mandates, Ethics and Submissions decided not to review the initiative. On 23 October, parliament rejected the initiative with a 55-to-30 vote. A new initiative was introduced for the protection of all families on 1 October, and gathered 10,000 signatures in just six days. The first initiative to legalise civil partnerships or same-sex marriage was launched in 1997, but all have failed to date.

On 12 November, the Constitutional Court ruled in favour of a same-sex female couple, granting them parental leave on an equal basis with heterosexual couples. The applicant, who has been the partner of the biological and gestational mother for 10 years, wanted to exercise her right to go on parental leave after the birth of their second child. Labor Law, however, only grants parental leave to the gestational mother and to the father. The Court ruled that this provision violated the Constitutional protection for families, and will be annulled as of 1 June 2022. The applicant will be granted parental leave immediately.

FREEDOM OF ASSEMBLY

LGBT people and allies placed rainbow flags and other symbols outside the Polish embassy in Riga, to stand in solidarity with the Polish LGBT community in time of continued government crackdown. Some of the flags were later damaged.

In October, four protests took place near the Parliament, in support of the legal recognition of all families in Latvia. The protests were supported by three major parliamentary parties - New Unity, Development/For!, and Harmony.

HUMAN RIGHTS DEFENDERS

The LGBT House was closed between March and November, due to the COVID-19 pandemic, leaving many without access to a safe space or free HIV testing. The LGBT House briefly opened in November, but had to close again, due to new restrictions.

LEGAL GENDER RECOGNITION

Regulations on state security clearance were updated this year. The clearance is needed for a number of positions in the government, law enforcement, or the judiciary. Previously, there was a blanket ban on everyone with a psychiatric diagnosis



under ICD-10, including trans people. From now on, decisions will be made on a case-by-case basis. The new regulations are improved, but the reference to the outdated ICD-10 continues to stigmatise trans people.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In August, local LGBT organisation Mozaika surveyed the candidates of the Riga City Council elections on their stance on LGBT human rights and published them on its social media. New Unity and Development/For! expressed clearly positive attitudes towards LGBT issues.

PUBLIC OPINION AND ATTITUDES

A September public opinion poll found that 38% of Latvians had negative attitudes towards LGB people, 48% were neutral, and only 9% were supportive. Nonetheless, 63% supported the adoption of legislation to protect families without marriage in place.



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