

Hate Speech Legislation in Latvia

In Latvia, the Criminal Law foresees liability for actions aimed at incitement to hatred. Such actions include both hate speech and hate crimes. The law does not contain definitions of hate speech and hate crime, but incitement to hatred is prohibited in several laws.

Section 78 of the Criminal Law addresses **incitement to racial, ethnic, national, and religious hatred**, which includes both hate speech and hate crimes. It stipulates imprisonment for incitement to hatred of up to three years or community service or a fine. More severe punishment is foreseen for same acts committed by a group of persons, or a state official or a responsible employee of a company or an organisation or **by using internet** - imprisonment of up to five years, or community service or a fine. The most severe punishment - up to 10 years of imprisonment - is foreseen for the same crime of incitement if it is associated with violence or threats or if committed by an organised group. Section 78 is placed in the special chapter of the Criminal Law “Crimes against humanity, peace, war crimes, genocide” and, thus, such crimes are investigated by the Security Police.

Section 150 addresses incitement to social hatred and enmity. Similar to Section 78, it stipulates criminal liability **for incitement to hatred** based on such features as **age, gender, disability or any other feature**, however requiring that in case of incitement to hatred substantial harm is to be caused by such act. The punishment for such crime is a short-term imprisonment or community service or a fine. More severe punishment – imprisonment of up to three years or a community service or a fine is foreseen if it was committed by a group of persons, or a state official or a responsible employee of a company or an organisation or **by using internet**. The most severe punishment is up to four years of imprisonment if the act is related to violence or threats or is committed by an organised group. Crimes under this section are investigated by the State Police.

Section 48 (1) (14) of the Criminal Law provides that commission of a crime with a racist, ethnic, national or religious motive is an aggravating circumstance.¹

¹ More information about hate crimes in Latvia is available in LCHR publication: Lifecycle of a hate crime. Country report Latvia (2017), available at: <http://cilvektiesibas.org.lv/en/publications/lifecycle-of-a-hate-crimes-country-report-for-latv-446/>