

Hatred and hate crimes in Latvia in the 20th century to the beginning of the 21st century—A historical perspective

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Abstract

The Constitution (Satversme) of the Republic of Latvia protects fundamental human rights and freedoms, including freedom of expression, minority rights and the prohibition of any discrimination. The historical development of the present Republic of Latvia over the centuries can also be viewed from the perspective of wars and conflicts and has resulted in a diverse ethnic and cultural heritage, which has sometimes led to tensions and prejudices. Hate speech and hate crimes, often rooted in such prejudices, have been on the rise, particularly due to recent events like the COVID-19 pandemic and the war in Ukraine. Hate, characterised by persistent and intense hostility, serves as a stimulus for such crimes. However, hate itself is not illegal; only hate-motivated actions are considered criminal. This article aims to analyse the legal framework concerning hate crimes in Latvia, tracing the development of understanding of hatred and hate crimes from the 20th century to the present, therefore this historical legacy still affects the situation in our country.

Keywords

Latvian society • Hate crimes • Historical development

INTRODUCTION

The Constitution (Satversme) of the Republic of Latvia enshrines several fundamental human rights and freedoms, including the right to freedom of expression, freedom of artistic and other creativity, the right of minorities to preserve and develop their language, ethnic and cultural identity, and the prohibition of any discrimination (Amendments to the Constitution of the Republic of Latvia, 1998). Justifying the need to supplement the Constitution of the Republic of Latvia with an Introduction, it was pointed out that Latvia has experienced a long period of occupation, where the totalitarian occupying power attempted to eradicate the historical memory of the Latvian people about their country, its meaning and essence, and at the same time prevent a positive attitude towards it in the future (Draft Law 1075/Lp11). In addition, it was noted that this historical legacy still affects the situation in our country.

The historical development of the territory of the present Republic of Latvia over the centuries can also be viewed from the perspective of wars and conflicts (Zemītis, 2023). Latvia has experienced several wars and occupations, which have created a diverse ethnic and cultural heritage. This territory has always been inhabited by various social groups, differing

in nationality, religion, culture, language and other criteria. In some cases, this contributed to tension and disagreements (Dribins, 2000; Krūmiņa-Koņkova and Tēraudkalns, 2007), which were based on negative communication experiences and, accordingly, various prejudices and stereotypes, which developed into hatred and could result in reprehensible actions.

It should be noted that even the results of research conducted at the beginning of the 21st century show that the main types of intolerance in Latvia relate to ethnicity and religion. A special risk group is the Roma. Similarly, anti-Semitism and prejudice against Muslims are sometimes expressed in Latvia (Cabinet of Ministers, 2004). The aforementioned activities are often associated with the diverse manifestations of hate speech and hate crimes, which, however, cannot be recognised as a fundamental characteristic of Latvian society and culture.

In modern social relations, any form of expression that incites, promotes, disseminates or justifies violence, hatred or discrimination against a person or groups of persons, or denigrates them, based on personal characteristics such as race, skin colour, language, religious belief, nationality, ethnic origin, age, disability, sex, gender identity and sexual orientation (Recommendation (EU) 2022/16) is called hate speech, while actions or (criminal) offences whose motive

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is based on prejudice when the victim, place or target of the crime is chosen based on their actual or perceived connection, support, affiliation or membership in a group. A group may be based on the real or perceived race, national or ethnic origin, language, skin colour, religion, gender, age, physical or mental disability, sexual orientation, or other similar characteristic of its members (The Latvian Centre for Human Rights, 2022)—on hate crimes.

Hate as a form of expression of human feelings, a strong emotional reaction, a particularly persistent, long-lasting aggressive dislike towards a specific person or group, is the basic stimulus for hate speech and hate crimes. Dr. iur. Jānis Baumanis admits that hatred is quite complicated to define in research. In his view, hatred is a form of expression of human feelings directed against a certain object (person, group of persons, process, phenomenon), characterised by evil, hostility, and which is persistent, with great intensity and destructiveness (Baumanis, 2016).

However, it is important to note that hatred in itself is not an unlawful offence—only an offence actually committed with a hate motivation and directed against a person or group of persons is considered an unlawful offence.

The proportion of hate speech and hate crimes in Latvian society has increased significantly over the last 5 years, which is explained by both the COVID-19 pandemic and the state decisions and restrictions introduced within the framework of combating it, as well as the war waged by the Russian Federation in Ukraine (Treļs, 2023). Analysing the statistical data on the criminal offences that were recorded until 1 January 2025 (The Information Centre of the Ministry of the Interior, 2025) it should be stated that within 10 years (from 1 January 2015 to 31 December 2024) 104 criminal proceedings were initiated according to Section 74.¹ 'Acquittal of Genocide, Crime against Humanity, Crime against Peace and War Crime' of the Criminal Law (in 2015 - 0, in 2016 - 0, in 2017 - 0, in 2018 - 2, in 2019 - 2, in 2020 - 1, in 2021 - 1, in 2022 - 28, in 2023 - 14, in 2024 - 56) and 109 criminal proceedings according to Section 78 'Triggering of National, Ethnic and Racial Hatred' of the Criminal Law (in 2015 - 10, in 2016 - 6, in 2017 - 1, in 2018 - 7, in 2019 - 5, in 2020 - 5, in 2021 - 4, in 2022 - 32, in 2023 - 10, in 2024 - 29). The issue of inciting social hostility and hatred, primarily against members of the LGBTI community, remains relevant. During the period under review, 38 criminal proceedings according to Section 150 'Incitement of Social Hatred and Enmity' of the Criminal Law (in 2015 - 1, in 2016 - 5, in 2017 - 2, in 2018 - 0, in 2019 - 2, in 2020 - 11, in 2021 - 6, in 2022 - 6, in 2023 - 1, in 2024 - 4). Moreover, this increase can be observed across the European Union. In response, in early 2024, the European Parliament called on member states to agree on the introduction of legislation to ensure that everyone in Europe has a sufficient level of protection against hate crimes (lvportals.lv, 2024).

The aforementioned circumstances prompted the authors of the article to investigate the understanding of hatred and hate crimes in the territory of the Republic of Latvia in the 20th century—early 21st century, i.e. since the founding of the state of Latvia. Such research allows us to track the development of understanding of hatred and hate crimes, which is one of the prerequisites for both identifying hatred and preventing hate in Latvian society. It should be noted that social, cultural and historical circumstances are also important for identifying hatred and hate crimes, as, for example, the use of a certain action or word may be acceptable at one time, while punishable at another (Dzelme, 2012).

The relevance of the topic is also supported by the conclusions of the European Court of Human Rights in the judgement of 18 July 2024 in the case 'Hanovs v. Latvia' (European Court of Human Rights, 2024). The court stated in its judgement that the failure of States to address hate crimes 'can normalise hostility towards LGBTI individuals, perpetuate a culture of intolerance and discrimination and encourage further acts of a similar nature' (para. 53). The court, noting that 'only effective criminal-law mechanisms can ensure adequate protection and serve as a deterrent' (para. 32), indicated 'that the effectiveness of an investigation must be assessed as a whole rather than with reference to any individual elements' (para. 33).

This article aims to analyse the legal framework concerning hate crimes in Latvia from the 20th century to the present, identifying potential challenges and achievements that may serve as a basis for contemporary application. The research question is: How has the legal regulation of hate crimes in Latvia evolved from the 20th century to the present, and what challenges and achievements can be identified to improve current legal practice?

The article employs general research methods, such as analysis and synthesis, comparison, causal discovery and methods of interpreting the rules of law: grammatical, historical, comparative and teleological methods. The most important methods used in the study are the historical and comparative methods. The authors attempted to apply these methods in accordance with the explanation provided by Professor Kārlis Dišlers in 1930 (Dišlers, 1930). He noted that the historical method helps to clarify the essence of legal institutions and, at times, the true content of legal norms by examining their development. He divided the comparative method into two types: dogmatic-comparative and historical-comparative. The former, according to K. Dišlers, is to be used to determine what the legislator aims to achieve by comparing norms and legal institutions within one legal system with those found in other existing legal systems or collections of norms. Today, this method is also used to identify the objectives that the legislator intended to achieve when adopting the legal norms relevant to the study (*ratio legis*). The second method, the

historical-comparative method, according to the professor, is intended for comparing the development of legal norms or institutions across different legal systems. In accordance with the chosen methodology, the authors have divided this paper into three chapters: (1) Hatred and hate crimes in the regulatory framework in the interwar period; (2) Hatred and hate crimes during the Soviet occupation; (3) Hatred and hate crimes within the regulatory framework following the restoration of national independence.

RESEARCH RESULTS AND DISCUSSION

Hatred and hate crimes in the regulatory framework in the interwar period

Analysing the 20th century criminal law regulatory framework, the authors of the article have determined that the term 'hate crimes' is not included in the Latvian regulatory framework. However, the first legal provisions that provided for liability for actions similar to 'hate crimes' in the modern sense were mostly related to the protection of various religious groups.

After the founding of the state of Latvia on 18 November 1918, several regulatory acts adopted during the Russian Empire remained in force. One of them is the Criminal Code of March 22, 1903. Chapter II, 'Violation of the Rules for the Protection of Faith' (Sections 73 to 98), included norms that specifically protected Orthodox Christians as representatives of the dominant religious group in the Russian Empire. From a modern perspective, these norms are discriminatory towards representatives of other religious denominations and groups, as they were aimed at protecting a specific faith, ensuring it a privileged position. For example, Section 90 of the Criminal Code of 22 March 1903, stipulated: Whoever has openly read or delivered a sermon, speech or composition, or has distributed or openly displayed a composition or depiction that incites Orthodox believers to convert to another faith or doctrine, or to a sect, if such acts have been committed in order to turn Orthodox believers away from their faith, shall be punished by imprisonment in a fortress for a term not exceeding 1 year, or arrest (Criminal Laws, 1903). The term 'sect' is used as an organised, authoritarian and closed religious group (Letonika, 2024).

As the regulatory framework has developed, the situation regarding the protection of religious groups has improved. Chapter XXVII of the Criminal Code of 24 April 1933, 'Criminal Offences Against the Religious Feelings of Believers and the Peace of the Dead', ensures the prevention of prohibited differential treatment in the context of religious freedom: Criminal norms no longer protect faith itself, and even less any privileged denomination, but the freedom of conscience and feelings of believers of all cults legally existing in Latvia (Criminal Law, 1933).

The comments to the Criminal Code of 24 April 1933 also noted that democratic principles, taking broad circles of the population under their protection, compel us to speak out especially strongly against the persecution of social groups (Criminal Law, 1933). The implementation of such an approach demonstrates a historical shift from preventing the violation of individual rights to protecting group rights. If the religious freedom of one specific person or some other interest protected by law is possible to be violated, then such a possibility also exists in relation to a group of people, in the modern sense—a social group. In this transition, there is a similarity with the modern regulatory framework and understanding of a social group in the context of Section 150 of the current Criminal Law.

When analysing the above, it is worth mentioning the explanation of professor Pauls Mincs on how, as the regulatory framework developed, religious issues were included in it: While it was about protecting the 'Deity' and the 'state' religion, these offences were given the most honourable place at the beginning of the 'special' part of the code. When the formula of freedom of belief and protection of religious feelings of believers finally prevailed, these offences began to be placed, for example, among violations of public peace (Mincs, 1939). Mincs has also pointed out that these norms are not aimed at protecting faith as such, or belonging to any denomination, but at respecting the feelings of believers, freedom from foreign fanaticism, and protecting believers from desecration and hooliganism. Such an explanation also allows for a more precise understanding of the current regulatory framework and, in accordance with this approach, to assess the actions referred to in the current Section 78 of the Criminal Law, which are aimed at inciting religious hatred.

Signs of a social group and crimes against it can also be observed in Chapter VII of the Criminal Code of 24 April 1933, 'Criminal Offences Against the Peace of the State' (a chapter of similar content was also in the Criminal Code of 22 March 1903), because this chapter is not directed against offences that threaten public safety and public peace in the context of the overthrow of the state system, but is oriented towards internal danger, which does not include considerations of the overthrow of the state (Criminal Law, 1933).

The Criminal Code of 22 March 1903, Chapter V, 'Riots', Section 125, Part 2, stipulates that anyone who has participated in an association, knowing that it has set as its purpose: to incite hatred between separate sections or parts of the population, between classes, or between employers and workers (Criminal Laws, 1903), is punishable by imprisonment in a reformatory or imprisonment in a fortress. In turn, the second part of Section 108 of the Criminal Code of 24 April 1933 provided: Anyone who has participated in an association, knowing that it has set as its purpose: to incite hatred between separate sections of the population, shall be

punished by imprisonment (Criminal Law, 1933). The Criminal Code of 24 April 1933, only includes liability for inciting hatred between certain sections of society, reducing the amount of punishment. Such regulation partly corresponds to the modern liability for inciting social hatred.

Analysing the situation as a whole, the authors of the article endorse P. Mincs' earlier concept of safeguarding religious sentiments by integrating them into a unified criminal justice framework (Mincs, 1939).

Additionally, they advocate for the structuring of hate crime regulations in alignment with contemporary social, political and cultural contexts.

Similarly, the Criminal Code of 24 April 1933, provided for liability for offences directed against believers as a group. Possible similarities with the modern regulatory framework were the second part of Section 108 of this Criminal Law, which provided for liability for inciting hatred between certain sections of the population (Criminal Law, 1933).

Analysing the regulatory framework of Latvia that was in force during the interwar period and examining the situation in the country at that time, it must be stated that the Latvian state has been able to combat incitement to hatred in society, at least at the doctrinal and normative level, by combating hate crimes directed against various ethnic and religious groups.

Hatred and hate crimes during the Soviet occupation

As Professor Vitolds Zahars rightly points out, there is no reason to disagree that the dominant ideology and politics (mostly domestic politics) in a country do not affect the understanding and control of crime: How should we evaluate the repressions carried out in the Soviet Union in the 1930s and 1940s, as a result of which the 'crime' incriminated to individuals was only belonging to a different social class, ethnic or religious community? ... The mass arrests, shootings and other repressions of Latvian political, economic, military and cultural workers living in the Soviet Union should be qualified as international crimes (Zahars, 2023).

On 25 December 1958, the Union of Soviet Socialist Republics adopted the law 'On Criminal Liability for State Crimes', which in Section 11 established criminal liability for propaganda or agitation aimed at inciting racial or national hatred or discord, as well as for the direct or indirect restriction of citizens' rights, or for creating direct or indirect advantages for citizens based on their race or nationality. The law prescribed imprisonment for a term of 6 months to 3 years or exile for a term of 2–5 years. This provision was included in Chapter II, 'Other State Crimes' (On Criminal Liability for State Crimes, 1958).

The Criminal Code of the Latvian Soviet Socialist Republic, which entered into force on 1 April 1961, included Section 69 'Violation of National and Racial Equality'. It stipulated

that 'propaganda or agitation with the aim of inciting racial or national hatred or discord, as well as direct or indirect restriction of civil rights or direct or indirect creation of advantages for citizens depending on their race or nationality—shall be punishable by deprivation of liberty for a term of 6 months to 3 years or by settlement for a term of two to 5 years (Criminal Code of the Latvian Soviet Socialist Republic, 1961).

This provision was included in Chapter II 'Other State Crimes' of the Criminal Code of the Latvian Soviet Socialist Republic, and thus the group of criminal offences threatened the interests of the state. The crime contained in the Section 69 of the Criminal Code of the Latvian Soviet Socialist Republic manifested itself in two alternative actions: (1) propaganda or agitation with the aim of inciting racial or national hatred or discord; and (2) direct or indirect restriction of civil rights or direct or indirect creation of advantages for citizens depending on their race or nationality. The first can be considered 'hate speech' in modern terminology, and the second—a violation of the prohibition of discrimination. The amendments of 1 March 1990 expanded the number of acts included in Section 69, providing for liability also for acts intended to incite the humiliation of national honour and dignity. The second part of the section provided for liability for the same actions if they were related to violence, fraud or threats, as well as if they were committed by an official, but the third part provided for liability for all of the aforementioned actions if they were committed by a group of persons or if these actions caused the death of a person or other serious consequences (On Amendments and Additions to the Criminal Code of the Latvian SSR, the Criminal Procedure Code of the Latvian SSR and the Correctional Labour Code of the Latvian SSR, 1990).

It should be noted that the provision included in Section 69 of the Criminal Code of the Latvian Soviet Socialist Republic has rarely been applied in practice—from 1962 to 1991, seven criminal cases have been brought to court (Kamenska and Brands Kehre, 2008). On 22 August 1991, the Criminal Code of the Latvian Soviet Socialist Republic changed its name to the Criminal Code of Latvia. The 25 May 1993 version of this regulatory act changed the amount of the fine provided for in the sanction from being calculated in rubles to the minimum monthly wage. This section existed in this wording until 1 April 1999, when the Criminal Code of Latvia was replaced by a newly adopted regulatory act—the Criminal Law.

During the Soviet era, a distinctive approach to addressing social and political dissent emerged—ranging from mass repressions targeting individuals based on their ethnic, social, political, or cultural identity to the formal establishment of legal accountability for hate-motivated acts. However, in practice, such legal provisions were rarely enforced, as there was *de facto* denial of hate crimes.

Hatred and hate crimes within the regulatory framework following the restoration of national independence

Upon the restoration of Latvia's national independence, the reform and harmonisation of the entire legal system began, based on human rights norms and democratic principles. Despite historical challenges, the Constitution (Satversme) of the Republic of Latvia continued to exist *de jure* during the years of occupation. After the restoration of independence in 1990, the Constitution of the Republic of Latvia became a symbol of legal continuity and a foundation for the restoration of a democratic state. Upon the restoration of the Constitution's operation, a new Chapter 8 titled 'Fundamental Human Rights' was added to it in 1998 (Amendments to the Constitution of the Republic of Latvia, 1998). Immediately after the restoration of independence, Latvia also acceded to several international legal instruments.

Section 116 of the Constitution (Satversme) of the Republic of Latvia states that a person's rights may be restricted in certain cases indicated by law, in order to protect the rights of other people, the democratic structure of the State, and public safety, welfare and morals. Restrictions on freedom of expression are also outlined in Section 10(2) of the Convention for the Protection of Human Rights and Fundamental Freedoms (1950) and in Sections 19(3) and 20 of the United Nations (1966). In this regard, one must agree with Judins (2024), who rightly concluded that freedom of speech is a fundamental, yet not absolute, human right. When imposing restrictions on freedom of expression or criminalising its violations, the state must not act arbitrarily. Limitations on freedom of speech are permissible only when they are necessary for the protection of important interests and for the prevention of harm to other individuals or to society as a whole.

As already mentioned, the Criminal Code of Latvia was applied until 1 April 1999. The initial version of the Criminal Law adopted on 17 June 1998, did not include several of the acts mentioned in Section 69 of the Criminal Code of Latvia, providing for liability in the first part of Section 78 'Violation of national and racial equality, restriction of human rights' for an act deliberately aimed at inciting national or racial hatred or discord, as well as for the deliberate direct or indirect restriction of a person's economic, political or social rights or the creation of direct or indirect advantages for a person depending on their race or nationality, but in the second part—for the same act, if it is associated with violence, fraud or threats, as well as if it was committed by a group of persons or a state official, or a responsible employee of an enterprise (company) or organisation (Criminal Law, 1998). Therefore, the word 'incitement' (Latvian: *musināšana*) is not used in the newly adopted regulatory act; it is replaced by the word 'initiation; the act of causing' (Latvian: *izraisīšana*). There is also no mention of actions aimed at degrading national honour and

dignity, as well as serious consequences associated with the loss of life or other actions resulting in serious consequences. The Amendments to the Criminal Law of 21 June 2007 supplemented the actions referred to in Section 78 by providing for a new qualifying circumstance—liability for the activity referred to in the first paragraph, if it was committed using an automated data processing system (Amendments to the Criminal Law, 2007). When explaining the concept of 'automated data processing system', the Supreme Court of the Republic of Latvia has stated that household electronic devices, gaming, ticket, coffee, etc. machines, the main task of which is to provide a specific person with a property right or specific property for a fee, are not considered to be such, because their primary function is not automated data processing. Data may only be entered into an automated data processing system if it may affect the data processing process in the automated data processing system. Data entry is a normal data processing function of an automated data processing system. Data is associated with symbols, letters and quantities prepared for processing in an automated data processing device. An automated data processing system can be used in the data processing process both as a tool with which data is entered, as an object that stores data and as a medium for data transmission (Department of Criminal Cases of the Senate of The Supreme Court of the Republic of Latvia, 2014).

On 1 April 2013, Amendments to the Criminal Law came into force, which changed the sanctions in both parts of Section 78 and excluded the word 'fraud' from the disposition of the second part (Amendments to the Criminal Law, 2012).

Significant Amendments to the Criminal Law were made on 25 September 2014, dividing Section 78 'Incitement of National, Ethnic and Racial Hatred' into three parts and supplementing it, while Section 150 'Incitement of Social Hatred and Discord' acquired new content (Amendments to the Criminal Law, 2014).

Section 150 'Violation of Equality of Persons Depending on Their Attitude to Religion' of Criminal Law, which in its original wording provided for liability for direct or indirect restriction of the rights of persons, creation of any advantages for persons depending on their attitude to religion, except for activities in religious confessional institutions, as well as for offending the religious feelings of persons or inciting hatred due to their attitude to religion or atheism has also been dynamically modified (Criminal Law, 1998).

With the Amendments of 21 June 2007, Section 150 of Criminal Law was divided into two parts, its title was changed to 'Incitement of Religious Hatred', and liability is provided in the first part for offending the religious feelings of persons or inciting hatred due to the attitude of these persons towards religion or atheism and in the second part for the same act, if it

causes significant damage or if it is associated with violence, fraud or threats, or if it is committed by a group of persons or a state official, or a responsible employee of an enterprise (company) or organisation, or if it is committed using an automated data processing system (Amendments to the Criminal Law, 2007). With the Amendments to the Criminal Law, of 13 December 2012, both parts of the sanction were changed in Section 150, similar to Section 78, and the word 'fraud' was removed from the second part of the provision (Amendments to the Criminal Law, 2012).

As already mentioned, significant amendments to the Criminal Law were made on 25 September 2014, when Section 150 of Criminal Law acquired new content and the name 'Incitement of Social Hatred and Enmity' (Amendments to the Criminal Law, 2014), and in the version of 17 December 2020, it provides for liability:

- (1) For a person who commits an act oriented towards inciting hatred or enmity depending on the gender, age, disability of a person or any other characteristics, if substantial harm has been caused thereby, the applicable punishment is the deprivation of liberty for a period of up to 1 year or temporary deprivation of liberty, or probationary supervision, or community service, or fine.
- (2) For the criminal offence provided for in Paragraph one of this Section, if it has been committed by a public official, or a responsible employee of an undertaking (company) or organisation, or a group of persons, or if it is committed using an automated data processing system, the applicable punishment is the deprivation of liberty for a period of up to 3 years or temporary deprivation of liberty, or probationary supervision, or community service, or fine.
- (3) For the act provided for in Paragraph one of this Section, if it is related to violence or threats, or the criminal offence provided for in Paragraph one of this Section, if it has been committed by an organised group, the applicable punishment is the deprivation of liberty for a period of up to 4 years or temporary deprivation of liberty, or probationary supervision, or community service, or fine.

Similar to Section 78 of Criminal Law, Section 150, with the amendments of 1 January 2022, in the second and third parts of the section, the words 'forced labour' have been replaced with the words 'probationary supervision, or community service' (Amendments to the Criminal Law, 2020).

The following amendments to Section 150 of the Criminal Law were made on 6 June 2024 and come into force on 4 July 2024, supplementing the disposition of the third part of the Section after the word 'threats' with the words 'or if it involves torture',

and excluding from the third part of the Section the words 'or community service, or fine' (Amendments to the Criminal Law, 2024). Consequently, the only possible punishment for the act provided for in the third part of Section 150 of the Criminal Law is imprisonment.

A 2016 study by the Ombudsman of the Republic of Latvia concluded that there is no common understanding regarding the circle of persons protected by Section 150 of Criminal Law. This may create problems in relation to the recognition, identification, qualification and prosecution of the criminal offence. The lack of a common understanding of the criminal offence and the problem of recognising protected groups can lead to human rights violations due to incomplete identification and investigation of hate speech, hate crimes and hate motives (The Ombudsman of the Republic of Latvia, 2016). The authors of the article conclude that the identified problems still exist.

The Amendments to the Criminal Law, made on 6 July 2021, are to be positively assessed, when the legislator supplemented the list of circumstances provided for in the first part of Section 48 'Aggravating Circumstances' of Criminal Law, stipulating that the circumstance that 'the criminal offence was committed due to racist, national, ethnic, or religious motives or due to social hatred' may be recognised as aggravating (Amendments to the Criminal Law, 2021).

Evaluating the legislator's actions as a whole, the authors of the article conclude that although it has made several important improvements to the regulatory framework that provides for liability for actions aimed at inciting hatred, the legislator should still address some problematic issues in order to improve the identification and combating of hate crimes in the country.

However, both the intensification of social relations and the interaction of different cultures, as well as the development of technology, are currently raising relatively new challenges in identifying and preventing hate speech. 'Online hate' is definitely worth mentioning here—in fact, a new form of violence that can negatively affect both a specific individual and society as a whole (Pakārkle, 2024). It is often used as a means to exert pressure or silence an opponent. The specificity of online hate is associated with the speed of the web and the wide possibilities for individual involvement and participation, including the use of artificial intelligence, significantly complicating the efforts of a particular country to reduce its manifestations.

CONCLUSIONS

In response to the question: how the legal regulation of hate crimes in Latvia has evolved from the 20th century to the present, and what challenges and achievements can be

identified to improve current legal practice, the authors arrive at several conclusions and proposals:

1. The regulatory framework in Latvia that at various times provided for liability for inciting hatred has continuously developed over time and continues to improve, as the legislator responds to changes in the situation at the national and international levels.
2. Analysing the historical development of the regulatory framework, it is possible to find various solutions that can be used today. For example, the possibility of including a section that provides for liability for inciting hatred in Chapter X 'Crimes against the State' of the Criminal Law, should be considered, similar to what was historically the case with similar types of offences, which were included in Chapter VII 'Criminal Offences against the Peace of the State' of the Criminal Code of 22 March 1933.
3. The issue of separating criminal liability from administrative liability, including liability for inciting hatred, is worth discussing. In this context, it is proposed to introduce a new provision on hate speech within Chapter 3 of the Law on Administrative Penalties for Offences in the Field of Administration, Public Order and Use of the Official Language, which regulates administrative offences in the field of public order. The boundary could be established by taking into account historical experience, as the second part of Section 125 of the Criminal Code of 22 March 1903, and the second part of Section 108 of the Criminal Code of 24 April 1933, provided for liability for inciting hatred within an association, or in modern terminology, within a group. In this way, the current regulatory framework distinguishes between an offence committed by an individual and an offense committed by a group or an organised group.
4. The regulatory framework providing for liability for inciting hatred has historically developed in two directions, providing for liability for actions aimed at inciting national, ethnic, racial or religious hatred or discord (Section 78 of Criminal Law), and for actions aimed at inciting social hatred and discord (Section 150 of Criminal Law). The last of the mentioned sections stipulates responsibility 'for a person who commits an act oriented towards inciting hatred or enmity depending on the gender, age, disability of a person or any other characteristics, if substantial harm has been caused thereby'. In order to strengthen the clear identification of hate crimes and responsibility for them, it would be useful to amend the Criminal Law by combining Section 78 with Section 150, so that all actions aimed at inciting hatred in the territory of Latvia

would be punishable equally, within the framework of one single sanction.

5. Hate speech and hate crime expressions evolve alongside changes in society and technological progress. Online hatred is particularly noteworthy here as a relatively new form that opens up a wide range of opportunities for the involvement of representatives of different countries and societies, as well as allowing the use of artificial intelligence and other technologies to spread hatred, accordingly reducing the state's capabilities to reduce it.
6. It is important that the culture and traditions of the Latvian people, as well as universal human and Christian values mentioned in the Introduction to the Constitution of the Republic of Latvia, have become the basis for a relatively high level of mutual respect and tolerance towards various social and cultural groups in Latvian society, which in turn reduces phenomena such as hatred and discord. Although there has been an increase in hate crimes over the last 5 years, the authors of the article express hope that in the near future, as the international situation changes, the number of hate crimes in Latvia will decrease.

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