

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

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References to Latvia marked in **bold**. NB: any footnotes in the original texts have been omitted from this overview. Furthermore, many reports contains relevant graphs and figures, which haven't been included in this document.

## Contents

<b>Data Explorers and Tools</b> .....	<b>3</b>
<b>Annual Reports</b> .....	<b>3</b>
Fundamental Rights Report 2020 (June 2020).....	3
2. Equality and non-discrimination.....	3
3. Racism, xenophobia and related intolerances.....	3
6. Information society, privacy and data protection.....	4
7. Rights of the Child.....	4
8. Access to Justice.....	4
10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities.....	4
Fundamental Rights Report 2019 (June 2019).....	5
3. Equality and non-discrimination.....	5
7. Information society, privacy and data protection.....	5
8. Rights of the child.....	5
9. Access to justice.....	5
10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities.....	6
<b>Thematic Reports</b> .....	<b>6</b>
Business and human rights – access to remedy (October 2020).....	6
Antisemitism: Overview of antisemitic incidents in the European Union 2009 – 2019 (September 2020).....	6
Strong and effective National Human Rights Institutions – challenges, promising practices and opportunities (September 2020).....	7

What do fundamental rights mean for people in the EU? (June 2020)..... 7  
A long way to go for LGBTI equality (May 2020)..... 8  
Criminal detention conditions in the European Union: rules and reality (December 2019)..... 8  
Combating child poverty: an issue of fundamental rights (October 2018)..... 10  
Hate crime recording and data collection practice across the EU (June 2018)..... 10  
Challenges facing civil society organisations working on human rights in the EU (January 2018)... 11  
Second European Union Minorities and Discrimination Survey - Main results (December 2017)... 11

## Data Explorers and Tools

In addition to the relevant passages from recent FRA publications that are presented in this submission, valuable information can be found in the **data explorers** on FRA's website (available at <https://fra.europa.eu/en/publications-and-resources/data-and-maps>), which allows the comparison of results from some of FRA's research for all EU Member States, including **Latvia**:

- [Forced return monitoring systems – State of play in EU Member States](#) (last updated July 2020)
- [EU LGBTI Survey data explorer](#) (last updated May 2020)
- [Minimum age requirements related to rights of the child in the EU](#) (last updated October 2018)
- [Second European Union Minorities and Discrimination Survey \(EU MIDIS II\) data explorer](#) (last updated December 2017)
- [Mapping child protection systems in the EU](#) (last updated August 2015)
- [Mapping victims' right and support in the EU](#) (last updated April 2014)
- [Violence against women survey data explorer](#) (last updated March 2014)

In addition to the data explorers, the FRA website also offers the [European Union Fundamental Rights Information System \(EFRIS\)](#). EFRIS is a Human Rights Gateway, bringing together data and information from existing human rights databases, and enables viewing and analysis of relevant assessments of fundamental rights in the EU.

## Annual Reports

### Fundamental Rights Report 2020 (June 2020)

<https://fra.europa.eu/en/publication/2020/fundamental-rights-report-2020>

#### 2. Equality and non-discrimination

"The [Ombudsman's] lack of a mandate to provide independent assistance to victims of discrimination came out in the [ECRI] report on **Latvia**." (p.40)

"In some Member States (**Latvia** and Romania), parliament rejected or stalled draft laws aimed at legal recognition of same-sex couples." (p.46)

#### 3. Racism, xenophobia and related intolerances

"Around one in three of 1,005 **Latvian** residents do not want to work alongside Roma (33 %), Afghan (30 %), Pakistani (29 %), Syrian (26 %) or African (25 %) persons, a poll revealed." (p.59)

"[ECRI's] reports on [...], **Latvia**, [...] raised concerns that no legislative provisions penalise the public expression of insults, or defamation on grounds of race, colour, language, religion, nationality or national or ethnic origin." (p.63)

"To increase trust in the police and to address hate crime under-reporting, ECRI recommended that **Latvia** establish a state police unit to reach out to vulnerable groups." (p.68)

“ECRI and CERD expressed concern about gaps in legislation against ethnic discrimination in a number of Member States. For example, in its report on **Latvia**, ECRI stressed that there is currently no comprehensive legislation dedicated to prohibiting racial discrimination.” (p.70)

## 6. Information society, privacy and data protection

“[Data Protection Supervisory Authorities] are looking to increase their cooperation with CSOs that have expertise in data protection-related issues. In **Latvia**, the Data State Inspectorate cooperated with the **Latvian** Association of Information and Communication Technologies (LIKTA) to develop guidance on the processing of personal data of natural persons for the information and communication technology areas.” (p.146)

## 7. Rights of the Child

“The European Semester paid more attention to issues related to child poverty in 2019 than in previous years. However, no [country specific recommendations (CSR)] targeted child poverty as such, although general CSRs on poverty, income support or improvements of the social safety net also affect child poverty. Such CSRs on more general issues that potentially have an impact on child poverty were addressed to Bulgaria, Croatia, Estonia, Hungary, **Latvia**, Lithuania, Portugal, Romania and Spain.” (p.169)

“The amended Audiovisual Media Services Directive (AVMS Directive) is one of the latest steps to ensure the protection of children online. Other Member States have started consultations on the directive or drafted legislative amendments, such as **Latvia**.” (p.173)

## 8. Access to Justice

“As of December 2019, the Istanbul Convention had been signed by all EU Member States, and ratified by 21. [...] The ratification process also stalled in Bulgaria, Czechia, Hungary, **Latvia** and Lithuania.” (p.193)

## 10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“In **Latvia**, for example, the Cabinet of Ministers approved a Plan for the development of environmental accessibility for 2019–2021, reflecting the recommendations in the CRPD’s concluding observations. Its goal is to ensure that all people with disabilities have access to public and local authorities and their services by 2030. The plan named DPOs as key partners in the assessment and quality control of its effort to develop and implement universal design principles.” (p.217)

“The **Latvian** Supreme Court found in favour of an NGO representing a disabled applicant who pointed out that, although the refurbished buildings of the new Latvian Art Academy had wheelchair ramps, they were not independently accessible. The court referred to the CRPD and noted that access solutions for persons with disabilities should allow independent access as far as possible. It also stressed the need to consult with the representatives of persons with disabilities and examine their claims during the planning process.” (p.218)

## Fundamental Rights Report 2019 (June 2019)

<https://fra.europa.eu/en/publication/2019/fundamental-rights-report-2019>

### 3. Equality and non-discrimination

“The UN Committee on the Elimination of Racial Discrimination (CERD) made similar recommendations in 2018 in its concluding observations on **Latvia**, Slovakia and Sweden. It called on States to provide equality bodies with adequate human, financial and technical resources and to broaden their mandates.” (p.67)

### 7. Information society, privacy and data protection

“Some Member States also decided to focus studies or initiatives on specific topics. In 2018, the specific national legal initiatives concentrated on four areas: health (in Finland, **Latvia** and Portugal), the regulation of relationships between financial and other institutions (in the Netherlands), the modernisation of the public sector (in **Latvia**, Portugal, Poland, Slovakia and Sweden), and transport (Austria, Estonia and Spain). (p. 157)

“At national level, most research and analysis [in the area of artificial intelligence] launched in 2018 focused on the economic opportunities for each country: seven Member States [...] dedicated their initiatives to the evaluation of the impacts on the industry or the labour market; six Member States [...] on the need to reinforce research and education; and 13 Member States focused on the impact of AI on dedicated sectors (health in Finland, **Latvia** and Portugal, banks in the Netherlands, the modernisation and digitalisation of public services in **Latvia**, Portugal, Poland, Slovakia, and Sweden, or transportation in Austria, Estonia, Poland, and Spain).” (p. 158)

### 8. Rights of the child

“The SDG framework calls on governments to design and implement national policies that link social sustainability with the fight against poverty, including child poverty. The majority of the VNR reports that EU Member States have submitted since 2016 include such references. For example, the reports by Belgium, Cyprus, Hungary, **Latvia**, Lithuania, Malta, Poland, Portugal and Spain contain comprehensive overviews and detailed information on their actions in fighting child poverty.” (p.182)

“Even though all EU Member States provide for legal aid for child suspects/offenders without an explicit minimum age requirement, in the majority of Member States (17) legal aid is dependent on income requirements. Belgium, Bulgaria, Denmark, Estonia, Hungary, **Latvia**, Lithuania, the Netherlands Romania, Sweden and the United Kingdom provide legal aid for children without any income requirements.” (p.187)

“By the end of 2018, only five Member States – Finland, Hungary, **Latvia**, Luxembourg and Slovakia – had taken action to incorporate the Procedural Safeguards Directive into their national legislation. [...] In **Latvia**, the legal reform ensured that all alternative measures need to have been evaluated before detention is used, as a measure of last resort and for security purposes only. [...] **Latvia**, Slovakia and Spain have notified the Commission of complete transposition.” (pp.187-188)

### 9. Access to justice

“Another crucial aspect concerns criminalisation of and increased punishment for acts of violence committed against a partner, in line with Article 46 (a) of the [Istanbul] convention. The following Member States already specify that committing a violent act against a partner or ex-partner is an aggravating circumstance: Austria, Belgium, Estonia, France, in some cases – Italy, **Latvia**, Malta, Portugal, Slovakia and the United Kingdom.” (p.210)

## 10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“A few examples show the range of possible approaches to increasing the accessibility of buildings. The **Latvian** approach consisted of developing guidelines on the accessibility of public buildings. The guidelines summarise legal provisions on environmental accessibility for persons with disabilities and relevant expert recommendations.” (pp.234-235)

“Here, too, jurisprudence is giving guidance on what implementing the CRPD means in practice. The **Latvian** Supreme Court assessed the case of a wheelchair user who could not enter three different medical facilities due to a lack of appropriate ramps. In its ruling, the court stated that, according to Article 111 of the Constitution of **Latvia** and the CRPD, the state and its bodies must ensure access to medical care to persons with disabilities and that such access is in line with the principle of personal independence. It awarded compensation of EUR 427 for the claimant’s suffering and humiliation, and upheld the ruling that the health inspectorate had to issue a decision to require the facilities to adjust the buildings.” (p.235)

## Thematic Reports

### Business and human rights – access to remedy (October 2020)

<https://fra.europa.eu/en/publication/2020/business-human-rights-remedies>

“Since 2013, 15 of the 27 EU Member States have adopted NAPs on business and human rights, namely Belgium, Czechia, Denmark, Finland, France, Germany, Ireland, Italy, Lithuania, Luxembourg, the Netherlands, Poland, Slovenia, Spain and Sweden. Other Member States, such as Greece, **Latvia** and Portugal, are in the process of adopting one or have committed to doing so.” (p. 88)

### Antisemitism: Overview of antisemitic incidents in the European Union 2009 – 2019 (September 2020)

<https://fra.europa.eu/en/publication/2020/antisemitism-overview-2009-2019>

#### “Official data

The **Latvian** government informed FRA that no antisemitic crimes were recorded in 2018 and 2017. Data for 2019 were not available at the time this report was compiled. In 2016, one case related to the desecration of Jewish graves was successfully prosecuted. No antisemitic crimes were recorded in 2015.

#### Unofficial data

No unofficial data were available at the time this report was compiled.” (p. 58)

## Strong and effective National Human Rights Institutions – challenges, promising practices and opportunities (September 2020)

<https://fra.europa.eu/en/publication/2020/strong-effective-nhris>

“FRA’s research shows that five Member States (Bulgaria, Cyprus, Greece, **Latvia** and Spain) rely on their NHRIs to monitor the return of migrants.” (p. 30)

“All countries covered by this report are parties to OPCAT, except four (Belgium, Ireland and Slovakia have only signed and **Latvia** has not even signed).”

“Leadership tenure is in particular relevant if parliament is involved in selecting the NHRI’s leadership. The leadership tenure exceeds that of the parliament for NHRIs in 17 of the 30 states covered (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Estonia, Hungary, **Latvia**, Netherlands, Poland, Romania, Slovenia, Spain, Sweden – and in North Macedonia and Scotland, where the NHRIs’ leadership is appointed by government).” (p. 47)

“In 15 countries covered by this report, institutional [NHRI] leaderships enjoy [functional] immunity (Croatia, Cyprus, Czechia, Greece, Hungary, Ireland, **Latvia**, Netherlands, North Macedonia, Poland, Portugal, Romania (ombuds institution), Serbia, Slovenia and Spain).” (p. 48)

“No advisory body exists in Cyprus, **Latvia**, Lithuania or North Macedonia; instead, pluralistic representation of society relies on the composition of the staff, including, for example, the characteristics of the deputy ombudspersons.” (p. 50)

“Sixteen of the NHRIs surveyed have a mandate that allows them to intervene but does not oblige them to do so (Austria, Czechia, Estonia, Hungary, Ireland, Italy, **Latvia**, Netherlands, North Macedonia, Portugal, Romania’s ombuds institution, Slovakia, Slovenia and all three United Kingdom organisations).” (p. 87)

## What do fundamental rights mean for people in the EU? (June 2020)

<https://fra.europa.eu/en/publication/2020/fundamental-rights-survey-trust>

“Corruption in relation to health services is considered to be a particular problem. In Hungary, Slovakia, Croatia and **Latvia**, over 60 % of people say that one has to, at least sometimes, give a gift or do someone some other type of favour to get better treatment in public hospitals.” (p. 17)

“When presented with the negative statement “Human rights are meaningless to me in everyday life”, one in five people in the EU-27 said that they ‘strongly agree’ or ‘tend to agree’. Meanwhile, 64 % ‘tend to disagree’ or ‘strongly disagree’ with the statement. Agreeing with this statement is much more common in some EU Member States – 39 % in Slovakia, 33 % in Romania, and 32 % in both **Latvia** and Denmark.” (p. 27)

“Among the EU Member States, the perception that NGOs and charities are never or only rarely able to operate free from government influence is the most widespread in Hungary, Croatia, Slovakia, Romania and **Latvia** – with one in four people or more thinking that this is the case.” (p. 40)

“On the other hand, belonging to the party that is in power is seen to improve the chances of being hired or promoted by more than three in four people in Bulgaria, Croatia, Greece, Latvia, Malta, North Macedonia and Poland.” (p. 45)

“In terms of the most often mentioned problem – the long time taken to process matters – the percentage of people concerned about this is highest in France, Germany, Austria and Luxembourg. Meanwhile, in **Latvia**, Malta and Bulgaria, the long processing times were seen as a problem to a lesser extent, compared with other countries. In the survey, respondents could answer this question based on their own perception concerning the appropriate processing time, and it is possible that their views are influenced by expectations of what constitutes a ‘long time’ in certain countries.” (pp. 52-53)

“In Hungary, Slovakia, Croatia and **Latvia**, over 60 % of people say that people in the country at least sometimes have to give a gift or do someone some other type of favour to get better treatment in public hospitals.” (p. 56)

### A long way to go for LGBTI equality (May 2020)

<https://fra.europa.eu/en/publication/2020/eu-lgbti-survey-results>

A country sheet with the results for **Latvia** is available at:

[https://fra.europa.eu/sites/default/files/fra\\_uploads/lgbti-survey-country-data\\_latvia.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/lgbti-survey-country-data_latvia.pdf)

(also annexed to this submission)

“The lowest [reporting] rates are indicated in Czechia (4 %), **Latvia** and Slovenia.” (p.35)

“On average, 25 % of all respondents in the EU mentioned fear of a homophobic and/or transphobic reaction from police as the reason for not reporting a physical or sexual attack. Close to half of respondents who did not report in **Latvia** (47 %) mentioned this reason [...]” (p.48)

### Criminal detention conditions in the European Union: rules and reality (December 2019)

<https://fra.europa.eu/en/publication/2019/criminal-detention-conditions-european-union-rules-and-reality>

“National Preventive Mechanisms [(NPMs)]: national monitoring mechanisms established by the Optional Protocol (of 2002) to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT). The majority of EU Member States are parties to OPCAT. (Four EU Member States are not yet parties. Of these, Belgium, Ireland and Slovakia have signed the Protocol. **Latvia** has not signed).” (p. 12)

“Sixteen EU Member States have laws or regulations in place specifying national standards of minimum cell space per prisoner or detainee. Of these 16, minimum cell space standards range from about 3 m<sup>2</sup> per person in individual cells (in Estonia, Poland and Lithuania) to around 10 m<sup>2</sup> (in Greece, **Latvia** and Slovenia). National standards for cell space per prisoner in multi-occupancy cells range from about 3 m<sup>2</sup> to 6 m<sup>2</sup> per prisoner.” (p.17)

“[...] even in Member States that have established the right of access to regular showers in their national legislation, the standards often do not meet the required frequency specified by Rule 19.4 of the European Prison Rules. These Member States include Austria [...]; Estonia; Ireland; Lithuania; Luxembourg; **Latvia**; Malta; Poland (males have access once a week; women have access twice

a week); and Slovenia.” (p.24)

“Detainees’ access to showers remains insufficient in practice. FRA’s findings show that NPMs in several EU Member States (including Austria, Belgium, Italy, **Latvia** and Luxembourg) often highlight the challenge of ensuring frequent and continued access to hot water and access to showers at least twice a week.” (p.25)

“The insufficient protection of privacy with regard to sanitary facilities is repeatedly highlighted by NPMs. They indicate serious problems regarding the proper separation of sanitary areas in at least 14 EU Member States (including Austria, Belgium, Bulgaria, Cyprus, Estonia, France, Germany, Greece, Lithuania, Hungary, Italy, **Latvia**, Poland and Spain).” (p.25)

“**Latvia**: the CPT called upon the **Latvian** authorities in 2016 to take the necessary steps at Daugavgrīva and Rīga central prisons to devise and implement a comprehensive regime of out-of-cell activities (including group association activities) for all prisoners. The aim should be to ensure that all prisoners are able to spend a reasonable part of the day (i.e. eight hours or more) outside their cells engaged in purposeful activities of a varied nature (work, preferably with a vocational value; education; sport; recreation/association).” (pp. 30-31)

“**Latvia** reports a problem with access to dental care; for example, of 20 dentist’s offices in the second largest city, Daugavpils, only two were willing to provide dental services to prisoners.” (p.37)

“Half of the EU Member States have very detailed provisions for a variety of measures to protect prisoners from inter-prisoner violence (Austria, Germany, Greece, Finland, France, **Latvia**, Lithuania, Luxembourg, Poland, Romania, Slovenia, Spain, Sweden and the United Kingdom). These measures include facility arrangements (e.g. providing single cells to separate prisoners under threat or violent prisoners), technical measures (e.g. real-time camera monitoring, locks and special walls) and organisational measures (including the transfer of prisoners within the same or to other facilities, special prisoner regimes, exclusion from or restriction of activities, disciplinary measures, irregular checks, including during the night, and special training for officials). In addition, in eight EU Member States (Czechia, France, Finland, Ireland, the Netherlands, Slovakia, **Latvia** and Luxembourg) an incell system, usually an emergency button or phone or other intercommunication system, that can be used to call for help 24 hours per day is provided.” (p.40)

“Member States apply quite different rules to determine which young offenders over the age of 18 are entitled to the same prison regime as children. [...] Other Member States – for example, Bulgaria, Cyprus, France, **Latvia** and Lithuania – allow persons older than 18 to remain in special juvenile detention facilities only for crimes they committed before the age of 18. The maximum age limit in both cases ranges from 20 to 25 years of age. [...] Germany and **Latvia** hold female juvenile or young offenders in separate units within regular prisons for women and not in special juvenile detention facilities as they do for males.” (p. 41)

“In its 2016 visit to **Latvia**, the CPT found that, in Daugavgrīva, Jelgava and Rīga central prisons, “inter-prisoner violence remained a problem. This is attributed to insufficient staff presence in prisoner accommodation areas, the existence of informal prisoner hierarchies and the lack of purposeful activities for most inmates. The delegation gained the impression that the management of the prisons were making efforts to prevent inter-prisoner violence, in particular by segregating prisoners who were vulnerable and/or sought protection and prisoners known for aggressive behaviour towards fellow-inmates. [...] All alleged or detected incidents of inter-prisoner violence, as well as any injuries indicative of such violence, were recorded by staff (including health-care staff) and reported to the internal investigation unit of the **Latvian** Prison Administration. However, as

acknowledged by staff, even the inquiries regarding cases clearly indicative of the infliction of bodily injuries were usually inconclusive, as the victims chose not to denounce the perpetrators (as did any witnesses among the prisoners) and claimed to have sustained the injuries accidentally. The CPT recommended that the **Latvian** authorities vigorously pursue their efforts to combat the phenomenon of inter-prisoner violence. It also calls upon the authorities to review staffing levels at Daugavgrīva, Jelgava and Rīga Central Prisons, with a view to increasing the number of custodial staff present in the detention areas.” (p.43)

### [Combating child poverty: an issue of fundamental rights \(October 2018\)](https://fra.europa.eu/en/publication/2018/combating-child-poverty-issue-fundamental-rights)

<https://fra.europa.eu/en/publication/2018/combating-child-poverty-issue-fundamental-rights>

“In households without children, the EU average of severe housing deprivation is only 3 %. Again, the differences between Member States are quite prominent: Romania (29 %), Hungary (24 %) and **Latvia** (21 %) have the highest number of families with children living in severe housing deprivation.” (p.18)

“The Council of Europe has also developed a Child Participation Assessment Tool that provides specific and measurable indicators to measure progress in implementing the Recommendation.<sup>84</sup> This tool has already been used by several EU Member States, such as Bulgaria, Estonia, Ireland, Italy, **Latvia** and Romania, to explore to what extent children in their countries can exercise their rights to be heard, to be taken seriously and to participate in decision making in all matters affecting them.” (p.39)

### [Hate crime recording and data collection practice across the EU \(June 2018\)](https://fra.europa.eu/en/publication/2018/hate-crime-recording-and-data-collection-practice-across-eu)

<https://fra.europa.eu/en/publication/2018/hate-crime-recording-and-data-collection-practice-across-eu>

This report provides detailed information on hate crime recording and data collection systems across the EU, including any systemic cooperation with civil society. Data for **Latvia** can be found on page 64 – 65.

“Twenty-two Member States have included “sexual orientation” as a protected characteristic: Austria, Belgium, Croatia, Cyprus, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom. Bulgaria, the Czech Republic, Germany, Italy, **Latvia** and Poland have not.” (p. 103)

“Sixteen Member States include “disability” as a protected characteristic: Austria, Belgium, Croatia, Finland, France, Greece, Hungary, Lithuania, Luxembourg, **Latvia**, the Netherlands, Portugal, Romania, Slovenia, Spain and the United Kingdom.” (p.104)

“Fewer Member States have provisions that make discrimination a substantive hate crime when they occur in particular areas, such as access to goods and services, economic activity or employment, or when particular aggravating circumstances apply. This is the case of Finland, France, **Latvia**, Luxembourg, Slovenia, Spain and Sweden.” (p.104)

## Challenges facing civil society organisations working on human rights in the EU (January 2018)

<https://fra.europa.eu/en/publication/2018/challenges-facing-civil-society-organisations-working-human-rights-eu>

“The Commissioner for Human Rights of the Council of Europe has welcomed improved policies to protect freedom of assembly and expression of LGBTI persons in **Latvia**, as reflected in measures to protect gay pride events.” (p.26)

“In **Latvia**, in 2015, the government supported the establishment of an NGO fund financed by the state. One of the fund’s specific priorities for 2016 was to strengthen democratic values and the observation of human rights, by promoting civil society activities, civic participation and social responsibility, and by strengthening human security as well as NGO advocacy efforts.” (p.33)

“Transparency requirements, although generally legitimate, can also place additional burdens on CSOs. [...] Since 2015, in **Latvia**, annual reports of associations and foundations must contain information on every donor and how their donation was used, even if the donation was € 1.” (p.34)

## Second European Union Minorities and Discrimination Survey - Main results (December 2017)

<https://fra.europa.eu/en/publication/2017/second-european-union-minorities-and-discrimination-survey-main-results>

A country sheet with the results for **Latvia** is available at:

[https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-eu-midis-ii-summary-results-country-sheet-latvia\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-eu-midis-ii-summary-results-country-sheet-latvia_en.pdf) (also annexed to this submission)