



CPT/Inf (2008) 15

**Report to the Latvian Government
on the visit to Latvia
carried out by the European Committee
for the Prevention of Torture and Inhuman
or Degrading Treatment or Punishment (CPT)
from 5 to 12 May 2004**

The Latvian Government has requested the publication of this report and of its responses. The Government's responses are set out in document CPT/Inf (2008) 16.

Strasbourg, 13 March 2008

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Copy of the letter transmitting the CPT's report

Strasbourg, 23 November 2004

Dear Ambassador,

In pursuance of Article 10, paragraph 1, of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, I enclose herewith the report to the Government of Latvia drawn up by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) following its visit to Latvia from 5 to 12 May 2004. The report was adopted by the CPT at its 55th meeting, held from 8 to 12 November 2004.

The CPT requests the Latvian authorities to provide **within three months** a response containing an account of action taken by them to implement the Committee's recommendations and setting out their reactions to its comments and requests for information. The recommendations, comments and requests for information are listed in Appendix I of the report.

The CPT would ask, in the event of the response being forwarded in Latvian, that it be accompanied by an English or French translation. It would also be most helpful if the Latvian authorities could provide a copy of the response in electronic form.

I am at your entire disposal if you have any questions concerning either the CPT's report or the future procedure.

Yours faithfully,

Silvia CASALE
President of the European Committee for the
Prevention of Torture and Inhuman
or Degrading Treatment or Punishment

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I. INTRODUCTION

A. Dates and context of the visit and composition of the delegation

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as "the Convention"), a delegation of the CPT carried out a visit to Latvia from 5 to 12 May 2004.¹ The visit was one which appeared to the Committee "to be required in the circumstances" (see Article 7, paragraph 1, of the Convention).

2. As pointed out by the President of the CPT, Ms Silvia CASALE, in her letter of 26 November 2003, the Committee was disappointed with the quality of the responses given by the Latvian authorities to the CPT's report on the 2002 visit. This was particularly the case as regards the responses from the Ministries of the Interior and Justice. In fact, a number of the Committee's key recommendations (many of which had already been made after the 1999 visit) were simply ignored. The CPT therefore decided to carry out the May 2004 ad hoc visit, in order to examine, on the spot, the progress made as regards the implementation of the recommendations made.

3. The visit was carried out by the following members of the CPT:

- Renate KICKER (Head of the Delegation)
- Aleš BUTALA
- Pétur HAUSSON.

They were supported by Michael NEURAUTER from the CPT's Secretariat and assisted by:

- Alan MITCHELL, Former Head of the Scottish Prison Health-Care Service, Edinburgh, United Kingdom (expert)
- Juris BALDUNCIKS (interpreter)
- Vallija BROKA (interpreter)
- Inara VISOCKA (interpreter)
- Ieva VIZULE (interpreter).

¹ The CPT's previous visits to Latvia took place in January/February 1999 and September/October 2002. The report on the 1999 visit and the Latvian authorities' responses thereto were published on 22 November 2001 (documents CPT/Inf (2001) 27 and (2001) 28).

B. Establishments visited

4. The delegation carried out follow-up visits to the following places of detention:

Police establishments

- Daugavpils Police Headquarters
- Liepāja Police Headquarters
- Pre-Trial Investigation Centre and Short-Term Detention Isolator (ISO), Rīga
- Ventspils Police Headquarters

Prisons

- Daugavpils Prison
- Jelgava Prison (Unit for life-sentenced prisoners)
- Rīga Central Prison (including the Prison Hospital)

C. Consultations held by the delegation

5. In the course of the visit, the CPT's delegation held consultations with Ms Vineta MUIŽNIECE, Minister for Justice, Mr Ēriks JĒKABSONS, Minister for the Interior, Mr Martins BICEVSKIS, State Secretary of the Ministry of Justice, and Mr Uldis LIKOPS, State Secretary of the Ministry of Health. In addition, it met a number of senior officials from the Ministries of Justice, the Interior and Health.

A list of the national authorities met by the delegation is set out in Appendix II to this report.

D. Co-operation between the CPT and the Latvian authorities

6. The CPT would like to express its appreciation of the very good co-operation provided to the delegation by the Latvian authorities at central level throughout the visit. With the notable exceptions of Liepaja and Ventspils Police Headquarters, the reception received at the places visited was also good; the delegation was granted prompt access to the establishments and the persons detained there and with the exception of Liepaja Police Headquarters was given all the information it requested. At Ventspils Police Headquarters, the senior management repeatedly provided information which subsequently proved to be incorrect; such conduct contravenes the principle of co-operation as laid down in Article 3 of the Convention.

7. As already pointed out in the report on the 2002 visit, the principle of co-operation set out in the Convention is not limited to steps taken to facilitate the task of a visiting delegation. It also requires that decisive action be taken, including at the highest political level, to improve the situation in the light of the Committee's key recommendations.

Whilst acknowledging the fact that some positive steps had been taken in certain areas, the CPT cannot but conclude that, to date, most of its recommendations made after the 1999 visit - and repeated after the 2002 visit - concerning police and prison matters have not been implemented. This state of affairs has only been reconfirmed by the Latvian authorities' letters of 21 and 27 October 2004, which simply refer, to a large extent, to existing provisions in the Latvian legislation or to a lack of financial means, without indicating any concrete steps taken to implement the recommendations made by the CPT after the 2002 visit.

Further, the 2004 visit brought to light that the information provided by the Latvian authorities in their responses² to the report on the 2002 visit was repeatedly incorrect. Indeed, a number of recommendations had not been implemented, despite the explicit assurances to the contrary given by the Latvian authorities. In this connection, particular reference is made to paragraphs 19, 21, 28, 31 and 76 of this report.

The CPT must stress that if the response of the Latvian authorities to the present report once again fails to provide specific answers detailing the actual action taken on all recommendations made, the Committee will have no choice but to set in motion the procedure provided for in Article 10, paragraph 2, of the Convention³ at its 56th plenary meeting in March 2005.

² See letters dated 15 September 2003 and 20 February 2004.

³ Article 10, paragraph 2, reads as follows: "If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter".

E. Immediate observations under Article 8, paragraph 5, of the Convention

8. At the end of the visit, on 12 May 2004, the CPT's delegation held final talks with the Latvian authorities, in order to acquaint them with the main facts found during the visit. On this occasion, the delegation made the following immediate observations, in pursuance of Article 8, paragraph 5, of the Convention:

- to take urgent steps at Daugavpils, Liepāja and Ventspils Police Headquarters to ensure that:
 - all persons held overnight are provided with a clean mattress and clean blankets;
 - all detained persons are granted ready access to sanitary facilities, and are provided with personal hygiene products;
 - all persons detained for prolonged periods are granted at least one hour of outdoor exercise per day;
 - all cells are fitted with adequate artificial lighting;
 - juveniles are no longer kept with adults in the same cell;
- to withdraw immediately from service cell No. 1 at Ventspils Police Headquarters;
- to carry out an individual risk assessment in respect of all life-sentenced prisoners at Jelgava Prison and to adjust the security measures applied to them accordingly;
- to take steps at Daugavpils Prison and Rīga Central Prison to ensure that all prisoners placed in disciplinary cells are given a mattress and blankets at night, and are offered at least one hour of outdoor exercise per day.

The above-mentioned immediate observations were subsequently confirmed by the Executive Secretary of the CPT in a letter of 22 June 2004, in which the Latvian authorities were requested to provide, within three months, an account of the measures taken in response.

9. By letter dated 28 September and 21 October 2004, the Latvian authorities informed the CPT of the measures taken in response to the above-mentioned observations. These measures will be assessed later in the report.

II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

A. Police establishments

1. Preliminary remarks

10. The general legal framework governing the detention of persons who have committed a criminal or an administrative offence has remained unchanged since the 2002 visit.⁴

As was the case in 2002, remand prisoners could be held for prolonged periods in Detention Isolators under the authority of the Ministry of the Interior. Moreover, persons placed in a remand prison may subsequently be returned to the custody of the police, if this is considered necessary for the preliminary investigation. Latvian legislation does not foresee any specific time limits in these cases (see also paragraph 18).

11. During the 2004 visit, the CPT's delegation was informed that a new Criminal Procedure Code was expected to be adopted by Parliament in the near future. **The CPT would like to receive more detailed information on this subject, including the text of this legislative act once it is adopted.**

2. Torture and other forms of ill-treatment

12. As in 2002, the CPT's delegation received a considerable number of allegations of physical ill-treatment of persons detained by the police in Latvia. The ill-treatment alleged consisted in the main of punches and kicks, and of striking the person concerned with batons, especially at the time of apprehension and/or during police interrogation. In some cases, the ill-treatment alleged - asphyxiation with a plastic bag, very severe beating, infliction of electric shocks - was such that it could be considered to amount to torture.

13. The medical examination of a number of the persons concerned as well as the consultation of medical files by the medical members of the delegation revealed signs consistent with their allegations.

By way of example, a prisoner met by the delegation at the neuropsychiatric department of the Prison Hospital in Rīga alleged that he had been beaten with batons on the head after being taken to the scene of the crime in Jelgava, a week before the visit. He was subsequently taken to the local hospital, where the following diagnosis was recorded in the medical file: "concussion", "bruises on the head", "supposedly beaten by police". Medicines to reduce brain oedema were prescribed, and he was still taking them when he was seen by the delegation.

⁴ Police custody of persons arrested on suspicion of having committed a criminal offence is limited to an initial period of 24 hours, which can be extended to 72 hours by the prosecutor. At the expiry of this period, the court may, in exceptional cases, extend the detention period for an additional seven days. Police custody is therefore limited to a maximum period of 10 days. The maximum length of detention for administrative offences remains 15 days.

14. The Latvian authorities have made efforts to tackle the problem of ill-treatment by law enforcement officials. These include, in particular, the Government Declaration dated 8 March 2004 condemning police brutality and committing itself to eradicate it, as well as the recent adoption of a Code on Police Ethics. However, given the large scale of the problem, these measures can only be considered as an initial step in the right direction.

The Committee remains very concerned about the number and the serious nature of complaints of ill-treatment of persons in police custody in Latvia; the situation has scarcely improved, if at all, since the 2002 visit.

The CPT reiterates its recommendation that a formal statement emanating from the Minister of the Interior be delivered to all law enforcement officials (including to officers of the criminal police) making clear that they should be respectful of the rights of persons in their custody and that the ill-treatment of such persons will be the subject of severe sanctions. They should also be reminded that no more force than is strictly necessary is to be used when apprehending a person.

15. Another effective means of preventing ill-treatment by police officers lies in the diligent examination by the competent authorities of all complaints of such treatment brought before them and, where appropriate, the imposition of a suitable penalty. This will have a very strong dissuasive effect.

The CPT noted that, in 2003, the Internal Security Office of the State Police had been created and entrusted, among other things, with the handling of allegations of police ill-treatment. It has an autonomous status within the police, under the direct supervision of the Chief of the State Police.

The delegation was not in a position to examine in detail the effectiveness of the work performed by the Internal Security Office. However, the CPT wishes to stress that, in order for the investigation of complaints against the police to be fully effective, the procedures involved must be, *and be seen to be*, independent and impartial. In this respect, the Committee considers that it would be preferable for the investigative work concerned to be entrusted to an agency which is completely independent of the police. **It would like to receive the comments of the Latvian authorities on this question.**

16. The CPT has repeatedly highlighted the steps to be taken by the prosecuting and/or judicial authorities for the prevention of ill-treatment by the police. The Latvian authorities did not address this issue in any of their responses to the reports on the two previous visits to Latvia, despite the specific recommendations⁵ formulated by the Committee and the explicit requests made by its President⁶.

Therefore, **the CPT must reiterate its recommendation that whenever an apprehended person brought before a prosecutor/judge alleges ill-treatment by the police, the prosecutor/judge should immediately request a forensic medical examination of the person concerned and take the necessary measures in order for the allegation to be duly investigated. This approach should be followed irrespective of whether the person concerned bears visible injuries.** In this latter connection, it should be noted that many of the types of ill-treatment alleged will not necessarily leave physical marks.

Even in the absence of an express allegation of ill-treatment, the prosecutor/judge should request a forensic medical examination and notify the relevant authorities whenever there are other grounds to believe that an apprehended person brought before him could have been the victim of ill-treatment (e.g. visible injuries; a person's general appearance or demeanour).

17. The inspection of police detention facilities by an independent authority can also make an important contribution towards the prevention of ill-treatment of persons held by the police and, more generally, help to ensure satisfactory conditions of detention.

Regrettably, in their response to the report on the 2002, the Latvian authorities did not react to the CPT's request for information concerning the activities of bodies authorised to inspect police detention facilities (i.e. prosecuting/judicial authorities, the Police Inspectorate as well as the National Human Rights Office). **The CPT would like to receive comprehensive information on the frequency of visits of the above-mentioned bodies to such facilities during the last twelve months and, as appropriate, on the action taken following these visits.**

18. It remains the case that remand prisoners are frequently returned to police establishments for further questioning. The information gathered during the 2004 visit indicated that such transfers could still be effected by the sole decision of police investigators. **The CPT must therefore reiterate its recommendation that a measure of this kind be subject to the express authorisation of a prosecutor/judge.**

Further, the Committee wishes to stress once again that, from the standpoint of the prevention of ill-treatment, it would be far preferable if further questioning by police officers of persons committed to a remand prison were to take place in prison rather than on police premises. **The return of prisoners to police custody, for whatever purpose, should only be sought and authorised when it is absolutely unavoidable.**

⁵ See paragraph 21 of the report on the 1999 visit and paragraph 16 of the report on the 2002 visit.

⁶ See letters of 26 October 2000 and 26 November 2003.

3. Conditions of detention

19. The CPT is seriously concerned by the near-total failure of the Latvian authorities to implement its recommendations made after the 2002 visit in respect of Daugavpils, Liepāja and Ventspils Police Headquarters, despite the assurances given to the contrary by the Latvian authorities.

20. Material conditions in the above-mentioned establishments remain appalling and could well be considered as inhuman and degrading. Persons were still being held 24 hours per day in cells, which were extremely humid, dirty and poorly ventilated, on occasion, for periods of weeks. Hardly any of the cells had access to natural light, and artificial lighting was extremely poor. Most detainees were still obliged to sleep on a wooden platform without mattresses and blankets. They were not regularly given the possibility to wash themselves and had access to toilets only twice or three times per day; the rest of the time they were obliged to use a bucket in their cells. Further, products of personal hygiene (e.g. toilet paper) were still not being provided. It is also of concern that, on occasion, juveniles were held in the same cells as adults.

21. At Ventspils Police Headquarters, cell No. 1, which was described by the CPT after the 2002 visit as being so dilapidated, humid and dirty as to render it unfit to serve as human accommodation, was found to be still in use⁷, despite the assurance given by the Latvian authorities that it had been taken out of service. In 2004, the conditions in that cell were found to be only marginally better than in 2002 (e.g. no water was pouring down the walls).

22. At the end of the visit, the delegation made an immediate observation in respect of the above-mentioned establishments (see paragraph 8). In their letter of 28 September 2004, the Latvian authorities provided the following information:

"In compliance with the Order No. 1389 of the Chief of the State Police "On Closure of Ventspils Short-time Detention Isolator" of December 20, 2002, the cell No. 1 had been closed for renovation in the beginning of year 2003 and it was renovated and periodically used in the spring of 2003. After the last visit of the CPT delegation, the cell was renovated and henceforth used only as a sobering up shelter (for administratively detained persons). (...)

In order to implement the demands of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, financial means have been allotted within limits to improve the conditions for detainees (arrested persons) at Ventspils, Daugavpils, Liepāja and the other ISOs.

It is planned to build new ISOs at the said Headquarters of Ventspils, Daugavpils and Liepāja ISOs. At the moment construction of administrative complex of Liepāja Police Headquarters has been commenced and in it there will be also an ISO. In Rīga, construction of the new Ministry of the Interior and the administrative complex of the State Police will be commenced this year (planned to be accomplished in 2006) and in this complex will be an ISO, which will conform to required conditions at establishments of this type.

⁷ One juvenile had been held in that cell for 24 consecutive days until shortly before the visit.

This year LVL 428 865 have been allotted additionally to the State Police budget to put in order short-time detention isolators, including LVL 222 292 for ordinary repairs. These financial means will be used for purchasing the necessary equipment, as well as for gradual renovation of premises and partial improvement of the conditions for the persons placed at ISOs. Also, in compliance with the Directive No. 747 of the Ministry of the Interior of July 21, 2004 "On Activization of the Planned Measures", "Plan of the Measures to Eliminate Shortages in the Function of the State Police Short-time Detention Isolators" has been elaborated. Within the framework of the plan additional financial means in the amount of LVL 31 388 have been allotted for the provision of means of personal hygiene and feeding of the persons placed at ISOs. To ensure observance of the rights of minors the management of police establishments have been ordered to systematise the control of the observance of the said rights and LVL 42 200 have been allotted in year 2004 in order to create relevant rooms at the structural units of the State Police and provide their equipping with the purpose to diminish psychological and emotional traumatizing of children."

The CPT welcomes these developments and **would like to be informed of the progress made in the implementation of the above-mentioned construction plans.** Further, **the Committee would like to receive detailed information on the renovation work carried out in cell No. 1 at Ventspils Police Headquarters after the 2004 visit.**

Finally, it wishes to receive the Latvian authorities' confirmation that:

- **all persons detained at Daugavpils, Liepāja and Ventspils Police Headquarters (as well as in other police establishments) are now provided with a clean mattress/blankets at night as well as with personal hygiene products and are granted ready access to sanitary facilities;**
- **all cells at Daugavpils, Liepāja and Ventspils Police Headquarters are fitted with adequate artificial lighting.**

4. Fundamental safeguards against ill-treatment

23. Specific recommendations made by the CPT after the 2002 visit concerning fundamental safeguards against ill-treatment - (1) the right of those concerned to inform a close relative or another person of their choice of their situation; (2) the right of access to a lawyer; and (3) the right of access to a doctor - have not been implemented.

24. The information gathered during the 2004 visit revealed that, as in 2002, in most cases the right of notification of custody in practice only became effective when a detained person was first formally questioned by an investigator - and not at the outset of deprivation of liberty. It is of particular concern that, on occasion, notification of custody of juveniles was apparently delayed for several days.

In their response to the report on the 2002 visit, the Latvian authorities referred again to the circular letter, dated 11 October 2002, by the Chief of the State Police. According to that letter, all regional police authorities had been reminded of "the need to immediately ensure that the basic rights of detained persons were observed, that is: 1) to inform the detained person of his/her rights *immediately after detention*⁸, 2) to inform a close relative or another person of the detained person's choice about their detention (...)". It is clear from the findings after the 2004 visit that the above-mentioned letter did not have the desired effect (i.e. that the detained persons concerned were able to exercise the right of notification as from the very outset of their deprivation of liberty).

The CPT calls upon the Latvian authorities to take effective steps to ensure that all persons deprived of their liberty by the police, for whatever reason, are granted the right to notify a close relative or third party of their choice of their situation, as from the very outset of their deprivation of liberty.

25. As in the context of notification of custody, a significant amount of time could elapse before apprehended persons were granted access to a lawyer; in a number of cases - and nearly always, in cases of court-appointed lawyers - such contact first occurred during the initial court appearance (i.e., up to 72 hours from the moment of apprehension). Further, it was common for members of the criminal police to question persons - including juveniles - without the presence of a lawyer. Once again, the above-mentioned circular letter, which also referred to the right of access to a lawyer, did not bring about any improvements.

26. The CPT wishes to recall that in its experience, it is during the period immediately following the deprivation of liberty that the risk of intimidation and ill-treatment is greatest. Consequently, the possibility for persons taken into police custody to have access to a lawyer during this period is a fundamental safeguard against ill-treatment. The existence of that possibility will have a dissuasive effect upon those minded to ill-treat detained persons; further, a lawyer is well placed to take appropriate action if ill-treatment actually occurs. No doubt, the presence of a lawyer at the initial stage of police custody will not always be welcomed by the police officers concerned. However, properly-trained police officers will be able to cope with the application of this fundamental safeguard.

⁸ Emphasis added.

The right of access to a lawyer must include the right to talk to him in private. The person concerned should also, in principle, be entitled to have a lawyer present during any interrogation conducted by the police. However, this should not prevent the police from questioning a detained person on urgent matters, even in the absence of a lawyer (who may not be immediately available), nor rule out the replacement of a lawyer who impedes the proper conduct of an interrogation.

The CPT calls upon the Latvian authorities to take effective steps to ensure that the right of access to a lawyer, as defined above, is enjoyed by all persons obliged to remain with the police, as from the very outset of their deprivation of liberty. The right of access to a lawyer should be enjoyed not only by criminal suspects but also by anyone who is under a legal obligation to attend - and stay at - a police establishment.

Appropriate steps should also be taken to ensure the effectiveness of the legal aid system throughout the procedure, including at the initial stage of police custody. The CPT suggests that the Bar Association be consulted in this context.

27. During the 2004 visit, it came to light that practically none of the specific recommendations⁹ made by the CPT after the 2002 visit concerning detained persons' right of access to a doctor had been implemented.

Once again, numerous allegations were received from detained persons met by the delegation that requests for medical assistance had been rejected by police officers. Further, a number of persons claimed that they had been refused access to a doctor until all marks sustained from police ill-treatment had disappeared. It is also of concern that even when a doctor from the ambulance service was called, measures were not always taken to ensure that detained persons received the necessary medical attention. By way of example, despite the express recommendation made by a doctor, some five days prior to the visit, that one of the detainees at Ventspils be X-rayed and seen by a TB specialist, no further steps had been taken to that effect until the time of the CPT's visit. The reason for this given by the Deputy Chief of Police (that the establishment could not afford the petrol for the police car to take the detainee to Liepāja Prison) was totally unconvincing. Only at the insistence of the delegation was the person concerned finally transported to Liepāja.

In their letters of 28 September and 27 October 2004, the Latvian authorities indicated that an internal investigation had been carried out concerning the above-mentioned case. The investigating officers came to the conclusion that the juvenile concerned had not been transferred to the hospital for an X-ray because the detainee himself did not want to go there (for fear of negative side effects of such an examination).

The CPT considers the explanation given by the Latvian authorities unconvincing, since it totally contradicts what was stated by the detainee himself and the police officers spoken to on the spot.

In the light of the above, the CPT calls upon the Latvian authorities to take immediate steps to ensure that the right of access to a doctor for persons held in police custody is formally guaranteed by law and fully implemented in practice, as from the very outset of their deprivation of liberty.

⁹ See paragraph 32 of the report on the 2002 visit.

Further, the CPT reiterates its recommendations that steps be taken to ensure that:

- all medical examinations of persons in police custody take place out of the hearing and - unless the doctor concerned expressly requests otherwise in a given case - out of the sight of police officers; steps should also be taken to ensure that the confidentiality of medical data is fully respected in police establishments throughout Latvia;
- the medical certificate drawn up after a medical examination of a person detained by the police contains (i) an account of statements made by the detainee which are relevant to the medical examination (including his/her description of his/her state of health and any allegations of ill-treatment), (ii) an account of objective medical findings based on a thorough examination, and (iii) the doctor's conclusions in the light of i) and ii); in addition, the above-mentioned statements and the doctor's conclusions should be made available to the detained person and his/her lawyer;
- persons taken into police custody have the right to be examined, if they so wish, by a doctor of their own choice, in addition to any medical examination carried out by a doctor called by the police authorities.

28. Finally, no form setting out the rights of detained persons was provided to detained persons in any of the police establishments visited, despite the assurances given to the contrary by the Latvian authorities after the 2002 visit.

The CPT therefore must reiterate its recommendation that a form setting out in a straightforward manner the rights of persons in police custody be systematically given to such persons, at the very outset of their deprivation of liberty. This form should be available in an appropriate range of languages. Further, the persons concerned should be asked to sign a statement attesting that they have been informed of their rights.

5. Pre-Trial Investigation Centre and Short-Term Detention Isolator (ISO), Rīga

29. Some improvements were observed as to the material conditions (e.g. shower facilities) at the ISO in Rīga. However, a number of the recommendations made already after the CPT's first visit to Latvia in 1999 - and repeated after the 2002 visit - have not yet been implemented. By way of example, basic personal hygiene products are not regularly provided and not all detained persons are able to take a shower at least once a week.

The Committee calls upon the Latvian authorities to implement those recommendations without any further delay.

30. Further, the arrangements concerning contact with the outside world remained unchanged. Each time a detained person wished to receive a visit or send a letter, a new authorisation by the prosecutor was required. In practice, more than half of the detainees were not allowed to receive any visits.

The CPT wishes to stress once again that granting visits and correspondence should be the norm, their refusal the exception. If visits have already been granted, families should not be required to apply for permission every month, the relevant authorities could exceptionally retract this decision, in the light of new circumstances.

The Committee reiterates its recommendation that appropriate steps be taken to ensure that a less restrictive approach is adopted as regards contact with the outside world for persons detained at the ISO in Rīga.

31. Regrettably, cell No. 10 was still being used (though rarely), for the purpose of imposing disciplinary punishment, despite the Latvian authorities' assurances that it had been taken out of service. Detainees held in solitary confinement were still not allowed to take any outdoor exercise.

The CPT calls upon the Latvian authorities to take steps to ensure that:

- **cell No. 10 is immediately withdrawn from service;**
- **all inmates serving disciplinary punishment enjoy at least one hour of outdoor exercise per day.**

32. The CPT welcomes the quality of the renovation work carried out in the two interrogation rooms. However, far from being removed, the spotlights in the larger of the two rooms had in fact been replaced by new, more powerful ones. This is totally unacceptable.

The Committee calls upon the Latvian authorities to remove immediately the spotlights in the interrogation room of the ISO in Rīga, and to ensure that the installation of spotlights is expressly prohibited in all police establishments in Latvia; dazzling criminal suspects with bright lights is a method which must finally be consigned to history.

33. Reference should also be made to two waiting cubicles, each measuring a mere 0.90 m². They are, by virtue of their size alone, not suitable to hold a person for any time whatsoever. **Immediate steps should be taken to withdraw those cubicles from service.**

34. Medical confidentiality was not fully respected at the ISO. Medical examinations were systematically conducted in the presence of police officers. Further, medical data (recorded in the establishment's "ambulance book") were accessible to non-medical staff.

The CPT recommends that steps be taken to ensure that medical confidentiality is fully guaranteed in the Rīga ISO. This implies, *inter alia*, that all medical examinations of detained persons (whether on arrival or at a later stage) should be conducted out of the hearing and - unless the doctor concerned requests otherwise in a particular case - out of the sight of police officers (see also paragraph 27).

35. The CPT also has serious misgivings about the continued practice of holding remand detainees at the ISO for prolonged periods. At the time of the 2004 visit, one inmate had already spent more than two years in the establishment. As already stressed in the reports on the two previous visits, **the objective must be to cease using the ISO in Rīga (as well as any other police establishment of a similar type) for prolonged periods of detention; they are totally unsuited to this purpose. Remand prisoners should be transferred to a prison establishment as soon as possible.**

36. In their letter of 28 September 2004, the Latvian authorities indicated that the State Police Regulation on Short-Term Detention Isolators was being revised, "in order to delete outdated and human-rights-restricting norms". **The CPT would like receive more detailed information on this subject, including the text of the regulation once it is adopted.**

B. Prisons

1. Preliminary remarks

37. The CPT's delegation carried out full follow-up visits to Daugavpils Prison and Rīga Central Prison (including the Prison Hospital) and a targeted follow-up visit to Jelgava Prison (Unit for life-sentenced prisoners), in order to review the measures taken by the Latvian authorities after the 2002 visit.

38. All establishments visited have already been described in paragraph 66 of the report on the 2002 visit. The general descriptions contained in that report still remain valid.

Daugavpils Prison had recently been formally transformed into a remand institution, although it was still accommodating sentenced prisoners as well. Its official capacity had been reduced from 800 to 543 places (including 43 juveniles). At the time of the 2004 visit, the establishment was accommodating 426 inmates, of whom 101 were sentenced and 314 on remand (including 29 juveniles).

The official capacity of **Rīga Central Prison** had recently been reduced from 1,800 to 1,591 places, while the number of beds (200) in the Prison Hospital remained unchanged. At the time of the visit, the prison population (total 1,553 inmates) included 1511 remand prisoners and 42 sentenced prisoners. In addition, 175 inpatients were being held in the Prison Hospital.

At **Jelgava Prison**, the special unit for life-sentenced prisoners was accommodating 22 life-sentenced prisoners and eight remand prisoners sentenced to life-imprisonment but awaiting the outcome of an appeal.

39. In its report on the 2002 visit¹⁰, the CPT made a number of remarks and specific recommendations concerning the problem of overcrowding as well as legal standards for the provision of living space to prisoners in the Latvian prison system. In particular, the Committee recommended that the existing legal standards (i.e. 2.5 m² per person for male adult prisoners and 3 m² per person for female and juvenile prisoners) be increased as soon as possible, so as to guarantee at least 4 m² per prisoner in multi-occupancy cells.

Regrettably, in their response to the 2002 report, the Latvian authorities chose to evade rather than address the above-mentioned recommendations, laconically stating that, on the basis of the existing legal standards, none of the Latvian prisons were overcrowded.¹¹

¹⁰ See paragraphs 64 and 65 of the report on the 2002 visit.

¹¹ On 1 January 2004, there were 9,096 places for a total of 8,231 prisoners.

40. The CPT must stress once again that the solution to the problem of overcrowding was to be found not so much in developing the prison estate but rather in reconsidering current law and practice in relation to remand detention as well as sentencing policies.

During the 2004 visit, it became apparent that there was still room for improvement, especially as regards the imposition of non-custodial sanctions and the duration of remand detention¹².

41. In the light of the above remarks, **the CPT reiterates its recommendations that:**

- **the existing legal standards on living space for prisoners be raised without any further delay, so as to provide for at least 4 m² per prisoner in multiple-occupancy cells, and that official capacities and occupancy levels of cells in Latvian prisons be revised accordingly;**
- **that the Latvian authorities continue to pursue their efforts to bring about a permanent end to overcrowding; in this context, Committee of Ministers Recommendation No. R (99) 22 on prison overcrowding and prison population inflation should be taken into account.**

2. Ill-treatment

42. The CPT's delegation heard some allegations of deliberate physical ill-treatment by staff (such as blows to the body) at Daugavpils Prison and Rīga Central Prison.

As was the case in 2002, a number of allegations were heard in both establishments that prisoners had been threatened by members of the establishments' Security Departments that they would be placed in cells with inmates prone to violence, if they refused to co-operate with the Security Department (i.e. to act as an informant or to confess to a criminal offence). In the CPT's view, such practices can easily be described as psychological ill-treatment (see also paragraphs 48 to 50).

In addition, a number of allegations were also received of verbal abuse of prisoners by staff in both establishments.

No allegations of physical/psychological ill-treatment or verbal abuse by staff were heard at Jelgava Prison.

The CPT recommends that the management at Daugavpils Prison and Rīga Central Prison be instructed to remind their staff that all forms of ill-treatment of prisoners (including threats and verbal abuse) are not acceptable and will be punished accordingly.

¹² The delegation met remand prisoners who had already spent more than five years in prison.

43. The Committee is particularly concerned by the frequency and severity of allegations of inter-prisoner violence it received both at Daugavpils Prison and Rīga Central Prison. These allegations referred, *inter alia*, to severe beatings, sexual assaults (including rapes), and threats.

44. One case of inter-prisoner violence merits particular attention. In the course of the visit, the delegation received an allegation that a juvenile prisoner at Šķīrotava Prison in Rīga had been the victim of sexual abuse by fellow inmates. In order to verify these allegations, it went to Šķīrotava Prison and interviewed the prisoner concerned. The latter gave a detailed - and credible - account of his experiences in several prison establishments, where he said he had been systematically abused (e.g. penetrative intercourse, insertion of various objects into his anus) over a period of many months. The examination of the ano-genital area by the delegation's medical doctors revealed scarring of the perineum anterior to the anal margin, consistent with repeated anal trauma.

It is of all the more concern that, although members of staff had apparently been aware of the situation, no effective steps had been taken to protect the juvenile concerned. Only upon the intervention by the delegation was he transferred to the Prison Hospital, until a safe long-term solution was found. The CPT welcomes the swift reaction of the establishment's management following the delegation's request.

45. At the end of the visit, the delegation requested the Latvian authorities to provide an account of the measures taken in respect of the above-mentioned case.

In their letter of 22 July 2004, the Latvian authorities informed the CPT that the Central Prison Administration's General Inspectorate had established a commission entrusted with the investigation into the above-mentioned allegations. After interviewing the prisoner concerned, several fellow inmates and members of staff and collecting further evidence (including a forensic medical examination), the commission concluded that the prisoner concerned had "at his own wish provided sexual services to other convicts for compensation". Therefore, it adopted a "resolution on the refusal to initiate a criminal case as there are no signs of a crime". On 30 June 2004, the prisoner concerned was transferred, at his own request, to Matīsa Prison in Rīga, in order to serve the remainder of his sentence.

The CPT must stress that the conclusions of the General Inspectorate's commission are at variance to the conclusions by the medical members of the delegation, which are based, *inter alia*, on a physical examination of the prisoner's injuries.

Given the serious nature of the allegations made and the injuries sustained by the juvenile prisoner concerned, **the CPT recommends that the above-mentioned case be brought to the attention of the competent prosecutor** (see also paragraph 47). Further, **the Committee would like to receive detailed information on the outcome of the preliminary criminal investigation, and, as appropriate, the action subsequently taken.**

More generally, **the Committee must recall the responsibility of the prison administration to take special precautions to protect juveniles and other vulnerable prisoners from all forms of abuse (including sexual exploitation).**

46. During the 2004 visit, the delegation examined several internal investigation files on inquiries conducted by the Security Departments into serious incidents of inter-prisoner violence at Daugavpils Prison and Rīga Central Prison. The delegation also had consultations with the competent prosecutor in Rīga.

It came to light that, in several cases, no criminal investigations had been initiated, despite the fact that medical evidence consistent with allegations of inter-prisoner violence was available. In this connection, the delegation was informed that, as a rule, instances of inter-prisoner violence were only reported to the prosecutor if the victim made explicit allegations to this effect in his written statement to the Security Department. In this connection, it appeared to be immaterial whether or not the prisoner concerned had previously made such allegations to the doctor and the allegations had been recorded in his medical file.

Further, the delegation was informed that, save for exceptional cases (e.g. the death of a prisoner), the competent prosecutor was not informed immediately of incidents of inter-prisoner violence, but only after extensive investigations carried out by the Security Department. In the course of those internal investigations, security officers questioned the victim and the potential perpetrators and requested a forensic medical examination. The Security Department was under an obligation to notify the competent prosecutor within ten days if it considered that there were sufficient grounds for bringing the case to the attention of the prosecutor. If this was not the case, violent incidents were reported to the prosecutor only by transmitting a list, on a monthly basis, of all injuries recorded within the establishment.

It is also of concern that, even when the prosecutor had become aware of serious cases of inter-prisoner violence, he had not always initiated preliminary investigations nor taken a formal reasoned decision on the matter. In fact, the Security Department's investigation file was simply returned to the prison, without any record being kept that the prosecutor had examined the case.

47. The CPT recommends that the existing procedures be reviewed in order to ensure that whenever injuries are recorded by a doctor which are consistent with allegations of inter-prisoner violence, the matter is immediately brought to the attention of the relevant prosecutor and a preliminary investigation is initiated by him.

More generally, the CPT calls upon the Latvian authorities to develop strategies with a view to addressing the problem of inter-prisoner violence in the establishments visited (and, as appropriate, in other prisons in Latvia).

48. As regards the role of the Security Departments in Latvian prisons, the CPT has already expressed its serious misgivings in the report on the 2002 visit¹³. The recommendations and comments made by the Committee were totally ignored by the Latvian authorities in their response to the above-mentioned report.

Members of the Security Departments still fulfilled custodial and criminal investigative tasks, the latter covering both instances of ill-treatment by staff and inter-prisoner violence.

¹³ See paragraphs 130 to 132 of the report on the 2002 visit.

49. Whenever there were indications of possible *ill-treatment by staff*, members of the Security Department carried out criminal investigations, initially on their own and, subsequently, under the supervision of the competent prosecutor. In serious cases, the General Inspectorate of the Ministry of Justice may also be involved. Only in special cases of misconduct (e.g. corruption, smuggling of drugs, etc.), were criminal investigations conducted by the police (under the supervision of the competent prosecutor). It is clear that any investigations carried out by officers of the Security Department against other members of staff of the same establishment may be compromised as not being independent and impartial.

As already described in paragraph 46, instances of *inter-prisoner violence* were also usually investigated by members of the establishment's Security Department. One of the consequences was that members of the Security Department were placed in the position of making a judgement on their own activities (e.g. whether appropriate steps had been taken by an individual officer to protect the victim of inter-prisoner violence in a given case).

In this connection it should be noted that Security Departments had the exclusive decision-making power on the placement of prisoners within the prison and, in exercising their powers, the Security Departments were *de facto* independent from the prison administration (and the Prison Director).

The fact that, during both the 2002 and 2004 visits, a number of prisoners - interviewed separately by the delegation - complained about psychological pressure exerted upon them by members of the Security Departments (see paragraph 42) indicates that the present situation is clearly detrimental to the protection of prisoners against ill-treatment (including inter-prisoner violence) and lends itself to abuse.

50. In the light of the above, **the CPT calls upon the Latvian authorities to take immediate steps to review throughout the prison system the role played by the Security Departments, in the light of the remarks made above as well as in paragraphs 130 to 132 of the report on the 2002 visit.**

In particular, steps should be taken to ensure that:

- **criminal investigations into instances of ill-treatment by staff as well as inter-prisoner violence are no longer carried out by the Security Departments. Such investigations should be conducted by a body which is independent of the establishment concerned, and preferably of the prison system as a whole.**
- **prisoners are allocated/transferred to cells under the responsibility of the Director of the establishment concerned.**

3. Conditions of detention

51. When examining the conditions of detention in the establishments visited, the CPT's delegation paid particular attention to two specific groups of inmates, namely juvenile and life-sentenced prisoners.

a. juvenile prisoners

52. The delegation gained a very favourable impression of the conditions under which juveniles were now held at Daugavpils Prison. Indeed, comparing the current situation with that found in 2002 is like comparing day and night. All juveniles were accommodated in spacious cells, which were, on the whole, adequately furnished, and were offered a certified secondary school programme as well as a range of other educational/recreational activities (for four to six hours per day) outside their cells. The CPT welcomes the positive steps taken in respect of juvenile prisoners.

b. life-sentenced prisoners

53. In contrast, the CPT is seriously concerned by the failure of the Latvian authorities to implement the specific recommendations made after the 2002 visit in respect of life-sentenced prisoners at Jelgava Prison.¹⁴ Apart from outdoor exercise for one hour per day, these prisoners were still constantly locked up in their cells, alone or with one cellmate, without being offered any purposeful activities (such as employment, educational/vocational or sports activities). It should be added that they were still not allowed to associate with inmates from other cells. In addition, the same draconian security measures (hands cuffed behind the back, escorted by three prison guards with a dog, sometimes muzzled, were still being systematically applied to all such inmates whenever they left their cells.

54. As already highlighted in the reports on the 1999 and 2002 visits, long-term imprisonment can have a number of desocialising effects upon inmates. In addition to becoming institutionalised, long-term prisoners may experience a range of psychological problems and have a tendency to become increasingly detached from reality. This will also render it more difficult for them to re-integrate into society, to which almost all of them will eventually return.¹⁵ In the CPT's view, the regimes which are offered to prisoners serving long sentences should seek to compensate for these effects in a positive and proactive way.

¹⁴ On 29 March 2004, a new regulation (Regulation No. 56) was issued by the Ministry of Justice on the regime and security measures applied to life-sentenced prisoners, which totally disregarded the specific recommendations made by the Committee.

¹⁵ Pursuant to Section 61, paragraph 4, of the Criminal Code, life-sentenced prisoners may be released after having served 25 years of their sentence.

The prisoners concerned should have access to a wide range of purposeful activities of a varied nature (work, preferably with vocational value; education; sport; recreation/association). Moreover, they should be able to exercise a degree of choice over the manner in which their time is spent, thus fostering a sense of autonomy and personal responsibility. Additional steps should be taken to lend meaning to their period of imprisonment; in particular, the provision of individualised custody plans and appropriate psycho-social support are important elements in assisting such prisoners to come to terms with their period of incarceration and, when the time comes, to prepare them for release. Moreover, the provision of such a regime to life-sentenced prisoners enhances the development of constructive staff/inmate relations and hence reinforces the security within the prison.

55. It is clear that the regime applied to life-sentenced prisoners at Jelgava Prison still falls far short of the above criteria. The total absence of a programme of activities (such as work or education) may lead to a personal degeneration of the prisoners concerned, a fact recognised by some staff members. Further, the rule that life-sentenced prisoners cannot associate with other sentenced prisoners is totally unjustified. In this connection, the CPT wishes to stress that *life-sentenced prisoners are not necessarily more dangerous than other prisoners*. Many such prisoners have a long-term interest in a stable and conflict-free environment. Therefore, the approach to the management of life-sentenced prisoners (as indeed to all prisoners) should proceed from individual risk/needs assessment to allow decisions concerning security, including the degree of contact with others, to be made on a case-by-case basis.

The CPT once again calls upon the Latvian authorities to revise fundamentally the regime applicable to life-sentenced prisoners, in the light of the above remarks.

56. Further, the CPT must reiterate that there can be no justification for routinely handcuffing life-sentenced prisoners outside their cells, all the more so when this measure is applied in an already secure environment. The same can be said about the use of (muzzled) dogs. Already in 2002, several prison officers spoken to recognised that for at least some of the life-sentenced prisoners, the above-mentioned security measures were unnecessary. In the CPT's opinion, the above-mentioned arrangements can only be seen as *disproportionate and punitive*.

At the end of the visit, the delegation made an immediate observation pursuant to Article 8, paragraph 5, of the Convention, requesting the Latvian authorities to carry out an individual risk assessment in respect of all life-sentenced prisoners and to adjust the security measures applied to them accordingly (see paragraph 8).

By letter of 21 October 2004, the Latvian authorities provided the following information:

"Amendments of 12 August 2004 made to the Instruction issued by the Prison Administration "On Supervision of Inmates and Convicts" lay down that hand-cuffs are used on life-time prisoners taking into account their personality and the threat they constitute to others. We consider that at present changing of the measure of detainment for those serving a life sentence is premature as the psychological condition and their behaviour is unpredictable."

Evidently, no steps have been taken by the Latvian authorities actually to carry out individual risk assessments, as requested by the delegation at the end of the visit. Such a state of affairs is unacceptable.

The CPT calls upon the Latvian authorities to take immediate steps to carry out an individual risk assessment in respect of all life-sentenced prisoners and to adjust the security measures applied to them accordingly.

57. The conditions under which medical examinations/consultations of life-sentenced prisoners were carried out remained unacceptable. Medical examinations by the prison doctor were systematically conducted in the presence of prison officers. Further, whenever such prisoners were seen by the psychiatrist, they were placed behind metal bars, in a cage-like cubicle, while the psychiatrist stayed outside performing his examination (without prison officers being present).

58. The CPT acknowledges that special security measures may be required during medical examinations in a particular case, when a threat in terms of security is perceived by the medical staff. However, there can be no justification for prison officers being *systematically* present during such examinations; their presence is detrimental for the establishment of a proper doctor-patient relationship and usually unnecessary from the security standpoint. Alternative solutions can and should be found to reconcile legitimate security requirements with the principle of medical confidentiality. One possibility might be the installation of a call system, whereby a doctor would be in a position to rapidly alert prison officers in those exceptional cases when a prisoner becomes agitated or threatening during a medical examination.

As regards the practice of placing life-sentenced prisoners in a cage-like cubicle during consultations with the psychiatrist, this clearly infringes upon the dignity of the prisoners concerned and prohibits the development of a proper doctor-patient relationship. As such, this practice is totally inadmissible.

The CPT calls upon the Latvian authorities to take immediate steps to ensure that all medical examinations of life-sentenced prisoners are conducted out of the hearing and - unless the doctor concerned requests otherwise in a particular case - out of the sight of prison officers.

Further, the Committee reiterates its recommendation that the above-mentioned practice of placing life-sentenced prisoners behind metal bars during psychiatric consultations cease immediately.

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59. At Daugavpils Prison, the delegation also visited the new Unit for life-sentenced prisoners (located in the former disciplinary block), which was in an advanced stage of reconstruction.

The CPT must express its misgivings about certain aspects of the design of these facilities. For instance, cells had been fitted with frosted glass bricks (instead of windows), which did not offer adequate access to natural light. Further, no communal areas were envisaged in that unit.

In the CPT's view, life-sentenced prisoners should have adequate access to natural light. As regards more particularly the glass bricks, other solutions must be found in order to prevent contact between life-sentenced prisoners and juvenile prisoners, who are currently accommodated in the block opposite.

The CPT recommends that steps be taken to revise the design of the new Unit for life-sentenced prisoners at Daugavpils Prison, in the light of the preceding remarks.

c. conditions of detention of the general prison population

60. As regards material conditions, the CPT welcomes the renovation work which has been completed in Block 4 at Rīga Central Prison. Cell No. 400A has also been taken out of service, as recommended by the Committee after the 2002 visit.

That said, the material conditions at Daugavpils Prison and in Block 5 at Rīga Central Prison (in particular, in the quarantine/transit cells Nos. 501, 502 and 503) remained very poor (state of repair, ventilation, etc.). In both establishments, metal shutters had still not been removed from all windows, and inmates were still not provided with basic personal hygiene products (including toilet paper). Further, in a number of cells (including in certain renovated parts of Rīga Central Prison) toilets were not (adequately) partitioned. The delegation also noted that, at Rīga Central Prison, the number of prisoners, on occasion, exceeded the number of beds available in some of the cells.

The CPT recommends that the material conditions at Daugavpils Prison and Rīga Central Prison (in particular, in Block 5) be substantially improved, in the light of the above remarks. Immediate steps should be taken to ensure that:

- **access to natural light and adequate ventilation is guaranteed in all prisoners' accommodation;**
- **all prisoners are provided with a bed, a clean mattress and clean bedclothes;**
- **all prisoners have adequate quantities of essential personal hygiene products as well as cleaning products for their cells, and are able to take a hot shower at least once a week.**

61. Regrettably, no improvements had been made at Daugavpils Prison and Rīga Central Prison as regards regime activities offered to sentenced and remand prisoners. As for *sentenced* prisoners at Daugavpils, only a few worked in the kitchen or as maintenance workers, and only 16 (out of 101 inmates) were provided with vocational training (bricklaying and masonry). For all other sentenced inmates, out-of-cell activities other than outdoor exercise are limited to access to a gym, twice or three times per month, for one hour. In neither of the establishments were *remand* prisoners offered any out-of-cell activities apart from daily outdoor exercise.

The information gathered by the delegation indicated that at Rīga Central Prison *outdoor exercise* was, on occasion, limited to some 30 minutes per day (in particular, at weekends). Further, both at Daugavpils Prison and Rīga Central Prison, prisoners were still obliged to take their outdoor exercise in small concrete cubicles covered with a metal grille, under conditions which did not allow them to exert themselves physically. On a more positive note, it should be added that, at Rīga Central Prison, a number of outdoor exercise cubicles had been fitted with sports equipment (e.g. weights).

In the light of the above, the CPT calls upon the Latvian authorities to take steps at Daugavpils Prison and Rīga Central Prison to devise and implement a comprehensive regime of out-of-cell activities (including group association activities) for all prisoners, including those on remand.

Immediate steps must be taken to ensure that all prisoners at Rīga Central Prison are offered at least one hour of outdoor exercise every day. The CPT also reiterates its recommendation that the outdoor exercise areas in both establishments visited be enlarged, in order to enable prisoners to exert themselves physically.

4. Health care

a. Prison Hospital

62. The living conditions under which patients were held at the Prison Hospital remained totally unacceptable. In fact, practically none of the recommendations made by the CPT after the two previous visits to that establishment had been implemented (e.g. many of the metal shutters had not been removed from the windows, including of cells accommodating patients with active and/or multi-resistant tuberculosis).

The CPT calls upon the Latvian authorities to implement those recommendations without any further delay.

63. It is a matter of grave concern that the renovation of the Prison Hospital has repeatedly been postponed, and that none of the interlocutors spoken to could give the delegation any indication as to when it would begin.

In this connection, it should also be added that, for many patients, their health condition did not warrant them being accommodated and treated in a hospital setting. In addition, it came to light that the level of surgical activity in the Prison Hospital was rather low (on average, there were some 18 operations, including six with full anaesthesia, per month). Such a state of affairs begs the question whether there is really a need to maintain a hospital setting on the premises of Rīga Central Prison.

The CPT calls upon the Latvian authorities to take steps as a matter of urgency to provide adequate health-care facilities to prisoners, either by renovating the entire Prison Hospital or, preferably, by finding alternative solutions, such as the reinforcement of the health-care services in local prisons and the use of local hospitals.

Further, the Committee wishes to be informed of the precise time schedule for the action to be taken in response to this recommendation.

64. As regards staff and treatment, the CPT welcomes the fact that funds for additional posts of medical staff (3.5 posts) and nursing staff (3 full-time posts) have recently been allocated to the Prison Hospital. **The Committee would also like to receive confirmation that these posts have been filled.**

That said, the CPT remains concerned about the complete absence of psycho-social therapeutic activities as well as the lack of a psychologist. **The Committee must reiterate its recommendation that the level of care offered to prisoners undergoing in-patient psychiatric treatment be reviewed at the Prison Hospital; particular efforts should be made to develop psycho-social therapeutic activities and to adapt them to the individual needs of patients. Further, steps should be taken to ensure the regular presence of a psychologist.**

b. health-care services in the prisons visited

65. At Daugavpils Prison, the delegation observed some improvements to the health-care services provided. By way of example, there were now four well-equipped quarantine rooms and medical confidentiality was respected.

However, the CPT noted with concern that not all newly-arrived prisoners were medically screened upon admission. The lack of psychologists and a psychiatrist also constituted a serious shortcoming. Further, there was still no qualified health-care staff present at night.

66. At Rīga Central Prison, neither the complement of qualified nursing staff nor the psychiatric/psychological services had been strengthened, despite the specific recommendations made after the 1999 visit and reiterated after the 2002 visit. Further, a number of allegations were heard that prisoners held in quarantine cells were not always offered one hour of outdoor exercise per day.

67. In the light of the above, **the CPT reiterates its recommendation that steps be taken, as a matter of priority, to ensure that:**

- **the complement of qualified nursing staff at Daugavpils Prison and Rīga Central Prison is increased;**
- **a qualified nurse is always present at Daugavpils Prison, including at night and weekends;**
- **psychiatric and psychological services are strengthened at Daugavpils Prison and Rīga Central Prison;**
- **every newly-arrived prisoner is properly interviewed and physically examined by a medical doctor (or a fully qualified nurse reporting to a doctor) as soon as possible after his admission to Daugavpils Prison; save for exceptional circumstances, the interview/examination should be carried out on the day of admission;**
- **prisoners placed in quarantine cells at Rīga Central Prison are offered at least one hour of outdoor exercise every day.**

68. In both establishments (including the Prison Hospital), the examination of medical files revealed that the injuries observed (upon admission or after violent incidents within the prison) were frequently not recorded in detail, and that no additional information was given as to the causes of the injuries sustained.

By way of example, a prisoner met by the delegation at Rīga Central Prison alleged that he had been beaten and kicked by police officers in Rīga, during his apprehension, some five days before the visit, while face down on the ground and with his hands cuffed behind his back. On examination by a medical member of the delegation, he displayed a 25 x 9 cm red-violet-green haematoma on the left upper arm, turning more yellowish on the shoulder. He also complained of pain in the chest when he coughed. The medical record at Rīga Central Prison simply noted "haematoma on right shoulder, dark".

The CPT must therefore reiterate its recommendation that steps be taken at Daugavpils Prison and Rīga Central Prison (as well as in other prison establishments in Latvia) to ensure that the record drawn up after a medical examination of a prisoner, on arrival or after a violent incident within the prison, contains:

- (i) a full account of statements made by the prisoner concerned which are relevant to the medical examination, including any allegations of ill-treatment made by him;
- (ii) a full account of the objective medical findings based on a thorough examination;
- (iii) the doctor's conclusions in the light of (i) and (ii). In his conclusions, the doctor should indicate the degree of consistency between allegations made and the objective medical findings; these conclusions should be made available on request to the prisoner concerned and his lawyer.

Further, whenever injuries are recorded by a doctor which are consistent with allegations of ill-treatment made by a prisoner, the record should be immediately brought to the attention of the relevant prosecutor (see also paragraph 47).

5. Other issues

a. prison staff

69. The CPT has already highlighted the great importance of ensuring that prison staff are properly recruited and trained and of promoting positive relations between prison staff and prisoners.¹⁶ This will not only reduce the risk of ill-treatment, but also enhance control and security in prisons.

70. During the 2004 visit, the delegation was informed that all newly-recruited prison officers received an initial training of three months, including one month of practical training. This is a welcome development.

However, in all establishments visited, contacts between most of the prison staff and prisoners were still of a formal and distant nature, as well as being kept to a strict minimum. Further, the practice of obliging prisoners to face the wall when staff or visitors passed and of appointing a "duty prisoner" (speaker) for each cell remained unchanged.

The CPT reiterates its recommendation that the Latvian authorities enhance the in-service training of prison staff at all levels as regards the acquisition and development of inter-personal communication skills. In particular, a more proactive role for prison staff - i.e. one not limited purely to security and control tasks - should be encouraged.

Further, an immediate end should be put to the practice of obliging prisoners to face the wall when staff or visitors pass by and of appointing a "duty prisoner" (speaker) for each cell.

¹⁶ See paragraph 127 of the report on the 2002 visit.

b. discipline

71. The CPT welcomes the improvements made to the conditions of detention in the punishment cells at Daugavpils Prison and Rīga Central Prison (except those in Block I). However, it is seriously concerned by the total failure of the Latvian authorities to implement a number of urgent recommendations made by the CPT after the 1999 visit and repeated after the 2002 visit. Adult sentenced prisoners placed in disciplinary cells were still not provided with a mattress and blankets at night and (with the exception of TB patients) were not offered outdoor exercise.

The delegation addressed these points in an immediate observation, pursuant to Article 8, paragraph 5, of the Convention, at the end of the visit (see paragraph 8).

By letter of 21 October 2004, the Latvian authorities provided the following information:

"The Prison Department has prepared amendments to the Latvian Penal Execution Code which lay down that in sleep hours bed accessories are distributed to convicts in isolation wards and submitted them for revision under the second reading of the said amendments in the Parliament. It is not possible to ensure walks for adult prisoners in isolation wards since the walking grounds are situated separately from the imprisonment premises. It is necessary to build more walking grounds but it depends on adequate funds."

In the CPT's view, the Latvian authorities' reasons for not yet having implemented these long-standing recommendations are indefensible. **The Committee calls upon the Latvian authorities to take immediate steps to ensure that all prisoners placed in disciplinary cells are given a mattress and blankets at night, and are offered one hour of outdoor exercise per day. In the present context, prisoners held in disciplinary cells should be escorted daily to existing outdoor exercise areas.**

Further, **it recommends that the Latvian authorities significantly improve material conditions in the disciplinary cells in Block I at Riga Central Prison, in particular as regards access to natural light, ventilation and the general state of repair.**

In the light of the delegation's findings, **steps should also be taken to ensure that all prisoners placed in punishment cells are allowed access to a wider range of reading matter (i.e. not only religious literature) at Daugavpils Prison.**

72. As regards disciplinary sanctions, the CPT noted with concern that instances of self-harm were still considered to be disciplinary offences and punished accordingly (in the form of solitary confinement). It wishes to stress that acts of self-harm frequently reflect problems and conditions of a psychological or psychiatric nature, and should be approached from a therapeutic rather than a punitive standpoint.

Further, the Committee is not convinced that the sanctions imposed were always proportional to the offence (for example, extension of the placement in the punishment cell by 15 days for folding down the wooden platform in the cell during the day).

The CPT recommends that the Latvian authorities review the approach being followed at Daugavpils Prison and Rīga Central Prison as regards disciplinary sanctions, in the light of the above remarks.

c. contact with the outside world

73. Following legislative changes, remand prisoners were now, as a rule, being granted access to a *telephone*, in practice to one call per month (two calls per week for juveniles). This is a welcome development.

That said, the CPT remains concerned that the confidentiality of *correspondence* between remand prisoners and their lawyers was still not guaranteed at Daugavpils Prison and Rīga Central Prison (i.e. letters had to be handed in unsealed envelopes to the prisoner on duty).

Further, as regards restrictions imposed by the relevant prosecutor upon remand prisoners on contacts with the outside world (correspondence, visits, telephone), the delegation noted that such decisions were not always formally notified to the prisoner concerned and the latter was not informed of the deadline/modalities to appeal against them.

74. Regrettably, the Committee's recommendation to increase the entitlement to *visits* of sentenced prisoners in the Latvian prison system, so as to ensure that all such prisoners can receive at least one visit (either short- or long-term) per month, has not been implemented.

75. The CPT calls upon the Latvian authorities to review the current arrangements in the Latvian prison system concerning prisoners' contact with the outside world, in the light of the above remarks.

d. waiting cubicles

76. Not all waiting cubicles measuring less than 2 m² (some measuring a mere 0.65 m²) have been withdrawn from service at Daugavpils Prison and Rīga Central Prison, despite the assurances given to the contrary by the Latvian authorities in their response¹⁷ to the report on the 2002 visit.

By letter of 21 October 2004, the Latvian authorities stated that "cubicles smaller than two m² are used only for a short time (up to ten minutes) in cases when the lawyer, prosecutor, doctor, information giver is expected". The CPT must stress that cubicles of less than 2 m² are, by virtue of their size alone, not suitable to hold a person for any length of time whatsoever.

The Committee calls upon the Latvian authorities to withdraw the above-mentioned cubicles from service without any further delay.

¹⁷ See letter dated 29 January 2003.

e. complaints and inspection procedures

77. As in 2002, the confidentiality of external complaints was not always guaranteed (i.e. prisoners were obliged to hand complaints in an unsealed envelope to the prison administration or to give an oral explanation to members of the Security Department on the reasons for lodging a complaint). **The CPT reiterates its recommendation that steps be taken to enable prisoners to submit complaints to the Regional Prosecutor and the National Human Rights Office in a truly confidential manner.**

78. As regards inspection procedures, the Latvian authorities did not react, in their response to the report on the 2002 visit, to the CPT's request for information. **The Committee wishes to receive detailed information (e.g. frequency of visits, conclusions, etc.) on the visits carried out by the National Human Rights Office to Latvian prisons in the last twelve months, and on the action taken by the Latvian authorities in response thereto.**

APPENDIX I

LIST OF THE CPT'S RECOMMENDATIONS, COMMENTS AND REQUESTS FOR INFORMATION

A. Police establishments

Preliminary remarks

requests for information

- more detailed information on the new Criminal Procedure Code, including the text of this legislative act once it is adopted by Parliament (paragraph 11).

Torture and other forms of ill-treatment

recommendations

- a formal statement emanating from the Minister of the Interior to be delivered to all law enforcement officials (including to officers of the criminal police) making clear that they should be respectful of the rights of persons in their custody and that the ill-treatment of such persons will be the subject of severe sanctions. They should also be reminded that no more force than is strictly necessary is to be used when apprehending a person (paragraph 14);
- whenever an apprehended person brought before a prosecutor/judge alleges ill-treatment by the police, the prosecutor/judge to request immediately a forensic medical examination of the person concerned and to take the necessary measures in order for the allegation to be duly investigated. This approach should be followed irrespective of whether the person concerned bears visible injuries. Even in the absence of an express allegation of ill-treatment, the prosecutor/judge should request a forensic medical examination and notify the relevant authorities whenever there are other grounds to believe that an apprehended person brought before him could have been the victim of ill-treatment (e.g. visible injuries; a person's general appearance or demeanour) (paragraph 16);
- the return of remand prisoners to police establishments to be subject to the express authorisation of a prosecutor or judge (paragraph 18).

comments

- the return of remand prisoners to police custody, for whatever purpose, should only be sought and authorised when it is absolutely unavoidable (paragraph 18).

requests for information

- comments of the Latvian authorities on the CPT's remark that it would be preferable for the investigation of complaints against the police to be entrusted to an agency which is completely independent of the police (paragraph 15);
- comprehensive information on the frequency of visits of the bodies authorised to inspect police detention facilities (i.e. prosecuting/judicial authorities, the Police Inspectorate as well as the National Human Rights Office) during the last twelve months and, as appropriate, on the action taken following these visits (paragraph 17).

Conditions of detention

requests for information

- the progress made in the implementation of the construction plans of new ISOs at Daugavpils, Liepāja and Ventspils Police Headquarters, as well as on the new premises of the State Police in Rīga (paragraph 22);
- detailed information on the renovation work carried out in cell No. 1 at Ventspils Police Headquarters (paragraph 22);
- confirmation that:
 - all persons detained at Daugavpils, Liepāja and Ventspils Police Headquarters (as well as in other police establishments) are now provided with a clean mattress/blankets at night as well as with personal hygiene products and are granted ready access to sanitary facilities;
 - all cells at Daugavpils, Liepāja and Ventspils Police Headquarters are fitted with adequate artificial lighting (paragraph 22).

Fundamental safeguards against ill-treatment

recommendations

- the Latvian authorities to take effective steps to ensure that all persons deprived of their liberty by the police, for whatever reason, are granted the right to notify a close relative or third party of their choice of their situation, as from the very outset of their deprivation of liberty (paragraph 24);
- the Latvian authorities to take effective steps to ensure that the right of access to a lawyer, as defined in paragraph 26, is enjoyed by all persons obliged to remain with the police, as from the very outset of their deprivation of liberty. The right of access to a lawyer should be enjoyed not only by criminal suspects but also by anyone who is under a legal obligation to attend - and stay at - a police establishment (paragraph 26);

- appropriate steps should also be taken to ensure the effectiveness of the legal aid system throughout the procedure, including at the initial stage of police custody (paragraph 26);
- the Latvian authorities to take immediate steps to ensure that the right of access to a doctor for persons held in police custody is formally guaranteed by law and fully implemented in practice, as from the very outset of their deprivation of liberty (paragraph 27);
- steps to be taken to ensure that:
 - all medical examinations of persons in police custody take place out of the hearing and - unless the doctor concerned expressly requests otherwise in a given case - out of the sight of police officers; steps should also be taken to ensure that the confidentiality of medical data is fully respected in police establishments throughout Latvia;
 - the medical certificate drawn up after a medical examination of a person detained by the police contains (i) an account of statements made by the detainee which are relevant to the medical examination (including his/her description of his/her state of health and any allegations of ill-treatment), (ii) an account of objective medical findings based on a thorough examination, and (iii) the doctor's conclusions in the light of i) and ii); in addition, the above-mentioned statements and the doctor's conclusions should be made available to the detained person and his/her lawyer;
 - persons taken into police custody have the right to be examined, if they so wish, by a doctor of their own choice, in addition to any medical examination carried out by a doctor called by the police authorities
(paragraph 27);
- a form setting out in a straightforward manner the rights of persons in police custody to be systematically given to detained persons, at the very outset of their deprivation of liberty. This form should be available in an appropriate range of languages. Further, the persons concerned should be asked to sign a statement attesting that they have been informed of their rights (paragraph 28).

comments

- the CPT suggests that the Bar Association be consulted in the context of steps taken to ensure the effectiveness of the legal aid system (paragraph 26).

Pre-Trial Investigation Centre and Short-Term Detention Isolator (ISO), Rīga

recommendations

- the Latvian authorities to implement without any further delay the recommendations made after the 1999 and 2002 visits regarding material conditions at the ISO in Rīga (paragraph 29);
- appropriate steps to be taken to ensure that a less restrictive approach is adopted as regards contact with the outside world for persons detained at the ISO in Rīga (paragraph 30);
- the Latvian authorities to take steps to ensure that:
 - cell No. 10 is immediately withdrawn from service;
 - all inmates serving disciplinary punishment enjoy at least one hour of outdoor exercise per day (paragraph 31);
- the Latvian authorities to remove immediately the spotlights in the interrogation room of the ISO in Rīga, and to ensure that the installation of spotlights is expressly prohibited in all police establishments in Latvia (paragraph 32);
- immediate steps to be taken to withdraw from service the two waiting cubicles at the ISO in Rīga (paragraph 33);
- steps to be taken to ensure that medical confidentiality is fully guaranteed in the Rīga ISO. This implies, *inter alia*, that all medical examinations of detained persons (whether on arrival or at a later stage) should be conducted out of the hearing and - unless the doctor concerned requests otherwise in a particular case - out of the sight of police officers (paragraph 34).

comments

- the objective must be to cease using the ISO in Rīga (as well as any other police establishment of a similar type) for prolonged periods of detention; they are totally unsuited to this purpose. Remand prisoners should be transferred to a prison establishment as soon as possible (paragraph 35).

requests for information

- detailed information on the new State Police Regulation on Short-Term Detention Isolators, including the text of the regulation once it is adopted (paragraph 36).

B. Prisons

Preliminary remarks

recommendations

- the existing legal standards on living space for prisoners to be raised without any further delay, so as to provide for at least 4 m² per prisoner in multiple-occupancy cells, and official capacities and occupancy levels of cells in Latvian prisons to be revised accordingly (paragraph 41);
- the Latvian authorities to continue to pursue their efforts to bring about a permanent end to overcrowding; in this context, Committee of Ministers Recommendation No. R (99) 22 on prison overcrowding and prison population inflation should be taken into account (paragraph 41).

Ill-treatment

recommendations

- the management at Daugavpils Prison and Rīga Central Prison to be instructed to remind their staff that all forms of ill-treatment of prisoners (including threats and verbal abuse) are not acceptable and will be punished accordingly (paragraph 42);
- the case of the juvenile prisoner met at Šķīrotava Prison in Rīga who had allegedly been the victim of sexual abuse by fellow inmates to be brought to the attention of the competent prosecutor (paragraph 45);
- the existing procedures to be reviewed in order to ensure that whenever injuries are recorded by a doctor which are consistent with allegations of inter-prisoner violence, the matter is immediately brought to the attention of the relevant prosecutor and a preliminary investigation is initiated by him (paragraph 47);
- the Latvian authorities to develop strategies with a view to addressing the problem of inter-prisoner violence in the establishments visited (and, as appropriate, in other prisons in Latvia) (paragraph 47);

- the Latvian authorities to take immediate steps to review throughout the prison system the role played by the Security Departments, in the light of the remarks made in paragraphs 48 and 49 as well as in paragraphs 130 to 132 of the report on the 2002 visit. In particular, steps should be taken to ensure that:
 - criminal investigations into instances of ill-treatment by staff as well as inter-prisoner violence are no longer carried out by the Security Departments. Such investigations should be conducted by a body which is independent of the establishment concerned, and preferably of the prison system as a whole.
 - prisoners are allocated/transferred to cells under the responsibility of the Director of the establishment concerned (paragraph 50).

comments

- the prison administration has the responsibility to take special precautions to protect juveniles and other vulnerable prisoners from all forms of abuse (including sexual exploitation) (paragraph 45).

requests for information

- detailed information on the outcome of the preliminary criminal investigation into the alleged sexual abuse of a juvenile prisoner by fellow inmates at Šķīrotava Prison in Rīga, and, as appropriate, the action subsequently taken (paragraph 45).

Conditions of detention

recommendations

- the Latvian authorities to revise fundamentally the regime applicable to life-sentenced prisoners, in the light of the remarks made in paragraphs 53 to 55 (paragraph 55);
- the Latvian authorities to take immediate steps to carry out an individual risk assessment in respect of all life-sentenced prisoners and to adjust the security measures applied to them accordingly (paragraph 56);
- the Latvian authorities to take immediate steps to ensure that all medical examinations of life-sentenced prisoners are conducted out of the hearing and - unless the doctor concerned requests otherwise in a particular case - out of the sight of prison officers (paragraph 58);
- the practice of placing life-sentenced prisoners behind metal bars during psychiatric consultations to cease immediately (paragraph 58);
- steps to be taken to revise the design of the new Unit for life-sentenced prisoners at Daugavpils Prison, in the light of the remarks made in paragraph 59 (paragraph 59);

- material conditions at Daugavpils Prison and Rīga Central Prison (in particular, in Block 5) to be substantially improved, in the light of the remarks made in paragraph 60. Immediate steps should be taken to ensure that:
 - access to natural light and adequate ventilation is guaranteed in all prisoners' accommodation;
 - all prisoners are provided with a bed, a clean mattress and clean bedclothes;
 - all prisoners have adequate quantities of essential personal hygiene products as well as cleaning products for their cells, and are able to take a hot shower at least once a week (paragraph 60);
- the Latvian authorities to take steps at Daugavpils Prison and Rīga Central Prison to devise and implement a comprehensive regime of out-of-cell activities (including group association activities) for all prisoners, including those on remand (paragraph 61);
- immediate steps to be taken to ensure that all prisoners at Rīga Central Prison are offered at least one hour of outdoor exercise every day (paragraph 61);
- the outdoor exercise areas at Daugavpils Prison and Rīga Central Prison to be enlarged, in order to enable prisoners to exert themselves physically (paragraph 61).

Health care

recommendations

- the Latvian authorities to implement without any further delay the recommendations made after the 1999 and 2002 visits concerning the living conditions of patients at the Prison Hospital (paragraph 62);
- the Latvian authorities to take steps as a matter of urgency to provide adequate health-care facilities to prisoners, either by renovating the entire Prison Hospital or, preferably, by finding alternative solutions, such as the reinforcement of the health-care services in local prisons and the use of local hospitals (paragraph 63);
- the level of care offered to prisoners undergoing in-patient psychiatric treatment to be reviewed at the Prison Hospital; particular efforts should be made to develop psycho-social therapeutic activities and to adapt them to the individual needs of patients. Further, steps should be taken to ensure the regular presence of a psychologist (paragraph 64);

- steps to be taken, as a matter of priority, to ensure that:
 - the complement of qualified nursing staff at Daugavpils Prison and Rīga Central Prison is increased;
 - a qualified nurse is always present at Daugavpils Prison, including at night and weekends;
 - psychiatric and psychological services are strengthened at Daugavpils Prison and Rīga Central Prison;
 - every newly-arrived prisoner is properly interviewed and physically examined by a medical doctor (or a fully qualified nurse reporting to a doctor) as soon as possible after his admission to Daugavpils Prison; save for exceptional circumstances, the interview/examination should be carried out on the day of admission;
 - prisoners placed in quarantine cells at Rīga Central Prison are offered at least one hour of outdoor exercise every day
(paragraph 67);
- steps to be taken at Daugavpils Prison and Rīga Central Prison (as well as in other prison establishments in Latvia) to ensure that the record drawn up after a medical examination of a prisoner, on arrival or after a violent incident within the prison, contains:
 - (i) a full account of statements made by the prisoner concerned which are relevant to the medical examination, including any allegations of ill-treatment made by him;
 - (ii) a full account of the objective medical findings based on a thorough examination;
 - (iii) the doctor's conclusions in the light of (i) and (ii). In his conclusions, the doctor should indicate the degree of consistency between allegations made and the objective medical findings; these conclusions should be made available on request to the prisoner concerned and his lawyer
(paragraph 68).
- whenever injuries are recorded by a doctor which are consistent with allegations of ill-treatment made by a prisoner, the record to be immediately brought to the attention of the relevant prosecutor (paragraph 68).

requests for information

- the precise time schedule for the action to be taken in response to the recommendation made in paragraph 63 (paragraph 63);
- confirmation that the posts of medical staff (3.5 posts) and nursing staff (3 full-time posts) have been filled at the Prison Hospital (paragraph 64).

Other issues

recommendations

- the Latvian authorities to enhance the in-service training of prison staff at all levels as regards the acquisition and development of inter-personal communication skills. In particular, a more proactive role for prison staff - i.e. one not limited purely to security and control tasks - should be encouraged (paragraph 70);
- an immediate end to be put to the practice of obliging prisoners to face the wall when staff or visitors pass by and of appointing a "duty prisoner" (speaker) for each cell (paragraph 70);
- the Latvian authorities to take immediate steps to ensure that all prisoners placed in disciplinary cells are given a mattress and blankets at night, and are offered one hour of outdoor exercise per day. In the present context, prisoners held in disciplinary cells should be escorted daily to existing outdoor exercise areas (paragraph 71);
- the Latvian authorities to significantly improve material conditions in the disciplinary cells in Block I at Rīga Central Prison, in particular as regards access to natural light, ventilation and the general state of repair (paragraph 71);
- the Latvian authorities to review the approach being followed at Daugavpils Prison and Rīga Central Prison as regards disciplinary sanctions, in the light of the remarks made in paragraph 72 (paragraph 72);
- the Latvian authorities to review the current arrangements in the Latvian prison system concerning prisoners' contact with the outside world, in the light of the remarks made in paragraph 73 and 74 (paragraph 75);
- the Latvian authorities to withdraw from service without any further delay all waiting cubicles measuring less than 2 m² at Daugavpils Prison and Rīga Central Prison (paragraph 76);
- steps to be taken to enable prisoners to submit complaints to the Regional Prosecutor and the National Human Rights Office in a truly confidential manner (paragraph 77).

comments

- steps should be taken to ensure that all prisoners placed in punishment cells are allowed access to a wider range of reading matter (i.e. not only religious literature) at Daugavpils Prison (paragraph 71).

requests for information

- detailed information (e.g. frequency of visits, conclusions, etc.) on the visits carried out by the National Human Rights Office to Latvian prisons in the last twelve months, and on the action taken by the Latvian authorities in response thereto (paragraph 78).

APPENDIX II

LIST OF THE NATIONAL AUTHORITIES WITH WHICH THE CPT'S DELEGATION HELD CONSULTATIONS

Ministry of Justice

| | |
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| Vineta MUIŽNIECE | Minister |
| Martins Bicevskis | State Secretary |
| Dailis Luks | Head of the Prison Administration |
| Kristine Kipena | Acting Chief of the Penal Policy Department |

Ministry of the Interior

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| Eriks JĒKABSONS | Minister |
| Raimonds Blukis | Deputy State Secretary |
| Arvids Marhels | Deputy Head of the State Police |

Ministry of Health

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| Uldis Likops | State Secretary |
| Ronalds Rozkalns | Deputy Head of the Division of Health Care Organisation, Department of Public Health |

Ministry of Foreign Affairs

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| Sarmite DANNE | First Secretary, International Organisations Division, Liaison Officer with the CPT |
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