

Last update: 15/03/2021

Latvia

Membership to the Council of Europe	10 February 1995
Entry into force of the European Convention on Human Rights	27 June 1997
First case under supervision of execution	<i>Kulakova</i> (50108/99) Judgment final on 18 October 2001
Total number of cases transmitted for supervision since the entry into force of the Convention	128
Total number of cases closed by final resolution	119

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION*

> Home searches and private life

Disproportionate search of the applicants' home and the way it was carried out by anti-terrorist police unit in the context of an investigation into economic crimes; absence of safeguards against abuse.

Vinks and Ribicka (28926/10)
Judgment final on 30/05/2020

Status of execution
Standard supervision

> Interference with property rights

Lack of individualised assessment in the context of a confiscation of property imposed as a criminal penalty, leading to the confiscation of goods legally acquired; lack of clarity and foreseeability of the relevant domestic regulation, absence of procedural safeguards and protection against arbitrariness.

Markus (12879/09)
Judgment final on 11/09/2020

Status of execution
Standard supervision

> Discriminatory prison regime

Discriminatory treatment of male prisoners due to the blanket ban on prison leave for them in closed prisons, which led to the refusal by the prison administration in October 2008 to let a prisoner attend his father's funeral.

Ēcis (17215/07)
Judgment final on 24/06/2019

Status of execution
Standard supervision

* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).

SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> Actions of security forces

The Internal Control Bureau was set up to ensure service discipline and legality in structural units of the State police and to analyse, plan, coordinate and implement measures aimed at preventing and detecting offences committed by State Police officials and employees. The 2016 report of the CPT underlined a positive trend in the prevention of ill-treatment by the police.

Holodenko (17215/07)
Judgment final on 04/11/2013

Final Resolution
CM/ResDH(2018)382

> Detention conditions of mentally ill persons

A new system of partial restriction of legal capacity has been set up in 2013 providing for a court to review the placement decision upon request.

Mihailovs (35939/10)
Judgment final on 22/04/2013

Final Resolution
CM/ResDH(2018)286

Mandatory participation in the court hearing on compulsory measures of medical nature of the person in relation to whom these measures are being considered was introduced in 2014 (Criminal Procedure Law). Decisions *in absentia* are possible only if, according to an expert opinion, the health condition of the person concerned does not permit his/her participation. In this case, the person's representative should participate at the hearings.

Beiere (30954/05)
Judgment final on 29/02/2012

Final Resolution
CM/ResDH(2017)311

Introduction of a judicial review procedure in case of involuntary hospitalisation allowing the patients to participate in decision-making process: possibility to contest the decision of the panel of psychiatrists before the local courts and to receive state-funded legal aid.

L.M (26000/02)
Judgment final on 19/10/2011

Final Resolution
CM/ResDH(2017)209

Application of compulsory measures of a medical nature (involuntary hospitalisation and treatment) is no longer possible without recent medical assessment of the person's mental health - New Criminal Procedure Law 2005.

Raudevs (24086/03)
Judgment final on 17/03/2014

Final Resolution
CM/ResDH(2017)208

> Detention and related issues

Prohibition of the censorship of correspondence with the defence council, prosecution authorities, courts and international and national human rights institutions in 2004, introduction of more restrictive rules for the monitoring and supervision of detainees' correspondence with their family in 2005, provision of detainees' right to receive family visits during pre-trial detention.

Lavents and *Jurjevs* (58442/00 and 70923/01)
Judgments final on 28/02/2003 and 15/09/2006

Final Resolution
CM/ResDH(2009)131

** This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.

SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

Improvement of the status of rights in pre-trial detention in 2005:

- creation of the position of investigative judges ensuring the observance of human rights during pre-trial stage of criminal proceedings;
- judicial review of detention orders periodically and of applied pre-trial detention every 2 months;
- introduction of a right to judicial review of detention after convicting judgments of first instance courts;
- legal recognition of the rights of persons detained on remand.

Bannikov (19279/03)

Judgment final on 11/09/2013

Final Resolution
CM/ResDH(2015)137> **Conditions of detention****Major improvements of conditions of detention** since 2005:

- renovation or reconstruction of several prisons;
- construction of a new Prison Hospital;
- adoption of new legislation providing standards for minimum living space per detainee and supplying detainees with personal hygiene products;
- adoption of new regulations for body searches and use of special restraint means;
- possibility for detainees to submit their complaints to administrative courts.

Kadikis group (62393/00+)

Judgment final on 04/08/2006

Final Resolution
CM/ResDH(2016)122> **Extradition – Lawfulness of detention**

Mandatory periodic judicial review of the lawfulness of the detention in the context of extradition proceedings; prosecutors were granted the possibility to immediately release the individual from detention in case the respective extradition request was refused.

Čalovskis (22205/13)

Judgment final on 15/12/2014

Final Resolution
CM/ResDH(2017)212> **Fairness of judicial proceedings – criminal charges**

Since 2014, obligation for a court to consider the materials pertaining to the special investigative measures which had not been included in the criminal case file and which concern the body of evidence used in the criminal proceedings.

Baltins (25282/07)

Judgment final on 08/04/2013

Final Resolution
CM/ResDH(2016)191

Since 2005, possibility for judges to hear witnesses, who are unable to appear before the court on account of their state of health, at their location.

Pacula (65014/01)

Judgment final on 15/12/2009

Final Resolution
CM/ResDH(2016)96> **Length of criminal proceedings**

Institution of written proceedings before the appellate courts, introduction of modern technologies in the courts, possibility for the courts to impose sanctions if the parties continuously fail to attend the hearings etc. Also, **introduction of a compensatory remedy in 2005** for complaints of unreasonably lengthy criminal proceedings.

Černikovs (71071/01)

Judgment final on 31/05/2011

Final Resolution
CM/ResDH(2017)123

SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> Home - private and family life

The Council of Europe Convention against Trafficking in Human Organs was signed in 2017. The Law of the Rights of Patients of 2010 guarantees the right of the closest relatives to take a decision on medical treatment or to refuse it, if the patient is unable to take such a decision. The Health Inspectorate is competent for receiving complaints by relatives, and its decisions can be appealed before administrative courts.

Petrova (4605/05)
Judgment final on 24/09/2014
Elberte (61243/08)
Judgment final on 13/04/2015

Final Resolution
CM/ResDH(2018)244

> Acquisition of private information – interception of phone conversations

Ex post facto approval by the judicial authorities is mandatory in all cases of operational activities (irrespective of whether the operations are ongoing or were terminated in less than 72 hours).

Meimanis (70597/11)
Judgment final on 21/10/2015

Final Resolution
CM/ResDH(2017)211

> Electoral rights

Limitation of the prohibition to stand for Parliamentary elections as it only concerns the persons who were formerly directly involved in the KGB's primary functions.

Adamsons (3669/03)
Judgment final on 01/12/2008

Final Resolution
CM/ResDH(2014)279

STATISTICS***

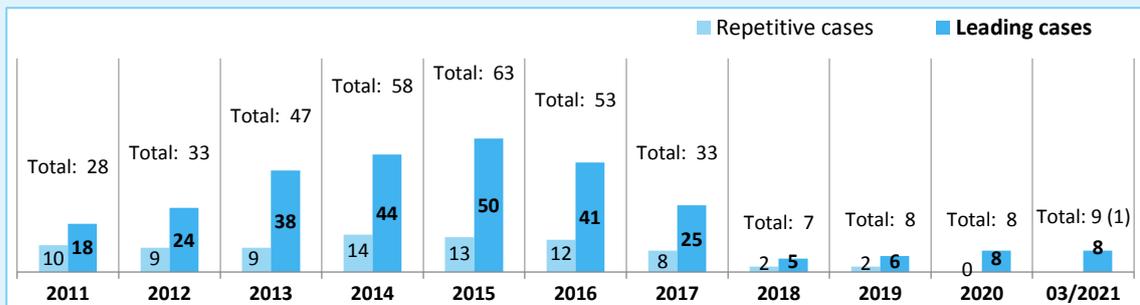
New cases

(judgments transmitted for supervision of their execution during the year)



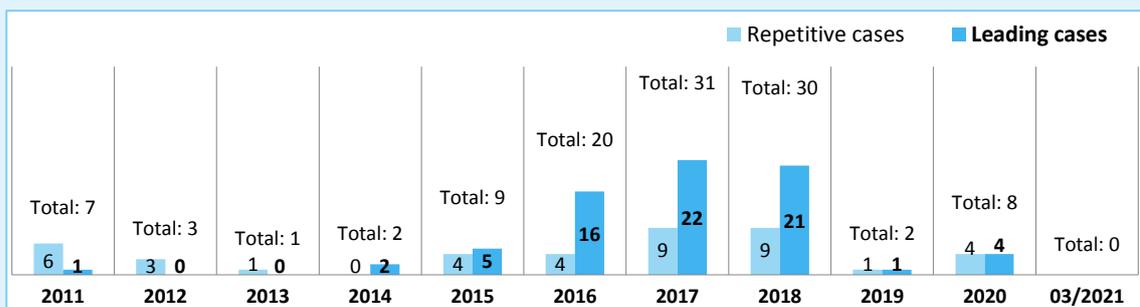
Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of new cases.

Pending cases

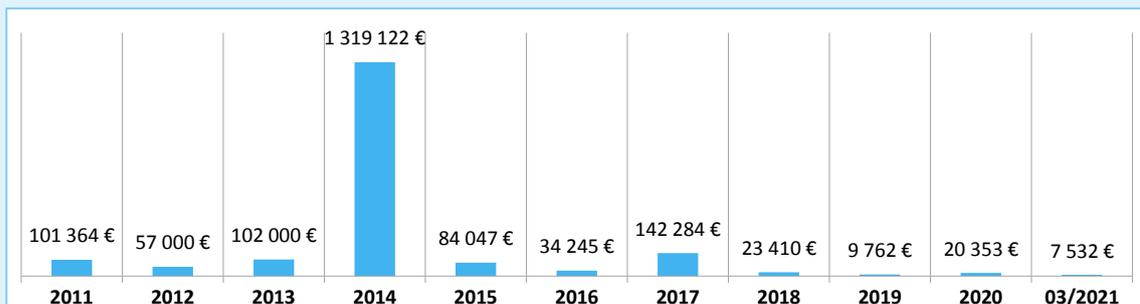


Figures bracketed correspond to the number of cases not yet classified as leading or repetitive, but they are taken into account in the total number of pending cases.

Cases closed by final resolution



Just satisfaction awarded by the European Court



*** Detailed statistics are available in the annual reports of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.