



Last update: 31/12/2018

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	Kulakova (50108/99) Judgment final on 18 October 2001
Total number of cases transmitted for supervision since the entry into force of the Convention	116
Total number of cases closed by final resolution	109

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION*

> Actions of security forces

Ill-treatment by the police during arrests or interrogation and lack of effective investigations into the allegations of ill-treatment.

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

Status of execution
Standard supervision

Balajevs (8347/07)
Judgment final on 28/07/2016

Status of execution
Standard supervision

> Detention conditions of mentally-ill persons

Unlawful placement in social care centres due to a lack of proper medical assessment and absence of an effective regulatory framework enabling access to legal remedies.

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

Status of execution
Standard supervision

> Home - private and family life

Lack of adequate legal protection against arbitrariness in proceedings relating to the removal of organs or tissues for transplantation purposes or in view of creating bio-implants.

Petrova (4605/05)
Judgment final on 24/09/2014

Status of execution
Standard supervision

Elberte (61243/08)
Judgment final on 13/04/2015

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******> Detention conditions of mentally-ill persons**

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**

> 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**

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**

> Detention conditions of mentally-ill persons

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**

** 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**

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

> **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

> **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

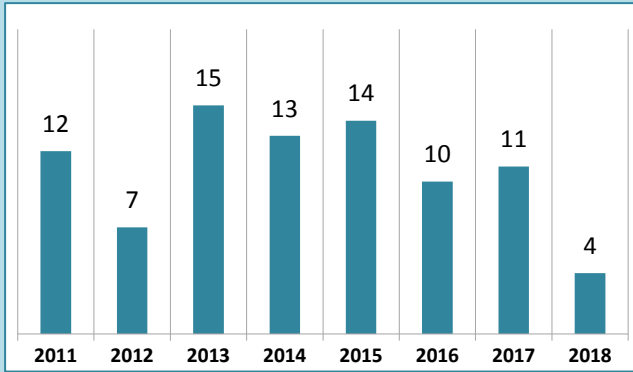
Final Resolution
CM/ResDH(2014)279



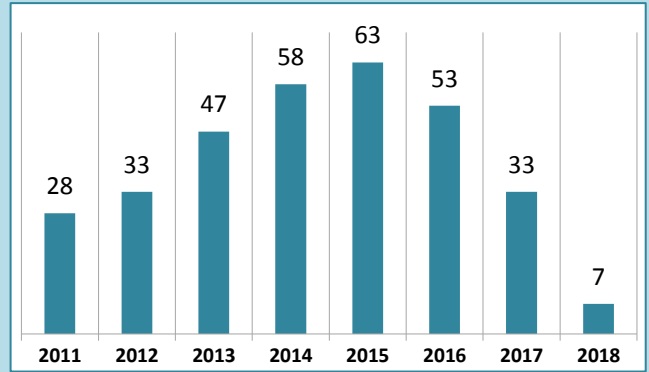
STATISTICS***

New cases

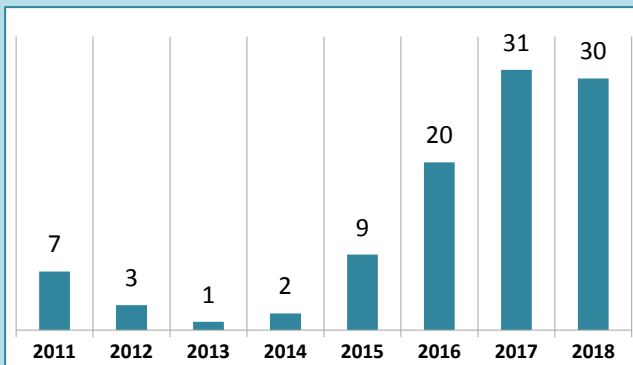
(judgments transmitted for supervision of their execution during the year)



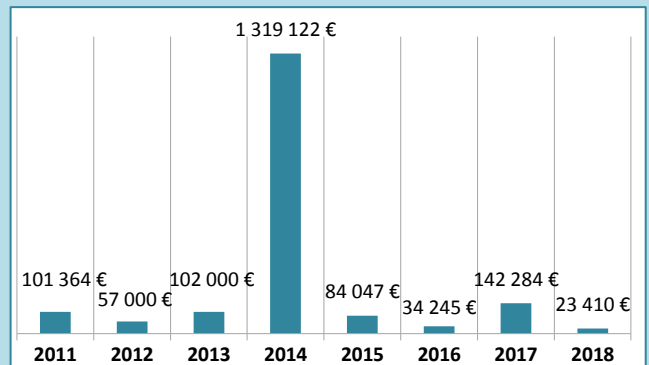
Total of pending cases



Cases closed by final resolution



Just satisfaction awarded



*** 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.