

Republic of Latvia – National Procedures for Extradition  
Updated 31/10/2016

The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for extradition:	Prosecutor General's Office of the Republic of Latvia Address: 6 Kalpaka boulevard, Riga, LV-1801 Telephone: +371 6704 4448 Fax: +371 6704 4449 E-mail gen@lrp.gov.lv
If different from the Central Authority the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	
Channels of communication for the request for extradition (directly, through diplomatic channels or other):	
Means of communication (e.g. by post, fax, e-mail <sup>1</sup> ):	Provisional arrest can be applied and extradition procedure can be started after the receipt of relevant documents via fax, E-mail, however original documents are requested in order to complete the procedure
Language requirements:	The documents to be produced shall be in the language of the requesting or requested Party. A translation into one of the following languages - Latvian, English, German or Russian would be appreciated.

<sup>1</sup> Please indicate if encryption or electronic signature is required.

Documentation required:	<p>The request for extradition shall be supported by:</p> <ol style="list-style-type: none"> <li>1) the warrant of arrest or the judgment that has entered into force in relation to the person;</li> <li>2) a description of the offences for which extradition is requested or a decision regarding the person's criminal liability charges;</li> <li>3) the text of the sections of the law on the basis of which the person has been held criminally liable or convicted, and the text of the section of the law that regulates the statute of limitations;</li> <li>4) information on (description of) of the person claimed, together with any other information which will help to establish his/her identity and nationality</li> </ol>	
Provisional arrest:	<p>Time limit for presentation of formal extradition request if the person is in provisional arrest</p>	<p>Article 699 (1) of the Latvian Criminal Procedure Law provides for a maximum term of 72 hours for custody pending the examination by a court of a request for provisional arrest.</p> <p>Article 701 (3) of the Latvian Criminal Procedure Law provides for a maximum term of 40 days for provisional arrest from the day of detention (i.e. maximum of 72 hours police custody from the time of detention plus 37 days remand in custody) within which the formal request for extradition is to be received.</p> <p>According to Article 701 (4) of the Latvian Criminal Procedure Law provisional arrest may be terminated if within a period of 18 days after detention the request for extradition or information on the reasons of delay has not been received.</p>

		<p>In practice a formal request for extradition is to be sent early enough to enable the competent court to decide on the request before 40 day limit expires.</p> <p>According to Article 702 (5) of the Latvian Criminal Procedure Law the maximum term under arrest from the day of detention (i.e. including arrest terms mentioned above) until the surrender of the person cannot exceed one year.</p>
	<p>Is there a need for an explicit request for prolongation of the provisional arrest beyond the 18 days mentioned in Article 16, paragraph 4 of the European Convention on Extradition (ETS No.24)?</p>	
<p>Extradition procedures: Please describe shortly the different types of procedure (e.g. normal, simplified, other) indicating the main differences:</p>	<p>According to Article 713 of the Latvian Criminal Procedure Law</p> <p>(1) A person may be extradited to a foreign state under simplified procedures, if:</p> <p>1) a written consent of the person to be extradited has been received for the simplified extradition;</p> <p>2) the person to be extradited is not a Latvian citizen;</p> <p>(2) A person to be extradited shall certify his or her consent to simplified extradition to a public prosecutor in the presence of an advocate before a decision is taken regarding the admissibility of extradition.</p> <p>(3) After the receipt of consent, a public prosecutor shall ascertain only what is provided for in Paragraph (1) of the above Article, and immediately submit to the Prosecutor General the materials related to extradition.</p> <p>(4) The Prosecutor General shall take one of the fo</p>	

	<p>llowing decisions:</p> <ol style="list-style-type: none"> <li>1) to extradite the person;</li> <li>2) to refuse to extradite the person;</li> <li>3) not to apply simplified extradition procedures.</li> </ol> <p>(5) A decision taken by the Prosecutor General shall not be subject to appeal.</p> <p>(6) A foreign state and a person to be extradited shall be informed regarding the extradition of the person in question or a refusal to extradite him/her, and the relevant decision shall be submitted to the Ministry of the Interior</p>
<p>Detention before and after the receipt of the extradition request, (deadlines, conditional release, etc.):</p>	<p>Article 701 (3) of the Latvian Criminal Procedure Law provides for a maximum term of 40 days for provisional arrest from the day of detention (i.e. maximum of 72 hours police custody from the time of detention plus 37 days remand in custody) within which the formal request for extradition is to be received.</p> <p>According to Article 702 (5) of the Latvian Criminal Procedure Law the maximum term under arrest from the day of detention (i.e. including arrest terms mentioned above) until the surrender of the person cannot exceed one year.</p>
<p>Statutes of limitation for the purpose of prosecution and for the execution of sentences (general principles):</p>	
<p>Provisions concerning extradition of nationals:</p>	<p>According to Article 697 (2) (i) of the Latvian Criminal Procedure Law the extradition of a person shall not be admissible if the person is a citizen of Latvia.</p>
<p>Surrender (e.g. deadlines):</p>	

Other particularly relevant information (such as, specific requirements concerning double criminality):	
Links to national legislation, national guides on procedure,	<a href="http://www.loc.gov">www.loc.gov</a>