

# Real Rights: young people engaging with law enforcement

 Riga, Latvia



The Real Rights project has been developed by Baker McKenzie and the Global Initiative on Justice with Children to provide young people – especially young people of colour, minority and vulnerable populations – with specific guidance for interactions with law enforcement. Thanks to the Real Rights project and the pro bono work of over 1,500 volunteer professionals, we have created a clear and accessible data base of answers to child questions when they are in contact with the police – from initial contact, questioning, to stop and report.

If you are interested to support us in this project, click on the "Feedback" button provided in each city page or email [realrights@bakermckenzie.com](mailto:realrights@bakermckenzie.com).

## Rights:

What rights do I have when I encounter law enforcement?

### Question Asked

- Stopped By The Police On The Street, Now What?
- When Can Police Search You and Your Surroundings?
- Reasons Police May Detain or Arrest You
- The Difference Between Police TELLING Me What To Do And Asking Me To Do Something
- Do Police Need A Warrant To Arrest You?
- How Do You Know If You Are Under Arrest?
- What To Do After Being Warned of Your Rights
- Police Questioning You
- How do I Contact A Lawyer and When?
- Do Police Always Have To Tell The Truth?
- How do I make a complaint if I have questions or feel my rights have been violated?
- How can I respond to circumstances involving discrimination?
- What can you do if the police perform an improper search? Or I was improperly detained?

## Stopped By The Police On The Street, Now What?

### Proposed Information

It is important to follow this advice:

- Stay calm. It is not a good idea to run. Speak carefully and clearly. Anything you say can be used against you in a court of law.
- It is not a good idea to touch the officers. Keep your hands where the police can see them.
- It is not a good idea to resist, even if you're innocent or if you think the police are acting unfairly or unlawfully.

### **Can the police arrest you for refusing to answer questions?**

While "arrests" are made under a warrant, the police can detain and convey you to a police station if you do not answer questions or show your ID when asked by officers. Refusing to answer questions or show your ID are considered non-compliance with the lawful requests of a police officer and are punishable as administrative infringements. (Sec. 13(5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **What if the officers do not identify themselves?**

If a police officer detains you or starts questioning you, the officer is required to give you their surname, position and place of service. The officer is also required to present a service certificate upon your request. (Sec. 5 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **What if an officer just begins speaking to me but does not order me to do anything?**

You should answer the questions asked of you. Refusing to answer questions or show your ID are considered non-compliance with the lawful requests of a police officer and are punishable as administrative infringements. (Sec. 13 (5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **What if the officer is not in uniform or identified as an officer but I think it is one?**

If you are being detained or questioned, ask. The officer is required to give you their surname, position and place of service. The officer is also required to present a service certificate upon your request. (Sec. 5 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **Can I tell police I do not want to speak without a lawyer?**

Yes. In criminal cases, you have the right to ask for your own counsel or ask for state paid legal counsel. When requested, legal counsel must be provided immediately and no procedural activities can be performed until legal counsel arrives.

If you want your own legal counsel, you have the right to ask the police officer to call legal counsel. You or your legal guardian must conclude an agreement with legal counsel for legal services. If you want state paid legal counsel, the person directing the proceeding must notify the senior representative of the sworn advocates for the relevant court territory that legal counsel is necessary. (Sec. 20 and Sec. 80 of the Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\)](#) ([wipo.int](#))

### **If I sit down, am I resisting?**

Maybe. You cannot interfere with the actions of the police during the performance of their duties. (Sec. 3 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **If I am stopped in a group, and some kids run, can I run?**

No. Refusing to answer questions or show your ID are considered non-compliance with the lawful requests of a police officer and are punishable as administrative infringements. (Sec. 13(5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **Can I tell others (siblings, for example) to run?**

A spouse, parent, child, sibling, grandparent or grandchild of a person who has committed a crime, as well as the person with whom the person who has committed the crime shares a joint household with, is not liable for concealment without a prior promise or failure to inform. (Sec. 22 of the Criminal Law)

Source:

Criminal Law can be found here: [Krimināllikums \(likumi.lv\)](#)

### **If the officer's language is not my first language, can I tell them without waiving my rights?**

Yes. The police should provide an interpreter free of charge. (Criminal Proceedings and Defense Rights in Latvia)

Source:

Criminal Proceedings and Defense Rights in Latvia can be found here: [Latvia-Notes-of-Advice-on-Criminal-Proceedings-and-Defence-Rights-in-Latvia.pdf](#) ([fairtrials.org](#))

### **If I did not do anything, can they stop me?**

The police have the right to stop you if they have a reason to suspect that you have committed a felony, whether or not the act was done in front of them. (Sec. 12(1)-(3) of the Law on Police and Sec. 264 of the Criminal Procedure Law)

Answer any questions you feel comfortable answering without your legal guardian present, unless to do so would incriminate yourself.

Sources:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\)](#) ([wipo.int](#))

# When Can Police Search You and Your Surroundings?

## Proposed Information

It is important to follow this advice:

- You have the right to say no to searches of your person.
- You have the right to say no to searches of your car, house or other surroundings.
- You cannot be arrested for refusing to consent to a search without a warrant.
- A warrant is a court order so you have no choice but to consent.

### What if a police officer wants to search my phone?

You may say no. A police officer must first obtain a search warrant for your device prior to requiring you to hand it over. (Sec. 17 and Sec. 23 of the Operational Activities Law)

Source:

Operational Activities Law can be found here: [Operatīvās darbības likums \(likumi.lv\)](https://likumi.lv/tausta/en/operativas-darbibas-likums)

### What if a police officer asks me for my password to my phone?

You may say no. A police officer must first obtain a search warrant for your device prior to accessing the device. (Sec. 17 and Sec. 23 of the Operational Activities Law)

Source:

Operational Activities Law can be found here: [Operatīvās darbības likums \(likumi.lv\)](https://likumi.lv/tausta/en/operativas-darbibas-likums)

### What if they tell me to give them my password or other access to my phone?

You may say no. A police officer must first obtain a search warrant for your device prior to accessing the device. (Sec. 17 and Sec. 23 of the Operational Activities Law)

Source:

Operational Activities Law can be found here: [Operatīvās darbības likums \(likumi.lv\)](https://likumi.lv/tausta/en/operativas-darbibas-likums)

### Do I have to give them my device password if they demand it when I am not under arrest? What if they just ask for it?

You may say no. A police officer must first obtain a search warrant for your device prior to accessing the device. (Sec. 17 and Sec. 23 of the Operational Activities Law)

Source:

Operational Activities Law can be found here: [Operatīvās darbības likums \(likumi.lv\)](https://likumi.lv/tausta/en/operativas-darbibas-likums)

### What tools can police use to search me? What technology? (Facial recognition, hidden cameras, finger print searches, etc.)

If the police suspect a minor has used alcohol, they have the right to ask the person to blow into a testing device. The person has the right to refuse to do so, but in such case, the person will be detained, and a more harsh administrative penalty will be applied to the person. A person also has the right to ask to be taken to the competent hospital where the alcohol level would be determined by testing blood samples taken from the person. (Sec. 62 of the Road Traffic Law)

Source:

Road Traffic Regulations can be found here: [Ceļu satiksmes noteikumi \(likumi.lv\)](https://likumi.lv/tausta/en/ceļu-satiksmes-noteikumi)

## Can they search my backpack or other item I am carrying?

Yes, if the police believe it is necessary to act immediately. For example, if the police officer saw something suspicious exchange between persons and the police officer suspects that a person just bought drugs, the police officer has the right to ask the person to show what is in the person's bag, pockets, etc. In such instances, permission from a court, prosecutor or chief of police is not needed. The person is obliged to show his belongings to the police. (Sec. 12 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

## Can they take my picture or record me?

Police officers have the right to obtain audio recordings, photographs, and film of persons who are detained, accused of committing a criminal offense, or under arrest. (Sec. 12 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

## Can they ask me where I am going and why?

Yes. Refusing to answer questions or show your ID are considered non-compliance with the lawful requests of a police officer and are punishable as administrative infringements. (Sec. 13(5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

# Reasons Police May Detain or Arrest You

## Proposed Information

It is important to follow this advice:

- The police may arrest you because they suspect you of committing (or having committed) a violation of the law, or if they suspect that you currently have evidence of a crime.
- Sometimes police have a warrant for an arrest. You should be clear on what kind of warrant is being presented to you if that is the case.
- It is a good idea to review any paper from police/warrant carefully, to ensure you understand what exactly is covered.
- If arrested, you may be charged with a felony for a more serious crime (with potential jail time of one year or more), a misdemeanor for a less serious crime (with jail time of less than one year) or a violation.
- If the police arrest you, they also have the right to search you. Anything found during this search may be used as evidence against you.

### **What if I did not do anything illegal, must I speak with the police and answer questions?**

Yes. Refusing to answer questions or show your ID are considered non-compliance with the lawful requests of a police officer and are punishable as administrative infringements. (Sec. 13(5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **What if they tell me something they are investigating and that is wrong? Must I correct them?**

You should truthfully answer all questions asked of you. If the police believe you are involved in something they are investigating, they may search your belongings. (Sec. 12 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **What if a police officer just begins speaking to me but does not order me to do anything?**

You should answer questions asked of you. Refusing to answer questions or show your ID are considered non-compliance with the lawful requests of a police officer and are punishable as administrative infringements. (Sec. 13(5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

### **What is the legal difference between talking to a police officer without being told that I am under arrest, versus talking to him/her after being informed that I am under arrest?**

Once you are under arrest, you have the right to remain silent. (Sec. 265 of the Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

## **The Difference Between Police TELLING Me What To Do And Asking Me To Do Something**

### **What is the difference between the police deciding to search me or my belongings (phone, person, backpack) and me agreeing to the search?**

If you agree, the police may search you or your belongings without violating your rights. However, if you do not give your consent, the police may need a court order to search you or your belongings. If the police have a court order, you must comply with their demands. (Sec. 180 of the Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)



## **What if they tell me to give them information versus them asking and me providing answers voluntarily?**

Once you are under arrest, you have the right to remain silent. If you provide information voluntarily you effectively waive your right to remain silent regarding the information you voluntarily provided. (Sec. 265 of the Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

## **Do Police Need A Warrant To Arrest You?**

### **Proposed Information**

It is important to follow this advice:

- No. Police officers can legally arrest you without a warrant in several circumstances:
  - When the crime is committed in front of the police officers; or
  - When the officer has probable cause (reason to suspect) that the suspect committed a felony, whether or not the act was done in front of them.

### **Even if I did not do anything, can they stop me?**

The police have the right to stop you if they have a reason to suspect that you committed a felony, whether or not the act was done in front of them. (Sec. 12(1)-(3) of the Law on Police and Sec. 264 of the Criminal Procedure Law)

Answer any questions you feel comfortable answering without your legal guardian present, unless to do so would incriminate yourself.

Sources:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf \(policehumanrightsresources.org\)](#)

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

### **Can I ask for the reason they stopped me?**

Yes. The police have an obligation to explain what law has been violated, properly classify the violation, and draw up protocols. (Sec. 10(1) and (6) and Sec. 5(4) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf \(policehumanrightsresources.org\)](#)

### **Can I advocate for another young person stopped by police if we are stopped together?**

Yes. However, police officers may request that you stop interfering with the execution of their police function. (Sec. 12 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf \(policehumanrightsresources.org\)](#)



## **If I think the stop is unjustified, what can I do?**

Ask to immediately call your legal guardian and inform the police officers that all questions will be answered in your legal guardians' presence. Later a complaint can be submitted to the supervisor of the particular police officer. If the complaint is rejected, it is possible to submit an additional complaint to the court. (Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

## **Can I get the officer's identifying information for a future complaint?**

If a police officer detained you or started questioning you, the officer is required to give you their surname, position and place of service. The officer is also required to present a service certificate upon your request. (Sec. 5 of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf \(policehumanrightsresources.org\)](#)

## **How Do You Know If You Are Under Arrest?**

### **Proposed Information**

It is important to follow this advice:

- You are under police custody if you do not feel free to leave an officer's presence, or if a reasonable person in your shoes would not feel free to leave.
- If the following happens, you are likely under arrest under the law:
  - an officer handcuffs you;
  - an officer forcibly holds you down;
  - an officer puts you into the back seat of a police car; or
  - an officer warns you about your rights.
- An officer only has to warn you of your rights before the police question you. This means an officer can arrest you before warning you of your rights.
- An arrest without rights warnings is still a valid arrest; it just may mean that evidence collected from it is not admissible in court later.

## **What if I do not know if I am under arrest?**

For administrative infringements, you cannot be detained for longer than 4 hours. For criminal violations, you cannot be detained for longer than 48 hours, unless there is a court order. This court order will occur in your presence and the decision will be given to you in writing. If you do not speak or read Latvian, a translator will be provided during the court process and the decision will be translated for you. (Sec. 268 of the Criminal Procedure Law and Sec. 71 of the Law on Administrative Liability)

Sources:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

Law on Administrative Liability can be found here: [Administratīvās atbildības likums \(likumi.lv\)](#)

### **What is the difference between detention and arrest?**

Detentions occur in administrative procedures. A detained person is a person who is temporarily detained because there are grounds to believe that such person has committed a criminal offense. (Sec. 264 of the Criminal Procedure Law and Sec. 71 of the Law on Administrative Liability).

An arrest is the deprivation of a person's liberty. An arrest may be applied to a suspect or an accused in cases provided for by law with an order from an investigating judge or a court ruling before a final ruling has been entered in the specific criminal proceeding, provided there are grounds for placing a person under arrest. (Sec. 271 of the Criminal Procedure Law).

An arrest may be applied to a person being held on suspicion of or accused of committing a serious crime if:

- specific information acquired in criminal proceedings regarding facts causes justified suspicion that the person has committed a criminal offence for which the law provides for a punishment of deprivation of liberty, and the application of another security measure may not ensure that the person will not commit another criminal offence, will not hinder or will not avoid the pre-trial criminal proceedings, court, or the execution of a judgment.
- the crime was directed against a person's life or a minor, or a person who was or is financially dependent or dependent in another manner on the suspect or accused, or a person who was not able to protect his or her interests due to age, illness, or other reasons;
- the person is a member of an organized criminal group;
- the person does not have a permanent place of residence in Latvia.

Depending on the grounds for which the arrest is applied, the arrest for a minor cannot exceed a time period from 30 days to 12 months.

Sources:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

Law on Administrative Liability can be found here: [Administratīvās atbildības likums \(likumi.lv\)](#)

### **If I am handcuffed, am I arrested?**

No. The fact that you are handcuffed does not mean that you are arrested. An arrest can happen only with a decision of the court.

A person can be handcuffed if previously warned and hesitation would cause a direct threat to the health of a person or cause serious consequences. Where such a warning is not possible, the person can be handcuffed without warning.

Police can also handcuff a person who is in such a mental state that they can do harm to themselves or someone else. In such cases, the person is taken to the hospital. (Chp. 15 of the Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

### **If my liberty is restricted, am I under arrest?**

No. It can also mean that you are detained. Police can take an underage person to the police station to call the person's legal guardians to take the minor home, as minors under 16 years of age are forbidden to be on the street without the presence of a legal guardian from 10 pm to 6 am. (Protection of Minors website)

Source:

Protection of Minors website can be found here: [Kinder- und Jugendschutz / Protection of minors \(protection-of-minors.eu\)](#)

## **What To Do After Being Warned of Your Rights**

### **Proposed Information**

It is important to follow this advice:

- You can use your right to remain silent or any of your other rights (e.g., the right to an attorney) by saying that you want to use that right.
- You are also able to waive your rights (that is, not use them) by, for example, saying 'Yes, I understand my rights but I am ready to talk to you. This is not a good idea without a lawyer present.
- Make sure you know what you're doing in giving up your rights.

### **How do things change if I am read my rights by police?**

If the police read you your rights, it means you are under arrest and have the right to remain silent. (Sec. 265 of Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

### **Does it matter where I am when the police read me my rights? (street, station, police car, etc.)**

No. (Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

## **Police Questioning You**

### **Proposed Information**

It is important to follow this advice:

- You are not required to make a statement, answer police questions or participate in a police investigation, and you never have to go anywhere with the police unless they have arrested you.
- If police has arrested you and if you are under the age of 18, police are required to immediately notify your parent, caretaker or legal guardian.

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## **Am I required to make a statement?**

Underage persons cannot testify without the presence of their legal guardian. (Sec. 59(4) of the Law on the Protection of the Children's Rights)

In administrative cases, an underage person can be interrogated in the presence of their legal guardian, a specialist in children's rights, a psychologist, or a teacher. The representative of an underage person has the right to decide whether the underage person needs legal counsel. If it is decided that legal counsel is necessary, the police cannot refuse such need.

In criminal cases, each person regarding whom an assumption or allegation of criminal conduct has been made has the right to a defense, that is, the right to know what offense such person is suspected of committing or is being accused of committing, and to choose his or her position of defense. A minor has the right to ask for the presence of their legal guardian, person of trust, and/or legal counsel. In criminal cases, a person has the right to ask for state paid legal counsel. The legal counsel must be provided without delay and no procedural activities can be performed before legal counsel (legal guardian, etc.) arrives.

Source:

The Law on the Protection of Children's Rights can be found here: [Bērnu tiesību aizsardzības likums \(likumi.lv\)](#)

## **Must police notify my guardian?**

Yes, if you are a legal minor. (Sec. 12(1)-(3) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf \(policehumanrightsresources.org\)](#)

## **Must I confess?**

No. You have no obligation to confess to a crime or administrative violation. (Criminal Procedure Law and Administrative Liability)

Sources:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

Law on Administrative Liability can be found here: [Administratīvās atbildības likums \(likumi.lv\)](#)

## **What adults can I ask to be with me?**

In administrative procedures, you may have your legal guardian present. If your legal guardian decides that legal counsel is necessary, you may also have legal counsel present. In criminal procedures, you may have your legal guardian, legal counsel and a person of trust present. (Criminal Procedure Law and Administrative Liability)

Sources:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

Law on Administrative Liability can be found here: [Administratīvās atbildības likums \(likumi.lv\)](#)

## Who do police have to contact if I am a legal minor?

The police must contact your legal guardian. (Sec. 12(1)-(3) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf](#)  
([policehumanrightsresources.org](#))

## How do I Contact A Lawyer and When?

### Proposed Information

It is important to follow this advice:

- **You should always contact a lawyer before making any statements to anyone in a criminal case or investigation.**
- This applies even if you are told that (i) police officers only want to question you and/or (ii) you are only a witness.
- While you do have to wait until you attend court to get a lawyer appointed if you cannot afford your own lawyer, you should still ask for a lawyer as soon as you are questioned or arrested by the police. If you are arrested, you have the right to remain silent and to not speak until your lawyer is present.

### What if I am just a witness?

A witness has the right to retain an advocate for the receipt of legal assistance. (Sec. 110 of the Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\)](#) ([wipo.int](#))

## Do Police Always Have To Tell The Truth?

### Proposed Information

It is important to follow this advice:

- No. The police may lie to you during the course of an investigation, including lying about the strength of the case they have against you and particular evidence they have in their possession.
- Sometimes police will lie to try and get you to talk more.

### Can the police lie to me?

The police are not compelled to tell the truth. The law does not specify an officer's right to lie, but police are not obligated to inform a person about the evidence they have against that person. They must only tell the truth with regard to the reasons for which the person has been detained. (Sec. 265(1) of the Criminal Procedure Law)

People have the right to be informed about the investigation (if there is one) or evidence gathered during the investigation, depending on the status of the person in the investigation. For example, a detained person does not have the right to see the case materials in criminal proceedings. The police are not required to explain what kind of evidence they have against the person, but they always have an obligation to explain to the person the reasons and law under which the person is detained. A person always has the right to receive a copy of a

decision based on which the person is detained or to receive a copy of detaining protocol. (Criminal Procedure Law and Administrative Liability)

Sources:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

Law on Administrative Liability can be found here: [Administratīvās atbildības likums \(likumi.lv\)](#)

### **Do I have to tell the police the truth?**

Yes. Lying could be considered non-compliance with the lawful requests of a police officer and is punishable as an administrative infringement. (Sec. 13(5)-(6) of the Law on Police)

Source:

Law on Police can be found here: [Law-on-Police-Latvia-1992.pdf \(policehumanrightsresources.org\)](#)

## **How do I make a complaint if I have questions or feel my rights have been violated?**

### **Proposed Information**

It is important to follow this advice:

You can submit a claim to the competent state authority. They are required to review and answer your complaint. Police officers can be held liable for breaking the law. (Criminal Procedure Law)

Source:

Criminal Procedure Law can be found here: [Criminal Procedure Law \(as amended on June 21, 2007\) \(wipo.int\)](#)

## **What if I feel I was a victim of discrimination or racism?**

### **Proposed Information**

It is important to follow this advice:

The Criminal Procedures Law, Criminal law, or Law on Administrative Liability do not set out complaint procedures in cases where a person has been a victim of discrimination by a police officer. Thus, the person has the right to submit a claim to the competent authority police chief, prosecution office, court, etc., depending upon which authority representative has acted in a discriminatory way.

You can also file a complaint to The Ombudsman of the Republic of Latvia. According to the Ombudsmen Law, the Ombudsman acts to protect the rights and legal interests of a person in situations where State and municipal authorities have breached human rights defined by the Constitution and international human rights' documents. (Art 11 and 12 of the Ombudsman Law)

Source:

Homepage of The Ombudsman of the Republic of Latvia can be found here: <https://www.tiesibsargs.lv/en>

## How can I respond to circumstances involving discrimination?

### Proposed Information

It is important to follow this advice:

Ask the violators to stop such actions. Inform your legal guardians and/or legal counsel about the particular situation. Remember, when you are detained, your legal guardians must be informed about the fact immediately and they must be present when you are questioned. Then contact The Ombudsman of the Republic of Latvia.

Source:

Homepage of The Ombudsman of the Republic of Latvia can be found here:  
<https://www.tiesibsargs.lv/en>

## What can you do if the police perform an improper search? Or I was improperly detained?

### Proposed Information

It is important to follow this advice:

Submit a complaint to the competent authority i.e., chief of the police, prosecutor, or the court.

Note names and phone number of any witnesses and the address where the situation has happened. If the situation occurred on the street, there may be cameras that filmed the illegal search or detention.

Do not sign any documents if you disagree with them. Do not sign an administrative protocol before your legal guardian arrives. Do not sign a document by which you confess to a violation of the law, but ask to have a copy of the documents that are asked to be signed by you. These documents can help you later when the complaint is submitted.

Source:

Homepage for The Latvian Collegium of Sworn Advocates can be found here:  
<https://www.advokatura.lv/en/news/>

The Latvian Collegium of Sworn Advocates is an independent professional corporation of Latvian sworn advocates which unites all sworn advocates practicing in Latvia. Persons here can find contacts with all sworn advocates in Latvia. Be aware that in criminal cases only a sworn advocate can provide legal help.



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Law is generally described as of December 2022.

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