

# Key issues of the right to information under Directive 2012/13/EU

The right of access to case material: experiences from Latvia



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# Right of suspect or the accused



**1**

**written  
information about  
the rights**

**2**

**information about  
charge and  
security measure  
related to  
deprivation of  
liberty**

**3**

**become familiar  
with the case  
materials**



## written rights (Section 60.2)

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to immediately invite a defence counsel and meet a defence counsel in circumstances that ensure confidentiality of the conversation

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to receive from the person directing the proceedings a list of advocates who practice in the relevant court district;

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to be notified of what suspicion has arisen against the person;

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to receive an oral or written translation in a language comprehensible to him/her

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to testify or refuse to testify;

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to receive information regarding the right to emergency medical assistance;



## Right to have information regarding detention

- ▶ to request that his or her relative, educational institution, employer is notified of his or her detention or arrest, as well as to contact one of them, insofar as such contacting does not endanger the fundamental rights of other persons, public interests and does not hinder the achievement of the objective of criminal proceedings. A foreigner has the right to request that the diplomatic or consular representation of his or her state is notified of his or her detention or arrest, as well as to contact it (Section 60.2)
- ▶ Prior to taking a decision to apply the security measure which is related to deprivation of liberty, the person directing the proceedings shall issue to the person who has the right to defence a copy of the proposal which contains a justification for the selection of the particular security measure with considerations based on the materials of the case (Section 246. par.2)
- ▶ to become familiar with the materials of the case which constitute the grounds for the proposal to apply a security measure related to deprivation of liberty insofar as such access does not infringe the fundamental rights of other persons, the interests of the society and does not interfere with reaching of the objective of the criminal proceedings; (Section 60.2. Par.3)
- ▶ to receive information regarding the maximum number of hours or months for which the person's liberty may be restricted during pre-trial proceedings (Section 60.2)

A decorative graphic on the left side of the slide. It features a dark red arrow pointing to the right, with several thin, curved lines in shades of grey and brown extending downwards from the arrow's base.

# European arrest warrant

issue an excerpt from Section 698 of this Law  
regarding the rights determined for such  
person (Section 699)



a written translation of the European arrest  
warrant (Section 715.(1))