

[Home](#) > ... > [Court Procedures](#) > [Videoconferencing](#) > [Taking Evidence By Videoconference](#) > Latvia

# Taking evidence by videoconference

 Latvia

Content provided by:



European Judicial Network  
(in civil and commercial  
matters)

**1 Is it possible for evidence to be taken by videoconference either with the participation of a court in the requesting Member State or directly by a court of that Member State? If yes, what are the relevant national procedures or laws that apply?**

A judge shall decide on the use of video conferencing by representatives of the second country in a timely manner, with the applicant being contacted individually prior to the start of video conferencing.

The judge shall decide all matters in accordance with the Law on civil procedure (*Civilprocesa likums*).

**2 Are there any restrictions on the type of person who can be examined by videoconference – for example, is it only witnesses or can others such as experts or parties also be examined in this way?**

Both witnesses and experts can be questioned.

Article 108(1) of the Law on civil procedure provides that a witness may also be questioned using a court videoconferencing link to the place where the witness is located or to a place specially equipped for the purpose.

Article 122 of the Law on civil procedure likewise provides that an expert may also be questioned using a court videoconferencing link to the place where the expert is located or to a place specially equipped for the purpose.

**3 What restrictions, if any, are there on the type of evidence that can be obtained by videoconference?**

These are for the court to decide.

**4 Are there any restrictions on where the person should be examined by videoconference – i.e. does it have to be in a court?**

The Law on civil procedure lays down that court videoconferencing shall be done using a videoconferencing link to the place where the person in question is located or at to a place specially equipped for such a purpose.

**5 Is it permitted to record videoconference hearings and, if so, is the facility available?**

In accordance with Article 61 of the Law on civil procedure, a court hearing is recorded in its entirety by technical

means. The material obtained by sound recording or other technical means is included in the case file and stored with it or placed and stored in the court information system.

As regards the right of parties to the proceedings to record court hearings, Article 152(3) of the Law on civil procedure states that legal proceedings may be recorded in writing or otherwise, provided that conduct of the hearing is not disrupted. The use of photography, film or video at a court hearing is allowed only with the court's permission. Before deciding on this issue, the court hears the opinion of the parties to the proceedings.

**6 In what language should the hearing be conducted: (a) where requests are made under Articles 12 to 14 of the Taking of Evidence Regulation; and (b) where there is direct taking of evidence under Articles 19 to 21 of the Taking of Evidence Regulation?**

(a) Pursuant to Article 12(2) of the Taking of Evidence Regulation, the requested court executes the request in accordance with its national law. Pursuant to Article 13(1) of the Law on civil procedure, proceedings in Latvia are conducted in the official language.

(b) Where evidence is taken directly pursuant to Articles 19-21 of the Taking of Evidence Regulation, the court hearing is also conducted in the official language since, under Article 689(4) of the Law on civil procedure, the court that participates in the execution of a request by a foreign country for the direct taking of evidence is the one within whose jurisdiction the source of the evidence to be taken is located.

**7 If interpreters are required, who is responsible for providing them and where should they be located (a) where requests are made under Articles 12 to 14 of the Taking of Evidence Regulation; and (b) where there is direct taking of evidence under Articles 19 to 21 of the Taking of Evidence Regulation?**

Article 691 of the Law on civil procedure. Execution of a request by a foreign country for the taking of evidence in the presence or with the participation of parties or representatives of the competent court of the foreign country

(1) The court that executes the request by a foreign country for the taking of evidence pursuant to Article 13 or 14 of Regulation (EU) 2020/1783 of the European Parliament and of the Council shall notify the representatives of the competent court of the foreign country or the parties or their representatives of the time and place of the taking of the evidence and the conditions for participation.

(2) The court shall ascertain whether the representatives of the competent court of the foreign country or the parties or their representatives require an interpreter.

(3) If the persons referred to in paragraph 1 of this Article do not understand the official language and there are no major practical difficulties, an interpreter shall, at the request of the representatives of the competent court of the foreign country or the parties or their representatives, take part in the taking of evidence.

**8 What procedure applies to the arrangements for the hearing and to notify the person to be examined about the time and place (a) where requests are made under Articles 12 to 14 of the Taking of Evidence Regulation; and (b) where there is direct taking of evidence under Articles 19 to 21 of the Taking of Evidence Regulation? For both options, how much**

time should be allowed when arranging the date of the hearing to enable the person to receive sufficient notification?

In both scenarios, the request for legal assistance shall be submitted in a timely manner, preferably at least 60 days before the planned videoconference.

Time should be set aside before the planned videoconference for making a test connection.

A video-conferencing request shall indicate the technical parameters.

## 9 What costs apply to the use of videoconferencing and how should they be paid?

Article 694 of the Law on civil procedure. Costs of the execution of a request by a foreign country for the taking of evidence

(1) In the cases provided for in Article 22(3) of Regulation (EU) 2020/1783 of the European Parliament and of the Council, a court may request the competent court of a foreign country to pay an advance towards experts' fees up until the request by the foreign country for the taking of evidence is executed.

(2) In the cases provided for in Article 22(2) of Regulation (EU) 2020/1783 of the European Parliament and of the Council, a court may request the competent court of a foreign country to cover the following after the request by the foreign country for the taking of evidence is executed:

1) the fees payable to experts and interpreters;

2) the costs incurred when the request by the foreign country for the taking of evidence is executed at the request of the foreign country's competent authority in accordance with the procedures of the foreign country;

(3) the costs incurred when the request by the foreign country for the taking of evidence is executed at the request of the foreign country's competent authority using technical means.

## 10 What requirements, if any, are there for ensuring that the person examined directly by the requesting court has been informed that the performance shall take place on a voluntary basis?

The foreign country shall prepare the relevant information for the person in question.

## 11 What procedure exists for verifying the identity of the person to be examined?

A court shall verify the identity of the person pursuant to the provisions of the Law on civil procedure.

## 12 What requirements for taking oaths apply and what information is needed from the requesting court when an oath is required during direct taking of evidence under Articles 19 to 21 of the Taking of Evidence Regulation?

Such a procedure is not provided for by the Law on civil procedure. However, the competent authority of a foreign country may request the court to rule on the matter of an oath.

**13 What arrangements are there for ensuring that there is a contact person at the place of the videoconference with whom the requesting court can liaise and a person who is available on the day of the hearing to operate the videoconferencing facilities and deal with any technical problems?**

Before the date of a videoconference and before a test videoconference, the parties concerned shall exchange details of their technical parameters and particulars of their contact persons (the person located in the court and the person at the institution providing the technical assistance).

**14 What, if any, additional information is required from the requesting court?**

Technical information and details of the technical specification are required.

---

■ Last update: 13/02/2024

The national language version of this page is maintained by the respective EJN contact point. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. Neither the EJN nor the European Commission accept responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.