EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FIRST SECTION

DECISION

Application no. 81440/17
Rūdolfs BRĒMANIS and Others
against Latvia

The European Court of Human Rights (First Section), sitting on 29 January 2026 as a Committee composed of:

Davor Derenčinović*, President*,
Artūrs Kučs,
Anna Adamska-Gallant*, judges*,

and Liv Tigerstedt, *Deputy Section Registrar,*

Having regard to:

the application (no. 81440/17) against the Republic of Latvia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 27 November 2017 by five Latvian nationals ("the applicants"), whose relevant details are listed in the appended table, who were represented by Mr E. Rusanovs, a lawyer practising in Riga;

the decision to give notice of the application to the Latvian Government ("the Government"), represented by their former Agent, Ms K. Līce;

the decision to reject the Government's objection to examination of the application by a Committee;

the parties' observations;

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns the applicants' complaint under Article 8 of the Convention about searches of and seizures at their residential premises.

2. The first applicant was a diplomat at the Latvian Embassy of the United Arab Emirates. The second and third applicants are his parents; the fourth and fifth applicants are his sister and her partner.

3. Following a service inquiry in the Ministry of Foreign Affairs, the Security Police (which on 1 January 2019 was renamed the State Security

Agency) instituted criminal proceedings against the first applicant for allegedly falsifying documents and abusing his official position.

4. On 4 July 2017 an investigating judge of the Riga Vidzeme District Court issued two search warrants for residential premises: the first search warrant in respect of the home of the second and third applicants, as it was the first applicant's declared place of residence in Latvia, and the second search warrant in respect of the home of the fourth and fifth applicants, as it was considered to be the first applicant's actual place of residence.

5. The investigating judge considered that there were grounds to believe that objects and documents containing information on the alleged criminal offences might be found on those residential premises. Operative parts of the two search warrants allowed for searches of those residential premises with the aim of finding and seizing:

> "[D]ocuments, records, notes [and] electronic storage devices containing information on the alleged falsification of documents and abuse of official position, as well as other items that may have evidential value in the criminal proceedings and which would confirm the [first applicant's] involvement in the above-mentioned criminal offences."

6. On 5 July 2017 the first applicant was interviewed in connection with those criminal proceedings. When signing the record of his interview, the applicant or his defence counsel raised no objections to his place of residence indicated therein (in Purvciems District, Riga). After the interview, the home of the second and third applicants (in Imanta District, Riga) was searched and various items were seized (including planners, computers, a hard drive, an adapter and a memory card). The search was conducted in the presence of the first, second and third applicants. The first applicant made a remark in the search record that he was not the owner of the seized items and that his mobile phone had been seized without a warrant. The second and third applicants made a remark that the seized planners had belonged to a third person.

7. Later the same day the home of the fourth and fifth applicants (in Purvciems District, Riga) was searched and various items were seized (including computers, hard drives, flash drivers, memory cards, a baby monitor, a firearm and ammunition). The search was conducted in the presence of the first applicant, who made a remark in the search record that he was not the owner of the seized items, except the firearm and ammunition.

8. On 21 July 2017 a judge of the Riga Regional Court upheld the lawfulness of both search warrants in response to a complaint by the applicants.

9. Some months later the applicants lodged complaints about actions taken by officials of the Security Police during both searches. They requested that their personal items be immediately examined and returned. On 28 November 2017 an investigator dismissed their requests. The applicants lodged a complaint with a supervising prosecutor about the refusal to return the seized items. However, the first applicant did not complain about the refusal to return his firearm and ammunition.

10. On 16 January 2018 the supervising prosecutor dismissed their complaint. She emphasised that it was necessary to examine the seized items and assess the criminal case material as a whole. As regards the seized baby monitor, it was an electronic device that had to be inspected to determine if it had any recording capability. She instructed the investigator to carry out all necessary procedural steps with the seized items as soon as possible.

11. On 1 March 2018 a higher-ranking prosecutor dismissed a further complaint by the applicants and noted that there had been unjustified delays in the investigation. He reiterated that the investigator had to examine the seized items as soon as possible and to decide whether they could be returned to the applicants.

12. On 6 and 28 March 2018 the Security Police returned to the applicants the seized items, save for the first applicant's mobile phone, his firearm and the ammunition.

13. By a final decision of 6 April 2018, a further complaint by the applicants was dismissed by another higher-ranking prosecutor. He explained the legal basis for the seizure of the first applicant's mobile phone.

14. On 21 December 2018 the first applicant's mobile phone was returned to him. His firearm and ammunition were not returned, as his special permit to carry a firearm had been revoked in the meantime.

15. On 26 February 2019 the first applicant was charged with fraud, misappropriation and abuse of official position while performing his duties at the Latvian Embassy of the United Arab Emirates, causing pecuniary damage to the State in the amount of 102,721.25 euros. On 16 May 2019 the criminal case file was sent for adjudication and the proceedings are currently pending before a first-instance court.

16. The applicants complained under Article 8 of the Convention that (i) their homes had been searched despite the fact that the first applicant had not lived on either of the two residential premises; (ii) the scope of both search warrants had been overly broad; and (iii) their personal belongings that had been seized either had not related to the criminal offences under investigation or had not belonged to the first applicant. The first applicant further alleged that the search of his person and the seizure of his mobile phone had been carried out without a relevant search warrant.

THE COURT'S ASSESSMENT

17. The Government raised an objection that the first applicant had not exhausted domestic remedies in respect of his complaint about the seizure of his firearm and ammunition. The first applicant disagreed. The Court notes that although the first applicant complained to the investigator about the seizure of his property, he failed to lodge a complaint against the latter's decision concerning the seizure of his firearm and ammunition (see

paragraph 9 above). Therefore, this part of the first applicant's complaint is inadmissible for non-exhaustion of domestic remedies.

18. The Court considers that the searches of the applicants' homes and the seizure of their personal belongings constituted an interference with their rights under Article 8 § 1 of the Convention. To be justified under Article 8 § 2 of the Convention an interference has to be in accordance with law, to pursue a legitimate aim and to be necessary in a democratic society (see *Vinks and Ribicka v. Latvia*, no. 28926/10, §§ 92-93, 30 January 2020). The Court finds that the interference was "in accordance with the law" – on the basis of two search warrants issued by the investigating judge in accordance with section 180 of the Criminal Procedure Law – and in pursuit of the legitimate aims of preventing crime and protecting the rights of others.

19. It remains to be determined if the inference was necessary in a democratic society. In this respect, as to the allegation that the first applicant did not live in the two residential premises, the Court accepts that there were sufficient grounds to establish his links with those premises. As to the first address (in Imanta District, Riga), he had declared it as his place of residence to the Latvian authorities. As to the second address (in Purvciems District, Riga), the domestic authorities had information that it was his actual place of residence; the first applicant did not contest that fact during his interview (see paragraph 6 above). Also, a company owned by him had its registered address there and he had indicated to the domestic authorities that he had stored his firearm there. The Court considers that the fact that the first applicant's family members (the second, third, fourth and fifth applicants) lived at those premises but were not under investigation was not an obstacle to conduct searches at those premises (see, for example, *Reznik v. Ukraine*, no. 31175/14, § 95, 23 January 2025).

20. As to the scope of the two search warrants, the Court observes that they were expressly limited to the specific criminal offences under investigation (see paragraph 5 above). It is also clear from the operative parts of the two search warrants that the officials conducting the searches were only authorised to seize items that had evidential value for the investigation of those criminal offences. Thus, the scope of the search warrants was sufficiently limited.

21. As to the seizure of the applicants' personal belongings, the Court notes that the majority of items seized were documents, computers and other electronic devices (including external drives, flash drives and memory cards). Bearing in mind that those objects could be seen as potentially connected with the specific criminal offences under investigation, the Court can accept the Government's contention that information regarding the ownership of those devices and their relevance to the offences under investigation had to be verified and established.

22. Contrary to the first applicant's allegations, the search of his person and seizure of his mobile phone were covered by the first search warrant.

Pursuant to domestic law, a search of premises may also include a search of the person concerned (section 182(5) of the Criminal Procedure Law). The Court notes that only the first applicant, who was under criminal investigation, was subjected to a personal search, whereas the other applicants were not. Similarly, the first applicant's mobile phone was seized since it was an electronic device, whereas the mobile phones of the other applicants were not.

23. Lastly, the Court observes that the applicants in the present case have not raised a complaint about the allegedly prolonged retention of their personal belongings or about the allegedly prolonged denial of access to their data (see paragraph 16 above).

24. In view of all of the above, the Court concludes that the interference with the applicants' rights under Article 8 § 1 of the Convention was justified under paragraph two of that provision. The remainder of the applicants' complaints (see paragraph 17 above) are therefore manifestly ill-founded.

25. Accordingly, the application in its entirety must be declared inadmissible in accordance with Article 35 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 19 February 2026.

Liv Tigerstedt Deputy Registrar	Davor Derenčinović President

APPENDIX

List of applicants:

No.	Applicant's Name	Year of birth	Nationality	Place of residence
1.	Rūdolfs BRĒMANIS	1983	Latvian	Riga
2.	Edgars BRĒMANIS	1935	Latvian	Riga
3.	Silvija SKULME	1950	Latvian	Riga
4.	Inese BRĒMANE	1981	Latvian	Riga
5.	Toms VILSONS	1979	Latvian	Riga