

Qualifications and experience in Latvia

1. I first visited Latvia in 1989, when driving through the USSR including the Baltic state with my family. In that year the Baltic states including Latvia were re-asserting their independence – it was the year of the “human chain” linking the three capitals.
2. In June-July 1993 I returned to Latvia at the invitation of the Equal Rights Party in the Latvian Parliament (Saeima), whose leader was my future client Tatyana Zhdanoka, and on behalf of the FIDH (Fédération Internationale des Ligues des Droits de l'Homme). I wrote a report dated 19 July 1993.
3. I returned in May-June 1994, with the Mandates of FIDH, and the Bar Human Rights Committee of England and Wales, and wrote a report of the Mission dated 8 August 1994. The Report was published by BHRC, and is to be found on the website of BHRC.¹
4. In 1995, on the basis of my visits and research, I published a book chapter on the issues facing Latvia.²
5. Latvia ratified the European Convention on Human Rights (ECHR) on 27 June 1997.
6. In 1999 the Latvian Committee for Human Rights (a member organisation of FIDH) asked me to represent the applicant in *Podkolzina v Latvia* (application no.46726/99). She was a Russian-speaker who had been prevented from standing as a candidate for the Saeima. On 9 April 2002 the Chamber of the European Court of Human Rights (ECtHR) unanimously found a violation of violation of Article 3 of Protocol No. 1 (right to free elections) in the case and ordered Latvia to pay her € 9000.
7. In 1999 Tatyana Zhdanok, already mentioned, was prevented from standing as a candidate for the Saeima, and was removed from her seat on the Riga City Council, and she complained to the ECtHR – *Ždanoka v Latvia* (application no. 58278/00). I

¹ <http://www.barhumanrights.org.uk/docs/missionlatvia.pdf>

² Bill Bowring “Whose Rights, What People, Which Community? The Rule of Law as an Instrument of Oppression in the New Latvia” in Peter Fitzpatrick (ed) *Racism, Nationalism and the Rule of Law* (Dartmouth, 1995)

represented her, and her case was found partially admissible on 6 March 2003. I represented her at the oral hearing on 15 May 2003. On 17 June 2004 the Chamber decided by five to two that the applicant's permanent ineligibility to stand for election to the Latvian parliament was not proportionate to the legitimate aims it pursued, that it curtailed her electoral rights to such an extent as to impair their very essence and that its necessity in a democratic society had not been established. Her rights under Article 3 of Protocol 1 (right to free elections) and Article 11 (freedom of assembly) were found to have been violated.

8. However, Latvia appealed to the Grand Chamber, and I represented Tatyana Zhdanok at the hearing on 1 June 2005. On 16 March 2006, the Grand Chamber, by thirteen to four, held that her rights had not been violated. This was a highly controversial decision, described by Judge Rozakis, a Vice-President of the ECtHR, who led the dissent, as "dubious" and "obscure", and in 2007 I published a critical article.³ This article was translated into Russian and published in 2008 in the leading Russian journal on the ECHR.⁴
9. On 1 May 2004 Latvia acceded to the European Union, and, despite attempts by the Government to prevent Tatyana Zhdanoka from standing as a candidate for the European Parliament (EP), in 2004 and 2009 she was elected as a candidate of the party she leads, "For Human Rights in a United Latvia". She has joined the Green-European Free Alliance Group in the EP, and provides effective representation for Latvia's Russian-speaking minority, especially the holders of "Alien's Passports". I have appeared as an expert witness for the EP on the question of the holders of "Alien's Passports" and other issues facing Latvia's Russian-speaking minority.
10. During this period I returned on two occasions to take part in human rights training.

³ Bill Bowring "Negating Pluralist Democracy: The European Court Of Human Rights Forgets the Rights of the Electors" (2007) 11 *KHRP Legal Review* pp.67-96, at <http://www.bbk.ac.uk/law/about/ft-academic/bowring/negatingpluralistdemocracy>

⁴ Bill Bowring "Pozitsiya Yevropeiskovo Suda po Pravam Cheloveka v Voprose ob Izbiratelnykh Pravakh Grazhdan v Kontekste Latviiskoi Praktiki: Kriticheskii Vzglyad (The European Court of Human Rights and the Question of the Electoral Rights of the Citizen in the Context of Latvian Practice: Critical Comments)" v.6(27) (2008) *Pravo Cheloveka: Praktika Yevropeiskovo Suda po Pravam Cheloveka* (Human Rights: Practice of the European Court Human Rights) pp.28-80

11. I now have a number of current cases against Latvia at the ECtHR. For example, my case *Sproģe (Širšina) v Latvia* (application no.7407/06) was communicated to the Latvian government by the ECtHR on 16 December 2010. Ms Širšina, at the time of the alleged violation a police woman, is now a practising advocate, and working with me on other cases. She won her case.
12. I returned to Latvia in December 2010 with Mr Jeremy McBride to take part in training in Riga: Ms Širšina was one of the participants.
13. I also represented the applicants in the case of *Kvasnevskis and Others v Latvia* (Application no. 50853/06). On 25 September 2011 the Third Section of the European Court of Human Rights sitting as a Chamber decided that the applicants' complaints under Article 1 of Protocol No. 1 to the Convention, and Article 6 § 1 of the Convention as regards access to court in respect of the claim for allocation of State or municipal apartments, were admissible. Pleadings were completed during 2012. The applicatiuon was dismissed.
14. I have published in Russian, in the Moscow journal *International Justice*, my article on the Grand Chamber's May 2010 judgment in the highly controversial case of *Kononov v Latvia* (application no. 36376/04).
15. In December 2012 I was invited to Riga to lecture to the Latvian Committee for Human Rights. I was invited back and lectured again on 7-8 December 2013.
16. In 2018 I drafted a further application to the European Court of Human Rights on behalf of Tatyana Zhdanoka, for a further prohibition on her right stand as a candidate in electios. The case has now been communicated to Latvia, and in 2021 I drafted the Reply to Government Observations.
17. My constant interlocutor and colleague is Mr Aleksejs Dimitrovs, a Latvian citizen, a leading lawyer, and currently the adviser on fundamental rights, justice and home affairs for the Greens/EFA group in the European Parliament in Brussels.