

Fra: Ingmārs Garais [<mailto:ingmarsg@gmail.com>]

Sendt: 10. februar 2020 13:29

Til: Amalie Andresen <Amalie.Andresen@ft.dk>

Emne: Case of Mrs. Kristīne Misāne

To Foreign Affairs Committee of the Danish Parliament!

I, citizen of the Republic of Latvia, cannot remain indifferent to Mrs. Kristīne Misāne situation maybe these materials helps to persuade authorities and set free Mrs. Kristīne Misāne.

According to:

a) 07.07.1989. judgement of the European Court of Human Rights, hereinafter - ECHR, CASE OF SOERING v. THE UNITED KINGDOM, in this judgement ECHR said that a person who is in danger of being extradited to a country (in this case South Africa) threatened with inhumane, degrading, torture or endangered life cannot be extradited. Probability that this will happen is enough to stop this process;

b) 05.02.1970. judgement of the International Court of Justice Barcelona Traction case of BELGIUM v. SPAIN, court declared that torture is one of the imperative rules of *ius cogens* with the general *opinio iuris*, from which no derogation can be made. Judgment has become the rule of law in the international society. The international community must follow mentioned rule of law.

First sentence of Article 1 of the European Convention on Human Rights, hereinafter - Convention, states that everyone's right to life shall be protected by law. Article 1 must be read in conjunction with Article 3 no one shall be subjected to torture or to inhuman or degrading treatment or punishment.

The civilization of Europe does not expose such punishments, but if Denmark violates international law and Convention, Denmark must take responsibility for the international community.

There is no need to interpret the laws of the Republic of Latvia or Denmark, nor does it play a role in this case.

If the person is in danger of being subjected to torture, cruel or degrading treatment or life threatening it cannot be transferred to third countries, it is governed by international law.

Thank you for time and I apologize for the inconvenience.

Best regards,
Ingmārs Garais

Phone: +371 28894114

E-mail address: ingmarsg@gmail.com