

2026 Rule of Law Report Latvia

Post-country visit follow-up questions and additional information from the Ministry of Justice

Additional information regarding Q.1 - The 2025 Rule of Law Report noted that no progress was made on the 2024 recommendation to introduce adequate safeguards against undue political influence in the appointment procedure for Supreme Court judges, taking into account European standards on judicial appointments. In your written input you refer to the position of the Judicial Council that it can start a Constitutional review of the Parliament's appointment decisions. Would this mean that Parliament would also state reasons for their decision on appointment or rejection of a candidate?

The Constitution of the Republic of Latvia provides that it is the legislative branch, which, through an open public procedure, approves judges.

The Ministry of Justice already clarified that the appointment procedure for judges, in the light of the European Commission's recommendation, was discussed with the Judicial Council. The Council agreed that situation was an exceptional case, rather than evidence of a systemic deficiency. Accordingly, from this perspective, solutions must be sought to protect judicial independence if the situation recurs.

The very last discussions concluded that the Judicial Council should have the right to submit an application to the Constitutional Court. Under the Constitutional Court Law provisions, political decisions adopted by the Saeima and other constitutional bodies may be subject to constitutional review. There were discussions on whether the absence of a decision as a formal act could constitute an obstacle to submitting an application to the Constitutional Court.

The fact that there is no separate formal decision (such as a written act) or no written reasoning does not prevent such a political decision from being regarded as reviewable by the Constitutional Court. Parliament makes its decision through voting. Debates, held during the plenary session, are an integral part of the political decision-making process. They are recorded in official transcripts and may be examined in the Constitutional Court proceedings to assess whether the procedure complied with the standards of independence of judiciary.

However, taking note of the discussions, it was determined that amendments to the Law on Judicial Power will be advanced in order to expressively stipulate that a decision of the Saeima by which a judge is not confirmed in office may be appealed by the Judicial Council to the Constitutional Court as an act of the Parliament, and avoid any doubts about considerations that may not have been taken into account.

In such a case the respondent before the Constitutional Court would be the Parliament (represented by in house legal counsel or by a contracted advocate). The Constitutional Court procedure provides that the respondent submits written reasons to the Court in response to the arguments set out in the application.

If the Court requires additional opinions, it is entitled to invite other people to participate in the case, such as the Ombudsman, as well as to request opinions from other experts at its discretion. If necessary, the Court decides to hold an oral hearing, during which all parties and invited persons are heard, and the Court clarifies any additional questions that have arisen.

If the Court finds that the Parliament has exceeded its powers and interfered with the independence of the judiciary, it may declare the specific political decision invalid. The judgments of the Constitutional Court are binding to everyone.

It is also important to emphasize that the purpose of approaching the Constitutional Court shall not be to assess the suitability of a specific candidate for a judicial position. The purpose would be to examine whether Parliament with its decision has respected the balance of powers and has not undermined the independence of the judiciary.

However, as mentioned earlier, it should be emphasized once again that this was an individual case in which a judge of the Constitutional Court chose to seek appointment to a court of general jurisdiction. Judges of the Constitutional Court are initially nominated, as in other countries, by the executive, legislative, and the judicial branches. The specific judge was academic professor and had been nominated by the executive branch and had served as a Constitutional Court judge for ten years. Therefore, the matter does not directly concern a traditional judicial career path.

Additional clarification on legal framework - guarantees of attorneys' independence with regards to Q.2bis - *In regard to professional confidentiality, the Council of Sworn Advocates mention in their written input reporting on "a dangerous tendance whereby conversations between advocates and their clients are being wiretapped without authorization, and recordings of these conversations are being made public by attaching them to unrelated criminal case files" and on "the recent increase in "strange" criminal proceedings against advocates". Could you elaborate on these concerns? Have you tried to address them?*

Additionally to the information clarified during the discussion, we would like to emphasize that from the perspective of the legal framework, the independence of advocates and the protection of their professional activities are clearly established in the Advocacy Law of the Republic of Latvia (hereinafter – the Advocacy Law). Independence of the profession is a fundamental value in the Republic of Latvia and is respected and protected in the highest manner by the state.

Pursuant to Section 6 of the Advocacy Law, advocates shall be independent and subject only to the Advocacy Law in their professional activities, and state and local government authorities, courts, prosecutors and pre-trial investigation institutions are required to guarantee such independence. The Advocacy Law clearly prohibits interference in the professional activities of advocates, exerting influence or pressure upon them, requesting information or explanations or interrogating advocates as witnesses regarding facts that have become known to them in the provision of legal aid, as well as controlling, examining or confiscating correspondence, documents, information systems or means of communication used by advocates in providing legal aid. The Advocacy Law further prohibits subjecting advocates to sanctions or threats in relation to the lawful provision of legal aid and holding advocates liable for statements made in good faith while performing their professional duties.

Additional safeguards for the protection of advocates' professional secrecy are provided for in the Criminal Procedure Law. Section 184.¹ establishes a specific procedure for searches conducted at the place of work, place of residence or vehicle of an advocate. Such searches must be carried out in the presence of a representative of the Latvian Council of Sworn Advocates. Where the advocate or the representative indicates that objects or documents contain information protected by professional secrecy, the person directing the proceedings may remove such items without examining their content and must seek authorisation from an investigating judge in order to carry out any inspection. This procedural framework ensures enhanced protection of professional secrecy within criminal proceedings.

At the international level, Latvia has confirmed its commitment to common standards for the independence and protection of the legal profession, it was one of the first countries signing the Council of Europe Convention on the Protection of the Profession of Lawyer on 23 October 2025. The ratification process is currently ongoing. We invite other countries to sign and accede to the convention as well. An assessment of the existing national legal framework has led to the conclusion that the Advocacy Law and the Criminal Procedure Law ensure the independence of advocates and protection against unjustified interference in their professional activities, and that no inconsistencies with the requirements of the Convention have been identified.

The press conference concerned a criminal case against a specific advocate. With regards to the specific case, it must be emphasized that this was not a criminal case in which the sworn advocate was performing statutory duties arising from the professional status of an attorney. It was a criminal case in which the person suspected of committing an especially serious crime also holds the status of an advocate. Consequently, the specific procedural actions carried out under the Criminal Procedure Law were not connected to the individual's professional activities. Following the press conference, a special internal investigation was conducted by the State Police, and these findings were publicly confirmed.

We also have no indications of an increase in the number of criminal cases initiated against advocates. There is no reason to believe that there are any systemic problems or problematic aspects with the law.

The Ministry of Justice and the Council of Sworn Advocates also maintain a close dialogue and ensure the Council's involvement in all matters related to policy-planning issues in the field of advocacy. Unfortunately, it must be acknowledged that there are currently several issues related to the work of advocates, which the courts have repeatedly pointed out (for example, delaying of cases that hinder the efficient progress of review, among others). In response to the concerns raised by the courts, the Judicial Council established a working group at the beginning of this year, tasked with identifying and assessing the issues in the interaction between the courts and sworn advocates. The working group includes representatives of both the judiciary and the advocacy.

Additional input on the Q.5 regarding expansion of the competences of the Economic Court in commercial cases as well as limitations on competences in criminal cases and the risks on cutting links on investigations on AML/corruption/organized crimes.

When establishing the Economic Court, a cautious and gradual approach was chosen in determining the jurisdiction, providing for a gradual expansion along with monitoring the court's performance indicators and capacity.

It must be noted that in 2024 only 25% of the cases received were civil matters, in 2025 – 36%, and correspondingly – 64% were criminal cases.¹ In close dialogue with the Economic Court and other law-enforcement authorities, with the court assessing its capacity, a solution has been developed that would ensure better balance between civil and criminal cases. The amendments to the law rebalancing jurisdiction exclude situations in which the Economic Court would examine cases where the underlying offence is not directly related to criminal offences of organized crime, corruption, financial crimes or other matters that do not fall within the primary competence of the specific court. It must be emphasized that by the nature Economic Court is a specialized court, therefore, it is important that the court reviews cases directly in its competence, thus not allocating resources to the issues outside the scope of its specialization. In other words, the competence of the Economic Court judges in criminal cases should be used in a more targeted manner to effectively address economic (financial) and corruption-related offences, as well as organised crime.

Effectively, the amendments to the Criminal Procedure Law, currently reviewed by the Parliament, provide that the Economic Court will hear a criminal case if a person has been held criminally liable for criminal offenses, of which serious or one of the most serious criminal offenses is within the jurisdiction of the Economic Court. In a case when person is held criminally liable for a criminal offences provided for in Article 195 of the Criminal Law [Laundering of the Proceeds from Crime], the Economic Court shall hear the criminal case if the other criminal offences are provided for in Article 177, Part 2 or 3, Article 178, part 2, Article 179 p. 2 or 3 [Fraudulent activities regarding another person's property, and insurance fraud], Article 193 p.4 (except if the means of payment specified in the second sentence of Article 1, paragraph 38 of the Credit Institutions Law were used in the criminal offence), Articles 193.², 199, 201, 206, 207, 208, 213, 217, 217.¹, 218 and 218.¹ of the Criminal Law [Criminal offences of Economic Nature related to fraudulent, dishonest entrepreneurship].

In 2024, approximately half of the criminal cases examined by the Economic Court, which contained several articles of indictment, were within the jurisdiction of the Economic Court because the most serious or one of the most serious criminal offenses was Article 195. Analyzing this combination of articles, it was concluded that the Economic Court has thus also examined criminal cases related to, for example, illegal hunting. In such a situation, the resource of the specialized court is being used in a manner inconsistent with the purpose for which the court was established. Such criminal cases do not, by their nature, fall within the jurisdiction of the Economic Court. Consequently, the amendments provide that the Economic Court will examine criminal offenses concerning money laundering if they form common ground with the articles of the Criminal Law under the jurisdiction of the Economic Court. Such clarification of the competence will, according to the goal, enable the court to more effectively ensure the examination of cases that fall within its jurisdiction, and that are related to economic (financial) and corruption-related

¹ Data available on Court Administration's MicroStrategy: <https://dati.ta.gov.lv/>

offences, as well as organised crime. Amendments essentially ensure that money laundering cases are kept in the competence of the court.

Secondly, within the scope of changes and according to the initial objectives while establishing the the court, the jurisdiction of the Economic Court should be expanded in civil cases. The expansion in commercial cases should primarily be considered in relation to those categories of civil cases that are related to cases already within the jurisdiction of the Economic Court and where it is often difficult to distinguish the subjects of the claim from each other. The amendments to the Civil Procedure Law, currently reviewed by the Parliament, provide that the Economic Court will also hear:

- claims for the acquisition of shares or stocks of a capital company;
- claims for losses caused to the capital company by members of the board and council, procurators, founders, auditors and participants;
- claims for the termination of the activities of a capital company;
- claims of merchants for the payment of insurance compensation;
- claims for the provision of information to participants and shareholders;
- claims arising from financial instruments;
- claims arising from consumer collective claims.

We assess the establishment and operation of the Economic Court very positively and the work of the court is already highly appreciated by investors. Likewise, EU Justice Scoreboard has positively assessed the measures taken to improve the efficiency of Latvia's court system, specifically highlighting the launch of the Economic Court, as well as OECD's 2024 Economic Survey of Latvia positively evaluates its operation. To further strengthen operation of the court number of judges has been increased by 2 in 2025 and full complement of support staff has been secured. Also, a solution has been identified to provide more optimal infrastructure for the Economic Court, including the required facilities.

Written input with regards to the Q.8 concerning remuneration – Have there been developments since the 2025 report as regards:

- a. judges and court staff*
- b. judicial assistants*
- c. could you please provide updated figures for 2026 judicial salaries, also as regards base salary and coefficient?*

In view of the current global challenges, by annual budgetary decisions most financial resources for any new initiatives are being prioritized and directed for the defence budget. Latvia is already allocating 5% of its GDP to defence in order to ensure compliance with NATO standards. Consequently, the new allocated monetary increase of additional funds as possible priorities have been implemented under a fiscal restraint regime, directing the necessary funding to defence, as well as additionally - to healthcare, education, and measures promoting demographic growth. Salary growth can be expected only in priority sectors. The public sector was expected to

implement a salary cut in 2026. The judiciary alone, in light of its independence, has not faced any salary cuts.

All residents of the country, including those working in the judicial sector, were able to receive the social benefits or other fiscal advantages provided for in the state budget. However, within the judicial system - similarly to many other sectors - it was not possible to increase remuneration in 2026 (and there was increase within the limits of fiscal capacity in 2025). This concerns the fact that, in the current circumstances, the state has an obligation to act with a long-term perspective, prioritising national security.

Judges' salaries are linked to a coefficient based on the average wage in the national economy. However, this year Saeima adopted legislation freezing the remuneration of all officials to whom such a coefficient applies, including, *inter alia*, the highest state officials.

It should also be emphasised that, within the budgetary framework, a decision was made not to increase taxes. This has been an important policy choice. Unlike other Member States that have opted to raise taxes in these challenging conditions, Latvia chose not to increase the tax burden. As a result, the expenses of all population groups were not raised—although such an increase would have been necessary to raise the remuneration of specific professional groups.

In 2025, the gross monthly salaries of court staff were increased on average by **2.6%**, in accordance with the statutory indexation of the base monthly salary. The increase applies to all position groups and ranges from **30 to 47 EUR** per employee per month.

Changes in court staff salaries 2024 → 2025 (+2.6%)

No.	Position	2024 gross salary (EUR)	2025 gross salary (EUR)	Increase (EUR)
1	Chair's Assistant for analytical matters (Regional Court)	1791	1838	+47
2	Chair's Assistant for analytical matters (District Court)	1775	1821	+46
3	Chair's Assistant (Regional Court)	1722	1767	+45
4	Chair's Assistant (District Court)	1688	1732	+44
5	Judge's Assistant (Regional Court)	1688	1732	+44
6	Judge's Assistant (District Court)	1654	1697	+43
7	Head of Chancery	1654	1697	+43
8	Court Interpreter	1439	1476	+37
9	Deputy Head of Chancery	1429	1466	+37
10	Court Consultant	1314	1348	+34
12	Court Hearing Secretary	1258	1291	+33
13	Court Secretary (with interpreter duties)	1285	1318	+33

14	Court Secretary	1207	1238	+31
15	Court Archivist	1215	1247	+32
16	Court Administrator	1174	1205	+31
17	Specialist (driver)	1169	1199	+30

The remuneration changes for judicial assistants are shown in the table (rows 5 and 6). In 2025, the monthly salaries of judicial assistants increased by **2.6%**, in line with the general indexation of the base monthly salary applicable to all court staff.

For 2026, according to the *Law “On the State Budget for 2026 and the Budgetary Framework for 2026, 2027 and 2028”*, the salaries of judges **are not reviewed** and remain at **2025 levels**. Likewise, the Government **did not support** the submitted priority for increasing the salaries of court staff, and therefore the salaries of court employees, including judicial assistants, **will not increase in 2026**.

Article 79 of the *Law On the State Budget for 2026 and the budget framework for 2026, 2027, and 2028*. - <https://likumi.lv/ta/id/365272-par-valsts-budzetu-2026-gadam-un-budzeta-ietvaru-2026-2027-un-2028-gadam>, stipulates that for 2026, the monthly salaries of officials and employees are calculated by applying the respective coefficient to the **base monthly salary published for 2025**, namely: **base monthly salary – 1237.06 EUR**.

For judges, the base monthly salary in **both 2025 and 2026** is **1237.06 EUR**. This follows from Article 80 of the *Law “On the State Budget for 2025...”* - <https://likumi.lv/ta/id/357450-par-valsts-budzetu-2025nbspgadam-un-budzeta-ietvaru-2025-2026-un-2027nbspgadam>, which provides that if the calculated base salary exceeds 2.6, the base salary for 2025 is indexed using the factor **2.6**.

The *Law on Remuneration of Officials and Employees of State and Local Government Institutions* establishes the **coefficients** applicable to each judicial office (<https://likumi.lv/ta/id/202273-valsts-un-pasvaldibu-instituciju-amatpersonu-un-darbinieku-atlidzibas-likums>).

Judges' salaries (gross) for 2025 and 2026

Position	Coefficient	Monthly salary (EUR)
District Court Judge	3.2	3959
Deputy Chair of District Court / Head of Court Division	3.52	4354
Chair of District Court	3.84	4750
Regional Court Judge	3.84	4750
Deputy Chair of Regional Court / Chair of Chamber / Head of Court Division	4.09	5060
Chair of Regional Court	4.32	5344

Supreme Court Judge	5.0	6185
Chair of Supreme Court Department	5.3	6556
Chief Justice of the Supreme Court	7.0	8659
Constitutional Court Judge	5.76	7125
Deputy President of the Constitutional Court	6.0	7422
President of the Constitutional Court	7.0	8659