

Etusivu>Kanteen nostaminen>EU:n ja jäsenvaltioiden oikeudelliset järjestelmät>Jäsenvaltioiden erikoistuomioistuimet National specialised courts

Latvia

This section provides an overview of specialised courts in Latvia.

Specialised courts

Constitutional Court of the Republic of Latvia

Pursuant to the [Constitution of the Republic of Latvia](#) (*Latvijas Republikas Satversme*, hereinafter ‘the Constitution’), Latvia has a **Constitutional Court** (*Satversmes tiesa*), which is an independent judicial institution that examines whether in cases within its remit laws and regulations are in compliance with the Constitution, and also considers other cases assigned to it by the law. The Constitutional Court may declare laws and other legal acts or parts thereof null and void.

Pursuant to Article 16 of the [Law on the Constitutional Court](#) (*Satversmes tiesas likums*), the Constitutional Court **considers cases concerning**:

- the constitutionality of laws;
 - the constitutionality of international agreements signed or concluded by Latvia (even before those agreements are approved by the Parliament (*Saeima*));
 - the compliance of laws and regulations or parts thereof with higher-ranking rules of law;
 - the compliance with law of other acts of the Parliament, Cabinet, President, Speaker of Parliament or Prime Minister (other than administrative acts);
 - the compliance with law of orders by which a Minister empowered by the Cabinet has suspended the decisions of a local council;
 - the compliance of provisions of Latvian national law with international agreements concluded by Latvia that are not incompatible with the Constitution.
- The Constitutional Court comprises seven judges who are approved by a majority of the Members of Parliament (at least 51 votes). Three of the judges are approved at the proposal of at least ten Members of Parliament, two are approved at the proposal of the Cabinet, and a further two at the proposal of a sitting of the whole Supreme Court. The candidates put forward by the Supreme Court must be selected from among Latvia’s judges.
- The Constitutional Court may not institute proceedings at its own initiative; it considers cases only on receipt of an application from persons so authorised by law.

The following **are entitled to bring an application** instituting proceedings regarding the constitutionality of laws and international agreements signed or concluded by Latvia (even before those agreements are approved by the Parliament), or the compliance of laws and regulations or parts thereof with higher-ranking rules of law, or the compliance of provisions of Latvian national law with international agreements concluded by Latvia that are not incompatible with the Constitution:

- the President;
- the Parliament;
- no fewer than twenty Members of Parliament;
- the Cabinet;
- the Prosecutor-General;
- the Council of the State Audit Office (*Valsts kontroles padome*);
- a local council;
- the Ombudsman (*tiesībsargs*), if the institution or official that issued the contested act has not rectified the shortcomings identified within the deadline set by the Ombudsman;
- a court examining a civil, criminal or administrative case;
- a judge at a land registry office when registering immovable property and related rights in the land register;
- any person whose fundamental rights under the Constitution have been prejudiced;
- the Council for the Judiciary, within its legally prescribed remit.

The following **are entitled to bring an application** instituting proceedings regarding the compliance with law of other acts of the Parliament, Cabinet, President, Speaker of Parliament or Prime Minister (other than administrative acts):

- the President;
- the Parliament;
- no fewer than twenty Members of Parliament;
- the Cabinet;
- the Council for the Judiciary, within its legally prescribed remit.

Entitlement to bring an application instituting proceedings regarding the compliance with law of an order by which a Minister empowered by the Cabinet has suspended the decisions of a local council lies with that local council.

Cases concerning the constitutionality of laws, Cabinet regulations and other Cabinet acts, the compliance of provisions of Latvian national legislation with international agreements concluded by Latvia which are not incompatible with the Constitution, and the constitutionality of international agreements signed or concluded by Latvia (even before those agreements are approved by the Parliament) and laws or regulations or parts thereof are considered by the Constitutional Court in full session. Other cases are examined by a panel composed of three judges, unless the Constitutional Court decides otherwise.

The judgment of the Constitutional Court is final and enters into force at the time of delivery. A judgment of the Constitutional Court and the interpretation it contains of a contested provision is binding on all central and local government bodies (including courts) and officials, and on natural and legal persons. A provision which the Constitutional Court has declared incompatible with a higher-ranking rule of law is deemed annulled with effect from the date on which the Constitutional Court’s judgment is published, unless the Constitutional Court determines otherwise. If the Constitutional Court deems an international agreement signed or concluded by Latvia to be unconstitutional, the Cabinet is obliged to arrange for the agreement to be amended, denounced, its functioning to be suspended or accession to the agreement to be withdrawn without delay.

Economic Court

Pursuant to the provisions of the Law on judicial power (*Likums par tiesu varu*), for the examination of the cases so referred to in the Law on civil procedure (*Civilprocesa likums*) and the Law on criminal procedure (*Kriminālprocesa likums*), the Economic Court (*Ekonomisko lietu tiesa*) was set up. It is located in Riga and has jurisdiction over the whole territory of Latvia.

Under **civil law**, the Economic Court has jurisdiction for:

claims arising from reinsurance contracts;
claims arising from investment services and ancillary investment services contracts;
investment protection claims by other European Union Member States against the Latvian authorities;
claims arising from the legal relations of corporate groups;
claims arising from the legal relations between the members of (shareholders in) joint-stock companies;
claims arising from financial collateral arrangements;
claims arising from capital transactions with related parties within the meaning of the Commercial Law (*Komerclikums*) and the Law on the financial instruments market (*Finanšu instrumentu tirgus likums*);
claims arising from the transfer of undertakings and corporate restructuring, excluding employee claims;
claims arising from contractual obligations between construction operatives, including subcontractors, with regard to the construction of any buildings of class two or three for which a building permit is necessary, excluding single or two-dwelling residential buildings and the functional structures connected to them;
claims arising from infringements of competition legislation;
claims arising from decisions by assemblies of members of (shareholders in) capital structures; and
applications for the winding-up and insolvency of credit institutions.

At the same time, under **criminal law** the Economic Court has jurisdiction for:

financing the production, storage, movement, use or distribution of weapons of mass destruction, where liability for this arises from Article 73.1(2) of the Criminal Law (*Krimināllikums*);

terrorism, where liability for this arises from Article 79.2(2) of the Criminal Law;

laundering of the proceeds of crime (Article 195 of the Criminal Law);

unauthorised receipt of benefits, where liability for this arises from paragraphs two, three or four of Article 198 of the Criminal Law;

commercial bribery, where liability for this arises from Article 199(2) of the Criminal Law;

accepting bribes, where liability for this arises from paragraphs three or four of Article 320 of the Criminal Law;

appropriation of a bribe, where liability for this arises from paragraphs two, three or four of Article 321 of the Criminal Law;

bribery intermediation, where liability for this arises from Article 322(2) of the Criminal Law;

active bribery, where liability for this arises from paragraphs two or three of Article 323 of the Criminal Law;

trading in influence, where liability for this arises from Article 326.1(2) of the Criminal Law;

unlawful requesting and receipt of benefits, where liability for this arises from Article 326.2(2) of the Criminal Law; and

unlawful award of benefits, where liability for this arises from Article 326.3(2) of the Criminal Law.

Appeals against rulings of the Economic Court are heard by the Riga Regional Court (*Rīgas apgabaltiesa*).

Legal databases

Name and URL of database

[Cases before the Constitutional Court \(search function\)](#)

Is access to the database free of charge?

Yes, access is **free of charge**.

Contents of the database in brief

The database contains judgments of the Constitutional Court of the Republic of Latvia.

Background

The database search interface and judgments are available in Latvian and English.

Links

[Constitutional Court of the Republic of Latvia](#)

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