

Report on the Work of the **Constitutional Court** of the Republic of Latvia

2025





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Riga, 2026

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Introduction

This report provides an overview of the Constitutional Court's work from 1 January 2025 to 31 December 2025.

The report is introduced by a foreword by the President of the Constitutional Court, Irēna Kucina. The statistical indicators of the Court's work are then examined..

The second section of the report contains information on the case-law of the Constitutional Court.

It contains, first of all, information on the development of case-law in the cases heard during the reporting period, as well as brief descriptions of those cases.. The cases are divided into the following areas of law: fundamental rights, state law, tax law, the European Union law, and criminal procedure. Decisions of the Constitutional Court to terminate legal proceedings, as well as decisions of the judicial panels on initiating or refusing to initiate a case are also examined. The report also contains information about cases that had not been initiated and pending cases.

The third section of the report describes the dialogue of the Constitutional Court with the public and with state institutions, as well as the dialogue of courts and international cooperation. Insight into the international conference and discussion dedicated to the 75th anniversary of the Convention is also provided. In the report, homage is paid to the recipients of the awards of the justice system and the Constitutional Court. Likewise, the report contains speeches by President of Latvia Edgars Rinkēvičs, President of the Constitutional Court Irēna Kucina and Professor of the University of Iceland Guðni Thorlacius Jóhannesson at the solemn hearing on the occasion of opening the judicial year of the Constitutional Court on 7 February 2025. The report concludes with a list of publications of the Constitutional Court judges and personnel.

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List of terms

Data Regulation	Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
ECHR	European Court of Human Rights
CJEU	Court of Justice of the European Union
Charter	Charter of Fundamental Rights of the European Union
Convention	European Convention for the Protection of Human Rights and Fundamental Freedoms
TFEU	Treaty on the Functioning of the European Union
Regulation on Restrictions on Economic Activities	Cabinet of Ministers Regulation of 17 September 2013 No. 891 "Regulation on restrictions on economic activities for which compensation is payable, the conditions for payment, the procedure and the amount thereof"
Constitution	Constitution of the Republic of Latvia
Venice Commission	European Commission for Democracy through Law (Venice Commission)

Foreword



Irēna Kucina
President of the Constitutional Court

• I •

Over the years, the Constitutional Court's task has remained unchanged – to work every day to ensure that Latvia is a just state for all. The state begins with the conviction that this is my place – where I will be protected and where I am needed. This conviction is the basis for the Constitutional Court's work and it can be most aptly characterised by the word “belonging”.

Our Court safeguards the democratic state order and fundamental rights, balancing various interests. The universal nature of the Constitution is reinforced by the wise findings that follow from its application, based on timeless, contemporary understanding of human dignity, freedom, and responsibility to society. These are not merely words, every year the concretisation of the Constitution becomes more dynamic. The Constitutional Court's judgments reveal that the Constitution is not intended for some instances far removed from life or for chosen persons; first and foremost, it sees a person in the changing world.

Last year, the Constitutional Court received more than two hundred applications; their number, compared to the previous year, grew almost by a half. This dynamic shows that people are using the possibilities to protect their fundamental rights more actively. The Constitutional Court resolved a number of essential matters, with the interpretation of the Constitution developing and the particularities of the Court's work going hand in hand with challenges to the national security and the protection of a democratic state order, as well as the central role of human dignity even in challenging circumstances. It is not a coincidence, since the inviolability of human dignity is possible only in democracy, the security of which is also our national security.

Thus, in the case regarding the obligation to use the official language in paid pre-election campaigns, the Constitutional Court found that, in the current geopolitical situation, the development of voters' free will was under threat. Russia is extensively using various measures of informational impact to split off the Russian-speaking inhabitants from the rest of society and undermine Latvia's political stability. Strengthening the role of Latvian as the common language in society, decreasing

division and restricting the spread of hostile foreign ideology, in particular, in the information space where the Russian language may be used for transferring aggressive narratives of a particular state, is a matter of national importance. Reinforcing the role of the official language is not targeting pluralism but is aimed directly at diminishing the effect of Russia's measures of informational impact. In this way, the Constitutional Court is safeguarding not only the security of Latvian society and democratic state order but also the security and democracy of entire Europe.

The Constitutional Court takes a similar view of the state structure and the tasks of its separate branches, in their close interaction. In the case regarding the dismissal of the Rēzekne City Council, the Constitutional Court gave a clear signal: if a local government finds itself in a financial situation requiring major involvement of the state's resources, this impacts the general financial stability in the state and long-term development, thus, adverse impact applies to all inhabitants of the state. A local government budget cannot be examined in isolation from the general state budget system.

In the case regarding electronic cigarettes and nicotine pouches, the Constitutional Court, recognising that commercial activities were important for the national economic development, nevertheless pointed out that the right to health protection applied directly to every person and was the pre-condition for exercising many other fundamental rights, therefore the interests of some commercial operators could not be set higher than the interests of society as a whole. The Court highlighted the need to decrease the future burden on the national health system and the morbidity risks for future generations.

In the case regarding the spatial plan of Jūrmala, the Constitutional Court reconfirmed that a benevolent environment was the basis for existence and welfare in the long term. Balancing of environmental interests with social interests, as well as a comprehensive assessment are mandatory centres of gravity in spatial planning or in amending spatial plans. A local government may not make its spatial plans chaotically or on the basis of assumptions, all planning documents should be aligned and without contradictions. A local government should use accurate data as the basis to determine exactly what kind of economic or social interests require interference with the environment and whether the possible harm to the environment would be permissible. The only key to fair balancing of various interests and comprehensive, constitutional regulation are consultations with competent authorities, hearing of stakeholders, and examination of the opinions expressed.

During the reporting year, we reviewed, for the eighth time already, a case related to the so-called compulsory lease relationship, i.e., regarding the fee for land use *ex lege* and the procedure for cadastral assessment of land. The Constitutional Court underscored that a fair balance had still not been reached between a landowner's right to receive a fee for land lease *ex lege* that would fulfil the function of remuneration and protection of the building owners' rights. The fee for land lease *ex lege* that the owner receives may not be symbolic, zero-level or even, after the real estate tax has been paid, leave a person "in the red". In the particular case, law as the guarantor of justice not only failed to fulfil its function but even created targeted injustice; moreover, for many years the solutions were sought by never-ending "trial and error method". This calls for a serious restart – both in the area of legal regulation on land use and supervision of the enforcement of the Constitutional Court's judgments, as well as with respect to a meaningful dialogue between various public authorities. Society and the Court expect that a solution to this protracted saga will be found.

• II •

The previous year was particularly significant in terms of the Constitutional Court's international activities. A project of an unprecedented scale in the Constitutional Court's history, supporting the development of constitutional justice in Ukraine, was completed. Within nearly three years, this support project grew from a dialogue initiative into a structured platform of cooperation that made the work

of the Ukrainian Constitutional Court significantly more effective, from the methodology used up to the institutional culture. Thirty-eight events, involving more than 1650 participants, ensured constant exchange of information between the Constitutional Court of Ukraine and the European constitutional courts, in particular with the Constitutional Court of the Republic of Latvia as the leading partner of cooperation, thus creating a bridge between the reality of war and the European legal standards. As part of the project, a major international conference was convened in Riga. I am proud of my colleagues whose work shaped Latvia's general contribution to Ukraine's fight for freedom.

Support to the Ukrainian colleagues was provided also at VI Congress of the World Conference of Constitutional Justice, by jointly drafting a part of its final conclusions on the commitment of the courts of the world to take the necessary steps, within the limits of their jurisdiction, to ensure peaceful cooperation between states, which, *inter alia*, should be based on sovereignty and territorial integrity, as well as effective environmental protection. The Congress focused on challenges related to the preservation of natural resources, climate change, protection of the cultural heritage of humanity, independence of constitutional courts, as well as access to science and emerging technologies. The Constitutional Court's voice was also heard at the Congress. We underscored that every step towards digitalisation created a kind of "digital shadow" in the legal reality; if this shadow is not timely and properly regulated it leaves an impact on the legal system. Artificial intelligence is a tool in the hands of courts and not a decision-maker. If technologies help, they are our support. If technologies begin deciding instead of people, they start jeopardising the rule of law. The possible risks should be identified now.

Throughout the year, active work was ongoing in the Venice Commission, *inter alia*, with respect to preparing opinions. One of the outcomes of this work was the approval of the expanded Rule of Law Checklist. New responsibilities concerning the Constitutional Court's contribution to the joint work of the Venice Commission also appeared – since December, I have been entrusted with the duties of the chairperson of the Sub-commission on Constitutional Justice. Hence, the Constitutional Court's international reputation has been highly appreciated once again, with us helping to reinforce the analytical and advisory support provided by the Venice Commission to member states regarding such issues as the constitutional courts' independence, guarantees of independence and trends in the development of the courts' case-law. The Sub-commission on Constitutional Justice daily develops also the framework for the cooperation between constitutional courts in sharing information and experience on the global level and takes part in the work of the Bureau of the World Conference of Constitutional Justice.

Last year, the Constitutional Court celebrated an international event which is important for lawyers, the 75th anniversary of the Convention, together with distinguished persons from many areas who shared their most personal experience about how the fundamental rights guaranteed by the Convention – freedom, human dignity, equality, freedom of expression, security, – have been harmoniously implemented with respect to every person and every area of life.

Last year marked a break-through in our work with Latvia's youth because the project "Aptver Satversmi" (Embrace the Constitution) reached an unprecedented scale – the Constitutional Court's judges and employees conducted lessons in almost 30 schools in all regions of Latvia, sharing their knowledge and convictions about a strong, lawful, and secure Latvia, encouraging young people to become the ambassadors for the constitutional values – so that they would not only understand their rights but would be aware of their role in the state. In addition to the already traditional events – the competition of pupils' creative work and the Museum Night – the Constitutional Court held for the first time an educational event "Lab of Democracy", in which secondary school students from all over Latvia together with judges discussed the importance of democracy in the daily life.

To mark the 29th anniversary of the Constitutional Court, a new bookazine was published – "Social Rights. The Constitutional Court's case-law regarding Articles 109 and 110 of the Constitution". This is already the fourth publication in the series dedicated to fundamental rights and supplements

the previously collected findings regarding Articles 91, 92, and 105 of the Constitution. It is a valuable contribution to the development of the legal thought in Latvia and facilitates the understanding of the content of fundamental rights included in the Constitution.

• III •

The Constitutional Court's core function – the administration of justice – is not isolated and keeps up with the times through other interconnected legal aspects that we take care of to ensure that legal proceedings are as effective as possible.

The Constitutional Court, in cooperation with other public authorities, has done considerable preparatory work to ensure that, already this year, the record-keeping of legal proceedings would be done in the uniform architecture of the e-case in the court information system, alongside other Latvian courts. Documents related to the Constitutional Court's cases will be prepared, uploaded, and stored in it. This means that, in the future, every case will be presented electronically and, thus, the Court will become more accessible, whereas its proceedings – more effective and better understandable to every member of society, in particular to persons involved in proceedings. Thus, the entire work with the case and communication with the participants of a case will take place in the electronic environment without, however, excluding the possibility of the initial submission of documents in a paper form.

Last year, we made significant advances in developing the artificial intelligence tool to make the Court's research work more effective. Together with the developer, various approaches were modelled to how this tool could help to prepare the technical nuances of the ruling, for example, some elements in the part on the facts of the case. This would pertain only to the presentation of the historical development of specific legal provisions and the statement of the facts of the case, as well as the summary on the progress in the case. Likewise, a brief summary of the arguments presented by the parties, structured according to the steps of the methodology used by the Constitutional Court will make the fulfilment of the technical obligations of judges and employees more effective, improving the so-called "four eyes principle".

This year, the efforts made in the course of several years will ensure that the state-provided legal aid to socially vulnerable persons will become more accessible in the proceedings before the Constitutional Court. In the course of adopting the state budget, the Constitutional Court's initiative regarding more respectful approach to the process of granting the aid from the very beginning of the proceedings before the Constitutional Court was supported. The Courts Administration will involve sworn attorneys who will establish whether, in the case of an alleged interference with fundamental rights, a positive outcome in the proceedings before the Constitutional Court would be likely.

This year, amendments to the Constitutional Court Law, prepared by the judges and employees for more than a decade, will come into effect. The situations which until now were resolved as unregulated procedural matters will be regulated, including the issue of changing the type of proceedings and the dialogue with the CJEU and the ECHR. Amendments envisage also improvements regarding the convening of preparatory sittings, publishing the separate opinions by judges, understanding of the recusal of a Constitutional Court's judge, introduction of the e-case. It is a significant step forwards in the evolution of the Constitutional Court's procedure – we cast away what is redundant and adopt the best.

Upon commencing the year of the Constitutional Court's 30th anniversary, I would like to recall that the rule of law, democracy, and protection of human rights are not abstract concepts but rather principles that determine how law functions in the daily life and impacts human lives. Democracy exists only if society is involved in it, follows it, and is ready to defend it.

I am honoured to serve the Constitution!

Irēna Kucina
President of the Constitutional Court

Constitutional Court judges

Reflecting on the year 2025, the justices of the Constitutional Court share their thoughts on the most significant conclusions of the past judicial year.”



Irēna Kucina:

A judge’s rulings never exist in isolation – they mould the legal environment in which society lives and evolves. Therefore, alongside legal analysis, a judge’s duty is to be aware of how their ruling impact people’s trust in law. In the Constitutional Court’s work, this means transforming each individual problem, submitted in the application, into a meticulous, reasoned assessment that serves not only in resolving the particular case but also in ensuring a stable and foreseeable legal order in the long term. In adopting decisions, a judge has not only a legal but also an ethical duty to assess their impact on society’s future.



Anita Rodiņa:

The foundation of society’s existence is trust in justice. Accordingly everyone’s efforts should be directed to enhance and protect justice as one of the basic values of a state governed by the rule of law. Legal provisions and the outcome of their application also must always be just. Fair treatment creates trust – both trust in law and trust in institutions, and, finally, trust in the state in general.



Constitutional Court judges

**Jānis Neimanis:**

It is much harder to recognise timely a dishonest person than to apply legal provisions correctly.

Jautrīte Briede:

When adopting a legal provision, the legislator should consider it thoroughly and foresee all consequences related to its implementation. However, if violations of the principle of good legislation are found in the legislative process, this does not mean that the legal provision, created in it, would be useless. It is not rational to declare a legal provision, which has been adopted in compliance with statutory requirements and, is substantially, necessary and correct, invalid only because it has not been sufficiently discussed in the legislative process.

**Veronika Krūmiņa:**

The language of the judgement is not merely an external form – it is the visible manifestation of the process of thinking. The clarity and accuracy of language determines whether the reasoning of the judgement is intelligible and creates trust. The quality of legal language is the result of well-considered and professionally responsible use of the language. Cultivation of the Latvian legal language is constant joint work of lawyers and linguists, which requires understanding, care and respect for the language.

Mārtiņš Mits:

We live at a time when the concept of “militant democracy” is becoming particularly relevant. It is a powerful instrument, aimed at preventing threats against the very core of democracy. Before setting this concept in motion, the scope and the consequences of restrictions must be carefully considered because they should not exceed that what is truly necessary to protect democracy as a form of public administration.

**Juris Juriss:**

Every democratic state has the duty to effectively combat money laundering, as well as deprive an aggressor state of the possibility to finance war and other crimes. The failure to take out criminally acquired assets from further circulation cannot be justified by the need to identify the original (predicate) crime in every case. It is possible to prove the criminal origins of property by circumstantial evidence, in particular, in stand-alone laundering cases. The objective actions taken to legalise assets, alongside other evidence, may constitute the totality of circumstantial evidence for proving the criminal origin of property.

1

Statistics

From 1 January 2025 to 31 December 2025, 427 applications were submitted to the Constitutional Court. 194 of them were recognised as not falling within the jurisdiction of the Constitutional Court or were answered in accordance with the procedure established by the Freedom of Information Law. 233 applications were forwarded to the Constitutional Court's judicial panels for review and 42 cases were initiated.

Most cases (30) were initiated on the basis of constitutional complaints from private individuals. Eight cases were initiated on the basis of applications by courts reviewing a case in civil and administrative proceedings. Two cases were initiated on the basis of an application by members of the Saeima, and two cases – on the basis of the Ombudsman's application. Several of the initiated cases pertained to identical or similar issues of law.¹

During the reporting period, cases were most frequently initiated on the compliance of legal provisions with Article 1 of the Constitution – 21 cases, with the principle of legal equality established in Article 91 of the Constitution – seven cases, and the right to property established in Article 105 of the Constitution – 29 cases. Likewise, cases have been initiated regarding the compliance of legal provisions with Articles 92, 96, 99, 101, 106, 109, 110, 111, and 115 of the Constitution. Two cases have been initiated regarding the compliance of a national legal provision with provisions of the TFEU.

To substantiate the incompatibility of the contested provision with a superior legal provision, the applicants, as in other years, have most often referred to general principles of law, derived from the basic norm of a democratic state governed by the rule of law, falling within the scope of Article 1 of the Constitution, and the right to property, provided for in Article 105.

The most frequently challenged provisions were those of the Civil Procedure Law – in 37 applications, of the Insolvency Law – in 20 applications, of the State Immovable Property Cadastre Law – in 17 applications, of the Criminal Procedure Law – in 15 applications, of the Civil Law – in 15 applications, as well as of the Cabinet of Ministers Regulation of 18 February 2020 No. 103 “Regulations Regarding Mass Appraisal” – in 13 applications.

During the reporting period, the Court examined 19 cases. Judgments were delivered in 16 cases, whereas in three cases it was decided to terminate the legal proceedings. The assessment delivered by the Court runs to 620 pages.

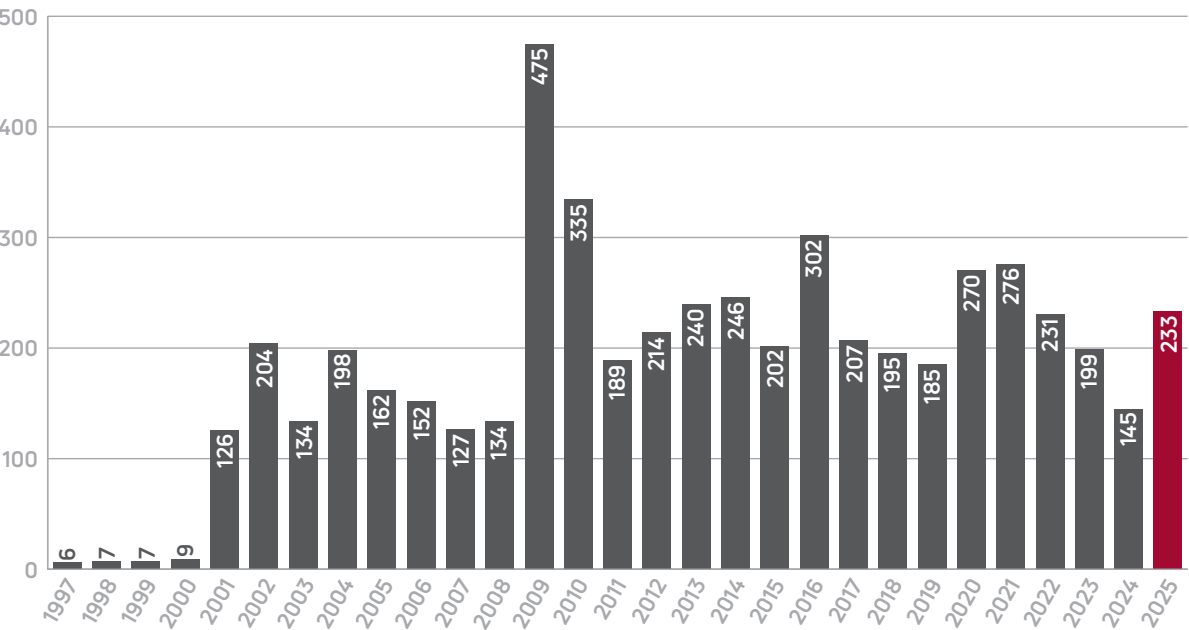
The Constitutional Court decided to suspend the proceedings in two cases and to refer the case to the CJEU for a preliminary ruling: in case No. 2024-09-01 regarding the fee for protecting mortgage credit borrowers and the compensation of the related interest and case No. 2024-10-03 regarding the right of legal persons subject to private law to apply for the state forest lands to build wind power plants.

The judgments assessed the constitutionality of 43 legal provisions.² 21 legal provisions were found to be compatible with the Constitution, and 18 legal provisions were declared unconstitutional. The judges of the Constitutional Court have appended four separate opinions to the judgments.

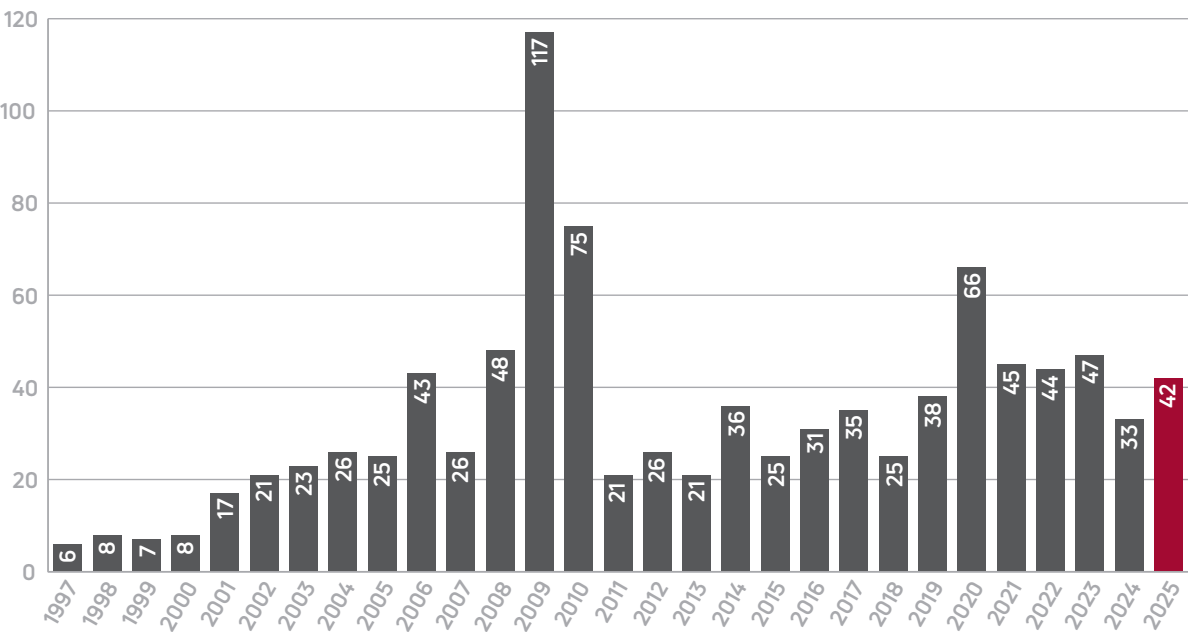
¹ See, for example, cases No. 2025-02-01, No. 2025-03-01, No. 2025-05-01, No. 2025-07-01, No. 2025-10-03, No. 2025-12-03, No. 2025-16-01, No. 2025-17-01, No. 2025-19-01, No. 2025-20-01, No. 2025-21-01, No. 2025-24-01, No. 2025-25-01, No. 2025-26-01, No. 2025-29-0103, No. 2025-30-01, No. 2025-31-0103 and No. 2025-34-03.

² Legal proceedings in case No. 2022-32-01 regarding Article 124 (7) of the Criminal Procedure Law, in case No. 2024-06-01 regarding Article 51 of the Pre-election Campaign Law and case No. 2024-20-01 on the compliance of Articles 1 and 4 of the Law on Dismissal of the Rēzekne City Local Government Council and Article 1(3)(2) of the Law on the Election of Local Government Councils were terminated.

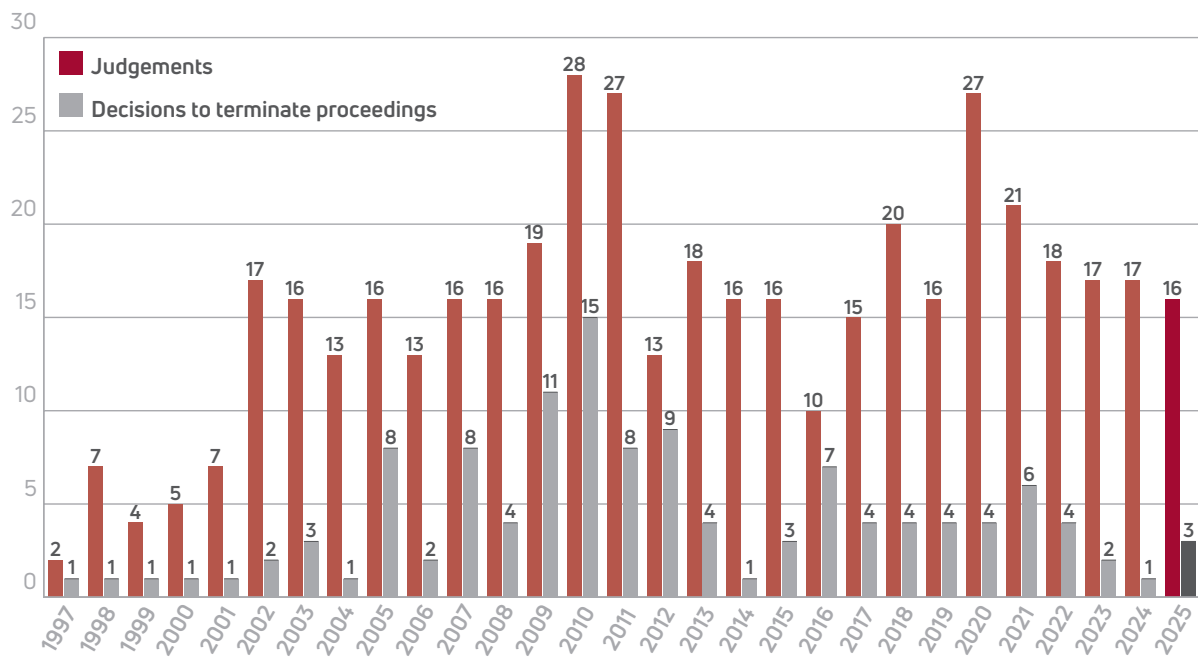
Number of applications received



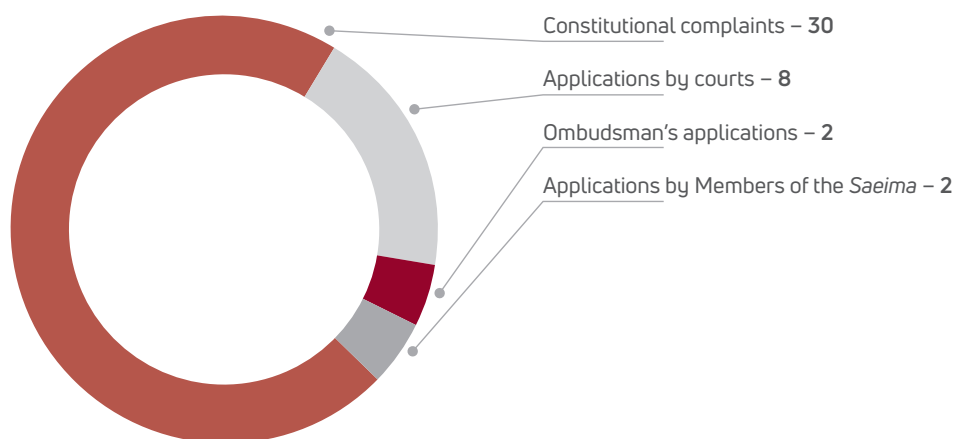
Number of cases initiated



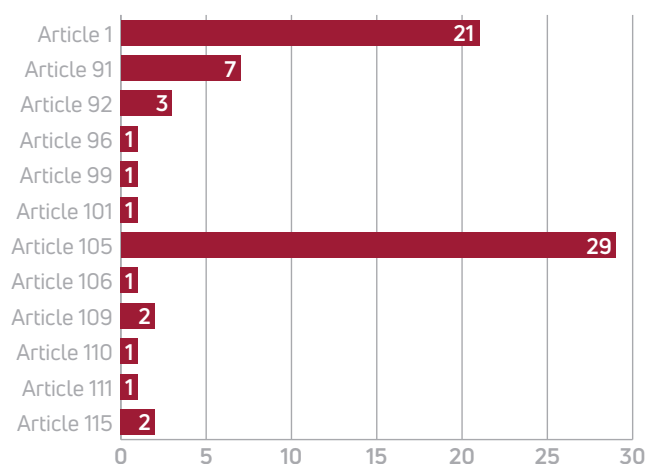
Number of cases examined (judgments and decisions to terminate proceedings)



Cases initiated by type of application in 2025



Cases initiated by article of the Constitution in 2025



Judgments by article of the Constitution in 2025

Article 92

5

- 2021-44-01 Appeal in proceedings regarding criminally acquired property
- 2022-01-01 Access to the case file in proceedings regarding criminally acquired property
- 2022-32-01 Proving the criminal origins of property
- 2023-40-01 Submitting evidence in proceedings regarding criminally acquired property
- 2024-07-01 State compensation to victims

Article 105

5

- 2024-04-01 Surcharge of the enterprise income tax
- 2024-16-01 Electronic cigarettes and nicotine pouches
- 2024-17-01 Difference in water consumption
- 2024-21-0103 Fee for land use ex lege
- 2024-23-01 Prohibition of smoking in gambling halls

Article 1

3

- 2024-20-01 Dismissal of the Rēzekne City Council
- 2024-23-01 Prohibition of smoking in gambling halls
- 2024-33-05 Spatial plan of Ropaži

Article 91

2

- 2024-04-01 Surcharge of the enterprise income tax
- 2024-16-01 Electronic cigarettes and nicotine pouches

Article 101

2

- 2024-20-01 Dismissal of the Rēzekne City Council
- 2024-28-01 Prohibition on be a fire-fighter

Article 100

1

- 2024-06-01 Language use in pre-election campaign

Article 106

1

- 2024-28-01 Prohibition on be a fire-fighter

Article 110

1

- 2025-01-01 Prohibition on be an adopter

Article 115

1

- 2024-26-03 Spatial plan of Jūrmala

2

Case-law

2.1. Fundamental rights

Principle of legal equality

During the reporting period, the compliance of contested provisions with the principle of legal equality enshrined in Article 91 of the Constitution was reviewed in two cases.

In case No. 2024-04-01 regarding the surcharge of enterprise income tax, consumer credit service providers, on the one hand, were compared to credit institutions and payers of enterprise income tax, on the other hand. The Constitutional Court recognised that providers of consumer credit services and credit institutions were in different circumstances; however, equal treatment of these groups of persons had been established, i.e., both of them were obliged to pay the surcharge of enterprise income tax. The said obligation was established taking into account the need to reexamine the system of enterprise income tax with respect to the financial sector to ensure that the taxpayers who had high profitability indicators and could use the assets from unpaid enterprise income tax to provide financial services would pay the tax regularly. Such equal treatment has objective and reasonable grounds – the legislator has chosen to apply the surcharge of enterprise income tax to those groups of taxpayers who provide financial services and have high profitability indicators. However, by comparing providers of consumer credit services and other payers of the enterprise income tax, the Court concluded that the obligation to pay the enterprise income tax applied to diverse groups of taxpayers which differed in many ways. Therefore, providers of consumer credit services and other payers of the enterprise income tax are not comparable from the perspective of legal equality.

In case No. 2024-16-01 regarding restrictions on the composition of electronic smoking devices and tobacco substitute products it was argued that part of the contested provisions envisaged unjustified different treatment of groups of persons in similar circumstances. First, the Constitutional Court examined whether the economic operators who distributed in Latvia tobacco substitute products (i.e., nicotine pouches) and economic operators who distributed in Latvia other products that could be used to absorb nicotine were comparable. The Court concluded that non-tobacco nicotine pouches, as to their use and way of absorbing nicotine, differed from cigarettes and electronic cigarettes, the use of which was linked to emitting or inhaling aerosol. Moreover, the legislator, by determining the maximum permissible concentration of nicotine for non-tobacco nicotine pouches specifically, has responded to research data on the increase in the consumption of this product, in particular among youth, and the statement by the World Health Organisation regarding the need to decrease this consumption. Non-tobacco nicotine pouches is a new product and their regulation has been determined by relying on the precautionary principle to decrease the risks of poisoning and addiction development. Thus, the respective groups of economic operators are not comparable from the perspective of legal equality. Likewise, distributors of nicotine pouches cannot be compared to distributors of nicotine-containing medicinal products included in the Medicinal Product Register of Latvia. Nicotine-containing medicinal products are used in nicotine replacement therapy and the ultimate aim of their use is to quit using tobacco products permanently. In difference to the circulation of nicotine pouches, the circulation of nicotine-containing medicinal products is strictly regulated, these medicinal products require lengthy research, clinical trials, and economic operators must obtain a permit for distributing these medicinal products in Latvia. Moreover, nicotine-containing medicinal products are intended for quitting smoking, whereas nicotine pouches are intended for developing nicotine addiction and it has not been proven that they would be effective for stopping the consumption of nicotine products.

Right to a fair trial

During the reporting period, the right to a fair trial guaranteed in Article 92 of the Constitution was examined in seven cases.

The legal provisions that determined the state compensation to several victims in the case of a person's death were reviewed in case No. 2024-07-01. This is one of the few cases, in which the right to compensation provided in the third sentence of Article 92 of the Constitution has been examined.⁵ In this case, the right to compensation was for the first time reviewed in conjunction with the right to life established in Article 2 of the Convention. The Constitutional Court specified state obligations that are derived from the said right, as well as pointed to the criteria of fair and commensurate compensation. The Court recognised, that the state compensation is not intended to fulfil the function of social insurance and was not intended for satisfying specific basic needs of the victim. However, such compensation may not be symbolic, evidently insufficient or inappropriate in the light of the socioeconomic situation in the state.

Findings regarding the access to a court in administrative offence proceedings are contained in case No. 2025-08-01. The right of access to a court applies only to cases in which decisions are made directly regarding a person's rights or obligations under legal protection. Namely, the state is not obliged to ensure to a person the possibility to turn to a court with respect to any matter that is of subjective importance for that person. In the particular case, the applicant had contested a provision that prohibited to lodge an appeal against a decision by which the proceedings regarding an administrative offence had been terminated because of the insignificance of the offence. The Constitutional Court concluded that the said provision did not pertain to the applicant's right, the protection of which in a fair trial had been envisaged in the first sentence of Article 92 of the Constitution.⁴

Neither was an infringement of the right to a fair trial established in case No. 2024-29-01 regarding the right of a deceased person's more distant relatives to contest a will. The applicant argued that she had been denied the possibility to defend her right to property in court because the contested provision prohibited her to contest a will. The Constitutional Court recognised that, in the framework of the first sentence of Article 92 of the Constitution, the right to come into estate in the future could be protected only if specific legitimate expectations, and not a mere hope, to receive the estate had arisen. Whereas in the particular case, the applicant, as an heir of the fourth category,



³ See, for example, the Constitutional Court's judgment of 5 December 2001 in case No. 2001-07-0103, judgment of 6 June 2012 in case No. 2011-21-01, decision of 7 May 2020 to terminating the legal proceedings in case No. 2019-21-01 and judgment of 5 March 2021 in case No. 2020-30-01.

⁴ Further information about case No. 2025-08-01 is included in "Decisions to terminate proceedings" section of the Report.

would not inherit the testator's estate if the testator's son were to accept the estate after the will were to be, hypothetically, declared invalid. Thus, the estate that the applicant hopes to obtain in the future cannot be regarded as being property that she already has or property, regarding obtaining of which she might have developed legitimate expectations.⁵

During the reporting period, the Court also adjudicated four cases in which the compliance of the proceedings regarding criminally acquired property with the right to a fair trial was reviewed. They supplement the Constitutional Court's case-law regarding the equality of arms principle as an element of a fair trial, as well as continue the Court's finding regarding the application of the civil limb of Article 6 of the Convention to proceedings regarding criminally acquired property. Information about cases No. 2021-44-01, No. 2022-01-01, No. 2022-32-01 and No. 2023-40-01 is included in the "Criminal Procedure" section of the report.

Freedom of expression

In 2025, the Constitutional Court reviewed one case regarding the right to freedom of expression enshrined in Article 100 of the Constitution. The legal provisions that set out that, in the case of the *Saeima* elections, paid pre-election campaign must be conducted only in Latvian, whereas in the case of local government elections and elections of the European Parliament – only in the official languages of the European Union, were reviewed in case No. 2024-06-01. In this case, the Constitutional Court found that the contested provisions restricted the freedom of expression of the applicant, a political party: by displaying campaign materials and engaging in pre-election campaigning, political parties exercise the right to the freedom of expression, and the language used in pre-election campaigns as a means of expression falls within the scope of Article 100 of the Constitution. The Court also recognised that the restriction of fundamental rights included in the contested provisions had legitimate aims – the protection of public security and democratic state order. Moreover, it was noted that these aims were to be understood by taking into account the current geopolitical situation, in particular, Russia's attempts to impact the political processes in its neighbouring states by using various instruments. Considering, *inter alia*, that the restrictions included in the contested provisions did not absolutely prohibit pre-election campaigning in foreign languages, the Court recognised that this restriction of fundamental rights was proportional.

Right to participate in the work of the state and of local government, and to hold a position in the civil service

Last year, the Constitutional Court reviewed two cases that were initiated with respect to the compliance of a legal provision with, *inter alia*, Article 101 of the Constitution.

The prohibition for a person convicted for committing an intentional criminal offence to serve in the State Fire and Rescue Service was reviewed in case No. 2024-28-01. This is one of the many cases reviewed by the Constitutional Court regarding the constitutionality of restrictions of fundamental rights imposed for life. At the same time, this is one of the three cases where the said restriction applies to the right to hold a position in the civil service.⁶ Moreover, in two of them, the same legal provision was examined: in case No 2020-50-01 – with respect to serving in the State Police, whereas in case No. 2024-28-01 – with respect to serving in the State Fire and Rescue Service. In case No. 2020-50-01, the contested provision was declared to be compatible with the Constitution but in case No. 2024-28-01 it was declared incompatible. Such an outcome of these cases is linked to differences between the respective services. Namely, the activities of both the State Police and the State Fire and Rescue Service are directed at ensuring public security; however, the tasks and the rights of officials of these services differ. Hence,

⁵ Further information about case No. 2024-29-01 is included in "Decisions to terminate proceedings" section of the Report.

⁶ Case No. 2020-50-01 was related to the right to be in civil service in the State Police but case No. 2021-41-01 – with the right to be public service in the office of a judge.

the requirements set for the persons who want to serve in one or the other service may differ. Thus, the legislator has validly prohibited persons convicted for committing an intentional criminal offence to serve in the State Police, whereas the prohibition for such persons to serve in the State Fire and Rescue Service is justified only if these persons by their actions objectively pose threats to society's trust in this service.

In case No. 2024-20-01 regarding the dismissal of the Council of Rēzekne State City, the case-law on the right of a local government council to turn to the Constitutional Court regarding the compatibility of legal provisions with Article 101 of the Constitution was further developed. The Constitutional Court recognised that the appointment of a temporary administration to replace the dismissed local government council restricted the right of the inhabitants of the particular local government to elect a new local government council and to ensure representation of citizens in the local government bodies. However, a local government council may submit an application to defend the local government's right to its territorial and functional self-governance and the right to fulfil the functions of a local government. An interference with a local government's rights cannot be substantiated by referring to a restriction of the rights of local government's inhabitants. Hence, the Constitutional Court terminated the legal proceedings in the part of the case regarding the compliance of the contested provisions which regulate the appointment and operation of a temporary administration with Articles 1 and 101 of the Constitution.⁷

Right to property

In the reporting period, the Constitutional Court reviewed four cases regarding the right to property included in Article 105 of the Constitution. Two of these were related to smoking restrictions.

Case No. 2024-23-01 on the prohibition of smoking in gambling venues is the Constitutional Court's first case regarding the constitutionality of smoking restrictions; however, it has been supplemented by case-law regarding the legal regulation on the gambling sector.⁸ In this case, the applicant complained that some time ago, abiding by statutory requirements, it had set up in its gambling venues separate premises for smoking, making significant financial investments; however, the contested provision prohibited smoking completely. The Constitutional Court recognised that the applicant no longer could organise its commercial activities in a way it preferred without hindrance, i.e., organising not only gambling but also ensuring to visitors the possibility to smoke. Hence, the contested provisions interfered with and hindered exercising the right to property by restricting commercial activities. Such a restriction is directed not only at protecting gamblers and the employees of gambling venues from the adverse impact of smoking but also at changing the behaviour of smoking gamblers – the prohibition to smoke at gambling venues encourages the gamblers who are daily smokers to tear themselves away from gambling for a moment and, thus, it functions as a mechanism for preventing gambling addiction, creating the possibility for a gambler to regain control over their behaviour. Therefore, the said restriction is outweighed by the benefit gained by society as a whole.

Case No. 2024-16-01 regarding restrictions on the content of electronic cigarettes and tobacco substitute products, in the context of the right to property, supplemented the Constitutional Court's case-law regarding a person's economic interests which are related to commercial activities. In this case, the Court recognised for the first time that not only the right to continue commercial activities that had been commenced but also the right to gain profit from them falls within the scope of the right to property. The Court, referring to various research data, extensively examined the legitimate aim of the specific restriction on the right to property, concluding that the particular restriction served not only to protect the health of other persons, in particular children and adolescents, but also to protect

⁷ Further information about case No. 2024-20-01 is included in "Public law" section of the Report.

⁸ Thus far, the Constitutional Court has reviewed six cases regarding gambling – see the Constitutional Court's judgment of 16 May 2019 in case No. 2018-17-03, the judgment of 11 December 2020 in case No. 2020-26-0106, the judgment of 10 April 2023 in case No. 2022-13-05, the judgment of 4 April 2024 in case No. 2023-27-03, the judgment of 13 June 2024 in case No. 2023-33-01, and the judgment, adopted during the reporting period, of 30 June 2025 in case No. 2024-23-01.

public welfare. In identifying the legitimate aim, special focus was put on the precautionary principle. As regards the proportionality of such a restriction, the Court noted that commercial activities were important for the national economic development and disruptions of commercial activities adversely affected not only the business operators themselves but also the entire national economy. However, the significance of the rights and lawful interests protected by the contested regulation should be taken into account – the right to health protection directly applies to every person and is a significant precondition for respecting any other fundamental right of a person. The contested regulation, directed at making the electronic smoking devices and tobacco substitute products less attractive, protects every person from developing nicotine addiction and risks to health. Hence, the lawful interests of some business operators cannot be set above the interests of society as a whole.

The compliance of the contested provisions with the right to property was reviewed also in case No. 2024-17-03 regarding the division of the difference in water consumption if a person had not installed water consumption meters in an apartment belonging to them. Previously, a similar matter was dealt with also in case No. 2023-46-03.

In both cases, the contested provisions imposed an obligation upon apartment owners to compensate for the difference in water consumption that had occurred in the residential building, irrespective of its cause, e.g., an accident, repairs, or poor technical condition of the water supply system in the building. The Constitutional Court recognised that an apartment owner's obligation to pay the entire difference of water consumption in the building from their own financial means if a water consumption meter had not been installed in the apartment and a difference in water consumption had occurred in the building decreased the financial means of the respective apartment owner and, thus, restricted their right to property. The Court concluded that this legal regulation was not proportionate. If the difference in water consumption is caused, e.g., by poor condition of the water supply system, an accident, or repairs, then all apartment owners as a whole are responsible for it and applying the adverse legal consequences to an individual apartment owner is not fair.

Case No. 2024-21-0103 regarding the fee for land use *ex lege* was the eighth case in which the Constitutional Court reviewed legal regulation with respect to situations that occur when a building which owned by one person is built on land that is owned by another person.⁹ Most of the cases that the Constitutional Court has reviewed regarding this legal situation since 2009 were related to the amount of the fee for land use *ex lege*. In case No. 2024-21-0103, the contested provisions had been adopted to enforce the previous judgment of the Constitutional Court in this area – the judgment in



⁹ Until 1 January 2022 it was called the institute of compulsory lease, after this date – the institute of land use *ex lege*.

case No. 2022-02-01. The contested provisions determined, *inter alia*, not only the fee for land use as percentage from the cadastral value of land but also introduced a new approach, envisaging two cadastral values: the universal (used to calculate the fee for land use) and the fiscal (used to calculate the real estate tax). The Constitutional Court considered that, although the updated universal cadastral value started to be applied for calculating the fee for land use *ex lege* only six months after the time-limit set for enforcing the judgment in case No. 2022-02-01 (1 July 2024), this fact was not to be considered a violation of the principle of proper legislative procedure.

The Constitutional Court had pointed out already in its judgment in case No. 2022-02-01 that a landowner should receive a fee of land use that would fulfil the remunerative function. In case No. 2024-21-0103, in turn, situations where the said fee did not fulfil this function were defined: if the fee for use does not cover the payment of real estate tax for the particular land or is equal to it, or if, after this tax is paid, the remuneration left at the landowner's disposal is disproportionately low. Accordingly, the Court concluded that the contested provisions did not achieve in all cases a fair balance between the landowners' right to receive a fee for land use *ex lege* that would fulfil the remunerative function and the protection of building owners' rights and public welfare. Thus, the contested provisions were declared incompatible with the first and the third sentences of Article 105 of the Constitution. The Court also ruled that they would become void on 1 January 2027, at the same time noting that the adoption of the contested provisions had led to an outcome in which the right to property of some landowners had been unjustifiably violated grounds already from 1 January 2025. Therefore the legislator, no later than by 1 June 2026, has to adopt such legal regulation that would ensure to landowners the right to appropriate compensation for the unjustified infringement of their rights in the period from 1 January 2025 until the date when the new regulation on the fee for land use *ex lege* enters into effect.

Right to the protection of family and rights of the child

During the reporting period, in case No. 2025-01-01 the Constitutional Court reviewed the right to the protection of family and rights of the child guaranteed in Article 110 of the Constitution. A legal provision that contained a prohibition to become an adopter for a person who had been punished for criminal offences involving violence or threats of violence, irrespective of whether the criminal record had been extinguished or removed, was examined in the case. In case No. 2019-01-01 the Constitutional Court had already declared incompatible with Article 110 of the Constitution the said provision, insofar as it determined an absolute prohibition with respect to persons who submitted an application for adopting their spouse's child. The actual situation in the case that was reviewed last year was different – the application regarding adoption was not submitted with respect to the other spouse's child but with respect to a child who had lived for a long period in the family of spouses in the framework of out-of-family care and a *de facto* family relationship had developed between the child and the potential adopters. The Constitutional Court reviewed the constitutionality of the contested provision exactly with respect to such an actual situation, indicating that other situations in which the prohibition established by the contested provision was applicable were not comparable.

The Constitutional Court concluded that in cases where a *de facto* family relationship had developed between a child and an adult, the state should provide legal protection for such a relationship in a way that would allow its development and, at the same time, would respect the best interests of a child. Therefore, as in Case No. 2019-01-01, the Court assessed whether the state had fulfilled its positive obligation, defined in Article 110 of the Constitution, to ensure legal protection in the form of adoption for a family which is based on a *de facto* family relationship between spouses and a child who, while living in their family, is in out-of-family care. As previously, the Court concluded that the legislator had taken measures to ensure legal protection for the family and further reviewed whether these measures had been taken

properly, i.e., whether the proportionality principle had been complied with. In the case reviewed last year, the Constitutional Court did not review the prohibition included in the contested provision as an absolute prohibition. However, it recognised also in this case that the state, by not providing for the possibility of an individual case-by-case assessment, had failed to achieve proper balance between its obligation to ensure a child's right to be protected against violence and the right of a child without parental care to special protection by the state, ensuring to them, to the extent possible, care in a family environment.

Right to live in a benevolent environment

Until now, the Constitutional Court has delivered 14 judgments regarding the compliance of legal provisions with the right to live in a benevolent environment enshrined in Article 115 of the Constitution, and one of such judgments, in case No. 2024-26-03, was adopted during the reporting period. The norms in the spatial plan of Jūrmala State City, by which the functional zoning of some land plots had been changed from territory of nature grounds to territory for building private houses, were reviewed in the case. The Court developed its case-law regarding the content of the right to live in a benevolent environment, the obligations of the state and local government in ensuring environmental protection, the precautionary principle and the principle of evaluation, as well as spatial planning rules. The issue of which of the spatial planning documents – the local government spatial plan or detail planning – caused, in the particular case, an interference with the right to live in a benevolent environment was also examined in the case.

In this case, the Constitutional Court examined whether the procedure for adopting the contested provisions, *inter alia*, organizing public consultations, had been followed in accordance with the statutory requirements and whether the precautionary principle and the principle of evaluation had been respected. In the particular case, the local government had not assessed timely and accurately the damage that the enforcement of the contested provision could inflict upon environment and, thus, had violated these principles.

Case No. 2024-06-01 Language use in pre-election campaigning

On 13 February 2025, the Constitutional Court adopted its judgment in case No. 2024-06-01 “On the compliance of Article 5¹ of the Pre-election Campaign Law with Article 100 of the Constitution of the Republic of Latvia”.

The legal provisions that provide that paid pre-election campaigning before elections of the Parliament must be conducted in the official language (including written Latvian) or the Livonian language and that prior to the elections of the European Parliament of local government councils pre-election campaigns may be held also in the official languages of the European Union, with translation provided, were reviewed in the case.

The case was initiated on the basis of a constitutional complaint submitted by a political party. It was noted that a significant part of the applicant's voters spoke Russian. These voters can be effectively reached only if the applicant communicates in Russian. However, the contested provisions prohibit the dissemination of pre-election materials and the conduct of pre-election campaigns in Russian and other foreign languages that are not the official languages of the European Union. Thus, the applicant's right to the freedom of expression is disproportionately restricted.

First, the Constitutional Court terminated the legal proceedings regarding the constitutionality of Article 5¹(3) of the Pre-election Campaign Law because the said legal provision did not interfere with the applicant's fundamental rights.

Second, the Constitutional Court pointed out that, pursuant to the first sentence of Article 100 of the Constitution, everyone has the right to the freedom of expression which includes the right to freely receive, keep, and distribute information, as well as to express their views. The freedom of expression is a value of a democratic state and, simultaneously, also an essential pre-condition for free elections –

to allow voters to express their will freely it is important to ensure a free exchange of opinions and information during the pre-election period. However, in the current geopolitical situation, the development of the voter's free will is endangered. Russia is using various measures of informational impact to raise tension in the Latvian society, to increase distrust in the state power and politics, and to create conditions for re-orienting Latvia's policy towards Russia. These measures, *inter alia*, are targeting the election processes ongoing in Latvia with the aim to separate the Russian-speaking inhabitants from the rest of society and to undermine Latvia's political stability. The idea that "the Russian world" extends also beyond Russia has been developed in Russia's politics and propaganda. Hence, Russia is using the protection of its "compatriots'" interests as a pretext for interfering into the internal affairs of other states, for using military force, and violating their territorial integrity.

Third, the Constitutional Court concluded that the Russian language could be used as a means for achieving Russia's geopolitical aims. By using political organisations focusing on the Russian-speaking part of society, it has been trying for a long time to reinforce the positions of the Russian language in Latvia, to hinder integration of these inhabitants in the Latvian society, as well as to make it easier to manipulate them by using propaganda and disinformation. Therefore it is essential, in the period of pre-election campaigning, to decrease the possibility of spreading messages supporting Russia's aggressive politics that have a negative impact on those inhabitants of Latvia who wish that Latvia's politics would be develop towards Russia.

Fourth, the Constitutional Court underscored: to protect public security and the democratic state order against measures of foreign informational impact, strengthening the use of Latvian as the common language is one of the fundamental elements. Maintaining a united informative space based on the official language decreases the possibility to divide the Latvian society and, for a part of it, to be influenced by the content of pre-election campaigning spread in foreign languages. Thus, the contested provisions that decrease the use of foreign languages in the period of pre-election campaigning and increase the use of the official language are aimed at decreasing the influence of Russia's informational impact measures. In this way, not only Latvia's public security and its democratic state structure but also the security and democracy of all Europe is protected. At the same time, the Court added that the contested provisions did not envisage a total prohibition for political parties to use foreign languages which are not official languages of the European Union in their communication with voters. Unpaid campaigning in social networks, for example, may be conducted in any language; moreover, the contested provisions apply only to the pre-election period.

In the current geopolitical situation, the Russian language can be used as the bearer of Russia's ideology, therefore the regulation on language use is an essential matter of Latvia's national security.

In view of the above, the Constitutional Court declared Article 5¹(1) and (2) of the Pre-election Campaign Law to be compatible with the first sentence of Article 100 of the Constitution.

Judge of the Constitutional Court Jānis Neimanis added his separate opinion to the judgment, stating that the state could establish restrictions on exercising the freedom of expression. However, the state's discretion regarding the choice of language exactly in the context of political discourse and elections was narrow, in particular, before elections or referenda.

Case No. 2024-07-01 On State compensation to Victims

On 27 June 2025, the Constitutional Court delivered its judgment in case No. 2024-07-01 "On the compliance of Article 7(1) and Article 7¹ (4) of the law "On State Compensation to Victims" with the third sentence of Article 92 of the Constitution of the Republic of Latvia".

The legal provisions that determined the amount of state compensation to be paid to several victims in the case of a person's death were reviewed in the case.

The case was initiated on the basis of an application by the Administrative District Court. It was alleged that pursuant to the contested provisions victims are paid state compensation for the damage inflicted upon them as the result of a criminal offence in the amount of five minimal monthly salaries but, in the case where the criminal offence has caused a person's death and several persons have been recognised as victims in criminal proceedings, the state compensation is disbursed to these persons divided proportionally by the number of victims. The applicant alleged that in the case of a person's death the state compensation to be disbursed to every victim is evidently insufficient because its maximum amount is divided between several victims. Hence, the contested provisions do not ensure the right to commensurate compensation.

First, the Constitutional Court recognised that the third sentence of Article 92 of the Constitution envisages the state's obligation to create legal remedies that, in the cases where a criminal offence

had caused a person's death, would be aimed at effective investigation of the criminal offence, identification, and punishing of the person at fault. Likewise, they should ensure that the victim could receive commensurate compensation for the harm caused by such a criminal offence.

However, primarily, it is the perpetrator of the

intentional criminal offence who has the duty to pay the commensurate compensation. The state does not have a legal obligation to undertake the duty to provide full compensation instead of the person who has committed the criminal offence.

Second, the Constitutional Court noted that the state compensation available by means of a simplified procedure ensured to a victim timely support by the state, even if the final ruling in criminal proceedings had not yet come into effect. Moreover, in cases where the person at fault has no assets or property against which recovery should be sought or where the person at fault cannot be identified or made criminally liable, the state compensation to the victim is the only compensation for the harm inflicted by the criminal offence.

Third, the Constitutional Court underscored that a fair and commensurate compensation should not necessarily be identical to the compensation that could be awarded to the victim of an intentional violent criminal offence to be paid by the perpetrator of this crime. However, compensation may not be symbolic or evidently insufficient. Compensation may be deemed to be fair and commensurate if it compensates, to an appropriate extent, for the suffering inflicted upon victims.

Fourth, the Constitutional Court concluded that the compensation granted to each victim in the case reviewed by the applicant court, i.e., EUR 620, cannot be deemed to be fair and commensurate. It would be even more unfair and incommensurate with a higher number of victims. In such cases, the compensation to be disbursed inevitably would be only symbolic and evidently insufficient. Such recompense as part of commensurate compensation does not attain the purpose of the law "On State Compensation to Victims" and is contrary to human dignity. Hence, the contested provisions, insofar as they determine the maximum amount of state compensation to be granted in the case of a person's death, envisaging division of such compensation proportionally to the number of victims and, thus, failing to ensure fair and commensurate compensation, are incompatible with the third sentence of Article 92 of the Constitution.

Judge of the Constitutional Court Jānis Neimanis added a separate opinion to the judgment, stating that the state, by providing compensation to victims, does not establish a mechanism for redressing the infringement of rights within the meaning of the third sentence of Article 92 of the Constitution. Such compensation could be examined in the context of Article 109 of the Constitution as one of the measures for promoting social security.

The state compensation to victims of a criminal offence may not be symbolic and evidently insufficient – it must respect human dignity.

Case No. 2024-16-01 *Electronic cigarettes and nicotine pouches*

On 24 October 2025, the Constitutional Court delivered its judgment in case No. 2024-16-01 “On the compliance of Article 3(1)(8), Article 3 (5¹)(3) and the annex of the Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids with the first sentence of Article 91 and the first three sentences of Article 105 of the Constitution of the Republic of Latvia; and the compliance of Article 3(2)(4) and Article 3(5) (3), as far as they concern additives listed under Article 3(2)(4), of the Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids with the first three sentences of Article 105 of the Constitution of the Republic of Latvia”

The legal provisions that determine restrictions on the content of electronic smoking devices and tobacco substitute products were reviewed in the case.

The case was initiated on the basis of constitutional complaints submitted by two companies. It was noted in the applications that the applicants’ commercial activities were linked to the production and distribution of tobacco substitute products (namely, non-tobacco nicotine pouches), as well as of electronic smoking devices (among others, electronic cigarettes). The applicants alleged that their right to property had been disproportionally restricted by the contested provisions that determined: 1) a prohibition to add to the liquid of electronic smoking devices and non-tobacco nicotine pouches flavouring agents that contained any smell or taste other than that of tobacco; 2) a prohibition to add to the liquid of electronic smoking devices additives that made inhalation or consumption of nicotine easier; and 3) determined the maximum permissible concentration of nicotine for non-tobacco nicotine pouches. It was alleged that the prohibition to add flavouring agents to non-tobacco pouches, as well as the determination of the maximum permissible concentration of nicotine violate also the legal equality principle.

First, the Constitutional Court underscored that nicotine was one of the strongest addiction-causing substances known in the world, leading to serious health risks. Nicotine has adverse effects on the cardiovascular, respiratory, renal and reproductive systems, being the cause of various diseases. Likewise, nicotine hinders the functioning of immune system by increasing susceptibility to infections and inflammatory processes, as well as fosters the development of tumours in the body.

Second, the Constitutional Court recognised that adding flavouring agents to nicotine-containing products was a strategic way for making these products more attractive to consumers and facilitating nicotine addiction. Consumers find flavouring agents with the taste of fruit, berries, deserts, sweets, or another pleasant taste or smell more attractive than the flavouring agents that create the smell or taste



of tobacco. Moreover, flavouring agents attract, in particular, children and adolescents to trying these products and starting to use them regularly. Although children and adolescents are prohibited from purchasing these products, nevertheless, many children and adolescents have tried or used these products.

Third, the Constitutional Court rejected the applicants' argument that electronic smoking devices and tobacco substitute products did not cause harm to consumers' health. With respect to non-tobacco nicotine pouches, the Court took into account that it was a new product and there were no independent studies of their long-term impact on human health. The Court referred to the precautionary principle – if the existence or the scope of the risk for human health were unclear, protective measures could be taken without waiting until the existence or the severity of this risk were clearly proven.

Fourth, the Constitutional Court noted that commercial activities were important for the national economic development; however, the right to health protection directly applies to every person and is an essential pre-condition for exercising any other fundamental rights of a person. The contested provisions decreased the future burden upon the national health system and, accordingly, the morbidity risks for future

generations. The lawful interests of some commercial operators cannot be placed above the interests of society in general.

Fifth, the Constitutional Court concluded that the commercial operators who distributed tobacco substitute products in Latvia and commercial operators who distributed other nicotine-containing products in Latvia were not comparable from the perspective of legal equality. Likewise, the distributors of tobacco substitute products are not comparable to the distributors of nicotine-containing medicinal products included in the Medicinal Product Register of Latvia.

In view of the above, the Constitutional Court declared Article 3(1)(8), Article 3(5¹)(3) and the annex of the Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids to be compatible with the first sentence of Article 91 and the first three sentences of Article 105 of the Constitution; whereas Article 3(2)(4) insofar as it applied to the liquids of electronic smoking devices and Article 3(5)(3), as far as it concerns additives listed under Article 3(2)(4) of that Law, were declared to be compatible with the first three sentences of Article 105 of the Constitution.

At the same time, the Constitutional Court added that, after the contested provisions entered into effect, it was possible to purchase at sales points separate packagings with various flavoured food additives that a consumer could add as they wished to the base liquid of electronic smoking devices. Moreover, during the first four months of 2025, the amount of electronic smoking devices and tobacco substitute products in the illegal market had increased. Thus, also after the respective legal regulation has entered into effect, the legislator must constantly check whether the measures that have been introduced continue fulfilling their tasks effectively.

Case No. 2024-17-03 *Difference in water consumption*

On 12 June 2025, the Constitutional Court delivered its judgment in case No. 2024-17-03 “On the compliance of paragraph 19¹(2) of the Cabinet of Ministers Regulation No. 1013 of 9 December 2008, “Procedures for Apartment Owners in Multi-Apartment Residential Buildings to Settle Accounts for Services Related to the Use of Apartment Property” (in the wording that was in force from 1 October 2013, to 21 November 2019) and of sub-paragraph 11.2 of the Cabinet of Ministers Regulation No. 524 of 15 September 2015, “Procedures for the Determination, Calculation, and Registration of the Share Payable by Each Residential House Owner for the Services Necessary for

Electronic cigarettes and non-tobacco nicotine pouches should be considered “an entrance gate” to cigarette smoking and premature death.

the Maintenance of the Residential House”, (in the wording that was in force from 30 September 2015 to 2 September 2021) with Article 105 of the Constitution of the Republic of Latvia”.

Legal provisions which determined the procedure for dividing the difference in water consumption were reviewed in the case.

The case was initiated on the basis of applications submitted by the Vidzeme Regional Court and the Senate. It was stated in the applications that, pursuant to the contested provisions, if difference in water consumption in a residential building has occurred and an apartment owner has not installed in their apartment a water consumption meter, the difference in water consumption must be covered by that apartment owner. However, the contested provisions do not take into account that difference in water consumption may be caused by poor technical condition of the water supply system, an accident, or repairs, as well as malfunctioning of meters. Thus, the contested provisions place disproportional restrictions on an apartment owner's right to property because they may be imposed an obligation to cover an excessive difference in water consumption.

It is impermissible that a person could avoid paying for the consumed water by not proving information on the water consumption meter readings.

The Constitutional Court recognised that in civil law the relationship between joint owners was regulated by the principle according to which costs were covered proportionally to each owner's share in the joint property. The Cabinet of Ministers has departed from this principle, envisaging in the contested provisions that a person who has not installed a water consumption meter has to cover the entire difference in water consumption, irrespective of its causes. Fulfilment of this obligation may cause a significant and unpredictable financial burden to a person. Hence, the procedure for dividing the difference in water consumption established in the contested provisions is not proportionate because additional circumstances that might cause this difference have not been taken into account; likewise, the maximum norms of water consumption have not been defined. If the difference in water consumption is caused by, e.g., poor technical condition of the water supply system, an accident, or repairs, then all apartment owners together are responsible for it and attributing the legal consequences only to one apartment owner is neither fair nor proportionate. Thus, the contested provisions are incompatible with the first three sentences of Article 105 of the Constitution.

Case No. 2024-21-0103 Fee for land use *ex lege*

On 10 December 2025, the Constitutional Court delivered a judgment in case No. 2024-21-0103 “On the compliance of the second sentence of Article 38(2) and of Article 42(7) of the law “On the Time Period of Coming into Force and the Procedures for the Application of the Introduction, Parts of Inheritance Rights and Property Rights of the Renewed Civil Law of 1937 of the Republic of Latvia”, as well as of paragraphs 43¹, 43² un 43³ of the Transitional Provisions of the State Immovable Property Cadastre Law with Article 1, the first and the third sentence of Article 105 of the Constitution of the Republic of Latvia, as well as the compliance of paragraphs 40 and 42 of the Cabinet of Ministers Regulation of 18 February 2020 No. 103 “Regulations Regarding Mass Appraisal” with the first and the third sentence of Article 105 the Constitution of the Republic of Latvia”.

Legal provisions that determined the fee for land use *ex lege* and the procedure of cadastral appraisal of land that is in use *ex lege* were reviewed in the case.

The case was initiated on the basis of constitutional complaints submitted by landowners who owned land on which buildings owned by other persons were located. The applicants alleged that by adopting the contested provisions the legislator had not balanced the rights of landowners and those of building owners. In situations where the universal cadastral value is lower than the fiscal cadastral

value, the amount of fee for land use *ex lege*, after paying the real estate tax, has decreased and, in many instances, even does not cover the payment of the real estate tax. Thus, the applicants' right to property has been disproportionately restricted and their legitimate expectations are not protected.

First, the Constitutional Court recognised that the legislator had taken measures to eliminate the deficiencies in the legal regulation referred to in the Constitutional Court's judgment of 2 May 2023 in case No. 2022-02-01. The legislator, *inter alia*, had introduced two cadastral values – the universal and the fiscal value. The universal cadastral value is the value of cadastral object that has been updated and approximated to the market situation and is used in calculating the fee for land use *ex lege*. Whereas the fiscal cadastral value, which has not been updated, is used to calculate taxes and other public payments. The universal cadastral value can both increase and decrease in comparison

with the fiscal cadastral value, as well as remain unchanged.

Second, the Constitutional Court pointed out that, for the majority of 67 thousand land units that could be in the legal relationship of land use *ex lege*, the universal cadastral value had increased; however, for approximately 11 thousand land units the universal cadastral

value was lower than the fiscal cadastral value. Thus, situations are possible where the remuneration that remains at the landowner's disposal after paying the real estate tax is disproportionately low. Situations where the payment of the real estate tax exceeds the fee for land use *ex lege* are also possible. Moreover, application of the standard area and its correctional coefficient to the building land of an apartment building in calculating the universal cadastral value of land decreases the cadastral value of land even more and, logically, also the fee for land use *ex lege*.

Third, the Constitutional Court underscored that the legislator should strike a fair balance between the right of every landowner to receive a fee for land use *ex lege* that would fulfil the remunerative function and the protection of building owners' rights. However, the cases where the fee for land use *ex lege* does not cover the payment of the real estate tax or the remuneration that remains at the landowner's disposal after the real estate tax is paid is disproportionately low proves that this balance has not been achieved yet. Legal regulation that places one participant of a legal relationship in an evidently worse situation than the other is not fair and also cannot ensure social peace and the protection of public welfare.

Fourth, the Constitutional Court concluded that for those landowners, the universal value of whose land had increased, in many cases the fee for land use *ex lege* was decreased also by the restriction placed on its increase – 30 per cent compared to the fee of the previous year. Also by this, the legislator had not balanced the rights of building owners and landowners in all cases. The legislator had taken steps to protect the rights of the owners of residential buildings, assuming that they are socially more vulnerable than landowners. However, this assumption is not always valid. For example, the said regulation applies also to legal persons who cannot be considered to be a socially vulnerable group. Other solutions can be found for the situations where owners of residential buildings might find it difficult to pay the fee for land use *ex lege*, *inter alia*, by resorting to the system of social assistance.

In view of the above, the Constitutional Court declared the contested provisions to be incompatible with the first and the third sentence of Article 105 of the Constitution. At the same time, the Court ruled that the legislator had to adopt legal regulation that would ensure a commensurate compensation to landowners for the unjustified interference with their rights caused by the contested provisions.

Legal regulation that places one participant of a legal relationship in an evidently worse situation than the other is not fair and also cannot ensure social peace and protection of public welfare.

Case No. 2024-23-01 *Prohibition of smoking in gambling halls*

On 30 June 2025, the Constitutional Court delivered a judgment in case No. 2024-23-01 “On the compliance of Article 12 of the law of 11 January 2024 “On Amendments to the Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids”, insofar as it supplements Article 10(2) of the Law on the Handling of Tobacco Products, Tobacco Substitute Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids with subparagraph 17, with Article 1 and the first three sentences of Article 105 of the Constitution of the Republic of Latvia”.

A legal provision that prohibited smoking in gambling venues was reviewed in the case.

The case was initiated on the basis of a constitutional complaint. It was alleged that the applicant’s commercial activities were linked to gambling organization. In accordance with law, the applicant had set up in its gambling venues separate premises for smoking, making significant financial investments. However, the contested provision prohibited smoking in gambling venues, causing losses for the applicant related to setting up the premises for smoking.

Thus, the principle of legitimate expectations had been infringed and the right to property had been disproportionately restricted.

First, the Constitutional Court noted that the prohibition to smoke in gambling venues prevented a situation where the possibility to smoke in indoor premises was ensured to a visitor who was addicted to smoking and overcome by the wish to smoke. Likewise, this prohibition restricts also passive smoking or being in tobacco smoke. The Court underscored that partial restrictions on smoking, e.g., such solutions as separate zones for smokers and non-smokers, purification of air, and ventilation of buildings could not fully protect non-smokers from being exposed to cigarette smoke. At the same time, the prohibition to smoke in gambling venues is directed also at changing the gamblers’ behaviour. It encourages smokers to break away from gambling for a moment, to leave the premises closed off from the outside world where gambling takes place and, thus, perhaps, turn away from the respective environment. Hence, the restriction of smoking functions also as a mechanism for preventing gambling addiction, facilitating a gambler’s ability to regain control over their behaviour.

Prohibition of smoking in gambling venues not only protects against the harmful impact of smoking but also functions as a mechanism for preventing gambling addiction.



Second, the Constitutional Court recognised that the applicant could have developed protected legitimate expectations that it would be able to use the smoking premises set up in its gambling hall in the long-term. However, it could not have developed protected legitimate expectations that the legal regulation would not be changed. In the particular case, the legislator has provided for a lenient transition to the new legal regulation – organisers of gambling were granted almost a year for adjusting the practice of their commercial activities to the new legal regulation. Moreover, organisers of gambling are not prohibited from transforming their premises and using them for other purposes instead of smoking. Although adapting the smoking premises for other purposes might require certain financial investment, also such financial investment should be deemed to be proportionate vis-à-vis the benefit gained as the result of the contested provisions by visitors and employees of gambling venues, as well as society as a whole.

In view of the above, the Constitutional Court declared the contested provision to be compatible with Article 1 and the first three sentences of Article 105 of the Constitution.

Judge of the Constitutional Court Jānis Neimanis added his separate opinion to the judgment. It is stated in the separate opinion that the prohibition of smoking in gambling venues does not restrict the right to property of the organisers of gambling but the freedom to choose an occupation, *inter alia*, commercial activities, enshrined in Article 106 of the Constitution.

Case. 2024-26-03 Spatial plan of Jūrmala

On 13 November 2025, the Constitutional Court delivered a judgment in case No. 2024-26-03 “On the compliance of paragraphs 2411, 2412, and 2413 of the Jūrmala City Council Binding Regulation No. 2 of 25 January 2024, “Regarding the Approval of Amendments to the Jūrmala State City Spatial Plan, Territorial Use and Building Regulations”, and also the graphical part that determines the change of functional zoning of land units with cadastre designations (13 000 030 601, 13 000 075 408,

13 000 075 912, 13 000 112 702, 13 000 123 101) to the territory of the construction of detached houses with Article 115 of the Constitution of the Republic of Latvia”.

Provisions in the Spatial Plan of Jūrmala State City, by which the zoning of land units had been changed from a territory of nature grounds to a territory for building detached houses, were reviewed in the case.

Spatial planning is directed at aligning different interests, therefore a comprehensive assessment is a mandatory element in spatial planning for adopting the most appropriate decision for the local government and its inhabitants.

The case was initiated on the basis of a constitutional complaint. It was stated that the local government, when permitting construction on the disputed land units, had not properly assessed the environmental impact of the contested provisions. Thus, the contested provisions were said to be incompatible with the right to live in a benevolent environment.

First, the Constitutional Court recognised that a benevolent environment was an environment where persons could lead a healthy and productive life in harmony with nature. The concept of benevolent environment is also closely related to the sustainability principle which requires safeguarding and creating a qualitative environment for the current and future generations. Spatial planning, in turn, is one of the processes aimed at ensuring a sustainable environment. It is directed at aligning different interests, therefore a comprehensive assessment is a mandatory part of spatial planning.

Second, the Constitutional Court noted that it was the local government’s duty to ensure that a spatial plan was sustainable and that, in its adoption, *inter alia*, the precautionary principle and the principle of evaluation were respected. In accordance with the precautionary principle, a local government is obliged to assess, as timely and accurately as possible, the possible adverse environmental impact of the spatial plan. If a local government obtains information that environment

could be harmed, its duty is, pursuant to the principle of evaluation, to assess and substantiate this harm, *inter alia*, by requesting the necessary expert opinions.

Third, the Constitutional Court underscored that the Baltic Sea coast played an important role in the preservation of biological and scenic diversity. The sea coast comprises very valuable ecosystems that are found only in this part of Latvia's territory. For example, even in the area of a small biotope "coastal dune woodlands", species under special protection can be found, which might be harmed by the application of the contested provisions.

Fourth, the Constitutional Court concluded that the local government, by determining the use of disputed land units as construction of detached buildings and postponing more detailed research of nature and biological diversity to the period when detail plan would be developed, had not taken into consideration its obligation to ensure benevolent protection for species and biotopes, as well as the protection of specially protected nature areas. Neither has the local government provided data-based justification on how the contested provisions ensure that the economic and social aims advanced by the local government would be met and that the benefit to society would outweigh the possible environmental damage. Since the sustainability, the precautionary principle and the principle of evaluation had been violated in the process of adopting the contested provisions, they were declared to be incompatible with Article 115 of the Constitution.

Case No. 2024-28-01 *Prohibition to be a firefighter*

On 22 September 2025, the Constitutional Court delivered a judgment in case No. 2024-28-01 "On the compliance of Article 4(4) of the Law on the Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prison Administration, insofar as it prohibits a person who has been convicted for committing an intentional criminal offence from being in the service of the State Fire and Rescue Service, regardless of extinguishing or setting aside the criminal record, with the first paragraph of Article 101 and the first sentence of Article 106 of the Constitution of the Republic of Latvia".

The mere fact that a criminal offence had been committed may not automatically and irreversibly affect a person's future life.

A legal provision that prohibited a person who had been convicted for committing an intentional criminal offence from being in the service of the State Fire and Rescue Service, regardless of extinguishing or setting aside the criminal record, was reviewed in the case.

The case was initiated on the basis of the Senate's application. It was stated that a decision on retiring a person from the State Fire and Rescue Service had been appealed against in an administrative case. The said person had held the office of a firefighter (driver) for eleven years; however, then, on the basis of the contested provision, had been retired because more than two decades ago he had been convicted of committing an intentional criminal offence. Since the contested provision does not envisage an individual assessment of a person, it disproportionately restricts the right to hold a position in the civil service and to freely choose one's vocation.

First, the Constitutional Court recognised that officials of the State Fire and Rescue Service acted in the name of the state and represented an institution of public administration. A criminal record for committing an intentional criminal offence, even if it has been extinguished or set aside, may create doubts regarding a person's suitability for the office and the fulfilment of the respective authorisation. Such doubts can adversely affect not only society's trust in the respective official but, in general, decrease the overall trust in the service as an institution of public administration. Trust is a pre-condition for the service to fulfil its functions and tasks effectively, based on society's trust and support.

Second, the Constitutional Court pointed out that it already had reviewed the constitutionality of the contested provision, insofar it prohibited a person convicted for committing an intentional criminal offence from serving in the State Police. The activities of both the State Police and the State Fire and Rescue Service are directed at ensuring public security; however, these services have different tasks. Likewise, officials of the respective services have different rights. Therefore, the requirements set for persons wishing to be in one or the other service may differ. Thus, although the State Fire and Rescue Service implements measures necessary to ensure public security, it does not follow from the nature of its tasks and the scope of its mandate that a person's past actions, i.e., a conviction for an intentional criminal offence, would never be compatible with performing the tasks of this service.

Third, the Constitutional Court concluded that there could be various circumstances that, in their conjunction, would allow to recognise that a person's past criminal activity would not jeopardise society's objective trust in the service. The following circumstances may be taken into account, *inter alia*: the degree of severity of the criminal offence, the person's conduct and actions after committing the criminal offence, the time that has elapsed since the criminal offence was committed, the protected interests that the criminal offence targeted, as well as a person's attitude towards their actions. Such circumstances could be taken in consideration, e.g., by conducting an individual assessment. Hence, the legitimate aim of the restriction established in the contested provision could be achieved in equivalent quality by measures that restrict a person's rights to a lesser extent, moreover, without requiring disproportionate investments from the state and society.

In view of the above, the Constitutional Court declared Article 4(4) of the Law on the Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prison Administration, insofar as it prohibited a person who has been convicted for committing an intentional criminal offence from being in the service of the State Fire and Rescue Service, regardless of extinguishing or setting aside the criminal record, until the date when Article 4(2) and Article 7(2²) of that law entered into effect, i.e., 18 December 2024, to be incompatible with the first paragraph of Article 101 and the first sentence of Article 106 of the Constitution.

Case No. 2025-01-01 *Prohibition to be an adopter*

On 19 December 2025, the Constitutional Court delivered a judgment in case No. 2025-01-01 "On the compliance of Article 163(4)(1) of the Civil Law, insofar as it prohibits a person to adopt a child who is not a child of the other spouse, with Article 110 of the Constitution of the Republic of Latvia".

A solution that ensures to a child a permanent family relationship, as well as a safe and benevolent environment where they can grow up and develop is in the best interests of a child.

A legal provision that prohibited spouses, of whom one had been convicted for a violent criminal offence, from adopting a child who lived in their family in out-of-family care, was reviewed in the case.

The case was initiated on the basis of an application by the Riga Regional Court. It was noted that the applicant court was reviewing a civil case that had been initiated on the basis of a joint application by spouses regarding the approval of the adoption of a child who had lived with their family for a long time. One of the applicants had been convicted for committing criminal offences involving violence. Although his criminal record had been extinguished, the prohibition to become an adopter established in the contested provision still applied to him. Thus, the contested provision was said to be incompatible with the right to protection of family.

First, the Constitutional Court found that sometimes enduring and close personal ties may develop between a child without parental care and his carer, which means that a *de facto* family

relationship exists. The requirement of legal protection of such relationships derives from Article 110 of the Constitution. Namely, if, in the framework of out-of-family care, a *de facto* family relationship has developed between the spouses and a child who is not their biological child, then the state should ensure that this relationship could develop also in the future in accordance with the best interests of a child. Adoption is one of the ways for ensuring this.

Second, the Constitutional Court noted that the state is under the duty to ensure a safe and benevolent environment for a child's development. Thus, the contested provision prohibits a person who has been convicted for a criminal offence involving violence or threats of violence from becoming an adopter. However, the legislator, when assessing the possibilities for protecting children against violence, had not considered whether the contested provision provides for the child's interests in the best possible way also in cases where a person's criminal record has been extinguished, a person has successfully resocialised, and is able to create a safe and benevolent family environment for the child.

In view of the above, the Constitutional Court concluded that the prohibition included in the contested provision, was not proportionate. The aim of protecting children against violence can be achieved by measures that restrict a person's rights to a lesser extent, e.g., envisaging in the contested provision exemptions or an individual assessment of a person. Hence, the Court ruled that, with respect to spouses who submitted a joint application regarding adopting of a child who, while living with their family, was in out-of-family care and with whom both had developed a *de facto* family relationship, the contested provision was incompatible with Article 110 of the Constitution.



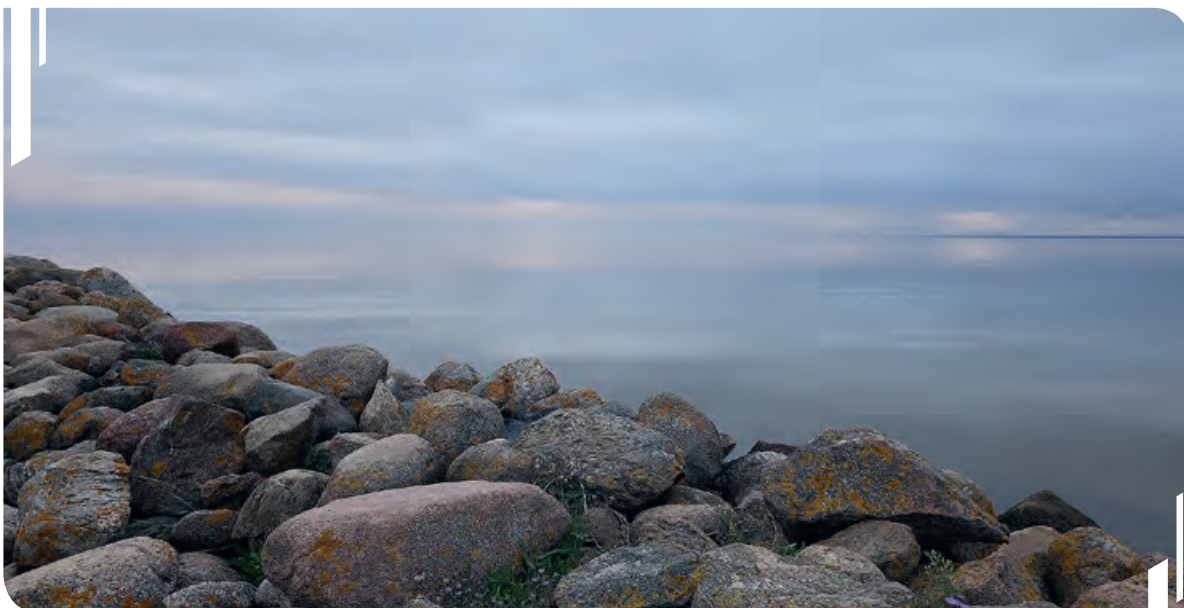
2.2. Public law

(institutional part of the Constitution)

During the reporting period, the Constitutional Court reviewed two cases related to the area of public law. Both cases – No. 2024-20-01 and No. 2024-33-05 – pertain to a sub-category of public law – the rights of local government, and the interaction between local governments and the central power was examined in these cases.

In case No. 2024-20-01, the Constitutional Court examined the constitutionality of provisions contained in a law by which the local government council of Rēzekne State City had been dismissed. With the Law on the Dismissal of the Local Government Council of Rēzekne State City entering into effect, the functioning of the local government council as a representative body of a local government was terminated, a temporary administration had been appointed to the respective administrative territory, which performed the council's functions as defined in laws. Before hearing the case on its merits, the Constitutional Court ruled at a preparatory hearing on the application by the temporary administration of the local government of Rēzekne State City by which it had revoked the application submitted to the Constitutional Court by the local government council. The Court concluded that a temporary administration had the right to represent the local government before the Constitutional Court and, *inter alia*, revoke the application submitted by the local government council. However, in view of the significance of the matter under review, it ruled that termination of legal proceedings on the basis of the reasoning provided by the temporary administration would not ensure an effective protection of the local government's rights.

This is the second case in which the Constitutional Court had to rule on the compliance of a provision contained in a law by which a local government council had been dismissed with the provisions with a higher legal force.¹⁰ The Constitutional Court had previously made statements regarding the types of ex-post controls over a local government's work and the methodology for verifying the constitutionality of such legal provisions. Namely, in the past the Court had assessed whether the law on dismissing a local government council had been adopted in accordance with the conditions envisaged in the law "On Local Governments", *inter alia*, whether repeated or systemic



¹⁰ Previously, the Constitutional Court heard a case regarding the dismissal of the Riga City Council – see the Constitutional Court's judgment of 3 December 2020 in case No. 2020-16-01.

significant violations had been found in the activities of a local government council and whether this law had been adopted in lawful procedure, on the basis of specific facts and legal arguments. Although the Constitutional Court used a similar methodology for reviewing the constitutionality of the contested provisions in case No. 2024-20-01, certain differences from the previously used methodology may be noted. In this case the Court also examined whether the procedure for dismissing a local government council established in legal provisions had been complied with. However, in verifying whether any of the grounds for dismissing a local government council defined in the law “On Local Governments” had set in, the Constitutional Court specified that pursuant to the principle of local self-government the grounds for dismissing a local government should be a violation that may be deemed significant. In this case, the Court established that the council had violated, for a long period and repeatedly, several regulatory enactments, as well as the principles that define the basic requirements regarding a local government’s budget. Namely, in this case the Constitutional Court found that the violations of regulatory enactments had been significant by concluding that all of them, in their conjunction, should be deemed to be significant. Finally, as before, the Constitutional Court assessed whether, in the particular circumstances, the dismissal of the local government council as a measure of ex-post control over the lawfulness of a local government’s actions had been necessary in a democratic state governed by the rule of law. In this respect, the Constitutional Court took into consideration the following: the fact that a supervisory authority already had used one of the measures of ex-post control, e.g., removal of the council’s chairperson, did not exclude the application of other respective measures, if the aim had not been reached by the previously chosen measure. The Court underscored that the aim of the supervision over the local government’s activities implemented by the state was not achieving a formal elimination of violations committed by the local government council but to ensure that a local government council was able to perform properly the tasks entrusted to it, i.e., to restore a lawful functioning of the local government council. The state had used the mechanisms for supervising a local government’s activities available to it, as well as financial resources to improve the financial situation in the local government and to help it to resolve the financial difficulties it had incurred. The Court, however, concluded that the local government nevertheless was unable to perform properly the tasks of public administration entrusted to it and, thus, its activities as the subject of public law had been hindered.

An order of the Minister for Smart Administration and Regional Development, by which the Minister had suspended a binding regulation of a local government by which a detailed plan for particular real estate objects had been approved was reviewed in case No. 2024-33-05. The Constitutional Court has previously reviewed the Minister’s orders which suspended binding regulations of a local government that were related to a spatial plan or a detailed plan already several times.¹¹ In all these cases, the Constitutional Court examined the compliance of a Minister’s order with, *inter alia*, the constitutional provisions, e.g., Article 1 of the Constitution. Although the case under review was initiated with respect to the compliance of the Minister’s order with Article 1 of the Constitution, provisions of the European Charter of Local Self-Government, a provision of the law “On Local Government” and a provision of the Spatial Development Planning Law, the Constitutional Court reviewed the compliance of the order only with a provision of the Spatial Development Planning Law. The Constitutional Court interpreted Article 16(5) of the Constitutional Court Law, which defines the Court’s jurisdiction to review cases regarding the compliance with law of an order, by which a Minister authorised by the Cabinet of Ministers, has suspended a decision adopted by a local government council, to mean that the concept of “law” should be understood as the respective legal provision that defines the competence of the Minister authorised by the Cabinet of Ministers, and on the basis of

¹¹ See, for example, the Constitutional Court’s judgment of 9 March, 2004 in case No. 2003-16-05, the judgment of 27 March 2008 in case No. 2007-17-05, and the judgment of 24 March 2009 in case No. 2008-39-05. See also the Constitutional Court’s decision of 8 March 2023 to terminating the legal proceedings in case No. 2022-25-05.

which the order had been issued. In this case, taking into account that, unlike in other similar cases in which a judgment had been delivered the Minister exercised control on the basis of an initiative by persons, the legal provision in play was Article 27(3) of the Spatial Development Planning Law. Hence, the Constitutional Court reviewed whether the Minister, in issuing the contested order, had abided by the procedure defined in this legal provision, *inter alia*, whether the local government had been informed about the received submissions. Following that, the Court examined whether the solutions included in the detailed plan complied with the requirements contained in regulatory enactments, as well as whether the committed violations could be deemed to be significant.

Case No. 2024-20-01 Dismissal of the Rēzekne City Council

On 20 May 2025, the Constitutional Court delivered a judgment in case No. 2024-20-01 “On the compliance of Articles 1 and 4 of the Law on Dismissal of the Rēzekne City Local Government Council and Article 1(3)(2) of the Law on the Election of Local Government Councils with Articles 1 and 101 of the Constitution of the Republic of Latvia”.

A legal provision by which the local government council of Rēzekne State City had been dismissed because of violating basic budgetary requirements set in regulatory enactments was reviewed.

If a local government's budget does not reflect the true situation and the local government assumes commitments exceeding the financial resources at its disposal harm can be inflicted on the interests of the residents of the particular local government and the entire state.

The case was initiated on the basis of an application by the dismissed local government council of Rēzekne State City. It was alleged in the application that the dismissal of the applicant was incompatible with the proportionality principle and the principle of local government because the committed violations were not significant and no harm had been inflicted either on the residents of local government or society as a whole.

First, the Constitutional Court terminated the legal proceedings in the part regarding the compliance of Article 4 of the Law on Dismissal of the Rēzekne City Local Government Council and Article 1(3)(2) of the Law on the Election of Local Government Councils with Articles 1 and 101 of the Constitution. These legal provisions regulate the appointment and functioning of a temporary administration and, hence, interfere with the fundamental rights of the local government's residents. However, a local government council does not have the right to submit a constitutional complaint to the Constitutional Court in the name of its residents.

Second, the Constitutional Court found that a local government in its activities was obliged to comply with legal acts, whereas the state was obliged to supervise how compliant a local government was. Several measures of ex-post control over a local government's activities have been envisaged for this supervision, including a dismissal of a local government council. It is the ultimate measure of ex-post control over the lawfulness of a local government's activities, the application of which causes the most severe legal consequences because its application leads to the dismissal of a democratically elected institution.

Third, the Constitutional Court noted that a local government's budget was linked to the state budget and was a part of the consolidated state budget. Although a local government has the right to develop and approve its budget independently and, thus, has the autonomy to decide on its financial management, in exercising this right a local government is obliged to act within the law. Moreover, in drawing up its budget, a local government must abide by the constitutional principles for drawing up a budget included in Article 66 of the Constitution.

Fourth, the Constitutional Court concluded that the applicant had for a long time and repeatedly violated regulatory enactments that defined the basic requirements regarding a local government budget. The applicant had assumed commitments that exceed the financial resources at its disposal,

as well as hindered the receipt of a loan from the state, thus causing a new risk of financial losses. Its actions could jeopardise fulfilment of a local government's autonomous functions, inflicting harm on the interests of its residents and of society as a whole. Thus, the applicant had committed significant violations of regulatory enactments, which were the grounds for its dismissal.

Finally, the Constitutional Court underscored that a local government had to fulfil the functions entrusted to it by society honestly, effectively, and fairly, its activities had to comply with laws. Although a local government council is a democratically elected representative body of a local government, the state has been granted legal instruments for the supervision of a local government council to ensure that the actions taken by a local government council comply with law and the residents' interests. In the particular case, the dismissal of the applicant had been a necessary and proportionate measure to ensure that the interests of a local government's residents and of society as a whole were respected.

In view of the above, the Constitutional Court ruled that Article 1 of the Law on Dismissal of the Rēzekne City Local Government Council complied with Article 1 and Article 101 of the Constitution.

Judges of the Constitutional Court Jautrite Briede and Veronika Krūmiņa added a separate opinion to the judgment. It is stated in the separate opinion that the Constitutional Court had to verify whether indications of arbitrariness were not evident in the *Saeima's* actions rather than examine if the dismissal of the local government council of the Rēzekne State City had been necessary in a democratic state governed by the rule of law.

Case No. 2024-33-05 Spatial plan of Ropaži

On 5 December 2025, the Constitutional Court delivered a judgment in case No. 2024-33-05 "On the compliance of Order No. 1-2/105 of 21 August 2024 issued by the Minister for Smart Administration and Regional Development, "Regarding the Suspension of Binding Regulation No. 22/24 of 15 May 2024 of the Ropaži Municipality Local Government Council, "Regulations Regarding the Local Plan of Immovable Properties "Remeikas-I" and "Remeikas plānotie grāvji" in Suži, Garkalne Rural Territory of Ropaži Municipality, Making Amendments to the Spatial Plan, Land Use and Construction, and the Graphic Part", with Article 1 of the Constitution of the Republic of Latvia, Articles 4(4) and 8 of the European Charter of Local Self-Government, Article 66(1) of the Local Government Law, and Article 27(3) of the Spatial Development Planning Law".

Access to qualitative water is not only a social or economic convenience but even a constitutionally protected need.

An order of the Minister for Smart Administration and Regional Development by which such binding regulation of the local government council of Ropaži Municipality that approved the detailed plan for several real estate objects, envisaging, *inter alia*, decentralised water supply and sewerage was suspended was reviewed in the case. The Minister considered that the detailed plan did not envisage sustainable solutions, allowed spread of environmental pollution, and also was incompatible with the spatial plan and the local government's strategy for sustainable development.

The case was initiated on the basis of an application by the local government council of Ropaži Municipality. It was alleged that the Minister had acted unlawfully when suspending the detailed plan. It is underscored in the application, *inter alia*, that the local government had decided to implement the detailed plan in several stages and had envisaged, validly, to set up during the first stage decentralised water supply and sewerage in the respective real estate objects.

First, the Constitutional Court underscored that a local government had developed a detailed plan on the basis of a local government's strategy for sustainable development and its spatial plan. The strategy for sustainable development indicates the general direction of spatial development, whereas the task of a detailed plan is to embody this direction in a specific location. If the strategy for

sustainable development already determined a particular type of development in the specific location, then the detailed plan cannot be contrary to it, otherwise the strategy loses its practical significance and becomes pointless. Likewise, a detailed plan may not ignore completely the general direction defined in the spatial plan, as well as the idea as to how the particular territory and its vicinity should be developed.

Second, the Constitutional Court found that the new development plan of a new territory for construction envisaged in the detailed plan prepared by the local government did not follow the guidelines set in the strategy for sustainable development, i.e., to develop such territory simultaneously with engineering infrastructure and to expand the centralised systems for water supply and household wastewater. On the contrary – the detailed plan provides for a contrary solution, postponing the construction of centralised sewerage for an indefinite period. The spatial plan which provides that solutions of centralised water supply and wastewater should be chosen, envisaging mandatory connection to such a network, has not been complied with.

Third, the Constitutional Court noted that the local government had not complied with the sustainability principle either. The sustainability principle *per se* does not prohibit the local government to choose a model of development that envisages the introduction of decentralised utilities in the detailed plan. However, in the particular case, there is a high risk that qualitative drinking water will not be ensured to inhabitants, thus making it difficult for them to satisfy their basic needs. For example, if the septic tanks are not properly supervised pollution may enter also water supply wells. Moreover, contamination with heavy metals and polycyclic aromatic hydrocarbons already has been found on the territory of the detailed plan.

Fourth, the Constitutional Court concluded: if an incompatibility of a local plan with spatial planning documents such as the spatial plan or the strategy for sustainable development is found then the suspension of the plan is not only legally justified but also necessary. Hence, the order of the Minister for Smart Administration and Regional Development on suspending the detailed plan complies with Article 27(3) of the Spatial Development Planning Law.



2.3. Tax law

During the reporting period, the Constitutional Court reviewed two cases related to tax law – No. 2024-04-01 and No. 2024-19-01. Both cases pertain to the procedure for calculating and paying the enterprise income tax for providers of consumer credit services.

The Constitutional Court had previously examined the constitutionality of legal regulation that was linked to the obligation of paying the enterprise income tax.¹² However, in case No. 2024-04-01, the system of enterprise income tax surcharge established for a particular economic operator, providers of consumer credit services, was reviewed for the first time. In this case, the Constitutional Court reiterated the statements made in its previous case-law that the obligation to pay a tax always meant a restriction of the right to property and that the state, in determining and implementing taxation policy, enjoys broad discretion.¹³ Likewise, the Court upheld its finding, already established in the earlier case-law, that, in assessing the proportionality of a restriction of the right to property adopted in the area of taxation, an important factor was also whether the applied tax was not confiscatory by its nature.¹⁴ However, in case No. 2024-04-01 the Constitutional Court specified that, in view of the legislator's broad discretion in the area of taxation, the Court could reassess the validity of an alternative solution only in exceptional cases. Namely, if the principle for calculating a tax chosen by the legislator, lacks a reasonable explanation based on objective and rational considerations or if the legislator had not considered alternatives to the contested provisions at all where it had been necessary.

Whereas in assessing whether the contested provisions complied with the principle of legal equality, it was stated in case No. 2024-04-01, for the first time in the Constitutional Court's case-law, that, in the area of taxation, in particular in cases where equal requirements were applied to the procedure for calculating a tax, the considerations and substantiation provided by the legislator are assessed by taking into account the specific taxable object and how significant are the differences within the identified features used for differentiating between the comparable groups. Namely, it is assessed whether the features that allow differentiating between the particular groups of persons are so significant that the consequences of applying the contested provisions to these groups would be significantly different. The more there are features that unite both groups of persons and the less different the financial consequences caused by paying the tax are, the more justifiable is the established equal treatment of groups of persons who are in different circumstances.

The provisions contested in case No. 2024-19-01 regulated the application of the enterprise income tax surcharge to flow-through dividends. In this case, the Constitutional Court elaborated the conclusions made in case No. 2024-04-01 and underscored: with changes to the procedure for administering the enterprise income tax, some providers of consumer credit services might experience inconveniences. However, their situation can be influenced by various factors, e.g., their own business activities, the profit gained or losses incurred as the result of it, the amount of flow-through dividends in the subsequent taxation years, as well as the implemented policy for disbursing dividends. In the future, providers of consumer credit services in planning their commercial activities must take into consideration that the legislator may establish a new legal regime for the enterprise income tax. This may require a commercial operator to adjust and introduce changes to its commercial activities or the policy for disbursing dividends and, hence, influence the length of the period during which it will be able to decrease the taxable object for the enterprise income tax by the previously paid tax surcharge. However, this circumstance does not *per se* mean that the accumulated flow-through dividends would be taxed in a double amount.

¹² The Constitutional Court's judgment of 20 May 2011 in case No. 2010-70-01.

¹³ For example, the Constitutional Court's judgment of 20 May 2011 in case No. 2010-70-01, paragraph 9, and the Constitutional Court's judgment of 3 December 2021 in case No. 2021-12-03, paragraphs 6.1. and 6.2.

¹⁴ For example, the Constitutional Court's judgment of 13 June 2024 in case No. 2023-33-01, paragraph 18.

Case No. 2024-04-01 *Enterprise income tax surcharge*

On 28 March 2025, the Constitutional Court delivered a judgment in case No. 2024-04-01 “On the compliance of Article 4¹(1), (2), and (4), Article 17(7¹) and paragraph 52 of the Transitional Provisions of the Enterprise Income Tax Law with the first sentence of Article 91 and with the first and third sentences of Article 105 of the Constitution of the Republic of Latvia”.

Legal provisions that determined the procedure for calculating and paying the enterprise income tax surcharge were reviewed in the case.

The case was initiated on the basis of several constitutional complaints. It was argued that the contested provisions imposed an obligation on the applicants who provided consumer credit services to pay an enterprise income tax surcharge in the taxation year in the amount of 20 per cent, irrespective of whether the profit was distributed into dividends. This obligation, as well as the procedure for calculating the enterprise income tax surcharge was said to violate the principle of legal equality and to place disproportionate restrictions on the right to property.

First, the Constitutional Court noted that in 2018 the legislator introduced a new system of the enterprise income tax which envisaged deferring the payment of tax until the company’s profit was distributed. This system encouraged companies to leave a large share of profit in the company and

The enterprise income tax surcharge has been validly applied to those groups of taxpayers who gained additional benefit from the previous system of enterprise income tax.

promoted investment possibilities. However, following this reform taxes paid by the financial sector decreased significantly; moreover, untypically high profits were observed in the crediting sector. Therefore, the legislator re-examined the regime of paying enterprise income tax with respect to the financial sector and applied, by means of the contested provisions,

to credit institutions and providers of consumer credit services a system of enterprise income tax surcharge. Pursuant to this system, the tax is calculated from the entire profit of the taxation year and not only from the distributed profit.

Second, the Constitutional Court found that the proposals regarding the need to reexamine the system of enterprise income tax in the financial sector were substantiated by the untypical surplus of liquid assets not only in credit institutions but also of other providers of credit services. The high profit margins of credit institutions were positively influenced by the rise in the EURIBOR rate. However, the profitability significantly increased also for providers of consumer credit services whose profit is not impacted by fluctuations in the EURIBOR rate. Thus, the enterprise income tax surcharge is an independent legal solution not directly linked to the excess profit gained due to fluctuations in the EURIBOR rate. By choosing to apply the enterprise income tax surcharge also to providers of consumer credit services, the legislator has not acted arbitrarily.

Third, the Constitutional Court concluded that the principle chosen by the legislator for calculating the enterprise income tax was substantiated by objective and rational considerations; moreover, the system of enterprise income tax surcharge does not impose a disproportionate burden on its addressees and is not confiscatory. Hence, the contested provisions, insofar they envisage the obligation of paying the enterprise income tax surcharge for providers of consumer credit services, are compatible with the first and the third sentence of Article 105.

Fourth, the Constitutional Court found that the providers of consumer credit services were not in similar and according to certain criteria comparable circumstances with other payers of enterprise income tax; therefore, in this respect, the contested provisions were compatible with the first sentence of Article 91 of the Constitution. At the same time, the contested provisions envisage a similar treatment of groups of persons in different circumstances – credit institutions and providers

of consumer credit services. However, such a treatment has objective and reasonable grounds. The legislator has chosen to apply the enterprise income tax surcharge to the groups of taxpayers that provide financial services and have high profitability indicators. Thus, exactly those groups of persons who gained additional benefit from the previous system of enterprise income tax are equally involved in ensuring public welfare. Hence, also in this respect, the contested provisions comply with the first sentence of Article 91 of the Constitution.



2.4. European Union law

During the reporting period, the Constitutional Court reviewed eight cases linked to the application of the European Union law.

Four of these cases are connected to the regulation of Chapter 59 of the Criminal Procedure Law on proceedings regarding criminally acquired property. In case No. 2022-01-01 regarding the access to the case file, in case No. 2021-44-01 regarding appeal in proceedings regarding criminally acquired property and in case No. 2022-32-01 regarding proving the criminal origins of property, the Constitutional Court submitted a request for a preliminary ruling to the CJEU.¹⁵ Following the judgment of CJEU delivered on 4 October 2024,¹⁶ the Constitutional Court delivered its judgments in the aforementioned cases, as well as in case No. 2023-40-01 regarding the right to submit evidence in proceedings regarding criminally acquired property.

The Constitutional Court took into consideration the statement made in the judgment by CJEU that legal regulation such as Chapter 59 of the Criminal Procedure Law on the proceedings regarding criminally acquired property did not fall within the scope of application of Directive 2014/42/EU of the European Parliament and of the Council on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union and the Council Framework Decision 2005/212/JHA on Confiscation of Crime-Related Proceeds, Instrumentalities and Property.

The Constitutional Court found that the Regulation of the European Parliament and of the Council on the mutual recognition of freezing orders and confiscation orders was applicable to the proceedings regarding criminally acquired property. Thus, in reviewing the compliance of the contested provisions with the first sentence of Article 92 of the Constitution, also Article 47 of the Charter should be taken into consideration, as it includes the right to an effective remedy and to a fair trial. The Constitutional Court noted that the right to an effective remedy in court should be considered a general legal principle of the European Union, based on the shared constitutional traditions of the Member States. In case No. 2022-32-01, the Constitutional Court noted that Article 48 of the Charter which includes the presumption of innocence and the right of defence should also be taken into account. Thus, in the aforementioned cases, the Constitutional Court reviewed the compliance of the contested provisions with the first sentence of Article 92 of the Constitution in conjunction with the requirements defined in Article 47 of the Charter and Article 6(1) of the Convention in its civil limb.

In case No. 2024-07-01 regarding state compensation to victims,¹⁷ the Constitutional Court examined the compliance of the contested provisions with Directive of the Council 2004/80 relating to compensation to crime victims, taking into account the interpretation of the directive provided by the CJEU. The Constitutional Court noted that fair and commensurate compensation within the meaning of the said Directive should not necessarily be equal to the compensation for damages which could be awarded to a victim of an intentional violent crime from the perpetrator of this crime. However, a Member State exceeds its discretion in setting up the state system of compensation if legal provisions envisage only symbolic or evidently insufficient compensation.

As regards the flat amount of compensation depending upon the act of violence inflicted upon the victim and absence of discretion of an institution or a court in determining the amount of compensation, the Constitutional Court found that such choice might be compatible with the Directive; however, the scale of compensations should be detailed enough to avoid a situation where

15 Further information on cases No. 2022-01-01, No. 2021-44-01, No. 2022-32-01 and No. 2023-40-01 is included in "Fundamental rights" and "Criminal Procedure" sections of the Report.

16 CJEU judgment of 4 October 2024 in joined cases C-767/22, C-49/23 and C-161/23 "IDream and Others".

17 Further information on case No. 2024-07-01 is included in "Fundamental rights" section of the Report.

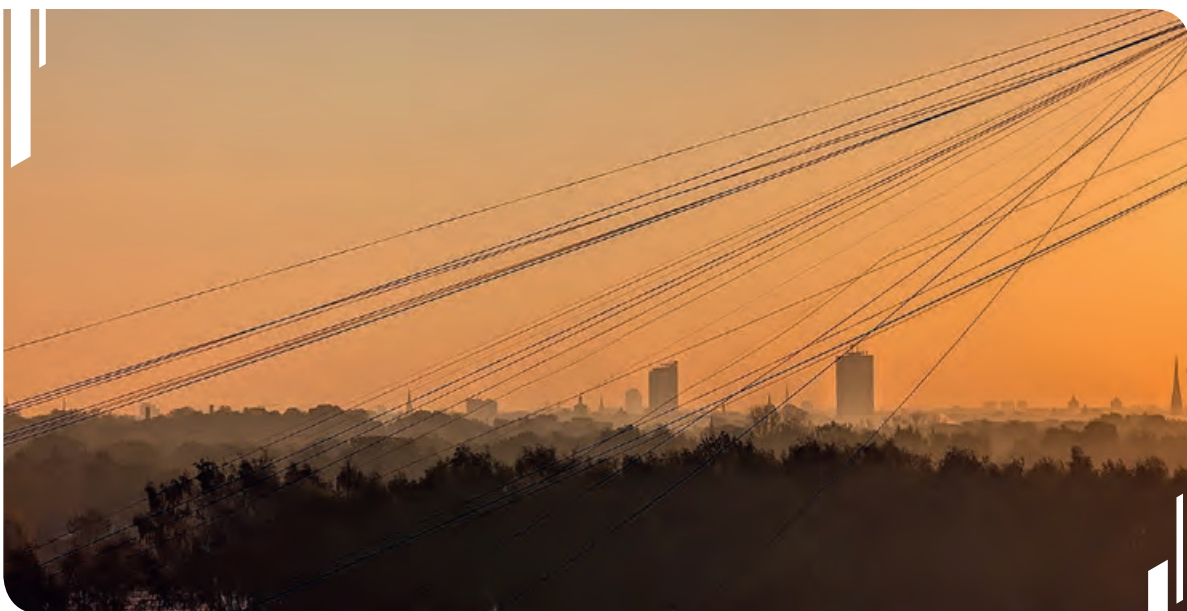
the flat compensation might turn out to be evidently insufficient. Moreover, in defining the flat amount of compensation, the legislator should ensure that compensation in all instances, taking into account the actual circumstances of the case, would be fair and commensurate.

At the same time, the Constitutional Court pointed out that it was important to ensure the financial sustainability of the state compensation system to ensure fair and commensurate compensation to all victims of intentional violent crimes committed on the territory of the respective Member State. Proportional division of compensation according to the number of victims *per se* complies with the Directive. However, the Constitutional Court noted that the proportional division of compensation influenced the amount of compensation to be distributed to each victim, in particular in a situation where the contested provisions determined the division of the amount of compensation depending on the number of victims, without giving the possibility to the law enforcer to determine it. This was the reason why the Constitutional Court concluded that the contested provisions, insofar they defined the maximum amount of state compensation to be granted in the case of a person's death, envisaging dividing it proportionally to the number of victims, did not always ensure fair and commensurate compensation. For the compensation to be fair and commensurate, both its maximum amount and the division between victims, as well as other circumstances are considered important.

In case No. 2024-19-01¹⁸ regarding the application of the enterprise income tax to flow-through dividends, the Constitutional Court reviewed the compliance of the contested provisions with Council Directive 2011/96 on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States.

The Constitutional Court noted that pursuant to Directive 2011/96 restrictions caused by the tax rules of Member States should not impact the distribution of profit within a group of companies. Therefore, neutral tax rules should be established. To this end, the distribution of profit of a subsidiary whose legal address is one Member State for a parent company registered in another Member State should be exempt from the tax which is to be deducted at the place of origin and double taxation should be prevented. As regards the possibility of choice, envisaged in the Directive, between the system of exemption and the system of withholding, the Constitutional Court, moreover, pointed out that the system of exempting from tax had been introduced in Latvia.

First, the Constitutional Court verified whether the contested provisions envisaged direct taxation of flow-through dividends and pointed out that it was clearly set out in the Enterprise Income



18 Further information on case No. 2024-19-01 is included in "Tax law" and "Decisions on terminating proceedings" sections of the Report.

Tax law that the enterprise income tax did not have to be paid for flow-through dividends. Moreover, when deciding on the distribution of profit the accumulated flow-through dividends may be carried forward to future tax periods, thereby reducing the corporate income tax base.

Subsequently the Constitutional Court, following the guidance provided in the case-law of CJEU, assessed whether the contested provisions envisaged indirect taxation. It found that the national legal provisions on tax surcharge, in conjunction with Article 6(1) and (2) of the Enterprise Income Tax Law, ensured that flow-through dividends were not taxed either at the moment of their receipt when the tax surcharge was calculated or at the moment when they, upon distributing profit, were disbursed and the enterprise income tax was calculated. Pursuant to Article 17(7¹) of the Enterprise Income Tax Law, a provider of consumer credit services is entitled to reduce in chronological order the calculated enterprise income tax by the tax surcharge paid in advance. It might not be possible to exercise this right in the very same year when this tax was calculated and paid. To prevent adverse impact of this situation upon the financial burden of consumer credit service providers, the legislator has envisaged that the part of tax surcharge that has not been included in the enterprise income tax may be carried forward to future taxation years. This carrying forward is not limited in time.

Moreover, where a consumer credit service provider cannot immediately decrease the taxable object of the enterprise income tax by the tax surcharge paid in advance, it may choose to exercise this right later, in future taxation years, or may take other actions that are necessary to ensure for itself the possibility to exercise this right in the particular year. These actions may include various strategic choices regarding profit and its distribution.

The Constitutional Court reminded that the national legal provisions at issue may be interpreted in conformity with EU law, taking the whole body of domestic law into consideration and applying the interpretative methods recognised by domestic law, with a view to ensuring that the Directive in question is fully effective and achieving an outcome consistent with the aim pursued by that directive. The Constitutional Court concluded that it followed neither from the text of the contested provisions nor the legislator's aim that the contested provisions would impose on the applicant a larger tax burden than in the case if flow-through dividends had been excluded from the taxable base. Hence, the contested provisions do not envisage either direct or indirect taxation of flow-through dividends by the enterprise income tax with respect to the accumulated flow-through dividends.

During the reporting period, the Constitutional Court had doubts regarding the interpretation of the European Union law in two cases; the Court suspended legal proceedings in these cases and submitted references for a preliminary ruling to the CJEU. In case No. 2024-09-01 regarding credit interest compensation, the Constitutional Court had doubts whether Article 127(4) of TFEU should be interpreted in the sense that the obligation established therein to consult the European Central Bank had been fulfilled if the *Saeima* had adopted a law before receiving the opinion of the European Central Bank; however, a procedure allowing a secondary review of the law by the *Saeima* before the law was promulgated and entered into effect existed. Moreover, the Constitutional Court referred questions regarding the legal consequences that would set in if the said obligation, which, possibly, was derived from the European Union law, had not been fulfilled.

In case No. 2024-10-03 regarding the allocation of land for building wind power plants, the Constitutional Court referred several questions to the CJEU regarding the compliance of the contested provisions with the concept of state aid, included in the TFEU Article 107(1).

2.5. Criminal procedure

To date, the Constitutional Court has reviewed 21 cases regarding the compliance of legal provisions that regulate criminal procedure with the Constitution. Eight of these cases are linked to proceedings regarding criminally acquired property and four out of these eight were reviewed during the reporting period. It is significant that they were heard after a preliminary ruling had been received from the CJEU, which provided answers to the Constitutional Court's preliminary questions concerning the European Union law to be applied in the proceedings regarding criminally acquired property.¹⁹

The legal provisions that in proceedings regarding criminally acquired property determined the procedure by which a person connected to the property could familiarise themselves with the case file and appeal the decision on refusing access to it were examined in case No. 2022-01-01. The Constitutional Court previously had reviewed a similar case, No. 2016-13-01, in which legal provisions that allowed the person connected to the property familiarise themselves with the case file only with the permission of the official directing the proceedings and only within the scope permitted by them were declared incompatible with the first sentence of Article 92 of the Constitution. In case No. 2022-01-01 the Constitutional Court reaffirmed what already had been recognised in its case-law regarding the application of Article 6 of the Convention in its civil rather than criminal limb to the proceedings regarding criminally acquired property. Namely, in these proceedings, a decision on a person's guilt is not taken, rather matters that relate to civil rights and obligations of persons are decided, therefore Article 6 of the Convention in its civil limb is applicable to persons connected to property. The provisions contested in the case were declared to be compatible with the right to a fair trial because the legislator had envisaged judicial control over the decision of the person directing the proceedings regarding the right to familiarise oneself with the case file. The Constitutional Court also ascertained how the contested provisions functioned in practice. It concluded that courts, indeed, examined whether, in the particular case, a fair balance had been reached between the need to ensure that the equality of arms principle was respected and the need to protect the secrecy of investigation.

Legal provisions that defined the right of persons involved in the proceedings regarding criminally acquired property to submit evidence only to the district (city) court and prohibited to submit evidence to the regional court were reviewed in case No. 2023-40-01. This case expands the Constitutional Court's case-law regarding the equality of arms principle which is one of the elements of a fair trial. The Constitutional Court recognised that the restriction on submitting evidence to the regional court was incompatible with the equality of arms principle if a person connected to property had not been able to submit evidence to the district (city) court in due time because of objective reasons and if the regional court, upon establishing it, did not have the right to revoke the decision by the district (city) court and transfer the materials to the first-instance court for secondary review. The Constitutional Court also dismissed the *Saeima's* arguments that the practice of applying the contested provision rather than the provision itself interfered with persons' fundamental rights.

Legal provisions that regulated the standard and burden of proof with respect to the criminal origins of property in proceedings regarding criminally acquired property, which had been separated from the main criminal proceedings according to Article 195(3) of the Criminal Procedure Law regarding stand-alone²⁰ legalisation of proceeds of crime, were reviewed in case No. 2022-52-01. To establish whether the contested regulation complied with the first sentence of Article 92 of the Constitution, the Constitutional Court examined whether it ensured a fair balance between the

19 CJEU judgment of 4 October 2024 in joined cases C-767/22, C-49/23, and C-161/23 "iDream and Others", Paragraphs 80 and 89. Further information see in "European Union law" section of the Report.

20 The stand-alone legalisation of the criminally acquired property is investigated without establishing the criminal offence from which the respective property has originated.

equality of arms principle and the public interest in effective confiscation of criminally acquired property. The Court verified whether: 1) an obligation to prove the legal origins of property could be imposed on a person connected to property; 2) if such an obligation could be imposed, then whether the person connected to property, assessing the proceedings as a whole, had been provided proper procedural safeguards allowing the person to prove the legal origins of property. The Court recognised that, in proving the criminal origins of property, the standard of proof of “preponderance of probability” was permissible, the court had to be convinced by the evidence submitted by the person directing the proceedings that the property, most probably, had been acquired through a criminal offence. The obligation to prove the legal origins of property has been validly imposed upon the person connected to property. The principle of presumption of innocence, in turn, as a criminal procedural safeguard must be respected in the main criminal proceedings with regard to the person who has the status of a suspect, accused, or another status that gives the right to defence. However, the presumption of innocence does not apply to a person connected to property because only the matter of the criminal origins of property in its civil limb is decided in proceedings regarding criminally acquired property.

A legal provision that determines that in proceedings regarding criminally acquired property the case should be heard only in two judicial instances – the district (city) court and the regional court – was reviewed in case No. 2021-44-01. In case No. 2017-10-01, this provision had been previously declared compatible with principle of legal equality enshrined in the first sentence of Article 91 of the Constitution. Whereas in case No. 2021-44-01, this provision was declared compatible with the first sentence of Article 92 of the Constitution. The Constitutional Court concluded that, in proceedings regarding criminally acquired property at the regional court the legislator has ensured a fair trial procedure. Also in this case, similarly to other cases regarding criminally acquired property reviewed during the reporting period the Court pointed out that Article 6 of the Convention in its civil limb was applicable to a person connected to property. Thus, the requirement contained in Article 2 of Protocol 7 to the Convention to ensure an appeal of a conviction at least in one court instance did not apply to the said proceedings. An obligation of state parties to establish cassation or appellate instance courts in all cases does not follow from Article 6 of the Convention in its civil limb; however, if such courts have been established, they must in their activities respect Article 6 of the Convention. Hence, to determine whether the contested provision complied with the first sentence of Article 92 of the Constitution, the Constitutional Court verified: 1) what the legislator’s purpose in the proceedings regarding criminally acquired property was and what the nature of these proceedings was; 2) whether, in proceedings regarding criminally acquired property, in particular, at the regional court, a fair trial was ensured to a person.

Case No. 2021-44-01 Appeal in proceedings regarding criminally acquired property

On 16 April 2025, the Constitutional Court delivered a judgment in case No. 2021-44-01 “On the compliance of Article 631(3) of the Criminal Procedure Law with the first sentence of Article 92 of the Constitution of the Republic of Latvia”.

A legal provision that provided that in proceedings regarding criminal origin of property a case had to be heard only in two judicial instances – the district (city) court and the regional court – was reviewed in the case.

The case was initiated on the basis of several constitutional complaints. It was alleged that, in the applicants’ case, the proceedings regarding criminally acquired property had been terminated by a decision of a district (city) court; by a decision of the regional court, however, the property had been recognised as being criminally acquired and had been confiscated. Since, pursuant to the contested provision, the regional court’s decision is not subject to appeal, the applicants had been denied the possibility to verify its lawfulness. Hence, the right to a fair trial had not been ensured.

First, the Constitutional Court held that, in proceedings regarding criminally acquired property, the right to a fair trial established in Article 6 of the Convention in its civil limb was applicable to the person connected to property. Hence, the requirement established in Article 2 of Protocol 7 to the Convention to ensure an appeal against a conviction in at least one judicial instance did not apply to these proceedings. Namely, Article 6 of the Convention in its civil limb does not impose an obligation on state parties to establish in all cases cassation or appellate instance courts; however, if such courts are established, they must, in their activities, respect Article 6 of the Convention. Neither does the first sentence of Article 92 of the Constitution envisage the state's obligation to define a person's right to appeal to a higher instance court in all categories of cases if fair judicial proceedings had been insured at the lower-instance court.

Second, the Constitutional Court pointed out that the proceedings regarding criminally acquired property were separate and distinct proceedings, in which the court of law decides only one matter that has arisen in the case – the matter of property. The legislator's purpose in envisaging such proceedings was to ensure

a timely solution, focused on the interests of procedural economy, to the property matters that had arisen in criminal proceedings. Since the proceedings regarding criminally acquired property is an exception to the procedure for resolving property matters in the main criminal proceedings, different rules may be established for them, aimed at achieving their aim quickly and effectively. One of these rules is a different procedure for appealing the ruling – pursuant to the contested provision, it is envisaged that property matters are reviewed only in two judicial instances.

Third, the Constitutional Court underscored that the procedure of hearing a case was fair if a person had been ensured the right to be heard, the right to make full use of the possibility to submit evidence, as well as if the application of the equality of arms principle is ensured in a way that is appropriate for the nature of the legal proceedings in question. The Court concluded that the regional court's jurisdiction in proceedings regarding criminally acquired property was not limited to reviewing only legal matters, because the regional court re-examines the facts of the case and assesses evidence regarding them. Although, in the particular case, the regional court had at its disposal more materials than the district (city) court, the matters of fact and law to be examined on their merit were the same that had been examined by the district (city) court. Thus, in proceedings regarding

In proceedings regarding criminally acquired property, the right to be heard and the right to make full use of the possibility to submit evidence are ensured to a person; likewise, the equality of arms principle is respected.



criminally acquired property, the matter of the origin of property was examined on its merits in two judicial instances. In some cases, the regional court could have examined some evidence as the first and the only instance. However, the regional court's decisions are adopted in the composition of three judges or in a collegial way. Collegiality is one of the principles that guarantee a court's objectivity and serves as an additional safeguard for protecting a person's rights. Hence, the procedure in which a complaint or a protest regarding a decision by a district (city) court in the proceedings regarding criminally acquired property was examined at the regional court ensured to a person the right to be heard and the right to make full use of the possibility to submit evidence. Likewise, the equality of arms principle was respected.

In view of the above, the Constitutional Court declared the contested provision to be compatible with the first sentence of Article 92 of the Constitution.

Case No. 2022-01-01 Access to the case file in the proceedings regarding criminally acquired property

On 19 February 2025, the Constitutional Court delivered a judgment in case No. 2022-01-01 "On the compliance of the Article 627(4) and (5) of the Criminal Procedure Law with the first sentence of Article 92 of the Constitution of the Republic of Latvia".

Legal provisions that determined the procedure in accordance with which a person connected to property was entitled to familiarise themselves with the case file in proceedings regarding criminally acquired property and appeal the decision by the person directing the proceedings to deny access to the case file were reviewed in the case.

The case was initiated on the basis of several constitutional complaints. It was argued that the person directing the proceedings had denied to applicants as persons connected to property the access to the case file used to substantiate the assumption regarding the criminal origins of property. Thus, the equality of arms principle which follows from the principle of the right to a fair trial had been violated because the applicants had been placed in a less favourable situation compared to the other party in the legal proceedings.

First, the Constitutional Court found that in proceedings regarding criminally acquired property the safeguards regarding the right to a fair trial were applicable to persons, including the equality of arms principle. It envisages the possibility for all participants in the proceedings to state the facts of the case and prohibits granting any participants significant advantages compared to the opponent.



Moreover, participants of proceedings must have the possibility to receive complete information about the opinion expressed by the other party, the collected evidence, and facts. At the same time, the equality of arms principle with respect to the right of the parties to familiarise themselves with the case file should be balanced with other significant rights and interests, including the protection of the secrecy of investigation. Thus, a fair balance must be ensured between the equality of arms principle and the protection of the secrecy of investigation.

Second, the Constitutional Court underscored that the person directing the proceedings in each case had to assess meticulously the right of the person connected to property to familiarise themselves with the case file. Moreover, since this decision by the person directing the proceedings affects a person's fundamental right, it must be specifically justified. Pursuant to the contested provision, the person directing the proceedings must also make an individual case-by-case assessment of whether the respective materials should be presented to the person connected to property. Although the case file was declared a secret of investigation, the person directing the proceedings had the obligation to ensure, in each specific case, to the person the right to a fair trial, *inter alia*, by taking into consideration the equality of arms principle.

In proceedings regarding criminally acquired property, the person directing the proceedings in each case must assess meticulously the right of the person connected to property to familiarise themselves with the case file and must provide specific justification for the decision.

Third, the Constitutional Court pointed out that the contested provision ensured to the person connected to property the right to appeal against the decision by the person directing the proceedings and, accordingly, it granted to a court the possibility to verify the lawfulness and validity of the decision of the person directing the proceedings. Likewise, this provision ensured that, if necessary, a court had the right to decide on presenting the case file to the person connected to property. Thus, effective protection was ensured of the right to a fair trial of a person connected to property.

In view of the above, the Constitutional Court concluded that the contested provisions ensured a fair balance between the equality of arms principle and the protection of the secrecy of investigation. Hence, Article 627(4) and (5) of the Criminal Procedure Law (in the wording that was in force from 1 September 2018 to 2 November 2022) was found to comply with the first sentence of Article 92 of the Constitution.

Case No. 2022-32-01 Proving the criminal origins of property

On 14 March 2025, the Constitutional Court delivered a judgment in case No. 2022-32-01 "On the compliance of Article 124(6) and (7), Article 125(3) and Article 126(3¹) of the Criminal Procedure Law with the first and the second sentence of Article 92 of the Constitution of the Republic of Latvia".

In the case were reviewed legal provisions that regulated the proving of the criminal origin of property in proceedings regarding criminally acquired property that had been separated from main criminal proceedings regarding legalisation of proceeds of crime.

The case was initiated on the basis of several constitutional complaints and an application by the Economic Court. It was stated in the constitutional complaints that the contested provisions violated the equality of arms principle because persons connected to property had been imposed a disproportionate burden to prove the legal origin of property. In the application by the Economic Court it was stated, in turn, that a person connected to property had to provide more information about the origin of property than the official directing criminal proceedings had been able to establish in criminal proceedings.

First, the Constitutional Court terminated the proceedings in the part regarding the compliance of Article 124(7) of the Criminal Procedure Law with the first and the second sentence of Article 92

of the Constitution, as well as the compliance of Article 124(6), Article 125(3) and Article 126(3¹) of the Criminal Procedure Law with the second sentence of Article 92 of the Constitution. The Court concluded that these contested provisions did not interfere with the respective fundamental rights.

Second, the Constitutional Court found that the state has an obligation to create a legal regulation that would ensure the confiscation of criminally acquired property, even if a person's guilt has not been established in criminal proceedings. Thus, the contested regulation has been introduced with the aim of ensuring the confiscation of criminally acquired property also in cases where, due to objective reasons, it is impossible to adopt a convicting judgment in the basic criminal proceedings.

Third, the Constitutional Court underscored that the contested regulation did not transfer the burden of proof only to the person connected to property but envisaged a shared obligation for the person directing the proceedings and the person connected to property to prove the origin of property. The evidence that substantiates the assumption of the criminal origin of property must be provided by the person directing the proceedings, whereas the proof of the legal origin of property must be provided by the person connected to property. The obligation to prove the legal origin of property has been validly imposed on the person connected to property.

The court must become convinced, on the basis of evidence submitted by the person directing the proceedings, that property most probably has been acquired by means of a criminal offence. Thus, any arbitrariness in the process of confiscation is prevented.

Fourth, the Constitutional Court concluded that sufficient procedural safeguards had been ensured to persons connected to property, allowing them to prove the legal origin of property. The contested regulation does not grant significant advantages to the person directing the proceedings and does not deprive the person connected to

property of the right to submit evidence. Moreover, the court that reviews the materials regarding criminally acquired property must ensure that the equality of arms principle is respected, including by ascertaining that in the particular case the burden of proof imposed upon the person connected to property is not disproportionate.

In view of the above, the Constitutional Court declared that the contested regulation ensured a fair balance between the equality of arms principle and the public interest in an effective confiscation of criminally acquired property. Thus, the contested regulation was found to comply with the first sentence of Article 92 of the Constitution.

Case No. 2023-40-01 *Submitting evidence in proceedings regarding criminally acquired property*

On 24 February 2025, the Constitutional Court delivered a judgment in case No. 2023-40-01 "On the compliance of the words "district (city) court" in Article 629(4) of the Criminal Procedure Law with Article 1 and the first sentence of Article 92 of the Constitution of the Republic of Latvia".

A legal provision that determines the right of persons involved in proceedings regarding criminally acquired property to submit evidence only to the district (city) court and prohibits submitting evidence to the regional court was reviewed in the case.

The case was initiated on the basis of several constitutional complaints. It was alleged that, pursuant to the contested provision, the regional court in the proceedings regarding criminally acquired property refused to accept evidence regarding the origin of property from the applicants. Thus, the equality of arms principle derived from the right to a fair trial had been violated.

First, the Constitutional Court found that Article 92 of the Constitution did not require the state to guarantee to participants of a case an unlimited right to submit evidence at any stage of

legal proceedings as they might wish. The state may impose restrictions on submitting evidence to court; however, such restrictions should be proportionate and justified to prevent the possibilities of abusing procedural rights and to maintain the effectiveness of proceedings. Thus, a balance between a person's right to submit evidence and the effectiveness of proceedings must be ensured.

Second, the Constitutional Court pointed out that a person had the best knowledge of the origin of property in their ownership. It can be reasonably assumed that such a person has at their disposal fairly clear information about the amount and turn-over of property, the sources of evidence to prove it, its location and the scope of evidence accessible to the person. Hence, it can be expected that a person connected to property is able to rebut the assumption made by the person directing the proceedings regarding the criminal origin of property by submitting the respective evidence and, thus, promoting an effective protection of their rights.

Third, the Constitutional Court concluded: the possibility cannot be excluded that the reasoning that proves the origin of property provided in the ruling of the district (city) court might differ from the information included in the decision by the person directing the proceedings on initiating the proceedings and the person connected to property has to rebut these arguments by submitting a complaint to the regional court. Likewise, it

should be taken into account that the person directing the proceedings has the right to submit to the district (city) court information regarding the origin of property, which may become known to the person connected to property – if they have been denied access to the respective case file – only after receiving the court's ruling.

Moreover, objectively possible situations cannot

be completely excluded where a person connected to property is able to obtain evidence only after the case has been already examined by the district (city) court. However, the contested regulation prohibits a person connected to property from submitting such evidence to the regional court. Thus, in such circumstances, the equality of arms principle was not ensured to the person connected to property. Hence, Article 629(4) of the Criminal Procedure Law, insofar it until the date when Article 631(5) of the Criminal Procedure Law entered into effect, i.e., 22 October 2024, did not ensure to a person the right to submit, due to objective reasons, evidence to the regional court was found to be incompatible with the first sentence of Article 92 of the Constitution.

In restricting the rights of participants of a case to submit evidence, a balance must be reached between ensuring the right of participants of case to submit evidence and an effective, timely course of the proceedings.



2.6. Decisions to terminate proceedings

In 2025, the Constitutional Court adopted three²¹ decisions to terminate legal proceedings – in cases No. 2024-19-01, No. 2024-29-01, and No. 2025-08-01.

In Case No. 2024-19-01, a decision to terminate legal proceedings was adopted on the basis of Article 29(1)(5) and (6) of the Constitutional Court Law. Namely, the claim in the part regarding the obligation established in the contested provisions to pay a tax surcharge and the possibility to decrease the taxable object for the enterprise income tax by the tax surcharge paid in advance had already been adjudicated in the Constitutional Court's judgment of 28 March 2025 in case No. 2024-04-01. As regards the obligation to pay the enterprise income tax for flow-through dividends, the Constitutional Court ruled that the contested provisions did not interfere with the applicant's fundamental rights included in Article 105 of the Constitution.

In case No. 2024-29-01, a decision to terminate legal proceedings was adopted on the basis of Article 29(1)(6) of the Constitutional Court Law because the applicant had no such rights or lawful interests, for the protection of which access to court should have been ensured.

Similarly, also in case No. 2025-08-01 legal proceedings were terminated on the basis of Article 29(1)(6) of the Constitutional Court Law because the contested provision did not interfere with such rights of the applicant the protection of which by a fair trial had been envisaged in the first sentence of Article 92 of the Constitution.

Case No. 2024-19-01 *Flow-through dividends*

On 30 May 2025, the Constitutional Court decided to terminate legal proceedings in case No. 2024-19-01 "On the compliance of Article 4¹(1), (2), and (4) and Article 17(7¹) of the Enterprise Income Tax Law with the first and third sentences of Article 105 of the Constitution of the Republic of Latvia".

The case was initiated on the basis of a constitutional complaint submitted by a legal person. The provisions contested in the case established the procedure for calculating and paying an enterprise income tax surcharge. It was stated in the constitutional complaint that the applicant was a provider of consumer credit services which had several branches registered in member states of the European Union and one parent company. It receives dividends from its branches and disburses them to the parent company. The contested provisions, however, deny the applicant the right to decrease chronologically the base of the enterprise income tax surcharge for the accumulated flow-through dividends. It causes a contradiction with the prohibition of double taxation established in the European Union law and infringes upon the applicant's right to property.

The *Saeima* stated in its written submission that the financial data of only one taxation year were included in the calculation of enterprise tax surcharge. The tax surcharge is applied neither to the flow-through dividends received in the pre-taxation year, nor to the accumulated flow-through dividends. Likewise, the tax surcharge is not applied to flow-through dividends indirectly. Thus, the European Union law has been complied with.

The Constitutional Court concluded that, in calculating the enterprise income tax surcharge, taking into account the financial data or other information about the previous tax years was not envisaged. The base of the tax surcharge could occur only for such profit that has been gained through commercial activities of the provider of consumer credit services. In case the flow-through dividends that had been used to cover losses must be recovered from the profit from one's commercial activities, it is the applicant's own profit in the year when it occurred. Thus, there is no reason to assume that

²¹ To compare, in 2024 one decision to terminate proceedings was adopted, whereas in 2023 – five.

the profit gained through commercial activities should actually be considered to be flow-through dividends, for which the tax surcharge should not be paid.

As regards the situation referred to by the applicant when the enterprise income tax is indirectly applied to accumulated flow-through dividends, the Court found: the fact that the profit to be distributed fully or partially consists of accumulated flow-through dividends does not *per se* mean that a greater tax burden would be imposed on the applicant. The regulation on tax surcharge in conjunction with Article 6(1) and (2) of the Enterprise Income Tax Law ensures that tax is not applied to the flow-through dividends either at the moment of their receipt when the tax surcharge is calculated or at the moment when, upon distributing the profit, they are disbursed and the enterprise income tax is calculated.

The Constitutional Court found that a situation where the amount of tax surcharge exceeds the amount of tax to be paid might occur. However, the Court did not subscribe to the applicant's opinion that it would be forced to exclude the accumulated flow-through dividends from the base of enterprise income tax for the tax due to occur that could be decreased by the tax surcharge paid in advance. The legislator has envisaged that the tax surcharge can be included into the enterprise income tax. Moreover, the unincorporated part of the tax surcharge can be carried forward to the subsequent taxation years and such carrying forward is not limited in time.

The Court noted that gaining profit and incurring losses, as well as the procedure for covering these depended upon the commercial activities and strategic choices of the economic operator. The fact that in the previous years the applicant had incurred losses that had been covered by the accumulated flow-through dividends had also been directly linked to the applicant's decisions. Thus, a provider of consumer credit services who cannot immediately decrease the taxable object of the enterprise income tax by the tax surcharge paid in advance may choose to exercise this right later, in the subsequent taxation years, or to take other actions to ensure for themselves the possibility to exercise this right during the particular year. The said actions include various strategic choices with respect to profit and its distribution.

The contested provisions prevent double taxation of accumulated flow-through dividends by the enterprise income tax. It follows neither from the text of the contested provisions, nor the legislator's aim that the contested provisions would impose upon the applicant a larger tax burden than it would be in case if the flow-through dividends had been excluded from the tax base. The fact that, in some cases, providers of consumer credit services, because of their own commercial activities or the policy for distributing profit, might need a longer period to exercise the right to decrease the taxable object of the enterprise income tax by the tax surcharge paid in advance does not *per se* mean that the accumulated flow-through dividends would be doubly taxed by the enterprise income tax. Thus, the enterprise income tax is not applied to the applicant's accumulated flow-through dividends, neither directly nor indirectly.

Hence, the Constitutional Court found that the contested provisions did not cause an interference with the applicant's right to property included in the first and the third sentence of Article 105 of the Constitution.

Case No. 2024-29-01 Contesting a will

On 1 December 2025, the Constitutional Court adopted a decision to terminate the legal proceedings in case No. 2024-29-01 "On the compliance of Article 637 of the Civil Law with the first sentence of Article 92 of the Constitution of the Republic of Latvia".

The case was initiated on the basis of a constitutional complaint submitted by a natural person. The contested provision provides that a will may be contested only by those persons who, at the moment of the death of the testator, were the nearest heirs in the case of intestacy, the heirs of the highest class,

but more remote kin cannot contest a will, irrespective of whether the heirs of the highest class have or have not exercised their right to contest the will. It was stated in the constitutional complaint that the contested provision was incompatible with the first sentence of Article 92 of the Constitution because it prohibited more remote kin to contest a will even if the closest lawful heir of the testator even had not expressed the will to succeed. Thus, a person's right to access to court had not been ensured.

The *Saeima* pointed out in its reply that the contested provision did not interfere with the applicant's right included in the first sentence of Article 92 of the Constitution. Namely, there had been no interference with rights or lawful interests of the applicant, for the protection of which access to court should be ensured in compliance with the safeguards for the right to a fair trial included in the first sentence of Article 92 of the Constitution.

The Constitutional Court found that the first sentence of Article 92 of the Constitution did not guarantee to a person the right to have any matter of subjective importance adjudicated in court. However, the state should ensure an effective protection to every person whose rights or lawful interests have been interfered with. Article 105 of the Constitution protects the right to receive in the future only such inheritance, with respect to which a person can justify that they have concrete legitimate expectations regarding the possibility to exercise one's right to property. The inheritance that the applicant hopes to receive in the future cannot be considered property, with respect to obtaining of which she might have developed legitimate expectations. If the will were declared invalid, then a sworn notary would invite the legal heirs to accept the inheritance, and the closest legal heir would still have the right to express their intent regarding the acceptance of the inheritance. Therefore, the applicant does not have such rights or lawful interests for the protection of which access to a court should be ensured. Hence, the Constitutional Court found that the contested provision did not interfere with the applicant's fundamental rights included in the first sentence of Article 92 of the Constitution.

Case No. 2025-08-01 Access to a court in cases of administrative offences

On 24 October 2025, the Constitutional Court adopted a decision to terminate legal proceedings in case No. 2025-08-01 "On the compliance of Article 183(1) of the Law on Administrative Liability with the first sentence of Article 92 of the Constitution of the Republic of Latvia".

The case was initiated on the basis of a natural person's constitutional complaint. The provision that was contested in the case determines the circle of subjects who have the right to submit a complaint regarding a decision in a case of an administrative offence if the law provides for the possibility of appeal against such a decision. In case a decision has been adopted to terminate the administrative offence proceedings due to the insignificance of the offence, the person called to liability has not been included in this circle. It is stated in the constitutional complaint that the contested provision denies the applicant the right to defend his rights or lawful interests because he does not have at his disposal a legal mechanism for objecting against an unjustified application of a legal provision by an institution. Thus, the state has not fulfilled its positive obligation to ensure a person's right to defend their infringed rights and lawful interests at least in one judicial instance.

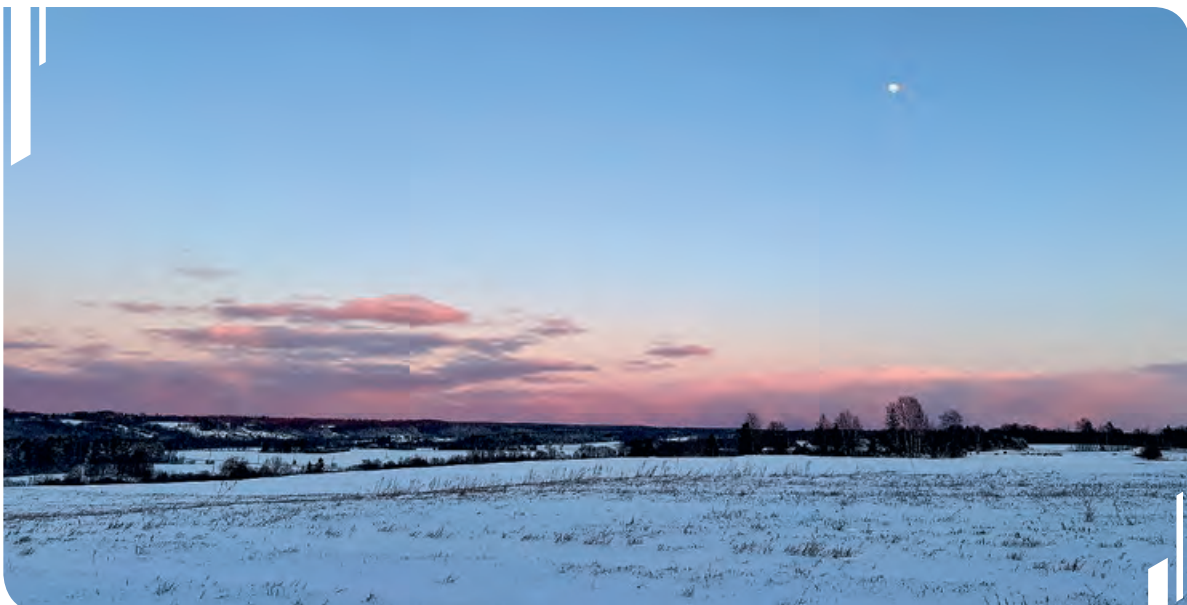
The *Saeima* pointed out in its reply that the right to a fair trial included in Article 92 of the Constitution did not envisage access to a court in all cases. The prohibition contained in the contested provision to submit a complaint regarding a decision by which an administrative offence has been declared minor and the proceedings have been terminated is the outcome of the legislator's deliberate and reasoned choice. As to its nature, such a decision is favourable for the person, rather than restrictive on their rights and lawful interests.

The Constitutional Court found that pursuant to Article 11(1) of the Law on Administrative Liability a person may be released from administrative liability if an administrative offence that has been committed in the specific circumstances had not caused such a threat to legally protected

interests to justify the application of a penalty. Such an offence is qualified as minor. Namely, although an offence has been committed and there are formal grounds for applying administrative liability, this offence, as to its nature and degree of harmfulness, is a minor one because its impact on the interests of other persons or society is minimal. In the case of a minor offence, an admonition can be expressed to the person; however, it does not cause any legal consequences and is not considered to be a penalty. Since a penalty is not applied by a decision to terminate the administrative offence proceedings, it does not cause any consequences that would derive from a record of an administrative penalty. Thus, a decision to terminate administrative offence proceedings due to the insignificance of the offence does not cause legal consequences for a person.

The Constitutional Court also assessed whether other adverse consequences for the applicant had been caused because of the contested provision. It held that the applicant had expressed a hypothetical possibility that criminal proceedings against him could be initiated and a civil lawsuit could be filed against him and, thus, an institution's decision, by which the administrative offence proceedings against the applicant had been terminated because of the minor nature of the offence could be decisive evidence against the applicant. The Court concluded that in this regard an interference with the applicant's rights could not be established. Moreover, neither can it be established that a risk of reputational damage had been caused to the applicant to consider that his rights within the meaning of the first sentence of Article 92 of the Constitution had been interfered with.

Hence, the Constitutional Court found that the contested provision did not affect rights of the applicant, the protection of which in a fair trial had been envisaged by the first sentence of Article 92 of the Constitution.



2.7. Decisions of the judicial panels

From 1 January 2025 to 31 December 2025, 233 applications to initiate a case were submitted for consideration to the judicial panels of the Constitutional Court.

As usual, constitutional complaints account for the largest share of applications. In 2025, 220 constitutional complaints were submitted to the Constitutional Court, which amounted to slightly more than 95 per cent of all the applications received by the Court. About 80 per cent of the constitutional complaints were submitted by natural persons and about 20 per cent – by legal persons governed by private law (limited liability companies, joint-stock companies, associations, foundations, as well as foreign-registered business operators).

As in the previous years, the second most active type of applicants were courts when reviewing a specific civil case, and administrative offence case, a criminal case, or an administrative case. In total, 11 applications regarding the initiation of a case were submitted by courts. At least 20 members of the *Saeima* submitted one application and the Ombudsman also submitted one application.

During the reporting period, the trend observed in the previous years continued: several constitutional bodies – applicants mentioned in Article 17(1)(1) to (12) of the Constitutional Court Law, namely the President, the *Saeima* and the Cabinet of Ministers – did not submit any applications to the Constitutional Court. Likewise, no applications were received from the Council of the State Audit Office, the Judicial Council, and the Prosecutor General.

The submitted applications covered most of the fundamental rights included in Chapter VIII of the Constitution. Only the compliance of legal provisions with Article 103 and Article 108 of the Constitution was not contested.

Pursuant to Article 20(7) of the Constitutional Court Law, the Constitutional Court decides to initiate or to refuse to initiate a case within one month from the date of submission of the application. In complex cases, the Court can extend this period until two months. In 2025, judicial panels adopted 13 decisions²² to extend the time-limit for the examination of an application. Of these applications, two had been submitted by courts and the remaining ones – by private persons. After an in-depth assessment and receipt of additional information regarding five applications submitted by private persons and one application by a court, a decision to initiate a case was adopted.

Under Article 20(7¹) of the Constitutional Court Law, if a judicial panel decides to refuse to initiate a case and a judge who is a member of that judicial panel votes against this decision of the judicial panel and, in addition, has reasoned objections, the examination of the application and the adoption of the decision is referred to a preparatory hearing presided over by a full composition of the Court. In 2025, three applications were examined at preparatory hearings.²³ Decisions to initiate a case were made with respect to two of them.²⁴

If a judicial panel has adopted a decision refusing to initiate proceedings, this does not prevent the applicant from remedying the deficiencies in the application identified in the judicial panel's decision and submitting a new application that fully complies with the requirements of the law. Last year, judicial panels concluded that in slightly over 40 cases the applications had been re-submitted, and with respect to five re-submitted applications they adopted decisions to initiate a case.²⁵ All the applications on the basis of which cases were initiated had been submitted by private individuals.

²² For example, in 2024, the Constitutional Court's panels adopted nine decisions on extending the term for examining an application and 12 decisions in 2023.

²³ Applications regarding initiation of a case Nos. 159/2025, 187/2025, and 192/2025.

²⁴ Cases Nos. 2025-36-01 and 2025-39-01.

²⁵ Cases Nos. 2025-16-01, 2025-22-03, 2025-26-01, 2025-28-0103, and 2025-40-03.

All the decisions to initiate cases are available in the section “Initiated and reviewed cases” of the website of the Constitutional Court under the relevant case.²⁶ All the decisions to refuse to initiate a case are published in the section “Decisions of judicial panels to refuse to initiate a case” of the Constitutional Court’s website²⁷.

Decisions to initiate cases

The initiated cases cover a wide range of legal issues. As in the previous years, also in 2025 majority of the initiated cases concerned fundamental rights. Specifically, the initiated cases concerned the fee for exercising the right to use land and restrictions on its increase; the procedure of cadastral appraisal of land in use *ex lege* and calculation of the standard area; a prohibition for a person convicted of violent offences to adopt a child; the right of a person studying abroad to receive a social support stipend; a person’s right to appeal to a court an institution’s decision to terminate administrative offence proceedings due to the minor nature of the offence; the amount of support for forest use restrictions related to microreserves; the lawfulness of the detailed plan of Jūrmala; the procedure of dividing the difference in water consumption in a multi-apartment building; the corroboration of the state’s title to escheat; reduced contributions to the 2nd pillar of pensions; regulation on assessing and managing noise; restrictions on organising gambling within the administrative territory of the local government of the Daugavpils State City and the administrative territory of the local government of the Riga State City; releasing a natural person from debt obligations; reductions of solidarity contributions; a prohibition to engage in professional activities of a psychologist for a previously convicted person; the criteria and procedure for recognising a religious organisation by a special law; the procedure for calculating the amount of subsidy to be granted to an institution of vocationally oriented sports education; the time-limit for claiming compensation for harm inflicted on a patient’s life or health; the right to familiarise oneself with classified information that justifies a decision to prohibit a foreigner from entering Latvia; the termination of the state metrological control over water consumption meters installed in apartments; the expropriation of real estate for public needs, and the calculation of the natural resources tax.

The case initiated at the Constitutional Court regarding the inclusion of the rural territory of Murmastiena, the rural territory of Varakļāni and the Varakļāni town into the Madona municipality is linked to public law issues.

Also in 2025, the Constitutional Court initiated several cases on the compliance of identical legal provisions with superior legal provisions. Applications to initiate such cases included a claim, a statement of the facts, and a statement of the legal grounds similar to cases already initiated by the Court. Therefore, noting that the *Saeima* had already been requested to reply in a similar case, the judicial panel invited the *Saeima* to submit a reply outlining the facts of the case and the legal reasoning if it had any additional observations to make.²⁸ Likewise, the panels concluded several times that it was not necessary to invite the institution that had issued the contested act to submit a reply because the institution had already submitted a reply in a previous case.²⁹

In 2025, panels decided several times on restricting access to information about applicants. In application No. 140/2024, the applicant requested the Constitutional Court to review the compliance of Article 183(1) of the Law on Administrative Liability with the first sentence of Article 92 of the Constitution. The regulation of the Law on Administrative Liability contested in the application concerned the issue of a person’s right to appeal against a decision by which administrative offence proceedings had been terminated due to the insignificance of the offence.

26 <https://www.satversmestiesa.lv/en/ierosinatas-un-izskatitas-lietas>

27 <https://www.satversmestiesa.lv/lv/lemumi-par-atteiksanos-ierosinat-lietu>

28 See, for example, decision of the 1st judicial panel of the Constitutional Court of 13 January 2025 on initiating a case on the basis of application No. 138/2024 and the decision of the 1st judicial panel of 22 July 2025 on initiating a case on the basis of application No. 121/2025.

29 See, for example, the decision of the 1st judicial panel of 4 July 2025 on initiating a case on the basis of applications Nos. 118/2025 and 124/2025 and the decision of the 2nd judicial panel of 29 July 2025 on initiating a case on the basis of applications Nos. 133/2025, 134/2025, and 135/2025.

When assessing application No. 140/2024 and the documents attached to it, the panel concluded that the information derived about the applicant from the case file in the administrative offence proceedings initiated with respect to alleged physical and emotional violence against a child fell within the scope of the right to the inviolability of private life included in Article 96 of the Constitution. This, together with personally identifiable information, should be considered personal data within the meaning of Article 4(1) of the Data Regulation. Disclosure of these data, in turn, should be regarded as data processing within the meaning of Article 4(2) of the Data Regulation.

In the particular case, pursuant to Article 6(1)(c) of the Data Regulation the legal grounds for data processing are legal obligations defined in the Constitutional Court Law, applicable to the Constitutional Court. However, as provided in Article 5(1)(c) of the Data Regulation, personal data should be adequate, relevant, and include only the information that is necessary in relation to the purpose for which they are processed. The panel found that a public disclosure of information identifying the applicant and members of his family could cause a restriction on their fundamental rights that would outweigh the public benefit from disclosing this information. In the particular case, the Constitutional Court did not need to disclose this information to exercise its jurisdiction and fulfil its legal obligations.

Thus, the panel decided that the information provided in the application and the documents attached to it about the applicant and the identity of his family members should be declared restricted access information until the final ruling by the Constitutional Court was made.³⁰

In application No. 112/2025, the applicant requested the Constitutional Court to review the compliance of Article 4(1)(2) and (5) and of Article 5(1)(2) and (2¹) of the Law on Releasing a Natural Person from Debt Obligations with Article 1 and the first three sentences of Article 105 of the Constitution. The regulation of the Law on Releasing a Natural Person from Debt Obligations contested in the application concerned the issue of the constitutionality of legal provisions determining the cases in which and the criteria and indications according to which a natural person could be released from debt obligations. At the same time, a request was made to restrict the right of other persons, except the *Saeima*'s representatives, to familiarise themselves with the information included in the application and annexes to it, which was considered to be the applicant's commercial secret.

The panel pointed out that pursuant to Article 24 of the Constitutional Court Law only the participants in the case, i.e., the applicant and the institution or the official who had issued the contested act, had the right to familiarise themselves with the materials in a pending case. Thus, the



30 Decision of the Constitutional Court's 3rd judicial panel of 29 January 2025 on initiating a case on the basis of application No. 140/2024.

panel found that there was no need to examine the applicant's request separately because, pursuant to legal provisions, the right to familiarise oneself with this information already was restricted. Therefore, this request was denied.³¹

A similar request – to determine the status of restricted access to information included in the application and its annexes which should be considered the applicant's commercial secret, – was included also in application No. 128/2025. The application included the request to review the constitutionality of Article 6(I) of the Solidarity Contribution Law which regulated the criteria for obtaining a reduction of the solidarity contribution. When examining this request to determine the status of restricted access, the panel also concluded that there was no need to assess it separately because, pursuant to legal provisions, the right to gain access to this information was already restricted. Thus, the panel denied this request.³²

In application No. 203/2025, the Administrative District Court requested the Constitutional Court to declare the first sentence of Article 16(5) of the Law on the Rights of Patients incompatible with the third sentence of Article 92 of the Constitution. This legal provision defined the time-limit within which a patient was entitled to request compensation for harm caused to their life or health.

Assessing the information included in the application and the documents attached to it, the panel found that it included data about the private life of the person who had turned to the Administrative Regional Court, including information about the person's health status. Such information falls within the scope of this person's right to the inviolability of private life.

The panel found that in processing the personally identifiable information, as well as the data related to the health status and the course of treatment information that interfered with a person's right to the inviolability of private life could be disclosed. By restricting access to the respective case file, no person's right to a fair trial was restricted. At the same time, it was found that such a restriction would not impact the objectivity of the legal proceedings and would not violate society's right to receive information about constitutional legal proceedings. Thus, the panel restricted the possibility to consult information included in the application and its annexes about the person's who had turned to the Administrative District Court name, surname, personal identification number, health status, and the course of treatment.³³

When reviewing applications No.9/2025 and No.10/2025 the panel decided on the issue whether all the legal provisions contested in the applications directly interfered with the fundamental rights of the applicants. In these applications, several provisions of the Cabinet of Ministers regulations were contested, including subparagraph 6.2.1 of the Regulation on Restrictions on Economic Activities which determined the amount of support (compensation) for restrictions on forest management.

The panel, referring to the Constitutional Court's case-law, pointed out that a person had to provide credible justification that the adverse consequences caused by the legal provision interfered with this particular person's fundamental rights. Moreover, a direct link must exist between the interference with a person's fundamental rights and the provision that is contested in an application. The concept of "interference" was included in the Constitutional Court Law with the aim of differentiating between a constitutional complaint and *actio popularis* or a complaint in the public interest. It was stated in applications No. 9/2025 and No. 10/2025 that subparagraph 6.2.1 of the Regulation on Restrictions on Economic Activities had not been applied to the applicants because this provision did not apply to the land plots in their ownership but to other types of forest land. This was the reason why the panel found that, with respect to the constitutionality of subparagraph 6.2.1 of the aforementioned regulation, the applicants have pointed to an alleged interference with other

31 Decision of the Constitutional Court's 1st judicial panel of 4 July 2025 on initiating a case on the basis of application No. 112/2025.

32 Decision of the Constitutional Court's 1st judicial panel of 15 July 2025 on initiating a case on the basis of application No. 128/2025.

33 Decision of the Constitutional Court's 4th judicial panel of 2 December 2025 on initiating a case on the basis of application No. 203/2025.

persons' fundamental rights rather than their own and, therefore, the application in this part of the claim was incompatible with the requirements contained in Article 19²(1) and Article 19²(6)(1) of the Constitutional Court Law.³⁴

When examining a submitted complaint and adopting decisions on initiating a case, a judicial panel also assesses whether all the claims included in the application fall within the Constitutional Court's jurisdiction. For example, several claims had been included in application No. 159/202: a request to declare Article 5(5) of the Law on Religious Organisations incompatible with several provisions of the Constitution and Article 1 of Protocol No. 12 to the Convention, as well as request to instruct the state to ensure that, within three months after the judgment had entered into effect, an objective and neutral institution the decision of which would be subject to appeal, would decide, on the basis of clear criteria, whether the applicant could acquire the rights which currently had been granted to eight religious organisations in Latvia.

As regards the request to declare the contested provision incompatible with Article 1 of Protocol No. 12 to the Convention, the panel pointed out that the *Saeima* had not ratified this Protocol and it could not be considered to be an international treaty concluded by Latvia in the meaning of Article 16(6) of the Constitutional Court Law. Therefore, the Constitutional Court has no jurisdiction over the request to review the compliance of the contested provision with Article 1 of Protocol No. 12 to the Convention.

As regards the request to instruct the state, within three months after the judgment had entered into effect, to take specific actions, the panel pointed out that the Constitutional Court had not been granted the jurisdiction by law to decide on what kind of amendments should be introduced to regulatory acts. The Constitutional Court's jurisdiction is restricted by the principle of separation of powers and it cannot determine the most appropriate and politically or economically the most expedient solution. Pursuant to Article 64 of the Constitution, the right to legislate is vested in the *Saeima*, as well as the people, in accordance with the procedure and scope defined in the Constitution. Hence, the panel found that this claim was also not within the Constitutional Court's jurisdiction.³⁵

During the reporting period judicial panels found several times that an interference with the applicants' fundamental rights was to be expected in the future. The provisions of the binding regulations of the local government of the Daugavpils State City which determined the locations and territories in Daugavpils at which organising gambling was prohibited were contested in application No. 100/2025.



34 Decision of the Constitutional Court's 1st judicial panel of 29 January 2025 on initiating a case on the basis of application No. 9/2025 and decision of the 2nd judicial panel of 29 January 2025 on initiating a case on the basis of application No. 10/2025.

35 Decision adopted at the Constitutional Court's preparatory hearing on 14 October 2025 on initiating a case on the basis of application No. 159/2025.

It was stated in the application that, by applying the contested provision, the permits to open gambling halls that had been granted to the applicant would be revoked. Allegedly, the contested provision would restrict the applicant's right to engage in a particular kind of commercial activities and this should be regarded as adverse and irreversible legal consequences for the applicant. Moreover, it was maintained that, in the future, these consequences would inflict a significant damage upon the applicant.

While examining the aforementioned considerations, the judicial panel found that it had been substantiated in the application that the restriction envisaged by the contested provision would inevitably affect the applicants and that, as the result of applying the contested provision, they would incur adverse consequences that would cause significant damage. Hence, the panel concluded that the interference with the applicants' fundamental rights would occur in the future.³⁶ The panel arrived at the same conclusion also when examining application No. 146/2025, in which a similar regulation of a local government's binding regulations on the administrative territory of the local government of the Riga State City had been contested.³⁷

Decisions on refusal to initiate a case

In 2025, the Constitutional Court adopted 173 decisions on refusal to initiate a case.³⁸ The legal grounds for a refusal to initiate a case are laid down in Article 20(5) and (6) of the Constitutional Court Law.

Jurisdiction of the Constitutional Court

Article 20(5)(1) of the Constitutional Court Law provides that a panel has the right to refuse to initiate a case if it does not fall within the jurisdiction of the Constitutional Court. In 2025, this provision was applied in slightly more than 20 decisions refusing to initiate a case..

The Court's jurisdiction is established by Article 85 of the Constitution and the Constitutional Court Law. The cases to be examined by the Constitutional Court are exhaustively specified in Article 16 of the said Law. It follows from the decisions adopted in 2025 that the Constitutional Court does not have the jurisdiction over, for example, the following claims:

- 1) to provide an interpretation of legal provisions;³⁹
- 2) to propose amendments to legal acts or to clarify a legal provision;⁴⁰
- 3) to review a conflict between legal provisions of equal legal force;⁴¹
- 4) to amend the contested provision and express it in a specific wording;⁴²
- 5) to request the Office of the Prosecutor General to decide whether grounds for initiating criminal proceedings exist;⁴³
- 6) to declare the contested provision incompatible with the Resolution of the Parliamentary Assembly of the Council of Europe of 26 June 1998 No. 1165 (1998) "Right to privacy". The panel noted in its decision that Article 16 of the Constitutional Court Law did not provide for the Constitutional Court's jurisdiction to review the compliance of a legal provision with resolutions of the Parliamentary Assembly of the Council of Europe, which are only advisory;⁴⁴
- 7) to grant to the applicant the state-provided legal aid;⁴⁵

36 Decision of the Constitutional Court's 3rd judicial panel of 1 July 2025 on initiating a case on the basis of application No. 100/2025.

37 Decision of the Constitutional Court's 2nd judicial panel of 27 August 2025 on initiating a case on the basis of application No. 146/2025.

38 In 2023, the Constitutional Court's panels adopted 167 decisions on refusal to initiate a case and 105 decisions in 2024.

39 Decision of the Constitutional Court's 1st judicial panel of 29 January 2025 on refusal to initiate a case on the basis of application No. 5/2025.

40 Decision of the Constitutional Court's 1st judicial panel of 29 January 2025 on refusal to initiate a case on the basis of application No. 5/2025; decision of the 1st panel of 4 September 2025 on refusal to initiate a case on the basis of application No. 149/2025.

41 Decision of the Constitutional Court's 3rd judicial panel of 17 January 2025 on refusal to initiate a case on the basis of application No. 144/2024; decision of the 3rd panel of 26 May 2025 on refusal to initiate a case on the basis of application No. 76/2025; decision of the 1st panel of 13 October 2025 on refusal to initiate a case on the basis of application No. 168/2025.

42 Decision of the Constitutional Court's 1st judicial panel of 10 March 2025 on refusal to initiate a case on the basis of application No. 31/2025.

43 Decision of the Constitutional Court's 1st judicial panel of 10 March 2025 on refusal to initiate a case on the basis of application No. 31/2025.

44 Decision of the Constitutional Court's 4th judicial panel of 6 May 2025 on refusal to initiate a case on the basis of application No. 68/2025.

45 Decision of the Constitutional Court's 4th judicial panel of 6 May 2025 on refusal to initiate a case on the basis of application No. 68/2025.

- 8) to declare a local government's decision incompatible with a legal principle;⁴⁶
- 9) to declare that the application of a specific legal provision is incompatible with the proportionality principle and restricts a person's rights;⁴⁷
- 10) to impose an obligation on a local government to re-examine a spatial plan;⁴⁸
- 11) to request, propose, or impose an obligation on the *Saeima* to draft normative regulation;⁴⁹
- 12) to declare that the application of the contested provision interferes with the applicant's fundamental rights or has caused a violation of the Constitution;⁵⁰
- 13) to declare that the actions of a state or local government institution violate a person's fundamental rights;⁵¹
- 14) to determine that a person, in a case of administrative offence, has the right to request the resumption of proceedings or renewal of the time-limit for submitting a complaint;⁵²
- 15) to declare that a court's ruling in a civil case interferes with the applicant's fundamental rights;⁵³
- 16) to declare that a penalty applied to a person in a case of administrative offence is unlawful;⁵⁴
- 17) to restore the applicant's fundamental rights by revoking the seizure of his property and establishing an obligation to return his lawful financial assets.⁵⁵

The applicant is not entitled to submit an application

Article 20(5)(2) of the Constitutional Court Law provides that the Constitutional Court may refuse to initiate a case if an applicant is not entitled to submit an application. In 2025, this provision was applied in one decision of a judicial panel. The application was submitted to the Constitutional Court by a foreign commercial operator "Moscow International Cooperation Centre" and the Moscow City Property Department. In the application, the Constitutional Court was requested to review the constitutionality of several provisions of the law "On Actions with Immovable Property Necessary for the Prevention of Threats to National Security". These provisions set out, *inter alia*, that the immovable property in Riga, at 7 Marijas Street, was the property of the state of Latvia and determined how the assets gained from the alienation of this property were to be transferred into the state budget revenue.

In its decision to refuse to initiate a case, the panel, similarly as in the decision with respect to application No. 130/2024⁵⁶, found that, according to the publicly available information, the Moscow City Property Department which owned the building at 7 Marijas Street in Riga was a structural unit of a foreign institution, the Moscow City Government, subordinated to the Moscow City Government and administered by the Mayor of the City of Moscow. The Moscow Centre, according to the 2019 Articles of Association available in the Enterprise Register, is a legal entity founded and owned by the Moscow City Property Department. Functionally, it is subordinated to the Department of Foreign Economic and International Relations of the City of Moscow.

46 Decision of the Constitutional Court's 4th judicial panel of 9 May 2025 on refusal to initiate a case on the basis of application No. 56/2025.

47 Decision of the Constitutional Court's 4th judicial panel of 9 May 2025 on refusal to initiate a case on the basis of application No. 56/2025.

48 Decision of the Constitutional Court's 4th judicial panel of 9 May 2025 on refusal to initiate a case on the basis of application No. 56/2025.

49 Decision of the Constitutional Court's 4th judicial panel of 9 May 2025 on refusal to initiate a case on the basis of application No. 56/2025; decision of the 2nd panel of 14 May 2025 on refusal to initiate a case on the basis of application No. 75/2025; decision of the 4th panel of 25 August 2025 on refusal to initiate a case on the basis of application No. 141/2025; decision of the 2nd panel of 2 October 2025 on refusal to initiate a case on the basis of application No. 169/2025.

50 Decision of the Constitutional Court's 2nd judicial panel of 14 May 2025 on refusal to initiate a case on the basis of application No. 75/2025; decision of the 3rd panel of 4 July 2025 on refusal to initiate a case on the basis of application No. 108/2025; decision of the 4th panel of 18 August 2025 on refusal to initiate a case on the basis of application No. 137/2025; decision of the 4th panel of 8 December 2025 on refusal to initiate a case on the basis of application No. 199/2025.

51 Decision of the Constitutional Court's 1st judicial panel of 4 July 2025 on refusal to initiate a case on the basis of application No. 106/2025; decision of the 3rd panel of 21 October 2025 on refusal to initiate a case on the basis of application No. 186/2025.

52 Decision of the Constitutional Court's 3rd judicial panel of 4 July 2025 on refusal to initiate a case on the basis of application No. 108/2025.

53 Decision of the Constitutional Court's 4th judicial panel of 18 August 2025 on refusal to initiate a case on the basis of application No. 137/2025.

54 Decision of the Constitutional Court's 4th judicial panel of 6 October 2025 on refusal to initiate a case on the basis of application No. 163/2025.

55 Decision of the Constitutional Court's 2nd judicial panel of 9 December 2025 on refusal to initiate a case on the basis of application No. 201/2025.

56 Decision of the Constitutional Court's 1st judicial panel of 11 December 2024 on refusal to initiate a case on the basis of application No. 130/2024.

The panel noted that public persons and their institutions are not subjects of the fundamental rights included in Chapter VIII of the Constitution. Public persons and their institutions have a duty to ensure that individuals' fundamental rights are protected; they are the party responsible for upholding fundamental right, not the party eligible to complain about violations of fundamental rights. This also applies to subjects of international law – states, as well as institutions acting on behalf of a state in the field of public law in the exercise of state authority.

On the basis of the publicly available information – the articles of association of the applicant, a company of the capital city of another country, as well as the agreement on the establishment of a personal easement annexed to the application – the judicial panel concluded that the applicants were not acting as private individuals in respect of the immovable property; instead, they were acting in the field of public law and exercising public authority. Namely, the application failed to substantiate why the applicants in the given legal relations were to be regarded as legal persons under private law and, therefore, to be recognised as subjects of fundamental rights included in Article 105 of the Constitution, who pursuant to the Constitutional Court Law would be entitled to submit a constitutional complaint to the Constitutional Court. Hence, the judicial panel held that the application did not comply with Article 17(1)(11) of the Constitutional Court Law which determines the subjects entitled to submit an application to the Constitutional Court.⁵⁷

Non-compliance with the requirements of the Constitutional Court Law

Article 20(5)(3) of the Constitutional Court Law provides that the Constitutional Court may refuse to initiate a case if the application does not comply with the requirements set out in Articles 18 or 19–19⁵ of this law. This provision of the Law is applied most frequently in decisions of judicial panels refusing to initiate a case.

The application does not substantiate an interference with a fundamental right

Under Articles 19²(1) and 19²(6)(1) of the Constitutional Court Law, the person submitting a constitutional complaint must substantiate that the contested provision interferes with the fundamental rights established in the Constitution. In the decisions of the judicial panels, it has been repeatedly indicated that an interference with a person's fundamental rights is to be established if: first, the person possesses a specific fundamental right established in the Constitution, i.e., the contested



57 Decision of the Constitutional Court's 3rd judicial panel of 17 January 2025 on refusal to initiate a case on the basis of application No. 144/2024.

provision falls within the scope of a particular fundamental right; second: the contested provision directly interferes with fundamental rights established in the Constitution. On the basis of the said provisions of the Constitutional Court Law, in 2025, the panels adopted slightly more than 80 decisions on refusal to initiate a case in respect of the entire application or in respect of one of the claims contained therein. As in the previous years, also in 2025 a large part of these decisions concerned cases where: a person had brought an action before the court in the general interests (*actio popularis*); a person did not challenge the constitutionality of a legal provision but rather the substantive interpretation and application of a given legal provision. The provisions of the Constitutional Court Law in question have also been applied in cases when the judicial panel cannot establish whether and exactly when the contested provision has caused an interference with the person's fundamental rights enshrined in the Constitution.

An example of a situation in which a person applied to the Constitutional Court with a complaint on behalf of the general public (*actio popularis*) is application No. 160/2025. The provisions of the Cabinet of Ministers Regulation of 26 August 2025 No. 523 "Internal Regulations of a Prison" which allowed a convicted person to keep and use video game consoles that could be connected to a TV set and did not pose a risk of unauthorized communication were contested in this application.

The applicant who was serving a prison sentence pointed out that the contested provisions applied to all new generation video game consoles because they had in-built communication possibilities. Since the video game consoles of older generation were no longer produced and were gradually going out of circulation, the contested provisions in essence prohibited convicted persons who were serving a prison sentence to play video games.

The panel, however, found that the application did not include a statement of the facts of the case that would allow to ascertain that the contested provisions had caused the applicant any adverse legal consequences. The fact that the contested provisions could be applied to the applicant if he wished to purchase, store, or use a video game console that causes a risk of unauthorised communication are not sufficient grounds for concluding that there has been an interference with fundamental rights. Hence, the panel concluded that the applicant did not meet the requirements of Article 19²(1) and Article 19(6)(1) of the Constitutional Court Law.⁵⁸

In application No. 32/2025 the applicant requested the Constitutional Court to review the constitutionality of paragraphs 17⁵ and 17⁶ of the Cabinet of Ministers Regulation of 25 October 2005 No. 803 "Regulations Regarding the Principles for the Determination of the Price of Medicinal Products". These provisions determine a fee for a pharmacist's services in addition to the price of a medicinal product. The applicant substantiated the interference with his fundamental rights by arguing that the fee for a pharmacist's services provided for by the contested provision reduced access to medicinal products and restricted the possibilities of treatment. Thus, they interfered with his and other persons' right to accessible health care. The applicant also stated in general that he was using prescription medicinal products.

The panel found that a constitutional complaint was an individual legal remedy. Therefore, the applicant should provide facts to prove that the contested provision had been applied and had caused adverse consequences for him; the exact moment when the interference with fundamental rights had occurred had to be indicated. The fact that the contested provisions have entered into effect and, possibly, will be applicable to the applicant at the moment of purchase of prescription medicinal products in the particular case is insufficient to establish an interference with the fundamental rights of the applicant. Hence, the panel concluded that the application did not meet the requirements of Article 19²(1) and Article 19(6)(1) of the Constitutional Court Law.⁵⁹

58 Decision of the Constitutional Court's 1st judicial panel of 26 September 2025 on refusal to initiate a case on the basis of application No. 160/2025.

59 Decision of the Constitutional Court's 2nd judicial panel of 7 March 2025 on refusal to initiate a case on the basis of application No. 32/2025.

In examining application No. 60/2025, the panel found that the applicant, instead of contesting the constitutionality of a legal provision, in substance the application was directed against the way a particular legal provision had been interpreted and applied. In this application, a person requested the Constitutional Court to declare Article 117(5) of the Insolvency Law incompatible with several provisions of the Constitution. This legal provision provides: if objections are received in respect of the costs of insolvency proceedings of a legal person within 15 days after sending the list of the costs of insolvency proceedings of a legal person and the plan for settling the claims of creditors, the decision to approve the costs of insolvency proceedings of a legal person must be taken by the creditors' meeting.

The panel established that the applicant had been appointed an administrator in the insolvency proceedings of a person whose previous insolvency administrator had been removed by a court's decision. The applicant received objections in respect to the list of the costs of insolvency proceedings that had been drawn up; therefore, pursuant to the contested provision, the decision on approving the actual costs was adopted by the creditors' meeting. It approved neither the applicant's remuneration, based on Article 169(2)(2) of the Insolvency Law, nor the costs of receiving a certificate. The applicant then submitted a complaint to a court with respect to the decision of the creditors' meeting; however, the complaint was dismissed.

It is noted in the application that the applicant, as a result of the decision made by the creditors' meeting, did not receive any remuneration for her work in the particular insolvency proceedings. She could not refuse to conduct the insolvency proceedings; therefore, she had to ensure administration of the proceedings from her own means. The applicant considers that the contested provision allows a creditors' meeting to adopt a decision that is incompatible with an administrator's right to remuneration determined in Article 169 of the Insolvency Law and which does not approve the costs for receiving a certificate. It is stated in the court's decision by which the decision of the creditors' meeting has been declared lawful that the amount of lawful remuneration that does not require an approval of the creditors' meeting has been determined in Article 169 of the Insolvency Law. At the creditors' meeting, a decision can be adopted on determining another amount of remuneration for the administrator if the administrator and the creditors' meeting agree on it. At the same time, the court established that applicant had calculated her remuneration incorrectly, based on all the funds recovered in the insolvency proceedings, including those recovered by the previous administrator.

The panel concluded that the applicant in essence does not agree that the creditors' meeting and the court had declared the costs and the remuneration she had calculated to be unfounded in the given circumstances. However, the fact that she does not agree with the decision of the creditors' meeting and the court are not a reason to initiate a case at the Constitutional Court because the review of the interpretation and application of legal provisions does not fall within the Constitutional Court's jurisdiction. Thus, the application does not substantiate the allegation that the contested provision directly causes an interference with the applicant's fundamental rights included in the Constitution.⁶⁰

The applicant has not exhausted general legal remedies

Pursuant to Article 19²(2) of the Constitutional Court Law, a constitutional complaint may be submitted only if all the possibilities to protect the infringed rights by exhausting general legal remedies have been used – a complaint to a higher institution or a higher official, as well as a complaint or claim to a court of general jurisdiction or an administrative court – or if the person does not have such possibilities. This provision provides for the obligation of the applicant to exhaust all available general remedies before applying to the Constitutional Court. In 2025, on the basis of Article 19²(2) of the Constitutional Court Law judicial panels adopted six decisions on refusal to initiate a case.

60 Decision of the Constitutional Court's 4th judicial panel of 31 March 2025 on refusal to initiate a case on the basis of application No. 60/2025.

In application No. 45/2025 the applicant requested the Constitutional Court to review the constitutionality of the Article 594 (1) and (2) of the Civil Procedure Law. These provisions determine the size of deductions from remuneration for work and equivalent payments of a debtor. The applicant stated that, on the basis of an arbitration court's judgment, a debt had been collected from him and that the district court had issued a writ of execution for its enforcement. The sworn bailiff, in turn, had made the deductions without leaving him the necessary means of subsistence or the minimum maintenance costs for his children, as defined in the law and the Cabinet of Ministers Regulations.

The panel, referring to the Constitutional Court's case-law, pointed out that a constitutional complaint was mainly a subsidiary legal remedy for a person's fundamental rights in those cases where the interference with fundamental rights could not be remedied by general legal remedies. The aim of the subsidiarity principle included in the Constitutional Court Law is to ensure that a court, when hearing a case on its merits, would first of all use the methods for applying and interpreting law at its disposal to reach an outcome that is compatible with the Constitution.

The documents attached to the application indicate that a sworn bailiff, on the basis of the writ of execution issued by the district court, had made deductions from the applicant's funds kept in a credit institution. Article 632 of the Civil Procedure Law, in turn, defines the procedure by which a debtor may appeal to a district court against activities taken by a sworn bailiff to enforce a judgment. However, neither the application nor the Courts Information System indicated that the applicant had exercised the right to appeal provided for in Article 632 of the Civil Procedure Law. The application also failed to substantiate why appealing against a sworn bailiff's activities taken to enforce a judgment should not be considered an effective legal remedy. Thus, the panel found that the applicant had not exhausted all the possibilities for defending his rights by means of general legal remedies.⁶¹

In application No. 85/2025 the applicant requested the Constitutional Court to declare Article 73(1) of the Law on Administrative Liability as incompatible with several provisions of the Constitution. The said legal provision established that an official may apply a procedural coercive measure – staying of the exercise of rights granted to a person – to prevent further commitment of offences.

The panel established that the State Police had initiated administrative offence proceedings against the applicant and that, *inter alia*, a compulsory procedural measure, a suspension of the driver's licence, had been applied to him. The applicant appealed in court against the decision by the State Police on applying the penalty. The first instance court, however, delivered a judgment upholding the decision of



61 Decision of the Constitutional Court's 3rd Panel of 21 March 2025 on refusal to initiate a case on the basis of application No. 45/2025.

the official of the State Police in the administrative offence case and dismissed the applicant's complaint. In this judgment, the court, taking into account the purpose of the procedural coercive measure applied to the applicant, as well as the principles of proportionality and justice, held that it should be counted towards the length of the additional penalty – revocation of a driver's licence. Disagreeing with the judgment by the first instance court, the applicant appealed against it. The proceedings in this case of administrative offence are still ongoing. Due to this reason, the panel found that the applicant had not exhausted all the possibilities to defend his rights by means of general legal remedies.

The applicant, however, argued that the examination of his application is of a general interest because the regulation contained in the contested provision affects many persons and points to systemic problems in the application of the procedural coercive measure in question. Moreover, general legal remedies cannot prevent a significant damage being done to the applicant because the applied procedural coercive measure had been in effect for a long time and when the final ruling in the administrative office case enters into effect irreversible consequences would have set in.

The panel, referring to Article 19⁵(3) of the Constitutional Court Law, found that, to declare that the review of a constitutional complaint is of general interest, it should be established not only that the legal situation described in the complaint has affected also other persons apart from the particular applicant, but also that the particular legal situation itself could be considered particularly serious and would require immediate resolution. Only harm that causes simultaneously adverse and irreversible consequences for a person's rights and interests may be considered significant. The application does not lead to the conclusion that the applicant's situation should be considered particularly serious and requiring immediate resolution at the Constitutional Court before all general legal remedies have been exhausted. Therefore, no confirmation has been found in the particular case that the consequences pointed out by the applicant should be considered irreversible.⁶²

The applicant has missed the deadline for submitting the application

Article 19²(4) of the Constitutional Court Law states that a constitutional complaint may be submitted within six months after the entry into force of the decision of the final institution or, if it is not possible to protect the fundamental rights established in the Constitution through general legal remedies, the complaint may be submitted within six months from the moment when the fundamental rights have been interfered with. In 2025, panels adopted approximately 30 decisions on refusing to initiate proceedings on the basis of this provision.

In application No. 21/2025, the applicant requested the Constitutional Court to review Article 6 of the law "On State Social Insurance", insofar as it did not provide for parental insurance to a person whose spouse was in the diplomatic service abroad and who resided in the respective foreign state as a spouse of a person in the diplomatic service.

The applicant stated that the interference with her fundamental rights had occurred at the time when her spouse had completed the diplomatic service abroad and they together with the family returned to Latvia. It was exactly at this time that the total income of the family significantly decreased, i.e., her spouse no longer received allowances for service abroad and benefits for the maintenance of a spouse and children abroad.

The panel, however, found that the total decrease in the family's income after returning to Latvia was not directly connected to the contested provision but to the legal regulation on allowances and compensations for officials in the diplomatic service. The interference with the applicant's fundamental rights, in turn, had occurred because she as a person whose spouse was in the diplomatic service abroad and who resided in the respective foreign state as the spouse of a person in the diplomatic

62 Decision of the Constitutional Court's 4th judicial panel of 5 June 2025 on refusal to initiate a case on the basis of application No. 85/2025.

service, was not an insured person with respect to parental insurance. The applicant entered into the scope of the contested provision by moving to live abroad where her spouse was in the diplomatic service. The social insurance case, in turn, for which the applicant wanted to be insured, namely, the birth of a child, occurred in June 2024.

Thus, the panel concluded that, in the particular case, June 2024 should be considered the date when the interference with the applicant's fundamental rights occurred. However, the application to the Constitutional Court was submitted in January 2025 and, thus, the deadline for submitting a constitutional complaint had not been met.⁶³

In application No. 176/2025, the applicant requested the Constitutional Court to review the constitutionality of Article 24(2) of the Law on the Handling of Weapons. This provision states, *inter alia*, that the State Police suspends the weapon permit issued to a person who has been declared as a suspect of having committed a crime.

It was stated in the application that the term for submitting a constitutional complaint to the Constitutional Court should be counted from 7 August 2025 when the State Police provided an answer to the applicant that the grounds defined in Article 24(3) of the Law on the Handling of Weapons for renewing the operation of a weapon permit did not exist.

The panel found that the contested provision was imperative, clearly worded and that the applicant was in a typical situation for the scope of this provision. Hence, the applicant did not have any possibilities to defend his rights by means of general legal remedies. The contested provision had been applied to him by a decision of the State Police, by which the operation of the issued authorisation for possessing and carrying firearms had been suspended because he had been suspected of having committed a criminal offence. Thus, the adverse legal consequences for the applicant occurred at the time when the State Police adopted the decision and not at the time when the State Police provided the answer that the grounds defined in Article 24(3) of the Law on the Handling of Weapons for renewing the operation of a weapon permit did not exist.⁶⁴

The application does not contain any legal grounds

Article 18(1)(4) of the Constitutional Court Law provides that legal arguments have to be indicated in the application. In 2025, finding that legal arguments were not indicated in the application, the judicial panels made just over 30 decisions on refusing to initiate proceedings. This ground for refusal is mainly applied in the case of constitutional complaints.

The applications regarding which the judicial panel has made these decisions are characterised by their relative brevity. Namely, the applicant provides a statement of the facts of the case and a general opinion on the content of a specific constitutional provision and the contested provision, as well as cites, for example, other legal provisions, case-law of courts or conclusions from the legal doctrine. The judicial panels do not view such considerations as sufficient legal reasoning within the meaning of the Constitutional Court Law. Similarly, judicial panels have applied Article 18(1)(4) of the Constitutional Court Law also in a situation where the applicant, referring to the relevant case-law of the Constitutional Court and the criteria used therein to test the constitutionality of legal provisions, had analysed only certain elements of this test of constitutionality.

In application No. 58/2025, the applicant requested the Constitutional Court to declare paragraph 28¹ of the Cabinet of Ministers Regulation of 2 February 2010 No. 103 "Procedures for the Acquisition and Renewal of the Right to Drive Vehicles and Procedures for the Issuance, Exchange, Renewal, and Destruction of a Driving Licence" to be incompatible with the principle of legal equality, enshrined in Article 91 of the Constitution. This provision of the Cabinet of Ministers

63 Decision of the Constitutional Court's 1st judicial panel of 25 February 2025 on refusal to initiate a case on the basis of application No. 21/2025.

64 Decision of the Constitutional Court's 1st judicial panel of 24 October 2025 on refusal to initiate a case on the basis of application No. 176/2025.

Regulation determined that, if the term of validity of a driving licence has expired more than three years previously, it is exchanged only after the relevant theoretical and driving tests have been passed. The applicant stated that he had been in prison already for several years and that, during this period, the term of validity of his driving licence had expired. It was alleged that the contested provisions are incompatible with the principle of legal equality because, unlike other persons who are not in prison, he could not exchange his expired driving licence in due time because of objective reasons.

The Constitutional Court's judicial panel, referring to the Constitutional Court's case-law, pointed out that in reviewing the compatibility of the contested provision with the principle of legal equality, it should be established: 1) whether and which persons (groups of persons) are in circumstances that are comparable according to certain criteria; 2) whether the contested provision establishes equal or different treatment of these persons; 3) whether this treatment has been established by a legal provision adopted in the procedure set out in regulatory enactments; 4) whether such a treatment has objective and reasonable grounds, i.e., whether it has a legitimate aim and whether the proportionality principle has been respected. To determine which groups of individuals are in similar circumstances that can be compared according to specific criteria, it is necessary to identify the main unifying characteristic of these groups. At the same time, it should be examined whether any significant considerations indicate that these groups of persons are not in similar circumstances that are comparable in accordance with certain criteria.

The panel found that the application included a description of the factual circumstances and indicated in a general way that the comparable groups were persons in a prison and persons outside a prison. Likewise, the applicant had generally indicated, e.g., that, unlike a driver's licence, a personal identity card or a passport can be replaced also while a person is in prison and without waiting for the adverse consequences that might set in after the term of validity of these documents expires. Documents proving that the applicant had turned to the Prisons Administration and to the state joint stock company "Road Traffic Safety Directorate" to resolve the situation had been attached to the application.

It was also stated in the panel's decision that the allegations made in the application were general and did not provide legal grounds proving that the comparable groups were in similar circumstances. Namely, no arguments had been provided in the application regarding the characteristics uniting these groups and whether no significant arguments existed that prohibited a comparison of these groups. It was also not indicated in the application what the legitimate aim of the different treatment established by the contested provision might be and why this different treatment is incompatible with



the proportionality principle. Therefore, the panel concluded that the application was incompatible with the requirements of Article 18(1)(4) of the Constitutional Court Law.⁶⁵

The application does not comply with other requirements specified by the Constitutional Court Law

Article 18 of the Constitutional Court Law sets out the general requirements to be complied with by each applicant. In 2025, this provision was applied in five decisions by the panels on refusal to initiate a case.

In application No. 16/2025, the applicant requested to declare the Residential Tenancy Law as incompatible with several articles of the Constitution.

The panel found that Article 18(1)(5) of the Constitutional Court Law defines the obligation to indicate in the application a claim to the Constitutional Court. Pursuant to Article 19²(1) of this law any person who considers that a legal provision that is incompatible with a superior legal provision interferes with their fundamental rights included in the Constitution may submit a constitutional complaint (an application) to the Constitutional Court. This means that a specific legal provision (a specific article of the law, a part of an article, a paragraph or a subparagraph) the compliance of which with superior legal provisions is contested must be indicated in a constitutional complaint. However, not a single legal provision that allegedly interfered with the applicants' fundamental rights and the compliance of which with the Constitution they contested was indicated in application No. 16/2025. Neither was it possible to deduce the contested provision by carrying out a reasonable interpretation of the application and the documents attached to it. Therefore, the judicial panel concluded that the application was incompatible with Article 18(1)(5) and Article 19²(1) of the Constitutional Court Law.⁶⁶

In application No. 83/2025 the applicant requested, *inter alia*, to declare that there was no regulation in the Criminal Procedure Law on joint and several liability for damages. Namely, it was stated in the application that the joint and several liability for damages caused to victims was regulated the Civil Law; however, the applicant considered that it should be regulated in the Criminal Procedure Law and that a more fair solution complying with the proportionality principle should be introduced.

The panel established that the legislator had adopted legislation on joint and several liability for damages. The issues related to the compensation of damages caused by a criminal offence are regulated by several provisions of the Criminal Procedure Law, whereas the joint and several liability for damages – by several provisions of the Civil Law. A specific provision of the Criminal Procedure Law or of the Civil Law had neither been indicated nor described in the application, no substantiation was provided regarding the legislator's alleged duty to adopt any legal regulation derived from the Constitution that it had not fulfilled. The provision of the Constitution with respect to which the absence of such regulation in the Criminal Procedure Law should be examined could not be deduced from the application. Hence, the panel found that this claim was incompatible with the requirements of Article 18(1)(5) of the Constitutional Court Law.⁶⁷

Res judicata

Article 20(5)(4) of the Constitutional Court Law provides that the Constitutional Court may refuse to initiate a case if the application is submitted in respect of an already adjudicated claim. In 2025, this provision was applied in four decisions on refusing to initiate a case.

65 Decision of the Constitutional Court's 2nd Panel of 31 March 2025 on refusal to initiate a case on the basis of application No. 58/2025.

66 Decision of the Constitutional Court's 4th judicial panel of 20 February 2025 on refusal to initiate a case on the basis of application No. 16/2025.

67 Decision of the Constitutional Court's 2nd judicial panel of 9 June 2025 on refusal to initiate a case on the basis of application No. 83/2025.

In application No. 106/2025, the Constitutional Court was requested to declare Article 397 of the Civil Procedure Law, insofar it prohibited a person who had not been informed about proceedings to appeal against a court decision on the sale of property at auction, to be incompatible with Article 92 of the Constitution. Article 397 of the Civil Procedure Law regulates how a judge adopts a decision when examining an application for the voluntary sale of immovable property at auction.

The panel pointed out that on 24 November 2010 the Constitutional Court had delivered a judgment in case No. 2010-08-01. In this judgment, the Court declared, *inter alia*, that the words of Article 397(1) of the Civil Procedure Law “without notifying the applicant and the debtor thereof” and the words of Article 397(2)(1) “a debtor of a pledgee and the pledgee have the right to sell the immovable property on the open market” to be compatible with Article 92 of the Constitution. In case No. 2010-08-01 the Court already reviewed whether the contested regulation of the Civil Procedure Law, insofar it did not envisage the right to appeal against a judge’s decision on voluntary sale of immovable property at an auction, complied with Article 92 of the Constitution. Namely, the Constitutional Court found that the contested legal institution was incompatible with the possibility to submit an appellate and cassation complaint because a judge’s decision to allow sale at an auction cannot be regarded as a decision adopted within the procedure of administering justice.

Thus, the panel found that the compliance of Article 397 of the Civil Procedure Law, insofar as it did not envisage the right to appeal against a judge’s decision on voluntary sale of immovable property at auction, with Article 92 of the Constitution had already been reviewed on the merits in the judgment in case No. 2010-08-01. The applicant, in turn, has not indicated such circumstances, due to which the claim, included in the application, could not be considered as already adjudicated and, also, the panel does not find such circumstances in the particular case. Hence, the panel concluded that the claim, included in the application, already had been adjudicated.⁶⁸

The legal grounds are manifestly insufficient to satisfy the claim

Pursuant to Article 20(6) of the Constitutional Court Law, a judicial panel has the right to refuse to initiate a case if the legal grounds provided in the constitutional complaint are manifestly insufficient to satisfy the claim. In 2025, panels adopted slightly more than ten decisions refusing to initiate a case on the basis of this provision.



68 Decision of the Constitutional Court’s 1st Panel of 4 July 2025 on refusal to initiate a case on the basis of application No. 106/2025.

Article 20(6) of the Constitutional Court Law applies only to one type of application – a constitutional complaint. The decisions of the judicial panels adopted on the basis of this provision mostly concern those aspects of assessment of law and methodology on which the case-law of the Constitutional Court has already been established. For example, in application No. 123/2025, the applicants requested the Constitutional Court to review the compliance of Article 7⁵(2) of the Law on Investment Management Companies with the first three sentences of Article 105 of the Constitution. This legal provision states that if a person, disregarding a prohibition imposed by the Financial and Capital Market Commission, acquires or increases a qualifying holding in the company, they have no right to exercise the voting rights of all shares belonging to them, and decisions of meetings of stockholders which have been taken using voting rights of such stocks shall be void from the moment of their adoption and a request to make an entry in the Commercial Register and other public registers may not be requested on their basis.

It was stated in the application that the restriction of fundamental rights included in Article 7⁵(2) of the Law on Investment Management Companies was not proportionate because its legitimate aim could be achieved by other measures, less restrictive on a person's fundamental rights. Namely, the legislator could have adopted regulation that would not establish an automatic prohibition to exercise the voting rights but envisage, instead, a coordination of votes with the competent authority, thus ensuring an individual assessment of every decision taken.

The Constitutional Court's panel, by referring to the Constitutional Court's case-law, found that a measure that restricts a person's fundamental rights to a lesser extent is not any other measure but a measure by which the legitimate aims can be achieved in at least the same quality and which does not demand from the state and society an incommensurate investment. However, the application did not substantiate that the measure indicated by the applicants linked to expanding the supervision and control function of the competent authority would not demand from the state an incommensurate investment.

Likewise, the applicants stated that the benefit gained by society from the restriction of fundamental rights included in the contested provision did not outweigh the harm inflicted on an individual's rights. Namely, in the application it was generally stated that not every decision of a shareholders' meeting has an impact on the overall well-being of society and the economic situation. Therefore, the benefit that society gains from the restriction defined in the contested provisions is questionable. The panel, however, found that such general statements cannot be considered as legal reasoning within the meaning of the Constitutional Court Law. Thus, the panel concluded that the legal grounds included in the application regarding the alleged unconstitutionality of Article 7⁵(2) of the Law on Investment Management Companies were evidently insufficient for satisfying the claim.⁶⁹

Changes to the legal grounds or statement of facts in a repeated application

Article 20(5)(5) of the Constitutional Court Law grants a judicial panel of the Constitutional Court the right to refuse to initiate a case if the legal grounds or the statement of facts contained in the application have not changed in substance compared to a previously submitted application with respect to which a judicial panel has made a decision. In 2025, this provision was applied in slightly more than 20 decisions.

Article 20(5)(5) of the Constitutional Court Law is based on the principle of procedural economy. This relieves the work of the panels in cases where the Court is faced with repeated applications which are similar in legal reasoning or facts to an earlier application.

In application No. 35/2025, the applicant requested the Constitutional Court to declare Article 338¹(2)(3) of the Administrative Procedure Law to be incompatible with several provisions

⁶⁹ Decision of the Constitutional Court's 1st judicial panel of 22 July 2025 on refusal to initiate a case on the basis of application No. 123/2025.

of the Constitution. This legal provision sets out that a judicial panel may refuse to initiate cassation proceedings if the cassation complaint is outright insulting and defiant.

A judicial panel, having examined a previous application by the same applicant, already had decided to refuse to initiate a case. Namely, by the panel's decision No. 2/2025, the initiation of a case was refused because the applicant's opinion regarding the application of the contested provision in a particular situation had been expressed in the application; however, the Constitutional Court does not review issues related to the application and interpretation of legal provisions. The application did not provide confirmation that it was directly the contested provision and not its application caused an interference with the applicant's fundamental rights.

In the decision regarding application No. 35/2025, the panel had found that the statement of factual circumstances included in the application had not changed; however, the claim had been specified, i.e., the applicant no longer requested to review the compliance of the contested provision with Article 86 of the Constitution but had added to the application a request to review the compliance of the contested provision with other provisions of the Constitution. The presentation of arguments had also changed, adding to the application references to the Constitutional Court's case-law, as well attaching new annexes to it – documents drawn up by the applicant in the legal proceedings in the administrative court and the administrative court's judgments.

However, the panel found that neither specifying the claim nor expanding the arguments provided in the previous application, nor broadening its scope *per se* meant that the legal grounds of the application had substantially changed if these amendments did not rectify the deficiencies previously identified by the panel. The application still did not provide confirmation that the contested provision itself and not its interpretation or application in the particular situation interfered with the applicant's fundamental rights included in the Constitution. Also, the panel again drew the applicant's attention to the fact that the Constitutional Court did not review issues related to the application and interpretation of legal provisions. Thus, the panel concluded that the statement of factual circumstances and the legal grounds had not substantially changed compared to the previously submitted application, on which the panel had already decided.⁷⁰

Other requests of applicants

Other requests of applicants have also been decided on in judicial panels' decisions not to initiate proceedings. In most cases, if a judicial panel concludes that the application does not comply with the requirements of the Constitutional Court Law and, therefore, the case should not be initiated, it dismisses such requests. However, in some cases, an assessment of the applicant's request may be relevant for subsequent interpretation of the Constitutional Court Law.

For example, the applicants who submitted application No. 144/2024 requested the Constitutional Court to convene a preparatory sitting and decide on renewing the time-limit for submitting a constitutional complaint, noting that it should be considered as a procedural matter unregulated in the Constitutional Court Law and the Rules of Procedure of the Constitutional Court. The panel pointed out that the time-limit within which a person had the right to submit a constitutional complaint to the Constitutional Court had been determined in the Constitutional Court Law and the law did not provide for the possibility of its renewal. Hence, the renewal of the time-limit for submitting a constitutional complaint is not a procedural matter that has not been regulated in the Constitutional Court Law or the Rules of Procedure of the Constitutional Court, which the Constitutional Court would have the right to decide on pursuant the third sentence of Article 26(1)(3) of the Constitutional Court Law.⁷¹

70 Decision of the Constitutional Court's 1st judicial panel of 17 March 2025 on refusal to initiate a case on the basis of application No. 35/2025.

71 Decision of the Constitutional Court's 3rd judicial panel of 17 January 2025 on refusal to initiate a case on the basis of application No. 144/2024.

A request was attached to application No. 48/2025, also requesting the renewal of the procedural time-limit for submitting a constitutional complaint to the Constitutional Court. It was stated in the request that the deadline for submitting a constitutional complaint to the Constitutional Court had been missed due to objective reasons, i.e., because of illness. The specific illness and its treatment had affected the applicant's ability to actively defend her rights; therefore, she had been unable to submit the application in due time.

The panel, referring to the Constitutional Court's case-law, noted that the time-limit was a rule that formed the content of a constitutional complaint the failure to comply with which denied access to the Court. After the time-limit prescribed by the Constitutional Court Law has expired, a person's right to submit a constitutional complaint is also lost. In defining this time-limit, the legislator has presumed that in the case where a contested provision causes a significant interference with a person's fundamental rights, they would turn to the Constitutional Court immediately. The longer a person tolerates an interference with their rights, the less interested they are in defending their fundamental rights. The time-limit for submitting a constitutional complaint determined in the Constitutional Court Law should be considered proportionate and sufficiently long, allowing a person to prepare and submit a constitutional complaint.

Thus, the panel found that the time-limit within which a person was entitled to submit a constitutional complaint to the Constitutional Court had been prescribed by the Constitutional Court Law and did not see in the circumstances of the application under review any grounds for departing from this regulation established by that law.⁷²

In application No. 31/2025, the applicant requested the Constitutional Court to adopt an ancillary decision and ask the Office of the Prosecutor General to examine the actions of judges who had participated in the adjudication of a particular civil case. The panel stated that this request to adopt an ancillary decision on submit a request to the Office of the Prosecutor General should be left without examination because the panel did not have the jurisdiction to adopt such decisions.⁷³

Application No. 149/2025 included a request to refer a preliminary question to the CJEU. The panel pointed out that the matter of turning to the CJEU should be decided if the case had been initiated at the Constitutional Court and its outcome would depend on interpretation of the European Union law. Since the decision to refuse initiation of a case was adopted in this particular case, this request was left without examination.⁷⁴



72 Decision of the Constitutional Court's 2nd judicial panel of 27 March 2025 on refusal to initiate a case on the basis of application No. 48/2025.

73 Decision of the Constitutional Court's 1st Panel of 10 March 2025 on refusal to initiate a case on the basis of application No. 31/2025.

74 Decision of the Constitutional Court's 1st Panel of 4 September 2025 on refusal to initiate a case on the basis of application No. 149/2025.

2.8. Uninitiated cases

Every year, certain trends characterise applications considered by the Constitutional Court and they can be broadly divided into several thematic groups. Although a significant share of applications does not correspond to the requirements of the Constitutional Court Law and cases are not initiated on their basis, the legal issues included in these applications nevertheless illustrate relevant problems in society and may point to the areas which possibly require improvements.

During the reporting period, as in the previous years, persons most often turned to the Constitutional Court in connection with various procedural legal provisions that prohibited contesting or appealing against a decision or a judgment, as well as regulation that granted the Senate the right to refuse initiating cassation proceedings.

Likewise, it is usual that the number of received applications increases in those areas where significant changes have recently been introduced. For example, during the reporting period, judicial panels examined several applications with respect to: restrictions on the distribution of alcoholic drinks in gambling halls; the introduction of two cadastral values and the calculation of the cadastral value base; the regulation according to which water consumption meters are no longer subject to the state metrological control; changes to the procedure for exchanging a driver's licence; the obligation for animal shelters to register with the Food and Veterinary Service; the right of an insolvency administrator to request a court to terminate the legal proceedings with respect to claims regarding the exclusion of the debtor as a member from another company. Similarly to the previous years, also last year the Constitutional Court's judicial panels examined several applications from persons who were in detention facilities, including in remand prisons. During the reporting period, mostly the provisions of internal regulations of these institutions were contested, regarding: the obligation to attach to the clothes an identification badge; receiving, possessing, and using video game consoles; food products available for purchase at the prison store.

Matters related to the right to social security also had been relevant, including the calculation of a pension for a certain period; including the work done by a person in the insurance period; parents' insurance for a person whose spouse was in the diplomatic service abroad.

Although four cases with respect to the regulation of criminally acquired property in the Criminal Procedure Law were examined by the Constitutional Court during the reporting period, persons continue contesting the constitutionality of legal provisions that regulate these proceedings. For example, during the reporting period, the initiation of a case was refused with respect to applications regarding: regulation that did not envisage the renewal of the proceedings regarding criminally acquired property due to newly discovered circumstances; the time-limit for restricting the right to property with respect to which such proceedings had been initiated. Several applications regarding the regulation of the Criminal Procedure Law on seizing property were also received.

Several applications concerning the area of environmental law were examined: provisions on the local governments' spatial planning; provisions of the Cabinet of Ministers Regulations regarding the location of wind power plants and wind farms, as well as payments by wind power plants for the development of the local community.

In the applications reviewed last year, an issue related to the regulation of national defence service also came to the fore — representatives of a certain religion contested several provisions of the National Defence Service Law, insofar as they did not provide for an alternative service that was not subject to the control by military personnel and was not punitive.

2.9. Pending cases

Case No. 2024-27-0103 *Mandatory procurement of electricity*

In this case, the Constitutional Court will review legal provisions determining the authority to decide on the revocation of the right to mandatory purchase of electricity and the imposition of an obligation on a business operator to repay the state aid received, as well as determines the allocation of the burden of proof in the event of a dispute regarding the aforementioned circumstances. The applicant alleges that these provisions violate the right to property by not permitting an individual assessment of each case. Likewise, they are said to impose a disproportionate burden of proof, thus violating also the right to a fair trial.

Case No. 2024-30-01 *Languages of national minorities*

In this case, twenty members of the *Saeima* requested a review of the use of minority languages in public electronic mass media. The applicants allege that this regulation diminishes the value of the official language and therefore is incompatible with the preamble and Article 4 of the Constitution.

Case No. 2025-04-01 *Administrative territorial reform*

Twenty members of the *Saeima* contest the inclusion of the rural territory of Murmastiena, the rural territory of Varakļāni and Varakļāni City into the Madona municipality. The applicants allege that, by joining Varakļāni municipality, belonging to the historical land of Latgale, to Madona municipality, which belongs to the historical land of Vidzeme, Articles 1 and 101 of the Constitution are violated.

Case No. 2025-06-0106 *Students' social stipend*

The case regarding a student's right to receive a stipend for social support was initiated on the basis of the Ombudsman's application. The contested provision states, *inter alia*, that only persons who study in Latvia are entitled to receive a stipend for social support. The Ombudsman alleges that the contested provision violates the legal equality principle included in the first sentence of Article 91 of the Constitution, the right to social security established in Article 109 of the Constitution, as well as the freedom of movement enshrined in Article 21(1) of the TFEU.

Case No. 2025-09-03 *Compensation for restrictions on forest use*

The Constitutional Court will have to review legal provisions that determine the amount of compensation for restrictions on forest use due to microreserves. The submitters of the constitutional complaint whose commercial activities have been restricted allege that the amount of compensation is disproportionately low. Moreover, it is not differentiated in accordance with the actual value of the real estate and the situation in nature. Thus, the principle of legal equality, as well as the right to property included in Article 105 of the Constitution have been violated.

Case No. 2025-11-03 *Spatial plan of Jūrmala*

The case was initiated on the basis of an application by an association requesting a review of the compatibility of a binding regulation of Jūrmala Council with the right to live in a benevolent environment included in Article 115 of the Constitution. A detailed plan, intending to increase the building height in a specific territory, was approved by the contested act, *inter alia*, without assessing the impact of this act on two cultural monuments of national significance.

Case No. 2025-13-01 *Escheat*

The Senate, while hearing a case regarding entering the request of corroboration in the Land Register, submitted an application to the Constitution Court. It is stated in the application that the property of a legal person has become escheat and that this person had owned also real estate which had been leased to its participants. Pursuant to the contested provision, upon corroborating the state's title to real estate that has been recognised as escheat, the entry on the lease agreement is deleted from the Land Register. It is alleged that the contested provision thus violates the legal equality principle because such entry would not be deleted if the change to the title to property were to happen in the course of general civil turnover. Allegedly, the right to property is also violated.

Case No. 2025-14-01 *Funded pensions*

The contested provision determines that the rate of contributions to the funded pension scheme or to the 2nd pillar of pensions is decreased for four years, redirecting during this period one per cent of the rate of contributions to the 1st pillar of pensions. Twenty-one members of the *Saeima* allege that thus the state's obligation to maintain a system of pensions that would ensure adequate pensions, commensurate with the contributions made, which derives from Article 109 of the Constitution, has been breached; it is also alleged that the sustainability of the pension system is not ensured. Likewise, the principle of legitimate expectations included in Article 1 of the Constitution has been violated.

Case No. 2025-18-03 *Entertainment noise*

The Ombudsman contests the compliance of provisions adopted by the Cabinet of Ministers with the Constitution. The Ombudsman alleges that the existing regulation does not ensure effective protection of persons' right to the inviolability of home, does not protect persons against the harmful impact of noise on health and does not promote improvements of the quality of environment in this area.

Cases No. 2025-22-03 and No. 2025-34-03 *Restrictions on gambling in Daugavpils*

Several commercial companies contested the regulation that prohibits to organise gambling in several locations within the administrative territory of Daugavpils State City. The applicants allege that this regulation places disproportionate restrictions on their right to engage in commercial activities and, thus, violates their right to property.

Case No. 2025-23-01 *Release from debt obligations*

The provisions contested in the case broaden the range of cases when and persons who may be released from debt obligations. The applicant argues that its right to property has been violated by this because, due to the contested provisions, the value of a large portion of its debt portfolios has decreased significantly. Moreover, the principle of protecting legitimate expectations also had been violated because the contested provisions are applicable also to debt obligations which had been established, ceded, or the recovery of which or enforcement proceedings had been initiated before these provisions entered into effect.

Case No. 2025-27-0106 *Reduction of the solidarity contribution*

The case was initiated on the basis of a constitutional complaint by a credit institution, requesting to review the constitutionality of a provision that defines the criteria for applying a reduction of the solidarity contribution. Namely, the contested provision sets out that a legal subject may qualify for a reduction of the solidarity contribution if a certain growth in crediting has

been achieved during the relevant payment period. The Constitutional Court will examine whether the legal equality principle, as well as the legal acts of the European Union in the area of state aid have been complied with.

Case No. 2025-32-03 *Restrictions on gambling in Riga*

The contested provisions determine the locations within the administrative territory of the local government of Riga State City where organising of gambling is prohibited. The contested provisions also envisage revoking the previously issued permits. The submitters of the constitutional complaint allege that thus their commercial activities within the entire administrative territory of the local government of Riga State City have been restricted and their right to property has been violated. Likewise, the principle of legal security and the principle of legitimate expectations are said to have been violated.

Case No. 2025-33-01 *Prohibition to be a psychologist*

The Constitutional Court will review a case, initiated on the basis of an application by a court, requesting a review of legal provisions that prohibit to engage in professional activities of a psychologist for a person who has been previously convicted for specific criminal offences. The Court will have to review the compliance of the contested provisions with the right to freely choose employment established in the first sentence of Article 106 of the Constitution.

Case No. 2025-35-03 *Difference in water consumption*

The provision contested in the case established an apartment owner's obligation in certain cases to pay for the difference in water consumption of the entire building. The applicant, a court, alleges that this provision imposes disproportionate restrictions on an apartment owner's right to property.

Case No. 2025-36-01 *Recognition of a religious organisation*

The case was initiated on the basis of a constitutional complaint submitted by the Union of Jehovah's Witnesses Congregations. In Latvia, some religious organisations have acquired, by a special law, specific rights, e.g., performance of public functions, privileges for priests, and the protection of property. The applicant alleges that the contested provision of the Law on Religious Organisations, insofar as it does not establish a procedure according to which a religious organisation may apply for this recognition by a special law, is incompatible with the legal equality principle and the right to freedom of religious beliefs.

Case No. 2025-37-03 *Subsidy to a sports school*

The Constitutional Court will review a case in which it will have to examine legal provisions that determine the formula for calculating the amount of subsidy to be granted to an educational institution and the procedure by which the state allocates any remaining funds for teacher salaries, if such funds become available. The case has been initiated on the basis on an application by a court, stating that the contested provisions deny the possibility to a vocationally oriented sports school to receive a state budget subsidy for paying remuneration to teachers and making the mandatory state social insurance contributions.

Case No. 2025-38-01 *Compensation for damage caused to a patient*

The Constitutional Court will review a legal provision that determines that a patient may claim compensation from the Medical Treatment Risk Fund for damage caused to their life or health, as well as the costs of treatment no later than within two years after detecting the harm, however, no later than within three years after the date when the damage was caused. The Court will review the

compliance of this provision with the third sentence of Article 92 of the Constitution, which provides for a commensurate compensation in the case of unjustified interference with rights. The applicant – a court – argues that the economic conditions and the state's financial possibilities have changed since the adoption of this provision, therefore this restriction is no longer proportionate.

Case No. 2025-39-01 *Right to know the grounds for an entry ban*

Provisions on the right to obtain classified information which serves as the grounds for an entry ban into Latvia against a foreigner are contested in the case. The applicant who was banned from entering Latvia alleges that the contested provisions violate the right to a fair trial because they allow the Minister for the Interior and a state security institution to refuse to provide information about the threats to national security caused by the person. The state security institution determines also the scope of information which may be disclosed to a sworn advocate who represents the aforementioned person and who has been issued the permit to access official secret.

Case No. 2025-40-03 *Discontinuation of water meter verification*

Pursuant to the contested provisions, the water consumption meters installed in the apartments of multi-apartment residential buildings are no longer subject to the state metrological control. The applicant, a commercial company engaged in replacing water consumption meters in multi-apartment residential buildings, alleges that such a legal regulation violates the principle of legitimate expectations and the right to property.

Case No. 2025-41-01 *Expropriation of real estate*

The law that determines that a particular object of real estate owned by a person is expropriated for public needs (for the purposes of provision of health care services) is contested in the case. The Constitutional Court will have to review whether the legislator has complied with the criteria for expropriating property included in the Constitution.

Case No. 2025-42-01 *Natural resources tax*

The case has been initiated on the basis of an application by a court which is examining a case on the calculation of the natural resources tax in a tenfold amount. The Constitutional Court will examine whether the provision which envisages the application the increased tax rate, irrespective of whether the offence has been based on malicious actions, complies with the right to property.



3

Dialogue

An active dialogue with citizens is a pre-condition for strengthening the awareness of statehood, promoting society's participation, and creating understanding of the fundamental values of Latvia as a democratic state governed by the rule of law. The task of the Constitutional Court is not only to administer justice but also to engage in a dialogue with various societal groups and institutions of state power to facilitate an understanding of a shared vision of the sustainability of the state of Latvia.

The aim of the Constitutional Court's dialogue is to facilitate an understanding in society of the values, fundamental rights, and freedoms included in the Constitution, as well as to promote the sense of belonging to Latvia among people.

A democratic state governed by the rule of law ensures the possibility to live in a just, foreseeable, and safe environment, where laws are created in the interests of people, to foster the welfare of everyone and of society as a whole. The state of Latvia is strengthened through the interaction between inhabitants and public authorities. Priorities in the administration of justice are set by the people of Latvia – by the applications they submit and the problems indicated therein because of which they turn to a court.

The Constitutional Court's authority is closely linked to society's trust, which the Court reinforces by its work, in each judgment, by seeing a human being and their problems behind the case. The main task of the Constitutional Court is to ensure the rule of law and justice in the Latvian society. The Court's authority is strengthened not only through the content of its judgments but also by the ability to explain its meaning to society in a simple and understandable language.

The Constitutional Court actively develops a dialogue with society, thus promoting mutual respect and trust in the Court as an independent and just institution. Every ruling of the Court is important not only for the parties involved in the particular case but also for society as a whole, because it reinforces justice and the rule of law. To ensure that society is fully informed, the Constitutional Court explains the specific features of its jurisdiction, the adopted rulings, the legal proceedings, as well as its work in general. The Constitutional Court's dialogue with society is shaped by actively held press conferences, concise press releases, presenting the findings included in its judgments in an easily understandable way, as well as by a variety of educational activities. It is a comprehensible and humane dialogue to encourage citizens' active participation and trust in the rule of law.

The Constitutional Court's dialogue with public authorities and other courts promotes the strengthening of fundamental values of a democratic state governed by the rule of law, as well as facilitates society's trust in the state power. This dialogue is important to ensure better cooperation between public authorities to protect fundamental rights, adopt better quality laws, ensure effective proceedings at the Constitutional Court and the enforcement of the Court's rulings.

The Constitutional Court is an important partner for the European legal system and the global community of constitutional courts, contributing significantly to the development of a common legal area. The Constitutional Court implements active and dynamic international cooperation, ensuring permanent and targeted involvement of the Constitutional Court's judges in setting the international legal agenda. Maintaining of a supranational dialogue promotes a uniform and effective protection of fundamental rights, as well as allows to seek joint solutions to challenges of a global scale, going beyond the borders of individual states. At the same time, international cooperation provides an opportunity for Latvia to explain its constitutional identity, the special historical context, and the importance of geopolitical context at the judicial level.

Bilateral cooperation, in the framework of which the Constitutional Court can share its experience, provide expert opinions, and support to other countries, promoting the development of their legal systems and integration in the European legal area, is also important.

From the perspective of the development of Latvian constitutional law, the Constitutional Court's active cooperation with courts and other institutions at the European and international level is important, as it strengthens Latvia's position in the European legal area.

3.1. Information on legal proceedings

The Constitutional Court's website provides detailed information on the initiated and pending cases, as well as on the decisions of the judicial panels on refusing to initiate a case.

The Constitutional Court prepares brief and clear press releases on the course of proceedings and the adopted rulings. To ensure public access to essential information on the cases being examined, the Constitutional Court publishes press releases when the reviewing of an initiated case begins, indicating information on the contested provision, factual circumstances, and legal grounds. After a ruling is made, the text of the ruling, a press release and a summary presenting the facts of the case, the methodology used to review the contested provision, and the Court's conclusions are published on the website.

In 2025, a novelty was introduced, publishing [monthly reports on the latest developments in legal proceedings](#), allowing all interested parties to obtain information about the Constitutional Court's work and to follow the developments in each case. Every month reports on legal proceedings are prepared, including information on the rulings adopted during the respective month, applications received, decisions made by judicial panels, as well as the course of proceedings. Interactive links are added to every ruling of the Court, ensuring a convenient access to the full text of the ruling on the Constitutional Court's website. Once per quarter, infographics are added to the reports on the latest developments in legal proceedings, reflecting the statistics regarding the adopted rulings, initiated cases and received applications. The reports are published on the Constitutional Court's website and information on them is available also in Constitutional Court's social media accounts.

On 4 November 2025, the Constitutional Court adopted amendments to the Rules of Procedure of the Constitutional Court, envisaging changes to the procedure of pronouncing a judgment. In the future, after a court hearing with the participation of parties in the case the adopted judgment will be pronounced by presenting the most important circumstances of the case and conclusions of the judgment and reading out the resolute part of the judgment. The amendments were adopted in order to promote the effectiveness of the proceedings at the Constitutional Court and to facilitate a more expedient use of resources, abandoning the regulation on pronouncing the judgment by reading out its full text. After coming into effect of these amendments, participants in the case, other persons involved in the proceedings, and society will still have the possibility to familiarise themselves with the full text of the Constitutional Court's judgment in writing and, at the public pronouncement of judgment, be informed about the most important circumstances of the case, conclusions made in the judgment, and hear the resolute part of the ruling. The Constitutional Court pronounced the judgment in case No. 2024-21-0103 regarding the fee for land use *ex lege* in accordance with the new procedure.

To inform society, press conferences are held with the participation of the Court's President and the reporting judge. Seven press conferences were organised during the reporting period. On the occasion of the opening the Constitutional Court's judicial year, a press conference was organised in which President Irēna Kucina and the Constitutional Court's guest of honour, Professor of the University of Iceland and the former President of the Republic of Iceland (2016–2024) Guðni Thorlacius Jóhannesson, participated. Six press conferences were held to inform about the rulings in the following cases: case No. 2024-06-01 on the language use in pre-election campaigns; case No. 2022-32-01 on proving the criminal origin of property; case No. 2024-20-01 on the dismissal of the local government council of Rēzekne State City; case No. 2024-16-01 on the restrictions to the composition of electronic smoking devices and tobacco substitute products, case No. 2024-26-03 on the amendments to the spatial plan of Jūrmala State City; case No. 2024-21-0103 on the fee for land use *ex lege*.

To allow society to gain better understanding of the content of fundamental rights and possibilities to protect them, the Constitutional Court prepares a bookazine and summarises the findings of its case-law on various articles of Chapter VIII of the Constitution “Fundamental Human Rights”. Over time, the series of bookazines dedicated to fundamental rights have become an important source of information for lawyers, as well as society as a whole. These publications are useful in the creation and application of law, as well as in the studies of legal science. On 17 December 2025, in honour of the Constitutional Court’s 29th anniversary, a new edition was added to the series – “Social rights. The Constitutional Court’s case-law on Articles 109 and 110 of the Constitution”. The bookazine reveals the content of social rights and the limits of the state’s discretion, reveals the scope of the constitutional principles, assembles the most relevant findings of the Constitutional Court and their development, as well as the legal criteria set out by the Court. This year, the electronic version of the Constitutional Court’s bookazine [“Article 105 of the Constitution of the Republic of Latvia: the right to property. Case-law of the Constitutional Court”](#) became available on the Court’s website.

The sustainability principle is respected by the Constitutional Court both in adopting the Court’s rulings and in the daily management of the institution. The Constitutional Court by its actions demonstrates a responsible treatment of environment and promotes sustainable thinking. Therefore, as a result of dynamic interpretation of Article 33(2) of the Constitutional Court Law, the collections of the Constitutional Court’s judgments are now published only in electronic form. During the reporting period, the [Collection of judgments of 2023](#) was published, comprising 15 judgments and 8 separate opinions of judges, providing a wealth of study materials regarding the interpretation and application of the Constitution.

The Court’s [case-law database](#) is regularly updated on the Constitutional Court’s website, providing a summary of the most important findings from the Constitutional Court’s judgments, decisions on terminating legal proceedings and separate opinions of judges. These findings are arranged according to keywords and thematic categories. The database also includes the statistics on applicants, the contested provisions, the institutions that had issued these provisions, as well as other information related to proceedings before the Constitutional Court. The database is accessible after downloading and installing the *Citavi* software.



3.2. Dialogue with society

In the fast-changing contemporary world and the age of modern technologies, the accessibility of information is one of society's basic needs. The Constitutional Court engages in active communication, in a form of dialogue, with society and mass media representatives about the Constitution. The Constitutional Court's dialogue is based on openness and respectful cooperation. The Court provides to society accurate, up-to-date and understandable information, which is adapted to the needs of various target groups. The Constitutional Court informs society about new developments in its work as well as events organised by the Court, the dialogue, and international cooperation, placing special focus on the impact of these developments on the protection of the rule of law, democracy and values included in the Constitution.

In view of society's need for conveniently accessible information, the Constitutional Court is actively communicating also on social networks [X.com](#), [Facebook](#) and its [YouTube](#) channel.

The Constitutional Court's website is one of the most important channels for creating a dialogue between the Constitutional Court and society. To ensure that the content of the website is accessible to every user, is easy to navigate, and the necessary information can be swiftly and easily found, the Constitutional Court regularly posts updated information which is useful for society, as well as examines the accessibility of the content and the convenience of use. In 2025, special attention was paid to the development of a new website of the Constitutional Court and improvements to its content. It is planned that the website will be launched in 2026, ensuring an even more transparent, accessible and user-friendly environment, meeting the contemporary requirements for digital communication, and will strengthen further the dialogue with society.

Also in 2025, the Constitutional Court participated in the "Museum Night" event, inviting everyone to visit the Court and to find out more about the values included in the Constitution, as well as their own role in their protection. The Constitution is the basic law of values uniting and strengthening the Latvian society. These include values important for all of us: the Latvian language, freedom, equality, dignity, justice, integrity, work ethics, and family. The Constitutional Court encouraged the visitors to reflect on how everyone among us takes care of these values in our daily life – by taking care of one's family and next of kin, working with integrity, cultivating one's talents, and improving the surrounding environment.

Last year, the Constitutional Court, in cooperation with the National Library of Latvia, continued the series of events which was launched in 2018 and, for the thirteenth time already, organised an interdisciplinary discussion "Conversations about Latvia". Participants of the thirteenth "Conversations about Latvia" discussed the strength of democracy in Latvia. The discussion was moderated by Sanita Osipova, senator of the Department of Civil Cases of the Supreme Court. Dagnija Baltiņa, director of the National Library of Latvia, Irēna Kucina, the President of the Constitutional Court, Ivars Ijabs, member of the European Parliament, journalist Jānis Domburs, film and theatre director Pēteris Krilovs, as well as Ieva Morica, the founder of "LAMP" Conversations Festival, participated in the discussion. It was concluded by a summary of the conversation was provided by judge of the CJEU Ineta Ziemele. The participants, analysing the lessons learned from the history of Latvia's statehood, debated about external and internal threats to democracy. The participants shared their reflections on the values needed for maintaining, strengthening, and safeguarding democracy, as well as discussed the strength and the state of democracy in Latvia.

Also last year, the Constitutional Court continued to participate in the charity marathon "Give Five!", aimed at helping to pay for rehabilitation sessions for children and adolescents with neurological movement disorders. "Rights may not be empty, rights may not be illusory," President of the Constitutional Court Irēna Kucina said while visiting the glass studio. She underscored that the state should notice a human being and that rehabilitation for children should be accessible also in regions.

3.2.1. Dialogue with students and teachers

Dialogue with school youth and teachers is vital for the Constitutional Court, as it is an opportunity to strengthen pupils' awareness of statehood and understanding of the Constitution and to improve their knowledge about the fundamental values of the Latvian state and to encourage

Student of the Riga German Gymnasium

Emīls Šulcs, the 1st prize winner

of the competition of students' creative works

Latvian language is the essence and the symbol of our nation which has survived the storms of history as a support of freedom and identity. Language is not only an inheritance from our forefathers; it is also the foundation of our future. It unites people, creates a link between the past and the present, and also discloses the true power and values of our state. The Latvian language is also one of the means of my self-expression. I read books in Latvian; I participate in debates and attempt to express my thoughts in order to develop the language and also my thinking. The richness of the language is embedded in its diversity and its ability to adjust to modern times without losing its essence. Each of us, the youngsters, is a part of this process and we are the ones shaping the future of the language.

Student of the Jelgava Spīdola State Gymnasium

Elizabete Enija Strode, the 2nd prize winner

of the competition of students' creative works

There are many talks about the language being our cultural heritage, a gift from the forefathers, the foundation of the Latvian identity. I can be a Latvian without the Latvian language – I can celebrate the summer solstice in English, read the works of R. Blaumanis in Russian, and even attempt to sing a folk song in German. Will it still be a celebration of summer solstice? Will the words of R. Blaumanis not lose the vitally important context and nuances? Can a folk song exist without a folk language? These values cannot exist as their true selves without the native language; the same way that a Latvian cannot exist without it.

their participation in democratic processes. The competition of students' creative work on the values included in the Constitution, as well as the Shadow Day at the Constitutional Court have become regular events. The project "ApTver Satversmi" and the discussion "Democracy Lab" also contribute to this dialogue.

In February, the awards ceremony of the competition of students' creative work on the topic "State Language – Latvia's Common Value" was held at the Constitutional Court. The students' findings that the Latvian language is not only our common language of communication and democratic participation but it also moulds the state of Latvia, its people, and all of us ran through the event as a common thread. It is important for everyone to be aware of their responsibility for and involvement in cultivating and protecting the state language. In this competition, 172 drawings by the 6th graders, 29 video works from the 9th graders, and 72 essays from the 12th graders were submitted. 66 schools from all regions of Latvia were represented at the competition.

To inspire youth to further achievements in education, the Constitutional Court every year participates in the Shadow Day. This year, 45 school students from various schools visited the Constitutional Court to get to know its work by shadowing judges, their assistants and the Court's advisors. The event was opened by judge of the Constitutional Court Veronika Krūmiņa, leading a class on the tasks of the judicial power and the protection of everyone's fundamental rights provided by the Court. The judge and the students discussed the skills and knowledge needed in a judge's profession, as well as jointly reflected on how to find just solutions to different

situations in life by applying legal provisions. The students went on an educational tour guided by the Court's advisor Uldis Krastiņš, visited the courtroom and the Constitutional Court's History Room. The young people met with assistants to judges Ieva Andersone, Roberts Lazda, Anete Suharževska, and Vita Bērziņa to learn about their daily duties and to discuss the studies of legal science. The Constitutional Court was also visited by students and teachers from Daugavpils Friendly Appeal Secondary School and programme "Erasmus+" who attended a lecture given by Kristaps Tamužs,

the Head of the Legal Department, on the Court's functions, as well as the significance of a democratic state governed by the rule of law in the protection of human rights. The event concluded with a discussion with President of the Constitutional Court Irēna Kucina, during which the young people shared their impressions from the day and what they had learned about a lawyer's profession.

The Constitutional Court continues introducing new forms of the dialogue with school students. As part of the Democracy Week, on 9 May the first educational event "Democracy Lab" was held at the Constitutional Court. Secondary school students from all over Latvia discussed with the judges the importance of democracy in daily life. The discussion was organised in cooperation with the University of Latvia and Riga Stradiņš University, with active involvement of doctoral students Iveta Kažoka, Ilze Plakane, Agnese Reine, and Jānis Šabanovs. "Democracy Lab" is a new form of dialogue, giving the opportunity to discuss current issues related to the development of democracy and its importance in the contemporary society. Direct and creative conversations promote the willingness of young people to assume responsibility for their future and reinforce confidence in Latvia as a strong, safe and just state. During the discussion, the participants analysed what democracy meant on daily basis for individuals and society in general. The young people were encouraged to examine their role in safeguarding the values of the Constitution and express their visions of the future of democracy, reflecting, in particular, on the topic "Democracy 2050".

In September, for the ninth consecutive year, the Constitutional Court announced the competition of students' drawings, essays and video works "Loyalty to Latvia – to Believe in and Trust One's State." The theme of the competition reminds that the Constitution is the main law of the state and that its preamble provides that loyalty to Latvia is the foundation for a cohesive society. Faith in one's state – its people, values, and shared future – is power that unites and inspires. Trusting Latvia means believing in freedom, justice and being aware of our responsibilities towards one another. Mutual trust and responsibility moulds Latvia into a strong, just and prospering state. However, trust is not self-evident – it develops if everyone among us is ready to contribute and to participate.

**Student of the Jelgava Spīdola State Gymnasium
Tina Reksce, the 3rd prize winner**

of the competition of students' creative works

During the current period of multilinguistic paradoxes, the language ought to be strengthened more than ever. The feature that defines Latvia is its colorful dowry chest, which is why the language that resides as a heritage is capable of loudly defending the proposals of the state on the global stage. Only a critical threat permits us to understand how privileged we are to speak our own language in the territory of our forefathers.

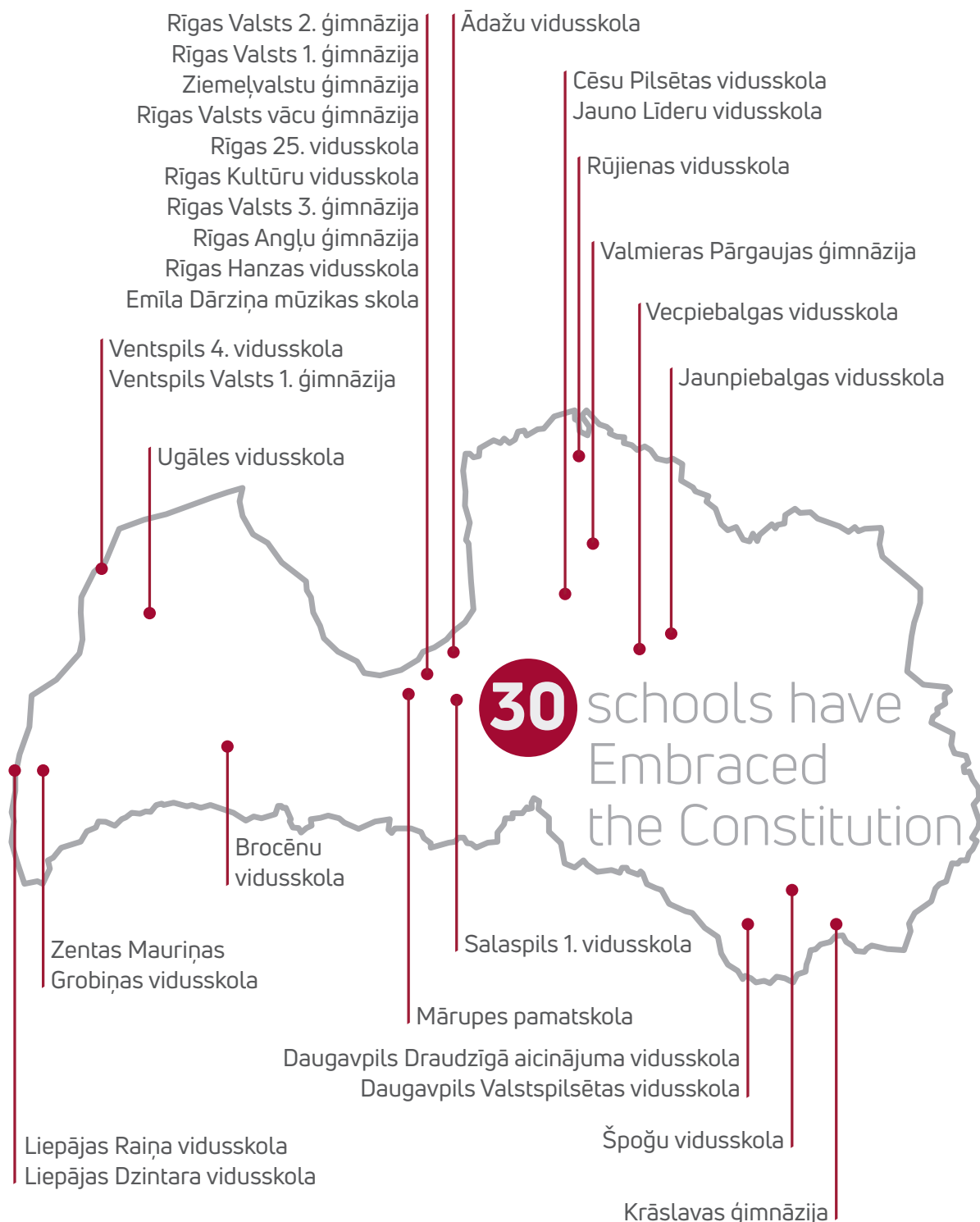


The participants of the awards ceremony of the competition of students' creative works "State Language - Latvia's Common Value"

That is the result of actions based on respect and responsibility. It should be noted that on 17 October 2025 the President of the Constitutional Court had a meeting with 9th and 12th graders from all over Latvia at an online seminar to discuss the competition of creative works. Toms Grēviņš, radio and TV programme presenter, also participated in the seminar, sharing his experience to reveal his sense of patriotism and contribution to strengthening the state of Latvia.

3.2.2. Educational project “ApTver Satversmi”

The Constitutional Court’s educational project “*ApTver Satversmi*” (Embrace the Constitution) was launched in 2025. As part of it, the Constitutional Court’s judges and personnel have visited schools in Riga and in the regions of Latvia. During the interactive classes, the Court’s judges and personnel explain how the state of Latvia functions, discuss the values uniting society and how the



*"This year, we have launched the educational project for schools **"ApTver Satversmi"** to impart to every secondary school student the knowledge of and the faith in strong, just and safe Latvia. We wish young people to become ambassadors of the constitutional values, so that they would not only understand their rights but also would be aware of their role in the state. The Constitution is not only a legal document, it is our common foundation which determines what our state is and what it will be in the future. And young people are the strongest pillar of this foundation."*

President of the Constitutional Court Irēna Kucina

Špožu vidusskola



Rīgas Kultūru
vidusskola



Constitution ensures the existence of the Latvian state through the ages, protecting the fundamental rights of every person. The Constitutional Court's role in administering justice is also discussed during classes. Assistants to the Constitutional Court's judges Dārta Ūdre, Roberts Lazda, Ieva Andersone, Kristiāna Pētersone, Anete Suharževska, Vita Bērziņa, Edvards Ričards Slavinskis, and Madara Šenbrūna were involved in developing the content of the project.

The aim of the project *"ApTver Satversmi"* is to promote students' understanding of the basic principles for the functioning of the Latvian state and the values of a democratic state governed by the rule of law, developing the ability to recognise these values in daily situations. At the same time, the project imparts knowledge to students about their fundamental rights and the possibilities to defend them at the Constitutional Court. The classes are suitable for secondary school students and facilitate the understanding of matters related to social sciences, politics and law, as well as history.



Ventspils
4. vidusskola



Cēsu Pilsētas
vidusskola

"We hold in very high regard the responsiveness of Latvian schools and their involvement in the educational project of our Court

***"ApTver Satversmi"**, as well as the possibility to make the Constitutional Court even more open to society, in particular, to youth – to explain the work that the Court does, its judgments, as well as the general functioning of the state. Our wish is that young people not only understand their rights but also become aware of their role in the state."*

President of the Constitutional Court Irēna Kucina

80 applications from schools were received and 38 schools were included in the project, which involved both going on regional visits and visiting schools in Riga, as well as welcoming representatives of schools at the Constitutional Court.

First of all, the Constitutional Court's employees visited schools in Riga: Riga State Gymnasium No. 2, Riga State Gymnasium No. 1, Nordic Gymnasium of Riga, and Riga State German Gymnasium. Classes were held also at Ādaži Secondary School.

On 21 March 2025, the first regional education visit took place as part of the *"ApTver Satversmi"* project. The classes at Špoģi Secondary School, Krāslava Gymnasium and Daugavpils Friendly Appeal Secondary School were conducted by the President of the Constitutional Court Irēna Kucina, Advisor to the President Andrejs Stupins-Jēgers, Head of the Legal Department Kristaps Tamužs, and assistant to a judge Madara Šenbrūna.

*"The project **"ApTver Satversmi"** is an excellent opportunity to create a dialogue with inquisitive young people of Latvia about the Constitution and our state, as well as to support them in choosing their future careers."*

Vice-President of the Constitutional Court Anita Rodiņa

On 26 March 2025, Head of the Constitutional Court's Legal Department Kristaps Tamužs visited Riga Secondary School No. 25.

On 11 April 2025, the 2nd grade of Riga Cultures Secondary School went on an educational tour in the Constitutional Court. Students met with judge Mārtiņš Mits, learned about the everyday work of the Court, as well as attended the courtroom and the History Room. On 15 April, in turn, the judge visited the school where he discussed with students the fundamental principles of the Latvian state, the Constitutional Court's role in protecting fundamental rights and the judge's duties of office.

On 16 and 17 April, the Constitutional Court's representatives brought the educational project to Ugāle Secondary School, as well as to schools in Ventspils, including Ventspils Secondary School No. 1 and Ventspils State Gymnasium No. 1. Classes were conducted by the Vice-President of the Constitutional Court Anita Rodiņa, advisor to the Court Baiba Bakmane and assistant to a judge Amanda Zariņa.

On 8 May 2025, the Constitutional Court's judges and employees visited schools in Vidzeme, conducting classes in Cēsis Municipal Secondary School, Pārgauja Gymnasium of Valmiera, Rūjiena Secondary School, Jaunpiebalga Secondary School and Vecpiebalga Secondary School. During the classes, the President of the Constitutional Court Irēna Kucina, judges Mārtiņš Mits, Juris Juriss, and Jautrite Briede, as well as advisor to the Court Baiba Bakmane and judges' assistants Edvards Ričards Slavinskis, Amanda Zariņa, and Anete Suharževska explained to the secondary school students the functioning of the Latvian state, how the values included in the Constitution unite society and how the Constitution protects the fundamental rights of every person.

*"We hold in high regard the engagement of the school administrations, teachers, and students and the interest they have shown. It means that the content of classes in the project **"ApTver Satversmi"** is truly valuable in promoting the understanding among youth of the Constitutional Court's role in our daily lives and the state structure as a whole."*

President of the Constitutional Court Irēna Kucina

Daugavpils
Draudzīgā aicinājuma
vidusskola



On 19 September 2025, the Constitutional Court's representatives as part of the project "ApTver Satversmi" visited schools in Kurzeme – Brocēni Secondary School, Liepāja Rainis Secondary School and Zenta Mauriņa Secondary School of Grobiņa. President of the Constitutional Court Irēna Kucina, Head of the Legal Department Kristaps Tamužs and judge's assistant Anete Suharževska met with the young people of Kurzeme.

On 2 October 2025, students of Riga State Gymnasium No. 3 visited the Constitutional Court to discuss with the Constitutional Court's judge Mārtiņš Mits the Constitutional Court's role in safeguarding the values of a state governed by the rule of law, as well issues related to the protection of fundamental rights.

On 13 November 2025, the Constitutional Court's judge Veronika Krūmiņa welcomed at the Court pupils of Mārupe Elementary School. During the visit, pupils learned about the work of the Court, the profession of a judge and discussed the values included in the Constitution. During the Patriots' Week, the active and inquisitive 7th graders of Salaspils Secondary School No. 1 visited the Constitutional Court. The young people deepened their knowledge about the Constitution and the basic values of the Latvian state, learned about the Constitutional Court's work and proceedings, improving their understanding of the protection of fundamental rights. Finally, on 21 November 2025, the secondary school students from Riga English Gymnasium visited the Constitutional Court. Together with judge's assistants Anete Suharževska and Amanda Zariņa they discussed the basic principles of the functioning of the state, the role of the Constitutional Court in a fair administration of justice and the protection of the fundamental rights of every person in Latvia. The students participated also in moot court proceedings before the Constitutional Court and learned about the Court's history.

3.2.3. Dialogue with Latvian institutions of higher education, students, and student organisations

To strengthen the development of the legal system and improve the quality of scientific research and legal analysis, the Constitutional Court concluded cooperation agreements with the University of Latvia and Riga Stradiņš University. The agreements provide for a closer dialogue between the Constitutional Court and the academic community, in creating a platform where research and judicial practice interact to resolve legal matters important for society. In these agreements, the parties agreed not only to develop research in the field of law but also to promote the involvement of law students and doctoral students in researching current legal issues, as well as to strengthen the cooperation between the Constitutional Court and the academic community in the study process. President of



The Vice-President of the Court Anita Rodiņa hosting a study visit of students of the Faculty of Law of the University of Latvia

President of the Court Irēna Kucina takes part in a discussion on external and internal threats against the rule of law with the participants of the SSE Riga Future Leaders Academy



the Constitutional Court Irēna Kucina underscored that the education and professional training of judges and court employees was an essential precondition for ensuring that all institutions of judicial power act effectively in the interests of society as a whole. Higher education combines harmoniously the process of education, research activities and studies; scientific research, in turn, promotes new approaches to solving various legal issues. Cooperation aimed at the development of the legal science, at improving the functioning of the judicial power in Latvia is open-ended and provides for further dialogue to develop the legal science and improve the legal system.

The Constitutional Court is always open for dialogue and cooperation with student organisations and law students. On 25 March 2025, students from the European Law Students' Association in Latvia (*ELSA Latvia*) paid a study visit to the Constitutional Court to learn about the role of a constitutional court in a democratic state governed by the rule of law, the Constitutional Court's proceedings, and current trends in the case-law. Advisor to the Court Uldis Krastiņš provided to students an insight into the Court's work and in the profession of a lawyer. On 31 March 2025, Vice-President Anita Rodiņa during an educational visit met with students of the Faculty of Law of the University of Latvia. Likewise, students of the Riga Graduate School of Law visited the Constitutional Court several times; they were welcomed by Head of the Legal Department Kristaps Tamužs.

On 15 November 2025, continuing to work with the future industry leaders, President of the Constitutional Court Irēna Kucina met with the participants of the Future Leader Academy of the Stockholm School of Economics in Riga. During the discussion, the President together with the young people analysed the external and internal threats to the rule of law and reflected on the Constitutional Court's functions and recent rulings that have influenced Latvia's legal environment.

Every year, the Constitutional Court supports organisations that hold moot courts. Also in 2025, the Constitutional Court's judges and employees supported Constitutional Court supported Kārlis Dišlers Moot Court organised by the Kārlis Dišlers Foundation. It has become a tradition that the moot court finals are held in the Constitutional Court's courtroom in accordance with the basic principles of the legal proceedings before the Constitutional Court and are broadcasted live on the Court's YouTube channel. Last year, judges and employees of the Constitutional Court also supported the Ombudsman's human rights moot court. The finals took place on-site at the end of April last year at the Constitutional Court.

3.2.4. The Constitutional Court's podcast "Tversme"

The purpose of the Constitutional Court's podcast "Tversme" is to stimulate everyone's interest in and increase knowledge about the values of a democratic state governed by the rule of law, increase the awareness about how the Constitution is applied, the protection of fundamental rights, and the Constitutional Court's work. In the podcasts, judges and personnel of the Constitutional Court together with invited guests engage in conversations about the traditions of constitutional review, protection of constitutional values in various states, the role of constitutional courts in promoting the sustainability of democracy, the development of legal thought and practice in Latvia and Europe, fundamental rights in the age of modern technologies, as well as the Court's international cooperation. The podcasts in Latvian and English are available on the Constitutional Court's website and the streaming platform *Spotify*.

On 13 March 2025, the 21st episode of the podcast was published, with the conversation between President of the Constitutional Court Irēna Kucina and the former President of the Republic of Iceland and professor at the University of Iceland Guðni Thorlacius Jóhannesson. The episode provides a unique insight into the experience that Guðni Thorlacius Jóhannesson has gained not only as the leader of the state but also as a historian. In the conversation, he shares his reflections on the most significant challenges that democratic states currently face, including the impact of technologies, the role of social media, international relations, and the impact of warfare in Europe. The conversation highlights the importance of social cohesion, the rule of law, and individual accountability, as well as offers an inspiring view on how small nations can impact global processes, holding on to their fundamental values. The conversation has been also published in writing in the electronic version of the magazine "*Jurista Vārd*".

The 22nd episode of the podcast was published on 3 April 2025. It is a conversation between the former and the current judges of the Constitutional Court and ECHR. The conversation was recorded at the time when the former judge of ECHR Mārtiņš Mits had been working at the Constitutional Court already for six months, whereas the former judge of the Constitutional Court Artūrs Kučs had spent the first six months in the office of the judge of ECHR. The judges share their reflections on experiences in examining major cases and discuss the traits and skills that a contemporary judge needs.

On 18 July 2025, the 23rd episode of the episode was published; it was a conversation between Susanne Baer, a former judge of the Federal Constitutional Court of Germany and a professor at the Faculty of Law, Humboldt University Berlin, and Kristaps Tamužs, the Head of the Constitutional



President of the Constitutional Court Irēna Kucina and the former President of the Republic of Iceland and professor at the University of Iceland Guðni Thorlacius Jóhannesson

2025
13 March

21st
episode

"If we tear the law asunder, we tear peace asunder as well. Respect for law is a fundamental aspect of society. Law should be fair and should be judiciously applied. Therefore my wish to you is as follows: continue your valuable work in the interests of all the people who reside in Latvia with the determination that the law should be fair and the law should be fairly applied, and that law should develop. Law will not be of anyone's assistance if it stagnates. Although you want the foundation to be firm and structured, the law must develop as well. I wish you all the best in your future efforts."

Professor at the University of Iceland and the former President of Iceland (2016–2024) **Guðni Thorlacius Jóhannesson**

2025
3 April

22nd
episode

"After more than 20 years in the European Union and more than 30 years in the Council of Europe we should be aware that we ourselves are part of Europe, that we shape and impact the European politics in many areas, including the field of law, that we are not looking at it from aside. Latvia should make an effort to perceive itself as a part of Europe."

Judge of the ECHR **Artūrs Kučs**

2025
18 July

23rd
episode

"The Federal Constitutional Court of Germany looks at the process of parliamentary legislation as at a soccer game – the Court must not participate in running the game but its task is to safeguard the rules of the game and interfere only when they are violated. Sometimes it means showing a red card."

Professor at the Faculty of Law, Humboldt University Berlin, **Susanne Baer**

2025
21 August

24th
episode

"Each generation needs a dialogue about the responsibility for oneself and one's state. If people feel free and they have equal opportunities, this creates a sense of security and trust in the state power. The strength of the state depends on the sense of responsibility with which each and every one acts in their daily life."

Judge of the CJEU **Ineta Ziemele**

The screenshot displays the website of the Latvian Constitutional Court (Latvijas Republikas Satversmes tiesa). At the top, the court's name is written in Latvian. Below it, the title 'RAIDIERAKSTS Tversme' is prominently displayed. A subtitle reads: 'Diskusijas par Latvijas Republikas Satversmi, tvertajiem vērtībām un Satversmes tiesas lomu demokrātiskā tiesiskā valstī.' (Discussions about the Latvian Constitution, the values it protects, and the role of the Constitutional Court in a democratic rule of law state).

A section titled 'MĒRĶIS' (Purpose) states: 'RAISĪT INTERESI UN VAIROT ZINĀŠANAS PAR DEMOKRĀTISKAS TIESISKAS VALSTS VĒRTĪBĀM, SATVERSMES PIEMĒROŠANU, PAMATTIESĪBU AIZSARDZĪBU UN SATVERSMES TIESAS DARBU' (To raise interest and increase knowledge about the values of a democratic rule of law state, the application of the Constitution, the protection of fundamental rights, and the work of the Constitutional Court).

Below this, a section 'RAIDIERAKSTI PAR' (Podcasts about) lists several topics:

- KONSTITUCIONĀLĀS KONTROLES TRADĪCIJĀM
- KONSTITUCIONĀLO VĒRTĪBU AIZSARDZĪBU DAŽĀDĀS VALSTĪS
- KONSTITUCIONĀLO TIĒSU LOMU DEMOKRĀTIJAS ILGTSPĒJAS VEICINĀŠANĀ
- TIESISKĀS DOMAS UN PRAKSES ATTĪSTĪBU LATVIJĀ UN EIROPĀ
- PAMATTIESĪBĀM MODERNO TEHNOLÓGIJU LAIKMĒTĀ
- SATVERSMES TIESAS STARPTAUTISKO SADARĪBĪBU

A note at the bottom of this list says: 'RAIDIERAKSTI IR LATVIEŠU UN ANGLISU VALODĀ' (Podcasts are in Latvian and English).

On the right side, a section titled 'VIESI NO DAŽĀDĀM VALSTĪM UN STARPTAUTISKĀJĀM INSTITŪCIJĀM' (Guests from various countries and international institutions) is shown next to a globe icon with a play button.

At the bottom of the page, there is a navigation bar with a logo on the left, the text 'RAIDIERAKSTA TVERSME EPIZODES PEEJAMAS SPOTIFY' (Podcast episodes available on Spotify), and on the right, 'VIDĒJAIS EPIZODES ILGUMS: 51 MIN.' (Average episode length: 51 min.) next to a clock icon.

Court's Legal Department. Issues of comparative constitutional law, the dialogue between constitutional courts and the CJEU, as well as the principles of dignity, equality and proper legislative procedure and interdisciplinary gender studies were examined in the conversation.

To honour the restoration of Latvia's independence *de facto*, on 21 August 2025, the 24th episode of the podcast was published, in which President of the Constitutional Court Irēna Kucina and judge of the CJEU Ineta Ziemele reflected on statehood, freedom, security, and responsibility. In this conversation, the judges underscored that the people of Latvia, in their history, have experienced freedom as both a possibility and a loss. It has come through battles for independence, silence of deportations, voices of the Awakening and courageous choices, turning into a value that has grown from human emotions and faith in the need to guard freedom. It was also emphasised in the conversations that the Constitutional Court's judgments were an important impetus for society. At least one constitutional body should always exist which, in collisions between values and interests, would stand for and defend values.

3.3. Dialogue with public authorities

The Constitutional Court organises annual meetings with the heads of the Latvian constitutional bodies and other public officials to strengthen the rule of law and promote cooperation. Important issues related to protecting fundamental rights of citizens and implementing the principle of proper legislative procedure are addressed in the dialogue.

At the beginning of January, the Constitutional Court's judges met with the Minister of Justice Inese Libiņa-Egnere. The progress of the amendments to the Constitutional Court Law, the accessibility of the state-provided legal aid in the proceedings before the Constitutional Court, as well as ensuring the enforcement of the Constitutional Court's rulings were discussed during the meeting. Conceptual approval was reached regarding the intention to involve sworn attorneys, eliminating a person's obligation to turn to the Constitutional Court on their own before requesting legal aid. Legal aid in the proceedings before the Constitutional Court could be provided immediately to socially vulnerable persons, if a favourable Constitutional Court's judgment regarding the alleged violation of their fundamental rights could be foreseen.

On 13 January 2025, the President of the Constitutional Court Irēna Kucina met the President of Latvia Edgars Rinkēvičs at the Riga Castle. They discussed the results of the Constitutional Court's work in 2024 and the current issues, including the Constitutional Court's international cooperation and the need to improve the mechanism of review that would ensure supervision over the enforcement of the Constitutional Court's judgments.

In mid-January, judges of the Constitutional Court met with the Speaker of the *Saeima* Daiga Mieriņa. During the meeting, special focus was put on ensuring the enforcement of the Constitutional Court's judgments and improving its supervision, which would ensure that substantially comprehensive draft laws appear on the *Saeima*'s agenda within reasonable time. A close dialogue between the Constitutional Court and the *Saeima* facilitates not only effective proceedings before the Constitutional Court when the *Saeima* is involved in the proceedings as a participant in the case but also a full enforcement of the Constitutional Court's rulings. This, in general, improves the standard of protection of Latvian citizens' fundamental rights.

At the beginning of February, the highest officials of the justice system – President of the Constitutional Court Irēna Kucina, President of the Supreme Court Aigars Strupišs, Prosecutor General Juris Stukāns, Chairperson of the Legal Committee of the *Saeima* Andrejs Judins and

President of the Constitutional Court Irēna Kucina meets with President of Latvia Edgars Rinkēvičs





Judges of the Constitutional Court meeting with the Speaker of the Saeima Daiga Mieriņa.



Judges of the Constitutional Court meeting with the Prime Minister Evika Siliņa.

the Minister of Justice Inese Lubiņa-Egnere – met with the President of Latvia Edgars Rinkēvičs. During the meeting, the President discussed with the highest officials of the justice system the conclusions on the year 2024 in the field of justice and upcoming relevant issues, including efforts to reinforce the independence of courts and the quality of judicial work. In this conversation with the participants of the meeting, the President of the Constitutional Court Irēna Kucina underscored the need to continue work aimed at ratifying Protocol No. 16 to the Convention. The role of the justice system in decreasing bureaucracy and promoting Latvia's competitiveness was also discussed.

At the beginning of February, the President of the Constitutional Court Irēna Kucina met with the Chairman of the Latvian Council of Sworn Advocates Jānis Rozenbergs, the Director of the Courts Administration Andris Munda, the Deputy State Secretary on Court Issues of the Ministry of Justice Inita Ilgaža, as well as the Director of Department of Judicial Policy Eva Krjukova. The participants of the meeting reached a shared conclusion that, in the process of granting state-provided legal aid, advocates should be involved from the beginning. It was underscored that the legal aid in the proceedings before the Constitutional Court should be immediately accessible to socially vulnerable persons, if a favourable Constitutional Court's judgment regarding the alleged violation of their fundamental rights could be foreseen.

At the beginning of February, the Constitutional Court's judges met with the representatives of the Ombudsman's Office and the Ministry of Justice to discuss the relevant issues of the Ombudsman's

08.01.2025.	●	Judges of the Constitutional Court meet with the Minister of Justice Inese Libiņa-Egnere
09.01.2025.	●	The President of the Constitutional Court Irēna Kucina meets with the Chairman of the Latvian Council of Sworn Advocates Jānis Rozenbergs, the Director of the Courts Administration Andris Munda, civil servants of the Ministry of Justice
13.01.2025.	●	The President of the Constitutional Court Irēna Kucina meets with the President of Latvia Edgars Rinkēvičs
17.01.2025.	●	Judges of the Constitutional Court meet with the Speaker of the <i>Saeima</i> Daiga Mieriņa
05.02.2025.	●	The highest officials of the justice system meet with the President of Latvia Edgars Rinkēvičs
10.02.2025.	●	Judges of the Constitutional Court meet with representatives of the Ombudsman's Office
03.03.2025.	●	Judges of the Constitutional Court meet with the Minister of Foreign Affairs Baiba Braže
23.04.2025.	●	Judges of the Constitutional Court meet with the Prime Minister Evika Siliņa
12.05.2025.	●	Judges of the Constitutional Court meet with members of the National Security Committee of the <i>Saeima</i>
15.05.2025.	●	Judges of the Constitutional Court meet with the Minister of Education and Science Dace Melbārde
05.06.2025.	●	The President of the Constitutional Court Irēna Kucina meets with the Chairman of the Latvian Council of Sworn Advocates Saulvedis Vārpiņš
13.10.2025.	●	The President of the Constitutional Court Irēna Kucina meets with the Minister of Smart Administration and Regional Development Raimonds Čudars
24.10.2025.	●	The President of the Constitutional Court Irēna Kucina meets with the President of Latvia Edgars Rinkēvičs

Office and the possible more extensive involvement of the Office to ensure to persons access to the Constitutional Court. During the meeting, the parties discussed mechanisms for improving citizens' possibilities to defend their fundamental rights, highlighting, in particular, the Ombudsman's role in the process of drafting constitutional complaints and providing legal support.

At the beginning of March, the Constitutional Court's judges met with the Minister of Foreign Affairs Baiba Braže to discuss the Constitutional Court's international cooperation, as well as the course of the cooperation project of the Constitutional Court, the European Union and the Council of Europe "Support for the Development of Constitutional Justice in Ukraine".

At the end of April, the Constitutional Court's judges met with the Prime Minister Evika Siliņa to discuss the ways of making the proceedings before the Constitutional Court more effective and reinforcing the protection of fundamental rights. During the conversation, possible improvements in the area of enforcing the Constitutional Court's judgments were discussed and the process of reviewing amendments to the Constitutional Court Law at the Cabinet of Ministers before transferring them to the *Saeima*, as well as solutions to improve the process of granting state-provided legal aid were debated. During the meeting, it was mentioned that the recently established Artificial Intelligence Centre could become a significant source of support for the judicial power. The President of the Constitutional Court Irēna Kucina emphasised that the Court was already working to introduce various digital solutions to make the processing and analysing of information more effective. At the

same time, she underscored that artificial intelligence could not replace a judge's sense of justice and responsibility for the adopted decisions, which is of special importance in the work of courts.

In mid-May, the Constitutional Court's judges met with members of the National Security Committee of the *Saeima* to discuss issues related to protecting national security amidst the challenges posed by the current geopolitical situation. During the meeting, the parties discussed countermeasures to the threats to national security in the conditions of a hybrid war targeting Latvia, as well as the mechanisms for protecting democracy against manipulation with the public opinion through the use of new information technologies.

The Constitutional Court's judges met with the Minister of Education and Science Dace Melbārde in the middle of May to discuss the recent case-law of the Constitutional Court regarding educational matters, as well as the Court's dialogue with youth and its development.

In early June, the President of the Constitutional Court met with the President of the Latvian Council of Sworn Advocates Saulvedis Vārpiņš to discuss the most effective solutions for involving attorneys in granting state-provided legal aid in proceedings before the Constitutional Court. During the meeting, dignity as a value based on the Constitution that facilitates an effective and constructive dialogue between sworn advocates and the court in ensuring the rule of law was particularly highlighted.

In mid-October, the President of the Constitutional Court Irēna Kucina met with the Minister of Smart Administration and Regional Development Raimonds Čudars to discuss the integration of the Constitutional Court into the architecture of the e-Case. Introduction of digital solutions is aimed at making the work of courts more effective. However, new technologies are not an end in itself but rather a tool for improving the access to court and ensuring transparency, accountability, and data protection.

At the end of October, the President of the Constitutional Court Irēna Kucina and the President of Latvia Edgars Rinkēvičs discussed the Constitutional Court's role in the system of checks and balances between the branches of state power. The parties also noted that the law "On Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms" had been promulgated on 23 October. After Protocol No. 16 to the Convention enters into effect with respect to Latvia, the Constitutional Court will be able to request the European Court of Human Rights to provide an advisory opinion on important issues related to the interpretation or application of rights and freedoms defined in the Convention or its protocols. The President of the Constitutional Court and the President of Latvia agreed that the ratification of Protocol No. 16 to the Convention would strengthen the dialogue between the Latvian courts and ECtHR on matters related to the protection of fundamental rights in Europe.



Judges of the Constitutional Court meeting with the Minister of Justice Inese Lībiņa-Egnere.

3.4. Judicial dialogue

In the European legal area, the Constitutional Court is engaged in a dialogue with Latvian courts, constitutional courts of other EU Member States, the CJEU, and the ECHR. Judicial dialogue allows sharing experiences, accumulating new knowledge and developing constructive discussions. Constant exchanges with partners of cooperation in countries belonging to the circle of the Western legal tradition, as well as at the international level, contribute to a more uniform and effective protection of fundamental rights.

3.4.1. Judicial dialogue in Latvia

At the end of January, the Constitutional Court's judges met with Senators of the Supreme Court's Department of Administrative Cases. Judges discussed the recent developments in case-law, including problems related to blanket bans applied with respect to some professions. The parties discussed also the execution of the Constitutional Court's judgments, as well as the interaction between the Senate, the Constitutional Court, and the CJEU.

At the beginning of April, the Constitutional Court's judge Veronika Krūmiņa participated in the solemn meeting on the 30th anniversary of restoring the work of the Riga Regional Court, paying tribute to the colleagues. In her solemn address, the judge highlighted the important role of the Riga Regional Court not only within the context of the Court's team but also in the context of the entire Latvian judicial system. She underscored that the Riga Regional Court, the largest among the regional courts of general jurisdiction, had been an important pillar in strengthening the rule of law for three decades. The Constitutional Court wished to it to keep the courage to deliver well-considered and just rulings also in the future, as well as the wisdom of the heart in serving people and society.

In mid-April, judges' assistants from the Administrative Regional Court visited the Constitutional Court to share experience. Head of the Legal Department Kristaps Tamužs gave a lecture on the functions of the Constitutional Court, the organisation of its work, and recent developments in the case-law. The judges' assistants visited the exhibition on the Constitutional Court's history and learned about the development of constitutional review in Latvia.

In early May, the Constitutional Court's judges participated in the conference of Latvia's judges "Effectiveness of the judicial work: contemporary challenges".

Judges of the Constitutional Court visiting the Judicial Academy and meeting with its director Laila Juncēna



At the beginning of June, the President of the Constitutional Court Irēna Kucina and judge Juris Juriss participated in the event marking the 30th anniversary of the Zemgale Regional Court, in the congratulatory address highlighting it as an important event not only for the court itself but also for the entire judicial system of Latvia. The Zemgale Regional Court, being one of the five regional courts of general jurisdiction, for three decades has been a strong pillar in ensuring the rule of law in Latvia. The outcome of the court's work – a fair judgment – will serve also in the future as an example of the power of law and the ability to apply every legal provision in a professional manner, finding solutions to the most complex problems.

In mid-September, as part of the Judicial Academy's training programme, new judges from the Riga City Court, the Zemgale District Court, and the Administrative District Court visited the Constitutional Court. During the visit, representatives of the Court's Legal Department shared their knowledge on applying the constitutional provisions and submitting applications to the Constitutional Court, as well as gave practical advice on using the case-law database.

At the beginning of October, the Constitutional Court's judges visited the Judicial Academy and met with its Director Laila Jurcēna. Current issues related to the involvement of the Constitutional Court's judges and employees in the activities of the Judicial Academy, as well as the possibilities for professional development were discussed. The Constitutional Court holds in high regard the cooperation with the Judicial Academy and is convinced that the jointly implemented events will contribute significantly to strengthening the judicial power. The Constitutional Court presented to the Judicial Academy's library a full set of volumes of the Constitutional Court's judgments to provide an opportunity for all to study the findings included in the rulings and to discover new ideas regarding the application of legal provisions, as well as the protection of the values included in the Constitution.

At the end of October, judges of the Constitutional Court Jautrīte Briede and Veronika Krūmiņa participated in the festive event at the Kurzeme Regional Court "From *Art Nouveau* to Artificial Intelligence: the Regional Court's 30 years of Time-travel".

3.4.2. Judicial dialogue at the international level

At the beginning of January, the President of the Constitutional Court Irēna Kucina attended the annual event on the occasion of the solemn opening of the ECHR judicial year in Strasbourg. As part of the event, the President participated in a seminar focusing on current issues in the area of artificial intelligence and protection of fundamental rights. At the same time, she drew attention to the fact that Latvia still had not ratified Protocol No. 16 to the Convention, underscoring that this matter should not disappear from the government's and the legislator's agenda.

In mid-February, judge of the ECHR Artūrs Kučs visited the Constitutional Court. He presented to the judges and employees of the Constitutional Court the recent developments in the case-law of ECHR, focusing, in particular, on the rulings that affect the Latvian legal area. The parties also discussed the current challenges to human rights in Latvia and the world, reflecting on the role played by the judicial power in the protection of fundamental rights in the current changing circumstances. At the end of February, in turn, the Constitutional Court welcomed judge of the CJEU Ineta Ziemele. During the meeting, the importance of the dialogue between the CJEU and the Constitutional Court, as well as recent developments in the case-law of both Courts were discussed.

In mid-March, judges and employees of the Constitutional Court met the delegation of the CJEU judges to discuss current legal issues. In this meeting, the Constitutional Court was represented by Constitutional Court's judges Jānis Neimanis, Jautrīte Briede, and Juris Juriss, as well as the Head of the Administration Marika Laizāne-Jurkāne and the Head of the Legal Department Kristaps Tamužs. The CJEU was represented by the Vice-president of the CJEU Thomas von Danwitz, judges Ineta Ziemele, Alexander Arabadjiev, Andreas Kumin and the former judge Peter G. Xuereb. Issues related to the competence of national courts in their dialogue with the CJEU were discussed at the meeting.

At the end of May, judges of the Constitutional Court Jautrīte Briede, Veronika Krūmiņa, and Juris Juriss participated in the international conference “Contemporary Challenges in the work of European Constitutional Courts”, dedicated to the 30th anniversary of the Constitutional Court of the Republic of Moldova. Judge Jautrīte Briede provided an insight into the Constitutional Court’s case-law regarding the legal measures for responding to contemporary threats. Within the framework of the conference, a bilateral meeting of judges of the Constitutional Court of Latvia and the Constitutional Court of the Republic of Moldova took place. The parties discussed recent developments in their case-law and long-standing cooperation. The importance of cooperation between the two courts in implementing experience-sharing projects was particularly highlighted, as it promotes professional development of the judges and employees of the Constitutional Court of the Republic of Moldova and strengthens the Court’s ability to conduct consistently the constitutional expert assessment, including by applying international human rights provisions and case-law in reviewing the legitimacy of restrictions on human rights. The Constitutional Court’s judges also met with Edgars Bondars, the Ambassador Extraordinary and Plenipotentiary of the Republic of Latvia to the Republic of Moldova, to discuss cooperation and experience-sharing between the constitutional courts of both countries, aimed at reinforcing the rule of law.

In June, the Head of the Constitutional Court’s Legal Department Kristaps Tamužs participated in the meeting of contact persons of the Superior Courts Network of the ECHR in Strasbourg, during which the case-law of the ECHR and the national courts was discussed. The purpose of the Superior Courts Network is to facilitate the implementation of the Convention in member states and to ensure an effective sharing of information between the superior national courts in Europe and the ECHR.

In mid-June, the Constitutional Court and the Lithuanian Constitutional Court strengthened their mutual dialogue at the 18th bilateral conference where judges discussed the particularities of the interpretation of the freedom of expressing one’s opinion and the freedom of information in the case-law of constitutional courts, focused on the protection of human rights within the system of criminal justice, as well as examined recent developments in the case-law of both courts. The Constitutional Court was represented by its President Irēna Kucina, the Vice-president Anita Rodiņa, judges Jautrīte Briede, Juris Juriss, and Mārtiņš Mits, as well as the Head of the Administration Marika Laizāne-Jurkāne, the Advisor to the President Andrejs Stupins-Jēgers and the Head of the Legal Department Kristaps Tamužs. The Constitutional Court of the Republic of Lithuania was represented by its President Gintaras Goda and judges Tomas Davulis, Aurelijus Gutauskas, Giedrė Lastauskienė, Vytautas Mizaras, Algis Norkūnas, Daiva Petrylaitė, Janina Stripeikienė, and Stasys Šedbaras.

18th bilateral conference of the Constitutional Courts of Latvia and Lithuania





Round table discussion between the Constitutional Courts of Latvia and Ukraine
"Public Interest as a Ground for Exercising Constitutional Review"

At the end of June, judge of the Constitutional Court Jautrīte Briede and the Head of the Legal Department Kristaps Tamužs participated in the international conference marking the 29th anniversary of the adoption of the Constitution of Ukraine. The importance of the Constitution and challenges in conditions of war, as well as legal solutions for eliminating the consequences caused by war were discussed at the conference. Judge of Constitutional Court Jautrīte Briede delivered a report on "Challenges Regarding Border Agreements with Russia: The Experience of Latvia and Estonia". The judge stated in her presentation: "Transfer of territories is a political matter, not a legal one. Current Russia will do everything in its power to prevent Ukraine from restoring its national borders *de facto* and, most probably, will attempt to hinder the conclusion of new border agreements, hoping that this will delay Ukraine in its path towards the European Union. I can only wish to Ukrainian politicians to find for the state the most appropriate exit from this deadlock. And, of course, victory, as soon as possible." The Head of the Legal Department Kristaps Tamužs, in turn, participated remotely in the discussion among experts on how the Ukrainian Constitution could facilitate the restoration of public institutions, the introduction of just and effective procedures, the transformation of law and reinforcing the independence of the judicial power.

In mid-October, judges of the Constitutional Court Jautrīte Briede and Veronika Krūmiņa participated in an international conference in Vilnius, dedicated to the 25th anniversary of the Supreme Administrative Court of Lithuania. Judge Veronika Krūmiņa gave a presentation on "Balance between Human Rights and National Security in a Democratic Society", whereas judge Jautrīte Briede provided the final summary of the conference. The participants of the conference agreed that the judicial dialogue of the Baltic States is the foundation for the development of the common legal area.

3.5. International cooperation

At the end of February, the President of the Constitutional Court Irēna Kucina and the Advisor to the President Andrejs Stupins-Jēgers participated in the meeting of the heads of the European Constitutional Courts in Tirana, Albania. At the presidents' meeting, following lengthy discussions, the application of the Constitutional Court of Kosovo for admission to the Conference of European Constitutional Courts was approved. This process of accession was launched already in 2011. For several years, the Constitutional Court of Latvia provided support to Kosovo for integration into the united European legal area and advocated for admitting the Constitutional Court of Kosovo as a member of the European Conference of Constitutional Courts. It was underscored in the opinion based in the Latvian Constitutional Court's proposal, that the Constitutional Court of Kosovo has consistently maintained an active international dialogue. Since its establishment, the Court had served as an important forum for exchanging ideas on constitutional values. The Court dedicates significant resources to be represented at the World Conference of Constitutional Justice. It has a good reputation, gained by organising international conferences which always highlight the most relevant issues of constitutional and international law, as well as those related to the protection fundamental rights, involving globally recognized experts. The President of the Constitutional Court Irēna Kucina pointed out that the Conference of European Constitutional Courts is an association of independent institutions of the judiciary and not a political organisation. She emphasised that the Constitutional Court of Kosovo ensures to citizens real protection of fundamental rights and thus stands for the values that unite European institutions of constitutional review. The President expressed her satisfaction that, in the future, the colleagues from Kosovo would reinforce the joint efforts of the family of the European constitutional courts.

In mid-March, judge of the Constitutional Court Jānis Nemainis participated in a visit to the ECtHR and the CJEU, organised as part of the project of the Council of Europe and the European Union "Support for the Development of Constitutional Justice in Ukraine".

At the end of April, the President of the Constitutional Court Irēna Kucina as one of three rapporteurs participated in a meeting to prepare the opinion by the Venice Commission on the Hungarian legal regulation on changes in the procedure for confirming the judiciary and its officials. Among other things, the rapporteurs interviewed representatives of Hungarian public authorities. The opinion was requested by the Committee on the Honouring of Obligations and Commitments

President Irēna Kucina and judge Mārtiņš Mits participating at the conference "EUnited in Diversity III: The Role of Constitutional Justice in the EU Common Legal Order" organized by the Constitutional Court of Bulgaria and the CJEU



by Member States of the Council of Europe, asking to prepare it within as short term as possible. The drafted opinion will be examined at the 143rd plenary session of the Venice Committee.

At the beginning of May, President of the Constitutional Court Irēna Kucina participated in a discussion organised by the *Saeima* as part of the visit of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe. In her report, she underscored that, in the current geopolitical challenges, national security and stability of the democratic state order can be guaranteed only by reinforcing the rule of law. A strong and stable national legal system which includes mechanisms for constant assessment of various threats safeguards not only its own public security and democratic state order but also the security and democracy of the entire Europe.

In mid-May, judge of the Constitutional Court Mārtiņš Mits was approved as the representative of Latvia on the board of the European Union Agency for Fundamental Rights (*FRA*).

At the beginning of June, the President of the Constitutional Court Irēna Kucina met with the Director of the Academy of European Law (ERA) Jean-Philippe Ragueade to discuss matters of cooperation with respect to professional development and organising training for the Constitutional Court's judges and employees. For Latvian judges the Academy of European Law is an important indicator of qualification. In 2024, Latvia ranked second by the number of judges mastering the knowledge provided by the Academy.

At the end of June, the Vice-president of the Constitutional Court Anita Rodiņa participated remotely in a high-level forum of the European Law Institute, in which experts discussed the independence and impartiality of the judiciary, the protection of fundamental rights, and strengthening of democracy throughout Europe.

In the middle of July, the President of the Constitutional Court Irēna Kucina met with the Ambassador of Germany to Latvia Gudrun Masloh to discuss cooperation between the Constitutional Court and the Federal Constitutional Court of Germany. The parties emphasised the close dialogue based on the shared understanding of the protection of democracy and the important role of constitutional courts in achieving this aim. While discussing cooperation to reinforce the rule of law, the officials confirmed the need to continue a meaningful dialogue by promoting bilateral meetings between judges of constitutional courts of both states.

At the beginning of September, the President of the Constitutional Court Irēna Kucina, judge Mārtiņš Mits and the Head of the Administration Marika Laizāne-Jurkāne participated in an international conference organised by CJEU and the Constitutional Court of Bulgaria "EUnited



The Vice-president of the Constitutional Court Anita Rodiņa participates remotely in a high-level forum of the European Law Institute

The Constitutional Court signs a memorandum of understanding with the Academy of European Law as the first of constitutional courts of the European Union



in Diversity III: The Role of Constitutional Justice in the EU Common Legal Order”. The President gave a report on “The duty of loyalty towards EU law in the constellation of protection of individual fundamental rights” at the panel of the conference on the impact of different national constitutional law models on the legal area of the European Union.

In her presentation, the President introduced the conference participants to the principle of mutual loyalty which underlies the European legal order and fosters trust and cooperation. Irēna Kucina underscored that, essentially, the legal order of the European Union is based on a common understanding that law is not merely a totality of provisions but rather a relationship of mutual loyalty aimed at cooperation between institutions, Member States and, most importantly, is related to the people it serves. As examples, she highlighted two cases heard at the Constitutional Court regarding the effectiveness of the interaction between the Latvian public authorities and the European Union institutions in the context of protecting the citizens’ fundamental rights. In a judgment adopted in 2019 regarding the obligation to make public the salaries of employees of state and local government institutions, the Constitutional Court underscored that it followed from the principle of loyal cooperation that a Member State is under an obligation to refrain from adopting measures that could seriously hinder achieving the result envisaged in the Data Regulation, even if the Regulation had not yet become applicable. In a recent case concerning the fee for protecting mortgage credit borrowers and the compensation of related interest, the Constitutional Court, when submitting a question to the CJEU for a preliminary ruling, concluded that the aim of the obligation of a Member State’s authority to consult the European Central Bank was to ensure the quality of adopted decision and the compliance of national legal acts with the aims defined by the European Union with respect to monetary policy and financial stability. The legal proceedings in this case have been suspended until the date when the ruling by CJEU enters into effect. The Constitutional Court’s President emphasised that effective and fair regulation could be adopted and the highest level of protection to every person’s fundamental right could be ensured only when all the participants of national legal systems and the united legal area of the European Union, irrespective of how invisible they might seem to one another, operate within a united and harmonious model of loyal cooperation.

A discussion among the representatives of court administrations was also held as part of the conference, aimed at strengthening the institutional cooperation and promoting the sharing of experience among the Member States’ courts. Issues related to the impact of digital technologies on the courts’ work were discussed, including raising the issue of the use of artificial intelligence for making the work of courts more effective.



The President of the Constitutional Court Irēna Kucina elected as the chair of the Sub-commission of constitutional justice of the Venice Commission

At the end of September, the Constitutional Court and the Academy of European Law signed a memorandum of understanding to strengthen the united European legal area and promote effective application of the European Union law. The President of the Constitutional Court Irēna Kucina underscored that the memorandum of understanding with the Academy of European Law would contribute to the development of the united European legal area. The Constitutional Court is the first among European constitutional courts to sign a memorandum of understanding with the Academy of European Law. It is planned to organise, as part of this cooperation, for the Constitutional Court's judges and employees trainings, seminars and conferences on current issues concerning the application of the European Union law, to ensure various activities for professional development, as well as to expand access to scientific resources.

At the end of September, the Constitutional Court's representatives met with Kathrin Wahlmann, the Minister for Justice of the German Federal State of Lower Saxony. During the bilateral meeting, the parties discussed issues concerning the management of the implementation of digitalised solutions.

At the beginning of October, the 144th plenary session of the Venice Commission was held and the 35th anniversary of the Commission's establishment was celebrated. This Commission is the advisory institution of the Council of Europe in the matters of constitutional law, the President of the Constitutional Court Irēna Kucina and judge Mārtiņš Mits represent the Republic of Latvia in it. At the plenary session, special focus was placed on the work to update the "Rule of Law Checklist", which is a universal tool for evaluating the quality of activities of public authorities. The Venice Commission and its sub-commissions work to update the list taking into account the new challenges, for example the impact of digital technologies and artificial intelligence on the rule of law, as well as the growing role of private "players". It is planned to include new sections in the list, *inter alia*, concerning the digital transparency of constitutional courts and the public awareness of their arguments. The updated list will broaden the Commission's previous approach, focusing also on the digital management, exercise of human rights in the age of technologies, and the state's obligation to ensure that both public bodies and private corporations act in compliance with the rule of law principles. Other matters that will have a significant impact on the rule of law and democracy were also examined at the 144th plenary session of the Venice Commission: amendments to laws and constitutions in Hungary, Slovakia, Spain, Georgia, Armenia, North Macedonia, Ukraine, Kosovo, and Peru were examined.

At the end of October, the President of the Constitutional Court Irēna Kucina and the Vice-president Anita Rodiņa participated in the VI Congress of the World Conference of Constitutional Justice. It was dedicated to challenges related to the preservation of natural resources, climate change,

protection of the humanity's cultural heritage, independence of the constitutional courts, as well as access to science and emerging technologies. The Constitutional Court's President gave a key-note address at the panel discussion on access to emerging technologies. In her address, Irēna Kucina underscored that the digital future, once envisioned, was already shaping our present. Therefore, the legal concretisation of access to the internet is the need of today, as it directly affects the exercise of several fundamental rights – the right to property, education, freedom of vocation, and others. A state's inability to ensure access to the internet is contrary to human dignity. Today, fundamental rights must be protected not only offline but also online. Therefore, digital communication with public authorities means something more than just setting up a official website – it requires compliance of such portals with the standards of accessibility, clarity, and usability. If, in the future, courts will operate in the environment of e-Case, then this should not be merely circulation of documents – it should be a secure, fully functional digital platform, reflecting the actual legal proceedings.

At the congress, the Constitutional Court's representatives provided special support to the proposal of the Ukrainian Constitutional Court to add to the final conclusions of the congress a section on the commitment of all courts of the world to take special measures, falling within their competence, to ensure peaceful cooperation between states based on universally recognised constitutional values. These values include the sovereignty and territorial integrity of states, effective environmental protection, safeguarding of cultural heritage, development of science in the interests of all humanity, as well as strengthening the independence of institutions of constitutional review.

At the congress, the Constitutional Court concluded its term of three years as a member of the Bureau of the World Congress of Constitutional Congress where it represented the interests of all European constitutional courts. During this period, the understanding by the constitutional courts of other continents of the role of militant democracy and impermissibility of Russia's crime of aggression was significantly strengthened; likewise, a resolution was adopted on the need to restore the international legal order. The Constitutional Court underscores, in particular, that constitutional courts in fulfilling their duties must take into account a broader geopolitical context because the contemporary challenges do not recognise national borders and directly impact the constitutional values.

The Constitutional Court proposed the Constitutional Court of Austria as the next representative of the European region in the Bureau, and its participation in the Bureau was approved at the General Assembly meeting of the organisation. The Austrian Constitutional Court has been an active and constructive participant in the fora of the World Conference of Constitutional justice; it has vast experience in strengthening the international legal dialogue and cooperation.

The report of President Irēna Kucina
at the VI Congress of the World
Conference of Constitutional Justice



At the beginning of November, an international group of young judges and prosecutors from the European Judicial Training Network (*EJTN AIAKOS*) visited the Constitutional Court. The President of the Constitutional Court Irēna Kucina introduced the guests to the legal proceedings and the daily work of a judge, while the Head of the Legal Department Kristaps Tamužs provided an overview of the Constitutional Court's case-law. In November, the Constitutional Court's judges met with Martin Kuijer, the Vice-president of the Venice Commission and a judge of the Supreme Court of the Netherlands, to discuss current legal issues and the significance of the judicial power in the protection of fundamental rights.

At the beginning of December, at the 145th plenary session of the Venice Commission, the President of the Constitutional Court Irēna Kucina was unanimously elected to the post of the chair of the Sub-commission of constitutional justice. The work in this sub-commission will continue reinforcing the analytical and advisory support provided by the Venice Commission to member states on issues concerning the competence of constitutional courts, guarantees of independence and the trends in the development of case-law. In practice, this means working to prepare opinions on the status of judges of constitutional courts, the procedure of appointment and dismissal, and budgetary autonomy, as well as evaluating reforms that might impact the competence of courts, the binding force of judgments and the effectiveness of supervising the enforcement of judgments in member states. The Sub-commission on constitutional justice also ensures practical support to constitutional courts with respect to cases that they hear, providing opinions on complicated or politically or legally sensitive matters, e.g., with respect to regulation on the state of emergency and crisis, election disputes and the course of referenda. The work of the sub-commission is of a particular importance in ensuring that national constitutional courts are independent, professional, and effective.

In the middle of December, the final round table discussion of the EU-Council of Europe project "Support for the Development of Constitutional Justice in Ukraine" on "Public Interest as a Ground for Exercising Constitutional Review" took place in Riga. Judges and personnel of the Constitutional Court of Latvia and the Constitutional Court of Ukraine, as well as representatives of the Council of Europe took part in the discussion. This has been the most ambitious international cooperation project to date, in which the Constitutional Court of Latvia shares its experience on the path towards the rule of law and the European Union. This model of collaboration has ensured real, practical changes – as part of the projects, recommendations were made on how the Constitutional Court of Ukraine could increase its efficiency in handling constitutional complaints submitted by private persons. The project contributed to more efficient planning of time-limits for examining the complaints by improving initial assessment, defining clearer admissibility criteria, case-flow management and predictability of proceedings. The electronic circulation of documents and the protection of personal data have also been improved, making the processing of sensitive data while examining constitutional complaints and in electronic record-keeping more secure and well-considered. The year 2025 marked a qualitative milestone: the adoption of the Rules of Professional Conduct for Judges of the Constitutional Court of Ukraine with the support of the project became a symbol of institutional maturity and a conscious choice to strengthen the independence and transparency even during wartime. The project was implemented from March 2023 to December 2025, aiming to promote the development of constitutional justice in Ukraine, using the Constitutional Court of Latvia as the best practice example. Judges of the Ukrainian Constitutional Court met with the President of Latvia Edgars Rinkēvičs to discuss the progression of the Ukrainian legal system towards integration into the united European legal area.

3.6. International conference

Every year, the Constitutional Court organises international legal discussions which have been recognised as high-quality platforms for the development of legal thought. These conferences have strengthened the Constitutional Court's role in the European legal area and have gained widespread international recognition.

On 25 April 2025, the Constitutional Court held an international conference “The Role of Constitutional Courts in Ensuring the Resilience of Common European Values in Face of Contemporary Challenges”. The participants of the conference discussed how the constitutional courts could defend democracy in circumstances of geopolitical tensions, while at the same time maintaining balance with human rights. The President of the Constitutional Court Irēna Kucina opened the conference, highlighting the responsibility of each generation for strengthening those values on which democracy is founded. Irēna Kucina recalled that democracy is the principal common value of Europe, with the rule of law as its backbone. However, at present, democracy faces both internal and external attacks. Democratic Ukraine is fighting against the military aggression of autocratic, imperialist Russia. And yet, undemocratic regimes seek not only a military but also an intellectual and moral victory. Therefore, democratic states are targeted by such weapons of hybrid war as disinformation, populism, and increasing distrust in society, setting up new infrastructures – platforms that create “false realia” with emotionally charged content, aiming for maximal user retention and undermining the democratic discourse and state authority. In response to such threats, states have created legal mechanisms to protect democracy. History and the current reality show that each generation has to reassert the values on which democracy is founded, including courts which continue concretising the content of the principle of militant democracy.⁷⁵

An opening address at the conference was given also by the Minister of Justice Inese Lubiņa-Egnere, pointing to the threats of hybrid war and campaigns of information manipulation. Oleksandr Petryshyn, the Acting president of the Constitutional Court of Ukraine, addressed the conference participants remotely, underscoring the decisive role of support and unity in the war against Russia. Siuzanna Mnatsakanian, the representative of the Council of Europe and the manager of the project “Support for the Development of Constitutional Justice in Ukraine”, pointed to the ever-closer partnership between Ukraine and Latvia, proven by the successful course of the project.

International conference
“The Role of Constitutional Courts
in Ensuring the Resilience of
Common European Values in Face of
Contemporary Challenges”



⁷⁵ Bārdiņš G. Starptautiskā konferencē meklē risinājumus demokrātijas, tiesiskuma un cilvēktiesību izaicinājumiem. Jurista Vārds, 20.05.2025., No. 20, 6.–8. lpp.



From the left:

Veronika Bílková, Vice-president of the Venice Commission, professor of the Public international law department of the Charles University (Prague); Galyna Yurovska, judge of the Constitutional Court of Ukraine; Zdeněk Kühn, judge of the Constitutional Court of Czechia; Susanne Baer, professor at the Interdisciplinary gender research centre of the Humboldt University Berlin and former judge of the Federal Constitutional Court of Germany



From the left:

Kristaps Tamužs, Head of the Legal Department of the Constitutional Court; Mārtiņš Mits, Judge of the Constitutional Court of Latvia; Matej Accetto, judge of the Constitutional Court of Slovenia; Alan Greene, lecturer, chair of the constitutional law and human rights department at the Faculty of Law, University of Birmingham

The conference presentations were divided into two panel discussions, the first of which was devoted to the challenges facing democracy, the rule of law, and pluralism. The second panel discussion, in turn, focused on the challenges to human dignity, freedoms, and human rights.

The first panel discussion was moderated by the Vice-president of the Venice Commission Veronika Bílková who encouraged the participants of the discussion to evaluate the solutions chosen by states for overcoming emergency situations, in particular with regard to complying with the principle of the separation of powers and democratic processes, which may become impossible or unfeasible in emergency situations. Participants reflected on the importance that should be attached to the opinions and interests of various minorities in situations when the existence of the nation is under threat. Judge of the Constitutional Court of Ukraine Galyna Yurovska, judge of the Constitutional Court of Czechia Zdeněk Kühn and professor at Humboldt University Berlin and a former judge of the Federal Constitutional Court of Germany Susanne Baer took part in the discussion.

The second panel discussion was moderated by the Head of the Constitutional Court's Legal Department Kristaps Tamužs. He invited the participants of the discussion to share their thoughts on "the red lines" in emergency situations that sometimes require more stringent restrictions on human rights. How can constitutional courts effectively verify whether the restrictions on human rights

From the left:
Artūrs Kučs, judge of the ECHR;
Irēna Kucina, President of
the Constitutional Court;
Ineta Ziemele, judge of the CJEU



established in emergency situations do not go beyond what is strictly necessary? The participants of the discussion reflected on taking into account the geopolitical context in reviewing the constitutionality of restrictions of fundamental rights at the time when the existence of the nation is not yet under imminent threats. Judge of the Constitutional Court Mārtiņš Mits, judge of the Constitutional Court of Slovenia Matej Accetto and lecturer at the Faculty of Law, University of Birmingham, Alan Greene took part in the discussion.

In his presentation, Mārtiņš Mits, judge of the Constitutional Court, examined the Constitutional Court's judgments on restrictions of fundamental rights established during the emergency situation caused by Covid-19 pandemic, as well as some recent judgments, in which the geopolitical context had been taken into consideration in the proportionality test. If the benefit that society gains from the protection of the democratic state order and the damage inflicted on a person's fundamental rights are put on the scales, the outcome will always be favourable to democracy. Democracy must be protected; it is an axiom. However, to set in motion the concept of militant democracy, a genuine need to do so must exist. Likewise, the proportionality principle is applicable also to circumstances that characterise the geopolitical context. There are no principal reasons why restrictions of fundamental rights established during an emergency situation should be subject to strict requirements of the proportionality test, whereas the restrictions that take into consideration the geopolitical context should not be subject to them.⁷⁶

Judge of the CJEU Ineta Ziemele also spoke at the conference underscoring that the resilience of democracy was rooted in ensuring freedom to citizens, providing equal opportunities to all, protecting individuals against arbitrariness, as well as an excessive impact of money and algorithms on democracy.

The concluding notes of the conference were prepared by judge of the ECHR Artūrs Kučs. The final addresses were given by judge of the Constitutional Court of Ukraine Galyna Yurovska and the President of the Constitutional Court Irēna Kucina. The President emphasised that it was important to transform, already on the next day, the valuable findings of the conference into a meaningful work in everyone's institutions that all together protect the common European values. Irēna Kucina also pointed out that the examples of case-law analysed at the conference proved that courts were delivering brave and forward-looking rulings. Our choices of today will resonate in Europe, which future generations will call their shared home.⁷⁷

⁷⁶ Ibid.

⁷⁷ Ibid.



International conference
 “The Role of Constitutional Courts in
 Ensuring the Resilience of Common
 European Values in
 Face of Contemporary Challenges”

The conference was organised in the framework of the project “Support for the Development of Constitutional Justice in Ukraine” in phase III of the joint programme of the European Union and the Council of Europe “Partnership for Good Governance”.

Just before the Constitutional Court’s annual international conference, the papers of the previous conferences were published, collecting the materials from three international conferences organised by the Constitutional Court. These editions serve as a valuable reference material for scholars of law and persons applying the law; they are also important testimony of the history of Latvian and European law. The presentations given at the conferences are published in Latvian and English, and the editions provide valuable photo testimonies. The collections of papers include materials from the international conferences organised by the Constitutional Court on 15-16 September 2022 at the University of Latvia (“Sustainability as a Constitutional Value: Future Challenges”), on 21 September 2023 at the National Library of Latvia (“The Role of the Judiciary in Execution of Judgments of the European Court of Human Rights”), as well as on 29 February and 1 March 2024 at the Small Guild (“The Role of the Constitutional Courts in Concretising the Shared Values Uniting Europe”).

3.7. 75th anniversary of the Convention

Responding to the ECHR request, on 28 November 2025 the Constitutional Court organised a discussion dedicated to the 75th anniversary of the Convention.

The opening speeches at the event were given by the President of the Constitutional Court Irēna Kucina and the Prime Minister Evika Siliņa. In the first part of the discussion, participants spoke about the values of the Convention by talking about their own personal experience – freedom, dignity, security, equality, and the freedom of expression. Juris Žagars, the director of Daile Theatre, Rūta Dimanta, the head of the foundation “Ziedot.lv”, Artis Pabriks, Ph.D. in political science, Solvita Kabakova, the leader of forum “Lidere”, and journalist Ilze Nagla shared their vision.

“This year is special, not only because of the important anniversary of the Convention but also because 30 years have passed since Latvia joined the Council of Europe. Membership in this organisation and, in particular, in ECHR strengthens Latvia as a state governed by the rule of law. The Constitutional Court with its rulings, in turn, has promoted harmonisation of the fundamental rights included in the Constitution with international provisions on human rights. The discussion on the importance of human rights and challenges with respect to their protection brings the awareness that safeguards of human rights are not self-evident, they must be strengthened and implemented every day.”

The President of the Constitutional Court **Irēna Kucina**

“The issue of human rights transcends national borders and has the nature of international law. Unfortunately, threats do not know borders, either. Security, freedom, and life are very vulnerable, and we ourselves are responsible for protecting these values.”

Ph.D. in political science **Artis Pabriks**

President of the Constitutional Court
Irēna Kucina





Prime Minister
Evika Siliņa

"The Convention, adopted 75 years ago, is the readiness of the governments of the European states, united by shared ideals, political tradition, legacy of freedom and the rule of law, to take the first steps to establish high standards for the protection of human rights. Human rights and responsible actions of the state have always reminded Latvia and Europe how important it is to defend justice and dignity in words and in deeds, to stand up for values on which democracy is founded. It is our shared duty and promise to future generations."

The Prime Minister **Evika Siliņa**

"Restrictions of freedom create an environment in which an individual can safely experiment with ideas, cultivate talents, and implement creative projects."

Director of Daile Theatre **Juris Žagars**



Director of Daile Theatre
Juris Žagars

The Head of "Ziedot.lv"
Rūta Dimanta



"Dignity requires that we never stop looking for ways to decrease injustice and increase care for others, thus participating and increasing the welfare of our state. In my daily work, I see how much can be achieved if we, in every situation, first of all see the person to whom we can give our support."

The Head of "Ziedot.lv" **Rūta Dimanta**

"My story about applying to the ECHR has allowed me to look at the freedom of press and expression both from the perspective of the journalist's profession and the perspective of society's right to obtain information. The findings of the Court's judgment continue to be relevant because they reinforced the protection of journalistic sources and the possibility to work safely to provide to society important information about current affairs and processes throughout the world."

Journalist **Ilze Nagla**



Journalist
Ilze Nagla



Moderator of the discussion, journalist Aidis Tomsons, judge of the Constitutional Court, former judge of the ECHR Mārtiņš Mits, judge of the CJEU, former judge of the ECHR Ineta Ziemele, and judge of the ECHR, former judge of the Constitutional Court Artūrs Kučs

"All my work thus far has been focused on helping in various ways for each of us to see their own value and that of fellow human beings. Each of us, in doing our work and developing relationships with others, reveals their unique personality. In the age of haste and loneliness, to pass by another person is the simplest thing to do. Therefore, it is important to stop and notice what has happened to this person and how we can be useful. This is precisely how a person's true nature and worth are revealed."

The Head of forum "Lidere" **Solvita Kabakova**

The second part of the event focused on the application of the Convention in the current conditions to ensure an effective protection of human rights. Former judges of the ECHR Ineta Ziemele and Mārtiņš Mits, as well as current judge Artūrs Kučs were the speakers. The event was moderated by journalist Aidis Tomsons.

The Constitutional Court had chosen the National Botanical Garden as the venue for the event because nature and environment are the space where people can fulfil their potential and gain energy, and it is precisely this benevolent environment that we wish to leave for future generations. At the same time, Salaspils and the Botanical Garden were the home of poet Knuts Skujenieks, and freedom was always in the centre of his poetry. The poetry collection "a Seed in the Snow" is important in the context of the writer's creative work and biography, as it includes poems written in exile. At the event, Knuts Skujenieks' poetry reading with musical accompaniment was offered by actor Varis Piņķis and composer Jēkabs Nīmanis, thus highlighting the presence of human rights in culture and art.

The member states of the Council of Europe signed the Convention on 4 November 1950. Latvia became a member state of the Council of Europe on 10 February 1995 and, on the same day, Latvia also signed the Convention.

4

Awards



The employees of the Constitutional Court receive the highest award of the justice system – the Medal of Honour (7 May 2025)

On 7 May 2025, the highest award of the justice system – the Medal of Honour – was granted to judges and advisors of the Constitutional Court.

Class I Medal of Honour for an outstanding lifelong contribution to the development of the justice system, strengthening democracy and the rule of law in Latvia and in the world was awarded to former judge of ECHR and judge of the Constitutional Court **Mārtiņš Mits**.

Class I Medal of Honour for an outstanding lifelong contribution to the development of the justice system, strengthening democracy and the rule of law in Latvia and in the world was awarded to former judge of the Constitutional Court **Gunārs Kušīņš**.

Class II Medal of Honour for a particularly significant contribution to the development of the justice system, strengthening democracy and the rule of law in Latvia in the world, including outstanding scientific achievements in the field of justice was awarded to judge of the Constitutional Court **Jānis Neimanis**.

Class III Medal of Honour for an exemplary and honest performance of duties in the field of justice, important contribution to the development of jurisprudence and significant achievements in the legal science was awarded to advisor of the Constitutional Court **Sandijs Statkus**.

Class III Medal of Honour for an exemplary and honest performance of duties in the field of justice, important contribution to the development of jurisprudence and the enhancement of knowledge of officials belonging to the justice system was awarded to advisor of the Constitutional Court **Gatis Bārdiņš**.

Presentation of the Constitutional Court's awards (17 December 2025).



On 17 December 2025, at the ceremony marking the 29th anniversary of the Constitutional Court the Constitutional Court's awards were presented to highlight special merits that have contributed to the development and sustainability of Latvia as a democratic state governed by the rule of law.

The Certificate of Excellence for a significant contribution to the strengthening of democracy and the rule of law, development of the judicial dialogue, and protection of constitutional values, as well as selfless service to its state and people was awarded to the **Constitutional Court of Ukraine**.

The Diploma of Honour for a contribution to strengthening of Latvia as a democratic, socially responsible and sustainable state governed by the rule of law was awarded to former Vice-president of the Constitutional Court **Uldis Ķinis**.

The Certificate of Honour for a contribution to strengthening the rule of law, democracy and fundamental rights was awarded to:

- Professor of the University of Latvia **Ina Druviete**;
- Sworn advocate **Edgars Pastars**;
- The Deputy State Secretary on Law Policy at the Ministry of Justice in Latvia **Anda Smiltēna**;
- The Director of Public Law Institute **Arvids Dravnieks**;
- **Jelgava Spidola State Gymnasium**.

The Certificate of Recognition for long-standing and selfless work at the Constitutional Court, in recognition of a faithful performance of the duties of office, was awarded to:

- The Deputy Head of the Legal Department of the Constitutional Court **Elina Podzorova**;
- The advisor of the Constitutional Court **Uldis Krastiņš**;
- Legal assistant to a judge of the Constitutional Court **Inese Kahanoviča**;
- Legal assistant to a judge of the Constitutional Court **Dārta Ūdre**;
- Secretary of the Constitutional Court **Anete Spunde-Āboliņa**.

5

Opening
of the
Constitutional
Court
judicial year

Last year, on 7 February, the solemn hearing of the Constitutional Court on the occasion of a symbolic closing of its previous judicial year and an opening of the new one was held for the seventh time. Participants of the solemn hearing were addressed by the President of Latvia Edgars Rinkēvičs, whereas the President of the Constitutional Court Irēna Kucina gave a report on the development of constitutional law in Latvia in 2024. The guest of honour of the solemn hearing, former President of the Republic of Iceland (2016–2024) and professor of the University of Iceland Guðni Thorlacius Jóhannesson, spoke on the topic “History teaches us... Lessons of the past for our present turbulent times”.

A press conference was held after the solemn hearing, during which the report of the Constitutional Court’s work in 2024 was presented. The solemn hearing of the Constitutional Court and the press conference that followed were streamed online.

At the solemn hearing, the Constitutional Court looks back at the cases reviewed in the previous year and highlights the findings included in the rulings that are important for the protection of human rights and reinforcing the rule of law in Latvia. The report on the development of constitutional law and the work done by the Constitutional Court creates a direct link with the people of Latvia and, thus, increases trust in the judicial power.

Speech by the President of Latvia Edgars Rinkēvičs at the solemn hearing for opening the Constitutional Court’s judicial year

*Esteemed President of the Constitutional Court,
Honourable Judges,
Esteemed Speaker of the Saeima,
Honourable Mr. Jóhannesson!
Ladies and Gentlemen,*

I extend my congratulations to the Constitutional Court on the commencement of a new judicial year!

The Constitutional Court holds a special role in Latvia in safeguarding democracy and the rule of law. It ensures a just balance between the interests of the state and those of the individual. The Constitutional Court stands as a guardian of our democracy and, by extension, of Latvia itself.

This is no easy task. Its execution demands extensive professional knowledge and meticulous attention to the circumstances of each case. It requires a genuine understanding of current affairs in Latvia, Europe, and the wider world. It necessitates the ability to recognise, comprehend, and mitigate threats.

The security of democracy is inextricably linked to the security of the state. The Constitutional Court has reinforced and developed the principle of a self-defending democracy. A democratic state not only has the right but also the duty to safeguard the values upon which democracy is founded. The abuse of democracy cannot be tolerated.

All these considerations remain ever-present in the work of the Constitutional Court. It must be independent. Where shortcomings are identified, the Constitutional Court is frequently bound to criticise the actions of other branches of state power with courage and sound reasoning. We recognise very well that the judiciary as a whole and the Constitutional Court in particular is not meant to be ‘convenient’— not for the legislature, not for the executive, and, when looking at the Constitutional Court, not even for the judiciary itself. In the Constitutional Court, we address differences of opinion with respect, even in the most sensitive of matters.

The Constitution and the laws of Latvia establish that the rulings of the Constitutional Court are final and not subject to appeal. The law clearly provides that the judgments of the Constitutional Court and the legal interpretations contained therein are binding for all institutions and officials.

They must be observed by all, even by those who may personally consider a judgment to be incorrect and not personally support them.

The execution of Constitutional Court rulings requires a timely and effective cooperation between the legislature and the executive. Therefore, I call upon the Cabinet of Ministers and the *Saeima* to consider the possibility of establishing a clearer process for the enforcement of Constitutional Court decisions. There should be one responsible institution tasked with ensuring that state authorities fulfil their obligations in accordance with the Constitution.

As I have already mentioned, one of the main tasks of the Constitutional Court is finding a balance between the interests of the state and those of the individual. The protection of fundamental human rights is a task of each branch of state power. It is one of the most important responsibilities of a democratic state governed by the rule of law. Therefore, another thing that is significant, that we must be talking about today – talking in the *Saeima*, at the Cabinet of Ministers, and also at the Constitutional Court – is how exactly to ensure that the Constitutional Court is truly accessible to all who wish to defend their constitutionally guaranteed fundamental rights. The right to a fair trial first of all entails access to courts. The state has a duty to guarantee access to justice for those who in fact lack the financial means to pay for legal assistance.

Already since 1 January 2019, the state has provided legal aid in Constitutional Court proceedings when necessary. This is a correct and significant step towards ensuring truly accessible justice. However, only a small number of requests for state-provided legal aid in Constitutional Court proceedings are granted. One of the reasons might be that a large proportion of the requests are indeed unfounded. But it is also because in my mind this mechanism does not function with sufficient efficiency. In any case, this is an issue to be addressed now, rather than at some point in the future. Resolving it will be yet another step towards strengthening public trust in the state.

Ladies and gentlemen!

We bear the responsibility for ourselves, for Latvia, and for its security. I am confident that the Constitutional Court will continue to keep a watchful eye on that we avoid extremes, that we find the golden mean, and that together we can build a strong, just, and secure Latvia and world.

Today I wish you, judges of the Constitutional Court a successful new judicial year! May your minds be sharp, your pens sharp, and your thoughts clear!

Report by the President of the Constitutional Court Irēna Kucina on the Development of constitutional law in Latvia in 2024

Honourable President,

Honourable Former President of the Republic of Iceland,

Excellencies,

Ladies and gentlemen,

Dear audience – both here, in the courtroom of the Constitutional Court, and online,

Colleagues and friends of the Court in Latvia and abroad,

Dear people of Latvia,

Already for the seventh successive time, the solemn hearing of the Constitutional Court symbolically completes the previous judicial year and opens the new judicial year. In this way, we all together look back at the cases heard by the Constitutional Court during the previous year and highlight the findings included in the rulings that are essential for reinforcing democracy and the rule of law in Latvia.

The report on the development of constitutional law in Latvia and the work done by the Constitutional Court constitutes a direct link with the people of Latvia because it is the people of Latvia and nobody else who defines the priorities in our legal proceedings through their applications and the problems identified therein. In the current geopolitical circumstances, the issues pertaining to values that are essential for Latvia's existence – the protection of our national security, constitutional foundations, democracy, sustainability, as well as an inclusive and respectful society – take a special place on the Court's agenda.

Ladies and gentlemen,

Summing up the Court's performance indicators, I can inform you that last year the Constitutional Court reviewed 18 cases, delivering 17 judgments and adopting one decision on terminating the legal proceedings. The constitutionality of 30 legal provisions has been reviewed in the judgments. 22 legal provisions were declared to be compatible with the Constitution, 8 legal provisions were declared unconstitutional, whereas the legal proceedings regarding the constitutionality of one legal provision were terminated. Likewise, one decision on requesting a preliminary ruling from the Court of Justice of the European Union was adopted in a case regarding making information about shareholders of a joint stock company public. One preliminary ruling of the Court of Justice of the European Union was received concerning three cases before the Constitutional Court in which legal provisions of Criminal Procedure Law regarding proceeds of crime have been contested.

I would like to highlight several cases that were reviewed by the Constitutional Court last year:

The Constitutional Court has implemented the protection of the Latvian language as an integral part of the constitutional identity of the Latvian state in cases regarding the transition to education in the official language in both private and state and local government institutions of education. In both cases, the learners' native language was the language of an ethnic minority. The applicants alleged that due to the contested provisions they would no longer have the possibility to acquire education in their native language. In these cases, the Court underscored that the state had to facilitate and reinforce the use of the Latvian language at all levels of education to ensure that the Latvian language performed the functions of an official language effectively. At the same time, private institutions of education enjoy sufficient discretion to ensure a curriculum that is related to the identity of ethnic minorities, *inter alia*, in the framework of interest-related education. The interest-related educational programme that has been created by the state ensures appropriate safeguarding and development of the language, culture, and ethnic singularity of ethnic minorities.

The case regarding the requirement for the Russian citizens to show proficiency in the official language in order to receive repeatedly residence permits in Latvia is particularly essential for the protection of national security. In this case, the Constitutional Court emphasised that the citizenship of the Russian Federation currently was a factor that was related to a threat to Latvia's national security and, thus, an individual assessment of all citizens of Russia residing in Latvia had to be conducted as soon as possible. The application of certain requirements specifically to the largest group of Russian citizens residing in Latvia was logical and aimed at protecting public security.

The Constitutional Court sees Latvia as a sustainable and prosperous home for all people residing in it and for future generations. In the case regarding the felling of younger trees, the Constitutional Court recognised that the provision by which the diameter of the main cut had been decreased was not compatible with everyone's right to live in a benevolent environment. The case was initiated on the basis of an application by environmental organisations which considered that the contested provision would have a negative impact on the forest ecosystem and the possibility for forests to contribute to climate change mitigation. The Court underscored that legal regulation that might have a significant impact on the environment required comprehensive assessment, balancing the interests of public welfare, environmental and economic interests. In the long term, Latvian forests have a multifunctional role

and they are significant both in strengthening the health and well-being of inhabitants, public interests, and economy, as well as biological diversity and the ability to adjust to climate change.

During the previous year, the Court continued to fill with content the requirement for a state governed by the rule of law to create an inclusive society where the dignity of each individual is respected. A person's past should not influence their future forever. However, where restrictions are established for life and no individual assessment has been envisaged, a person is prohibited from exercising their rights and, in the eyes of society, is inseparably linked to their former actions without taking into account the further course of their lives. I draw attention to the fact that in regulatory enactments such restrictions have been determined for a number of professions, on the basis of a similar principle. Therefore, the responsible public authorities have the task of reviewing these regularly, taking into account the findings contained in the Constitutional Court's judgments, because such restrictions are justifiable only in very special cases where the past actions are by their essence incompatible with the exercise of particular rights.

Esteemed audience,

This year, the range of cases to be reviewed will also be very extensive, since 145 applications have been received last year, on the basis of which 33 decisions to initiate a case have been made. Similarly to the previous years, the majority of initiated cases concern fundamental rights. The most important cases that have been initiated and will be reviewed this year pertain to:

The use of the official language in pre-election campaigns. The Court is currently already reviewing this case, assessing whether the regulation that permits pre-election campaigns only in the official language, including the written Latgalian and the Livonian language, with translation into the official languages of the Member States of the European Union, is compatible with the right to the freedom of expression. The political party that submitted the application points out that the candidates it has proposed and its members may not communicate in public with the voters in a minority language, which leaves adverse impact on the diversity of opinions in the political discourse.

At the beginning of this year, four cases regarding the legal provisions of the Criminal Procedure Law on the proceedings related to criminally acquired property will be reviewed. In these cases, participants in proceedings regarding criminally acquired property contested the regulation unfavourable to them that restricted the access to case materials, regulated the submission of evidence, and proving the criminally acquired property, as well as determined the procedure for appealing a court decision on the confiscation of criminally acquired property.

During the first half of the year, the so-called "credit cases" will be examined. This pertains both to the obligation of a credit institution to pay the borrower protection levy and to compensate for the interest payments of mortgages to borrowers and to the obligation imposed upon credit service providers to pay a corporate tax surcharge.

On 15 April, we will start reviewing in written proceedings the case regarding the provisions by which the *Saeima* discontinued the functioning of the Rēzekne State City Council, appointing a provisional administration and determining its composition; the provisional administration will function until the next election of the Council. The dismissed Council is the applicant in the case.

The so-called "nicotine cases" will be reviewed in the second half of the year. The prohibition to place liquids for electronic smoking devices and flavoured tobacco substitute products on the market will be reviewed in these cases. The application was submitted by merchants engaged in the commercial activity of producing and distributing the respective products.

In the second half of the year, we will also review a case regarding the use of minority languages in public electronic mass media. The application was submitted by 20 Members of the *Saeima*. They consider that the obligation of public electronic mass media to create a specific amount of radio and television programmes in minority languages decreases the value of the only official language and poses a threat to national security.

It is not ruled out that at the end of the year the case that has been just initiated regarding the inclusion of the rural territories of Murmastiene and Varakļāni and the town of Varakļāni into the Madona Region might be heard. In this case 20 Members of the *Saeima* allege that the legislator has disregarded the provisions of Law on Historical Regions of Latvia because the Varakļāni Region, which belongs to Latgale as the historical region, is merged with the Madona Region, which almost entirely falls within the historical region of Vidzeme.

Ladies and gentlemen,

The preparation of rulings at the Constitutional Court is continuously evolving, and the rulings become increasingly clearer, easier to understand and more transparent. Therefore, together with legal experts and experts from other areas we are searching for possibilities of making the Constitutional Court's rulings even easier to perceive and clearer.

The Constitutional Court's communication is closely linked to the function of conducting legal proceedings. We aim to be open to the people of Latvia, including paying increasingly greater attention to informing society about the actions and tasks of the state and the Court. Since yesterday, we have started informing society about the substantive performance indicators and statistics regarding the work done in each calendar month. We educate young people because the crises experienced during the last years have impacted their lives and future choices. The Constitution is a compass of values; therefore, we see young people as ambassadors of constitutional values. This is attested by the numerous and qualitative creative submissions for the pupils' contest "The State Language – Shared Value of Latvia". Our judges and employees have also created a lesson "*ApTver Satversmi*", which will soon be on its way to secondary school students throughout Latvia.

Last year, the Constitutional Court completed a major work, considering the possible improvements to the Constitutional Court Law and sent these to the Ministry of Justice for further transfer to the Government and the *Saeima*. We believe that the proceedings before the Constitutional Court can be made even more effective, e.g., by holding preparatory hearings or, in exceptional circumstances, envisaging hearing cases in urgent proceedings. The amendments propose, *inter alia*, a clearer regulation on the dialogue between the Constitutional Court and the CJEU, as well as other procedural matters. In general, it could be said that these amendments are a reform of the proceedings before the Constitutional Court needed by the state.

In cooperation with the Ministry of Justice, the Courts Administration, and the Latvian Council of Sworn Advocates work is ongoing to align the legal regulation in order to improve the procedure for granting state-provided legal aid. It is envisaged that already at the initial stage of the process it could be established whether, in the case of a possible interference with the fundamental rights of a socially vulnerable person chances of having a positive outcome of a case before the Constitutional Court may be seen. At the same time, a person's obligation to turn to the Constitutional Court before applying for the legal aid should be abolished. This is one more step closer to making the state-provided legal aid easier to access for those who need it the most.

Colleagues,

Just like previously, also last year the Constitutional Court was active internationally. Multilateral international cooperation is a necessity rather than a whim because law develops dynamically and creates new challenges; therefore, it is important to be at the centre of its evolution and to be able to foresee, to think "one step ahead". International cooperation is an opportunity for Latvia to explain, also on the judicial level, our constitutional identity and the special historical context.

Following the changes in the geopolitical situation which began with the war that Russia launched in Ukraine, the Constitutional Court's opinion receives special attention within the international area taking into account that the issues of militant democracy that have been relevant for Latvia during the last decades now are on the agenda of the entire continent.

This is the reason for having our guest of honour at the solemn hearing – the former President of the Republic of Iceland and Professor at the University of Iceland Guðni Jóhannesson – who will share his vision on how the lessons of the past can be used in the present turbulent times. In his public work, he is always underscoring that democracy can be implemented in the best version of itself if there are no gaps and defects in the communication between the state power and the people. Therefore, in times of geopolitical challenges, national security and resilience of democracy are ensured both by the state as a whole and the individual actions of every one of us.

Esteemed audience,

The Constitutional Court's stance in our international cooperation is that it is the duty of all constitutional courts of the world to emphasise the need to restore the international legal order and make liable those who have violated it. The Bureau of the World Conference on Constitutional Justice, in which the Constitutional Court represents the interests of all European constitutional courts, upheld a resolution submitted by us and agreed that military conflicts in the world and the devaluation of protection of human rights in these zones of conflict requires not only politicians but also the family of the constitutional courts of the world to express their position actively.

Last spring, the Constitutional Court held an international conference in Riga “The Role of the Constitutional Courts in Concretising the Shared Values Uniting Europe”, which was organised to honour the 20th anniversary of Latvia's accession to the European Union. The message that harmonious interaction between national constitutional identities and shared European values promotes the protection of every European's fundamental rights ran through the findings expressed at the conference.

Continuing our international cooperation, we have also organised bilateral meetings with the Supreme Court of the Netherlands, the Supreme Administrative Court of Finland, the ECtHR, as well as a trilateral meeting of the constitutional courts of the Baltic States.

Last year, jointly with the European Union and the Council of Europe, we launched an important project of international cooperation “Support to Development of Constitutional Justice in Ukraine”. Already in April, as part of this project, we will organise an international-level discussion on challenges affecting democracy, the rule of law and pluralism, as well as respect for human dignity and human rights. A lot of work has gone into it, and we appreciate it very highly that the Ukrainian judges, at time of war, not only continue to administer justice but also advance the highest development aims, reinforcing the rule of law and helping the people to bring European values into their country. Improvements to the entire system begin with a person's faith in one's state, the rule of law, the good that their nation needs.

Dear people of Latvia,

In conclusion, I would like to highlight the essential role of the Constitutional Court in protecting and strengthening the democratic order of this state. During the last decade, democracy as a form of state order has found itself in a difficult situation in Europe and elsewhere in the world. In a number of countries, including some Member States of the European Union, the so-called “backsliding” of democracy can be observed when various principles and institutions necessary for its functioning are formally or informally circumvented. This is often manifested in the attempts made by populist forces to diminish the role of the judicial power in modern democracy. Moreover, this happens not only in young but also in mature democracies.

Such trends ignore the fact that in a modern state democracy and the rule of law are in balance because democracy without the “backbone” of the rule of law is not sustainable. The rule of law, in turn, can be implemented only if the judicial power is independent. In this context, I would like to highlight the existing stability of the Latvian democratic state order, in which our society's high trust in the Constitution plays a very important role.

The Constitution was reinstated in full in 1993, and three significant additions to the Constitution followed: the Constitutional Court was established; the Chapter on Fundamental Rights of the Constitution was adopted; and, finally, the preamble that was included in the Constitution underscored the purpose and the meaning of the existence of the Latvian state – to guarantee the existence and development of the Latvian nation, its language and culture through centuries. At the same time, it clearly defined the basic principles for the order of our democratic state – Latvia is a democratic state, governed by the rule of law, a socially responsible state and a nation state. Additionally, the Constitutional Court specified already in 2017 that Latvia was not just a nation state but exactly a Latvian nation state.

These three additions made the Constitution a modern constitution fit for the age, which, moreover, is resilient in the face of various challenges. Among others, those that the current era is throwing at us.

The Constitutional Court has been given a special role in the protection of the Constitution and already at the initial stage of its functioning the Court has recognised that Latvia's democracy is a militant democracy. This principle not only allows but also demands our public authorities and citizens to protect against internal and external threats both the state of Latvia and its democratic state order. In the conditions of hybrid warfare, the spectre of these threats targeting Latvia and other democratic states has become broader and more diverse. Hence, also the spectre of measures for responding to these threats must be expanded accordingly.

In this context, the issue of protecting democracy against an important element of hybrid warfare – the so-called “information war” in which Russia and other adversaries of democracy, with the aim to destabilise democracy, are attempting to influence the public opinion and political processes of democratic states in their favour has gained relevance. As Kaja Kallas, the High Representative of the European Union for Foreign Affairs and Security Policy, recently underscored, manipulation with information and interfering into the democratic processes of other states is a fundamental part of Russia's military activities.

Therefore, I would like to emphasise that the state should not be afraid of using all legal remedies targeting threats to the state and democracy. If the existing remedies do not suffice, then the state must create new remedies, if needed. The principle of militant democracy is a “living instrument”, which flexibly adjusts to changing circumstances. The proportionality of the measures used is the decisive criterion. This means – the stronger the threat, the more far-reaching the measures for fighting it may be used.

The executive power and the legislator have the primary task of constantly assessing the level of this threat. Whereas the institution of judicial power which reviews, meticulously and with the highest sense of responsibility, the proportionality of the chosen measures to the seriousness of the existing threat, is the Constitutional Court, as well as other courts of Latvia. With a sense of responsibility both with respect to an individual and our state and society as a whole because the existence of our own and democratic state is invaluable asset. We, all of us together, must guard it.

Dear audience,

Last year, the Constitutional Court went through a significant process of replacing judges and now continues working in a new composition of seven judges. At the same time, the work done by the current composition of the Court, as well as by the now former colleagues Aldis Laviņš, Gunārs Kušīņš, and Artūrs Kučs contributed to the achievements of the previous year.

I express my gratitude to my colleagues, judges of the Constitutional Court, who appreciated the achievements made during this process of changes by electing me President of the Court. Likewise, I thank the Court's employees for cooperation, understanding and determination in reaching the outcomes of the Court's work.

I thank all of you who participated in the solemn hearing today and Latvia's society for appreciating the work of the Constitutional Court. The result of this work is reflected in the lives of everyone in Latvia and is a strong foundation for the future.

The Constitution guards our state; however, it does not do so on its own – we all are able to and are doing it because together we are stronger than apart.

I am honoured to serve the Constitution!

Speech by the professor of the University of Iceland Guðni Thorlacius Jóhannesson at the solemn session for the opening of the judicial year of the Constitutional Court of the Republic of Latvia

History teaches us... Lessons of the past for our present turbulent times

*President of Latvia, Edgars Rinkēvičs,
President of the Constitutional Court of Latvia, Irēna Kucina,
esteemed judges, excellencies,
dear friends!*

I am both honoured and pleased to be with you on this solemn occasion here in Riga. I wish you all great success in your important work for your state and your nation. Fair laws are the foundation of a sound society but only if they are followed and implemented judiciously.

From time immemorial we can find examples and quotations that support this truth which we must find self-evident. I will give you two examples from Iceland, my home country – a country with solid connections and a history of friendship towards the people of Latvia.

Með lögum skal land byggja – With laws shall land be built. This is the ancient motto or maxim of the Icelandic police force. It is Nordic in origin, originating somewhere in the lands we now know together as Scandinavia. You can also see these words of wisdom above the entrance of the Copenhagen Court House in Denmark. Furthermore, they are in the coat of arms of the Shetland Islands, the cluster of islands to the north of Scotland that came under Norwegian and Scandinavian rule until king Christian I pawned them to his royal Scottish colleague, king James III.

The other phrase I mention on the importance of law is exclusively Icelandic, proclaimed at Thingvellir, the site of Iceland's ancient parliament. It was founded in 930 or thereabouts, a gathering of chieftains and farmers where laws were made and judgments proclaimed. In the year 999, civil war seemed imminent, between those who wanted to stick to the old faith of Ódin, Thór, and other pagan gods, and those who advanced the new Christian faith. The head of the Althing, the lawspeaker, was given the task of finding a way to avert a bloody conflict. Overnight he lay under his fur and then delivered his judgment: *Það mun verða satt, er vér slítum í sundur lögin, að vér munum slíta og friðinn* – It is true that if we tear the law asunder, we also tear our peace apart. He then proclaimed that Christianity was to be adopted and strife was averted.

These two sayings of wisdom – build the land with laws and without laws there is no peace – also demonstrate how we humans hold on to relics from the past to construct our present and future. A person who cannot remember suffers in life and the same goes for peoples and nations. I will not attempt to make myself an expert on Latvian history before this distinguished audience. Still, let me mention that surely there have been events and developments in the past which you Latvians have used to construct a common, national account – something that has been considered essential for everyone to know, so that people will know some basic details of their country's history.

In this connection, I am on more solid ground if we turn to Iceland for a bit. Allow me to give you a short – a very short – overview of Iceland’s history from its settlement to the present day. This overview is traditional as well, even old-fashioned.

The island was settled well over a thousand years ago. A commonwealth was formed where free men ruled. Alas, in the thirteenth century civil strife broke out and ultimately the chieftains in the country decided that the people of Iceland should become subjects of the King of Norway. Later, the country came under Danish rule and such was the situation in the nineteenth century when the Icelanders called for increased independence from Denmark, in a campaign that has been called “a national awakening”.

The twentieth century was then mostly a series of victories and increased prosperity: home rule in 1904, sovereignty in 1918 but royal union with Denmark remained until 1944 when full independence was declared and the Republic of Iceland was formed. Five years later, Iceland joined NATO. In the following decades, it gained full control of its vital fishing grounds, joined EFTA, the European Free Trade Association, and later the European Economic Area.

Unfortunately, almost constant progress was marred by the tremendous banking crisis in 2008 but we have recovered from that setback. Today, Iceland is one of the safest and most affluent countries in the world. You can take many criteria: infant mortality, life expectancy, standard of living, gender equality, general level of happiness. You name it: Iceland is the best or among the best.

Of course it is not a perfect society. We can always do better but is this not a story about the benefits of independence and freedom? And the clear connection between independence and freedom on the one hand, and prosperity and wellbeing on the other?

These questions have been asked. Patriotic politicians will give you a resounding yes but the past can be complex, too complex for simple questions and simple answers. Still, I am tempted to compare milestones in the history of our two countries, Iceland and Latvia. Let’s start with 1918: sovereignty in Iceland with *de facto* independence in all important matters, declaration of independence here in Latvia. The interwar years were not a period of uninterrupted progress, with economic setbacks in Iceland and the failure of parliamentary democracy here in Latvia. Still, these two states existed on the world map, with their languages and culture on the rise.

And then our paths diverged completely. In 1940, the Stalinist regime in Moscow decided to annex Latvia, in accordance with the infamous Molotov-Ribbentrop pact from the year before. In 1940, Iceland was occupied by Britain but it was a friendly occupation that brought economic progress, especially after the arrival of American forces as well. In the 1940s, conversely, Latvians were deported in large numbers to Siberia. Decades of tyranny, hardship, and isolation ensued over here, but back home in Iceland the population prospered through trade with the outside world – including, it must be admitted, highly profitable barter agreements with the Soviet Union when Icelandic vessels sailed to “Soviet ports” in Latvia and the other Baltic republics.

It was only in 1991 that our paths began to converge again. And now we are here in 2025, facing an uncertain future. What can history teach us? How can history help us in turbulent times? *Can* history help us in turbulent times?

When I was running for president in the summer of 2016, there were some friendly advisers who said to me: Dear Gudni, you must stop talking about the past – people want to hear about the future. True, they said so half-jokingly but they wanted to emphasise that references to history should have a purpose – the purpose of instilling hope, strengthening unity, and making people feel proud about who they are, where they come from, and where they are heading.

After all, is it not the role of leaders to be positive, inspiring, unifying, to speak on behalf of the nation? Can you be a gloomy, negative leader, critical of your country’s history? During my presidential campaign eight years ago, I quickly discovered that if you want to become head of state, having been an academic historian is not necessarily the most favourable background you can ask for. I had written

books and articles arguing that Icelanders must avoid the temptation to create a false version of the past, especially for political purposes. Older colleagues had paved the way but we – eager young historians – wanted to revise fundamental aspects of Iceland’s history. We questioned the traditional version, we found an exaggerated connection between independence and prosperity on the one hand, and outside rule and poverty on the other. We claimed that the role of some important individuals was exaggerated at the cost of general developments, and that stagnation was not necessarily the fault of foreign rulers but could just as well be blamed on a conservative elite of Icelandic farmers and officials.

Did we go too far? When I moved from being an academic historian to presidential candidate, there were critics who accused me of belittling the nation’s achievements and history. Naturally, I found this unfair and all this was partly campaign politics. Still, as a historian and presidential candidate I had to explain my point of view. On one occasion, I put it like this: “If elected, I don’t want to undergo a complete transformation. ... and hope that nobody googles me. But I would want the nation to understand that we can present the past in all its variety without being accused of disparaging the achievements of those who were in the forefront.”

And now, dear friends, I am back where I came from: A professor of history at the University of Iceland, after eight years of profound privilege and honour of having served as the head of state of my country – my beautiful country, with its potential for a bright future, with its rich and varied past. The bank of memories is full of interesting events, including the one hundredth anniversary of Latvia’s independence in 2018. On that honourable occasion, I sensed strongly a determination to protect the nation’s freedom and human rights. I sensed a strong pride in many past achievements, a recognition of the sacrifices that previous generations made so that we may enjoy peace, prosperity and security.

Dear friends: in our globalized world supranational corporations and companies increase in influence and power every day. Technological advances minimize distances and differences. In this environment I believe it is imperative to maintain a healthy affection for your country, its history, its people, and all its potential in the future. We need to combine the two, independence and interdependence, self-reliance on the one hand and solidarity on the other with like-minded friends.

Therefore, we need to remember the positive impact nationalism can have on our societies, how it can foster support and compassion, how it can enhance our love and care for our nature and environment, how it can connect our past, present, and future; how nationalism can and should maintain separate cultures, languages, and histories.

In other words, we need to praise a positive version of nationalism. Benedict Anderson, probably the best-known scholar on that subject – the author of the phrase “imagined communities” – warned of the temptation to denounce nationalism in all its forms. Some fifty years ago he wrote:

“In an age when it is so common for progressive, cosmopolitan intellectuals (particularly in Europe?) to insist on the near-pathological character of nationalism, its roots in fear and hatred of the Other, and its affinities with racism, it is useful to remind ourselves that nations inspire love, and often profoundly self-sacrificing love. The cultural products of nationalism – poetry, prose fiction, music, plastic arts – show this love very clearly in thousands of different forms and styles.”

Indeed, the artists themselves have provided a similar reminder. In her song, *Declare Independence*, Icelandic singer Björk famously salutes national sovereignty:

With a flag and a trumpet,
go to the top of your highest mountain.
And raise your flag (higher, higher).
Declare independence.

And *defend* independence. Together, we Icelanders and Latvians and other like-minded nations must praise the people of Ukraine in their fight against Russia’s invading forces. We must help them to the best of our abilities, if only because their fight is also our fight in the long run.

I did say before that Iceland is not a perfect society and the same could certainly be said about Ukraine before the invasion. But the bloody battles in Ukraine are about life and death, about the future of a sovereign state, the future of democracy and freedom, the future of hope.

And they are also about the past. For years now, we have heard Vladimir Putin's version of Russian and Ukrainian history, the near-rejection of a separate Ukrainian language, culture, and heritage. Moreover, Putin uses and misuses the past to prove his contention that the history of Russia is mainly about the need for strong leadership and national unity against foreign foes who are always determined to destroy the Russian people. Some of you may recall his interview or monologue with Tucker Carlson almost a year ago to today. Putin said he would need 30 seconds to mention essential aspects of Russia's history and some 30 minutes later Carlson could only utter "1654?" That was how far Putin had gone in his historical justifications for current aggressions and he still had a lot of ground to cover.

Another pertinent example on how history can be used as a tool in contemporary debates can be found in the United States today. A little over a week ago, President Donald Trump issued an executive order to end "radical indoctrination" in American schools. In his previous presidential term, Trump often lamented that for years, even decades, children in America had been subjected to left-wing ideologies and given a distorted version of history where the nation's achievements were downplayed or ignored. Therefore, the aim of the new executive order is to instil in all pupils, "a patriotic admiration for our incredible Nation and the values for which we stand".

Dear listeners: We can only praise the virtues of nationalism if we are at the same time ready and willing to admit to its potential dangers, so visible in our past and present. We must never forget the evils of excessive nationalism, the danger of xenophobia, racism, and intolerance based on the alleged need to defend the purity, honour and integrity of the nation. And we must admit to mistakes or dark chapters in our own history; in Russia or the United States, in Latvia or Iceland, in all societies now as before.

All over the world, even in the most progressive societies, negative nationalism rears its ugly head when people are told that they cannot belong in society because they are somehow different from the majority, not like "us". All people who want to live in peace with others should be able to call themselves part of the community, part of society, part of the nation, regardless of their skin colour or faith, regardless of other beliefs, regardless of how well they speak a language or know a country's history, regardless of all other factors and labels that can be used to sow mistrust, fear, and even hatred.

These are, I believe, important lessons of the past for our present turbulent times. Of course, we can find other events and developments that we need to highlight, remember and learn from. For instance, while King Christian I could pawn a cluster of islands and the people living on them to King James III in the late Middle Ages, a similar measure should not work today. State leaders should not be able to buy and sell nations and peoples in the twenty-first century. Likewise, state leaders should not be able to invade and annex territories.

Indeed, history should be a warning against the admiration and adulation of "the strong leader". A great society does not depend on a great leader. Yes, it might benefit from such a person but primarily a great society needs great principles, great foundations, and great structures that can withstand the whims and desires of individuals. Also, we need strong law, not the law of the strong, and therefore I wish you all every success in your valuable work for your country and its people. Thank you.

6

Publications

This section provides an overview of the publications by the Constitutional Court's judges and personnel from the reporting period: books and individual articles in books, articles in periodicals, interviews, speeches and blog posts.

IRĒNA KUCINA

BOOKS:

- Kucina I. Priekšvārds [Foreword]. Grām.: Pārskats par Satversmes tiesas darbu 2024 [Report on the Work of the Constitutional Court of the Republic of Latvia 2024]. Rīga: Satversmes tiesa, 2025, 11.–13. lpp.
- Kucina I. Priekšvārds [Foreword]. Grām.: Tamužs K., Podzороva E., Bakmane B., Bārdiņš G., Statkus S., Krastiņš U., Pētersone K., Spale M. Sociālās tiesības: Satversmes tiesas judikatūra par Satversmes 109. un 110. pantu. Satversmes tiesas judikatūra [Social rights: case-law of the Constitutional Court with respect to Articles 109 and 110 of the Constitution. Case-law of the Constitutional Court]. Rīga: Tiesu namu aģentūra, 2025, 4.–5. lpp.
- Kucina I. Tiesības uz pieeju internetam kā instruments iekļaujošas sabiedrības veicināšanai [Right of access to the internet as a tool for promoting a more inclusive society]. Grām.: Ilgtspēja kā konstitucionālā vērtība: nākotnes izaicinājumi. Starptautiskā konference: Latvijas Universitātes Lielā aula, Rīga, 2022. gada 15.–16. Septembris [Sustainability as a Constitutional Value: Future Challenges. International conference: *Magna Aula* of the University of Latvia, Riga, 15–16 September 2022]. Rīga: Satversmes tiesa, 2025, 99.–105. lpp.
- Kucina I. Foreword. In: Report on the Work of the Constitutional Court of the Republic of Latvia in 2024. Rīga: Constitutional Court, 2025, pp. 11–14.

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- Kucina I., Johannesons G. T. Ja mēs laužam likumu, mēs laužam arī mieru [If we break law, we also break peace]. *Jurista Vārds*, 14.03.2025. Available: juristavards.lv
- Kucina I. Satversme sniedzas pāri tagadnei [The Constitution reaches beyond the present]. *Jurista Vārds*, 02.12.2025., Nr. 48, 8.–11. lpp.
- Kucina I. Tiesiskās sistēmas pienācīga reaģēšana uz valsts pastāvēšanai būtisko vērtību apdraudējumiem [Appropriate response by the justice system to threats to values essential for the state's existence]. *Jurista Vārds*, 29.07.2025., Nr. 30, 13.–15. lpp.
- Kucina I., Bakmane B. National Language: an Element of the National Identity of a Member State to be Respected in Accordance with the Second Paragraph of Article 4 of the Treaty on European Union. *Socrates*, 2025, No. 1, pp. 69–75.
- Kucina I. The Constitutional Court and National Security: Legal Instruments for Overcoming Challenges. *Socrates*, 2025, No. 2, pp. 34–38.

INTERVIEWS:

- Auniņa I. Tiesneša DNS. Intervija ar Irēnu Kucinu [A judge's DNA. Interview with Irēna Kucina]. *l'mperfekt*, 2025, Nr. 34, 16.–19. lpp.
- Bobkova J. Satversmes tiesas pārstāvji viesojās pie Latgales skolēniem. Intervija ar Irēnu Kucinu [The Constitutional Court's representatives visit pupils in Latgale. Interview with Irēna Kucina]. *Latgales Laiks*, 27.03.2025, Nr. 12, 5. lpp.
- Gailīte D. Ir jāspēj saskatīt un novērst draudus demokrātijai. Intervija ar Irēnu Kucinu [We must be able to see and prevent threats to democracy. Interview with Irēna Kucina]. *Jurista Vārds*, 10.06.2025., Nr. 23, 10.–17. lpp.
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- Kikusts G., Rubene K. Intervija ar Satversmes tiesas priekšsēdētāju Irēnu Kucinu [Interview with President of the Constitutional Court Irēna Kucina]. Intervija ar Irēnu Kucinu. *LTV "Rīta Panorāma"*, 25.04.2025. Available: ltv.lsm.lv
- Kokoreviča A. Satversme – dzīva vērtību karte. Intervija ar Irēnu Kucinu [The Constitution – a live map of values. Interview with Irēna Kucina]. *Jauns OK*, 2025, Nr. 3, 40.–45. lpp.
- Kucina I., Johannesons G. T. Satversmes tiesas priekšsēdētāja Irēna Kucina sarunājas ar bijušo Islandes Republikas prezidentu un Islandes Universitātes profesoru Gudni T. Johannesonu [President of the Constitutional Court Irēna Kucina in conversation with the former President of the Republic of Iceland and Professor of the University of Iceland Guðni T. Jóhannesson]. *Saruna Satversmes tiesas raidierakstā "Tversme"*, 13.03.2025. Available: satv.tiesa.gov.lv
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