



**SAEIMA OF THE REPUBLIC OF LATVIA**  
ANALYTICAL SERVICE

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**Reply to the ECPRD request No. 6116**

**The offering of a financial advantage in exchange for the resignation of a seat in parliament**

With regard to Latvia, the answers are as follows:

**1) Is there any legislation or other form of regulation, such as a code of conduct, that prohibits**

- i. a Member of Parliament from accepting a financial advantage on the condition that they resign their seat;
- ii. the act of offering such a proposal, including by individuals from the member's own party.

**2) If so, what does the regulation entail, and how is it enforced?**

In the Republic of Latvia, there is no such a specific code. There are also no known cases of criminal proceedings initiated in connection with the buying out of a parliamentary mandate.

In Latvia, the free mandate of a Member of the Saeima is constitutionally protected by the [Constitution of the Republic of Latvia](#) (the Satversme). According to the Section 5 of the Satversme, the Saeima shall be composed of one hundred representatives of the people, Section 14 – the electors may not recall any individual member of the Saeima and Section 28 - Members of the Saeima may not be called to account by any judicial, administrative or disciplinary process in connection with their voting or their views as expressed during the execution of their duties. Court proceedings may be brought against members of the Saeima if they, albeit in the course of performing parliamentary duties, disseminate:

- 1) defamatory statements which they know to be false, or
- 2) defamatory statements about private or family life.

The Constitutional Court of Latvia ([Judgment of 1 August 2019](#); available in Latvian) expressly recognised that these provisions give rise to a “free representative mandate” — meaning that a Member of Parliament is an independent representative of the people, guaranteed by the democratic constitutional order.

The [Rules of Order of Saeima](#) Section 4 defines the lifespan of a Saeima mandate and the conditions for its termination:

*4. (1) A member of the Saeima shall have the rights of a member of the Saeima until expiry of the powers.*

*(2) Powers of a member of the Saeima shall expire from the moment when:*

*1) the newly elected Saeima has convened;*

*2) he or she has notified of resigning the mandate, and powers have been approved for another member of the Saeima in his or her place (Sections 5 and 6);*

*3) he or she has been excluded from the composition of the Saeima (Section 18);*

*4) he or she has died.*

*[6 May 1996]*

Ethical norms for Latvian MPs are defined and policed inside Parliament by the Mandate, Ethics and Submissions Committee, with binding force derived from the Saeima's Rules of Order. According to the Section 6 Code of Ethics of Members of Saeima (Rules of Order of Saeima Annex), a member of the Saeima is morally responsible for his or her actions (speeches, votes etc.); a member of the Saeima may not plead the pressure of representatives of the government, parties or other persons to justify a vote against his or her conscience; a member of the Saeima shall admit his or her mistakes and seek to correct them.

In general, Members of the Saeima are also required to comply with the provisions of other laws such as [Criminal Law](#) (regarding bribes) and the [Law On Prevention of Conflict of Interest in Activities of Public Officials](#).

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