

## European Rule of Law Mechanism: input from Member States

### 2025 Rule of Law Report

#### 1. Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the national contact points to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts, as well as the consultation on the draft country chapters prior to the Report's adoption.

The 2025 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2024 Rule of Law Report. In line with the Political Guidelines for the 2024-2029 Commission, the 2025 Report will also include a single market dimension. A parallel reflection has been launched with Member States and business stakeholders with a view to collecting views about the scope of the issues to be covered. A further request for contribution will follow specifically on this dimension.

#### **Nature of the contribution**

The Commission invites contact points to provide contributions which includes:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024 and up to the date of submission falling under the 'type of information' outlined in section 2.**

The input should preferably be in English and not exceed 30 pages. Relevant legislation or other documents may be referenced with a link (no need to provide the full text). The contributions will be published on the Commission's website upon explicit agreement of the Member States. In order to avoid duplication and excessive administrative burden, please include where applicable explicit references to any relevant contribution already provided by your Member State in a different context (including under Council of Europe, OECD, OSCE and UN bodies or procedures as well the input provided for previous editions of the Report) or to the previous Rule of Law Reports. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

Please send us your replies by **24 January 2025** to the following email address: rule-of-law-network@ec.europa.eu. In case you would have any questions or requests for clarifications, please do not hesitate to contact the Commission at the same email address.

## 2. Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

### A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

### B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

### C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input<sup>1</sup>)

### D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, you can now simply tick the relevant box**

## 3. Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission<sup>2</sup>. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

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<sup>1</sup> Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

<sup>2</sup> Unless already covered in the input for the previous Rule of Law Reports.

## I. Justice System

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable):*

Regarding the previous recommendation to take measures to ensure adequate safeguards against undue political influence in the existing appointment procedure for Supreme Court judges there have been no legislative developments in this regard that would change the existing appointment procedure for Supreme Court judges.

### A. Independence

☐ No developments

☒ If there have been developments related to the independence of justice, please specify which, in particular regarding topics listed below: ...

- In 2024 a new President and Vice President were elected at the Constitutional Court. Also 3 new judges took office. Former President of the Constitutional Court Mr Aldis Laviņš and judge Gunārs Kusiņš completed their terms of office in 2024, while judge Artūrs Kučs was elected as a judge of the European Court of Human Rights. Accordingly, the Latvian Parliament appointed three new Constitutional Court judges in 2024. According to the Constitutional Court Law, a given number of judges are nominated by each of the three branches of power. Judge Aldis Laviņš was replaced by Ms Veronika Krūmiņa as of 19 August 2024. She was previously the Chair of the Department of Administrative Cases of the Supreme Court and was nominated by the plenary session of the Supreme Court. On 4 September 2024, the former judge of the European Court of Human Rights elected with respect to Latvia, Mr Mārtiņš Mits, took over from judge Gunārs Kusiņš. He was nominated by 10 members of the Parliament. On 21 November 2024, judge Juris Juriss replaced judge Artūrs Kučs. Prior to commencing his term of office at the Constitutional Court, he served as the head prosecutor at the Prosecutor General's Office, Criminal Justice Department, Division for Coordination of Combating Money Laundering, and was nominated to the position of a judge of the Constitutional Court by the Cabinet of Ministers.

On 28 November 2024, the Constitutional Court held elections for the President of the Court and the Vice President of the Court. Judge Irēna Kucina was unanimously elected as the President of the Court for a 3-year term, and judge Anita Rodiņa was elected as the Vice President.

In order to strengthen the independence of the Constitutional Court judges, amendments to the Constitutional Court Law are being promoted, which would provide that if a person who has been appointed as a prosecutor in accordance with the Office of the Prosecutor Law is confirmed as a judge of the Constitutional Court, the public prosecutor's office ensures the right of such a person to return to the position of a prosecutor after the expiry of the term of office of a Constitutional Court judge, if he or she has not reached the maximum age set for holding the office. Such a person shall be entitled to a retirement pension of a public prosecutor if his/her length of service under the Law on Retirement Pensions of Public Prosecutors is no shorter than 20 years. This draft law has not yet been submitted to the Parliament.

Latvian Parliament adopted amendments to the law "On Judicial Power" on 24 October 2024<sup>3</sup> concerning the distribution of cases among judges. Specifically, these amendments provide the possibility to take into account the additional workload of a judge who performs duties in the judicial self-government bodies, is preparing and conducting training events for judges and prosecutors, or is carrying out duties related to mentoring new judges. Finally, the amendments provide for the possibility to take into account in the distribution of cases the time required for a judge to complete the training course designed for new judges.

<sup>3</sup> <https://www.vestnesis.lv/op/2024/213A.2>.

The Constitutional Court of Latvia adopted a judgment<sup>4</sup> on the issue of banning a person from being a forensic expert if criminal proceedings against them have been terminated for non-exonerating reasons. The Court emphasised that, in the light of the functions and competences entrusted to forensic experts, there may be circumstances, such as the degree of harmfulness of the offence and the interests affected by it, the time elapsed after the offence, the attitude of the person, as well as the behaviour and conduct after the offence, which, taken together, may indicate that the previous criminal conduct of the person will not impair the performance of the functions of a forensic expert. Accordingly, Article 6(3)(5) of the Law on Forensic Experts was declared unconstitutional because an individual assessment of the suitability of person to act as a forensic expert would be a less restrictive measure than a blanket ban foreseen by the above-mentioned legal provision.

The Judicial Council has further modified the procedure for the selection of district and regional court judges.<sup>5</sup> According to these amendments the selection committee may assess the candidate's compliance with the criterion of good reputation throughout the selection process. The modified selection procedure also gives more weight to the candidate's behavioural skills (such as teamwork) in the selection of candidates.

A public debate including comments from public officials and the highest members of judiciary arose after the head of the State Security Service expressed criticism on a news programs against several court decisions in cases related to national security where the accused persons had been released on bail and consequently had (unlawfully) left the territory of Latvia, thus avoiding from further prosecution.<sup>6</sup> The President of the Republic of Latvia<sup>7</sup> and the Prosecutor General both expressed criticism against the court decisions. In the course of these events, amendments to the Law on Official Secret were drafted and adopted by the Parliament in the final reading, which extends the scope of cases in which a judge needs to obtain a clearance for work with official secrets in order to perform their duties.<sup>8</sup> During the drafting of the amendments, the Judicial Council pointed out in a letter to the Defense, Interior affairs and Anti-Corruption Commission of the Parliament that the loyalty of judges was being unjustifiably called into question.<sup>9</sup>

## **B. Quality of justice<sup>10</sup>**

☐ No developments

☒ If there have been developments related to the quality of justice, please specify which, regarding in particular topics listed below: ...

In 2024 The State Audit Office of Latvia conducted performance audit on the "Availability and development of human resources in the courts of Latvia"<sup>11</sup>. The study highlights that prerequisites have been created in Latvia for providing district (city) courts and regional courts with professional

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<sup>4</sup> Judgment of 17 December 2024 in case no 2023-47-01, Official Journal 18.12.2024., No. 247, <https://www.vestnesis.lv/op/2024/247.32?search=on>.

<sup>5</sup> Decision of the Judicial Council No 53 of 18 October 2024, <https://likumi.lv/ta/id/353837-par-grozijumiem-rajona-pilsetas-tiesas-un-apgabaltiesas-tiesnesa-amata-kandidatu-atlases-kartiba>

<sup>6</sup> <https://www.lsm.lv/raksts/zinas/latvija/14.03.2024-vdd-vaditaju-atseviskos-gadijumos-mulsina-tiesu-lemumi-dienesta-izmekletajas-lietas.a546658/>

<sup>7</sup> <https://x.com/edgarsrinkevics/status/1782119717605363959>

<sup>8</sup> [https://titania.saeima.lv/LIVS14/SaeimaLIVS14.nsf/webAll?SearchView&Query=\(\[NumberTxt\]=758\)&SearchMax=0&SearchOrder=4](https://titania.saeima.lv/LIVS14/SaeimaLIVS14.nsf/webAll?SearchView&Query=([NumberTxt]=758)&SearchMax=0&SearchOrder=4)

<sup>9</sup> <https://www.tieslietupadome.lv/lv/jaunums/tieslietu-padome-prasiba-tiesnesiem-sanemt-specialo-atlauju-pieejai-valsts-noslepumam-nav-izmantojama-ka-tiesnesu-lojalitates-apliecinajums>

<sup>10</sup> Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

<sup>11</sup> Audit summary in English is available here: [https://www.lrvk.gov.lv/en/getrevisionfile/29740-J2RD-kxrwmAYd1ZQNdSJZjDb6mRsn\\_.pdf](https://www.lrvk.gov.lv/en/getrevisionfile/29740-J2RD-kxrwmAYd1ZQNdSJZjDb6mRsn_.pdf)

and competent human resources. However, measures for the development of human resources are proceeding too slowly and a crisis may occur in the coming years. The audit especially points out that the number of judges who leave their position exceeds the number of appointed judges. The number of candidates who have passed the selection procedure is not sufficient to fill the existing vacancies. This means that the trend of increasing number of judicial vacancies may continue and the judicial system may lack judges to ensure an effective functioning of courts.

The aforementioned study of the State Audit Office also draws attention to the fact that the position of assistant to a judge is still not subject to appropriate educational requirements and the competences and responsibilities of an assistant to a judge have not been expanded, thus reducing the possibilities to increase the uncompetitive level of remuneration of an assistant to a judge on the labour market and to motivate existing employees, to attract new qualified employees and to fully employ them to reduce the workload of judges. Overall, the audit considers that the judicial system has failed to develop the institution of judicial assistants effectively and in the long term. As a result, the turnover of assistants to judges is unacceptably high, especially in courts in Riga, where it reaches up to 41% per year.

The issue of increasing the remuneration of court staff continued to be addressed. The Judicial Council approved the proposed budget for the district (city) and regional courts in 2025,<sup>12</sup> although A. Strupišs, the President of the Supreme Court and the President of the Judicial Council pointed out that a salary increase of at least 12% is needed for the staff of courts of first and second instance in 2025. Initially, the Judicial Council endorsed the priority measures proposed by the Ministry of Justice for the budget of district (city) courts and regional courts for the period 2025–2028, which envisaged a 6% increase in the remuneration of court staff. However, given the limited possibilities of next year's budget and the country's external security as the main budgetary priority, only a 2.6% salary increase for court staff was possible. Therefore, a shortage of judges and qualified court staff is to be expected, he concluded.

Concerning legal fees in civil proceedings the Parliament adopted amendments to the Civil Procedure Law, which allow a legal entity to apply for exemption from payment of legal expenses and security deposit.<sup>13</sup> These modifications were adopted in order to comply with the judgments of the Constitutional Court in case no. 2021-22-01<sup>14</sup> and in case no. 2022-05-01.<sup>15</sup>

Work continues on the digitization of the judicial system and the development of the e-Case IT platform. The e-Case Supervisory Board has approved the e-Case Program Action Plan and extended the transition period for the full migration for all proceedings before 31 May 2026.<sup>16</sup> Currently, all district courts handle complaints in administrative offence cases in a fully digital environment. The Judicial Council plans to expand the categories of digitized litigation cases in 2025 to ensure the gradual introduction of e-cases.<sup>17</sup>

In 2024 there were significant developments promoting access to legal aid. As mentioned in the 2024

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<sup>12</sup> Statement of the Judicial Council regarding the Decision of the Judicial Council of 18 October 2024 "On budget request for district (city) and regional courts for 2025": <https://www.tieslietupadome.lv/lv/jaunums/par-tieslietu-padomes-18-oktobra-sedes-lemumiem>

<sup>13</sup> <https://www.vestnesis.lv/op/2024/128A.3>

<sup>14</sup> Judgment of 23 February 2022 in case no. 2021-22-01, English translation is available: [https://www.satv.tiesa.gov.lv/wp-content/uploads/2021/05/2021-22-01\\_Judgement.pdf](https://www.satv.tiesa.gov.lv/wp-content/uploads/2021/05/2021-22-01_Judgement.pdf).

<sup>15</sup> Judgment of 17 February 2023 in case no. 2022-05-01, English translation is available: [https://www.satv.tiesa.gov.lv/wp-content/uploads/2022/02/2022-05-01\\_Judgement.pdf](https://www.satv.tiesa.gov.lv/wp-content/uploads/2022/02/2022-05-01_Judgement.pdf).

<sup>16</sup> <https://www.tm.gov.lv/lv/jaunums/e-lietas-uzraudzibas-padome-apstiprina-e-lietas-programmas-ricibas-planu>

<sup>17</sup> <https://www.tieslietupadome.lv/lv/jaunums/tieslietu-padome-apsprida-elektroniskas-tiesvedibas-ieviesanas-gaitu>

Rule of Law Report, in February 2024, the cooperation project between the Council of Europe, the European Commission and Latvia aiming to strengthen access to justice ended. The final report was published on 2 October 2024 and the primary focus of the recommendations was on the training and quality control of legal aid advisers, and accessibility of legal aid.<sup>18</sup> In an interview with the media, the President of the Constitutional Court drew attention to the need to broaden access to state-provided legal aid in cases referred to the Constitutional Court.<sup>19</sup> In order to raise public awareness of the possibilities to obtain legal aid, in March 2024 the Courts Administration created forms and pre-filled samples of forms for applications for legal aid, as well as a YouTube video explaining the process of obtaining legal aid.<sup>20</sup> The Courts Administration has also published several videos on its YouTube account, informing the public about the application procedure and the possibilities offered by the e-Case.<sup>21</sup>

In order to make the provision of state-funded legal aid more attractive to legal professionals, on 20 August 2024 the Cabinet of Ministers increased the remuneration for the provision of legal aid.<sup>22</sup> On 27 February 2024 the Cabinet of Ministers approved the regulations prepared by the Ministry of Justice to implement a project to establish a system of state-provided legal aid. The project will expand access to legal aid services for vulnerable persons and improve support mechanisms for victims of crime.<sup>23</sup>

In 2024 the establishment of the new Academy of Justice continued. On 24 October 2024 the Parliament adopted the Law on the Academy of Justice<sup>24</sup>. The Academy of Justice is intended as a one stop training center for judges, court staff, prosecutors, assistant prosecutors, and investigators. It became operational on 1 January 2025. On 19 November 2024, the Judicial Council approved the conditions and procedures for the recruitment of candidates for the post of Director of the Academy of Justice.<sup>25</sup> The competition for this post is still in progress.

### **C. Efficiency of the justice system<sup>26</sup>:**

☐ No developments

☒ If there have been developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings), please specify: ...

#### **Assessment of judicial reforms and the need for change in the view of the Judicial Council**

As noted in the 2024 Rule of Law report, the Judicial Council set up a new working group on the specialization of judges. The working group delivered two reports in November 2024 – on the basic

<sup>18</sup> European Commission. Directorate-General for Structural Reform Support. Report on a tailored preliminary legal aid mechanism. Strengthening access to justice in Latvia through fostering mediation and legal aid services. 2024. Available: [https://reform-support.ec.europa.eu/publications-0/strengthening-access-justice-through-broadening-recourse-mediation-and-legal-aid\\_en](https://reform-support.ec.europa.eu/publications-0/strengthening-access-justice-through-broadening-recourse-mediation-and-legal-aid_en)

<sup>19</sup> The interview was broadcasted in April 2024: [https://www.lsm.lv/raksts/zinas/latvija/11.04.2024-lavins-valsts-juridiska-palidziba-sudzibu-iesniegsanai-satversmes-tiesa-rinka-dancis.a550064/?utm\\_source=lsm&utm\\_medium=theme&utm\\_campaign=theme](https://www.lsm.lv/raksts/zinas/latvija/11.04.2024-lavins-valsts-juridiska-palidziba-sudzibu-iesniegsanai-satversmes-tiesa-rinka-dancis.a550064/?utm_source=lsm&utm_medium=theme&utm_campaign=theme)

<sup>20</sup> Decision of the Judicial Council No 73 of 19 November 2024, [https://www.ta.gov.lv/lv/juridiskas-palidzibas-sanemsanas-pieprasijuma-veidlapas?utm\\_source=https%3A%2F%2Fwww.google.com%2F](https://www.ta.gov.lv/lv/juridiskas-palidzibas-sanemsanas-pieprasijuma-veidlapas?utm_source=https%3A%2F%2Fwww.google.com%2F)

<sup>21</sup> <https://www.youtube.com/@tiesuadministracija2516/videos>

<sup>22</sup> <https://likumi.lv/ta/id/354409-grozijumi-ministru-kabineta-2009-gada-22-decembra-noteikumos-nr-1493-noteikumi-par-valsts-nodrosinatas-juridiskas-palidzibas-ap...>

<sup>23</sup> [https://tapportals.mk.gov.lv/legal\\_acts/f60a7864-915f-48d1-8b70-3659cdaab73e](https://tapportals.mk.gov.lv/legal_acts/f60a7864-915f-48d1-8b70-3659cdaab73e)

<sup>24</sup> Available: <https://likumi.lv/ta/id/356029-tieslietu-akademijas-likums>

<sup>25</sup> <https://www.tieslietupadome.lv/lv/media/8955/download?attachment>

<sup>26</sup> Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

principles of specialization of judges and on the specialization of land registry cases in courts.<sup>27</sup> In its report on the specialization of judges, the working group concluded that specialization by branches of law is objectively necessary as it contributes to more efficient performance of judges. The specialization of judges at first instance should be maintained in courts of general jurisdiction, but judges should be allowed to change their specialization during their career. At the same time, the working group is critical of the initiative to create more specialized courts in Latvia in the future. The report on land registry cases concludes that this function should be maintained as a judicial function in the civil law sector. The working group proposes the introduction of a position of a court lawyer, which could take over some of the functions of land registry judges and alleviate their workload. Discussions on these issues will continue in the Judicial Council at its forthcoming meetings to find the most appropriate solution.

In 2024, the Judicial Council also established a working group on strengthening judicial efficiency, which reported on the outcomes of the territorial reform of courts.<sup>28</sup> The reform initiated in 2014 was finished in 2024 and was deemed a success by the working group. It has increased the speed of case processing, evened out the workload of judges, reduced management costs and facilitated the introduction of new technologies and e-services in court proceedings.

In September 2024 the Judicial Council, with funding from the European Union via the Technical Support Instrument, initiated the implementation of the project “Improving Judicial Efficiency and Budgeting in Latvia”.<sup>29</sup> Over a period of 18 months, various activities are planned within the project – the development of a report on the current situation in the Latvian judicial system; the development of recommendations and a roadmap for the institutional reform of the judicial system; the development of a statistical model to assess the workload and budgetary aspects of the judicial system, as well as pilot of the methodologies, training, and a manual on judicial data collection, methodology and resource assessment. The implementation of the project will continue until March 2026.

#### ***Other – please specify***

Training for more effective handling of domestic violence cases was organized. As noted in the 2024 Rule of Law Report, a Judicial Council working group had identified certain “systemic weaknesses” in the handling of domestic violence cases in 2023. Training “A Victim-Centered Approach to the Justice System”, organized by the Academy of Justice, has started for the second round.<sup>30</sup> Judges, prosecutors and investigators have participated in the training. Various social partners, including experts from crisis centers and professionals from the justice and internal affairs sector, conducted the training. According to the participants, one of the biggest benefits of the training was the opportunity to learn how each of the parties involved (judges, prosecutors, investigators) views these cases from their respective perspectives. The training is planned to continue in 2025. The Ombudsman’s Office has carried out a study and presented it to the wider public in a discussion on the effectiveness of the temporary protection mechanism against domestic violence.<sup>31</sup> The study also provides recommendations for improving the legal framework in this area.

New Guidelines for writing judgments in criminal cases were adopted. On 24 May 2024, the Judicial Council adopted the Guidelines for the Writing of Judgments in Criminal Cases for the courts of first

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<sup>27</sup> Reports of the working groups of the Judicial Council. Available here: <https://www.tieslietupadome.lv/en/documents>

<sup>28</sup> Ibid.

<sup>29</sup> <https://www.tieslietupadome.lv/en/article/support-european-commission-judicial-council-has-launched-project-improving-judicial-efficiency-and-budgeting-latvia>

<sup>30</sup> <https://www.tiesas.lv/aktualitates/nosledzies-pirmais-tieslietu-akademijas-macibu-uz-vardarbiba-cietusa-vajadzibam-versta-pieejja-tiesu-13106>

<sup>31</sup> <https://www.tiesibsargs.lv/news/petijuma-prezentacija-un-diskusija-par-pagaidu-aizsardzibas-pret-vardarbibu-mehanismu-efektivitati/>

instance and courts of appeal, developed by the Judicial and Scientific Analysis Division of the Supreme Court.<sup>32</sup> The purpose of the guidelines is to contribute to the improvement of the quality of judgments and to ensure a uniform approach to the writing of judgments in all courts.

Improvements to the efficiency in the criminal proceedings. Amendments to the Criminal Procedure Law were adopted and entered into force on 22 October 2024, extending the possibilities of courts of appeal to hear criminal cases in written proceedings and thus to ensure faster and more efficient criminal proceedings.<sup>33</sup>

Arbitration legislation was improved in compliance with the Constitutional Court's judgement. Following the judgment of the Constitutional Court in case 2022-03-01<sup>34</sup> amendments have been made to the Arbitration Law<sup>35</sup> and the Civil Procedure Law.<sup>36</sup> Latvia had not adopted the annulment procedure for arbitral awards as is included in UNCITRAL Model Law on International Commercial Arbitration. In the aforementioned case the Constitutional Court recognized that provisions of the Civil Procedure Law are incompatible with right to a fair trial under the Constitution of Latvia. The amendments introduce the annulment procedure for arbitral awards, increase the involvement of state courts in the gathering of evidence in arbitration proceedings and modernize the formalities for concluding an arbitration agreement.

## II. Anti-corruption framework<sup>37</sup>

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):*

### A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

☐ No developments

☐ If there have been developments related to the institutional framework capacity to fight corruption, please specify which, in particular regarding topics listed below: ...

*Relevant topics to be covered in your contribution include:*

- List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated

<sup>32</sup> <https://www.tieslietupadome.lv/lv/media/7704/download?attachment>

<sup>33</sup> <https://likumi.lv/ta/id/355473-grozijumi-kriminalprocesa-likuma>

<sup>34</sup> Judgment of 23 February 2023 in case no. 2022-03-01, available in English translation: [https://www.satv.tiesa.gov.lv/wp-content/uploads/2022/01/2022-03-01\\_Judgement.pdf](https://www.satv.tiesa.gov.lv/wp-content/uploads/2022/01/2022-03-01_Judgement.pdf).

<sup>35</sup> <https://likumi.lv/ta/id/352938-grozijumi-skirejtiesu-likuma>

<sup>36</sup> <https://likumi.lv/ta/id/352940-grozijumi-civilprocesa-likuma>

<sup>37</sup> Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

*to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.*

- *Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.*
- *Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.*

## **B. Prevention**

☐ No developments

☐ If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics).*
- *Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing).*
- *Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned).*
  - *For the three previous points, **please also provide information and figures on their application/enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).*
- *Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given).*
- *Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.*
  - *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*

## **C. Repression**

☐ No developments regarding the repression of corruption

☐ If there have been developments related to the repression of corruption, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery.*

- *Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible)<sup>38</sup>. Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds<sup>39</sup>; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.*
- *Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning).*
- *Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.*

**Other – please specify**

### III. Media pluralism and media freedom

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable):*

#### **A. Media authorities and bodies<sup>40</sup>**

☐ No developments

☐ If there have been developments related to media authorities and bodies, please specify which, in particular regarding topics listed below: ...

*Relevant topics to be covered in your contribution:*

- *Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies.*
- *Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies.*
- *Existence and functions of media councils or other self-regulatory bodies.*

#### **B. Safeguards against government or political interference and transparency and concentration of media ownership**

☐ No developments

☐ If there have been developments related government or political interference or transparency and concentration of media ownership, please specify which, in particular regarding topics listed below: ...

<sup>38</sup> Please include, if available the number of (data since 2022 or latest available data): indictments; first instance convictions, first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year.

<sup>39</sup> For MS participating in the EPPO, data on cases related to EU funds does not encompass investigations and prosecutions carried out by the EPPO.

<sup>40</sup> Cf. Article 30 of Directive 2018/1808.

Relevant topics to be covered in your contribution include:

- Measures taken to ensure the fair and transparent allocation of state advertising
- Safeguards against state / political interference, in particular:
  - safeguards to ensure editorial independence of media (private and public)
  - specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
  - information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance
- Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

### **C. Framework for journalists' protection, transparency and access to documents**

☐ No developments

☐ If there have been developments related to the framework for journalists' protection or transparency/access to documents, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.
- Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists.
- Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information).
- Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits.

**Other – please specify**

## **IV. Other institutional issues related to checks and balances**

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable): ...

### **A. The process for preparing and enacting laws**

☐ No developments

☐ If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Framework, policy and use of impact assessments and evidence based policy-making, stakeholders<sup>41</sup>/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes, and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.*
- *Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)*
- *Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.*
- *Regime for constitutional review of laws*

### **B. Independent authorities**

☐ No developments regarding independent authorities

☐ If there have been developments related to independent authorities, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions<sup>42</sup>*
- *Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies, and supreme audit institutions in the past two years.*

### **C. Accessibility and judicial review of administrative decisions**

☐ No developments

☐ If there have been developments related to the accessibility and judicial review of judicial decisions please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)*

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<sup>41</sup> This includes also the consultation of social partners.

<sup>42</sup> Cf. the website of the European Court of Auditors:  
<https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>

- *Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).*
- *Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)*
- *Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation*

#### **D. The enabling framework for civil society**

☐ No developments

☐ If there have been developments related to the enabling framework for civil society, please specify which, regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)*
- *Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies.*
- *Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)*

#### **E. Initiatives to foster a rule of law culture**

☐ No developments

☐ If there have been developments related to initiatives to foster a rule of law culture, please specify which, (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.): ...

**Other – please specify**