

Input of Latvia for the 2024 Rule of Law Report

I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable)

Recommendation provided in the 2023 Rule of Law Report: “Take measures to ensure adequate safeguards against undue political influence in the appointment of Supreme Court judges, taking into account European standards on judicial appointments”.

In 2023, Parliament confirmed the former President of the Constitutional Court as a judge of the Supreme Court. Decision of the previous Parliament not to confirm the judge was an exceptional case followed by strict condemnation, and does not indicate systemic problems in the procedure for appointing or confirming judges. This precedent is occasional and no additional measures, such as legislative amendments, have been initiated.

A. Independence

2. Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

During 2023, all judges who were referred were confirmed - four district (city) judges were appointed, and one regional court judge and three Supreme Court judges (senators) were approved by the Parliament.

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On December 15, 2022, the Constitutional Court has passed judgment in case no. 2021-41-01, recognizing Article 55, Clause 3 of the law "On Judicial Power", which stipulates that a candidate for the position of a judge cannot be a person against whom criminal proceedings have been terminated on a non-rehabilitating basis, as inconsistent with the first part of Article 101 (every citizen of Latvia has the right, as provided for by law, to participate in the work of the State and of local government, and to hold a position in the civil service) and the first sentence of Article 106 (everyone has the right to freely choose their employment and workplace according to their abilities and qualifications) of the Constitution of the Republic of Latvia. In compliance with the above, amendments have been made to Article 55 of the law "On Judicial Power", establishing the possibility to evaluate and determine in which cases of termination of criminal proceedings on a non-rehabilitative basis, the circumstances are such that, without endangering public trust in the judiciary and the reputation of the judiciary, nevertheless allow a person to become a candidate for the position of a judge. At the same time, taking into account the importance of the positions of judges and prosecutors in the protection of a democratic state system, as well as the similarity of the regulation of Article 37 of the Office of the Prosecutor Law with the regulation of Article 55 of the law "On Judicial Power", analogous amendments have also been developed in Article 37 of the Office of the Prosecutor Law, which sets restrictions on prosecutors and for candidates for the position of a prosecutor. Amendments to mentioned laws will enter into force the day after its promulgation.

Judicial Council has improved the selection of candidates for judges and the evaluation of the professional performance of judges.

With the amendments to the Regulations of Judicial Qualification Committee, the competences of the Judicial Qualification Committee and the Judicial Selection Committee in the process of selecting judges are more detailed and regulated. They provide for an extraordinary evaluation of a judge's professional activity, providing an opinion on the judge's suitability for work in a regional court.

For an applicant who is a district (city) court judge and applies for the position of a regional court judge, the second and third-round evaluation is replaced by the evaluation of the professional skills of the judge by the Judicial Qualification Committee.

On October 27, 2023 (Decision No. 79), the Judicial Council determined the number of judge positions to be filled in Latvian courts in 2024. The positions to be filled are determined by evaluating the reports of the Court Administration and the Secretariat of the Council of Justice on the performance indicators of the courts, as well as by listening to the opinions of the presidents of the courts on the workload of the court and the objectively necessary number of judges in the court.

Latvia has a high proportion of judges compared to Western European countries (29.1 judges per 100,000 inhabitants). Following the changes in the population, the proportional number of judges should be reduced by 5.3 positions every year. The number of cases received and examined by the courts (mostly) decreases every year. This indicates that the courts with existing resources are (mostly) capable of handling more cases than they receive. Taking into account the above, the Judicial Council has made a decision, determining that in 2024 there will be 559 judge positions to be filled in Latvia.

Appointment and selection of prosecutors

Changes regarding candidates for the position of prosecutor

The amendments to the Law on Judiciary and the Law on the Prosecution Office have been adopted by the Parliament (Saeima) that introduce changes regarding candidates for the position of judges and prosecutors. These amendments are based on the judgment of the Constitutional Court of December 15, 2022, in case No. 2021-41-01, by which it is recognized that the provision that prohibits a person against whom the criminal proceedings have been terminated on a non-rehabilitating basis from being a candidate for the position of judge does not comply with the Constitution.

The Constitutional Court assessed whether the prohibition contained in the disputed norm is necessary to the extent specified. In other words, is it true that in all cases where the criminal proceedings against a person have been terminated on a non-rehabilitating basis, it can be concluded that the candidacy of such a person for the position of a judge poses a risk that the trust of the society in the judiciary may decrease and whether such a ban is the only means by which its goal can be achieved. The Constitutional Court pointed out that in certain cases there are such circumstances that do not rehabilitate a person, which also cover situations when the threat to the public interest related to a person's offense is relatively low and the degree of harm of this offense is the same. However, considering the status and importance of the position of a judge, the fact that a person's attitude towards what he has done, as well as the value system has changed over time, does not necessarily mean that a person can be suitable for the position of a judge. If a person who has committed a crime with intent (intentionally) or whose crime has reached a high degree of harmfulness, becomes a judge, a conflict of values could arise, that is, a conflict between the fact that the judge should be the guarantor of justice and the fact that he has allowed himself to act incompatible with the position of a judge. In such a case, it is justified

that the person in question is prevented from becoming a candidate for the post of judge in the future.

A different situation is when the criminal proceedings against a person have been terminated on a non-rehabilitating basis, but the form of the person's guilt has manifested itself as carelessness. This, together with other considerations, such as the fact that the degree of harmfulness of the criminal offense committed by the person is sufficiently low and that enough time has passed after the criminal offense was committed, makes it questionable that such a person becoming a candidate for the position of judge would threaten public trust in the judiciary.

Therefore, the Constitutional Court concluded that the legitimate goal of the prohibition included in the contested norm can be achieved with alternative means in an equivalent quality. The legislator can evaluate and determine in which cases of termination of criminal proceedings on a non-rehabilitative basis the circumstances are such that, without endangering public trust in the judiciary, nevertheless allow a person to become a candidate for the position of judge. However, the legal framework should ensure that only a highly qualified lawyer with highly developed professional abilities and skills, an impeccable reputation and appropriate personal qualities can become a candidate for the position of judge.

Taking into account that the Prosecution Office is an institution of judicial power and that an identical norm is currently in force in the Law on the Prosecution Office regarding candidates for the position of prosecutor, amendments to the Law of the Prosecution Office have been prepared and adopted by the Parliament so that this norm is equated with the amendments prepared regarding candidates for the position of judge.

Amendments to the Law on the Prosecution Office provide that in cases where a person who has committed a criminal offense or a less serious crime due to carelessness wants to be a candidate for the position of prosecutor, a Commission established by the Judicial Council may allow the person to participate in the selection of candidates for the position of prosecutor, if from the moment the person was convicted or when a decision was made to terminate the criminal proceedings on a non-rehabilitative basis, no less than eight years have passed, or if the criminal record has not been expunged or removed within this period, - from the moment the criminal record was expunged or removed.

In the amendments to the Law on the Prosecution Office it is stipulated that the establishment, composition, and procedures of the above-mentioned Commission established by the Judicial Council are determined by the Law "On Judiciary". It is expected that the Commission will include representatives from the associations of judges and prosecutors, the commission that selects candidates for the position of regional (city) court and district court judge, the Judges' Ethics Commission, and the Prosecutors' Attestation Commission. The term of office of the members of the Commission will be four years.

These amendments to the Law on the Prosecution Office and the Law on Judiciary entered into force on January 5, 2024.

Changes in internal regulatory acts of the Prosecution Office

In 2023, the Prosecution Office adopted two new regulations – the Regulation of the Prosecutors' Attestation Commission and the Regulation of the Prosecutors' Qualification Commission. The previous regulations, which determined the work of these commissions, were developed in 2017 and it was necessary to update them.

The Regulation of the Prosecutors' Attestation Commission states that the Prosecutors' Attestation Commission is an independent self-governing institution of prosecutors, which: 1) participates in the selection of candidates for the position of prosecutor in accordance with the Regulations for the selection of candidates for the position of Prosecutor; 2) before appointing or re-appointing a prosecutor to the position of chief prosecutor or deputy chief prosecutor or promotion of the prosecutor to the position of a higher-level prosecution office,

Prosecutors' Attestation Commission provides an opinion on his or her suitability for this position; 3) conducts the evaluation of the professional performance of the prosecutors; 4) provides an opinion on the possibility of prosecutor to continue working after reaching the maximum age for performing official duties; 5) provides explanations of the norms of the Code of Ethics of the Latvian Prosecutors; 6) examines cases regarding violations of the Code of Ethics of the Latvian Prosecutors; 7) examines the materials regarding prosecutor's disciplinary violation and makes a proposal to the Prosecutor General on the application of a disciplinary penalty.

The Regulation of the Prosecutors' Qualification Commission states that the Prosecutors' Qualifications Commission is an independent self-governing body of prosecutors, which 1) provides an opinion on the execution of the internship program of a candidate for the position of prosecutor; 2) checks the suitability of the knowledge and professional skills of the candidate for the position of prosecutor; 3) performs the examination of prosecutor's knowledge and professional skills for the position to be held.

Both commissions consist of eight prosecutors, whose professional activity has been positively assessed and are established for one year by the Council of the Prosecutor General, electing one representative from each judicial region prosecution office and three representatives from the Office of the Prosecutor General. Every year, the composition of the Commissions is updated by replacing at least three members of the previous year's Commission. The same prosecutor can be included in the composition of the Commissions for no more than three consecutive terms.

In 2023, the Prosecution Office received 18 applications for competition of the position of prosecutor. Eight applicants requested to be exempted from taking the general and legal knowledge test, six of these applicants were exempted from the test. 12 applicants took the test, of which 8 – passed, 4 – failed. Of the 8 applicants who passed the test, 1 applicant finished the traineeship period in 2023 and was appointed to the position of prosecutor on January 2, 2024. The others are included in the list of candidates for the position of prosecutor. 4 applicants who requested to be exempted from the test have passed the traineeship period and have been appointed to the position of prosecutor, the rest are included in the list of candidates for the position of prosecutor. In total, in 2023, 8 prosecutors have been appointed. 19 prosecutors and 4 candidates for the position of prosecutor have been dismissed.

3. Irremovability of judges, including transfers (incl. as part of judicial map reform) dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review).

No changes.

4. Promotion of judges and prosecutors (incl. judicial review)

No changes regarding the promotion of judges.

Regarding promotion of prosecutors in 2023 – one district level prosecutor has been appointed to the position of deputy head prosecutor of the district level prosecution office.

5. Allocation of cases in courts

No changes.

6. Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

No changes.

7. Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

No changes regarding judges.

In 2023, only one prosecutor was subject to a disciplinary sanction. In this case the Prosecutors' Attestation Commission issued an annotation for negligence in the performance of official duties.

8. Remuneration/bonuses/rewards for judges and prosecutors, including changes (significant increase or decrease over the past year), transparency on the system and access to the information

Judges and prosecutors' remuneration is determined by applying the coefficient to the amount of the base monthly salary, taking into account different levels of judges and prosecutors.

The amount of the base monthly salary is calculated taking into account the increase in percentage of the amount of the average monthly work remuneration of the year before that of persons employed in the State as published in the official statistical notification of the Central Statistical Bureau and the inflation in percentage of the year before that against the previous year.

The existence of such a system ensures that the remuneration of judges and prosecutors increases every year taking into account economic growth.

It is important to emphasize that major pay system reform was carried out in 2021 and entered into force from 1 July 2022, but amendments for judges' and prosecutors' remuneration entered into force from 1 January 2023. These amendments provided for an increase in the coefficients applied to the amount of the base monthly salary. As a result, the salaries of judges and prosecutors were increased.

Amendments also included the principle of solidarity and balance among branches of power. Hence, the heads of all branches of state's power have the same remuneration (the President of Latvia, Prime Minister, Chairman of the Saeima, the President of the Constitutional Court, the President of the Supreme Court – have a coefficient 7).

Compared to 2022, in 2023 there was an increase in the monthly salary of prosecutors: for the prosecutors of the Office of the Prosecutor General – 14.7 %; for the prosecutors of the judicial region prosecution offices – 14.8 %; for the prosecutors of the district level prosecution offices – 15 %.

9. Independence/autonomy of the prosecution service

No changes.

10. Independence of the Bar (chamber/association of lawyers) and of lawyers

Please see the attached letter of the Latvian Council of Sworn Advocates.

11. Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

No changes.

B. Quality of justice

Implementing the task of the working group for strengthening judicial efficiency established by Judicial Council, Division of Case-law and Research of the Supreme Court has developed guidelines for writing court judgments in both civil cases and administrative cases for courts of first instance and appeal instance. Within the framework of the project, twelve judges of the first and appeal instances were interviewed about the experience of writing court judgments in civil cases and also four judges of the administrative court of the first and appeal instance were interviewed in the administrative courts, and the courts were also asked to select and send good and critical examples of writing court judgments.

12. Accessibility of courts (e.g. court fees, legal aid, language)

In 2023, an order was passed to merge Legal Aid Administration with Court Administration on January 1, 2024. The order was adopted to ensure the further improvement of the institutional system of state administration and operational efficiency, including creating wider development opportunities in the field of legal aid.

13. Resources of the judiciary (human/financial/material)

In 2023, the salary of court employees was increased by 16%. Judicial Council has approved the budget request for 2024 submitted by the Ministry of Justice and according to the funding allocated by the Cabinet of Ministers, the salary of court employees will increase next year by 11% on average.

The information about the resources of the Prosecution Office was included in the information provided for EU Justice Scoreboard questionnaire and CEPEJ report.

14. Training of justice professionals (including judges, prosecutors, lawyers, court staff)

Work on the reform of the judicial training system and establishing a unit training centre for judges and prosecutors – the Judicial Academy – was continued. The academy is expected to be the basis for a sustainable and stable system, ensuring the possibility to plan, develop and implement curricula in the long term, including the research area.

It is planned to implement the reform of the in-service training system by the end of 2024.

Regarding the regulatory framework, in 2023, work was carried out on the drafting of the law of the Judicial Academy. Also, in 2023, the pilot version¹ provided various training activities for the target audience (inclusion of measures in the draft programmes is coordinated with the Board of Supervisors of the project). As well as work on the development of comprehensive long-term training programmes (to be continued in 2024), involving judges (also from the

¹ In 2022, a mapping of the training needs of judges and prosecutors was launched, setting up a plan of training events to be prioritised in 2023, approved by the Judicial Council. The activities of this curriculum are included in the pilot version of the Programme “Professional improvement for Judges with experience” and “Professional improvement for Prosecutors with experience” of the Academy of Justice as part of the knowledge, skills and competences to be developed and strengthened in the long term.

Supreme Court) and prosecutors, as well as judicial self-governing institutions - the Judicial Qualification Board, the Judicial Ethics Commission and the Judicial Disciplinary Board, as well as the European Law Academy. Several non-governmental organisations and experts in the justice sector have also been asked to make recommendations on necessary training for the target audience.

Training will cover strengthening both legal knowledge and non-legal skills. It should also be noted that in order to provide advisory support in matters related to the implementation of the project (both in priority reform issues and conceptual issues related to the programmes to be developed), the Advisory Council of the project has been established, representing the Supreme Court, the Prosecutor's Office, the Ministry of the Interior, the Judicial Council, the Latvian Judicial training Centre, the Ministry of Justice and the Judicial self-governments.

At the same time, technical specification has been developed, procurements have been announced and adaptations of the building of the Judicial Academy have been commenced, as well as the visual identity of the Judicial Academy has been established.

In 2023, prosecutors attended various training events: courses, seminars, and conferences organized in Latvia and abroad.

In order to ensure the improvement of prosecutors' professional qualifications the Prosecution Office organized trainings on following topics: investigation of financial and economic crimes, cryptocurrencies and digital evidence, virtual assets, illegal waste management, construction regulations, drafting of prosecutor's indictment, latest rulings of European Court of Justice, hate crimes, asset recovery, protection of the children's rights, fight against child sexual exploitation, human trafficking. The total number of participants in these trainings in 2023 reached 1573 prosecutors.

The topics of these trainings were based on surveys of prosecutors, as well as on the specific recommendations given by Prosecutors' Attestation Commission to those prosecutors that were being evaluated. The evaluation system introduced by the Prosecution Office in 2021 pays special attention to the identification of the specific training that is necessary for each prosecutor. In addition to the previously mentioned training topics there was also stress management training that was organized based on the decision of the Prosecutors' Attestation Commission to ensure psychological well-being of prosecutors, improve their stress resilience, and prevent burnouts.

The practice introduced at the end of 2020 to organize internal discussion forums on specific issues related to work of the prosecutors was actively continued in 2023. These discussions were organized by the Criminal Justice Department of the Office of the Prosecutor General and took place on-line to ensure that all prosecutors across Latvia can participate and discuss latest developments and current issues that need to be considered. The recordings of the trainings that take place in on-line format are stored on Intranet and all prosecutors can access them at any time.

In 2023, a specific course of communication training was designed for head prosecutors to strengthen the capacity in working with press and community to explain the work and decisions made by the Prosecution Office. The participation in this course is mandatory for 28 head-prosecutors and in takes place both in person and on-line. The link to online trainings is shared among all prosecutors and staff of the Prosecution Office.

In addition, the foreign language trainings were organized to strengthen the capacity of prosecutors to cooperate in cross border investigations. Also, the practice of holding training sessions for prosecutors on the Prosecutor's Code of Ethics was continued to ensure the principles of the Code – rule of law, honesty, integrity, as well as the responsibility of prosecutor to act outside of work in such a way as to strengthen trust in the Prosecution Office

and the judiciary. The total number of prosecutors that participated in communication, language and ethics trainings was 250.

In 2023, 73 prosecutors attended trainings abroad organized by EJTN, CEPOL, ERA, as well as with the support of the Embassy of the United States. These trainings covered following topics: gender-based violence, forensic perspective on arbitrary killings and torture, mediation and conciliation; illegal sale of financial services; instrumentalization of women and exploitation of children by terrorist organisation; use of artificial intelligence by law enforcement officials; support of Europol's Operational Task Force for the fight against high risk criminal networks; advanced digital evidence; use of advanced analytics to counter malign influence; European Union's (EU) waste legislation and combating waste crime; transnational use of video conferencing in criminal proceedings; EU anti-discrimination law, financial investigation of human trafficking. After attending the training abroad, all prosecutors give on-line presentations to their colleagues about what they have learned and what their conclusions are. In this way, information is exchanged, and significant added value is created from missions abroad.

Regarding lawyers, please see the attached letter of the Latvian Council of Sworn Advocates.

15. Digitalization (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

The e-Case Management system was improved, and an online dispute resolution system is being developed to further increase the level of digitalisation of the justice system. The 2023 EU Justice Scoreboard shows that the level of digitalisation of the justice system continues to be high², although progress could still be made on the availability of secure electronic communication tools for prosecution services³. The e-Case Management system, an online case management solution⁴, which became operational on 1 December 2021, was further developed, notably to improve the functionality of the online services to parties and representatives of litigants⁵. The legal framework governing the operation and further development of the e-Case system was complemented with the entry into force of a new law, which set up a Council of e-Case monitoring, and four regulations of the Cabinet of Ministers⁶. New equipment was also provided to courts, including a videoconference management tool and in 2023 54% of all courtrooms are equipped with videoconferencing capabilities (compared to 43% in July 2022).

² Latvia is among the most advanced Member States as regards the availability of online information about the judicial system, the availability of electronic communication tools for courts, digital solutions to initiate and follow proceedings in civil, commercial and administrative cases, the online access to published judgments as well as arrangements for producing machine-readable judicial decisions. Figures 41, 44, 46, 48 and 49, 2023 EU Justice Scoreboard.

³ Particularly concerning their communication with defence lawyers, detention facilities, investigative authorities and courts. Figure 45, 2023 EU Justice Scoreboard.

⁴ 2021 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, pp. 3-4, and 2022 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, pp. 5-6.

⁵ For instance, the online e-service "My e-cases", which ensures the parties' accessibility to the case data and materials has been improved. Similarly, new functionalities were added to allow sworn attorneys to plan and manage court hearings more efficiently. Input from Latvia for the 2023 Rule of Law Report, p. 9.

⁶ The Cabinet of Ministers adopted Rules on e-Case data processing, Rules of e-Case Date Archiving, a Regulation on the Council of e-Case monitoring as well as an Order on the establishment of an interinstitutional working group for the implementation and development of a unified national level e-case concept and a unified e-case architecture, as well as for the further implementation of the e-case system.

Furthermore, an online dispute resolution system is being developed in cooperation with the OECD to strengthen access to justice at all levels and reduce costs for citizens⁷. The OECD is conducting an in-depth assessment of the current practices, challenges and opportunities in online dispute resolution, and the use of digital technologies and data in the justice sector, in view of improving the user-centricity of pathways for resolving disputes⁸. The full implementation of the E-case is expected by 31st May of 2026.

On December 19, 2023, Cabinet of Ministers approved Amendments to the regulation of the Cabinet of Ministers No. 217 of April 5, 2022 "Regulations of data processing of the e-case platform". The amendments provide establishing the possibility to log in the e-case portal with a username and password and differentiates the storage time of audit records.

The Prosecution Office continued to participate in the implementation of the national e-case platform in which the information systems of the Courts, the Prosecution Office, the State probation service, and the Prison Administration are connected. Case materials, case metadata, and decisions are transferred using e-case solution between institutions for court prosecution and sentence execution. The platform allows exchange of procedural task requests between institutions.

One of the components of the platform is a public e-service portal *elieta.lv* that is used: 1) to deliver case materials electronically to case participants; 2) to allow case participants send secure applications, claims, complaints, or evidence electronically to institutions connected to the platform. As of 2023 this platform allows public access to anonymized prosecutor judgments (process ending decisions).

The platform also ensures various digitalisation solutions for investigation support – AI anonymizer tool, calendar event exchange between institutions (court hearings calendar, availability calendar of involved parties, unified and shared classification, and official's registers), case material package creator (for issuing as one electronic file for a whole case) and others.

Additionally, a singular plug-in for the justice system is used together with automated translation solution "Trados". The implementation of "Trados" in the Prosecution Office was started in 2023.

16. Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

Centre for Public Policy "Providus" in cooperation with Court Administration and Ministry of Justice launched a project, within the framework of which a questionnaire was developed for evaluating the work of the courts. The questionnaire was distributed in every court (except the Supreme Court) and its respondents were people who went to the court to participate in the court session or submit documents to the court. The purpose of the questionnaire was to evaluate the work of the courts. The survey process took place in 2022 and 2023.

Court visitors in general evaluate the work of the courts very positively, highly evaluating both the work of the judge, as well as the assistance and support of the judicial process by court employees in progress. The respondents gave the highest rating for the attitude of the employees

⁷ Input from Latvia for the 2023 Rule of Law Report, p. 8.

⁸ The project includes a study to determine the types of disputes that can be resolved using the new technological solutions, which are initially intended to cover commercial disputes, as well as to provide support to vulnerable groups.

and proceedings in the courtroom (4.6 points out of 5). Relatively the lowest rating is about how convenient it is to get acquainted with the case materials (4.3 points out of 5).

17. Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

The Judicial Council merged the Daugavpils City Court with Rēzekne City Court to even out workload and improve judicial efficiency. The reform continues the judicial map reform launched in 2015⁹. The plan of the reform was designed in co-operation between the Ministry of Justice and the Working Group for Strengthening the Efficiency of the Judiciary set up by the Judicial Council in 2021¹⁰. Merged court – Latgale district court¹¹ started its work on July 1, 2023.

C. Efficiency of the justice system

18. Length of proceedings

In accordance with Article 27.1 of the Law "On Judicial Power" before the beginning of each calendar year, the Court President shall plan and determine the objectives of the court work in relation to average time periods for the examination of cases in a court (the standard of time periods for the examination of cases) in cooperation with court judges. The standard of time periods for the examination of cases shall be determined by taking into account the court resources and the necessity to ensure the right of a person to the examination of a case in a reasonable time period and in conformity with other basic principles for the examination of cases. The Court President shall submit the standard case examination time limits for approval to the Judicial Council until February 1 of each year.

In 2022, the Judicial Council adopted a decision on guidelines for the management of the length of court proceedings. Under the new guidelines, court presidents must submit to the Judicial Council, at the beginning of each year, their planned deadlines not only for incoming cases, but also for cases that have not been dealt with for more than two years, with a particular focus on cases pending for more than five years.

In 2023, the average length of court proceedings of civil cases was planned to be 6.9 months in the first instance, 4.7 months in the appeal instance, and 6 months in the cassation instance until the hearing and 18 months until the case is considered.

For criminal cases, the average length of court proceedings in the first instance was planned to be 8 months, in the appeal instance 4.4 months, in the cassation instance 3 months until the hearing and 10 months until the case is examined.

For administrative cases, average length of court proceedings in the first instance was planned to be 8 months, in the appeal instance 6.5 months, in the cassation instance 6 months until the hearing and on average 18 months until the case is examined.

For administrative offense cases, the average length of court proceedings was planned to be 5.2 months in the first instance and 2.9 months in the appeal instance until the case is considered.

⁹ As noted in the 2020 Rule of Law Report, several consecutive reforms of the judicial map, which previously reduced the number of first instance courts from 35 to 10 district courts, helped to balance the workload of judges in different courts, particularly in cities compared to the countryside, and contributed to improved efficiency. 2020 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 6.

¹⁰ 2022 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 7.

¹¹ The courts were merged legally, not physically, and citizens may still submit or withdraw documents in and from any of the court's locations. Input from Latvia for the 2023 Rule of Law Report, p. 11.

The actual average length of court proceedings in 2023 according to Judicial Work Data Portal was:

- 1) 2.9 months in the first instance and 4.5 months in the appeal instance for civil cases;
- 2) 8.3 months in the first instance and 4.8 months in the appeal instance for criminal cases;
- 3) 8.4 months in the first instance and 7.3 months in the appeal instance for administrative cases;
- 4) 3.7 months in the first instance and 3.1 months in the appeal instance for administrative offense cases.

Judicial Council also evaluates the performance indicators of the courts of previous years. The general indicators of the courts show that the volume of cases received and examined by the courts is decreasing, but the average length of court proceedings is increasing. At the same time, solutions are being sought for the challenges related to ensuring the operational availability of court performance indicators to the courts, so that the planned standards for the current year can be based on objective data on court performance indicators, including data on the fulfilment of standards in the previous year.

Judicial Council made a decision to support the implementation of the model for determining the degree of complexity of cases in district (city) courts, for which a pilot project was launched in several courts of first instance in 2021. Such a model for determining the degree of complexity of cases provides for a more accurate assessment of the workload of courts and judges, as well as balancing the workload between courts and judges. It can be used to evaluate court statistics and performance indicators, as well as to distribute cases.

On October 11, 2022, the Cabinet of Ministers approved a report, prepared by the Ministry of Justice, on the results of the first year of operation of the Economic Court and possibilities for its further development. The report outlined the development of the Economic Court in the short and long term. Working on the planned amendments in order to extend the competence of the Economic Court in the short term, it was concluded that the number of potential cases, without increasing the number of judges, is such as to create an overload of the Economic Court, thus at the moment the work on drafting amendments regarding the extension of the competence of the Economic Court in the short term is not ongoing. Currently the Ministry of Justice is working on defining the future of the Economic Court, and strengthening the capacity of the future court is related to the increase of the positions of judges and provision of appropriate infrastructure. After the definition of competence, the planned capacity of courts will be assessed against the necessary increase of judicial posts and infrastructure, after which work on the necessary legislation will be commenced in turn.

II. Anti-corruption framework

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.

19. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable)

Recommendation provided in the 2023 Report: "Ensure the effective implementation of the legislation on lobbying, including the setting-up of a special lobby register".

To ensure the openness of the interest representation process, to promote societies trust in interest representatives and public authorities, as well as to ensure fair and equal opportunities all private individuals concerned to participate in the interest representation - in Latvia on 1 January 2023, the Law on Transparency of Interest Representation (hereinafter - the Law) entered into force. Section 3 of the Law provides that the information on interest representatives shall be entered in the register of interest representation. Section 4 of the Law provides that the public authority representatives shall publish information on the activities of interest representation in the system for declaring interest representation. The aforementioned sections shall come into force on 1 September 2025, and shall be kept by the Enterprise Register of the Republic of Latvia. In addition, the regulations of the Cabinet of Ministers are currently being developed, which will determine the areas of interest representation to be entered in the register, as well as other information to be published in the system, the scope of publication of this information and the order in which the representative of the public authority is provided with access to the system. So far, preliminary discussions have been held on the draft regulations and the first formal comments have been received, which clearly indicate that there are some uncertainties regarding the practical application of the law. Therefore, work is currently ongoing on the clarification of the draft regulations in order to ensure the efficient and reasonable achievement of the goals of transparency of interest representation.

Clause 4 of the Transitional Provisions of the Law, stipulates that, the Cabinet of Ministers submits the report referred to in Article 7 of the Law to the Saeima for the first time in 2024, but in the report for 2025 the Cabinet of Ministers also includes an evaluation on the need to provide for administrative liability in relation to non-fulfilment of the obligations referred to in this Law. Accordingly, the Cabinet of Ministers has been instructed to evaluate the need for administrative responsibility in 2025, and currently no evaluation has been made regarding sanctions, their improvement possibilities in the scope of lobbying.

We also point out that, regarding the monitoring of the achievement of the purpose of the Law, Section 7 of the Law stipulates that the Cabinet of Ministers submits a report to the Saeima once a year by March 31, indicating in the report what has been accomplished to achieve the purpose of the Law, as well as the future planned activities. Accordingly, we inform that in 2024, the mentioned report will be developed, which will also evaluate how the regulation has incorporated, what has been done to achieve the purpose of the Law and also the possible deficiencies of this regulation may be identified.

To increase public awareness, on 27 December 2023, brief information was released¹² about the goals of the Law on Transparency of Interest Representation and an Infographic prepared

¹² <https://www.mk.gov.lv/lv/jaunums/ko-veicina-interesu-parstavibas-atklatibas-likums-0> (only available in Latvian)

by the Communication Departments of the State Chancellery in co-operation with the Ministry of Justice.

Additionally, on 27 April 2023, the State Chancellery cooperated with the Ministry of Justice to organise, on the premises of the State Chancellery, a workshop “Implementation of the Law on Transparency of Interest Representation – what and how should the registers include?”.¹³

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

20. 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 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.

There have been no changes to the powers or resources of the *Corruption Prevention and Combating Bureau* (hereinafter - KNAB), *Internal Security Bureau*, *State Revenue Service* or *Prosecutor General’s Office* since the previous reporting period.

KNAB did not have any cooperating with OLAF in 2023, except for an educational event in the scope of AFCOS (the *Anti-fraud* coordination service) on previous cooperation with OLAF. As regards cooperation with EPPO, KNAB has successfully and constructively cooperated with EPPO in five of its criminal proceedings (e.g. in all five cases KNAB provided analytical support, in three of pre-trial investigations joined as members of the respective investigation groups and in two cases performed procedural operations by request of EPPO delegated prosecutors). KNAB also actively participates in the educational events organized by EPPO, and those organized by EPPO in cooperation with the Prosecutor’s Office – in 2023, three analysts attended OLAF organized training in the scope of the Hercule III project “Basic Operational Analysis Trainings” and “Data Science”.

The *State Border Guard* also saw no changes in its the investigation competencies towards the investigation of the corruptive offences. Thus, in 2023 the State Border Guard had jurisdiction to investigate criminal offences committed by border guards, as state officials and bribery cases of the State Border Guard officials.

Regarding the capacity of the investigators of the corrupt offences, no significant changes were made in 2023.

The technical capacity for combating criminal offences within the competencies of the State Border Guard was strengthened in 2023, namely, a digital forensic tool for analysing digital evidence obtained from electronic devices was purchased.

In 2023 there were no criminal offences detected for which OLAF and EPPO are competent to combat.

21. Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.

There have been no changes to the functional independence of the authorities tasked with the prevention and detection of corruption since the previous report.

¹³ More information (only in Latvian): www.tm.gov.lv/lv/jaunums/eksperti-diskute-par-interesu-parstavibas-atklatabas-likuma-ieviesanu

22. Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.

The Corruption Prevention and Combating Action Plan 2023-2025¹⁴ was adopted by Cabinet of Ministers, 11 April Order No.199¹⁵). This policy planning document contains a total of 49 corruption prevention and combating measures, tasking both KNAB and other public institutions with their implementation. The Action Plan already marks measures, whose implementation was completed by 31 March 2023. Simultaneously, institutions continued work to implement the remaining measures that were planned for 2023. Institutions must submit a report on the 2023 implementation progress to KNAB by 1 February 2024.

KNAB also informs the public/civil society of the implementation progress of the Action Plan, e.g., in the 21 December 2023 workshop organized by TI Latvia and primarily aimed at NGOs on the current issues of the implementation of the Action Plan, a KNAB representative discussed with NGOs four measures of the Action Plan:

4.1.) Improvement of conflict-of-interest checks in public procurements; - *providing a technical solution (tool) for checking conflict of interest in the Electronic Procurement System*

4.2.) ensure transparency and openness of information on all acquisitions and written public construction works, supply and service contracts by public person's institutions in "sub-threshold procurements"; - *assessing the possibility to ensure publishing of information on the Electronic Procurement System on acquisitions of a public person and written public construction works, supply and service contracts by public person's institutions, as well as the need for amendments to the regulatory framework.*

4.4.) Ensure awareness of private sector representatives about the signs of possible illegal activities in public procurement procedures (corruption indicators, possible competition law violations), while increasing their knowledge and understanding of the current legal framework in procurement procedures, as well as the necessary actions to prevent possible illegal activities in the operations of the contracting authority or other tenderers.; - *Implementing education of private sector representatives, strengthening their ability to identify various possible signs of illegal activities in public procurement procedures, as well as increasing their knowledge on reporting to the competent authorities.*

8.2.) Promotion and implementation of the KNAB online reporting platform.

TI Latvia invited KNAB representatives to participate and aid in presenting the goal of these measures.

KNAB is currently actively compiling data on the fulfilment of the five most important key performance indicators of the KNAB strategy¹⁶ goals in 2023: 1) number of criminal proceedings initiated by the Bureau and referred for prosecution; 2) number of criminal proceedings initiated by the Bureau on the basis of information obtained in the course of operational activities; 3) number of meetings of the Cooperation Coordination Groups initiated by KNAB and resulting in a report from the Financial Intelligence Unit to KNAB; 4) number of criminal proceedings initiated by the Bureau to investigate money laundering resulted from possible bribery actions, which have been referred for prosecution; 5) number of corruption risk analyses leading to the initiation of investigatory process matters or criminal proceedings in priority areas.

Compiled data on the previous period (2022) can be found online, in the "Implementation of the Operational Strategy of the Bureau" section of the Annual Report 2022¹⁷.

¹⁴ <https://www.knab.gov.lv/en/media/3900/download?attachment>

¹⁵ <https://likumi.lv/ta/id/341030-par-korupcijas-noversanas-un-apkarosanas-pasakumu-planu-20232025-gadam>
(only available in Latvian)

¹⁶ <https://www.knab.gov.lv/en/media/3790/download?attachment>

¹⁷ <https://www.knab.gov.lv/en/media/3746/download?attachment>

B. Prevention

23. Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training).

In 2023, KNAB educated a total of 8338 participants over 79 educational events aimed at public officials, members of the parliaments, members of local governments, members of boards and councils of capital companies, political officials, employees of municipalities and capital companies, procurement commissions, medical practitioners, educators, representatives of the private sector, entrepreneurs, sworn lawyers, judges, prosecutors, ministers, ministerial advisers, representatives of non-governmental organizations. The educational events covered the following topics: Prevention of conflict of interest and professional ethics of public officials, Risks of corruption and prevention thereof (in a specific field, functions), Identification of risks of corruption and development of anti-corruption action plans, Creation and effective operation of the internal anti-corruption control system, Causes, consequences and mitigation options of corruption, Investigation of criminal proceedings, Competence of KNAB, Use of State budget funding (for political parties), etc. The contents of the seminars are created for a specific target audience, including taking into account the expressed wishes of the respective institution.

The following ethics training is available online at the Latvian School of Public Administration: Interactive educational game “Ethical values for public administration employees” (“Ētiskās vērtības valsts pārvaldē nodarbinātajiem”),

Course on the “Mission and values in public administration” (“Misija un vērtības valsts pārvaldē”).

Additionally, on 27 January 2023, a one day in-person Training for political officials after taking up their appointment was organised by the State Chancellery at the Latvian School of Public Administration.

In 2024, a study should be commissioned about practice of implementing codes of ethics in public institutions, according to the Corruption Prevention and Combating Action Plan 2023 – 2025.

Additionally, KNAB has developed an interactive game for 7th-9th grades called “The Eagle’s Challenge” (“Ērgļa izaicinājums”), as well as methodological materials for teachers. The goal of the game is, by using modern technologies and examples, to facilitate understanding of the nature of corruption and the damage it causes to society; to promote awareness of the various situations where corruption risks may arise; deepen the understanding of the negative effects of corruption and its damage to society and democracy; to foster skills in taking knowledge-based decisions; and to facilitate discussions on actions in various situations, on good governance, integrity and other societal values. Teachers are provided on-site seminars, introducing the game while also answering any questions they may have.

24. General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

On 1 January 2023, the [Law on Transparency of Interest Representation](#) entered into force. The Ministry of Justice shall develop the lobby register, as well as interest representation declaration system by 1 September 2025.

The [protocol of the State Secretaries Meeting on 8 December 2022](#) states that the Ministry of Justice prepares [the Cabinet of Ministers regulations](#) which was done and they underwent public consultation recently.

By 31 March 2024 the first report to the Saeima on achieving the objectives of the Law and on the future activities shall be submitted by the Cabinet (the Ministry of Justice).

On 27 April 2023, the Ministry of Justice organised the workshop “Implementation of the Law on Transparency of Interest Representation – what and how should the registers include?”. More information about the workshop: www.tm.gov.lv/lv/jaunums/eksperti-diskute-par-interesu-parstavibas-atklatibas-likuma-ieviesanu

To increase public awareness, on 27 December 2023, brief information was released about the goals of the Law on Transparency of Interest Representation and an Infographic prepared by the Communication Department of the State Chancellery in co-operation with the Ministry of Justice: www.mk.gov.lv/lv/jaunums/ko-veicina-interesu-parstavibas-atklatibas-likums-0.

No other updates on general transparency of public decisions making and gifts policy since the previous report.

In 2023, KNAB examined and published information on donations and membership fees to political parties made by 1687 persons, totalling EUR 435 621,38.

KNAB received and published the annual statements and clarifications thereto of 61 political parties, and initiated examinations thereof.

Simultaneously, KNAB in 2023 completed the 2021 financial examinations of political parties and annual statement, as well as the 2022 Parliamentary election declarations, the information on which has been published on the website of KNAB¹⁸.

In accordance with the provisions of the Law on Financing of Political Organisations (Parties), 12 political parties were paid EUR 5 675 351,04. Information on the State budget resources paid to each political party is compiled on the website of KNAB¹⁹.

25. Rules and measures to prevent and address 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)

In 2023, the Law on Prevention of Conflict of Interest in Activities of Public Officials saw two amendments.

The first amendments²⁰, adopted on 2 February 2023 (entered into force on 1 July 2023), slightly limit the scope of publicly available information in the declarations of public officials submitted by groups of persons (specifically – National Guardsmen) involved in the defence of national defence tasks. In light of the geopolitical security situation, it was deemed that unrestricted access to such information potentially runs counter to State security interests. The amendments stipulate making the information regarding a public official’s status in the National Guard publicly unavailable. It should be emphasized that these amendments only apply to public officials who additionally hold a position in the National Guard, i.e., it is no longer publicly visible, when a public official is also a guardsman and has received some remuneration from the National Guard. However, controlling institutions (the SRS and KNAB) still retains access to such data.

The second amendments²¹, adopted on 9 November 2023 (will enter into force on 1 July 2024), are part of a package of amendments introduced by the Saeima (national parliament) related to the introduction of the concept of partnership (two persons of legal age will have the opportunity to legally register their relationship by contacting a notary and entering into a

¹⁸ <https://info.knab.gov.lv/lv/db/deklaracijas/> (only available in Latvian)

¹⁹ <https://www.knab.gov.lv/lv/valsts-budzeta-finansejums> (only available in Latvian)

²⁰ <https://likumi.lv/ta/id/340241-grozijumi-likuma-par-interesu-konflikta-noversanu-valsts-amatpersonu-darbiba-> (only available in Latvian)

²¹ <https://likumi.lv/ta/id/347546-grozijumi-likuma-par-interesu-konflikta-noversanu-valsts-amatpersonu-darbiba-> (only available in Latvian)

partnership).²² With amendments to the Law, the scope of persons against which a public official will be unable to take decisions or be in a conflict-of-interest situation is being expanded to include partners, same as with the restrictions already imposed on the relatives of the official. The partnership will have to be indicated in the declaration of the public official.

In 2023, in performing the control of restrictions, prohibitions and obligations of the Law on Prevention of Conflict of Interest in Activities of Public Officials received 91 reports from natural persons and 47 reports from legal persons, 178 anonymous submissions and 202 from institutions of public persons, and examined 180 administrative violations cases.

While examining the submissions and complaints about alleged actions of public officials in conflict-of-interest situations, KNAB simultaneously examined the information submitted by such public officials in their declarations in order to establish possible violations of the Law on Prevention of Conflict of Interest in Activities of Public Officials, thus examining a total of 758 declarations of public officials.

Having examined the facts stated in the submissions and complaints, as well as examining the information in the declarations of public officials, KNAB initiated 364 departmental investigations, and completed 345, initiating a total of 199 administrative violations cases, and choosing to not initiate such proceedings in 80 cases.

In 2023, decisions were taken in 180 administrative violations cases, and in 137 cases the public officials were fined for a total of EUR 25 545, in 30 cases admonishments were issued. In 13 cases the proceedings were terminated due to the presence of exclusionary circumstances.

18 persons were required to repay EUR 65 527,43 in damages to the State budget.

For questions 23-25, please provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

In 2022, the whistleblower protection regulation was reinforced.

In 2022, the new [Whistleblowing Law](#) came into force. Besides, [the Cabinet Regulations on EU legal acts violations of which should be reported and which provide for a different reporting procedure](#) were adopted.

The 2022 Whistleblowing Law in Article 3 contains some additional areas of reporting. Along with corruption also violations of the provisions for financing of political organisations (parties) and their alliances and of the restrictions on pre-election campaigning are now included.

In 2022, “**Annual report 2022** on Whistleblowing and whistle-blower protection” was published. The annual report is available at www.mk.gov.lv/lv/gada-parskats-par-trauksmes-celsanu and <https://trauksmescelejs.lv/statistika>.

Annual report 2022 was communicated with a press release www.mk.gov.lv/lv/jaunums/nostiprinas-trauksmes-celsanas-preventiva-loma.

Annual report 2023 will be prepared in the first quarter of 2024. The data collection will be launched in January.

The number of whistleblower's reports received by competent institutions, 2019 – 2022

²² <https://www.saeima.lv/en/news/saeima-news/32825-saeima-two-adults-will-be-able-to-enter-into-a-partnership-to-be-registered-by-a-notary>

	2019 8 months	2020	2021	2022
The number of submissions in form of Whistleblower's Reports	449	556	527	396
The number of Whistleblower's Reports (acknowledged as such)	111	156	127	128

Competent institutions with highest number of acknowledged whistleblower's reports in 2022

Types of breaches reported in whistleblower's reports in 2022	
AREA	NUMBER
Unlawful acts by public officials	28
Tax evasion (non-payment of taxes)*	13
Squandering of the public financial resources and property	10
Labour protection (safety in workplace)	6
Environmental protection, including actions affecting climate change	5
Fraud and other illegal activities which endanger EU financial interests	5
Financial services and capital market	4
Public health	4
Public procurement and public and private partnership	3
Construction safety	2
Product/services safety and compliance	2
Infringements of human rights	1
Violations of the competition law and State aid rules	1
Corruption and breaches of party financing rules	1
Prevention of money laundering and terrorist financing	1
Food safety	1
Consumer rights protection	1
Private life, personal data, IS security	1
Public order	1
Transport safety	1
Radiation protection and nuclear safety	0
Other types of breaches (not listed in the Art. 3 of the Whistleblowing law)	32

*Material scope of the Directive (EU) 2019/1937. While breaches of tax laws are within the scope of the Directive, tax evasion mostly covers non-payment of **income** tax, which oftens comes along with non-payment of social contributions for employees (both paid in Latvia directly by the employer, if there is one), while in the Directive focus is more on **corporate** tax evasion.

Forms of follow-up to whistleblower's reports, 2020-2022

Follow-up	Total number in 2022	Total number in 2021	Total number in 2020
Criminal proceedings started	0	5	7
Administrative proceedings started	14	18	23
Disciplinary proceedings started	2	1	1
Supervisory, control or revision inspections	15	32	13
Other action (Document inspection, information request, on-site verification, internal examination etc.)	63	61	40
Whistleblower's report included in ongoing case	3	8	20

In 2023, Latvia provided statistics to the European Commission in accordance with the Article 27 of the Whistleblowing Directive (Contribution to survey 'Questionnaire for the collection of statistics according to Article 27(2) of Directive (EU) 2019/1937').

Latvia actively participates in the Expert Group on the Whistleblowing Directive (Commission expert group (E03709) on Directive (EU) 2019/1937).

In 2023, the State Chancellery took part to the 8th meeting of the Network of European Integrity and Whistleblowing Authorities (NEIWA) where NEIWA Constitution was approved.

Whistleblower reports received by KNAB in 2023	
Topic	Amount
Using official position in bad faith or other unlawful conduct*	5*
Use of, squandering of property or financial resources of a public person for unforeseen purposes*	14*
Violations of the restrictions, prohibitions, conflict of interest of the Law on Prevention of Conflict of Interest in Activities of Public Officials*	14*
Corruptive actions	1
Fraud*	6*
Violations of financing of political organizations (parties) and associations thereof	1
Procurement violations	4
Other*	17*
TOTAL:	52

Reports received in 2023 that were recognized as whistleblower reports

Topic	Number
Using official position in bad faith or other unlawful conduct*	5*
Use of, squandering of property or financial resources of a public person for unforeseen purposes*	10*
Violations of the restrictions, prohibitions, conflict of interest of the Law on Prevention of Conflict of Interest in Activities of Public Officials*	12*
Corruptive actions	1
Fraud	2
Violations of financing of political organizations (parties) and associations thereof	1
TOTAL:	21

* submitted reports indicated alleged violations on several topic

On 8 September, KNAB launched an information campaign²³ “CORRUPTION SUFFOCATES! Report by using the KNAB app”. The campaign aims to raise public awareness of the impact of corruption on the rule of law and the country’s well-being, as well as to encourage society to report corruption on the newly-developed KNAB online reporting platform or its mobile app, “Report to KNAB!”. The target audience of the campaign was the general public, and the campaign consisted of several elements. Materials, including posters and video, are advertised on television, radio, the Internet, and in the urban environment. With the support of the state and local governments, and public organizations, takeaway coffee mugs with a QR code taking its users to the campaign website were distributed.

Regarding the newly-developed online reporting platform “Report to KNAB!” – the platform has an online version and mobile app. It provides an opportunity to submit a report or whistleblower report for any past, ongoing or planned crime or violation. Report can be submitted by natural and legal persons by authenticating and revealing their identity, or anonymously. A whistleblower report can only be submitted in a way that identifies the whistleblower. After submitting the information, the reporter receives a unique identification number of the report so that, when communicating with KNAB, they may submit additional or clarifying information in the already submitted report and receive information about the progress of this report. This option is provided for both self-identified and anonymous reporters.

27. Sectors with high risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement

The Procurement Monitoring Bureau on regular basis maintains and supplements information about the conflict of interest of the procurement commission as well as liability for violations of the regulation²⁴.

In 2023 an e-learning program for procurement professionals, including a module of conflict-of-interest management, has been introduced.

²³ <https://www.knab.gov.lv/en/article/knab-launches-campaign-corruption-suffocates-report-using-knab-app>

²⁴ Available on <https://www.iub.gov.lv/lv/2-iepirkuma-komisija> (in Latvian)

In addition, the *Commission Staff Working Document 2023 Rule of Law Report Country Chapter on the rule of law situation in Latvia* (hereinafter - the EC Working Document) (https://commission.europa.eu/system/files/2023-07/33_1_52613_coun_chap_latvia_en.pdf) already provides information on the amendments to the public procurement framework that entered into force on 1 January 2023, introducing a more detailed regulation on conflict of interest in public procurement and prohibiting the establishment of permanent procurement commissions (page 11 of the EC Working Document).

Please note that footnote 66 reference to the amendments of the Public Procurement Law on page 11 of the EC Working Document is incomplete. The amendments of the Public Procurement Law prohibiting the establishment of permanent procurement commissions were adopted on 24 March 2022 (respectively the amendments of the Law on the Procurements of Public Service Providers on 24 March 2022) instead of 3 March 2022. Please consider adding a reference to the amendments of the Public Procurement Law that entered into force on 24 March 2022 to footnote 66 of the EC Working Document.

- list other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen/residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

Regarding the disbursement of EU funds: Additional preventive measures have been taken within the Central Finance and Contracting Agency as cooperation institution: Internal control system supplemented by declarations of interest submitted by employees. Internal training on fraud and irregularity issues (including «red-flags»), conflict of interest, irregularities, ethics performed.

Preventive measures directed towards beneficiaries: Trainings and consultations provided to beneficiaries on the respective issues as well as training to law enforcement institutions on specifics of EU fund management. Requirements for internal control system included in umbrella project legislation including prevention of conflict of interest, corruption and fraud. KNAB has involved OECD experts for the purpose of developing recommendations for a risk assessment methodology. Once the recommendations have been developed and received (according to approximate estimations in mid-2024), KNAB is planning to develop its own methodology and perform the risk assessment. Currently, KNAB estimates trends based on compiled statistics, case materials and information received in submissions, which is more of an expert opinion, rather than a risk-based approach.

In light of the aforementioned, in 2023 KNAB established the following trends: the number of persons involved in criminal offences has risen, which shows that persons perform coordinated actions and made agreements with other persons involved in committing the criminal offence. In 2023, the number of persons sent for prosecution (to which coercive measures have been applied) remains high, which shows that corruptive deals by natural persons are being carried out in the interest of legal persons (companies).

Similarly to previous years, a trend can be observed where the main economic activity of a winning bidder in a state or municipal procurement differs from the procurement lot, which is not an indicator of corruption in and of itself, but serves as a risk indicator.

Furthermore, actions in bad faith by municipal public officials has been observed in the use of EU funding. In some cases, the constructable object is tailored to a specific bidder, as well as disclosing information on the planned procurements and specifications thereof.

Additionally, Cabinet of Ministers 5 December 2023 Order No.857 “On the Plan for the Prevention and Combating of Organized Crime for 2023-2025”²⁵ has entered into force, which is a short term policy planning document, whose purpose is to make the prevention and combating of crimes related to organized crime more effective, reducing their negative economic impact, and to create proper conditions for Law Enforcement Agencies to fight organized crime, including increasing their abilities to prevent and detect crimes committed by organized criminal groups and to create tools with which to reduce the interest and ability of organized criminal groups to carry out criminal activities in Latvia. The measures of the Plan aim to make more effective the action of LEAs in priority areas of preventing and combating organized crime, inter alia, improving cooperation with other institutions and society, in accordance with the conclusions reached when implementing the previous plan to combat organized crime and in accordance with existing and predictable current events.

Likewise, the Action plan for the Prevention of Money Laundering, Terrorism and Proliferation financing for 2024-2026²⁶ has been drafted and submitted for harmonisation.

The Plan has been developed with consideration of the conclusions of the National Risk Assessment 2023 (NRA 2023). The NRA 2023 is an inter-institutional document, in the development of which all competent institutions, Monitoring and Control Institutions and the private sector have taken part, recognizing and identifying AMLTF risks in Latvia. A common understanding of AMLTF risks is essential to effectively prevent or mitigate them, thus ensuring the effective functioning of the AMLTF prevention system. The NRA is the basis for the creation of a risk assessment-based policy for the prevention of AMLTF, as well as for determining the priority areas for allocating resources for the prevention and combating of AMLTF.

28. Any other relevant measures to prevent corruption in public and private sector

The *State Revenue Service* has begun taking measures for the improvement and implementation of its corruption and conflict of interest risk management process to a new level, integrating the accumulated know-how for more effective identification and management of possible corruption and conflict of interest risks, and for the implementation of the most effective measures to mitigate and prevent said risks.

On 9 March 2023, the internal regulations of the State Border Guard on action in a conflict of interest situation and the procedures for the examination of anonymous information, which determine the actions of officials and employees of the State Border Guard and State Border Guard College in a conflict of interest situation and the procedures by which anonymous information is examined in the State Border Guard website, under the section “Reporting on a possible corrupt case” on the website of the State Border Guard and the mailboxes placed in the State Border Guard and State Border Guard College premises, were approved.

Participation in the Inter-institutional Cooperation Working Group established by KNAB has been initiated and implemented to develop the National Corruption Risk Assessment methodology in cooperation with OECD experts, which will help national stakeholders to identify and assess previously undetermined or hidden corruption risks and weaknesses in the corruption risk prevention system, comparing it also with international good practice, which will be the basis for the effective development and improvement of the identified risk reduction system by introducing and implementing appropriate internal control procedures.

In 2023, the Internal Security Bureau conducted several preventive measures, e.g., sending informative letters to institutions in order raise their awareness on identified risks regarding the

²⁵ <https://likumi.lv/ta/id/348032-par-organizetas-noziedzibas-noversanas-un-apkarosanas-planu-2023-2025-gadam> (available only in Latvian)

²⁶ https://tapportals.mk.gov.lv/legal_acts/513b9e79-93f8-4b63-aca6-9f7e0ffc682e (available only in Latvian)

corruption, meetings with non-profit organizations about several aspects of corruption, also on November 23, ISB organized conference "Reducing the corrupt behaviour of officials - trends, actualities and measures to be taken" with more than 400 attendees from various organizations. In the 2022-2023 period, the Prosecutor General's Office (PGO) organized a series of 4 workshops for prosecutors and judges dedicated to the current issues of the OECD Anti-Bribery Convention. In September 2023, the PGO organized a two-day international workshop dedicated to the current issues of the OECD Anti-Bribery Convention. In October 2023²⁷, Latvia presented its progress on the implementation of OECD 3rd Phase recommendations.

The OECD experts welcomed the progress on:

- amendments to the Law on the Procedures for the Coming into Force and Application of the Criminal Law, aiming to resolve intent-related issues in cases on commercial bribery, giving of bribes and unlawful giving of benefits through an intermediary;
- the order of the Director of KNAB on prioritizing the investigation of bribery of foreign public officials and the investigation of money laundering;
- the explanation of the Ministry of Justice that the responsibility of legal persons does not apply only to cases where a natural person who has committed a criminal offense is prosecuted or tried in Latvia or abroad, and that proceedings against a legal person can be initiated even if no charges have been brought against a natural person;
- the explanation provided by the Prosecutor General's Office about offering a bribe and promising a bribe.

Simultaneously, the experts noted that the issue on practical application of the legal framework remains open. This issue will be specifically addressed during the OECD WGB 4th phase evaluation, which is currently planned for 2025.

One of the delegated competences of the **Internal Security Department of the State Revenue Service** is the monitoring and control of restrictions and prohibitions set for SRS officials in accordance with the restrictions and prohibitions set for officials in the Law "On Prevention of Conflict of Interest in Activities of Public Officials" (IKNL). The SRS has developed an automated processing tool that identifies possible IKNL risks in the activities of SRS officials using information systems available to the SRS. Risk management and monitoring is provided by direct managers and, upon identifying possible IKNL risks, information about possible violations by SRS officials is thus transferred to KNAB for the initiation of an administrative liability case.

On 8 December 2023, KNAB in cooperation with TI Latvia organized an online conference "Corruption – a Threat to National and Global Security"²⁸ dedicated to the International Anti-Corruption Day. The event held three discussions - on how to strengthen the chain of criminal proceedings in the fight against corruption; on private sector opportunities and challenges in taking responsibility for reducing corruption in Latvia; and on the fight of Western democracy against corruption in the world.

C. Repressive measures

29. Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery.

No update since the previous reporting period.

²⁷ <https://www.tm.gov.lv/lv/jaunums/latvija-oecd-darba-grupa-sniedza-informaciju-par-rekomendaciju-ieviesanas-progresu-pretkorupcijas-joma>

²⁸ <https://www.knab.gov.lv/en/article/knab-and-transparency-international-latvia-invites-online-conference-corruption-threat-national-and-global-security>

30. Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible)²⁹, including for legal persons and high level and complex corruption cases and their transparency, including as regards to the implementation of EU funds³⁰.

In the reporting period, the **State Revenue Service Internal Security Department** initiated 13 criminal proceedings for criminal offences committed in state authority service, or other criminal offences under the Criminal Law, in which officials of the SRS were involved (including corruption criminal offences). 12 criminal proceedings for such criminal offences were sent to prosecution. However, the Internal Security Department does not compile data on the results of adjudication or applied sanctions for corruption criminal offences.

In the **State Border Guard**, 7 criminal proceedings were initiated in connection with bribery of the officials of the State Border Guard against 7 civil persons in 2023 (till 30 November 2023). In a regard to bribery, it should be mentioned, that the same as the previous years, also in 2023 (01.01.2023-30.11.2023), the cases of bribery were detected at the border crossing points at the external land border. The most common ways of giving bribes remain unchanged, usually the bribe was given by placing the relevant monetary mark (signs) in documents presented (given) to the official of the State Border Guard during the border check. No new forms of crimes or new criminal trends in bribery crimes were detected in the relevant period of 2023. In 2023 in order to initiate criminal prosecution, 8 criminal proceedings were sent to the Prosecutor's Office for bribery to an official of the State Border Guard, that is, for signs of the crime provided for in Section 323(1) of the Criminal Law. The investigation of aforementioned crimes did not identify burdensome or obstructive circumstances.

In 2022, the **Internal Security Bureau** initiated the following number of investigations related to corruption:

2022 - Total 22

- Bribery – 4
- Knowingly Providing False Information and Knowingly Giving a False Testimony, Opinion, Translation, Explanation and Application - 4
- Criminal Offences Committed in State Authority Service – 3
- Disclosure of Non-disclosable Information – 4
- Using Official Position in Bad Faith – 3
- Failure to Act by a Public Official - 1
- Forging Official Documents - 3
- Officials convicted in 2022 – 8

In 2023 (01.01.2023. to 31.06.2023.) - Total – 11

- Failure to Act by a Public Official – 2
- Bribery – 3
- Forging Official Documents – 2
- Disclosure of Non-disclosable Information – 1

²⁹ 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.

³⁰ For MS participating in the EPPO, data on cases related to EU funds does not encompass investigations and prosecutions carried out by the EPPO.

- Criminal Offences Committed in State Authority Service – 1
- Knowingly Providing False Information and Knowingly Giving a False Testimony, Opinion, Translation, Explanation and Application - 2
- Officials convicted in 2023 (situation on 22.11.2023.) – 7

Please note that KNAB information on final judgments and application of sanctions in 2023 is still being compiled and will only be available after end of January 2024. As regards 2022, such information is available in the “Bureau Performance in Combatting Corruption” section of the KNAB Annual Report 2022³¹.

In 2022, 23 criminal proceedings initiated or investigated by the Bureau were adjudicated, in which two persons came to an agreement with the prosecutor on a penal order, 31 persons were convicted and three persons were acquitted. Three persons were sentenced to community service, 16 persons were fined and 14 persons were sentenced to deprivation of liberty, of which one person was sentenced to actual imprisonment. Note that these are final judgments, and KNAB does not compile data on first instance judgements.

At the end of 2022, a total of 80 KNAB criminal proceedings (against 193 persons) were pending in court.

In 2023, KNAB initiated a total of 23 criminal proceedings, and sent 18 for prosecution (against 49 natural persons, and 7 legal persons). 90 criminal proceedings that have been investigated by KNAB are currently still pending in court.

Examples of cases sent for prosecution in 2023 and 2022:

- On 11 January 2023, KNAB proposed prosecution against a natural person for the offering of a EUR 30 000 bribe to a councillor of a local government council. The pre-trial investigation established, that the person offered the bribe so that the councillor would vote for the appointment of a specific person to the position of chairman of the local government council.
- On 13 February 2023, KNAB proposed prosecution against six natural persons and two former Riga City Municipality foundation Board Members for fraud on a large scale. One former public official was additionally charged with forging official documents. The pre-trial investigation revealed that the six persons involved in the criminal offenses had been fictitiously employed in Riga City Municipality foundation, defrauding large amounts financial resources, with the two former public officials abetting the aforementioned criminal offence. The investigated criminal offenses were committed in between April 2012 - January 2019, causing a total of EUR 280 822,73 in damages to the Riga City Municipality. The case has been transferred to court. Next court hearing is scheduled for 18 April 2024.
- On 22 March 2023, KNAB proposed criminal prosecution against two former public officials of the State Revenue Service for the requesting of bribe in a group according to a prior agreement, and against one former public official for abetting the aforementioned criminal offence and forging official documents. The pre-trial investigation established that the former public officials, working in a group, initiated baseless criminal proceedings against a company for tax evasion on a large scale, requesting a EUR 100 000 bribe. On 30 October 2023, the Prosecution Office sent the criminal proceedings to court, where the public officials are being charged with the aforementioned criminal offences.
- On 11 May 2023, KNAB sent for prosecution to the Prosecutor General’s Office criminal proceedings, in which sufficient evidence had been obtained that four former officials of the Riga City Council and its capital company, as well as one natural person, for the purpose of acquiring property, generated income for the minibus passenger transport company, part of which was to be repaid as cash bribe to two former senior officials of the Riga City Council, thus causing more than EUR 10 million in damages to the municipality and its capital company.

³¹ <https://www.knab.gov.lv/en/media/3746/download?attachment>

KNAB proposed prosecution against the four former public officials and one natural person, as well as the continued application of coercive measures against four legal persons, in whose interests the criminal offences had been committed.

- On 26 September 2022, KNAB proposed prosecution against four persons for alleged preparation to use official position in bad faith for the purpose of acquiring property, and commission of said crime. Pre-trial examination initiated on 13 May 2022 established that two public officials (former Chairman and Board Member of a State Limited Liability Company), who used official position in bad faith, with the support of a natural person in the interests of a company registered in Latvia, ensured the victory of the company in a public procurement related to building maintenance and cleaning for a total value of EUR 518 911. One of the public officials simultaneously was preparing to ensure the victory in a public procurement for security services with the support of another natural person representing another company. Additionally, KNAB proposed the continued imposition of coercive measures against two legal persons, in whose interests the aforementioned crimes were planned and committed. A total of nine court hearings have taken place, with the next court hearing is scheduled for 24 January 2024. Court proceedings currently continue in the court of first instance.

- On 19 April 2022 KNAB proposed the continued imposition of coercive measures against one legal person for alleged bribery offer on a large scale. Pre-trial examination in criminal proceedings initiated on 29 June 2021 established that a natural person offered a EUR 90 000 bribe to a Lithuanian public official to ensure that business unofficially represented by the natural person would participate and win in a public procurement related to renting of aircrafts. It should be noted that the aforementioned natural person has been held criminally liable in Lithuania. A decision by the Economic Affairs Court (trial court) was taken on the application of coercive measures to the legal person for 120 000 EUR. On 10 January 2023, the case was appealed and transferred from the Economic Affairs Court to the Riga Regional Court. The Last court hearing took place on 10 October, and left the first instance judgment in force. The judgement has been appealed and appeal was accepted on 21 November 2023. Next court hearing has yet to be scheduled.

31. Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

Latvia has identified the following as obstacles and challenges in the scope of the question:

- challenges in international cooperation (e.g. receiving replies/partial replies to mutual legal assistance requests from countries outside the EU and OECD);
- involved parties are using communication channels and methods which provide anonymity and high level of security;
- involved parties are not willing to cooperate and counteract the investigation;
- involved parties are well aware of investigational methods and tactics;
- involved parties are not willing to report corruption;
- investigation related to corruption usually are complex with large number of parties (including legal entities) and jurisdictions involved.

32. Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.

Please see responses to Question 24 and 25.

Other – please specify

On 6 June 2023, amendments³² to the Pre-election Campaign Law were adopted (entered into force on 1 January 2024), which, inter alia, adjusts the policy of applying penalties for violations of pre-election campaigning, regardless of the environment in which the violation was committed. The changes provide that for legal persons, including political parties, for violating pre-election campaigning procedures or not observing the established restrictions in public places, in press publications, as well as in social networks and elsewhere on the internet, the maximum applicable fine will be EUR 7 100 instead of EUR 1 400.

³² <https://likumi.lv/ta/id/343363-grozijumi-prieksvelesanu-agitacijas-likuma> (only available in Latvian)

III Media pluralism and media freedom

33. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

N/A

A. Media authorities and bodies

34. Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies.

Work is underway on the merger of public service media Latvian Television and Latvian Radio and LSM.LV into a single entity. An increase in funding for the public service media has been designated for the next three years. It will be predictable in the medium term in order for the public service media to fulfil their strategic objective – to strengthen the democratic system of Latvia, freedom of expression and people’s sense of belonging to Latvia, to cultivate the Latvian language and national culture.³³

On 27 June 2023, the Human Rights and Public Affairs Commission of the Latvian parliament conceptually supported the decision to change the principles of the public media financing model and its further progress in the legislative process.³⁴ The procedure for allocating funding to public media has not changed. Additional funding continues to be allocated during the overall budget formation process, redistributing funds among all the priorities of the government. However, in adopting the three-year budget this year, significant and progressively increasing annual funding for public media has been stipulated.

On 6 December 2023, the bill to approve the merger of Latvian Television and Latvian Radio passed its second reading. The law is scheduled to come into force on 1 January 2025. In the process of unification, public media is expected to receive more funding in the coming years, reaching 0,12% of GDP by 2026.³⁵ The merger of the two media will strengthen media freedom and media pluralism, as the joint governance structure will allow more efficient use of the allocated public funds – the ability to devote more resources to the development of content for children and youth, adolescents, as well as to preserve diversity of informative analytical content. In the long term, the combined public media must ensure diversity of content and opinion.³⁶

In the next three years, 2024-2026, a total of 46 million euros of additional funding is planned for the public media:

- to strengthen the capacity of the Public Electronic Mass Media Council by improving the remuneration system and providing social guarantees;
- to prepare and implement the public media merger process, fulfil the necessary legal requirements for the preparation of the merger process and obtain approval of the media merger;
- to consolidate the resources of the public media to ensure their operation and development in accordance with the media environment development and digital transformation process;

³³ Public Service Mass Media Council: [Unified public service media concept](#) (in Latvian)

³⁴ Saeima: [Human Rights Commission supports single social media with adequate funding](#) (in Latvian)

³⁵ LSM.LV: [Saeima supports merger of LTV and Latvian Radio in second reading](#) (in Latvian)

³⁶ Human Rights and Public Affairs Commission: [Bill to amend the Law on Public Electronic Mass Media and Administration Thereof – Impact Assessment](#) (in Latvian)

- to implement the reforms required to create a unified public media.³⁷

35. Conditions and procedures for the appointment and dismissal of the head/members of the collegiate body of media regulatory authorities and bodies

No changes.

36. Existence and functions of media councils or other self-regulatory bodies

No changes.

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

37. Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

No changes.

38. 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 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

No changes.

39. Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners as well as any rules regulating the matter

No changes.

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

40. Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications

No changes.

³⁷ Ministry of Finance: [Explanatory notes to the draft law On the State budget for 2024 and the budgetary framework for 2024, 2025 and 2026, summary of Chapter 5.3 Expenditure policy directions and expenditure by functional and economic categories \(in Latvian\)](#)

41. Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

During 2023, the State Police supported the progress of the European Commission's 2024 work program with a position on the proposal for a regulation on the European Media Freedom Act. The legislation of the Republic of Latvia doesn't have any special regulations in place for violence, attacks or harassment against journalists. In such cases the investigation is carried out in accordance with general procedures of the Criminal Law and the Criminal Procedure Law. In cases, where there have been administrative violations, the investigation is carried out in accordance with the Law on Administrative Penalties for Offences in the Field of Administration, Public Order, and Use of the Official Language, which ensures administrative responsibility for aggressive behavior against any person including journalists. However, on this matter a Memorandum of Cooperation between the Latvian Union of Journalists and the Latvian Association of Journalists and the State Police has been in force since 2020 to make sure that journalists are safe when exercising freedom of expression and freedom of the press. A specific contact number has been established that journalists can use to contact the authorities in the event of a threat.

It should be mentioned that although the Internal Security Bureau under the Ministry of the Interior would not be directly involved in ensuring public safety in case of protests and demonstrations, the Internal Security Bureau under the Ministry of the Interior would investigate any ill treatment or violence committed by police, including towards journalists.

42. Access to information and public documents (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)

The State Revenue Service (VID) has proposed setting a deadline for public access to the declarations of public officials, replacing the current open-ended access with 5 years from the moment the declaration is submitted. The Latvian Association of Journalists is categorically opposed to this idea.³⁸ The declarations of public officials serve as the information base for many journalists' investigations.³⁹

43. 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

No changes.

Other – please specify.

³⁸ Latvian Association of Journalists opinion on the restriction of access to public officials' declarations (in Latvian): <https://latvijaszurnalisti.lv/latvijaszurnalisti-associacijas-vedoklis-par-pieejas-ierobezosanu-valsts-amatpersonu-deklaracijam/>

³⁹ TV3 programme "Nothing personal" story: The State Revenue Service wants to significantly restrict access to public officials declarations – not supported by MP Lībiņa-Egnere and the Corruption Prevention and Combating Bureau (in Latvian): <https://zinas.tv3.lv/latvija/neka-personiga/vid-grib-butiski-ierobezot-piekluvi-amatpersonu-deklaracijam-libina-egnere-un-knab-to-neatbalsta/>

The National Electronic Mass Media Council (NEMMC), in cooperation with more than thirty stakeholders, has established a single Latvian media literacy platform. It regularly posts information materials – studies, books, articles, lectures, seminars, conference entries, teaching materials, games, information and social campaigns, booklets, etc.⁴⁰

Under the Latvian Presidency of the Committee of Ministers of the Council of Europe the Latvian Ministry of Foreign Affairs, the Ministry of Culture and the Ombudsman's Office, together with the Council of Europe jointly organised Conference *The Pen Is Mightier than the Sword? Meeting today's challenges to freedom of expression and the safety of journalists*, which took place in Riga on 5-6 October 2023. The event was introduced by the launch of the forthcoming 5-year Council of Europe Campaign for the Safety of Journalists.⁴¹ The conference was closely interlinked and focused on the challenges to freedom of expression and the safety of journalists, including in times of conflict and hybrid war. The launch of the Campaign for the Safety of Journalists has set the path for a series of decisive activities aiming at effectively increasing the safety of journalists and other media actors, to raise awareness about their vital role for the functioning of democracy.⁴²

The Ministry of Culture in cooperation with the TAIEX programme hosted a study visit by a delegation from the Ministry of Culture and Media of Montenegro focusing on models of cooperation mechanisms for establishing a monitoring body to combat disinformation, hate speech and online harassment. Over three days the delegation visited 12 institutions, both governmental and non-governmental, to learn about Latvia's approach to solving these problems.⁴³

IV. Other institutional issues related to checks and balances

44. Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

A. The process for preparing and enacting laws

45. Framework, policy and use of impact assessments and evidence based policy-making, stakeholders/public consultations (particularly consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process

No changes.

46. 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)

No changes.

⁴⁰ National Electronic Mass Media Council: The Latvian media literacy database is accessible to all without charge (in Latvian): [Latvijas medijpratības datubāze ir pieejama ikvienam interesentam bez maksas](#)

⁴¹ Council of Europe Campaign for the Safety of Journalists - Freedom of Expression

⁴² Ministry of Foreign Affairs: [Conference "The Pen is Mightier than the Sword? Meeting today's challenges to freedom of expression and the safety of journalists"](#)

⁴³ Ministry of Culture: Montenegro Ministry of Culture and Media delegation visit to Riga (in Latvian) [Melnkalnes Kultūras un mediju ministrijas delegācijas vizīte Rīgā](#)

47. Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.

Several amendments have been made to regulatory acts which were issued in connection with the Covid-19 pandemic based on the specific and current epidemiological situation and social developments in the country. Also, the Law on the Management of the Spread of COVID-19 Infection has lost its force on January 1, 2024. We point out that all regulations related to Covid-19 can be found at <https://likumi.lv/> in the "Covid-19" section (*aforementioned regulatory acts are translated into English as well, so they are available for in-depth research*).

At the same time since the declaration of the state of emergency in the spring of 2020 until September 25, 2023, the Constitutional Court has received 112 applications related to the restrictions of the Covid-19. 110 applications were constitutional complaints, of which six were collective applications. For 98 applications, the collegium of the Constitutional Court has made decisions on refusal to initiate a case. Most of the applications were rejected because there was no substantiated claim that the relevant measures to limit the spread of Covid-19 or to prevent the consequences caused a violation of the fundamental rights of individuals, and some because the relevant issue is within the competence of the administrative court. No applications have been refused due to insufficient legal grounds.⁴⁴ (*more information on the mentioned applications and proposed cases can be found on the website of the Constitutional Court*).

48. Regime for constitutional review of laws

No changes.

B. Independent authorities

49. 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.

In accordance with the Ombudsman's Law, the Ombudsman is an official approved by the Saeima, who is independent in his or her activities and is subject only to the law. No one has the right to influence the Ombudsman in the performance of his or her functions and tasks.

The Ombudsman's Office is an institution established to ensure the functioning of the Ombudsman, which operates in the field of the protection of human rights.

The Ombudsman's Office is organised in four legal divisions according to the catalogue of rights - Civil and Political Rights Division; Social, Economic and Cultural Rights Division; Children Rights Division and since 1 January 2024 Discrimination Prevention Division, as well as Communication and International Cooperation Division and Administrative Division including the Chancellery. The Ombudsman also acts as an equality body. The Ombudsman is the national human rights institution in Latvia. The Ombudsman's Office has been accredited with "A" status (highest assessment) in the Subcommittee on Accreditation of the International Coordination Committee of National Human Rights Institutions.

The current system allows the Ombudsman to successfully combine the provision of assistance to residents if, within the framework of a single application, it is necessary to provide assistance within several mandates. The international commitments undertaken by Latvia require effective, comprehensive, and targeted action by the Ombudsman's Office. The Ombudsman's

⁴⁴ <https://www.satv.tiesas.gov.lv/press-release/informacija-par-satversmes-tiesas-sanemtajiem-pieteikumiem-un-ierosinatajam-lietam-par-covid-19-ierobejojumiem-aktualizets-09-02-2021/>

Office is entrusted with monitoring compliance with practically all human rights guaranteed in national and international human rights instruments, including children's rights, equality, as well as the principle of good governance, to perform the function of the national preventive mechanism, as well as to ensure monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities. At European Union level, several directives have now been transposed into national law, which imposes new tasks and lines of action on equality bodies in the Member States, such as the Ombudsman, within the framework of the Directive, is responsible for handling complaints about website accessibility. With amendments to the State Civil Service Law, the Ombudsman's Office has been given a new task – to examine complaints from senior civil servants regarding the tasks given by political officials.

The Law on the Protection of Children's Rights entrusts the ombudsman with competence to inform the public about the rights of the child and to make proposals which promote the conformity with the rights of the child.

One of the Office's priority actions requests for 2024 was related to additional financing needs of 330 thousand EUR for the creation of a new body dealing exclusively with discrimination issues.

On 7 December 2022 the European Commission's issued proposals for several Directives of the European Parliament and of the Council on standards for equality bodies, equal treatment of persons in matters of employment, occupation, social security, access to goods and services, etc. According to these proposals, Member States shall designate one or more equality bodies which, in the performance of their tasks, shall be independent and free from external influence, in particular as regards legal structure, responsibilities, budget, personnel and organisational matters. Thus, the Ombudsman will have to take more regular and active action on discrimination issues.

The financial resources of the Ombudsman's Office are sufficient to perform the specified functions, moreover, applications for priority measures of the budget of recent years are fully supported by the Cabinet of Ministers and the Saeima. In 2022, the office's budget was 1.9 million euros, and 2,6 million euros in 2023.

50. Statistics/reports concerning the follow-up of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years.

In 2022, the Ombudsman issued 173 recommendations, and received 108 replies. The implementation of recommendations in 2022 was 72.22 %.

32 recommendations were made in verification procedures, 81 recommendations were issued in correspondence with institutions, while 60 recommendations were made to the responsible authorities regarding individual submission.

The 2023 recommendations have not yet been summarised. The Ombudsman is currently working on the annual report for 2023, thus we can provide information later.

C. Accessibility and judicial review of administrative decisions

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

No changes.

52. 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).

No changes.

53. Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

No changes.

54. Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non-implementation

No changes.

D. The enabling framework for civil society

55. Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

Regarding non-governmental organizations, no amendments have been made to the regulatory acts now, but at the same time, Latvia informs that the development of regulatory acts is underway to promote the transparency of non-governmental organizations.

56. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection 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.

No changes.

57. 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)

Civil society organizations can apply for funding in the “NGO Fund” programme financed by the state budget. The aim of the “NGO Fund” is to support NGOs, thus strengthening the sustainable development of civil society and democracy in Latvia. Financing is available for a wide range of NGOs in an open calls’ procedure. In 2023, funding in the amount of 1 888 088 euros was available in the “NGO fund”, and 105 projects received funding.

Civil society organizations can also apply for co-financing for projects that are financed by foreign funds or projects where organizations are involved as partners. The aim is to promote the participation of Latvian NGOs in the implementation of projects financed by foreign funds,

which are aimed at the development of a cohesive and civically active society. In 2023, funding in the amount of 98 700 *euros* was available, and 9 projects were funded.

Ministry of Culture of the Republic of Latvia continues to implement the “Regional NGO support programme” and the “Minority NGO participation promotion programme”. From 2022-2025 there are five NGOs (one in each region of Latvia) implementing the measures of both programs. In total funding in the amount of 250 000 *euros* is available for implementation of programmes each year.

In the area of providing financial support for civil society organisations, the following activities have taken place in 2023.

As part of European Union Recovery and Resilience Facility Plan in Latvia, component “Rule of Law”, stream “Public administration modernisation”, investment 6.3.1.4.i. “NGO development for representing interests in the area of social security and for public interests (civic) monitoring”, two project calls took place and project implementation has started.

Project Call on protecting the interests of the least protected groups of the society:

Total funding: 1 550 010 EUR, contracts were concluded with 3 associations and 3 foundations having 13 partner NGOs. More detailed information at www.sif.gov.lv/lv/konkurssabiedribas-vismazak-aizsargato-grupu-interesu-parstavnieciba-socialas-drosibas-joma

Project Call on public interests (civic) monitoring:

Total funding: 726 955,77 EUR, contracts were concluded with 3 associations and one foundation having 17 partner NGOs. More detailed information at www.sif.gov.lv/lv/konkurssabiedribas-interesu-uzraudziba-par-arvalstu-investiciju-un-valsts-budzeta-finansejuma-izlietojumu

Most significant financial support for civil society organisations in Latvia is provided from state funding programme for non-governmental organisations - **the NGO Fund** - started in 2015. The Ministry of Culture is in charge of this programme. It is implemented by the Society Integration Foundation. More detailed information at www.sif.gov.lv/lv/nvo-fonds.

In 2023, 200 000 EUR **support** was adopted by the Cabinet of Ministers and Saeima to strengthen the operation of the Council for Implementation of the Memorandum of Co-operation between Non-governmental Organisations and the Cabinet of Ministers or **NGO Memorandum Council**. The practical details will be settled in 2024. Preliminary the NGO Memorandum Council will be in the future administered by an NGO selected through an open call and, along with Council’s monthly meetings, working groups to solve practical NGO and public administration co-operation matters will be created.

58. Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

A key forum for the participation of civil society organisations in the decision-making process is the Council for Implementation of the Memorandum of Co-operation between Non-governmental Organisations and the Cabinet of Ministers or **NGO Memorandum Council**. The Memorandum of Co-operation can be signed by any NGO and currently there are 526 organisations signatories. They elect 8 organisations in the Council and one is co-chair along with the Director of the State Chancellery. The State Chancellery is the secretariat of the Council. The Council meets once a month and has a 3 years work plan. The Council is a forum to discuss policies and laws that impact civil society development or any issue raised by civil society organisations as relevant for civil society and to be discussed in this format.

More information about NGO Memorandum Council meetings:

www.mk.gov.lv/lv/nevalstisko-organizaciju-un-ministru-kabineta-sadarbibas-memoranda-istenosanas-padomes-sedes

In 2022, the State Chancellery has issued “**Guidelines for Ensuring Public Participation in Public Administration**”. The guidelines describe the importance of public participation in a democratic society and in the decision-making process, its goals and benefits, the forms of public participation, including innovative forms. The guidelines are publicly available on the Cabinet of Ministers website. In 2024, e-course on Ensuring Public Participation will be prepared at the Latvian School of Public Administration.

In 2023, the State Chancellery organised a series of free of charge interactive **online courses “The Right Course”** on public participation in policy areas, for example, how to participate in defence, economy, education etc.

The two goals of the **5th National Open Government Partnership Action Plan of Latvia 2022–2025** are to promote (1) meaningful and effective public participation in the development of informed and quality decisions and (2) openness and transparency in the work of state authorities in the public interest. The Action Plan includes following activities:

-Strengthening the representation of sectoral cooperation partners and maintaining a regular dialogue;

-Effective and modern approaches to public participation are used in every sector to make informed and high-quality decisions.

All ministries are in charge of these activities, they are cross-sectoral. In January 2024, information will be collected for mid-term assessment of the Action Plan. It will allow to see progress about these two activities.

Among specific objectives of the Action Plan is an increased role for structured civil dialogue alongside social dialogue and putting civil society dialogue on an equal footing with social dialogue. Hence, in 2024, practices on the participation of civil society organisations and defining ways to improve the dialogue between authorities and civil society will be subject of a **series of workshops on civil dialogue**.

In 2023-2024, the State Chancellery is leading the drafting of new Cabinet Regulation **Procedures for the public participation in the development planning and drafting of legal acts processes**. The new regulation is drafted to reflect current trends and good practices in citizen engagement, taking into account that existing regulation dates back to 2009.

In 2023, the State Chancellery carried out the initiative **Trust Dialogues**. It involved a series of meetings with citizens across Latvia. All together 26 meetings were organised in 20 places in Latvia, allowing to meet 209 participants. Meetings were addressing the issue of trust in the society and towards public institutions. Dialogues method inspired by Finland was used. Hence, the meetings provided a unique opportunity to listen to citizens and organise conversations around the topic of trust. The Trust Dialogues summary is available at: <https://www.mk.gov.lv/lv/dialoga-apli>

Since 2021, draft legal acts and draft policy documents reviewed by Cabinet of Ministers are publicly accessible in the **Unified Portal for the Development and Agreement of Draft Legal Acts** (the TAP Portal). Public consultations are carried out in the TAP Portal. The TAP Portal is for public administration.

E. Initiatives to foster a rule of law culture

59. Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, etc.)

No changes.