

Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

Mapping of national legislation – Latvia

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
I. General information about the national legal framework		
National legal act(s) governing political advertising	<p>Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law</p> <p>Law on Financing of Political Organisations (Parties), https://likumi.lv/ta/en/id/36189-law-on-financing-of-political-organisations-parties</p> <p>Elections to the European Parliament Law, https://likumi.lv/ta/en/en/id/84185-elections-to-the-european-parliament-law</p> <p>Municipal Council Election Law, https://likumi.lv/ta/id/57839-pasvaldibas-domes-velesanu-likums</p> <p>Saeimas Election Law, https://likumi.lv/ta/id/35261-saeimas-velesanu-likums</p> <p>Electronic Mass Media Law, https://likumi.lv/ta/en/en/id/214039</p> <p>Personal Data Processing Law,</p>	<p>The main consolidated act on pre-election campaigning in Latvia is the Pre-Election Campaign Law.</p> <p>Other important provisions can be found in the Law on Financing of Political Organisations (Parties), the laws on elections and Electronic Mass Media Law, which covers operations of TV, radio and other media. GDPR has been implemented via Personal Data Protection Law.</p> <p>These acts are interlinked via the definitions of ‘political party’, ‘elections’, ‘campaigning’ etc.</p>

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	https://likumi.lv/ta/en/en/id/300099-personal-data-processing-law	
Legal and/or statutory definition of the notion of “ political advertising ” and “ online political advertising ” (if applicable)	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	Art. 1.3, Pre-election Campaign Law, ‘pre-election campaigning - political parties, associations of political parties, associations of voters or deputies advertising the candidate in the media or otherwise, if it contains a direct or indirect invitation to vote for or against a political party, association of political parties, association of voters or candidate for deputy’. The definition of ‘online political advertising’ can be deducted from art. 18.1, Pre-election Campaign Law, ‘A campaigner or a person authorized by him or her shall enter into an agreement regarding the placement of pre-election campaign materials on the Internet concluded directly and indirectly only with the advertising service provider’.
If not applicable, provide other definitions/terms used in the legislation close to the notion of “political advertising”	No other definitions found	No other definitions found
Evaluation of the current legislative framework and	Likumprojekts “Grozījumi likumā “Par reglamentētajām profesijām un profesionālās kvalifikācijas atzīšanu	In 2020, the Parliament has adopted in the first reading the ban on paid pre-elections campaigning in languages other than Latvian (but the provision is not enforced yet)

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draft legislations on political advertising and/or online political advertising	https://saeima.lv/lv/transcripts/view/2142#Lp0789_116	
II. Political advertising rules during pre-election campaigns		
Definitions of pre-election campaigns in the Member State (if applicable)	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	Art. 1.4, Pre-election Campaign Law, pre-election campaign period - the period from the 120th day before the elections to the election day. If the Saeima has been dismissed or revoked or the city council or county council of the republic is being dismissed ..., the pre-election campaign period is the period from the day of the announcement of the elections to election date.
National rules on paid political advertising during pre-election campaigns	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	Paid political advertising is allowed in Latvia under the conditions of full disclosure of the agreement between the campaigner and the business owner, without any intermediaries. Art. 3 of the Pre-election Campaign Law fully prohibits ‘covert pre-election campaigning’, i.e., campaigns with an anonymous sponsor. The parties have to report on their expenses related to pre-election campaigning. Art. 5.2 of the Pre-election Campaign Law sets a threshold for using the money of ‘unrelated persons’ (natural persons who are not related to political assemblies) –

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		they may only spend up to 15 minimum monthly salaries on political advertising.
National rules on financing of political parties/candidates in relation to political adverts	Law on Financing of Political Organisations (Parties), https://likumi.lv/ta/en/id/36189-law-on-financing-of-political-organisations-parties	<p>These rules are applicable to advertising placed on television, radio (both public and private), printed media, public spaces and Internet (art. 5.3 of the above-mentioned Act).</p> <p>According to Art. 8-2 of the Law on Financing of Political Organisations (Parties), the political parties which have run for elections of the Parliament, a municipal council, or the European Parliament, are obliged to ‘submit a declaration of income and expenses of elections signed by the representative of the relevant political organisation (party) to the Corruption Prevention and Combating Bureau’.</p> <p>This declaration must cover all of the income and expenses during the pre-election campaign, particularly placing advertisements in printed and online media, on the TV, radio and outdoors, as well as indirect expenses – postal services, paying salaries, renting premises etc.</p> <p>According to Art. 6 of the Law on Financing of Political Organisations (Parties), these organisations are prohibited to take loans or issue any loans.</p> <p>Art. 7 of the above-mentioned law bans anonymous gifts and donations.</p>

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National rules on free political advertising (or free airtime) during pre-election campaigns	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	<p>Political candidates in Latvia are allowed to use free public broadcasting time (except for repeated voting). According to Art. 7.1 of the Pre-election Campaign Law, the candidates may share their content ‘in the first television and radio programme of the public electronic mass media four times for five minutes in the period from the 25th day until the penultimate day before the election day’.</p> <p>As mentioned, this time is given in the public-owned electronic media.</p>
National rules on political advertising on broadcast media during pre-election campaigns (incl. public service and private broadcasters)	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	<p>National rules on broadcast media political campaigning are provided by Chapter III of the Pre-election Campaign Law.</p> <p>According to Art. 11, the campaigner or their authorized person has to enter into the agreement with a television or radio electronic media without mediators. At least 150 days before the elections, a mass medium shall send the price lists for the pre-election campaign time to the National Electronic Mass Media Council and these prices cannot be changed further.</p> <p>According to Art. 12, the advertisement pieces cannot be included in the news programmes of any electronic media. The employees of public broadcasting news programmes cannot conduct pre-election campaigning.</p> <p>Sixty days prior to the election day electronic mass media are prohibited to distribute broadcasts that include comments, interviews and reports prepared by persons who have been nominated as deputy candidates or who before the elections have</p>

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		made a public announcement on their participation in activities of any political party, association etc. During the pre-election campaign it is also forbidden to retransmit the foreign electronic media if these include campaign materials on political parties and their associations (art. 13).
National rules on political advertising in print media during pre-election campaigns	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	These rules are covered by Chapters IV and IV ¹ of the Pre-election Campaign Law. The campaigner and the press have to enter into direct agreement. The pricelists should be prepared at least 150 days before the elections and submitted to the Corruption Prevention and Combating Bureau. The printed campaigning messages should be clearly identifiable as promoted materials with the indication of the name of the sponsor.
National rules on political advertising on online media applicable to political parties , during pre-election campaigns	Personal Data Processing Law, https://likumi.lv/ta/en/en/id/300099-personal-data-processing-law	Latvia has implemented GDPR provisions via national Personal Data Processing Law, but there are no specific rules on pre-election campaigns.

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
Particular rules applicable to online platforms and intermediaries, such as social media, for political advertising during pre-election campaigns	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	<p>The rules on placing political campaigning materials on the Internet are almost identical to the ones of electronic media and print.</p> <p>According to art. 18 of the Pre-election Campaign Law, the advertising services providers should prepare the pricelists and submit them to the Corruption Prevention and Combating Bureau at least 150 days before the elections.</p> <p>The election campaign materials have to be clearly identifiable as promoted materials.</p> <p>According to art. 19, placing the announcements about meeting voters on the Internet should be available at the same rate as publication of other announcements on the Internet.</p>
Specific rules relating to “false information”, fake news” or “disinformation campaigns” during pre-election campaigns	Electronic Mass Media Law, https://likumi.lv/ta/en/en/id/214039	<p>Pursuant to Art. 24.4 of the Electronic Mass Media Act, such ‘... media shall ensure that facts and events are fairly, objectively, with due accuracy and impartiality reflected in broadcasts, promoting exchange of opinions, and comply with the generally accepted principles of journalism and ethics. Commentary and opinions shall be separated from news and the name of the author of the opinion or commentary shall be indicated. Facts shall be reflected in informative documentary and news broadcasts in a way not to intentionally mislead the audience.</p> <p>Art. 50 of the Electronic Mass Media Act provides an opportunity to person concerning whom false information has</p>

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		<p>been distributed, to appeal for deleting such information from an electronic platform.</p> <p>The National Electronic Mass Media Council can prohibit to distribute the electronic mass medium service if the latter endangers national defence, public safety etc (art. 21-3).</p>
III. Political advertising rules during elections period		
Definitions of elections period in the Member State (if applicable)	N/a-No elections period exists under national legislation-	No elections period exists under national legislation
National rules on paid political advertising during elections period	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	<p><i>On the election day</i>, it's forbidden to:</p> <ul style="list-style-type: none"> - include the results of public opinion polls on popularity of political parties, association of political parties, voters association or individual deputy candidates in broadcasts of electronic mass media on the election day during the course of election laid down in the law' - distribute broadcasts [in electronic mass media] led by, commentaries, interviews and reports prepared by persons who have been nominated as deputy candidates or who before the elections have made a public announcement on their participation in activities of any political party, association of political parties or voters association'. <p><i>On the election day and the day before</i>, it's prohibited to:</p> <ul style="list-style-type: none"> - place pre-election campaign materials in electronic mass media radio programmes and broadcasts, public use outdoor

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		<p>areas and indoor premises, publications, and authorities and capital companies ... as well as conduct the campaign as a paid service on public electronic communication networks, including the Internet (<i>without applying this to websites of political parties and associations thereof</i>)’.</p> <p>On the election day, it is <i>possible</i> however to use free of charge broadcasting time, or place campaign materials in radio programmes and broadcasts of an electronic mass medium with the exception of cases described in the paragraph above. It is also possible to use pre-election campaign materials in the discussion programmes on the election day, if these programmes are not sponsored by a political candidate</p>
National rules on financing of political parties/candidates in relation to political adverts	No particular national rules for the election period.	No particular national rules for the election period.
National rules on free political advertising (or free airtime) during elections period	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	On the election day it is possible to use free of charge broadcasting time (art. 32.2 of the Pre-election Campaign Law)

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
National rules on political advertising on broadcast media during elections period (incl. public service and private broadcasters)	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	Art. 32.1 of the Pre-election Campaign Law, ‘On the election day, and the day before the election day, the placement of materials of pre-election campaign in electronic mass media radio programmes and broadcasts ... are prohibited’
National rules on political advertising in print media during elections period	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	Art. 32.1 of the Pre-election Campaign Law, ‘On the election day, and the day before the election day, the placement of materials of pre-election campaign in ... publications, ... are prohibited’
National rules on political advertising on online media applicable to political parties , during elections period	No particular rules for the election period	No particular rules for the election period
Particular rules applicable to online platforms and intermediaries ,	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	According to Latvian legislation, <i>on the election day</i> the following rules apply:

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such as social media, for political advertising during elections period		<p>- electronic mass media are prohibited to distribute broadcasts led by, commentaries, interviews and reports prepared by persons who have been nominated as deputy candidates or who before the elections have made a public announcement on their participation in activities of any political party, association of political parties or voters association’.</p> <p><i>On the election and the day before:</i></p> <p>the placement of materials of pre-election campaign in ... the Internet (without applying this to the websites of the parties...) is prohibited’.</p>
Specific rules relating to “ false information ”, “ fake news ” or “ disinformation campaigns ” during elections period	No particular rules for the elections period.	No particular rules for the elections period.
IV. Political advertising rules outside of elections period		
National rules on paid political advertising outside of elections period	No particular rules	No particular rules

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National rules on financing of political parties in relation to political adverts	No particular rules	No particular rules
National rules on free political advertising (or free airtime) outside of elections period	No particular rules	No particular rules
National rules on political advertising on broadcast media outside of elections period (incl. public service and private broadcasters)	No particular rules	No particular rules
National rules on political advertising in print media outside of elections period	No particular rules	No particular rules

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
National rules on political advertising on online media applicable to political parties , outside of elections period	No particular rules	No particular rules
V. Rules and obligations applicable to online platform operators and intermediaries of political advertising		
Particular rules applicable to online platforms and intermediaries such as social media for political advertising	Electronic Mass Media Law, https://likumi.lv/ta/en/en/id/214039	According to Art. 29 of the Electronic Mass Media Law, ‘if the programme is distributed during the pre-election campaign period, the record shall be kept for the entire relevant period and not less than three calendar months after its end’. Also, the said copies should be available for free upon request of the National Electronic Media Council, court, prosecutor's office, investigating authority and other public authorities. There are no particular legal provisions that would enable?
VI. Transparency rules for political parties/candidates funding		
Rules on direct public funding¹ to political parties and/or candidates	Law on Financing of Political Organisations (Parties), https://likumi.lv/ta/en/id/36189-law-on-financing-of-political-organisations-parties	Yes, public funding to the political parties is strictly regulated by the Law on Financing Political Parties (Organisations). Pursuant to Art. 7 ¹ of the mentioned Law, all parties who have

¹ Public funding refers to funds or resources provided by the State/Government to political parties and/or candidates . Depending on the form in which public resources are made available, public funding is divided into direct public funding or indirect public funding. Direct public funding corresponds to the allocation of direct public funds to political parties and/or candidates in the form of money, usually as bank transfers but at times in cash or cheque. See more information at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/default>

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		<p>passed the 2% threshold of the Parliament (Saiema) elections, are entitled to state financing for four years.</p> <p>The legislation also contains an extensive list of expenditures that can be covered by the state budget funding (Art. 7⁴ of the same law), and political campaigning is included.</p> <p>It is also important to note that in case of receiving the aforementioned State budget funding, the maximum amount of donations and membership fees to the party from natural persons may not exceed five minimum monthly salaries (Art. 2.3¹ of the Law on Financing Political Parties (Organisations)).</p>
Rules on indirect public funding² to political parties and/or candidates	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	According to Art. 25 of the Pre-Election Campaign Law, the public authorities and state-owned companies can grant parties or single candidates premises for meetings with voters free of charge or for payment which does not exceed the actual maintenance expenses of such premises.
Rules on free or subsidised access to media for political parties and/or candidates	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	Yes, political candidates in Latvia are allowed to use free public broadcasting time (except for repeated voting). According to Art. 7.1 of the Pre-election Campaign Law, the candidates may share their content ‘in the first television and radio programme of the public electronic mass media four times for five minutes in the

² Indirect public funding is when resources with a monetary value are provided by the Government to political parties and/or candidates. Such resources may be, for instance, granting of media access (free advertising slots in publicly owned media), interest-free loans for paying registration fees or mounting a basic election campaign, free printing and distribution of ballot papers, use of Government buildings for meetings and rallies, tax-free donations etc. . See the list of indirect public funding of parties and candidates at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/pca02a4>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<p>period from the 25th day until the penultimate day before the election day’.</p> <p>Pursuant to Art. 8 of the said Law, the drawing of lots and compliance with the limits of broadcasting time referred to in Art. 7 shall be ensured by the relevant public electronic mass medium.</p> <p>The planning of funding for the production of the pre-election broadcasting services is carried out by the National Electronic Mass Media Council (Art. 10).</p>
Rules on foreign contributions to political parties and political campaigns	<p>Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law Law on Financing of Political Organisations (Parties), https://likumi.lv/ta/en/id/36189-law-on-financing-of-political-organisations-parties</p>	<p>According to Art. 13. of the Pre-Election Campaign Law, ‘electronic mass media, which are providing retransmission of programmes by foreign electronic mass media in Latvia shall include a provision in the contract with the relevant foreign electronic mass medium that during the period of pre-election campaign programmes to be re-transmitted in Latvia may not include campaign materials on political parties, its associations and voters associations’.</p> <p>Pursuant to Art. 4 of the Law on Funding of Political Parties (Organisations), the political organisations can only receive donations and gifts from citizens of Latvia or people who have the passport of the ‘non-citizen’ of Latvia.</p> <p>Anyhow, the political organisations in Latvia have a right to receive income from sources not listed in the legislation, if these do not violate the list of restrictions given in Art. 6 of the mentioned Law.</p>
VII. Monitoring and enforcement of national rules on political advertising by national authorities		

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
National (or regional/local if applicable) authority or body responsible for monitoring national rules on political advertising	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law Electronic Mass Media Law, https://likumi.lv/ta/en/en/id/214039	Corruption Prevention and Combating Bureau is responsible for controlling the funding of political organisations and compliance with the ban on using the administrative resources during the elections campaign (Art. 33.7 of the Pre-Election Campaign Law). National Electronic Mass Media Council issues a broadcasting permit to all channels of national electronic mass media (television and radio) and may revoke it in case of breaching the law.
Particular measures for supervising online political advertising within and outside elections periods	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	It is hard to say if there are any specific practical measures for controlling the political advertising placed on global social media platforms. On the theoretical level, same rules apply to all electronic mass media, be it satellite TV or website.
Sanctions, penalties and remedy measures applicable in violation of the law	Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	The main public authority capable of imposing penalties in the course of pre-election campaigns, is the Corruption Prevention and Combating Bureau of Latvia . Pursuant to Chapter IX of the Pre-Election Campaign Law, it is able to: <ol style="list-style-type: none"> 1) Issue a warning on exceeding the limits of pre-election expenses; 2) Prohibit to conduct further campaign; 3) Prohibit electronic mass media to place materials of pre-election campaign

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self/co-regulatory codes or guidelines</u>	Summary of the rules
		<p>4) Issue a request to transfer financial resources to the state budget.</p> <p>National Electronic Mass Media Council has the right to withdraw the broadcasting license in cases when e.g. cable TV channels fail to comply with Latvian legislation.</p>

Annex – List of relevant legislation

- In this Annex, please list all the sources provided in the second column of the table

Name of the sources	Link to the sources	Sources translated into EN
Pre-election Campaign Law, https://likumi.lv/ta/en/id/253543-pre-election-campaign-law	https://likumi.lv/ta/id/253543-prieksvelesanu-agitacijas-likums	n/a (official translation outdated)
Law on Financing of Political Organisations (Parties)	https://likumi.lv/ta/id/36189-politisko-organizaciju-partiju-finansesanas-likums	n/a (official translation outdated)
Elections to the European Parliament Law,	https://likumi.lv/ta/id/84185-eiropas-parlamenta-velesanu-likums	n/a (official translation outdated)
Municipal Council Election Law	https://likumi.lv/ta/id/57839-pasvaldibas-domes-velesanu-likums	n/a (official translation outdated)
Saiemas Election Law	https://likumi.lv/ta/id/35261-saeimas-velesanu-likums	n/a (official translation outdated)
Electronic Mass Media Law	https://likumi.lv/ta/id/214039-elektronisko-plassazinas-lidzeklu-likums	n/a (official translation outdated)

Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

Mapping of national legislation – Latvia

Personal Data Processing Law	https://likumi.lv/ta/id/300099-fizisko-personu-datu-apstrades-likums	n/a (official translation outdated)
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