

INPUT OF LATVIA FOR EUROPEAN RULE OF LAW MECHANISM (2022)

I. JUSTICE SYSTEM

A. Independence

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

Amendments to Selection procedure of a chair of district (city) court, of a chair and deputy chair of a regional court, and a chair of courthouse

On 12 November 2021, following the Candidate Evaluation Commission's proposals, the Judicial Council made amendments to the Selection procedure for chair of district (city) court, chair and deputy chair of regional court, and chair of courthouse (*on 15 March 2019, the Judicial Council approved the Procedure in which candidates for the office of a Chief Judge, deputy Chief Judge and chairperson of a courthouse of district (city) court and regional court are nominated and appointed*).

According to the new amendments, recruiter will not be part of the Candidate Evaluation Commission, but will be able to participate with advisory rights. A representative of the Court Administration will be able to participate in Candidate Evaluation Commission with advisory rights. The Candidate Evaluation Commission consists of two judges delegated by the Judicial Council, an authorized representative of the Minister for Justice and a representative of a collective of judges of the relevant court.

Changes have been made to the criteria for evaluating candidates. There will be three basic criteria – reputation and authority in the court system, professional competences, awareness of the functioning of the judicial system and vision of further development of the court.

The Procedure for selection of candidates for the position of a judge of a district (city) court and regional court has been improved

On 21 October 2021, the Judicial Council approved the new Procedure for selection of candidates for the position of a judge of a district (city) court and regional court,¹ improving the examination process. According to the new procedure, there will be 4 rounds of candidate selection instead of five. The new Procedure is supplemented with the condition that the selection for a vacancy of a judge's office is organized only if a former judge of a constitutional court, an international court or a supranational court has not expressed a wish to apply for the said office or has expressed a wish to apply, but has not received a successful assessment of the Selection Commission.

Appointment and selection of prosecutors

On 6 August 2021, the amendments to the Statute on Selection the Applicants to Prosecutor's Position took effect. In accordance with these amendments, persons who have passed the State Single Exam for Lawyer Professional Qualification may be exempt from the test by Prosecutor General.

2. 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).

On 1 January 2022, the amendments to the Law on Retirement Pensions for Judges entered into force (approved by the Parliament of the Republic of Latvia (Saeima) on 25 November 2021), which improve the calculation of the length of service of a judge and the possibility to retire earlier.

¹ [Par Rajona \(pilsētas\) tiesas un apgabaltiesas tiesneša amata kandidātu atlases kārtību \(likumi.lv\)](#) (in Latvian).

The amendments stipulate that the length of service of a judge will also include all the time employed as a sworn advocate or academic staff of the university (previously it was calculated as of 10 years in service as a sworn advocate or the academic staff of the university). The amendments provide a clear calculation of the length of service of judges, as well as encourage sworn advocates and teachers in career development to apply for positions of judges. It is also envisaged that the length of service of a judge will include the time spent as a judge of an international court.

Amendments also stipulate that judges have the right to receive a service pension if, regardless of their age, the length of service as a judge, a judge of the Constitutional Court or a judge of an international court is not less than 30 years. Previously, judges were able to retire only after reaching the general retirement age set by the state, but this amendment will give special consideration to those judges who have served as judges for 30 consecutive years. This means that they will be able to retire slightly earlier than the national retirement age (as of 1 January 2022 - 64 years).

6. 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

Strategy of the Judicial Council

On 12 March 2021, the Judicial Council approved the Judicial Council's strategy for the next five years². The strategy states that the overarching goal of the Judicial Council is to achieve equal representation of the judiciary in the dialogue between the three branches of state power in order to ensure the independence, quality, development and accountability of the judiciary.

The Judicial Council has identified four main areas of action for the next five years, as well as goals and objectives in each of these areas:

1. Strengthening the independence of the judiciary – to strengthen budgetary independence of the judiciary; to raise the level of the independence of judges, etc.

2. Strengthening the functionality and role of the Judicial Council – to ensure that the Judicial Council is a respected representative of the interests of the judiciary, including in the policy-making process.

3. Efficient and high-quality judiciary – to create a more efficient, convenient, timely, understandable and accessible court system to the public.

4. Public confidence in the judiciary – to raise public awareness of the judiciary in order to increase trust.

The new Code of Conduct of Prosecutors adopted

On 9 December the new Code of Conduct of Prosecutors³ of Latvia was adopted. The Latvian Code of Ethics for Prosecutors (hereinafter - Code of Ethics) was initially developed and approved in 1998, and till 2021 it had not been revised or updated. In its 2021 study (published in January) on the activities of the Prosecutor's Office of the Republic of Latvia (hereinafter - the Prosecutor's Office), the Organization for Economic Co-operation and Development (OECD) identified the need to review and update the code of ethics and ensure that it is not perceived merely as a formality. The OECD's audit report was also endorsed by the National Audit Office in its audit report on the work of prosecutors, with particular emphasis on the need to implement the code of ethics. The new code of ethics was developed in cooperation with the Prosecutor General's Office and the Society for Transparency - *Delna* (the Latvian branch of Transparency International), experts from Germany, Netherlands, United States and Estonia. The jointly drafted Code of Ethics for Prosecutors clearly defines the standards of ethical and

² [Strategy of the Judicial Council 2021_2025_EN.docx \(live.com\)](#)

³ http://www.prokuratūra.gov.lv/media/etikaskodekss_2021.docx.docx (only available in Latvian)

professional conduct of Latvian prosecutors and has been developed considering the current international practice – including national recommendations and recommendations of international experts.

An additional obligation of the Prosecutors Attestation Commission is prescribed - to provide explanations on the application of the norms of the Code of Conduct, as well as to provide consultations on issues of ethical nature upon request of the Prosecutor. The Code of Conduct provides for a possibility to use the whistleblowing mechanism for dealing with the issues of ethics in cases when a Prosecutor does not want to disclose his/her identity, but nevertheless wishes to receive an opinion of the Prosecutors Attestation Commission in some specific matter, as well as in cases when a Prosecutor is reporting about a violation perpetrated by another Prosecutor.

7. 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

Amendments to the Law on Remuneration of Officials and Employees of State and Local Government Authorities

On 16 November 2021 Saeima adopted amendments to the Law on Remuneration of Officials and Employees of State and Local Government Authorities. The Law foresees that the Prosecutor's Office may, due to an important achievement, disburse a bonus to the prosecutor.

On 19 December 2021, other amendments to the above-mentioned Law were adopted. The amendments clarify the coefficients for the monthly salaries of judges, applying them only to the basic monthly salary. The State Chancellery invited the Judicial Council to provide an opinion⁴ on the draft law.

8. Independence/ autonomy of the prosecution service

The Prosecution Office is an independent judicial authority and its head is the Prosecutor General. The Prosecutor General is appointed by the Saeima for a five-year term upon proposal of the Judicial Council. The same person may be the Prosecutor General for a maximum of two consecutive terms. Since 12 July 2020, the Prosecutor General of the Republic of Latvia is Mr. Juris Stukāns. The Prosecution Office is an independent judicial authority protected from political pressure or attempts to influence its work. The overall protection of the Prosecution Office (as well as protection of each prosecutor) from political, public, or other influences is ensured by both its legal status in the system of state powers in Latvia as well as the guarantees specified by law.

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

Amendments to the Law on the Bar (detailed information on regulatory changes is provided in the previous assessment) entered into force on 16 March 2021.

B. Quality of justice

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

“E-case” implementation

On 30 November 2021 the Stage 1 of the “E-case” was concluded. Amendments to the Criminal Procedure Law, the Civil Procedure Law and the Administrative Procedure Law were made and entered into the force on 1 December 2021. The new “E-case” portal started to operate on 1 December 2021. It ensures exchange of information between the courts, the parties of

⁴ Decision of the Judicial Council on the draft law “Amendments to the Law on Remuneration of Officials and Employees of State and Local Government Authorities” (in Latvian).

proceedings as well as other judicial authorities and their information systems (*detailed information about “E-case” solutions in question 14*).

In 2021 a draft Law of the “E-case” Sharing Solutions Platform was proposed and is under consideration in Saeima in the second reading. It is planned to draft three additional regulations of the Cabinet of Ministers: 1) on the processing of data in the “E-case” platform; 2) on data storage and archiving in operating information systems (the Court information system, the Public Prosecutor's Information System (ProIS), the State Probation Service Probation Recording System (PLUS) and the Prisoners Information System); 3) on the “E-case” Supervisory Board and the interinstitutional working group.

Due to these technical improvements of the judicial information system, new rules on the organisation of judicial records keeping have been introduced.

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

Technical, material provision of courts

In 2021, the infrastructure of videoconferencing and hardware was improved in courtrooms.

In order to contain the Covid- 19 pandemic, all judicial institutions were also provided with various protective equipment – face masks, hand and surface disinfectants, protective glass for courtrooms and court chancelleries, etc.

In 2021, the additional funding has been granted in order to introduce security systems in courts, ensure security for state secret objects, as well as to implement other priorities.

Financial resources of the judiciary - Judicial Council support the judicial budget priorities for 2022

The Judicial Council assessed and supported Supreme Court’s budget request for 2022. The three main priority lines of action are establishment of a competitive system of remuneration of employees of the Supreme Court, strengthening the capacity of the Supreme Court by employing additional support staff of the Senate and strengthening the capacity of the Judicial Council.⁵

The Judicial Council also supported the budget request for regional courts and district (city) courts drawn up by the Ministry of Justice for 2022. This budget request sets out several priority actions: further implementation of the “E-case” project; improvement of videoconferencing and computer infrastructure; improvement of data flow speed; provision of full-fledged services provided to courts; provision of leave benefits for judges; development of training programs and opportunities for judges; involvement of a psychologist in the process of selecting candidates for the positions of judges.

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

Training of judges and court staff

On 21 May 2021, the Judicial Council approved guidelines for the judicial training for judges, new judges, court staff, managers and lecturers in 2022.⁶

On 12 November 2021, The Judicial Council approved the training programs for 2022 developed by the Latvian Judicial Training Centre.⁷ The content of the programs has been

⁵ In order to strengthen the strategic role of the Judicial Council and to develop the capacity of the Council as an executive body, the strategic and administrative functions of the Judicial Council are being restructured and the Council’s support staff is being expanded. <https://www.at.gov.lv/en/jaunumi/par-tieslietu-padomi/the-support-for-the-judicial-council-is-expanded-10622?year=2021&month=05>.

⁶ https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/Dokumenti/Guidelines%20for%20training-21_05_2021.pdf

⁷ The co-operation agreement of the Court Administration with the Latvian Judicial Training Centre is valid until 31 December 2024. It is planned that the new Judicial Training Centre (legal name may change) will start operating on 1 January 2025.

developed in accordance with the Guidelines for the Training of Judges approved by the Judicial Council on 21 May 2021.⁸ The implementation of the programs will be ensured by funding from the European Social Fund.

In 2022, another European Social Fund project "Justice for Development" will be completed. The project provides financial support for training of judges and judicial staff, including training in European Union Law, training in field of information technology and foreign languages, as well as exchange of experience and participation in various conferences.

The Court Administration has a co-operation agreement with the U.S. Embassy in Latvia on the training of judges in certain legal and procedural matters. Various courses have been organized in co-operation with the Latvian Municipal Training Centre.

Judicial Training Centre

One of the priorities is the reform of the training system for judges and prosecutors, court employees and assistants of prosecutors, as well as specialized investigators in interdisciplinary issues.

In accordance with the Recovery and Resilience Plan for Latvia the establishment of a Judicial Training Centre is planned by 2024.

It is planned to implement an interdisciplinary training approach for legal professionals involved in administration of justice.

On 18 June 2021, the Judicial Council conceptually supported⁹ the reform of the in-service training system for judges and prosecutors by establishing a unified training center.

From 1 January 2022 until the opening of the Judicial Training Centre in 2025, the reform of the Qualification Development System will be implemented using funds of the Recovery and Resilience Facility Fund¹⁰ through the following lines of action.

Firstly, administrative activities related to the adaptation of the premises, the provision of the training infrastructure, the development of the regulatory framework and other documentation, as well as the selection of staff are being carried out to ensure the establishment of the Judicial Training Centre by 31 December 2024.

Secondly, in parallel with the administrative measures for launching the project, activities are being carried out to develop and pilot curricula. An inter-institutional cooperation model at both national and international level will be established.

Training of Sworn Advocates

The Latvian Council of Sworn Advocates (hereinafter – the Council) ensures the training of sworn advocates on current legal issues each year. Training is available to all sworn advocates practicing in Latvia.

The Council has established long-term cooperation for training of advocates with the Faculty of Law of the University of Latvia, the Latvian Judicial Training Centre, and the Latvian Local Governments Training Centre.

In the training program for 2022, the following topics are brought to the foreground: *economic crime; confiscation of property; prosecution in criminal proceedings; current issues in criminal proceedings; Family Law (material property issues: division of property between spouses, determining the amount of maintenance payments); Family Law (children's rights: cross-*

⁸ Guidelines of the Judicial Council for the organization of training of judges for 2022.

https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/Dokumenti/Guidelines%20for%20training-21_05_2021.pdf

⁹ <https://www.at.gov.lv/en/jaunumi/par-tieslietu-padomi/judicial-council-conceptually-supports-the-establishment-of-the-single-judicial-training-centre-10700?year=2021&month=06>

¹⁰ European Union funding is available until the second quarter of 2026. After the said date, the maintenance of the project results in full shall be ensured from the state budget.

border issues, temporary protection in family disputes); Family Law (access matters: custody and access matters, children's development and access, learning the opinion of a child in proceedings and evaluation of a child's opinion when settling parental disputes regarding the child's place of residence and access, discussion); current issues in labor disputes; current issues in civil proceedings; Commercial Law; Real property, Construction Law; Construction.

For sworn advocates, the training on the protection of children's rights is an obligatory requirement provided in the Law on the Protection of Children's Rights and this qualification needs to be renewed on a regular basis.

Training of Prosecutors

In 2021, prosecutors attended various training events. Due to Covid-19 pandemic restrictions majority of these events were organised remotely. However, it was possible to organise some events in person – representing 6% of total amount of events organized. Prosecutors also attended training abroad and these events represented 8% of all training events.

In general, the possibility to organise events remotely increased the number of trainings, and the amount of the training attendees raised. In comparison with 2020 when 171 trainings were organized, in 2021 the number of events organized reached 300. As a result, this has increased the total number of prosecutors who have participated in the training events several times – in 2021, a total of about 3,800 prosecutors participated in training (of which about 450 prosecutors participated in at least one training event).

The practice introduced at the end of 2020 to organize internal discussion forums on specific issues related to work of prosecutors was actively continued in 2021. The participation in such discussions was open to all prosecutors. Open information seminars on current issues were organized in co-operation with other institutions, such as the State Forensic Science Bureau, the State Police, etc.

One of the trainings that was very successful was the in-depth training “Preparation of a Decision on Bringing a Person to Criminal Liability” organized jointly by the Office of the Prosecutor General and the Latvian Judicial Training Centre. This training was organized six times in 2021 and total of 81 prosecutors participated in it. During the training, prosecutors were provided with recommendations for the preparation of charges, including the importance of evaluating the evidence and attributing correct classification of the offense, special focus was given to the analysis of acquittals where the reason for acquittal was the prosecutor's error, as well as recommendations for the preparation of a prosecution in case of more complicated factual circumstances.

In June 2021, a new regulation regarding the evaluation and performance appraisal of prosecutors was adopted. Almost 100 prosecutors were evaluated in 2021. Most of the prosecutors evaluated were recommended specific training programmes, such as drafting legal documents, indictments, investigation of financial and economic crimes, including money laundering crimes.

In December 2021, a new regulation on the training of prosecutors was adopted in order to improve the professional skills of prosecutors, and to promote the quality of the functions of the Prosecutor's Office.

14. 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)

“E-case” solutions

At the end of 2021, “E-case” portal replaced the previous Latvian judicial portal and the first stage of “E-case” project was launched. “E-case” portal has replaced the previous existing e-service website of the Latvian judicial portal. In “E-case” is an online legal portal available to

citizens and those involved (in accordance with the granted right of access) with access to various judicial e-services and documents.

It is possible to complete and submit electronic forms and use e-services, such as, "Application to the Court", "The course of proceedings", "The Courts calendars" and other. "Extrajudicial Guide" is a tool which helps citizens to solve legal issues online. The tool has been designed for the most frequent civil law issues and it is of a recommendatory nature. "Extrajudicial Guide" offers advice and practical information on dealing with legal issues without taking the matter to court.

The "E-case" portal is intended for the public, parties of the proceedings, third parties involved in the proceedings, probation clients, sworn advocates, lawyers, merchants, community service employers and labourers, judicial experts, state and local authorities.

In order to ensure technical implementation in practice, trainings and explanatory materials on the use of the portal are publicly available.

In 2022, it is planned to supplement the technical support (document scanners, monitors) and continuing to equip the courtrooms with screens and videoconferencing equipment.

On 1 December 2021 the Prosecution Office initiated the introduction of the electronic criminal case.

15. 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)

ICT systems for case management:

In order to ensure day-to-day work for judicial officers, the courts have their own information system, the Court Information System. The development of functionality of this system is an ongoing process and will continue in the upcoming years. Since 2021, some of cases can be sent electronically from prosecutor's office to the court in full as functionality for electronic cases has been developed. The process of circulation of documents has been digitized, transferring information from the Court Information System to a sworn bailiff, etc.

Work is still ongoing and solutions are being sought in cooperation with the courts to make the existing functionalities more user-friendly.

Court statistics and their transparency, monitoring, evaluation:

In 2021, the compilation of statistical data "Portrait of Courts" in the business intelligence tool Microstrategy has been prepared and provided to the Chairpersons of courts for use. Data of the Court Information System have been used for the development of the "Portrait of Courts". The tool ensures automatic loading and recovery of data. "Portrait of courts" on all district (city) courts and regional courts provides active strategic management of daily work of courts, monitors trends in work indicators of main courts, proactively responds to problems, if any. The content of the "Portrait of Courts" is: cases received, cases adjudicated, pending cases; the length of cases heard; case throughput indicator; stability indicators; work of investigating judges. Each individual section of the court portrait allows to obtain data on individual judges separately.

Surveys among court users or legal professionals:

Every year the Court Administration conducts surveys in order to find out the public's attitude towards courts and experience with legal proceedings. Electronic questionnaires are available for filling online to collect information on the quality of service offered by courts.

The information campaign "Convenience is a Value"

In 2021, the information campaign "Convenience is a Value" was held with the aim to promote e-services, their availability and use. During the information campaign, everyone could fill in online questionnaire to give their assessment of the progress of court proceedings.

16. Geographical distribution and number of courts/ jurisdictions ("judicial map") and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

The Economic Court

The Economic Court started its work on 31 March 2021.¹¹ All necessary prerequisites for further development and expansion of specialisation continue to be created. The aim is to ensure swift and high-quality proceedings of complex commercial disputes, corruption, economic and financial crimes.

By 30 November 2021, the Economic Court received 73 criminal cases, 170 proceedings concerning criminally acquired property and 89 civil cases. Currently, 31 criminal cases, 107 proceedings on criminally acquired property and 33 civil cases have been completed.

Work has now been started on evaluation of the operation of the Economic Court and development of a relevant report, which is planned to be submitted to the Cabinet of Ministers for examination by 1 March 2022.

C. Efficiency of the justice system

17. Length of proceedings

The Judicial Council approved standards for time limits of proceedings

On 26 February 2021, the Judicial Council approved standards for adjudication of Latvian courts cases for 2021. In accordance with the amendments of 2020 to Section 27¹ of the Law on Judicial Power,¹² The Court President shall submit the standard case examination time limits for approval to the Judicial Council until 1 February of each year. This standard varies from

¹¹ The Law "Amendments to the Civil Procedure Law" (in force from 01.01.2021.) provides that the Economic Court, as the Court of First Instance, shall consider:

- claims arising from reinsurance contracts, investment services or investment by – service contracts, financial collateral arrangements,
- claims of investors of the European Union member states of the against the state of Latvia for investment protection;
- claims arising from the legal relations of groups;
- claims arising from the mutual legal relations of the participants (shareholders) of the capital company;
- claims arising from transactions of capital companies with related persons within the meaning of the Commercial Law and Financial Instruments Market Law;
- requirements arising from the transition of companies and the reorganization of society, with the exception of employees' claims;
- requirements arising from contractual obligations between the participants in the construction process, including with subcontractors, in respect of construction of a second and third group structure, the realization of which requires a building permit, except for the construction of a separate single apartment or two apartment residential houses and with the construction of their functionally related structures;
- claims for infringements of competition law;
- requirements regarding decisions of shareholders of a capital company (stockholders);
- applications for liquidation and insolvency of credit institutions.

The Law "Amendments to the Criminal Procedure Law" (in force from 01.01.2021.) stipulates that the competence of the Economic Court shall cover the examination of the following cases:

- money laundering;
- financing of terrorism and proliferations, if committed on a large scale;
- corrupt criminal offences, as well as criminal offences in connection with the acceptance of an unauthorized benefit, unauthorized participation in property transactions and the grant, request or acceptance of an unlawful benefit committed by a public official or an official occupying a responsible position or an employee of a State and local government institution who is not a public official, or if a bribe or illegal benefit has been taken after the extortion or request thereof.

¹² <https://likumi.lv/ta/en/en/id/62847-on-judicial-power>

court to court. For civil cases in the first instance, it is 4 – 12 months, in regional courts 4 – 6 months, in the Senate 6 – 18 months. For criminal cases in the first instance, it is 4 – 12 months, in regional courts 2 – 10 months, in the Senate 3 – 12 months. For administrative cases in the first instance, it is approximately 7 months, in regional courts approximately 6 months, in the Senate 6 – 18 months.

Judicial system continued to function effectively despite Covid-19 pandemic

Despite the constraints related to the Covid-19 pandemic, the judicial system continued to function effectively, thus no significant impact on the duration of proceedings and no significant case congestion have been identified during the pandemic. The work of courts was adapted to the circumstances of the pandemic as quickly as possible, creating opportunities for the court to decide on examination of cases in written procedure, as well as examining cases remotely using videoconferencing solutions.

In order to ensure effective access to the court, while observing the epidemiological safety measures established in the state, the regulatory framework was adjusted with the aim of significantly expanding the right of the court to examine cases remotely. Until the pandemic, it was possible to view the case remotely only using fixed videoconferencing systems in courts and other institutions. Since 2020, however, a legal framework has been created so that a person can participate in the examination of the case using online-based videoconferencing solution.

Ministry of Justice discusses the conditions of organization of work of courts, their compliance with the restrictions imposed in the State with the chairpersons of courts.

Working Group on Strengthening the Efficiency of the Judiciary

On 15 June 2021, in order to achieve the goals, set out in the Judicial Council's operational strategy,¹³ the Judicial Council set up a working group. On 22 October 2021, the Judicial Council heard and took note of the action plan developed by the Working Group for Strengthening the Efficiency of the Judiciary established in June.

The Working Group has identified four priority areas for action:

- *Balancing the workload of judges in Latvia;*
- *Optimal and efficient organization of personnel in the court system;*
- *Ensuring the quality of judgements;*
- *Organization of court work.*

The Working Group will continue its work by organizing the implementation of the action plan, and will inform the Judicial Council of the problems and actions that need to be addressed.

II. ANTI-CORRUPTION FRAMEWORK

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

18. 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 authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable).

As of 31 December 2021, 142 of 161 positions in Corruption Prevention and Combating Bureau (hereinafter – KNAB) were filled (19 vacant positions remain). KNAB employs 55 men, and

¹³ [Strategy of the Judicial Council 2021-2025_EN.docx \(live.com\)](#)

87 women. In 2021, 11 persons began their service, and 5 persons terminated their service in KNAB.

On cooperation with OLAF: as of 2020 KNAB has been cooperating with OLAF on a specific criminal proceeding, in which KNAB requires support extracting a large amount of data from electronic devices and analysis thereof. In 2021 OLAF drew up an extensive report, analysing the transactions between multiple businesses. In 2020, five reports were drawn up. A videoconference between OLAF and KNAB takes place regularly (at least once every two months) on the progress of the case and work performed by both sides. In general - KNAB provides OLAF any required information on request.

On cooperation with EPPO: cooperation with EPPO is carried out when necessary – participation in investigation groups, exchange of information, etc. No specific measures have been currently implemented to regulate cooperation procedures with either organization.

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

Pursuant to Section 2(2) of the Law on Corruption Prevention and Combating Bureau – KNAB is under supervision of the Cabinet of Ministers. The Cabinet of Ministers shall implement the institutional supervision with the intermediation of the Prime Minister. Supervision shall include the right of the Prime Minister to inspect the rule of law of administrative decisions taken by the Head of KNAB and withdraw unlawful decisions, and also, upon detecting unlawful failure to act, issue an order to take a decision. The right of the Cabinet of Ministers to implement supervision shall not apply to the decisions taken by KNAB in fulfilling the functions referred to in Sections 7 (Functions of the Bureau to Prevent Corruption), 8 (Functions of the Bureau in Combating Corruption), 9 (Functions of the Bureau in Controlling Fulfilment of Financing Regulations by Political Organisations (Parties) and Associations Thereof), and 9¹ (Functions of the Bureau in Controlling a Pre-election Campaign) of this Law.”¹⁴

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

The draft Corruption Prevention and Combating Action plan 2021-2024 (hereinafter - Action Plan) was submitted for consideration at the 1 July 2021 meeting of the State Secretaries and it is the successor to the Guidelines for the Corruption Prevention and Combating 2015-2020. The Action Plan has not yet been adopted.

The Action Plan is organized to achieve 5 goals: (1) ensure human resources management, eliminating corruptive motivation; (2) improve the internal anti-corruption control system; (3) reduce tolerance of corruption in society; (4) ensure the inevitability of punishment for law violations; (5) limit the power of money in politics. The Action Plan currently determines responsible institutions and the respective deadlines for the implementation of the currently envisaged 71 tasks contained therein.

It continues the implementation of those guidelines while also incorporating new measures to reach the overarching goal of ensuring the reliable/ trustworthy operation of any institution or organisation in Latvia in accordance with the principles of good governance of institutions and efficient management of human resources. The Action Plan does not duplicate measures and tasks contained in the policy planning documents of other institutions. The implementation of the Action Plan will impact all of Latvian society, which will benefit from the effective prevention and combating of corruption, control over the implementation of financing regulations of political organisations (parties) and associations thereof, as well as pre-election campaign control.

¹⁴ <https://likumi.lv/ta/en/en/id/61679-law-on-corruption-prevention-and-combating-bureau> (official English translation)

B. Prevention

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

In addition to the information provided in the 2021 report:

In 2021, KNAB experts conducted 82 educational events for over 10 000 total participants of the public and private sector, most commonly educating, public officials on, inter alia, prevention of conflicts of interest, professional ethics and fundamental corruption prevention issues.

On 2 June 2020, KNAB published an information report “*On the Assessment of Internal Anti-corruption control systems in institutions of public persons*”,¹⁵ finding that in the reporting period (2017-2019) an anti-corruption action plan had been developed in 1650 out of 2077 reviewed institutions (including state and municipal owned enterprises). However, based on the data provided by institutions, it was found that identification of corruption risks is often formal. It was concluded that there is a need to further strengthen the education of institutions of public persons on prevention of corruption and conflict of interest, to support the development and improvement of internal anti-corruption control systems, as well as to conduct more in-depth analyses of already developed plans, and providing improvement suggestions thereto.

22. General transparency of public decision-making (e.g. public access to information, including possible obstacles related to the classification of information, transparency authorities where they exist, and framework rules on lobbying including the transparency of lobbying, asset disclosure rules, gifts and transparency of political party financing)

In addition to the information provided in the 2021 report:

On 7 September 2021, new Cabinet Regulation No.606 “Rules of Procedures of the Cabinet of Ministers”¹⁶ entered into force, which, inter alia, moves the drafting and harmonization of laws and regulations online to the Single Portal for Drafting and Harmonizing Legislation (“TAP portal”), which ensures not only a more transparent, modern and faster circulation of documents, but also greater opportunities for public participation in the legislative process.

The new TAP portal functions as an informational database on pending and passed governmental decisions, providing unified and easy electronic access to all draft laws and regulations, their content, progress, stakeholder and public opinions thereon, etc., thus making the legislative drafting process transparent and easily accessible to anyone. The TAP portal also provides a technical solution to various forms of public participation – surveys, discussions, advisory councils, working groups, opinions.

23. Rules and measures to prevent conflict of interests in the public sector. Please specify the scope of their application (e.g. categories of officials concerned)

In addition to the information provided in the 2021 report:

The Saeima has adopted amendments¹⁷ to the Law on Prevention of Conflict of Interest in Activities of Public Officials, ensuring that political officials obtain a superior’s written permission for the exercise of auxiliary jobs. This applies to advisors to the President, advisors, consultants and assistants, as well as heads of the Offices of the Prime Minister, Deputy Prime Minister, Ministers, and Ministers for Special Assignments, who already have the status of a public official, and are subject to restrictions of combining offices, thus implementing the GRECO Fifth Evaluation Round recommendation to ensure that all political officials (except

¹⁵ <https://www.knab.gov.lv/lv/media/1511/download> (only available in Latvian)

¹⁶ <https://likumi.lv/ta/id/325944-ministru-kabineta-kartibas-rullis> (only available in Latvian)

¹⁷ <https://likumi.lv/ta/id/324268-grozijumi-likuma-par-interesu-konflikta-noversanu-valsts-amatpersonu-darbiba-> (only available in Latvian)

members of the Cabinet of Ministers and Parliamentary secretaries) obtain a superior's written permission for the exercise of auxiliary jobs.

24. Measures in place to ensure whistle-blower protection and encourage reporting of corruption.

In addition to the information provided in the 2021 report:

Total whistle-blower reports received by KNAB in 2021

Alleged offence	No.
Failure to act, neglect, using official position in bad faith by public officials	8
Conflict of interest	12
Bribery	5
Squandering of the financial resources of a public person	10
Fraud	10
Violations of financing of political parties	1
Tax evasion	2
Violations in public procurements	6
Other	9
Total	63

Reports recognized as whistle-blower reports by KNAB in 2021

Alleged offence	No.
Conflict of interest	7
Failure to act, neglect, using official position in bad faith by public officials	1
Fraud, forging documents	2
Failure to act by public officials	1
Bribery	3
Squandering of the financial resources of a public person	7
Trading with influence	1
Total	22

Please note that a more comprehensive breakdown of whistle-blower reports on a national level is in the competence of the State Chancellery, however such statistics for the previous year are totalled in January-February, and cannot be reported at the time of writing. Data on 2020 whistle-blower report breakdown was submitted during the previous Rule of Law reporting period.

A new Whistleblowing Law¹⁸ has been adopted, transposing *Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union Law*. Saeima adopted the Law on 20 January 2022. The new Law

¹⁸ [https://titania.saeima.lv/LJVS13/saeimalivs13.nsf/webAll?SearchView&Query=\(%5bTitle%5d=*trauksme*\)&SearchMax=0&SearchOrder=4](https://titania.saeima.lv/LJVS13/saeimalivs13.nsf/webAll?SearchView&Query=(%5bTitle%5d=*trauksme*)&SearchMax=0&SearchOrder=4) (only available in Latvian)

also expands the previous list of especially encouraged list of reportable issues (Section 3 of the pervious Whistleblowing Law¹⁹) from 15 to 22.

The State Chancellery conducted its second social campaign in December 2020-January 2021, explaining the nature, system and possibilities of whistleblowing, which allows any employee to prevent injustices that affect the well-being and growth of society.

Additionally, the State Chancellery conducted a three-webinar cycle on various whistleblowing issues:

On 3 December 2021 – Results of whistleblowing report examinations, reports in the competence of multiple institutions, internal whistleblowing – trust and encouragement.

On 21 October 2021 – Signs of whistleblowing, recognizing whistle-blower reports and effective examination thereof.

On 24 October 2021 – Whistleblowing – is protection guaranteed?

25. List the sectors with high-risks of corruption in your Member State and list the relevant measures taken/ envisaged for monitoring and preventing corruption and conflict of interest in these sectors. (e.g. public procurement, healthcare, citizen investor schemes, risk or cases of corruption linked to the disbursement of EU funds, other).

In addition to the information provided in the 2021 report:

Taking into account that corruption is a latent crime, in 2021 KNAB applied for development of a project on national corruption risk assessment methodology with the Directorate-General for Structural Reform Support (DG REFORM). The project is currently still in its early phases and no noteworthy progress can be reported as of yet.

26. Measures taken to assess and address corruption risks in the context of the Covid-19 pandemic.

In addition to the information provided in the 2021 report:

KNAB has drafted and sent an informative letter to the Ministry of Health, National Health Service and Health Inspection detailing the illegal activities, anomalies and characteristics identified in the Covid-19 vaccination process established in the criminal proceedings investigated by KNAB, and has put forth suggestions to mitigate the identified risks. As regards the procurement of vaccines and other medical supplies, KNAB monitors publicly available information to assess the risks of corruption and conflicts of interest. No criminal proceedings have been initiated at this stage. (Note that investigation of the majority of criminal proceedings related to fake Covid-19 vaccination issues is in the competence of the State Police).

On 11 November 2021, the Saeima adopted amendments²⁰ to the Criminal Law, adding Sections 275² (*Obtaining and storing a forged interoperable certificate*) and 275³ (*Exemption from criminal liability of the holder, custodian and user of a forged interoperable certificate*), specifically criminalising the acquisition of forged Covid-19 vaccination, testing or recovery certificates, as well as providing an exemption if the person voluntarily reports such actions post-factum and actively facilitates the detection and investigation of the criminal offence. The amendments entered into force on 14 November 2021.

KNAB Deputy Director for Investigation Matters conducted an educational webinar for healthcare specialists on 30 September 2021 on the course of action in case of receiving an offer to fake vaccination records (not accepting the offer outright, but outwardly stalling the decision, noting the contact information of the offering person and contacting KNAB or the State Police for further instructions).

¹⁹ <https://likumi.lv/ta/en/en/id/302465-whistleblowing-law>

²⁰ <https://likumi.lv/ta/id/327645-grozijumi-kriminallikuma> (only available in Latvian)

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

In addition to the information provided in the 2021 report:

As part of a social campaign by KNAB, a special object – the corruption iceberg – was placed on the Daugava river in Riga. It symbolized a small visible part of the iceberg of corruption, concealing below it a wide range of negative effects on both the actors involved in corruption and society as a whole.

Support for implementation of the social campaign was received from the EEA Grants 2014-2021 programme “International Police Cooperation and Combating Crime”. The campaign was implemented within the framework of the “Support for the establishment of a whistle-blowing system in Latvia” project, where KNAB receives grants from EEA Grants. The aim of the project is to promote public involvement in reporting corruption and other latent crimes, while providing the public with a safe and convenient reporting channel, as well as improving KNAB's competence in detecting corruptive offences.

The Organization for Economic Co-operation and Development Working Group on Bribery in International Business Transactions (OECD WGB) in October 2021 has also acknowledged Latvia's significant progress in implementing the recommendations of the Phase 3 evaluation, achieving and demonstrating clear results in the successful investigation and follow-up of criminal proceedings on bribery of foreign officials. Latvia has fully or partially complied with 35 of the 44 recommendations of the OECD WGB.²¹

C. Repressive measures

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

In addition to the information provided in the 2021 report:

On 5 August 2021, amendment to Section 317, 318 and 319 of the Criminal Law entered into force. Previously these Sections contained the qualifying criteria of “substantial harm has been caused thereby to the State authority, administrative order or the interests of a person protected by law.” Similarly, Section 23 of the Law on the Procedures for the Coming into Force and Application of the Criminal Law (hereinafter - PKLS)²² also regulates what is considered substantial harm. It therefore caused procedural problems that substantial harm was defined in Sections of both Laws, causing issues in interpretation and practical application of “substantial harm to the State authority or administrative order,” as well as the interpretation of substantial harm unrelated to material damages and merely characterised by substantial threat to other interests.

The amendments to the dispositions of Section 317(1), 318(1) and 319(1) deleted “to the State authority, administrative order or the interests of a person protected by law.” This ensures that future classification of criminal offences in accordance with sections 317, 318 and 319 of the Criminal Law in regards to the substantial harm criteria will be carried out pursuant to the definition contained in PKLS.

Amendments²³ to the Criminal Law removing Section 322 (Intermediation in Bribery) are being prepared for the 2nd reading of Saeima. This is substantiated by the fact that intermediation in bribery takes the form of giving a direct bribe, offer or promise of a bribe, on the orders of the bribe giver or receiver. If a person performs other actions in addition to transferring the bribe, e.g., the matching of the bribe giver and receiver, participation in negotiating the bribe, ensuring favourable conditions for the bribe, carrying out organizational activities, etc., their actions are

²¹ <https://www.oecd.org/corruption/Latvia-phase-3-follow-up-report-en.pdf>

²² <https://likumi.lv/ta/en/en/id/50539-on-the-procedures-for-the-coming-into-force-and-application-of-the-criminal-law>

²³ 1230/Lp13 <https://titania.saeima.lv/LIVS13/saeimalivs13.nsf/0/55074885EDD3472FC225878B0043EE41?OpenDocument> (only available in Latvian)

classified as abetting in bribe giving or receiving. It can therefore be concluded that Section 322 of the Criminal Law provides criminal liability only for the direct transfer of a bribe, which is in essence bribery or abetting bribery, which would be punishable by Section 20 (Joint participation) and respective subsection of Sections 320 (Accepting bribes) or 323 (Giving of bribes) of the Criminal Law, depending on the whose interests the intermediary is acting in.

Furthermore, Section 322 of the Criminal Law has over time lost its meaning, as, according to international recommendations, the person giving a bribe as well as the intermediary are both involved in the same criminal offence, and the resulting damages caused thereby are to be considered equivalent.

Additionally, amendments²⁴ to the PKLS are being prepared for the second reading of Saeima.

OECD 21 November 1997 Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (hereinafter – Convention) Article 1(1) states that “*Each Party shall take such measures as may be necessary to establish that it is a criminal offence under its law for any person intentionally to offer, promise or give any undue pecuniary or other advantage, whether directly or through intermediaries, to a foreign public official, for that official or for a third party, in order that the official act or refrain from acting in relation to the performance of official duties, in order to obtain or retain business or other improper advantage in the conduct of international business.*”

The OECD had significant concerns, however, that the requirement of direct intent as defined in Latvian law would exclude many cases of foreign bribery from the offence, as there had been no such cases in Latvia, in the framework of which, in the presence of circumstantial evidence, the existence of direct intent in criminal offenses had been proven.

The purpose of the amendments is to clarify one of the types of bribery intermediation, thus implementing OECD Phase 2 Report for Latvia²⁵ recommendation 13(a) – that “*the requirement of direct intent as defined in Latvian law is consistent with Article 1 of the Convention (Convention Article 1).*” The amendments therefore supplement the PKLS with Section 19³, which explains one of the intermediations in bribery types, stipulating that bribery through an intermediary within the meaning of Criminal Law Section 323 also includes acts when a person, by entrusting a material value, property or other benefit to an intermediary, has knowingly permitted the intermediary to commit bribery. In that case, it is irrelevant whether the intermediary is designated as the specific official to whom the bribe is intended and under what circumstances and to what extent the bribe is to be transferred.

Therefore, if the condition of intermediation in bribery provided in Section 19³ of the PKLS is met, a person will be held criminally liable under Criminal Law Section 323 (Giving of Bribes) for giving of bribes through an intermediary, while their intermediary will be held criminally liable under Section 323 of the Criminal Law for giving of bribes. On the other hand, if the intermediary does not bribe (or it is not proved) under the conditions of PKLS Section 19³, the person shall still be held criminally liable under Criminal Law Section 323 for giving of bribes. It must be noted that the basic composition of giving of bribes provided for in the Criminal Law Section 323(1) has been completed regardless of whether the bribe or its offer or promise has been accepted by a public official.

29. Data on investigation and application of sanctions for corruption offences, including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds.

Data on cases (corruption offences, including for legal persons and high level and complex corruption cases) investigated by KNAB and adjudicated in the 2019-2021 period.

²⁴1231/Lp13 [https://titania.saeima.lv/LIVS13/SaeimaLIVS13.nsf/webAll?SearchView&Query=\(\[NumberTxt\]=1231/Lp13\)&SearchMax=0&SearchOrder=4](https://titania.saeima.lv/LIVS13/SaeimaLIVS13.nsf/webAll?SearchView&Query=([NumberTxt]=1231/Lp13)&SearchMax=0&SearchOrder=4)

²⁵ <https://www.oecd.org/daf/anti-bribery/Latvia-Phase-2-Report-ENG.pdf>

In 2019, in Latvenergo (state-owned electric utility company in Latvia, generating ~70% of the country's electricity) bribery case, the court sentenced former Vice-President to 4 years 6 months of imprisonment and additional prohibition to hold certain posts, 3 years 6 month of imprisonment to former Production Director, and 3 years 6 months to Head of Energy Consulting.

In 2019, an entrepreneur agreed with the prosecutor on a penal order, receiving a EUR 77 400 fine for illegal funding of political parties.

In 2019, a director of a company was sentenced to 3 years 1 month of imprisonment for bribery of a KNAB employee.

In 2020, former Head of the Riga Central Market was fined EUR 13 330 for accepting bribes.

In 2020, legal person AS "Latvijas Tilti" (construction company) agreed with the prosecutor on a penal order, receiving a EUR 77 400 fine for bribery of a foreign public official.

In 2020, a company owner agreed with the prosecutor on a penal order, receiving EUR 141 900 fine for attempted bribery of Central Finance and Contracting Agency (CFLA) employees for a favourable decision in distribution of EU funds. Intermediary promising to transfer the bribe (which was not transferred, but appropriated) to the appropriate CFLA, employee agreed with the prosecutor on a penal order, receiving a EUR 40 850 fine.

In 2021, a former prosecutor was sentenced to 4 years of imprisonment and confiscation of property (for extortion of a briber to terminate a case), and entrepreneur was sentenced to 2 years 8 months of imprisonment.

In 2021, a former insolvency administrator was fined EUR 16 500 for misappropriation of funds recovered in an insolvency procedure.

In 2021, a company employee agreed with the prosecutor on a penal order, receiving a EUR 12 000 fine for misappropriation of a bribe intended for a member of the Riga City Council.

Additionally, in 2020 KNAB sent for prosecution cases against 2 legal persons, and against 4 legal persons in 2021.

31. Information on effectiveness of administrative measures and sanctions, in particular recovery measures and administrative sanctions on both public and private offenders.

In 2021, KNAB Division for Investigation of Administrative Violations initiated 410 departmental investigations, and concluded a total of 419 departmental investigations. Examining the submissions and complaints on alleged actions of public officials in conflict of interest situations, KNAB also used information in the declarations of these public officials to establish whether the restrictions, prohibition and duties of the Law on Prevention of Conflict of Interest in Activities of Public Officials had been observed. In total, 581 public officials were examined, assessing the information of 787 declarations of public officials.

KNAB initiated 265 administrative violation proceedings for the violation of the provision of the Law on Prevention of Conflict of Interest in Activities of Public Officials, 256 decisions were taken, and 56 decisions on refusal to initiate administrative proceedings were taken.

In 2021, KNAB, resulting from the aforementioned decisions taken, imposed fines on 222 public officials, for a total of EUR 40 365. Whereas 20 public officials were issued an oral admonishment. In 14 cases the administrative proceedings were terminated due to the establishment of circumstances excluding administrative liability.

Based on the aforementioned decisions taken by KNAB, 215 public officials paid to the State budget administrative fines for a total of EUR 37 345. KNAB took 21 decision requesting to repay losses to the State budget in the amount of EUR 29 506.57 for violations of the Law on Prevention of Conflict of Interest in Activities of Public Officials.

As regards the examination of submissions and complaints related to alleged political party financing and pre-election campaigning restrictions, KNAB initiated 515 departmental examinations, and by the end of 2021 had completed 459 departmental examinations.

KNAB initiated 118 administrative violation proceedings for violations of the Law on Financing of Political Organisations (Parties) and Pre-election Campaign Law in 2021, against political parties and other legal and natural persons, taking a total of 108 decisions. As a result of the investigations, KNAB took 71 decisions against political parties, legal and natural persons for the established violations, imposing a total of EUR 16 890 in fines, and 6 decisions on the repayment of financial resources to the State budget for a total of EUR 18 112.72.

In 2021, political organizations (parties) and other legal and natural persons, pursuant to the decisions of KNAB, repaid to the State budget unlawfully acquired funding for a total of EUR 94 602.02, as well as voluntarily repaid a total of EUR 1 230.02, and a total of EUR 12 475 in fines.

III. MEDIA FREEDOM AND PLURALISM

A. Media authorities and bodies

32. Measures taken to ensure the independence, enforcement powers and adequacy of resources of media regulatory authorities and bodies

In addition to the information provided in the 2021 report:

To ensure the independence and promotion of quality of public electronic media as required by the Law on Public Electronic Mass Media and their Management²⁶ (adopted in December 2020), two new independent authorities were established - the Public Electronic Mass Media Council whose three members were approved by Saeima in August 2021, and the Public Electronic Mass Media Ombudsperson, approved in December 2021.

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

As foreseen by the Law on Public Electronic Mass Media and their Management, the editors-in-chief of the public electronic media are approved by the Public Electronic Media Council for a term of five years. The editors-in-chief of Latvian Television and Latvian Radio were approved in January 2022.

C. Framework for journalists' protection

38. Rules and practices guaranteeing journalist's independence and safety

In addition to the information provided in the 2021 report:

In light of the Commission's Recommendation on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union, at the end of 2021, Latvia began a mapping exercise to determine which institutions are or would be responsible for the various recommended actions. This will be followed by an analysis of what is already in place and what actions still need to be taken.

Covid-19

The Latvian Government allocated around 3,2 million EUR to the media sector in 2021 to address the impact of the Covid-19 pandemic on the media. Funds were allocated for covering

²⁶ <https://likumi.lv/ta/id/319096-sabiedrisko-elektronisko-plassazinas-lidzeklu-un-to-parvaldibas-likums>

fixed costs and for content creation projects, including analytical and investigative journalism projects.²⁷

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

A. The process for preparing and enacting laws

45. Covid-19: provide update on significant developments with regard to emergency regimes in the context of the Covid-19 pandemic

- ***judicial review (including constitutional review) of emergency regimes and measures in the context of Covid-19 pandemic***
- ***oversight (incl. ex-post reporting/investigation) by Parliament of emergency regimes and measures in the context of Covid-19 pandemic***

In order to stop the rapid spread of Covid-19 infection and the overloading of the health sector and to reduce the preventable mortality, concurrently ensuring the continuity of important State functions and services the Cabinet of Ministers on 9 October 2021 adopted order No. 720 “Regarding Declaration of the Emergency Situation”.

The Cabinet of Ministers on 28 September 2021 has also adopted Regulation No. 662 “Epidemiological Safety Measures for the Containment of the Spread of Covid-19 Infection” which replaced the existing Regulation of the Cabinet of Ministers No. 360 adopted on 9 June 2020 “Epidemiological Safety Measures for the Containment of the Spread of Covid-19 Infection”.

These are just some of the key regulations issued in the context of the Covid-19 pandemic. There is a necessity for regulations to be adapted rapidly in the light of the specific and current epidemiological situation and social developments in the country.

It should be noted, that all regulations related to Covid-19 are available in national legal acts online portal <https://likumi.lv/> in the section “Covid-19” (including the above-mentioned regulatory enactments translated into English, thus available for in-depth research).

Since the declaration of a state of emergency in the spring of 2020 until January 2022, 85 applications related to Covid-19 restrictions have been received in the Constitutional Court. 84 applications were constitutional complaints, three of which were collective applications. In turn, one application was received from the municipal council regarding the procedure by which the state provides a loan to local governments during an emergency situation²⁸ (*more information on the mentioned applications can be found on the website of the Constitutional Court*).

C. Accessibility and judicial review of administrative decisions

On 11 March 2021 Anita Rodiņa was confirmed as a judge of the Constitutional Court and took office on 20 April 2021. The term of office of judge of the Constitutional Court Sanita Osipova has expired in August 2021, Saeima confirmed Irēna Kucina as a judge of the Constitutional Court.

D. The enabling framework for civil society

51. Measures regarding the framework for civil society organisations:

²⁷ <https://www.sif.gov.lv/lv/jaunums/izsludinats-mediju-atbalsta-fonda-konkurss-Covid-19-negativo-seku-mazinasanai>

²⁸ <https://www.satv.tiesa.gov.lv/press-release/informacija-par-satversmes-tiesa-sanemtajiem-pieteikumiem-un-ierosinatajam-lietam-par-covid-19-ierobezojumiem-aktualizets-09-02-2021/>

On 5 February 2021, Guidelines for the development of a cohesive and active civil society 2021-2027 were adopted. The Guidelines were developed in close cooperation with NGOs and social partners as well as a discussion document was developed for consultations with the society of Latvia and two discussion cycles were organized in the regions of Latvia, with a total of at least 500 participants. The opinions and suggestions received in the discussions were a part of the development of the Guidelines.

There are three directions in the Guidelines: National Identity and Belonging, Democracy Culture and Inclusive Citizenship, and Integration. Throughout the Guidelines thematic, cross-cutting priorities are included: national identity, Latvian language, trust, solidarity, and cooperation.

The new policy is based on the involvement of citizens in policy planning and dialogue with civil society.

The Ministry of Culture, the Ministry of Education and Science, the Ministry of Foreign Affairs, the Ministry of Welfare, the Ministry of the Environment and Regional Development, the Ministry of the Interior, the Ministry of Defense, the State Chancellery, the Society Integration Fund, and non-governmental organizations are involved in the implementation of the guidelines.

In 2021, Ministry of Culture continued the close cooperation with NGOs working on the Implementation Plan of the Guidelines for the development of a cohesive and active civil society for 2022-2023.

The delegated institution of the Asylum, Migration and Integration Fund (2014-2020) in the field of integration is the Ministry of Culture. In summer of 2021 Ministry of Culture organized discussions with partners from NGOs who are implementing projects within the fund. Migrants and NGOs representing them, as well as the Ombudsman of Latvia and representatives of the UNHCR also were involved in the planning process and took part in these discussions. Discussions were aimed at finding out which activities should be continued and what modifications to the existing activities should be made for the period from 2021-2027.

52. Rules and practices guaranteeing the effective operation of civil society organisations and rights defenders:

Approval of the Guidelines for the development of a cohesive and active civil society 2021-2027 ensure financial support for the development of civil society. One of the largest state aid programs for support of civil society is the program “NGO Fund” operated by the public institution Society Integration Foundation. The aim of the “NGO Fund” is to support NGOs, thus strengthening the sustainable development of civil society and democracy in Latvia and it has been operating in Latvia since 2015.

In 2021, Society Integration Foundation announced several calls for project proposals to strengthen the NGOs during the Covid-19 pandemic. Within the program “Support to the NGOs to mitigate the negative effects of the Covid-19 crisis” state funding of 564 000 *euros* was available for NGOs who implemented activities to mitigate the consequences of the Covid-19 crisis in all regions of Latvia (activities which were implemented in addition to the activities performed by state and local government institutions). Within the program “Support for NGOs for informing the public about vaccination against Covid-19” state funding of 396 000 *euros* was available for NGOs to provide support to their activities which are implemented in addition to the activities performed by state and local government institutions, to promote the vaccination process in all regions of Latvia.