

Input of Latvia for European Rule of Law Mechanism

I. Justice System

1. Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the justice system (if applicable)

Recommendation: *Initiate a process in view of ensuring adequate safeguards against undue political influence in the appointment of Supreme Court judges, taking into account European standards on judicial appointments.*

The selection of candidates for the office of district (city) court and regional court judges is carried out by representatives of the judiciary, in accordance with a selection procedure which provides for strict criteria set by the representatives of the judicial authorities themselves, which must be met by a highly qualified lawyer in order to become a judge or, as regards the suitability of candidates for office of judges of the Supreme court, the Department of the Supreme Court provides the opinion on the suitability of the candidate for judges of the supreme court.

The Procedures for the Appointment and Approval of Judges laid down in the Law “On Judicial Power” are compliant with Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities¹ for the appointment of judges in general. According to this Recommendation, where the constitutional or other legal provisions prescribe that the head of state, the government or the legislative power take decisions concerning the selection and career of judges, an independent and competent authority drawn in substantial part from the judiciary should be authorised to make recommendations or express opinions which the relevant appointing authority follows in practice.

Law “On Judicial Power” Section 61 provides, that judges of the Supreme Court, upon a proposal of the President of the Supreme Court, shall be approved in office by the Saeima for an unlimited term of office. Decision of the Saeima not to confirm the former President of the Constitutional Court, S. Osipova, as a judge of the Supreme Court, was an exceptional case followed by strict condemnation and does not indicate systemic problems in the procedure for appointing or confirming judges. Among before mentioned, it should be noted that election of the parliament held place in October 2022. The new parliament already approved two candidates of Supreme court judges proposed by president of Supreme court without any coincidence.

On the 14 December 2022, parliament gave a vote of confidence to the new Cabinet of Ministers. Main priority declared by newly appointed Minister of Justice Inese Lībiņa-Egnere is enhancing the independence of the justice system (especially, greater independence of the courts on budget and personnel-related topics) – so that every person is confident the justice system is accessible, trustworthy, and that verdicts will

¹ Recommendation CM/Rec(2010)12 of the Committee of Ministers to member states on judges: independence, efficiency and responsibilities (Adopted by the Committee of Ministers on 17 November 2010 at the 1098th meeting of the Ministers' Deputies), 47.p. https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805afb78

be fair and will be executed in full. Thus, the recommendation will be taken on board in the following period.

A. Independence

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

Amendments for improvement of the procedure for selecting candidates for the judicial positions at district (city) courts and regional courts.

On June 20, 2022, the Judicial Council adopted Amendments to the procedure for selecting candidates for the judicial positions at district (city) courts and regional courts **in order to improve the work of the selection committee and ensure the continuity of its work.** The beforementioned amendments provide that if a member of the selection committee is transferred to a court of another level or changes specialization, his or her powers remain until the appointment of a new member of the committee.

On November 28, 2022, the Judicial Council adopted another Amendments to the procedure for selecting candidates for the judicial positions at district (city) courts and regional courts. The amendments provide that henceforth:

- the competition for the position of district (city) court and regional court judge will be announced on the first working day of September of the calendar year, unless the Judicial Council decides otherwise;
- the term of office of members of the selection commission shall be four years instead of the previous three years, in order to align the regulation with the term of office of self-governing institutions and members of the Judicial Council;
- the status of a member of the selection commission shall not be compatible with the performance of the duties of a member of the Judges Qualification Board;
- a person with advisory rights, namely the chair of the Judicial Council or an authorized representative, will also be able to participate in the selection examination;
- the development of the examination and a casus to be solved will be carried out by the Division of Case-Law and Research of the Supreme Court;
- prior to competency interview, the applicant will be given a summary of the specialist's assessment and the assessment of compliance with the set criteria.

Renewed the Rules of Procedure of the Judicial Qualification Committee

On 25 February 2022, the Judicial Council approved a new version of the Rules of Procedure of the Judicial Qualification Committee, regulating the work of the beforementioned Committee in accordance with the new procedure for the selection of candidates for the office of a judge, as well as taking into account the indications of the

Disciplinary Court on the need for clear criteria for the evaluation and transfer of judges to the office of a regional court judge.

The new Rules of Procedure:

- establish a uniform procedure and introduce criteria for an opinion of the committee on the suitability of a judge to fill duties in a regional court, both for a permanent vacancy and for a vacancy during temporary absence;
- set monitoring on lengthy court proceedings as a part of professional performance evaluation process of the judge, etc.

On June 20, 2022, the Judicial Council adopted additional amendments for case if a member of the Judicial Qualification Committee is transferred to a court or changes his or her specialisation. According to the amendments in that case his or her term of office shall remain until a new member of the committee is elected.

Rules for appointment and selection of prosecutors are set forth in Chapter Four “Prosecutors” of the Office of the Prosecutor Law². During the year 2022, no changes/amendments of the law have been made regarding the appointment and selection procedures.

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

No changes.

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

No changes/amendments of the regulations of the promotion of judges or prosecutors have been made in 2022.

5. Allocation of cases in courts

No changes.

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

No changes.

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

² <https://likumi.lv/ta/en/en/id/57276>

No changes regarding judges.

Regarding the prosecutors, the topic is covered by Section 6 (Independence of a Prosecutor), Section 7 (Immunity of the prosecutor), Sections 43-45 (disciplinary liability) of the Office of the Prosecutor Law, and no changes of the rules have been made in 2022.

Code of Ethics

On December 9, 2021, the newly developed Code of Ethics for Prosecutors has been signed.

It has been developed in cooperation with the civil society organization "Society for Openness - Delna", also inviting foreign experts from Germany, the Netherlands, the United States of America and Estonia.

The new Code of Ethics for Prosecutors clearly defines the standards of ethical and professional behaviour of Latvian prosecutors and has been developed taking into account the current international practice – recommendations of international experts.

Thus, during the year 2022, additional topics have been included in the training/educational activities for prosecutors to promote awareness on the new regulation.

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

The remuneration of judges is laid down in the Law on Remuneration of Officials and Employees of State and Local Government Authorities. The monthly salary of judges is tied to changes in economic indicators in the country (average wages and salaries of officials (employees) and inflation). In 2022, the monthly salary of a judge of the first instance increased by 95 euros, and the monthly salary of an appellate judge – by 114 euros, which is 1.03 percent compared to the previous year. Accordingly, the supplement to judges for service, which is set at 5 and 10 percent of the established monthly salary, and other benefits specified in the Law on Remuneration of Employees of State and Local Government Institutions and benefits established as a percentage of the monthly salary also increased.

On January 1, 2022, amendments to the Law on Retirement Pensions for Judges entered into force (approved by the Saeima on November 25, 2021), which envisage improvement of the regulation regarding the calculation of the length of service of a judge and the possibility to retire earlier. The amendments stipulate that the length of service of a judge includes all the time worked as a sworn advocate or an academic staff of the university (so far only more than 10 years have been included). The new regulation ensures an understandable and clear calculation of the length of service of judges, as well as promote the interest of sworn advocates and teachers in career development by applying for the position of a judge. It is also envisaged that the length of service of a judge includes the time spent as a judge of an international court. Amendments to the law 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. Until

now, a judge has been allowed to retire only after reaching the general retirement age set by the state, but this amendment gives special consideration to those judges who have served as judges for 30 consecutive years. This means that they are able to retire slightly earlier than the national retirement age.

Information on the most recent changes regarding remuneration for prosecutors (effective as of 1 July 2022) has been provided in the input for the previous Rule of Law Report.

9. Independence/autonomy of the prosecution service

Topic is covered by Sections 6 and 7 of the Office of the Prosecutor Law, and it has not been changed in 2022.

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

The independence of the Bar is stated in Advocacy Law of the Republic of Latvia. According to Law section 18 *‘The Latvian Collegium of Sworn Advocates is an independent professional corporation of Latvian sworn advocates which unites all sworn advocates practising in Latvia.’*

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

No changes.

B. Quality of justice

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

No changes.

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

In 2022, within the framework of the digitization of the judicial process, investments have been made in the improvement of videoconferencing and hardware infrastructure, the creation of a stable internet connection for litigants and other participants, the purchase of material and technical equipment for courtrooms for displaying the case files during the hearing, the improvement and development of information system’s software and E-evidence (E - CODEX) for the maintenance of the platform.

In 2022, all judicial institutions were provided with various protective equipment to contain the Covid-19 pandemic – face masks, hand and surface disinfectants.

It can also be mentioned that from 2022 onwards, additional funding has been allocated to: increase the amount of the judges’ leave allowance to 50 per cent of the monthly salary; to strengthen the competences of judges and court staff; to continue to introduce security systems in the courts; to provide judicial premises that meet the standards of modern buildings; as well as to implement and ensure other priorities.

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

End of the implementation of the project “Justice for Growth”.

From 2016 to the end of 2022, the Latvian authorities implemented project “Justice for Growth”. It was funded by the European Social Fund and ensured that large scale capacity building and reform activities were implemented in the justice and law enforcement sectors.

Since 2016, more than 80 training areas and 1000 training events have been developed and organized. Number of the events were held in cooperation with European Law Academy and were focused on EU law. 80 conferences have been held reflecting the priorities of the judicial system.

More than 21000 representatives of legal professions - judges, court staff, forensic experts, prosecutors, investigators, policy makers, policy implementers, participated in the project events.

In line with training events, the overall assessment of Latvian justice system was conducted within the project from 2017 to 2018 in cooperation with international partners, such as Council of Europe CEPEJ, OECD and IMF:

- The report of the Council of Europe CEPEJ reflected the efficiency and quality according to the CEPEJ standards and served as the basis to plan the development of Latvian justice system and strengthen access to court in the long term.
- The OECD assessment highlighted the strengths and challenges of Latvian justice system from the user -centricity perspective, the assessment of the services provided by the Ministry of Justice and commercial law framework.
- In cooperation with IMF, the insolvency law framework with the objective to ensure effective recovery was assessed.

The number of different ICT solutions were implemented in the framework of the project, improving the database for anonymized court ruling, tools to support alternative dispute resolution, such as out of court guide providing the legal advice online, and Electronic Insolvency Monitoring System. Courts and law enforcement authorities were equipped with video conferencing solutions to support remote hearings.

Academy of Justice (previous name - Judicial Training Centre)

In order to ensure the sustainability of the activities carried out within the project “Justice for Growth”, the training centre - Justice Academy - will be established by 2025, centralising the initial and continuous training for judges, prosecutors and other legal professionals.

In line with the Strategy of the European Commission on European judicial training for 2021-2024 and the conclusions of the Council of the EU on promoting the training of judicial professionals, the new Justice Academy will adopt an interdisciplinary training approach involving representatives of different legal professions.

The Cabinet of Ministers on 16 August 2022 approved the information report on the implementation of the European Union Recovery and Stability Mechanism Plan

6.2.1.3.i. Investments “Joint Development Training Centre for Judges, Judicial Employees, Prosecutors, assistant of Prosecutors and Specialised Investigators (Interdisciplinary Matters)” (Academy of Justice), which is a prerequisite for launching the Justice Academy Project.

The purpose of setting up of the Academy of Justice is cross-disciplinary issues of judges, judicial officers, prosecutors, prosecutors' assistants³ and investigators⁴, which are important for the effectiveness of judicial judgment, the maintenance of high qualifications and the continuous development thereof. By creating this educational institution, the State promotes the functioning of strong, competent, independent courts and law enforcement authorities. As a provider of continuing vocational training, the Academy of Justice will have the task of ensuring that professionals in the judicial system have the opportunity to maintain and develop specific knowledge and skills related to direct work.

On 21 November 2022, the Board of Supervisors⁵ approved the detailed description of the draft on the establishment of the Academy of Justice within the framework of the European Union Recovery Fund prepared by the Court Administration.

In order to ensure the establishment of the Academy of Justice, the following basic activities are planned within the framework of the project:

- a) adoption of the regulatory framework to ensure the functioning of the Academy of Justice (by Q1 2024);
- b) assessment of the existing situation (ex post evaluation) (scheduled to be completed by the end of 2023);

³ In a conversation organised by the Ministry of Justice and the Court Administration on 4 November 2021 with the leaders of the self-governing bodies of judges and prosecutors on the establishment of the Academy of Justice, it was agreed that, in view of the reform of the staff of the Prosecutor's Office, the possibility of including in the project other groups of prosecutors' support personnel, not only assistants of prosecutors but also advisers, lawyers, etc. could be considered. Thus, the term “assistant public prosecutor” within the framework of the project is not used within the meaning of Cabinet Regulation No. 1075 of 30 November 2010, “Catalogue of State and Local Authorities”, but applies to persons providing substantive support to prosecutors, namely not only prosecutors' assistants but also consultants, lawyers, advisers, etc.

⁴ In a conversation organised by the Ministry of Justice on 7th December 2021 with representatives of the Ministry of the Interior, the State Police and the State Police College regarding the establishment of the Academy of Justice, it was concluded that investigators, as the target groups of the Academy of Justice or the Training Centre for Investigators, cannot be distinguished by their position or specialisation. The Academy of Justice is primarily an interdisciplinary format, but other forms of involvement of the target group of investigators are not excluded. For example, training activities with no interdisciplinary composition may also be possible. Specifically, it is expected that only investigators could target these measures. In order to coordinate training programmes, both in terms of content and lecturers, and in order to avoid risks of double funding, close cooperation between, initially, the enforcement team of the Academy of Justice project and the Training Centre for investigators, and with the launch of the Academy of Justice between the Academy of Justice and the Training Centre.

⁵ The Board of Supervisors is, established by the Minister for Justice, a project supervisory body consisting of representatives of the Ministry of Justice and the Judicial Council, which takes strategic decisions regarding the implementation and direction of the draft Academy of Justice, in accordance with the priorities of the field of justice.

- c) development of training programmes (10 programmes planned) and their implementation (covered from the second half of 2023 to the first half of 2026, with up to 300 training seminars);
- d) development of a learning environment — Adaptation of premises, provision of equipment (by Q4 2024).

From the end of 2022 until the opening of the Academy of Justice in 2025, the reform of the Qualification Development System will be implemented, supported by the Recovery and Resilience Facility Fund (Project “Justice Academy”). The following activities are foreseen: at first, development of training infrastructure, regulatory framework and capacity building. Secondly, overall training needs assessment, development and piloting of the curricula.

Developing an Effective Online Dispute Resolution Concept

Building on strategic objectives and a series of technological solutions introduced previously for more effective dispute resolution, in cooperation with OECD a system-wide framework for online dispute resolution (ODR) is developed from 2022 to 2023 with the objective to strengthen access to justice at all levels. It will offer a robust approach and deepen the understanding of its key elements based on good international practices and international standards, as well as an extensive literature review. The OECD will conduct an in-depth assessment of the current practices, challenges and opportunities in ODR, and the use of digital technologies and data in the justice sector in the view of improving the user-centricity of pathways for resolving disputes in Latvia. This work benefits from the European Commission support under the TSI programme.

Administrative director department of the Prosecution Office of the Republic of Latvia has established a Project implementation and training coordination unit (PATU) that organizes and oversees the prosecutors’ needs for specialized training, including distribution and selection of participants in national and international training activities, coordination of training activities implemented by prosecutors, participation in European Judicial Training Network (EJTN) activities, CEPOL etc. PATU organizes questionnaires and meetings with Departments of the Prosecution Office to gather information about the specific training needs, oversees that the yearly training plan includes topics that are set out in action plans, Moneyval and OECD recommendations etc. In 2022 approx. 460 prosecutors have participated in various training activities.

Sworn advocates, including those whose activity has been suspended or who have been suspended, have an obligation to raise their qualification. Each sworn advocate must dedicate not less than 16 academic hours for raising of qualification during one calendar year. The Latvian Council of Sworn Advocates shall determine the procedures for raising the qualification (*Regulation of the Advocacy Law of the Republic of Latvia*)

According to internal regulations of Latvia Bar association, each member of the Bar (sworn advocate) shall count the academic hours of qualification and fill in the form of attestation. Two hours of the qualification must be in the field of Law on the Prevention of Money Laundering and Terrorism and Proliferation Financing and Law in International Sanctions and National Sanctions of the Republic of Latvia.

15. Digitalisation (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

On 23rd of March 2022, the State Platform law of Processes in an electronic environment entered into force. This law governs e-case operation frame and establishes Council of E-case monitoring. Also, four more regulations of the Cabinet of Ministers have entered into force: 1) Rules of E-case platform data processing; 2) Rules of E-case Date Archiving; 3) Regulation of Council of E-case monitoring and 4) Order of the Cabinet of Ministers on the establishment of an inter-institutional working group for the implementation and development of a unified national level e-case concept and an unified e-case architecture, as well as for the further implementation of the e-case management mechanism. Both the Council of E-Case monitoring and the inter-institutional working group started their work this year and already have made an investment in e-case development.

Digitalization of the judiciary will be continued under the Recovery and Resilience Facility. The improvement of the Court Information System (hereinafter - TIS) and the e-case platform has already been started, developing the universal interface which will allow to submit documents in civil and administrative proceedings electronically faster. E-case also gives a chance to find the solution for the digitalization of enforcement documents issued by the court thereby modernizing the circulation of enforcement documents between the court, the creditor, and the sworn bailiff. Within e-case it is planned to create new e-solutions, for example an application for videoconference to participate in the court session on the e-case portal and the development of new forms of various applications to be submitted to the court.

Work on the development of the E-case portal continued throughout the 2022. Improvements such as info icons in the electronic forms have been developed and implemented to ensure more user-friendly interface. Also, online e-service “My e-cases” functionality has been improved. This service ensures case parties accessibility to the case data and materials, thereby allowing for the effective exercise of legal rights and online access reaching digitalisation goals. From legal aid provider aspect, additional functionality has been implemented to “The sworn attorney’s workplace”– “The sworn attorney calendar” which ensures planned court hearing management more efficiently. The E-case portal has been launched in the end of 2021 replacing the previous Court portal. In the upcoming years, the development of technical functionalities for involved parties will be continued. Moreover, in 2022 the first stage of the E-case project has successfully closed. Analysis, documentation, and preparation for the second stage of the project with various technical solutions such as digitalisation of an administrative procedure was accordingly prepared.

Moving towards international digitalization, Latvia was one of the first European Union member states to implement eEvidence platform as an alternative communication channel. It is European Commission’s collateral standardized, decentralized online portal for cooperation in criminal proceedings specifically for European Investigation Orders and Mutual legal assistance requests. The goal is to make investigations and legal proceedings faster and more efficient while ensuring electronic, unified, and secure exchange of evidence between European Union member states.

Electronic communication tools are basis for digitalization and to further facilitate the use of videoconferencing in the courts, the "VQ Manager" videoconference management tool has been introduced. This tool allows judicial staff to easily create and administer videoconference calls, improving the efficiency and effectiveness of the judicial process.

Continued modernization process of the courts

The courts are currently working on increase of the network speed and modernization of the WiFi equipment and central infrastructure. Furthermore, the goal to ensure 100% of judges with laptops has been reached and almost 50% of all court staff is equipped with laptops. New high-speed scanners and high-resolution document cameras have been installed in court offices and courtrooms. In addition, 25 court rooms were equipped with videoconference hardware, and at this moment, 54% of all courtrooms are equipped with videoconferencing capabilities. This enables court staff to hold hearings remotely and efficiently. Now 50% of all courtrooms are equipped with the screens for displaying e-cases. Overall, Latvian courts are well-equipped and committed to modernizing their processes to better serve the needs of the legal community and the public.

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

ICT systems for case management:

To ensure day-to-day work for judicial officers, courts have their own information system - TIS. In 2022, technical functionality of TIS has been improved. For instance, the tools like "The tuner" –to make case material reviewing in the TIS more convenient and "Image formatting tool" – to format documents which have been submitted in the image form to make administration of case materials more convenient were introduced. For specific case type (the compulsory enforcement of obligations according to the warning procedures) the possibility to create automatically generated decision, as well as, ensured possibility to sign a protocol of court hearing using "system signature" were developed.

A Survey of court visitors

Every year, the Court Administration ensures that surveys are conducted to find out the public's attitude towards the courts and their interaction with the judicial process.

In 2022, a survey of court visitors was conducted, the purpose of which was to find out the assessment and experience of court visitors in their interaction with the courts. Surveys have been conducted in Zemgale judicial district (January/February/March), Latgale and Vidzeme judicial districts (April/May/June), Kurzeme judicial district (July/August/September), Riga judicial district (October/November/December). The judicial survey will conclude in March 2023. In January, February and March 2023, it will take place in the Riga Judicial District at the Riga District Courts in Riga, Sigulda, Jūrmala, the Administrative District Court at the Riga Courthouse.

After the results of the survey for each judicial district will be compiled, a summary will be presented to the Judicial Council, court presidents and the public.

Court statistics and their transparency, monitoring, evaluation:

In order to constantly evaluate and measure the work of the courts, The Court Administration uses the business intelligence tool Microstrategy (hereinafter - the MSTR). Within the framework of it, data from these information systems maintained by the Court Administration are stored, compiled and processed: TIS, the State Unified Computerized Land Register, financial and personnel resource management systems, etc. The Court Administration has so far taken a number of steps to improve the collection and presentation of data to provide data and their compilations in understandable, visible and easily accessible way to various data users and interested parties.⁶

In 2022, the statistical data compilation "Portrait of Courts", created in 2021, is actively used, which contains comparative data on the work of all courts and individual court indicators for each district (city) court and regional court. In 2022, the Court Administration initiated the transformation of TIS statistical reports into the MSTR system by collecting TIS data to provide MSTR users and other data leads with aggregated datasets.

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

For improving the efficiency of court work, the Judicial Council decided to reorganize Riga city courts

On April 22, 2022, the Judicial Council adopted the decision to reorganize city courts in Riga, namely Riga City Pārdaugava Court and Riga City Latgale District Court, as from August 1, 2022, by merging them with Riga City Vidzeme District Court, as well as changing the name of the court to Riga City Court. The merged Riga City Court has jurisdiction over the entire administrative territory of Riga City. The courts were merged legally, not physically. Citizens may submit documents to the court in any of the court's locations. It is also possible to obtain court documents in any of the addresses, indicating in advance the address where the documents will be collected.

As a result of the reorganization of courts, the workload of judges and the length of proceedings throughout the city of Riga will be balanced, as previously it was affected by the area of activity of each court, the volume and specifics of cases received.

The reorganization of Riga's courts is a continuation of the territorial reform of courts launched in 2015. The court reorganization plan has been developed in co-operation between the Ministry of Justice and the Judicial Council Working Group on Strengthening the Efficiency of Courts.

Number of courts/jurisdictions

From August 1, 2022, there are nine district (city) courts in Latvia. Seven district (city) courts dealing with civil and criminal cases, and one district administrative court, dealing with administrative cases, the Economic Court dealing with certain economic and financial crimes.

⁶ Data available in TIS1 and TIS2.

Results of The Economic Court

In total, in the first year of operation of the Economic Court (hereinafter - ELT)⁷, 123 civil cases were received and initiated, while 32 applications were refused, 117 criminal cases and 239 proceedings concerning criminally acquired property, 268 cases were completed, of which 62 were civil cases, 49 were criminal cases and 157 proceedings were concerning criminally acquired property. In proceedings concerning criminally acquired property, which accounts for the largest part of the ELT workload, in 110 cases the property has been declared criminally acquired, while in 41 case the court has closed the proceedings. The total value of confiscated property in cases where the ELT ruling has entered into force exceeds 32.6 million euros.

The Foreign Investors Council (hereinafter - FICIL) has also indicated that there has been positive feedback from entrepreneurs on the establishment and functioning of ELT, and foreign investors and entrepreneurs, in general, share high expectations with this court. The FICIL itself is also very positive in terms of setting up and launching ELT. In the expert discussions organised by the Ministry of Justice on 7 April 2022, it was stressed that there have been situations where the losing party in the proceedings did not appeal the ELT ruling because it was written in a very understandable, explaining and reasoned way - the ELT made each issue clear, thereby reaching the overpurpose of ensuring that the reputation of the Latvian judicial system is high.

In addition, the Ministry of Justice has drawn up an information report on the results of the first year of the operation of the ELT and its further development, which was examined by the Cabinet on 11 October 2022⁸.

C. Efficiency of the justice system

18. Length of proceedings

Guidelines for the management of case examination deadlines in courts

On 1 July 2022, the Judicial Council approved the guidelines⁹ developed by the Secretariat of the Judicial Council for the management of case examination deadlines in courts and supported the proposed priority measures of district (city) courts, regional courts, and the Supreme Court for 2023-2025.

The guidelines have been developed with the aim of strengthening the unified methodology for the development of standard of case examination deadlines and for the management of actual case examination deadlines. In contrast to existing guidelines, which put the main emphasis on the forecasts of case examination deadlines, the new version of the guidelines pays more attention to the collection and analysis of statistical indicators of court activity, thus providing an idea not only of the planned case examination deadlines, but also providing an opportunity to compare them with the court performance indicators of the previous year. Courts shall apply the guidelines by

⁷ Economic Court became operational on 31 March 2021.

⁸ Available only in Latvian: https://tapportals.mk.gov.lv/legal_acts/6cc0d6c8-f301-4c88-a3bc-2e4a269594b5.

⁹ https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/Dokumenti/Vadlinijas_lietu_izskatisanas_terminu_parvaldibai.pdf (available only in Latvian).

submitting the planned case examination deadlines to the Judicial Council at the beginning of each year.

Statistics

General information on trends in the length of proceeding:

- Analysing the data of the last three years, inferable that the number of civil cases received in district (city) courts is almost unchanged. These are about 29 thousand new civil cases annually.
- At the same time, there is a tendency in increase of the number of *uncontested enforcement of obligations* civil cases received in the courts. In the order of notice of compliance, cases tend to increase in all courts. The largest increase was observed in the district courts of Riga and Zemgale (in addition 5000-4000 thousand cases). In other courts, the increase is from 1000 to 2000 cases per year.
- In turn, the number of criminal cases received in district (city) courts has a pronounced downward trend. In 2021, the total amount of district (city) courts received 34% (or about 2800 criminal cases) less than in 2020. (This is due to both a number of amendments to the Criminal Procedure law and changes in the organisation of the prosecutor's office, which result in more criminal proceedings being completed in the prosecutor's office, for example, with the Prosecutor's Penal Order. Comparatively more complex criminal cases are brought to a court, in which there is a dispute over evidence and other circumstances relevant to the case).

On the average time limits for length of cases:

- Cases are adjudicated relatively smoothly in Latvian courts. Also looking at the European level, Latvia corresponds to the average indicators in the ranking of European countries. Of course, there are isolated cases, or so-called protracted cases, that have reason to pay attention to, and this is what is being done.
- From February 1st, according changes to the standard for examination of cases in 2022¹⁰, every president of the court will have to provide information (by 1 February) not only on the planned average time frame for hearing cases (or the standard for hearing cases), but also on cases that have not been dealt with by the relevant court for more than two years, with a particular focus on cases, which have not been examined for more than five years. Also, in the process of evaluating the professional activities of judges since this year, information on long-term cases in the judge's proceedings has also been taken into account and analysed.

According to the information provided by the Court Administration, average time limits for hearing cases by instance and by type of case (in months) in 2022 (till December) are: civil cases (*the number of civil cases does not include land register cases and uncontested enforcement of obligations cases*) - **6,9 months** (7,4 in 2021); criminal cases - **8 months** (6,2 in to 2021); administrative offence cases - **3,7 months**

¹⁰ https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/Lemumi/2022/TP_lem_nr17_pielikums.pdf (available only in Latvian).

(4,3 in 2021); administrative cases - **8 months** (7,9 in 2021). It should be noted that these average time limits are to be assessed in the context of changes in number of cases received in the courts and other factors. For example, although the data show the length of criminal cases examination to be increasing, when evaluating these data, it should be noted that in recent years so-called simple criminal cases have not been handed over to the courts and these processes are completed by the prosecutor's office. Accordingly, in the past, the short time limits for examination of these cases had an impact on the average time limit and showed a lower average than at present, when such cases are received in the courts significantly less than before. This does not lead to the conclusion that the courts would now deal with criminal cases in which there is a dispute over material circumstances for longer period than they did a few years ago.

Other – please specify.

On March 10, 2022, Aldis Laviņš was elected as President of the Constitutional court of the Republic of Latvia, and Irēna Kucina was elected as the deputy chairperson of the Constitutional court. On May 23, 2022, Daiga Rezevska left the position of the judge of the Constitutional Court and on June 16, 2022, Jautrīte Briede was approved as a judge of the Constitutional Court. On September 1, 2022, Dr.iur. Jautrīte Briede, the Professor of the Faculty of Law of the University of Latvia entered office of the Constitutional Court's Justice.

II. Anti-corruption framework

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

19. Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the anti-corruption framework (if applicable)

Corruption Prevention and Combating Bureau (KNAB):

As previously reported, the draft "Corruption Prevention and Combating Action plan 2021-2025"¹¹ (hereinafter – Action Plan 2021-2025) was submitted by Corruption Prevention and Combating Bureau (hereinafter – KNAB) for consideration at the 1 July 2021 meeting of the State Secretaries. After repeated inter-governmental institutions consultations, it was submitted to the meeting of State Secretaries on 30th December 2022, because no agreement has been reached among inter-governmental institutions on a few activities the plan foresees.

In the consultation process a total of 29 institutions (including 4 non-governmental organizations) have been involved. Initially KNAB received 61 objection and 34

¹¹ The period was changed as one of the suggestions after the 1 July 2021 meeting of the State Secretaries

suggestions for the plan and led 9 inter-governmental coordination meetings. In the repeated consultation process 28 objections and 29 suggestions were received.

KNAB would like to draw attention that the Action Plan 2021-2025 cannot be considered to be the only policy planning document on corruption prevention in Latvia. Other parallel activities and tasks, including proposed by KNAB, are included in other plans as well, for example:

- 1) *Task and activity plan for the OECD WGB 3rd Phase recommendation implementation (available only in Latvian) (<https://tap.mk.gov.lv/lv/mk/tap/?pid=40485584&mode=mk&date=2020-04-28>);*
- 2) *Task and activity plan to prevent money laundering, terrorism and proliferation financing 2022¹² (available only in Latvian) (<https://likumi.lv/ta/id/330241-par-pasakumu-planu-noziedzigi-iegutu-lidzeklu-legalizacijas-terorisma-un-proliferacijas-finansesanas-noversanai-2022-gadam>) and 2023-2025 (<https://likumi.lv/ta/id/338012-par-pasakumu-planu-noziedzigi-iegutu-lidzeklu-legalizacijas-terorisma-un-proliferacijas-finansesanas-noversanai-2023-2025-gadam>);*
- 3) *Action Plan of the Crime Prevention Council 2021-2026 (available only in Latvian) (<https://www.tm.gov.lv/lv/media/7695/download>);*
- 4) *Plan for implementation of proposals included in the State Audit Office Performance Audit “Effectiveness of investigation and adjudication of Economic and Financial offences” (available only in Latvian) (<https://www.tm.gov.lv/lv/media/7328/download>);*
- 5) *Learning and Development Plan for Employees of the Latvian Public Administration 2021-2027 (available only in Latvian) (<https://likumi.lv/ta/id/325395-par-publiskaja-parvalde-nodarbinatamacisanas-un-attistibas-planu-20212027-gadam>);*
- 6) *Open Government Action Plans 2020-2021 and 2022-2025 (<https://likumi.lv/ta/en/en/id/312544-fourth-national-open-government-partnership-action-plan-of-latvia> un <https://likumi.lv/ta/id/329905-par-latvijas-piekto-nacionalo-atvertas-parvaldibas-ricibas-planu-2022-2025-gadam> (available only in Latvian));*

Even though the Action Plan 2021-2025 has not entered into force, KNAB already takes action to implement some of the activities foreseen in it, for example:

- 1) KNAB has received confirmation of budget allocation of 500 000EUR from the European Commission’s Directorate-General for Structural Reform Support (hereinafter - DG REFORM) for project “Strengthening Corruption Prevention Framework). It is foreseen to review the Law “On Prevention of Conflict of Interest in Activities of Public Officials (further - Law “On Prevention of Conflict of Interest”)” in accordance to international standards and good practice, to evaluate the quality of internal anti-corruption system rules and develop a methodology to evaluate the quality of these systems, to develop national corruption risk assessment methodology and corruption latency level evaluation methodology in close cooperation with DG Reform and OECD experts;

¹² Was in force during the reporting period

- 2) Two sociological surveys were conducted within the framework of the European Economic Area grant “Support for the establishment of a whistle-blowing system in Latvia”, measuring the attitude of society and of entrepreneurs against corruption.
- 3) The Law “On Prevention of Conflict of Interest” (Section 8 Paragraph 12) was amended, introducing a functional mechanism obliging political officials to obtain permission to combine office of a public official with that of another one prior to being appointed, thus implementing GRECO Evaluation Round V, Recommendation viii Part ii.
- 4) The Ministry of Defence has started to review the compliance of officials of the National Armed Forces with the status of Public Official;
- 5) The Ministry of Finance has conducted a review and issued recommendations for required amendments in external laws and regulations and/or internal regulations of institutions, improving the EU fund management and control system for prevention of conflict of interest.
- 6) KNAB in cooperation with Ministry of Education and Science will soon finish the development of an interactive anti-corruption game for pupils (7th-9th grade);
- 7) In context of 14th Saeima (Parliament) elections, which includes pre-election campaigning, KNAB organized seminars for campaigners, as well as political parties on pre-election campaigning restrictions.

KNAB has also reacted towards outstanding issues and submitted proposals for amendments to legal acts.

KNAB was involved in consultations on Law on Municipalities, submitting objections towards intention to dismiss restrictions on combining offices for municipal councillors. Article 71 of the Law on Municipalities was approved, but the Saeima supported the proposal at the September 8 2022 session, which envisages maintaining part of the existing exceptions. Namely, the member of the council will continue to be able to hold the position of the head of the municipal institution or his deputy in the institution that implements the autonomous functions of the municipality defined in Clauses 4, 5 and 6 of the first Paragraph of Article 4 of the Local Government Law (educational, cultural, health care functions). In the Law on Local Governments, the exceptions regarding combining the position of a council member with the position of a member of the board of a municipal capital company were not applicable. Currently, a council member cannot hold the position of a member of the board or council in a municipal capital company, in a capital company in which the share of the municipality in the share capital, individually or together with other municipalities, exceeds 50 percent, and in a capital company in which the share of one or more municipal capital companies in the share capital, individually or together, exceeds 50 percent. KNAB did not support the deletion of Article 71 of the Law on Local Governments (then Article 76), which provides the restrictions on combining positions for council members in addition to the restrictions on combining positions specified in the Law "On Prevention of Conflict of Interest in the Activities of State Officials".

On Law on Transparency of Representation of Interests¹³:

The Law on Transparency of Representation of Interests entered into force on 1 January 2023 and its aim is to ensure:

- 1) Transparency of representation of interests, enhancing the trust of society to the representatives of interests, who take part in public decision proposing, development, adoption or implementation and public authority;
- 2) All interested natural persons a fair and equal opportunity to be involved in representation of interests.

The Law defines the terms of representation of interests and representative of interests, sets an obligation to register representation of interests, as well as system of registering/declaring representation of interests' activities, obligations of representatives of interests and public officials, and restrictions in processes of representation of interests. Even though the Law has entered into force, work on its implementation and improvement continues, for example, the time frame set for developing and implementing interest representation registry and interest representation declaration system is 1st January 2025.

The Prime Minister has set the following tasks to the Ministry of Justice:

- 1) According to Section 7 of the Law, the Cabinet of Ministers submits an annual report until 31st March to the Parliament on what action has been taken to achieve the aims of the Law, as well as further foreseen actions. The initial submission of report to Parliament is set in 2024, but the report on 2025 also must include evaluation on the necessity to foresee administrative liability with regards to breach of obligations set in the Law. The Ministry of Justice (in cooperation with KNAB and State Chancellery) is responsible for generating the initial report.
- 2) According to Section 4 Paragraph 1, the information on activities of representation of interests have to be published in declaration system maintained by registry institution (Enterprise Register). Section 4 Paragraph 7 provides for development of Regulations of Cabinet of Ministers which will set: 1) other information to be published in the registry as well as its scope; 2) order in which a public official will be ensured access to the registry. The responsible for development of these Regulations in Ministry of Justice together with State Chancellery.

At the same time the Ministry of Justice would like to specify that it was not the developer of the Law on Transparency of Representation of Interests and, taking into account that the Law has just entered into force, no additional information can be submitted.

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

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

¹³ Unofficial translation

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 measures taken to effectively and timely cooperate with OLAF and EPPO.

KNAB:

As of 31st December 2022, 143 of 171 positions in KNAB were filled (28 vacant positions). KNAB employs 56 men, and 87 women. In 2022, 10 persons began their service, and 8 persons terminated their service in KNAB.

On cooperation with OLAF: in 2022 no cooperation with OLAF took place.

On cooperation with EPPO: currently 4 KNAB investigators are involved in 3 criminal proceedings led by EPPO. One of the proceedings was started in 2021, two of the proceedings were started in 2022.

Prosecution Office:

The authorities of the Prosecutor's Office carrying out the supervision and investigation of corruption offences:

- The Division for Coordination of the Corruption Combating of the Criminal Justice Department of the Prosecutor General's Office;
- Prosecution Office for Investigation of Public Office Holders Misconduct Offences.

The division of competence between these offices is as follows:

Prosecution Office for Investigation of Public Office Holders Misconduct Offences supervises and conducts criminal prosecution:

- On criminal offences provided for in Chapter XXIV of Criminal Law committed in Riga Court District;
- On criminal offences which have been initiated or investigated by Corruption Prevention and Combating Bureau, State Revenue Service Internal Security Department on all territory of Republic of Latvia;
- On criminal offences provided for in Chapter XXIV of Criminal Law which have been initiated or investigated by Internal Security Bureau of Ministry of Interior on all territory of Republic of Latvia;
- On criminal proceedings of criminal offences, which have been initiated based on reports by State Audit Office on all territory of Republic of Latvia.

This Specialized Prosecution Office currently has 9 filled positions (1 chief prosecutor and 8 prosecutors).

The Division for Coordination of the Corruption Combating of the Criminal Justice Department of the Prosecutor General's Office supervises and initiates criminal proceedings on criminal offences on all territory of Republic of Latvia provided for in Chapter XXIV of Criminal Law, if they have been conducted by public officials named in Section 317 Paragraphs 2 and 3, if the criminal proceedings are legally complicated. In addition, this Division also gives methodical support to lower level prosecutors in

investigating corruptive criminal offences. This Division has 8 positions (1 chief prosecutor, 7 prosecutors). Currently there are two prosecutor vacancies in the Division.

State Revenue Service Internal Security Department:

State Revenue Service reports no substantial changes with regards to State Revenue Service Internal Security Department resources and normative regulation.

State Border Guard:

In connection with bribing, the State Border Guard would like to note that same as in previous years, the bribing mainly took place on the outer land border crossing points, meaning, the bribes were mostly given to avoid being held liable for offences noted during the process of passing through border inspection (for example, driving a car which does not have a valid technical inspection). In two cases bribe was given to mitigate the statement by State Security Service on non-admission of a person to the State, because of threat the said person poses to one or few European Union States.

The method of bribe giving has remained the same – the respective amount of money was put among the documents handed over for inspection.

New methods of committing crime or new crime development tendencies in bribery crimes were not noted during 2022.

There were no criminal offences which would fall in the field of competence of OLAF and EPPO.

In 2022 the State Border Guard technical capacity was enhanced by purchasing technical equipment required for data acquisition from hardware.

State Police Economic Crime Combating Department:

3 cooperations have been conducted in European fund fraud cases with EPPO.

OLAF supported the Latvian investigators in 2 criminal proceedings.

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

State Audit Office:

On 9 November 2022, the State Audit Office published the audit report "Investigative institutions in Latvia: a question of competences and resources, not their number" in the scope of the performance audit "Is there a possibility to reduce the number of investigative institutions and review the distribution of competences between them".

In Latvia, the function of investigating criminal offenses has been assigned to 11 public sector institutions (the audit covers the State Police, Internal Security Bureau, State Border Guard, structural units of the State Revenue Service - the Internal Security Department and the Tax and Customs Police Departments, as well as the Latvian Prison Administration and Corruption Prevention and Combating Bureau).

The audit has concluded that the decentralized model of investigative institutions established in Latvia is not inefficient in and of itself. Moreover, it is not unique in the European Union. The decentralized model is based on the specialization of investigative institutions, and findings of the audit allows us to claim that, in general, the limits of institutional jurisdiction are clearly legally separated, while simultaneously providing a mechanism for solving individual situations, for which the Prosecutor General is responsible.

At the same time, Law allows that in several investigation institutions “colleagues investigate crimes committed by colleagues”. Informal or collegial ties, which form in the work teams and which the investigator does not want to reveal, are hard, if not impossible to establish, therefore risks of conflict of interest exist. The audit also revealed that competence of several investigation institutions to investigate corruption crimes overlaps. Therefore, the State Audit Office has recommended to avert the overlapping of institutional competences and ensure an objective investigation of corruption crimes committed by persons working in investigation institutions.

Even though all investigation institutions perform the same function – investigation – institutionally they belong to different department, and as a result they are being administered differently. Therefore, a unified investigation work registry, evaluation and control needs to be established, to plan the available human resources and to appraise the factual use of resources. Criteria needs to be improved, with which to regularly evaluate and compare the effectiveness of work of investigation institutions. Significantly, the remuneration system is unequal, which results in investigation institutions competing with one another for attracting qualified staff. Therefore, the State Audit Office recommended to equalize the compensation fund and ensure equal remuneration rules in equivalent positions in all investigation institutions.

Internal Security Bureau:

On November 9, 2022, The State Audit Office of the Republic of Latvia published the findings and shortcomings identified in the audit “*Are the opportunities to reduce the number of investigative authorities and redistribute competencies among them?*”. The State Audit Office indicated shortcomings in the investigation of corruption cases, incl. self-examination and competence overlaps.

The State Audit Office pointed out that corruption crimes can be investigated not only by The Corruption Prevention and Combating Bureau (KNAB) but also by five other law enforcement agencies – State Police, Internal Security Bureau, State Border Guard, Prison Administration and State Revenue Service. These institutions are also authorized to investigate corruption offenses committed by their colleagues, as the result there is the potential conflict of interest in such "internal" investigations.

The State Audit Office report contains several recommendations in order to prevent and mitigate the potential conflict of interests arising from the investigation of criminal offenses committed by colleagues and the overlap of institutional jurisdiction, thus reducing the risks of corruption.

The Internal Security Bureau has submitted to the Ministry of the Interior the draft law "Amendments to the Criminal Procedure Law" in order to prevent the overlap of

institutional jurisdiction, thereby reducing the risks of corruption in the State Border Guard.

State Revenue Service:

State Revenue Service informs that the Internal Security Department, which is in charge of detection and prevention of corruption offences in the State Revenue Service, is an independent and separate investigation institution, the Director General of State Revenue Service has no influence on investigation of criminal proceedings. The State Revenue Service Internal Security Department does not and has never conducted an investigation on its own employees.

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

In 2022 previous KNAB strategy period concluded and the new KNAB strategy for the next period 2023-2026 was introduced. The strategy is a medium-term management document, the purpose of which is to ensure effective planning and implementation of the activities of KNAB within the framework of the functions and tasks under its competence. The new KNAB strategy defines 5 priority directions, 24 strategic goals, the tasks for achieving them, 57 performance indicators and their achievable values.

B. Prevention

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

State Chancellery:

In 2022, the State Chancellery has developed an “Analysis and Assessment of Integrity Risks of Political Officials” following GRECO recommendation. It is a methodological material that describes the potential integrity risks that political officials may face in their daily work in 6 areas:

- Government and sector policy development,
- Government and sector policy implementation and co-ordination (includes procurement process, governance of SOEs, giving orders to administrative officials, co-operation with persons subject to international sanctions etc.),
- Appointment of subordinated officials and their carrier,
- Conflicts of interest, action with public resources, use of information acquired during official duties,
- Pre-election campaigning and financing of political parties,
- Public trust and risks to reputation of the state and public sector image (horizontal risk),

The risk analysis is published on the website of the Cabinet of Ministers (in Latvian language) at www.mk.gov.lv/lv/valsts-parvaldes-vertibas-un-etikas-principi-0y.

In 2022, e-course on the “Mission and values in public administration” (E-mācību kurss "Misija un vērtības valsts pārvaldē") was developed by the Latvian School of Public Administration.

The amendments to the Cabinet Regulations no. 495 on “Regulations on the Status and Competence of Supernumerary Advisory Employees of a Member of the Cabinet of Ministers” were approved by the Cabinet of Ministers and entered into force on 25 November 2022. The amendments foresee duty for supernumerary advisory employees (non-staff advisors) to report conflicts of interest and to make public their names.

KNAB:

The Law On Transparency of Representation of Interests Section 6, Paragraph 4 states that a public official is forbidden to act as a representative of interests in cases where he or she is directly involved as a public official, during their mandate. This restriction is in force also for two years after the end of mandate in cases where the public official has been involved as a public official.

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

KNAB:

In 2022 amendments were adopted to the “Law on Financing of Political Organisations (Parties)”:

Section 7.¹ State Budget Financing

(1) A political organisation (party) for which more than two per cent of voters have voted in the last elections of the Saeima shall be granted the State budget financing within a calendar year:

1) 0.9 per cent of the minimum monthly wage for each vote acquired in the last elections of the *Saeima*;

2) 0.1 per cent of the minimum monthly wage for each vote acquired in the last elections of the local government council;

3) 0.1 per cent of the minimum monthly wage for each vote acquired in the last elections to the European Parliament.

(2) A political organisation (party) for which more than five per cent of voters have voted in the last elections of the Saeima, in addition to that referred to in Paragraph one of this Section, shall be granted the State budget financing within a calendar year in the amount of 200 minimum monthly wages.

Section 7.³ Refusal to Grant State Budget Financing and Interruption or Suspension of Disbursement of State Budget Financing

(3¹) The Corruption Prevention and Combating Bureau shall, upon receipt of the information from the Saeima, take the decision to suspend the disbursement of the State budget financing referred to in Section 7.¹, Paragraph one, Clause 1 of this Law if:

1) the activity of the fraction of the political organisation (party) established in the Saeima is discontinued;

2) the number of the members of the fraction of the political organisation (party) established in the Saeima reduces for more than two thirds.

State Revenue Service:

Annual declarations for 2021 were submitted by 54 449 out of 54 460 public officials.

Of all 65 092 submitted declarations in the Payment Administration Information System (PAIS), system automatically accepted 43 636 public official declarations, ensuring an automated verification of declarations by set criteria. The remaining 21 456 declarations were manually checked by State Revenue Service Tax Department State Public Official's division experts. The State Revenue Service conducts in-depth verification on submission and filling of no less than 2% of all submitted declarations annually.

In 2022 370 decisions were taken on administrative liability cases for offences conducted by public officials - indication of false information, non-compliance with submitting declarations on time, as well as for not submitting lists of public officials on time and in the correct order.

One of the most important improvements in 2022 has been introduction of changes in PAIS, which allows public officials to clarify the declarations in the Electronic Declaration System before it is published on the State Revenue Service public database.

State Revenue Service has initiated amendments to the Law "On Prevention of Conflict of Interest" in order to ensure a uniform understanding of the legal norms and to conform to the current state of affairs and actual situation, for example, in order to define more precisely the amount of information to be provided in declarations of public officials, to determine a longer time period for updating declarations of public officials, etc.

State Chancellery:

Significant contribution to the general transparency of public decision-making is the Unified Portal for Drafting and Coordinating Legislation or the TAP portal (<https://tapportals.mk.gov.lv/>) launched in September 2021. The goal of the TAP portal is to modernize decision-making process and make it more transparent and accessible, including to make more accessible the public participation. Legal acts to be approved by the Cabinet of Ministers are submitted in the TAP portal. TAP portal includes also agendas and protocols of sittings of Cabinet of Ministers and State Secretaries Meetings.

25. 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)

Amendments have been introduced to the Section 9, Paragraphs 2² and 2³ of the Law “On Prevention of Conflict of Interest”, which will enter into force on 1st April 2023, stating, that a municipal deputy is forbidden to receive any salary for two years from an organization, establishment or religious organization after he has taken a decision or attended taking of decision for allocating public funds to such an organization or establishment, with an exception if such organizations and establishments have been established by municipalities in accordance to the Law of Municipalities to implement mutual interests, or religious organization.

The municipality deputy is also forbidden to receive salary in an organization, establishment, with an exception if such organizations and establishments have been established by municipalities in accordance to the Law of Municipalities to implement mutual interests, or religious organization or commercial company from the financial resources, which the said organization, establishment, religious organization or commercial company has received from the specific municipality, with exceptions, if these financial resources have been allocated as a result of public contest or to implement a delegated task of municipality.

26. Measures in place to ensure whistleblower protection and encourage reporting of corruption.

State Chancellery:

On 4 February 2022, the new Whistleblowing Law¹⁴ entered into force. On 11 February 2022 the Cabinet Regulation On EU legal acts the violations of which shall be reported or which foresee a different reporting procedure was approved. Hence, Latvia has transposed the EU Whistleblower Directive (Directive (EU) **2019/1937**).

To encourage whistleblowing, a second awareness raising campaign was conducted by the State Chancellery (“Darbinieks nav nieks” or “An employee - it is not nothing”). The portal trauksmescelejs.lv was updated to reflect the legal changes, as well as the recent administrative-territorial reform (section <https://trauksmescelejs.lv/kur-celt-trauksmi> was updated with all new municipalities). The State Chancellery’s guidelines were updated and published on trauksmescelejs.lv.

The 2022 statistics will be gathered in the beginning of 2022 and the 2022 annual report will be developed consequently.

In sum, the whistleblowing mechanisms in Latvia are operational and include different elements such as internal reporting channels in legal entities in public and private sector, reporting to competent authorities (any public authority in charge of the matter reported), Contact point for whistle-blowers (in the State Chancellery), as well protection measures stipulated in the law, such as state legal aid, release from court fees etc.

Corruption Prevention and Combating Bureau:

Total received submissions in 2022

Sphere	Quantity
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¹⁴ <https://likumi.lv/ta/en/en/id/329680-whistleblowing-law>

Failure to act, neglect or using of office in bad faith by public official	3
Conflict of interests	7
Bribery	8
Wasting financial property of public person	6
Fraud, forging documents	12
Tax avoidance	1
Pre-election campaigning breaches	1
Other	17
	55

Submissions recognized as whistle-blowing reports in 2022

Sphere	Quantity
Conflict of interest	6
Use of office in bad faith to acquire property	1
Bribery	4
	11

27. 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), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

Ministry of Health:

Activities aimed at prevention of conflict of interests in healthcare system:

- 1) Health care institutions ensure the implementation of requirements set forth by Cabinet of Ministers Regulations No. 630 “Regulations Regarding the Basic Requirements for an Internal Control System for the Prevention of Corruption and Conflict of Interest in an Institution of a Public Person”. In 2023 internal self-assessment of the created internal control systems for prevention of corruption and conflict of interest in the health care institutions is planned.
- 2) On 10th December 2019 Cabinet of Ministers Regulations No. 642 “Amendments to Cabinet Regulations No 555 “Procedures for the Organisation of and Payment for Health Care Services” were adopted,

which stipulate that from 1st January 2022 health care services included in the State paid medical assistance can be provided only by health care service providers which have established an internal control system for prevention of corruption. This is applicable to private outpatient medical treatment institutions, which offer health care services included in the State paid medical assistance in at least five service types. To give methodical support to the private outpatient medical treatment institutions in creating and improving internal control systems for prevention of corruption, in 2021 Guidelines for basic requirements for internal control systems for prevention of corruption in outpatient medical treatment facilities were adopted.

Office of Citizenship and Migration Affairs:

In connection with citizen investor schemes, the Amendments to the Immigration Law which entered into force on 24th September 2022 stipulate that those Russian and Belorussian citizens, who have invested in credit institutions or in connection with purchasing real estate or state obligations, do not receive temporary residence permits (according to Section 23, Paragraph 1, Clauses 28, 29, 30, 31). With regards to persons who have been issued temporary residence permits, the competent institutions evaluate according to the order established by legal norms if there is a reason to revoke the temporary residency permits, which are valid on the date of entering into force of the said Amendments and are issued to the Russian and Belorussian citizens on the basis of Section 23, Paragraph 1, Clauses 28, 29, 30, 31 of Immigration Law.

State Police:

The State Police has established the list of positions subjected to high, medium and low corruption risks (the Internal Order adopted by the Chief of the State Police on 16 June 2021, No. 2516), the list has been prepared on the basis of the evaluation made by the State Police, taking into account the guidelines of the Corruption Prevention and Combating Bureau.

Procurement Monitoring Bureau:

Measures for monitoring and preventing corruption and conflict of interest regarding public procurement:

1. The amendments to Public Procurement Law (in force since January 1, 2023), introducing: 1) more detailed rules for conflict of interest in public procurement; 2) ban on creating permanent procurement commissions;
2. Ex - ante controls of procurement documents and process of procurement procedures financed by EU Structural funds and Recovery Fund;
3. Red flags in Publication Management System maintained by Procurement Monitoring Bureau which allow to detect suspicious procurements;
4. Administrative liability of persons responsible for procurement for violations of public procurement regulations, including conflict of interest.

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

KNAB:

KNAB also informs that in 2022 KNAB prepared information report “On the final impact assessment of the implementation of the Corruption Prevention and Combating Guidelines 2015-2020 (hereinafter – Information Report)¹⁵. This report was accepted in the Cabinet of Ministers on 21st July 2022. This Information Report was prepared in cooperation with institutions involved in implementing the “Corruption Prevention and Combating Guidelines 2015-2020”, summarizing the implementation of tasks and activities set forward in the Guidelines, as well as their results in all the period of operation of the Guidelines.

In 2022, KNAB prepared and published “Guidelines on how to recognize corruption”¹⁶. This material (in Latvian only) explains general signs that may indicate administrative corruption, political corruption, corruption in public procurements and illegal financing of political parties with easy-to-follow examples and checklists. The material also contains information on how to act in suspicious situations. These Guidelines are aimed at the general public and businesses to help recognize and act upon allegedly corrupt situations.

Internal Security Bureau:

The aim of the preventive measures conducted by the Internal Security Bureau is to prevent and mitigate situations and circumstances that can result in criminal offenses committed by the officials from institutions subordinated to the Ministry of Interior. Also, various preventive measures have been conducted in order to raise the awareness of the law enforcement officials from the “risk group” about the consequences of potentially illegal activities and the reputation risks of institutions they represent.

The Internal Security Bureau according to its mandate specified in Article 4 of the Law on the Internal Security Bureau, has carried out several preventive measures to improve the ability of the institutions subordinated to the Ministry of Interior to fight corruption and reduce cases of corruption:

- 1) informational and educational measures in the field of detection, investigation and prevention of crimes aimed at obtaining illegal financial gain, e.g:
 - organization of conference "*Actualization and prevention of the risks of a criminal offense committed by the officials during in the line of duty, aimed at obtaining an illegal material benefit*". This conference was organized in order to identify the initial causes of corruption risks, possible mitigation and prevention measures that can be taken, trends and problems, strengthening the general understanding of corruption risks, incl. procurement risks, conflict of interest situations in public procurement, good practices in assessing corruption risks and improving the internal control system;

¹⁵ Summary in English - <https://www.knab.gov.lv/en/media/3564/download?attachment>

Information report - <https://www.knab.gov.lv/lv/media/3546/download?attachment>

¹⁶ <https://www.knab.gov.lv/lv/media/3296/download?attachment>

- close cooperation with non-governmental organizations in order to improve the recognition of the Internal Security Bureau in society, including the functions in the field of combating corruption;
 - a public opinion study was conducted about the experience of individuals when they deal with illegal actions committed by officials of the public authority.
- 2) Assessment of the internal control systems of the institutions subordinated to Ministry of Interior, identification of possible areas of improvement and risk mitigation measures, e.g.:
- Assessment of the risk identification and management internal control system of the institutions subordinated to Ministry of Interior. It was identified that corruption risk management processes should be improved;
 - workshops with representatives of institutions subordinated to Ministry of Interior in order to discuss possible risk mitigation and management activities;
 - risks of corruption and conflict of interest in the field of public procurement process have been identified.

C. Repressive measures

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

On 7 April 2022, the Law “Amendments to the Criminal Law” was adopted, which removed Section 322 (Intermediation in Bribery) from the Criminal Law. In the view of the legislator, the criminal offence contained in Section 322 of the Criminal Law was redundant, since the Section only criminalizes direct transfer, which is in essence aiding and abetting bribery or bribe-taking, which would be punishable under Section 20(4) of the Criminal Law and the relevant part of Section 320 " Accepting Bribes" or Section 323 " Giving of Bribes" of the Criminal Law, namely depending on the interests of the person acting as an intermediary.

In addition, it should be noted that Section 320 and Section 323 of the Criminal Law refer to the intermediary, i.e. "committed by a public official personally or through an intermediary" and "in person or through intermediaries". This is in line with international requirements which require the criminalisation of bribery committed directly or indirectly (UN Convention against Corruption, Council of Europe Criminal Law on Corruption) or "directly or through intermediaries to that foreign public official".

30.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.

KNAB:

In January 2022, a former insolvency administrator was sentenced to a fine of EUR 19 000 for misappropriation.

In March 2022, a former judge was sentenced to a fine of EUR 1500 for theft, fraud or misappropriation on small scale.

In May 2022, former prosecutor was sentenced to a fine EUR 12 500 for disclosure of non-disclosable information.

In May 2022, former insolvency administrator was sentenced to community service of 420 hours for misappropriation.

In June 2022, former Internal Security Bureau Chief Inspector was sentenced to imprisonment of three years for intermediation in bribery and accepting bribes on large scale.

In June 2022, former Member of Parliament was sentenced to a fine of EUR 6000 and compensation in favour of State EUR 3150 for forging of official documents and fraud.

In October 2022, two former Members of Board of state capital company were sentenced to 2 years of imprisonment each for failure to act with purpose to acquiring property.

In November 2022, former Chairman of Jurmala City Council was sentenced to a fine of EUR 2500 for forging of official documents.

In November 2022, former Member of Board of state capital company was sentenced to 10 months of imprisonment for using official position in bad faith for the purpose of acquiring property and requesting, accepting or extorting bribe, forgery of document, with additional fine of EUR 1000 and EUR 80 000 to be recovered jointly and severally for the benefit of State.

In November 2022, two entrepreneurs were sentenced to 2 years and 6 months of imprisonment for fraud, giving of bribes, using official position in bad faith for acquiring property. One entrepreneur received fine EUR 1500, both of them were sentenced to compensate jointly and severally EUR 365 946,90 for the benefit of State and EUR 29 937,54 for the benefit of natural persons.

State Border Guard:

In 2022, the State Border Guard initiated 20 criminal proceedings against 20 natural persons for bribing a State Border Guard official.

In 2022, State Border Guard proposed prosecution in 19 criminal proceedings connected with bribery. One criminal proceeding against one natural person for bribing a State Border Guard official in connection with Section 323 Paragraph 1 and Section 190 Paragraph 3 of Criminal Law (bribery to take or not take action, smuggling of goods by an organized group) and against 3 natural persons in connection with Section 190 Paragraph 3 of Criminal Law (smuggling of goods by an organized group). The pre-trial examination was initiated in 2019. One criminal proceeding against a State Border Guard official for criminal offence laid down in Section 318 Paragraph 2 of Criminal Law (using official position in bad faith for the purpose of acquiring property) and a natural person for criminal offence laid down in Section 323 Paragraph 1 (giving or offering of bribes) in three crime episodes (pre-trial examination was started in 2021). The following 17 criminal proceedings were proposed against 17 natural persons for Section 323 Paragraph 1 (giving or offering a bribe), the pre-trial examination of which was started in 2022.

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

No new developments since the 2022 report.

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

In 2022, the KNAB Division for Investigation of Administrative Violations initiated 315 departmental investigations, and concluded a total of 314 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, information of 807 declarations of public officials was assessed.

KNAB initiated 248 administrative violation proceedings for the violation of the provision of the Law on Prevention of Conflict of Interest, 260 decisions were taken, and 97 decisions on refusal to initiate administrative proceedings were taken.

In 2022, KNAB imposed fines on 202 public officials, for a total of EUR 36 595. Whereas 41 public official was issued an oral admonishment. In 17 cases the administrative proceedings were terminated due to the establishment of circumstances excluding administrative liability.

Based on the aforementioned decisions taken by KNAB, State budget administrative fines were paid for a total of EUR 31 410. In cases where a person who is held administratively liable has received income or property benefits, which has caused monetarily measurable damage to public administration, KNAB decided on the reimbursement to the State budget of funds obtained in violation of the restrictions of the Law on Prevention of Conflict of Interest, thus taking 11 decisions requesting the reimbursement of EUR 27 151.09 damages to the State.

As regards the examination of submissions and complaints related to alleged political party financing and pre-election campaigning restrictions, KNAB initiated 512 departmental examinations, and by the end of 2022 had completed 535 departmental examinations.

For violations of the Law on Financing of Political Organisations (Parties) and Pre-election Campaign Law in 2022, KNAB initiated 87 administrative violation proceedings against political parties and other legal and natural persons. As a result of the examinations, KNAB took 57 decisions against political parties for the established violations, imposing a total of EUR 13 120 in fines, and 7 decisions on the repayment of financial resources to the State budget for a total of EUR 136 832.02.

In 2022, political organizations (parties) pursuant to the decisions of KNAB, repaid to the State budget unlawfully acquired funding for a total of EUR 80 026.05, as well as voluntarily repaid a total of EUR 1 606.79, and a total of EUR 10 523.81 in fines.

III. Media freedom and pluralism

33. Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding media freedom and pluralism (if applicable)

N/A

A. Media authorities and bodies

No changes.

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

No changes.

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

No changes.

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

No changes.

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

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

No changes.

38. Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance

No changes.

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

The Fifth Open Action Plan of Latvia for 2022-2025¹⁷ includes the measure:

(c) promoting public access to media ownership information (activities implemented by NEPLP)

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

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

No changes.

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

No changes.

42. Access to information and public documents (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

No changes.

43. Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

No changes.

IV. Other institutional issues related to checks and balances

44. Please provide information on measures taken to follow-up on the recommendations received in the 2022 Report regarding the system of checks and balances (if applicable)

N/A.

¹⁷ <https://likumi.lv/ta/id/329905-par-latvijas-piekto-nacionalo-atvertas-parvaldibas-ricibas-planu-20222025-gadam?&search=on>

A. The process for preparing and enacting laws

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

No changes

46. Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

The procedures by which special legal regime (emergency situation or state of exception) shall be declared and revoked in the Republic of Latvia, as well as the rights of State administrative and local government institutions, natural and legal persons, restrictions thereof, special duties and provision of the rule of law during the period of validity of such legal regimes, is determined by the Law on Emergency Situation and State of Exception¹⁸ (hereinafter - Law). Section 5, Paragraph one of the abovementioned Law prescribes that the emergency situation shall be declared by the Cabinet of Ministers. However, in accordance with Section 9, Paragraph three of the Law, the Cabinet shall notify the decision regarding an emergency situation or amendments to the decision regarding an emergency situation, if additional territorial or rights restrictions are necessary, as well as regarding the extension of the declared emergency situation to the Presidium of the Saeima within 24 hours after taking thereof.

The Rules of Procedures of the Cabinet¹⁹ prescribe the types of the documents to be examined by the Cabinet, the procedures for the agreement, submission, progression, and examination thereof, and also the procedures for preparing the decisions taken by the Cabinet.

If the Cabinet receives a draft which is submitted in relation to the determination of emergency situation and state of exception in the country (in accordance with the law On Emergency Situation and State of Exception) or concern the issues of the prevention and management of situations of threat to national security, the draft is examined in an expedited procedure.

The Rules of Procedures of the Cabinet stipulates the cases when Cabinet examines drafts in expedited procedure outside the framework of emergency situation, but in accordance with the urgency procedures.

Percentage of decisions taken in emergency/urgent procedure compared to total number of decisions taken.

Total number of decisions taken:

3084

¹⁸ <https://likumi.lv/ta/en/en/id/255713-on-emergency-situation-and-state-of-exception>

¹⁹ Cabinet Regulation No. 606 “Rules of procedure of the Cabinet”, adopted 7 September 2021. Available: <https://likumi.lv/ta/en/en/id/325944-rules-of-procedures-of-the-cabinet>

- in accordance with the general procedures 1745 (57%)
- in accordance with emergency/urgent procedure 1339 (43%)

47. Regime for constitutional review of laws

No changes.

48. COVID-19: provide update on significant developments with regard to emergency regimes/measures in the context of the COVID-19 pandemic

Several Amendments have been made to several regulatory acts which were issued in connection with the Covid-19 pandemic based on the specific and current epidemiological situation considering social developments in the country. Please note that all regulations related to the Covid-19 can be found at <https://likumi.lv/> in the section “Covid-19” (*including the above-mentioned regulatory acts, they have been translated into English, so they are available for the better research*).

The Constitutional Court has received 108 applications related to the Covid-19 restrictions since the declaration of the state of emergency in the spring of 2020 until October 11, 2022. 17 applications were constitutional complaints, of which six were collective applications. One application was received from the municipal council regarding the procedure by which the state provides loans to municipalities during an emergency. The panels of the Constitutional Court have made decisions on refusal to initiate a case for 90 applications. Most of the applications were rejected because there was no substantiated claim that the relevant measures to limit the spread of Covid-19 or to prevent the consequences caused a violation of the fundamental rights of individuals, and some because the relevant issue is within the competence of the administrative court. No applications have been refused due to insufficient legal grounds²⁰ (more information on the mentioned applications can be found on the website of the Constitutional Court).

B. Independent authorities

49. Independence, resources, capacity and powers of national human rights institutions (‘NHRIs’), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

No changes.

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

No changes.

²⁰ <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/>

C. Accessibility and judicial review of administrative decisions

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

No changes.

52. Judicial review of administrative decisions:

- short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).

No changes.

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

No changes.

D. The enabling framework for civil society

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

Regarding non-governmental organizations, no amendments have been made to the regulatory acts now, but at the same time, Latvia informs that there is a working group which is working on future tasks to ensure greater transparency of the non-governmental organization sector.

55. Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services.

No changes

56. Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

Civil society organizations can apply for funding in the “NGO Fund” program financed by the state budget. The aim of the “NGO Fund” is to support NGOs, thus strengthening the sustainable development of civil society and democracy in Latvia. Financing is available for a wide range of NGOs in an open calls’ procedure. In 2022, funding in the amount of 1 888 088 *euros* was available in the “NGO fund”, and 90 projects received funding.

Civil society organizations can also apply for co-financing for projects that are financed by foreign funds or projects where organizations are involved as partners. The aim is to promote the participation of Latvian NGOs in the implementation of projects financed by foreign funds, which are aimed at the development of a cohesive and civically active society. In 2022, funding in the amount of 98 700 *euros* was available, and 9 projects were funded.

Ministry of Culture of the Republic of Latvia implements the "Regional NGO support program" and the "Minority NGO participation promotion program". The aims of both programs are: to ensure a permanent support for the development of civil society in the regions of Latvia; to promote development and sustainability of civil society; to strengthen the capacity of civil society organizations, thereby promoting the effectiveness of their work. From 2022-2025, there are five NGOs (one in each region of Latvia) implementing the measures of both programs. In total, funding in the amount of 250 000 *euros* is available for implementation of programs each year.

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

There are three advisory councils at the Ministry of Culture of the Republic of Latvia, in which NGOs are represented:

1. The supervisory board for the implementation of the guidelines for the development of a cohesive and civically active society – six NGOs are represented. The aim of the supervisory board is to promote coordinated implementation of the guidelines (national identity and belonging, democratic culture and inclusive citizenship, integration);
2. Advisory council of minority NGO representatives – 16 NGOs are represented. The aim of the council is the promotion of the participation of non-governmental organizations of minorities in civil society, the preservation and development of the cultural identity of minorities in accordance with the General Convention of the Council of Europe on the Protection of National Minorities;
3. Advisory Council for the Promotion of Roma Participation – six NGOs are represented. The aim of the council is the monitoring and development of the implementation of Roma participation measures in accordance with the guidelines for the development of a cohesive and civically active society 2021-2027 and the Council Recommendation on Roma Equality, Inclusion and Participation (2021/C 93/01).

E. Initiatives to foster a rule of law culture

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

No changes.