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COMMISSION STAFF WORKING DOCUMENT

2024 Rule of Law Report Country Chapter on the rule of law situation in Latvia

Accompanying the document

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

2024 Rule of Law Report

The rule of law situation in the European Union

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ABSTRACT

The Latvian justice system continued to perform efficiently, with further initiatives on improving case management and the efficient use of court resources. The level of digitalisation of the judiciary remains high and the judiciary's ICT systems were positively evaluated. The vacancy at the Supreme Court was filled, however no steps were taken to introduce adequate safeguards applicable to future appointments. Amendments to the Law on the Judiciary were adopted regarding the eligibility and evaluation for becoming a judge or prosecutor. Discussions on extending the competences of the Economic Court are ongoing and additional targeted changes to the judicial map are also being implemented. While remuneration for judges and court employees has been substantially increased, comparatively low salaries for judicial assistants lead to a significant turnover. The prosecution service is setting up an integrity control system, thereby implementing the State Audit Office recommendation. A Judicial Council working group identified certain 'systemic weaknesses' in the handling of domestic violence cases.

The implementation of the Corruption Prevention and Combating Action Plan 2023-2025 continues. New reporting tools were introduced and accompanied by awareness-raising and training activities. The investigation and prosecution of corruption-related cases is carried out efficiently, including as regards high-level corruption cases. The implementation of the Law on Prevention of Conflict of Interest in Activities of Public Officials is ongoing and the electronic system for asset declarations continues to work efficiently, with several cases of violations sent for prosecution. The Government is planning a study on the implementation of the existing codes of ethics to be launched in 2024. Some further steps have been made regarding legislation on lobbying, while the regulation aiming at clarification of certain legal notions is delayed and the main steps are scheduled for 2025. New rules on political party pre-election campaigning raise the maximum penalties for violations of the current legislation. The number of whistleblowing submissions has remained relatively stable throughout the years. Efforts are being made to address challenges related to public procurement which remains an area at high risk of corruption.

Media authorities in Latvia continue to function in an independent manner. Public service media maintain their independence through well-established safeguards, and the merger of public service media Latvian Television and Latvian Radio has been approved. Information on media ownership is available on the website of the media regulator and the Register of Enterprises. The Freedom of Information Law guarantees the right to access information held by public institutions. Journalists continue to work in an overall safe environment.

Civil society operates in an open space but calls for better availability and adequacy of financial resources. Interpretative guidance by the Ministry of Justice on the interpretation of a European Court of Human Rights judgment has led to a debate over its distribution and content. Challenges remain as regards public participation at local level.

RECOMMENDATIONS

Overall, concerning the recommendations in the 2023 Rule of Law Report, Latvia has made:

- No progress on taking measures to ensure adequate safeguards against undue political influence in the appointment of Supreme Court judges, taking into account European standards on judicial appointments.
- Some further progress on ensuring the effective implementation of the legislation on lobbying, including the setting-up of a special lobby register.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Latvia to:

- Take measures to ensure adequate safeguards against undue political influence in the existing appointment procedure for Supreme Court judges, taking into account European standards on judicial appointments.
- Continue work on the effective implementation of the legislation on lobbying, including the setting up of a special lobby register.

I. JUSTICE SYSTEM

The Latvian justice system has three tiers. At first instance, there are six district (city) courts dealing with civil and criminal cases, and one district administrative court. Furthermore, there is the Economic Court, which deals with certain economic and financial crimes. At second instance, five regional courts are dealing with civil and commercial cases and there is one regional administrative court. The Supreme Court, at third instance, is handling criminal, civil, and administrative cases. The Constitutional Court carries out constitutional review. An independent Judicial Council is tasked with participating in the development of policies and strategies for the judicial system and the improvement of its organisation¹. Furthermore, the Judicial Council deals with selecting candidate judges, appointing and dismissing court presidents, determining the judicial map, and approving the content of training. Candidate judges are selected through an open competition organised by the Judicial Council, ranked, and placed on a list, from which the Minister for Justice proposes the candidate with the highest number of points to the Parliament for appointment. After three years in office and an evaluation by a judicial body, judges are appointed for an indefinite term by the Parliament on a proposal from the Minister for Justice. The Prosecution Office is an independent judicial institution under the authority of the Prosecutor General. Latvia participates in the European Public Prosecutor's Office (EPPO). The Latvian Council of Sworn Advocates is an independent, self-governing professional organisation, which also oversees disciplinary proceedings regarding lawyers.

Independence

The level of perceived judicial independence in Latvia continues to be average among both the general public and companies. Overall, 43% of the general population and 40% of companies perceive the level of independence of courts and judges to be 'fairly or very good' in 2024². The perceived judicial independence among the general public has increased in comparison with 2023 (41%), although it remains lower in comparison with 2020 (45%). The perceived judicial independence among companies has decreased in comparison with 2023 (43%), as well as in comparison with 2020 (47%)³.

The vacancy at the Supreme Court was filled, however no steps were taken to introduce adequate safeguards applicable to future appointments. The 2023 Rule of Law Report had recommended to Latvia to 'take measures to ensure adequate safeguards against undue political influence in the appointment of Supreme Court judges, taking into account European standards on judicial appointments'⁴. In 2022, Parliament had rejected a candidate who had received a positive opinion from the Judicial Qualification Committee for the office of

¹ It should be noted that the share of judges, members of the Judicial Council, who are chosen by their peers represents less than half of the total members of the Council. Figure 57, 2024 EU Justice Scoreboard.

² Figures 51 and 53, 2024 EU Justice Scoreboard, and Figures 50 and 52, 2022 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

³ 39% of the companies in Latvia are either fairly or very confident that their investments are protected by the law and courts in the Member State. Only 17% of the surveyed companies see the quality, efficiency or independence of justice as one of the main reasons for concern about investment protection in the country. Figures 55 and 56, 2024 EU Justice Scoreboard.

⁴ 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 2.

Supreme Court judge, in a process marked by controversies regarding possible undue political influence⁵. Parliament does not have to state reasons for its decision not to appoint a candidate, and there is also no judicial review of its decision⁶. On 5 October 2023, the same candidate was narrowly confirmed as a Supreme Court judge in a second vote by Parliament⁷, following a change in the ruling coalition in September of the same year⁸, and took office in the Supreme Court on 5 January 2024⁹. As noted by stakeholders¹⁰, the previous rejection of the candidate was an isolated and unusual case and was not seen as indicative of a systemic issue. However, the Government or Parliament have so far not taken any, notably legislative, steps to put in place safeguards in law to protect the objectivity of future appointments¹¹, such as the obligation to state reasons and judicial review of the appointment decision. In line with European standards, it is desirable that the appointing authority follow in practice the recommendations or opinions of an independent and competent authority drawn in substantial part from the judiciary¹². Since no process has been initiated to introduce adequate safeguards against undue political influence in the appointment procedure to the Supreme Court, no progress has been made on the implementation of the recommendation made in the 2023 Rule of Law Report.

Amendments to the Law on the Judiciary were adopted regarding the eligibility and evaluation for becoming a judge or prosecutor. Following a Constitutional Court judgment¹³, amendments were made to the Law on the Judiciary so as to no longer exclude all candidates who were found guilty of criminal offences from the right to apply to the

⁵ 2022 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 4; Latvian Public Broadcasting (2022), Saeima rejects controversial Supreme Court candidate.

⁶ For Supreme Court judges, the proposal of a candidate is made by the President of the Supreme Court with a mandatory opinion of the relevant department of the Supreme Court. Parliament appoints the proposed candidate when a candidate is not already a judge in a regular lower instance court. Such external candidates also include constitutional court judges. The Judicial Council appoints candidates who are already judges in a regular lower instance court; replies from the Judicial Council to the 2023 Judicial Independence Questionnaire; 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 4. For a comparative perspective, see Figures 52 and 54; 2021 EU Justice Scoreboard; Latvian Supreme Court (2024), About the Supreme Court.

⁷ The majority in Parliament was 51 to 49 votes. Information received from the Judicial Council in the context of the country visit to Latvia.

⁸ Written contribution from the Judicial Council in the context of the country visit to Latvia.

⁹ Information received from the Judicial Council in the context of the country visit to Latvia.

¹⁰ Information received from the President of the Supreme Court, the Judicial Council, and the Council of Sworn Advocates in the context of the 2024 country visit to Latvia.

¹¹ Information received from the Ministry of Justice, the Judicial Council and the Association of Judges in the context of the country visit to Latvia. During 2023, all judges who were referred to Parliament were confirmed. Four district (city) judges were appointed and one regional court judge and three Supreme Court judges (senators) were approved by Parliament; written contribution from Latvia.

¹² According to Recommendation CM/Rec(2010)12 of the Committee of Ministers of the Council of Europe, Chapter VI, para. 47, 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. As set out in the accompanying explanatory memorandum, para. 52, in some Member States of the Council of Europe, the appointing authority is not obliged to accept the recommendations of the independent authority. Nevertheless, it is desirable that its recommendations be followed in practice.

¹³ Judgment of the Constitutional Court of 15 December 2022, Case no. 2021-41-01. The Court held that Article 55 of the Law on the Judiciary, excluding candidates who had been found guilty of a criminal offence, from becoming a judge or prosecutor, was inconsistent with Article 101 (right to accede to the public service) and Article 106 (right to freely choose one's employment) of the Constitution.

position of judges and public prosecutors. The Constitutional Court had differentiated cases where a crime had been committed with intent or a high degree of harmfulness, which run counter to a candidature for the position of a judge, from cases of neglect, in which the legislature must take into account, for a candidature, whether an appointment would endanger the public trust or the reputation of the judiciary¹⁴. To implement this judgment, Parliament adopted changes to the Law on Judicial Power and the Law on the Prosecution Service¹⁵. A candidate to the office of judge or prosecutor may now be admitted to the selection procedure if the criminal offence for which the candidate was convicted, was committed no less than eight years before or has been expunged or removed from the candidate's criminal record. The new law provides that the commission deciding on admission of such candidates to the selection procedure is to be set up by the Judicial Council¹⁶. Separately, the Prosecutor General's Office also adopted two new regulations, updating existing regulations on the Prosecutors' Attestation Commission and the Regulation on the Prosecutors' Qualification Commission¹⁷.

Quality

Discussions on further extension of the competences of the Economic Court are ongoing and additional targeted changes to the judicial map are also being implemented. As reported in the 2023 Rule of Law Report¹⁸, ten judges were appointed to the Economic Court in November 2022, and it has been operating at full capacity since then. A 2022 report by the Ministry of Justice for the Cabinet of Ministers had explored possibilities to further extend its competences¹⁹. Although concrete legislative action has not yet been taken, the Ministry of Justice is working on amendments pertaining to the Economic Court's competence and resources²⁰. Under the current rules on the distribution of cases, the judges hear both civil and criminal cases, whereas under the envisaged extended competences, judges would hear either civil or criminal cases. The Economic Court welcomes the planned changes, as allowing for a better specialisation of judges²¹. Preparatory work for setting up an Academy of Justice and

¹⁴ Input from Latvia for the 2024 Rule of Law Report, pp. 1 and 2.

¹⁵ Input from Latvia for the 2024 Rule of Law Report, pp. 2 and 3. The respective amendments were introduced by Article 55 (2) of the Law on Judicial Power as amended on 21 December 2023, in force as of 5 January 2024 and by Article 37 (3) of the Law on the Prosecution Service as amended on 21 December 2023, in force as of 5 January 2024.

¹⁶ Article 55 (3) of the Law on Judicial Power, as amended, provides, as regards selections for the position of a judge, that the composition of the Commission shall include representatives from associations of judges and prosecutors, as well as from the Commission which performs the selection of candidates for the office of a district (city) court and a district court judge, from the Judicial Ethics Commission, and from the Commission for the Attestation of Prosecutors. It further provides that the term of office of a member of the Commission shall be four years. Article 55 (4) of the Law on Judicial Power provides further details regarding its operating procedure, to be determined by the Judicial Council. According to Article 37 (4) of the Law on the Prosecution Service, as amended, these amendments also apply to the prosecution service.

¹⁷ Input from Latvia for the 2024 Rule of Law Report, pp. 3 and 4.

¹⁸ 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 8.

¹⁹ 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, pp. 8-9. The Court has jurisdiction over a significant number of specific civil claims related to commercial or corporate activities and criminal offences. A full list is available on the European e-justice portal under: Latvia, national specialised courts.

²⁰ Input from Latvia for the 2024 Rule of Law Report, p. 11.

²¹ Information received from the Economic Court in the context of country visit to Latvia. The Economic Court estimates that, under the new rules, its number of judges would have to be doubled, thereby requiring larger premises for additional staff, but no change to its internal structure would be necessary (e.g. no creation of

for the merger of certain courts continued, although the legislative process still has to be finalised²². As indicated in the 2023 Report²³, the Academy of Justice will provide training for judges, prosecutors, and investigators. As part of its setting-up, a reform of the in-service training system will come into effect at the end of 2024 with a single training centre, which will be part of the Academy of Justice²⁴. As part of changes to the judicial map, the Judicial Council merged the Daugavpils City Court and the Rēzekne City Court with the aim to even out their workload. The new merged court, the Latgale district court, started its work on 1 July 2023²⁵. A foreign investors' association in Latvia voiced some concerns over effective remedies for foreign investors to claim rights²⁶.

The level of digitalisation of the judiciary remains high and the judiciary's ICT systems were positively evaluated. Data in the 2024 EU Justice Scoreboard shows that the level of digitalisation of the justice system remains high, with digital technology being widely allowed in court proceedings²⁷ and well used in courts and prosecution²⁸. In 2023, the usability of the judiciary's ICT systems was evaluated jointly by the Ministry of Justice, the Court Administration and Providus, a civil society organisation, and the results were positive²⁹. The Court administration is responsible for maintenance of the E-case platform³⁰. The Court information system is fully operational and is gradually being extended to all courts. The E-case portal is open to various users, both legal professionals and laypersons, to complete and submit a variety of electronic forms and applications, including court proceedings³¹. The full implementation of the E-case platform is expected by 31 May 2026³².

specific chambers); information received in the context of the country visit to Latvia from the Economic Court.

²² Information received from the Judicial Council in the context of the country visit to Latvia; Written contribution from the Ministry of Justice in the context of the country visit to Latvia. A draft 'Law on the Academy of Justice' of 12 March 2024 was prepared by the Ministry of Justice and has been sent to the Cabinet of Ministers for further discussion and approval. Under current planning, the Judicial Academy will be managed and represented by its director, who will be appointed by the Cabinet of Ministers for a term of five years. The candidate for the position of the director of the Judicial Academy will be nominated by the Minister of Justice after the proposal of the Judicial Council.

²³ 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 7.

²⁴ Input from Latvia for the 2024 Rule of Law Report, p. 6. Written contribution from the Ministry of Justice in the context of the country visit to Latvia.

²⁵ Input from Latvia for the 2024 Rule of Law Report, p. 10.

²⁶ Information received from the Foreign Investors' Council in Latvia (FICIL) in the context of the 2024 country visit. Investors reported incidents of bias of national courts in favour of the state, a lack of specialised judges or high court fees. FICIL also noted that some investors encounter obstacles in registering property rights.

²⁷ Figure 43, 2024 EU Justice Scoreboard.

²⁸ Figure 44, 2024 EU Justice Scoreboard. Progress could still be made regarding the availability of secure electronic communication between prosecutors and defence lawyers. Figure 46, 2024 EU Justice Scoreboard.

²⁹ Input from Latvia for the 2024 Rule of Law Report, p. 9. See also Providus/Agnese Frīdenberga & Iveta Kažoka, Report on Court User Survey, Latvia (September 2023).

³⁰ The E-case platform ('E-lietas platforma') provides a data exchange between various information systems such as the Court information system ('Tiesu informatīvā sistēma') – an information system for courts to register case information –, the E-case portal (www.elieta.lv), the prosecutor's information system, the Latvian prison administration information system and the State probation service information system. E-case ('E-lieta') is also the name of the overall digitalisation programme. The legal framework and explanations of the various solutions are set out in the Law on a National Platform for Electronic Processes of 10 March 2022; written contribution from Latvia; input from Latvia for the 2024 Rule of Law Report, p. 9.

³¹ Written contribution from the Judicial Council in the context of the country visit to Latvia.

³² Ibidem, p. 9; written contribution from Latvia.

The prosecution service uses its own dedicated information system³³. Access to electronic case materials is available on the E-case portal³⁴. 54% of all courtrooms are equipped with videoconferencing capabilities³⁵. The introduction of the online dispute resolution system continues to be planned³⁶. Separately, in 2024, the Judicial Council set up a new working group on the specialisation of judges³⁷. This working group will address the ongoing integration of land registry judges into the judiciary, a reform undertaken since 2016. The report will also assess the success of this process.

While remuneration for judges and court employees has been substantially increased, comparatively low salaries for judicial assistants lead to a significant turnover. Salaries for judges and prosecutors consist of a base salary, to which a coefficient is applied based on the seniority of the position held³⁸. The base salary is calculated yearly, taking into account the general development of salaries in the public service and the overall inflation over the previous year³⁹. For district (city) court judges, both the coefficient and the base salary were increased from 2022 to 2023 and again from 2023 to 2024, resulting in a marked increase in the overall monthly salary⁴⁰. Against the backdrop of high inflation levels⁴¹, salaries in 2023 for prosecutors at district level prosecution offices and court employees equally saw a noteworthy increase⁴². The staffing situation in the judiciary is described as good, with a fully

³³ Input from Latvia for the 2024 Rule of Law Report, p. 9; written contribution from Latvia.

³⁴ Written contribution from Latvia.

³⁵ Input from Latvia for the 2024 Rule of Law Report, p. 8. According to information received from the Economic Court in the context of the country visit to Latvia, all its rooms are equipped with such devices. See also 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 6.

³⁶ Input from Latvia for the 2024 Rule of Law Report, p. 8.

³⁷ Information received in the context of the country visit to Latvia from the Association of Judges.

³⁸ Contribution from the Prosecutor General's Office for the 2024 Rule of Law Report, slide 3; input from Latvia for the 2024 Rule of Law Report, p. 5. For example, the coefficient for the district level prosecutor is 3.05, for the Prosecutor General, it is 6.7.

³⁹ Input from Latvia for the 2024 Rule of Law Report, p. 5.

⁴⁰ In 2022, the coefficient determined for a district (city) court judge was 2.91, the base salary was EUR 1 058. The resulting overall monthly salary for 2022 was EUR 3 079. In 2023 the coefficient determined was 3.2, the basic salary was EUR 1 137. The resulting 2023 monthly salary was EUR 3 640. In 2024, the coefficient for a district (city) court judge rose to 3.2, the base salary was EUR 1 205,71. This results in a total monthly salary of EUR 3 858. Consequently, in 2023, the overall monthly salary for district (city) court judges therefore rose by 18.22% (compared to 2022), and in 2024 by a further 5.98%, with a combined increase by 25.3% between 2022 and 2024. Data from the written contribution by the Ministry of Justice for the 2024 Rule of Law Report, p. 3.

⁴¹ In December 2022, inflation in Latvia stood at 20.8 %, the highest in the EU, with a yearly average inflation of 17.14% for 2022. In December 2023, year-on-year, the inflation rate had sunk significantly to 0.9%, but the inflation rate average for 2023 still stood at 9.5%; HICP inflation rate, data: Eurostat, European Statistical Monitor, Economy and Environment, Annual inflation rate, see also Ministry of Finance of Latvia Macroeconomic and Budgetary Review 2024 No. 2, (February 2024). According to the European Commission Economic forecast for Latvia, headline inflation averaged a still elevated level of 9.1% in 2023, with inflation excluding unprocessed food and energy posting 9.7%.

⁴² Salaries rose by 15%, for prosecutors at regional offices by 14.8% and for prosecutors working for the Office of the Prosecutor General by 14.7%. Equally in 2023, salaries of court employees, excluding judges, rose by 16%, and are expected to further increase by 11% in 2024. Input from Latvia for the 2024 Rule of Law Report, pp. 5-6; Written contribution by the Ministry of Justice to the 2024 Rule of Law Report, p. 3.

adequate number of candidates and posts filled⁴³. As regards the salaries of judicial assistants, they have been described as markedly too low and not competitive⁴⁴.

The Council of Sworn Advocates proposed amendments to increase the attractiveness of the profession for assistant lawyers. The overall situation as regards availability of lawyers, candidates for vacancies and general interest in the profession has been described as good, with about 1 300 lawyers practising in Latvia⁴⁵. The Economic Court is experiencing some difficulties in scheduling court hearings in criminal cases due to a high workload of specialised defence lawyers⁴⁶. In February 2024, the Council of Sworn Advocates addressed suggestions to the Ministry of Justice concerning the training of assistant lawyers. Already in 2021, Latvia introduced a uniform state exam for lawyers that candidates with a law degree need to pass⁴⁷. Around 74% of candidates sitting the exam were also assistant lawyers⁴⁸. The training period for assistant lawyers lasts five years, which is considered too long by the Council of Sworn Advocates⁴⁹. Therefore, the Council of Sworn Advocates has suggested to reduce the training period to three years⁵⁰.

Discussions are ongoing on extending written proceedings in civil cases, and reforming legal aid. The Ministry of Justice and members of the Association of Judges emphasised the need to reform and underline the advantages of written proceedings notably for timely decision-making⁵¹. The Council of Sworn Advocates, while acknowledging that written proceedings significantly facilitate the work of the appellate court, found it important that

⁴³ Information received in the context of the country visit to Latvia from the Ministry of Justice, the Judicial Council and the Council of Sworn Advocates.

⁴⁴ Information received in the context of the country visit to Latvia from the Legal Department of the Constitutional Court, the Judicial Council, and the Association of Judges, which also informed the Commission that this issue had been recurrent for several years and had already been raised with the Ministry of Justice before. There is a significant turnover among judicial assistants, who frequently take on positions in the private sector, where salaries are often twice as high or higher. While this is partly due to the fact that positions as judicial assistants are filled by law students, it is rare for judicial assistants to remain in their posts for more than three years. According to the 2024 EU Justice Scoreboard, the remuneration for judicial and prosecutorial expert staff compared to the average gross salary is relatively low. Staff turnover for judicial assistants was 11.27% in 2022, and 8.88% in 2023; written contribution by the Ministry of Justice for the 2024 Rule of Law Report, p. 6 and information received by the Judicial Council in the framework of the 2024 country visit. There are no statistics on the percentage of judicial assistants being law students or on the reasons of judicial assistants leaving their position; written contribution by the Ministry of Justice to the 2024 Rule of Law Report, p. 6, figure 36, 2024 EU Justice Scoreboard. The average monthly salary of judicial assistants was EUR 1 251 in 2022, EUR 1 353 in 2023 and EUR 1 633 in 2024; written contribution from the Ministry of Justice in the context of the country visit to Latvia.

⁴⁵ Information received from the Council of Sworn Advocates in the context of the country visit to Latvia. On 15 March 2024, the exact number stood at 1 347, see Council of Sworn Advocates, About us (2024).

⁴⁶ Information received from the Economic Court in the context of the country visit to Latvia.

⁴⁷ Information received from the Council of Sworn Advocates in the context of the country visit to Latvia. See also <https://www.tm.gov.lv/en/article/first-state-uniform-professional-qualification-examination-lawyers-latvia-will-take-place-9-june-2021>.

⁴⁸ Council of Sworn Advocates, Letter to the Ministry of Justice, 8 February 2024, LZAP-6/48, p. 1.

⁴⁹ Considerations by the Council of Sworn Advocates also take into account a partial overlap between material covered during legal studies and the later training as an assistant lawyer and the overall attractiveness of the profession. Studying beforehand does not reduce this timespan. Information received from the Judicial Council in the context of the country visit to Latvia.

⁵⁰ Information received from the Council of Sworn Advocates in the context of the country visit to Latvia; Council of Sworn Advocates, Letter to the Ministry of Justice, 8 February 2024, LZAP-6/48.

⁵¹ Information received from the Association of Judges in the context of the country visit to Latvia.

participants in civil proceedings be given the right to be heard before the courts⁵². The debate in the working group on the Law on Civil Procedure established by the Ministry of Justice is ongoing⁵³. Furthermore, according to the 2024 EU Justice Scoreboard, access to legal aid in consumer cases significantly improved compared to 2022⁵⁴. In February 2024, the cooperation project between the Council of Europe, the European Commission and Latvia aiming to strengthen access to justice came to a close. This project focused on widening the scope, improving the availability and quality of state ensured legal aid, and increasing recourse to mediation⁵⁵.

The prosecution service is setting up an integrity control system, following the State Audit Office recommendations. As already reported in the 2023 Rule of Law Report, the prosecution service was the subject of a two-year action plan in April 2021 to address State Audit Office recommendations⁵⁶. In 2023, the prosecution service received a number of recommendations by the State Audit Office to reduce the risk of conflict of interest and corruption in the professional activity of prosecutors, in cooperation with the Corruption Prevention and Combating Bureau. The implementation of these recommendations will be complete with the last remaining one on an integrity control system, which is scheduled for the first semester of 2024⁵⁷. The Prosecution Service also implemented a reform on the duties and qualifications of the position of Assistant Prosecutor and qualified support staff⁵⁸. Furthermore, the Prosecution Service introduced a new system of performance indicators, including a data tool to determine the level of quality and efficiency in structural units of the Prosecution Service⁵⁹.

Efficiency

The justice system continues to perform efficiently. The 2024 EU Justice Scoreboard shows that the length of court proceedings and pending cases was among the lowest in the EU. In 2022, the overall length of proceedings remained stable⁶⁰. The clearance rate in 2022 for administrative cases significantly increased to 107% from 92.5% in 2021⁶¹. In 2022, the

⁵² Information received to Latvia from the Council of Sworn Advocates in the context of the country visit to Latvia; Council of Sworn Advocates, Letter to the Ministry of Justice, 10 February 2023, LZAP-6/62.

⁵³ Information received to Latvia from the Council of Sworn Advocates in the context of the country visit to Latvia.

⁵⁴ Figure 24, 2024 EU Justice Scoreboard and Figure 24, 2022 EU Justice Scoreboard. The improvement of the legal aid system, the development of out-of-court dispute resolution tools, and the integration of mediation and legal aid systems is set as a strategic goal of the Ministry of Justice to be achieved by 2026. Likewise, the introduction of the initial legal aid system and the improvement of access to justice have been emphasised in policy planning documents, such as the National Development Plan; written contribution by the Ministry of Justice to the 2024 Rule of Law Report, p. 2.

⁵⁵ Ministry of Justice/European Commission for the Efficiency of Justice, Assessment report on training for legal aid providers in Latvia, Co-operation project between the Ministry of Justice of Latvia, the European Commission for the Efficiency of Justice (CEPEJ), funded by the Structural Reform Support Programme (SRSP) of the European Commission ‘Strengthening access to justice in Latvia through fostering mediation and legal aid services (Phase II)’, November 2023.

⁵⁶ 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, pp. 12-13.

⁵⁷ Contribution from the Prosecutor General’s Office for the 2024 Rule of Law Report, p. 1.

⁵⁸ Ibidem, pp. 1-2.

⁵⁹ Ibidem, p. 3.

⁶⁰ Figures 10-12, 2024 EU Justice Scoreboard.

⁶¹ Figure 12, 2024 EU Justice Scoreboard.

number of pending administrative cases was the second lowest in the EU⁶². For civil and commercial cases, the number of pending cases remains low⁶³. The clearance for litigious civil and commercial cases, while having been above 100% in 2021, stood at 99% in 2022⁶⁴. The overall clearance rate equally stood at 99% in 2022⁶⁵, meaning that, overall, courts are able to deal steadily and efficiently with incoming cases.

Initiatives on improved case management and the efficient use of court resources continued. As already reported in the 2023 Rule of Law Report⁶⁶, the Court Administration had launched a pilot project on a case weighing model in 2021. In April 2023, the Judicial Council introduced such a case weighing model to determine the level of complexity of cases in district (city) courts, to be used for the analysis and monitoring of workload in courts of first instance in Latvia, as well as for planning resources and vacancies in the judicial system⁶⁷.

A Judicial Council working group identified certain ‘systemic weaknesses’ in the handling of domestic violence cases. After a femicide case in Jēkabpils had led to significant public debate⁶⁸, the Judicial Council, in a rare decision⁶⁹, set up a working group to address the handling of domestic violence cases. The working group published its report in November 2023⁷⁰. While it found no causal link between actions of the judiciary and the case, the report identified several systemic weaknesses in the work of the judiciary, the police, the prosecution and social services that were deemed in need of improvements. These include the increased use of the Court Information System where a victim files an application for court-ordered protection, and the assessment reports to be requested by prosecutors and courts on persons not complying with these orders⁷¹. It also saw the need for increased information flow, better control of high-risk violent persons, and training⁷².

⁶² Figure 15, 2024 EU Justice Scoreboard.

⁶³ The number stood, unchanged compared to 2021, at 0.9 cases per 100 inhabitants in 2022, see Figure 14, 2024 EU Justice Scoreboard.

⁶⁴ Figure 11, 2024 EU Justice Scoreboard.

⁶⁵ Figure 10, 2024 EU Justice Scoreboard.

⁶⁶ 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 8.

⁶⁷ Information received from the Judicial Council in the context of the country visit to Latvia; Judicial Council, Press release: A ‘case weighing’ model will be introduced in district (city) courts to equalize workload (28 April 2023).

⁶⁸ In the so-called Jēkabpils case, a woman was killed by her former husband in the presence of her child and mother. The offender had repeatedly threatened the victim prior to the offence, who had also reported this to the police, see the report by Latvian Public Broadcasting, Nationwide manhunt across Latvia for serial stalker and murder suspect (19 April 2023).

⁶⁹ Information received from the Judicial Council in the context of the country visit to Latvia; Judicial Council, Press release: ‘Working Group on the Evaluation of the Organisation of Court Work in Cases of Domestic Violence and Threats to Life or Health of a Person, established by the Council of the Judiciary, Summary of the Report’.

⁷⁰ Judicial Council, English language-summary of the report of 17 November 2023 and Latvian-language original of the report of 17 November 2023.

⁷¹ Pp. 1-3 of the English-language summary of the above-mentioned report.

⁷² Pp. 5-6 of the English-language summary of the above-mentioned report. A statement made by the Prosecutor-General in the case, arguing that it had been upon the victim’s lawyer to alert authorities more clearly, led to a reaction by the Council of Sworn Advocates and an enquiry by the Judicial Council, finding the statement ‘unacceptable’; information received by the Constitutional Court in the context of the 2024 country visit; report by Latvian Public Broadcasting of 9 June 2023, Latvian Public Broadcasting (2023), Finger-pointing among authorities in Jēkabpils murder case (9 June 2023); press release of Judicial Council

II. ANTI-CORRUPTION FRAMEWORK

The Corruption Prevention and Combating Bureau (KNAB) is a specialised body with competence to investigate corruption-related offences and prevent corruption. The Prosecutor's Office supervises pre-trial investigations of corruption-related offences conducted by the KNAB. Other institutions with anti-corruption competences are: the State Police, which investigates corruption in private institutions and fraud; the Internal Security Bureau, which investigates corruption-related criminal offences committed by the officials of the institutions subordinated to the Ministry of the Interior; the Internal Security Board of the State Revenue Service, which investigates criminal offences committed by State Revenue Service officials; the State Border Guard, which investigates corruption involving State Border Guard's officers and the Prison Administration, which investigates corruption involving Prison Administration officers.

The perception among experts and business executives is that the level of corruption in the public sector is relatively low. In the 2023 Corruption Perceptions Index by Transparency International, Latvia scores 60/100 and ranks 14th in the European Union and 36th globally⁷³. This perception has improved over the past five years⁷⁴. The 2024 Special Eurobarometer on Corruption shows that 76% of respondents consider corruption widespread in their country (EU average 68%) and 20% of respondents feel personally affected by corruption in their daily lives (EU average 27%)⁷⁵. As regards businesses, 63% of companies consider that corruption is widespread (EU average 65%) and 20% consider that corruption is a problem when doing business (EU average 36%)⁷⁶. Furthermore, 27% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 32%)⁷⁷, while 23% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 31%)⁷⁸.

The implementation of the Corruption Prevention and Combating Action Plan 2023-2025 is progressing well⁷⁹. Implementation progress and the four measures⁸⁰ of the Action Plan were discussed on 21 December 2023 by KNAB with civil society organisations which welcomed progress in this area. The discussions focused mainly on the challenges in the field

The Council for the Judiciary finds unacceptable the statement made by Attorney General J. Stukāns in an interview with the magazine Ieva, (16 June 2023).

⁷³ Transparency International, Corruption Perceptions Index 2023 (2024). The level of perceived corruption is categorised as follows: low (the perception among experts and business executives of public sector corruption scores above 79); relatively low (scores between 79-60), relatively high (scores between 59-50), high (scores below 50).

⁷⁴ In 2019 the score was 56, while, in 2023, the score is 60. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points); is relatively stable (changes from 1-3 points) in the last five years.

⁷⁵ Special Eurobarometer 584 on Citizens' attitudes towards corruption in the EU (2024). The Eurobarometer data on citizens' corruption perception and experience is updated every year. The previous data set is the Special Eurobarometer 534 (2023).

⁷⁶ Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024). The Eurobarometer data on businesses' attitudes towards corruption as is updated every year. The previous data set is the Flash Eurobarometer 524 (2023).

⁷⁷ Special Eurobarometer 584 on Citizens' attitudes towards corruption in the EU (2024).

⁷⁸ Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024).

⁷⁹ Action Plan of measures to prevent and combat corruption for 2023-2025; 2023/73.7 of 14 April 2023.

⁸⁰ Input from Latvia for the 2024 Rule of Law Report, p. 14.

of public procurement and the promotion and implementation of the KNAB reporting platform⁸¹. In 2023, KNAB prepared various planning documents and information reports⁸².

New reporting tools on corruption were introduced, accompanied by awareness-raising and training activities. In 2023, a new online reporting platform was developed, allowing reporting acts of corruption or submitting a whistleblower report⁸³. In addition, KNAB carried out awareness raising⁸⁴ and training⁸⁵ activities. Also, on 9 March 2023, the State Border Guard introduced internal regulations and tools for reporting acts of corruption⁸⁶ and the Internal Security Bureau carried out awareness-raising aiming at corruption prevention⁸⁷.

The investigation and prosecution of corruption-related cases is carried out efficiently, including as regards high-level corruption. In 2023, KNAB initiated a total of 36 criminal proceedings, and sent 18 criminal proceedings for prosecution⁸⁸. Currently, 90 criminal proceedings investigated by KNAB are ongoing in court⁸⁹. In 2023, the Internal Security Bureau sent fifteen criminal cases related to corruption offences to the prosecutor's office to initiate criminal prosecution against officials of the State Police⁹⁰. In the State Border Guard, seven criminal proceedings were initiated in connection to bribery of State Border Guard officials against seven officials in the first eleven months of 2023 and eight criminal proceedings were sent to the prosecutor's office for bribery of an official of the State Border Guard in 2023⁹¹. Since July 2023, in relation to the verification of the asset declaration procedures, the State Revenue Service initiated 13 criminal proceedings for criminal offences committed by public officials (including corruption criminal offences) as a result of which 12 criminal proceedings were sent to prosecution⁹². There is one ongoing case on foreign bribery

⁸¹ Input from Latvia for the 2024 Rule of Law Report, p. 14. Contribution from Delna and Transparency International in the context of the country visit to Latvia.

⁸² In 2023 KNAB carried out an analysis of potential corruption risks in 797 draft legislative acts. In line with the findings of the risk analysis, KNAB issued 174 opinions on draft legislation prepared by ministries, expressing both conceptual and drafting objections or proposals. KNAB Annual Report 2023, pp. 8-10.

⁸³ The platform has an online version and a mobile app. The report can be submitted by natural and legal persons.

⁸⁴ On 8 September, KNAB launched an information campaign 'Corruption suffocates! Report by using the KNAB app'. The campaign aims to raise public awareness of the impact of corruption on the rule of law and the country's well-being, as well as to encourage society to report corruption on the newly developed KNAB online reporting platform or its mobile app, 'Report to KNAB!'. KNAB (2023), KNAB launches campaign 'CORRUPTION SUFFOCATES! Report by using the KNAB app'.

⁸⁵ In 2023, KNAB provided training to a total of 8338 participants through 79 educational events on various topics including prevention of conflict of interest and professional ethics of public officials, risks of corruption identification of risks of corruption and development of anti-corruption action plans, creation and effective operation of the internal anti-corruption control system, also via an interactive game. The Latvian School of Public Administration offers numerous ethics trainings. Input from Latvia for the 2024 Rule of Law Report, p. 15. KNAB Annual Report 2023, p. 12.

⁸⁶ 'Reporting on a possible corrupt case' is available on the website of the State Border Guard and the relevant mailboxes were placed in the State Border Guard and State Border Guard College premises. Input from Latvia for the 2024 Rule of Law Report, p. 22.

⁸⁷ In 2023, the Internal Security Bureau conducted several preventive measures, e.g., sending informative letters to institutions, or meetings with non-profit organisations about several aspects of corruption. Input from Latvia for the 2024 Rule of Law Report, p. 23.

⁸⁸ KNAB Annual Report 2023, pp. 16-17.

⁸⁹ Input from Latvia for the 2024 Rule of Law Report, p. 25. KNAB Annual Report 2023, p. 20.

⁹⁰ Written contribution received from the Internal Security Bureau in the context of the country visit to Latvia.

⁹¹ Input from Latvia for the 2024 Rule of Law Report, p. 24.

⁹² Input from Latvia for the 2024 Rule of Law Report, p. 24.

and one judgment in a foreign bribery case resulting in the recovery of EUR 120 000 became final in 2024⁹³. Certain awareness raising and training activities were organised in relation to the OECD Anti-Bribery Convention⁹⁴. In 2023, some cases on corruption offences were sent for adjudication⁹⁵. As regards high-level corruption, various cases are ongoing, and some were finalised in 2023⁹⁶. The authorities report having addressed the recommendations⁹⁷ of the audit of December 2021 regarding the performance of the prosecution service⁹⁸. The authorities are currently considering the appropriate follow-up to the recommendations of the audit report⁹⁹ related to the number and distribution of investigative anti-corruption competences, as well as the capacity of the relevant authorities to deal with corruption cases¹⁰⁰. No EPPO investigations were carried out in 2023 regarding corruption¹⁰¹. However, EPPO indicated insufficient support from the police, with European Delegated Prosecutors often carrying out many investigations themselves, a situation that is deemed difficult in the long term¹⁰².

The implementation of the Law on Prevention of Conflict of Interest in Activities of Public Officials is ongoing. As reported last year, in 2023, the Law on Prevention of Conflict of Interest in Activities of Public Officials was amended. The first amendments¹⁰³, adopted on 2 February 2023 and in force as of 1 July 2023, limit the scope of publicly available information in the declarations of public officials submitted by the National Guard involved in national defence tasks. The second group of amendments¹⁰⁴, adopted on 9 November 2023 and expected to enter into force on 1 July 2024, are related to the concept of

⁹³ KNAB, 'Offer of a bribe made in the interests of a Latvian company results in recovery of EUR 120,000', 1 March 2024.

⁹⁴ In the 2022-2023 period, the Prosecutor General's Office organised a series of workshops for prosecutors and judges dedicated to the current issues of the OECD Anti-Bribery Convention. In September 2023, the PGO organised a two-day international workshop dedicated to the current issues of the OECD Anti-Bribery Convention. Input from Latvia for the 2024 Rule of Law Report, p. 23.

⁹⁵ On 30 October 2023, the Prosecution Office sent to the court the case of two former public officials of the State Revenue Service for having allegedly initiated baseless criminal proceedings against a EUR 100 000 bribe. The case is currently ongoing before the judge. Input from Latvia for the 2024 Rule of Law Report, p. 25.

⁹⁶ In September 2023, the Riga Regional Court as the instance of appeal found a former mayor guilty of bribery, money laundering, unauthorised participation in a property transaction, and forgery of documents. The sentence was four years of imprisonment and confiscation of the company stocks, means of transportation and real estate. Input from Latvia for the 2024 Rule of Law Report, pp. 25-26. Euractiv (2023), Latvian socialist MEPs face corruption charges, claim persecution.

⁹⁷ State Audit Office (2021), Press release: Plan to implement the SAO's recommendations for streamlining prosecution of economic and financial crimes.

⁹⁸ State Audit Office (2020), Performance audit: Effectiveness of investigations and trials of the criminal offences in the economic and financial area. The audit was conducted in cooperation with the Organization for Economic Cooperation and Development (OECD), which provided comparative information on organisation of prosecution services in selected countries. OECD (2021), Performance of the Prosecution Services in Latvia - A Comparative Study. Written information received from the Prosecution Service in the context of the country visit in Latvia.

⁹⁹ State Audit Office of the Republic of Latvia (2022), Inquiry Authorities in Latvia: the issue of competences and resources, but not the issue of numbers.

¹⁰⁰ Information received from KNAB in the context of the country visit to Latvia.

¹⁰¹ EPPO report, p. 39.

¹⁰² Contribution from the European Public Prosecutor's Office for the 2024 Rule of Law Report, p. 38.

¹⁰³ Amendments to the law on prevention of conflict of interest of public officials in action of 1 July 2023.

¹⁰⁴ Amendments to the law on prevention of conflict of interest of public officials in action of 1 July 2024.

civil partnership¹⁰⁵. In 2023, KNAB received 91 reports on potential conflicts of interest from natural persons and 47 reports from legal persons, 178 anonymous submissions and 202 from institutions of public persons and examined 180 administrative violations cases in performing the control of restrictions, prohibitions, and obligations of the Law on Prevention of Conflict of Interest in Activities of Public Officials¹⁰⁶. On this basis, KNAB initiated 364 departmental investigations, and completed 345 investigations¹⁰⁷. In 2023, decisions were taken in 180 administrative violations cases, and in 137 cases public officials were fined a total of EUR 25 545, while in 30 cases warnings were issued. As a result, 18 persons were required to repay EUR 65 527.43 in damages to the state budget¹⁰⁸. The OECD report on Latvia's legal framework for the prevention of conflicts of interest and its implementation is expected in the second half of 2024¹⁰⁹.

The electronic system for asset declarations continues to work efficiently, with several cases of violations sent for prosecution. The SRS developed an automated processing tool that identifies possible risks of breaches of the Law on Prevention of Conflict of Interest in Activities of Public Officials based on information provided in the available databases. As a result, the system verifying asset declarations is improved, its direct monitoring is available also to the direct managers and the cases of possible corruption or conflict of interest violations is thus transferred to KNAB for appropriate follow-up¹¹⁰.

The Government is planning a study on the implementation of the existing codes of ethics to be launched in 2024. A declaration of envisaged activity of the Cabinet of Ministers approved by Parliament on 14 December 2022, contained the intention to develop the code of ethics of the Government¹¹¹ while currently none is planned¹¹². Instead, a study concerning implementation of the existing codes of ethics in public institutions is planned for launch in 2024¹¹³. Two GRECO recommendations regarding codes of ethics will therefore still need to be addressed¹¹⁴. As regards the Parliament, in 2023, the number of cases

¹⁰⁵ With amendments to the Law, the scope of persons against which a public official will be unable to take decisions or be in a conflict-of-interest situation is being expanded to include partners, same as with the restrictions already imposed on the relatives of the official. The partnership will have to be indicated in the declaration of the public official. Saeima (Parliament) (2023): Two adults will be able to enter into a partnership to be registered by a notary.

¹⁰⁶ While examining the submissions and complaints about alleged actions of public officials in conflict-of-interest situations, KNAB simultaneously examined the information submitted by such public officials in their declarations, in order to establish possible violations of the Law on Prevention of Conflict of Interest in Activities of Public Officials, thus examining a total of 758 declarations of public officials. Input from Latvia for the 2024 Rule of Law Report, p. 17.

¹⁰⁷ Input from Latvia for the 2024 Rule of Law Report, p.17.

¹⁰⁸ Input from Latvia for the 2024 Rule of Law Report, p.17.

¹⁰⁹ KNAB (2023) The OECD has presented to the responsible institutions and organisations an interim report on the regulation of the field of conflict of interest of Latvia, 3 October 2023.

¹¹⁰ Ibidem, p. 23.

¹¹¹ Declaration of envisaged activity of the Cabinet of Ministers, 14 December 2022.

¹¹² Declaration of envisaged activity of the Cabinet of Ministers, 15 September 2023. Information received in the context of the country visit to Latvia from the State Chancellery.

¹¹³ Input from Latvia for the 2024 Rule of Law Report, p. 15.

¹¹⁴ Parliament has not implemented the recommendation to revise and update its code as well as to complement it with practical measures to provide guidance and counselling. GRECO (2021), Fourth Evaluation round, Addendum to the Second compliance report, Latvia, p. 4. Principles and standards of conduct applicable to and enforceable for Cabinet members, political officials and supernumerary advisory employees as well as

concerning ethics violations at the Mandate, Ethics and Submissions Committee of the Parliament slightly decreased¹¹⁵. The implementation of the code of ethics for Prosecutors remains subject to debate, in particular with regard to balancing between confidentiality of proceedings and transparency¹¹⁶.

Some further progress was made regarding legislation on lobbying, while the implementing rules are still under discussion. The 2023 Rule of Law Report recommended to Latvia to ensure the effective implementation of the legislation on lobbying, including the setting-up of a special lobby register¹¹⁷. The Law on Transparency of Interest Representation¹¹⁸ was adopted in October 2022 and entered into force on 1 January 2023. The implementing rules, which were initially expected to be adopted in September 2023¹¹⁹, are still under discussion¹²⁰. The report evaluating the progress on the implementation of the new law and identifying the remaining deficiencies was adopted by the Cabinet of Ministers on 25 June 2024 and it is expected to be further distributed to the Parliament¹²¹. An evaluation of the need to introduce sanctions for breaches of the law is planned for 2025¹²². Furthermore, according to the initial planning, the interest representation registry and the interest representation declaration system are still expected to be operational by 1 September 2025, while the tendering procedures in relation to the IT system have been launched in early 2024¹²³. Transparency International (Latvia) stressed the need to put the reform¹²⁴ in place in

for various categories of unpaid advisors in central government have not been elaborated. GRECO (2023), Fifth Evaluation Round, Second compliance report, Latvia, pp. 5-6.

¹¹⁵ As of 28 November 2023, the Committee had reviewed two cases in 2023 and found a breach in one of them (for inflammatory language). There were six violations found in 2021 and 2022, see Saeima (Parliament) (2024), Information about ethics violations of Members of Parliament.

¹¹⁶ See already 2023 Rule of Law Report, Country Chapter on the situation in Latvia, p. 5. Cases regarding a violation of the new Code of Ethics for Prosecutors are heard by the Prosecutors' Attestation Commission, input from Latvia for the 2024 Rule of Law Report, pp. 3-4. In June 2023, a criminal case in which defendants had requested the recusal of a public prosecutor after he had given a public interview to a magazine. This action was deemed permissible in light of the specific circumstances, based on the new Code of Ethics. Transparency International Latvia (Delna) welcomed this decision, which it saw as increasing transparency. Delna (2023), Code of ethics for prosecutors in action, 14 June 2023. The Prosecutors' Attestation Commissions examined one possible violation of the Code of Ethics for Prosecutors and found that the prosecutor violated the requirements to avoid creating a false perception of the prosecutor's objectivity in communication with the victim's representative, contribution from the Prosecutor General's Office for the 2024 Rule of Law Report, slide 7.

¹¹⁷ 2023 Rule of Law Report, Country Chapter on the situation in Latvia, p. 2.

¹¹⁸ Interest Representation Transparency Law of 13 October 2022.

¹¹⁹ As mentioned in the 2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia, p. 16, certain aspects of the new law were to be addressed by September 2023 through a Cabinet Regulation which is expected to bring more clarity on the adopted rules. The Cabinet Regulation was to address other information to be published in the registry as well as its scope and the order in which a public official will be ensured access to the registry. The responsibility for the development of these regulations lies with the Ministry of Justice and the State Chancellery. Input from Latvia for the 2023 Rule of Law Report, p. 17. Interest Representation Transparency Law of 13 October 2022.

¹²⁰ Information from the State Chancellery received in the context of the country visit to Latvia.

¹²¹ Section 7 of the law stipulates that the Cabinet of Ministers submits a report to the Saeima once a year by March 31, indicating the achievements and the future planned activities. Input from Latvia for the 2024 Rule of Law Report, p. 16. Written input from Latvia for the 2024 Rule of Law Report.

¹²² Section 4 of the Transitional Provisions of the law stipulates that, the Cabinet of Ministers submits the report referred to in Article 7 of the law to the Saeima for the first time in 2024, but in the report for 2025 the Cabinet of Ministers also includes an evaluation on the need to provide for administrative liability in relation to non-fulfilment of the obligations referred to in this law.

¹²³ Information received from KNAB in the context of the country visit to Latvia.

a timely manner¹²⁵. Certain awareness-raising activities were carried out with regard to the new law¹²⁶. Overall, the implementation of the Law on Transparency of Interest Representation continues to be carried out through various ongoing activities in view of setting up the special lobby register on the initially foreseen date. Therefore, some progress has been made regarding the recommendation made in the 2023 Rule of Law Report.

A revision of the rules on political party pre-election campaigning raises the maximum penalties for violations of the current legislation. On 22 June 2023, amendments¹²⁷ to the Pre-election Campaign Law were adopted and entered into force on 1 January 2024. They increased to EUR 7 100 the maximum level of the administrative fine applicable to political parties for violations of pre-election campaigning procedures or non-compliance with restrictions set for pre-election campaigning in public places, in press publications, as well as on the Internet. In 2023, KNAB examined and published information on donations and membership fees to political parties made by 1 687 persons, totalling EUR 435 621.38. KNAB published the annual statements and clarifications concerning 61 political parties¹²⁸. In accordance with the provisions of the Law on Financing of Political Parties, 12 political parties were paid EUR 5 675 351.04. Information on the State budget resources paid to each political party is compiled on the website of KNAB¹²⁹. In 2023, as a result of the inspections resulting from 74 open cases, KNAB took 62 decisions on the imposition of fines amounting to EUR 30,165 and 13 decisions on the repayment of financial resources to the State budget for the total amount of EUR 30,043.54¹³⁰.

The number of whistleblowing submissions has remained relatively stable throughout the years. The Whistleblowing Law entered into force on 4 February 2022¹³¹. The system is operational and the main contact for whistleblowers continues to be the State Chancellery. In 2023 KNAB received 52 complaints (compared to 55 in 2022) and 21 of them were subsequently recognised as whistleblowing cases¹³². In 2023, a civil society organisation reported that since the introduction of the whistleblowing system in Latvia, the number of whistleblower reports remains relatively stable, while there is still the need for increased awareness-raising¹³³. A civil society organisation also developed guidelines for those responsible for handling the whistleblower reports¹³⁴.

¹²⁴ Contribution from Delna/Transparency International in the context of the country visit to Latvia.

¹²⁵ Contribution from Delna/Transparency International in the context of the country visit to Latvia.

¹²⁶ These include a workshop in April 2023 by the Ministry of Justice and further information on the website, see Ministry of Justice, Experts discuss the implementation of the Law on Transparency of Interest Representation and State Chancellery (2023), What does the Law on Transparency of Interest Representation promote?

¹²⁷ Amendments of 22 June 2023 to the Pre-election Campaign Law, of 5 July 2023.

¹²⁸ KNAB Annual Report 2023, p. 23. See also contribution from the ENNHRI for the 2024 Rule of Law Report, p. 22.

¹²⁹ KNAB (2021), State budget funding.

¹³⁰ KNAB Annual Report 2023, p. 24.

¹³¹ Whistleblowing Law of 20 January 2022.

¹³² KNAB Annual Report 2023, p. 15.

¹³³ In 2019 (May to December), a total of 449 submissions were received through external whistleblowing channels, 556 in 2020 and 527 in 2021. However, in 2022, the lowest number of applications so far was received – 396 applications. Delna, In 2022, the lowest number of whistleblower submissions and low public awareness of whistleblowing, 26 October 2023, Delna (2023), In 2022, lowest number of whistleblower submissions and low public awareness of whistleblowing.

¹³⁴ Delna (2023), Guidelines for handling whistleblower reports.

Efforts are being made to address challenges related to public procurement, which remains an area at high risk of corruption. The Flash Eurobarometer on Businesses' attitudes towards corruption in the EU shows that 29% of companies in Member States think that corruption in Latvia has prevented them from winning a public tender or a public procurement contract in practice in the last three years¹³⁵. Restricted competition and prohibited agreements among bidders remain a key challenge in public procurement in Latvia¹³⁶ and a civil society organisation raised the need to address it¹³⁷. The Procurement Monitoring Bureau maintained and updated information about liability for violations of the regulation on a regular basis¹³⁸. The Competition Council imposed fines in relation to prohibited agreements¹³⁹, and the State Audit Office addressed violation of rules in the contracts¹⁴⁰. In 2023 an e-learning program for procurement professionals, including a module of conflict-of-interest management, was introduced¹⁴¹. On 5 October 2023, amendments were adopted to align the rules governing public procurement with EU legislation¹⁴². Other measures were undertaken regarding the disbursement of EU funds¹⁴³ and towards beneficiaries¹⁴⁴. KNAB is planning to develop its own methodology concerning the risk assessment on the basis of the recommendations of the OECD expected in 2024¹⁴⁵. In

¹³⁵ Flash Eurobarometer 543 on Businesses' attitudes towards corruption in the EU (2024). This is 2 percentage points above the EU average of 27%.

¹³⁶ In 2023, the European Commission renewed data on public procurement performance indicators where Latvia scores 'red' on two indicators – the proportion of contracts awarded where there was just a single bidder and the proportion of procurement procedures with a missing supplier registration number. European Commission (2022), Single Market Scoreboard, Access to public procurement.

¹³⁷ Contribution from Delna/Transparency International in the context of the country visit to Latvia.

¹³⁸ Available at: <https://www.iub.gov.lv/lv/2-iepirkuma-komisija>

¹³⁹ On 5 January 2023, the Competition Council made a decision concerning a prohibited agreement between bus transportation companies in the proceedings of procurement organised by the state-owned enterprise for the provision of services in regional routes. The penalty imposed was EUR 1 974 923.81. Competition Council, CC punishes three public transport providers for participating in a cartel, 18 January 2023. On 1 June 2023, the Competition Council imposed a fine of EUR 4 451 649.77 for a prohibited agreement between three road construction companies in procurement proceedings organised by the state-owned enterprise for the construction of roads and highways. Competition Council, Competition Council unveils road construction cartel, 14 June 2023.

¹⁴⁰ In 2023, the State Audit Office found that the State Centre for Defence Logistics and Procurement had organised the procurement of logistics services for the supply of food for the National Armed Forces in violation of procedures established by the Ministry of Defence. The right to supply the food was granted to contractors who did not participate in the tendering but were selected by the winner. The contract amount was EUR 220 million with a possibility to increase the total amount up to EUR 330 million. KNAB (2023), KNAB has carried out criminal proceedings in relation to the centralised procurement of food for the needs of the NAF.

¹⁴¹ Input from Latvia for the 2024 Rule of Law Report, p. 20.

¹⁴² Amendments of 5 October 2023 to the Public Procurement Law, to the Law on the Procurements of Public Service Providers to the Law on Procurements in the Field of Defence and Security and to the Law on Public-Private Partnership, all published on 13 October 2023.

¹⁴³ Additional preventive measures have been taken within the Central Finance and Contracting Agency as cooperation institution: Internal control system supplemented by declarations of interest submitted by employees. Internal training on fraud and irregularity issues (including 'red flags'), conflict of interest, irregularities, ethics performed. Input from Latvia for the 2024 Rule of Law Report, p. 21.

¹⁴⁴ These are, first, trainings and consultations provided to beneficiaries on the respective issues as well as training to law enforcement institutions on specifics of EU fund management and, secondly, requirements for an internal control system in umbrella project legislation including the prevention of conflicts of interest, corruption and fraud. Input from Latvia for the 2024 Rule of Law Report, p. 21.

¹⁴⁵ Input from Latvia for the 2024 Rule of Law Report, p. 21.

2023, the Ministry of Finance published the Handbook for the Implementation of Risk Management¹⁴⁶.

III. MEDIA PLURALISM AND MEDIA FREEDOM

In Latvia, the legal framework concerning media pluralism and media freedom is based on constitutional safeguards and sectoral legislation. The Latvian Constitution guarantees freedom of expression and information and prohibits censorship. The legal framework governing the media includes the Electronic Mass Media Law (EMML)¹⁴⁷ and the Law on the Press and Other Mass Media¹⁴⁸. The Freedom of Information Law¹⁴⁹ guarantees the right to access information held by public authorities¹⁵⁰.

The regulator for audiovisual media services continues to operate independently. Latvian media regulatory framework is primarily overseen by the National Electronic Mass Media Council (NEMMC). The NEMCC has an obligation to act in accordance with the requirements of the Latvian Constitution. When acting in its decision-making capacity, the NEMMC must not request or receive any instructions from other institutions. Financial and human resources of the NEMCC continue to remain stable and are considered adequate with respect to the functions that the NEMCC needs to carry out under the existing regulatory framework¹⁵¹. The 2024 Media Pluralism Monitor (MPM) reports a low risk for the independence and effectiveness of the media authorities¹⁵².

Information on media ownership is available on the website of the NEMCC¹⁵³ and the Register of Enterprises. All media outlets registered in Latvia are obliged to provide the information on their beneficial owners to the Register of Enterprises. Service providers must provide information on their beneficial owners and any changes in such ownership to the NEMCC. There has been no change as regards media concentration. The media regulatory framework does not provide specific thresholds for the limitation of horizontal or cross-media concentration. The evaluation of dominant position of media outlets are provided only in case of merger of companies. The 2024 MPM indicates a medium risk for transparency of media ownership¹⁵⁴.

Public service media maintain their independence through well-established safeguards. The Public Electronic Mass Media Council (PEMMC) continues to operate independently. The PEMMC operates in accordance with the Law on Public Electronic Mass Media and

¹⁴⁶ The handbook is a comprehensive resource for the full risk management cycle and covers corruption and fraud as one of several categories of risks. It contains some examples of recommendations and controls for risk mitigation, such as an action plan to outline actions for preventing and monitoring corruption/fraud, comprehensive and clear procedures to respond to suspected fraud, and a clear procedure for reporting illegal activities. Ministry of Finance (2023), Handbook for the Implementation of Risk Management.

¹⁴⁷ Latvian Electronic Mass Media Law of 28 July 2010.

¹⁴⁸ Law of 20 December 1990 on the Press and Other Mass Media.

¹⁴⁹ Freedom of Information Law of 24 December 1998.

¹⁵⁰ Latvia ranks 16th in the 2024 Reporters without Borders World Press Freedom Index compared to 22nd the previous year.

¹⁵¹ Information received from the NEMMC in the context of the country visit to Latvia.

¹⁵² 2024 Media Pluralism Monitor, Latvia, p.15.

¹⁵³ www.neplp.lv.

¹⁵⁴ See also the Act amending the Electronic Mass Media Law, adopted on 11 June 2020.

their Management (PEMML)¹⁵⁵, which provides specific safeguards for its independence¹⁵⁶. The PEMMC oversees public service media, with the aim of ensuring their editorial independence. It also develops and approves the operation strategy, the annual public service plan, and the codes of ethics for public service media. The PEMML provides specific safeguards for the independence of public service media. According to the Law, public service media must be free from political, economic or other interference with their activities¹⁵⁷. The PEMML also ensures fair and transparent appointment procedures for management and board functions of public service media. According to the 2024 MPM, ‘independence of public service media’ is at low risk¹⁵⁸.

The merger of public service media Latvian Television and Latvian Radio has been approved. On 18 January 2024, the Parliament adopted amendments to the PEMML according to which, from 1 January 2025, a single public media company (Latvian Public Media) will result from the merger of the public service media Latvian Television and Latvian Radio¹⁵⁹. In view of the planned merger, public media is expected to receive more funding in the coming years, reaching 0.12% of Latvian gross domestic product (GDP) by 2026¹⁶⁰. In total, EUR 46 million of additional funding for the public service media are planned for the period 2024-2026, to prepare and implement the merger process, and to ‘consolidate the resources of the public media to ensure their operation and development in accordance with the digital transformation process’¹⁶¹. According to stakeholders¹⁶², the establishment of a single public media company will provide significant benefits to the Latvian media space, and contribute to the development of modern digital content, technology, and infrastructure, as well as opportunities to improve the staff working conditions.

The Freedom of Information Law guarantees the right to access information held by public institutions. Access to information is also guaranteed by the Law on the Press and Other Mass Media, which establishes the right for the press to access information held by the state bodies and public authorities¹⁶³. The 2024 MPM considers the protection of right to information a low-risk area¹⁶⁴.

The professional environment for journalists continues to be overall safe. Journalists in Latvia work mainly in favorable conditions, but stakeholders have reported that political attacks and denigration have been on the rise particularly during the electoral period¹⁶⁵. Since the publication of the 2023 Rule of Law Report, two alerts have been published for Latvia on the Council of Europe’s Platform to promote the protection of journalism and safety of

¹⁵⁵ Law on Public Electronic Mass Media and their Management (PEMML), adopted on 19 November 2020.

¹⁵⁶ Article 12 and Article 13 of the Law on Public Electronic Mass Media and their Management (PEMML).

¹⁵⁷ Article 3 of the Law on Public Electronic Mass Media and their Management (PEMML).

¹⁵⁸ 2024 Media Pluralism Monitor, Latvia, p.26.

¹⁵⁹ Amendments to the Law on Public Electronic Mass Media and their Management.

¹⁶⁰ Input from Latvia for the 2024 Rule of Law Report, p. 27.

¹⁶¹ Ibidem.

¹⁶² Information received from the PEMCC in the context of the country visit to Latvia.

¹⁶³ Law of 20 December 1990 on the Press and Other Mass Media.

¹⁶⁴ 2024 Media Pluralism Monitor, Latvia, p.12.

¹⁶⁵ Information received from the Latvian Association of Journalists in the context of the country visit to Latvia.

journalists, and four on the Mapping Media Freedom platform¹⁶⁶. One of the alerts concerns the proposal to prohibit content in Russian language in Latvian public media. This proposal was included in the National Security Concept, a policy-planning document adopted by Parliament in September 2023, according to which all ‘content created by public media after 1 January 2026 must only be in Latvian language or other languages belonging to the European cultural space’¹⁶⁷. In adopting the concept, Parliament considered that the security of Latvia’s information space, including high-quality Latvian language information, is an important aspect of ensuring Latvia’s national security¹⁶⁸. For the National Security Concept this decision aims to create a unified information space promoting social cohesiveness on the basis of the official Latvian language. However, several associations of journalists and media freedom organisations expressed concern over the scope of this requirement considering that this measure risks depriving Russian speakers in Latvia of access to credible and fact-checked information, leaving them exposed to disinformation, fake news, and propaganda¹⁶⁹. Reservations on the proposal were also expressed by the NEMCC¹⁷⁰. The issue has been discussed in a public debate organised by the Government on 8 April 2024. The 2024 MPM indicator for journalistic profession, standards, and protection shows a medium risk.

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

Latvia is a unicameral, parliamentary democracy, in which the Constitutional Court can carry out *ex-post* constitutional review of laws, including in concrete cases on the basis of a constitutional complaint. Draft laws may be submitted to the Parliament by the President, the Government, Parliamentary committees, at least five members of the Parliament, or one-tenth of the electorate. In addition to the justice system, also the Ombudsperson’s Office, which acts as a national human rights institution, accredited with A-Status¹⁷¹, as well as the equality body, and civil society play a role in the system of checks and balances.

There are efforts to achieve a high degree of public participation at local level but challenges remain. As already reported in the 2023 Rule of Law Report¹⁷², the Law on Local Government¹⁷³ led to the involvement of civil society in several local projects, including on elderly homes, kindergartens, and wind parks¹⁷⁴. However, most citizens do not participate in

¹⁶⁶ Council of Europe (2024), Platform to promote the protection of journalism and safety of journalists, header: ‘alerts’, country: ‘Latvia’; European Centre for Press and Media Freedom, Mapping Media Freedom. The other alerts relate to the use of spyware against exiled Russian and Belarusian journalists living in Latvia, committed by unknown perpetrators, and a cyber-attack against a TV channel. The Ministry of Culture is setting up a working group on the safety of journalists. It aims to develop a plan of measures to address the safety of journalists. A representative of the Ombudsperson’s Office will also participate in the working group; written contribution by the Ombudsperson’s Office for the 2024 Rule of Law report, p. 3.

¹⁶⁷ Parliament approved the National Security Concept on 28 September 2023 - No: 339/Lm14. Contribution from Parliament for the 2024 Rule of Law Report, p. 5.

¹⁶⁸ Contribution from Parliament for the 2024 Rule of Law Report, p. 5.

¹⁶⁹ European Broadcasting Union, European Federation of Journalists, International Federation of Journalists, Justice for Journalists Foundation, Southeast Europe Media Organisation, Reporters Without Borders, Committee to Protect Journalists (2023): ‘International media organizations extremely concerned by Latvian proposal to ban Russian-language content on PSM from 2026’ and Freedomhouse.org – Latvia.

¹⁷⁰ Information received from the NEMCC in the context of the country visit to Latvia.

¹⁷¹ Accreditation is provided by the UN Global Alliance of National Human Rights Institutions (GANHRI).

¹⁷² Information also received from the Ombudsperson’s office in the context of the 2024 country visit.

¹⁷³ Law of 20 October 2022 on Local Government.

¹⁷⁴ Information received in the framework of the Ombudsperson’s Office in the context of the 2024 country visit.

municipal decision-making processes and citizen participation in public consultation regarding local regulations and budgets remains rare¹⁷⁵. The newly introduced participatory budget experiences difficulties in the light of the overall financial hardship faced by several municipalities¹⁷⁶. The entry into force of the Law on Local Government Referenda has been postponed until 1 September 2024. Provisions envisaging electronic voting in local government referenda will come into force on 1 August 2025 at the same time as for other relevant provisions included in the Law on Population Register¹⁷⁷. The Ombudsperson's Office continues to operate effectively and reports a high public interest in its work, including on matters of local government and participation¹⁷⁸.

On 1 January 2024, Latvia had eight leading judgments of the European Court of Human Rights pending implementation, an increase of one compared to the previous year¹⁷⁹. At that time, Latvia's rate of leading judgments from the past 10 years that remained pending was only at 17% (compared to 16% in 2023) and judgments had been pending implementation for 1 year and 9 months (compared to 1 year and 3 months in 2023)¹⁸⁰. As regards the respect of payment deadlines, on 31 December 2023 there were no cases awaiting confirmation of payments (the same as in 2022)¹⁸¹. On 1 July 2024, the number of leading judgments pending implementation had decreased to seven¹⁸².

A note by the Ministry of Justice in relation to a European Court of Human Rights judgment was subject to debate. The Ministry of Justice issued a note to all first-instance and second-instance courts in relation to the judgment of the European Court of Human Rights in the case of *Yordanov and others v. Bulgaria* on the legislation on the seizure of assets¹⁸³, and following the observations by Latvian lawyers and prosecutors, as well as by

¹⁷⁵ Contribution from Civil Liberties Union for Europe for the 2024 Rule of Law Report, p. 12. Accordingly, based on a survey by the State Audit Office and Riga Stradins University, 85% of surveyed residents do not take part in municipal decision-making processes. More generally, in Latvia, 23% of the surveyed companies perceive the frequent changes in legislation or concerns about quality of law-making process as a reason for the lack of confidence in investment protection. Figure 56, 2024 EU Justice Scoreboard.

¹⁷⁶ Information received from the Ombudsperson's Office in the context of the 2024 country visit. On the participatory budget see also 2023 Rule of Law Report, Country Chapter on the situation in Latvia, p. 20.

¹⁷⁷ Contribution from Civil Liberties Union for Europe for the 2024 Rule of Law Report, p. 12.

¹⁷⁸ Information received from the Ombudsperson's Office in the context of the country visit to Latvia. See also the contribution from the ENNHRI for the 2024 Rule of Law Report, reporting on some challenges such as backlash from members of the public but finding that the Ombudsperson's office actively participates in the legislative process and that there is no doubt about the possibility of individuals to apply to the office and receive a substantive answer.

¹⁷⁹ The adoption of necessary execution measures for a judgment by the European Court of Human Rights is supervised by the Committee of Ministers of the Council of Europe. It is the Committee's practice to group cases against a state requiring similar execution measures, particularly general measures, and examine them jointly. The first case in the group is designated as the leading case as regards the supervision of the general measures and repetitive cases within the group can be closed when it is assessed that all possible individual measures needed to provide redress to the applicant have been taken.

¹⁸⁰ All figures are calculated by the European Implementation Network and are based on the number of cases that are considered pending at the annual cut-off date of 1 January 2024. See the Contribution from the European Implementation Network for the 2024 Rule of Law Report, p. 5.

¹⁸¹ Council of Europe (2024), Supervision of the execution of judgments decisions of the European Court of Human Rights – 17th Annual Report of the Committee of Ministers – 2023, p. 137.

¹⁸² Data according to the online database of the Council of Europe (HUDOC). See also the link provided by the Council of Europe, Annual Rule of Law Report – Council of Europe contribution under 'Justice System'.

¹⁸³ Judgment of the European Court of Human Rights of 26 September 2023 in the case of *Yordanov and others v. Bulgaria*, Applications nos. 265/17 and 26473/18. The case concerns the application of legislation adopted

investigative authorities that the statutory situation in Latvia was comparable to the one underpinning this judgment¹⁸⁴. The note particularly points to differences between the Bulgarian and the Latvian statutory law, while stating that the judgment was based solely on an analysis of Bulgarian law and was binding only upon the parties of the case¹⁸⁵. The president of the Supreme Court and Judicial Council voiced his concerns over the distribution and content of the note, calling upon the executive branch to refrain from issuing documents that could be perceived as instructions or recommendations to the judiciary¹⁸⁶. In the view of the Ministry, the note only intends to facilitate the interpretation of the judgment of the European Court of Human Rights, recalling that similar notes were sent in the past¹⁸⁷.

Civil society operates in an open space but calls for better availability and adequacy of financial resources¹⁸⁸. Civil society organisations (CSOs) are generally able to freely operate and address matters of public debate and express criticism¹⁸⁹. The registration process is easy and accessible, and all documentation can be submitted electronically¹⁹⁰. In 2023, the Ministry of Justice drafted amendments to the law governing associations and foundations, which stakeholders consider an important step to have more accurate data on CSOs¹⁹¹. Stakeholders have proposed to appoint a civil society advisor within the offices of the President, Prime Minister or the Minister of Culture¹⁹². CSOs remain concerned as regards the availability and adequacy of financial resources for them¹⁹³. While there are overall 25 600 associations and foundations registered in Latvia in March 2024, and about 1 000 have been founded since 2020, only half of them are regarded as active and functioning¹⁹⁴.

in 2012, which provides for the forfeiture by the State of assets alleged to have been ‘unlawfully acquired’. The applicants all had assets seized following their conviction for criminal and administrative offenses, although there was allegedly no established link between the offence(s) and the assets concerned. See also the press release by the European Court of Human Rights of 26 September 2023, ECHR 266 (2023).

¹⁸⁴ Information received by the Council of Sworn Advocates, the Judicial Council and the Constitutional Court in the context of the 2024 country visit. See also Ministry of Justice, Re Judgment of the European Court of Human Rights of 26 September 2023 in the case of Yordanov and Others v. Bulgaria (January 2024).

¹⁸⁵ Ministry of Justice, Re Judgment of the European Court of Human Rights of 26 September 2023 in the case of Yordanov and Others v. Bulgaria (January 2024).

¹⁸⁶ Diena (2024), Strupišs: The executive branch should refrain from issuing documents that can be perceived as recommendations on the interpretation of legal norms.

¹⁸⁷ Diena (2024), The Ministry of Justice has sought to correct ‘skewed understanding’ with a circular.

¹⁸⁸ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), pp. 239, 243, based on the Civicus Monitor, available at: <https://monitor.civus.org/country/latvia>. The European Civic Forum is also of the opinion that, for this reason, the European Commission’s 2022 recommendation on “taking measures to increase the participation of civil society in decision-making at the local level” is not yet fully implemented. See also rating given by Civicus, Latvia. Ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

¹⁸⁹ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 241.

¹⁹⁰ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 241.

¹⁹¹ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 241.

¹⁹² European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 242. Information received from the Ombudsperson’s Office in the context of the country visit to Latvia.

¹⁹³ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 238.

¹⁹⁴ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 239.

Although donations and grants have increased in total, they are reaching a narrower range of organisations¹⁹⁵.

¹⁹⁵ European Civic Forum (2024), Civic Space Report 2024 – Latvia (Kristine Zonberga, Civic Alliance Latvia), p. 243.

Annex I: List of sources in alphabetical order*

* The list of contributions received in the context of the consultation for the 2024 Rule of Law report can be found at https://commission.europa.eu/publications/2024-rule-law-report-targeted-stakeholder-consultation_en.

Cabinet of Ministers, (2023), *Declaration of envisaged activity of the Cabinet of Ministers* (Deklarācija par Evikas Siliņas vadītā Ministru kabineta iecerēto darbību 2023. gada 15. septembrī), 15 September 2023, <https://www.mk.gov.lv/lv/media/16704/download?attachment>.

Civil Liberties Union, *Contribution for the 2024 Rule of Law Report*.

Competition Council, *CC punishes three public transport providers for participating in a cartel* (KP soda trīs sabiedriskā transporta pakalpojumu sniedzējus par dalību kartelī), 18 January 2023, <https://www.kp.gov.lv/lv/jaunums/kp-soda-tris-sabiedriski-transporta-pakalpojumu-sniezjejus-par-dalibu-karteli>.

Competition Council, *Competition Council unveils road construction cartel* (Konkurences padome atklāj ceļu būves karteli), 14 June 2023. <https://www.kp.gov.lv/lv/jaunums/konkurences-padome-atklaj-celu-buves-karteli>.

Constitutional Court (2024), *Written contribution by the Constitutional Court for the 2024 Rule of Law Report*.

Constitutional Court, *Judgment of 15 December 2022 in case 2021-41-01, 'On Compliance of Para 3 of Section 55 of the Law 'On Judicial Power' with the First Part of Article 101 and the First Sentence of Article 106 of the Satversme of the Republic of Latvia'*.

Council of Europe (2010), *Recommendation CM/Rec(2010)12 adopted by the Committee of Ministers of the Council of Europe on 17 November 2010 and explanatory memorandum, Judges: independence, efficiency and responsibilities* (17 November 2010), <https://rm.coe.int/cmrec-2010-12-on-independence-efficiency-responsibilites-of-judges/16809f007d>.

Council of Europe (2024), *Annual Rule of Law Report – Council of Europe contribution*.

Council of Europe (2024), *Platform to promote the protection of journalism and safety of journalists*, <https://fom.coe.int/en/accueil>.

Council of Europe (2024), *Supervision of the execution of judgments decisions of the European Court of Human Rights – 17th Annual Report of the Committee of Ministers – 2023*, <https://www.coe.int/en/web/execution/annual-reports>.

Council of Sworn Advocates (2023), *Written contribution by the Council of Sworn Advocates for the 2024 Rule of Law Report*.

Council of Sworn Advocates (2023), Letter to the Ministry of Justice (10 February 2023), LZAP-6/62.

Council of Sworn Advocates (2024) Letter to the Ministry of Justice (8 February 2024), LZAP-6/48.

Council of Sworn Advocates (2024), *About us*, 6 June 2024. <https://www.advokatura.lv/en/node/17>.

Delna, (2023) Guidelines for handling whistleblower reports (Vadlīnijas Trauksmes Cēlēju Ziņojumu Izskatīšana), 4 November 2023, https://delna.lv/wp-content/uploads/2023/04/DELNA_TC_vadlinijas_2023.pdf.

Delna (2023), Code of ethics for prosecutors in action, 14 June 2023, <https://delna.lv/lv/2023/06/14/prokuroru-etikas-kodekss-darbiba/>.

Delna (2023), In 2022, lowest number of whistleblower submissions and low public awareness of whistleblowing, <https://delna.lv/lv/2023/10/26/2022-gada-zemakais-trauksmes-celeju-iesniegumu-skaitis-un-sabiedriba-zema-izpratne-par-trauksmes-celsanu/>.

Diena (2024), *Strupišs: The executive branch should refrain from issuing documents that can be perceived as recommendations on the interpretation of legal norms* (Strupišs: Izpildvarai jāatturas no dokumentu izdošanas, kurus var uztvert kā rekomendācijas par tiesību normu interpretāciju) (14 February 2024), <https://www.diena.lv/raksts/latvija/zinas/strupiss-izpildvarai-jaatturas-no-dokumentu-izdosanas-kurus-var-uztvert-ka-rekomendacijas-par-tiesibu-normu-interpretaciju-14313159>.

Diena (2024), *The Ministry of Justice has sought to correct 'skewed understanding' with a circular* (Tieslietu ministrija ar apkārtakstu centusies labot 'sašķobījušos izpratni') (11 March 2024), <https://www.diena.lv/raksts/latvija/zinas/tieslietu-ministrija-ar-apkartrakstu-centusies-labot-saskobijusos-izpratni-14314477>.

European Network of National Human Rights Institutions (ENNHRI), *Contribution for the 2024 Rule of Law Report*.

Euractiv (2023), *Latvian socialist MEPs face corruption charges, claim persecution*, (7 September 2023), <https://www.euractiv.com/section/politics/news/latvian-socialist-meps-face-corruption-charges-claim-persecution/>.

European Broadcasting Union, European Federation of Journalists, International Federation of Journalists, Justice for Journalists Foundation, South East Europe Media Organisation, Reporters Without Borders, Committee to Protect Journalists (2023), *International media organizations extremely concerned by Latvian proposal to ban Russian-language content on PSM from 2026* *Partners call on Latvia to reconsider proposed ban of Russian-language content on public service media*, (6 October 2023), <https://www.ebu.ch/news/2023/10/international-media-organizations-extremely-concerned-by-latvian-proposal-to-ban-russian-language-content-on-psm-from-2026>.

European Civic Forum (2024), *Civic Space Report 2024 – Latvia* (Kristine Zonberga, Civic Alliance Latvia).

European Commission (2022), *Single Market Scoreboard, Access to public procurement*. https://single-market-scoreboard.ec.europa.eu/business-framework-conditions/public-procurement_en (December 2022).

European Commission (2022), *2022 EU Justice Scoreboard*.

European Commission (2023), *2023 Rule of Law Report, Country Chapter on the rule of law situation in Latvia*.

European Commission (2024), *Economic forecast for Latvia* (15 February 2024), https://economy-finance.ec.europa.eu/economic-surveillance-eu-economies/latvia/economic-forecast-latvia_en#:~:text=Headline%20inflation%20averaged%20a%20still,are%20expected%20to%20further%20decline.

European Commission (2024), *European e-Justice Portal/National specialised courts Latvia* (26 January 2024), https://e-justice.europa.eu/content_specialised_courts-19-lv-en.do?member=1.

European Commission (2024), *Judicial Independence Questionnaire* (2023).

European Commission (2024), *2024 EU Justice Scoreboard*.

European Court of Human Rights, Judgment of 26 September 2023, *Yordanov and others v. Bulgaria*, 265/17 and 26473/18, and accompanying press release ECHR 266 (2023), <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-7755749-10738911&filename=Judgments%20of%2026.09.2023.pdf>.

European Network of National Human Rights Organisations, (ENNHRI), *Contribution for the 2024 Rule of Law Report*.

European University Institute Centre for Media Pluralism and Media Freedom (2024), *Media Pluralism Monitor 2024, Country Report: Latvia*, <https://cadmus.eui.eu/handle/1814/77007>.

European Public Prosecutor's Office (EPPO) (2024), *Contribution for the 2024 Rule of Law Report*.

Eurostat (2024), *European Statistical Monitor, Economy and Environment, Annual inflation rate*, <https://ec.europa.eu/eurostat/cache/dashboard/european-statistical-monitor/>.

Freedom House (2024), *Nations in Transit 2024*, <https://freedomhouse.org/country/latvia/nations-transit/2024>.

GRECO (2021), *Fourth Evaluation round, Addendum to the Second compliance report, Latvia* (11 January 2021), <https://rm.coe.int/fourth-evaluation-round-corruption-prevention-in-respect-of-members-of/1680a10227>.

GRECO (2023), *Fifth Evaluation Round, Second compliance report, Latvia* (17 January 2023), <https://rm.coe.int/fifth-evaluation-round-preventing-corruption-and-promoting-integrity-i/1680a9c53d>.

Judicial Council (2023), Press release, *A 'case weighing' model will be introduced in district (city) courts to equalize workload* (Noslodzes izlīdzināšanai rajona (pilsētas) tiesās ieviesīs "lietu svēršanas" modeli) (28 April 2023), <https://www.at.gov.lv/lv/jaunumi/par-tieslietu-padomi/noslodzes-izlidzinasanai-rajona-pilsetas-tiesas-ieviesis-lietu-sversanas-modeli-11639?year=2023&month=04>.

Judicial Council (2023), Press release, *The Council for the Judiciary finds unacceptable the statement made by Attorney General J. Stukāns in an interview with the magazine Ieva*, (Tieslietu padome atzīst par nepieņemamu ģenerālprokurora J. Stukāna izteikumu intervijā žurnālā 'Ieva') (16 June 2023), <https://www.at.gov.lv/lv/jaunumi/par-tieslietu-padomi/tieslietu-padome-atzist-par-nepienemamu-generalprokurora-j-stukana-izteikumu-intervija-zurnala-ieva-11712?year=2023&month=06>.

Judicial Council (2023), Report Summary, *Working Group on the Evaluation of the Organisation of Court Work in Cases of Domestic Violence and Threats to Life or Health of a Person, established by the Council of the Judiciary, Summary of the Report* (17 November 2023), https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/Report.Domestic.Violence.Judicial.Council.17.11.2023.%20en.pdf.

Judicial Council (2023), *Report on the work organization of the court system in cases related to domestic violence and personal threat* (Ziņojums par tiesu sistēmas darba organizāciju lietās, kas saistītas ar vardarbību ģimenē un draudiem personas dzīvībai vai veselībai) (17 November 2023), https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/ZINOJUMS_TP_DG_Vard_gim_17.11.2023..pdf.

Judicial Council (2024), *Written contribution from the Judicial Council in the context of the country visit to Latvia*.

KNAB (2021) *State budget funding* (Valsts budžeta finansējums) (22 March 2021), <https://www.knab.gov.lv/lv/valsts-budzeta-finansejums>.

KNAB (2023), *Annual report 2023*, <https://www.knab.gov.lv/en/media/4890/download?attachment>.

KNAB (2023), *KNAB has carried out criminal proceedings in relation to the centralized procurement of food for the needs of the NAF*. (KNAB veicis kriminālprocesuālās darbības saistībā ar centralizēto pārtikas iepirkumu NBS vajadzībām), <https://www.knab.gov.lv/lv/jaunums/knab-veicis-kriminalprocesualas-darbibas-saistiba-ar-centralizeto-partikas-iepirkumu-nbs-vajadzibam>.

KNAB (2023), *KNAB launches campaign "CORRUPTION SUFFOCATES! Report by using the KNAB app"*, <https://www.knab.gov.lv/en/article/knab-launches-campaign-corruption-suffocates-report-using-knab-app>.

KNAB (2023), *The OECD has presented to the responsible institutions and organisations an interim report on the regulation of the field of conflict of interest of Latvia* (OECD iepazīstinājis atbildīgās

institūcijas un organizācijas ar starpziņojumu par Latvijas interešu konflikta jomas regulējumu (3 October 2023), <https://www.knab.gov.lv/lv/jaunums/oecd-iepazistinajis-atbildigas-institucijas-un-organizacijas-ar-starpzinojumu-par-latvijas-interesu-konflikta-jomas-regulejumu>.

KNAB (2024), *Offer of a bribe made in the interests of a Latvian company results in recovery of EUR 120,000* (1 March 2024), <https://www.knab.gov.lv/en/article/offer-bribe-made-interests-latvian-company-results-recovery-eur-120000>.

Latvian Collegium of Sworn Advocates (2024), *About us* (15 March 2024), <https://www.advokatura.lv/en/node/17>.

Latvian Government (2024), *Input from Latvia for the 2024 Rule of Law Report*.

Latvian Public Broadcasting (2022), *Saeima rejects controversial Supreme Court candidate* (17 February 2022), <https://eng.lsm.lv/article/politics/saeima/saeima-rejects-controversial-supreme-court-candidate.a444057/>.

Latvian Public Broadcasting (2023), *Nationwide manhunt across Latvia for serial stalker and murder suspect* (19 April 2023), <https://eng.lsm.lv/article/society/crime/19.04.2023-nationwide-manhunt-across-latvia-for-serial-stalker-and-murder-suspect.a505399/>.

Latvian Public Broadcasting (2023), *Finger-pointing among authorities in Jēkabpils murder case* (9 June 2023), <https://eng.lsm.lv/article/society/crime/09.06.2023-finger-pointing-among-authorities-in-jekabpils-murder-case.a512076/>.

Latvian Public Broadcasting (2023), *Sanita Osipova confirmed as Supreme Court judge* (5 October 2023), <https://eng.lsm.lv/article/politics/saeima/05.10.2023-sanita-osipova-confirmed-as-supreme-court-judge.a526570/>.

Latvian Public Broadcasting (2023), *Latvia's future security concept foresees no public media in Russian* (26 September 2023), <https://eng.lsm.lv/article/features/media-literacy/26.09.2023-latvias-future-security-concept-foresees-no-public-media-in-russian.a525331/>.

Latvian Supreme Court (2024), *About the Supreme Court*, <https://www.at.gov.lv/en/par-augstakotiesu/senatori>.

Ministry of Finance (2023), *Handbook for the Implementation of Risk Management* (Risku vadības ieviešanas rokasgrāmata), 2023. <https://www.fm.gov.lv/lv/media/15267/download?attachment>.

Ministry of Finance (2024) *Macroeconomic and Budgetary Review 2024 No. 2*, (February 2024), <https://www.fm.gov.lv/en/media/17511/download?attachment>.

Ministry of Justice, European Commission for the Efficiency of Justice (CEPEJ) (2023), *Assessment report on training for legal aid providers in Latvia, Co-operation project between the Ministry of Justice of Latvia, the European Commission for the Efficiency of Justice (CEPEJ), funded by the Structural Reform Support Programme (SRSP) of the European Commission 'Strengthening access to justice in Latvia through fostering mediation and legal aid services (Phase II)'* (November 2023).

Ministry of Justice (2023), *Experts discuss the implementation of the Law on Transparency of Interest Representation* (Eksperti diskutē par Interesu pārstāvības atklātības likuma ieviešanu) (<https://www.tm.gov.lv/lv/jaunums/eksperti-diskute-par-interesu-parstavibas-atklatibas-likuma-ieviesanu>) (8 May 2023), <https://www.tm.gov.lv/lv/jaunums/eksperti-diskute-par-interesu-parstavibas-atklatibas-likuma-ieviesanu>.

Ministry of Justice (2024), *Re Judgment of the European Court of Human Rights of 26 September 2023 in the case of Yordanov and Others v. Bulgaria*, (Par Eiropas Cilvēktiesību tiesas 2023. gada 26. septembra spriedumu lietā Yordanov un citi pret Bulgāriju) (Note of January 2024).

Ministry of Justice (2024), *Written contribution from the Ministry of Justice in the context of the country visit to Latvia*.

Prosecutor General's Office (2024), *Contribution from the Prosecutor General's Office for the 2024 Rule of Law Report*.

Providus/Agneše Frīdenberga & Iveta Kažoka (2023), *Report on Court User Survey, LATVIA, 2022-2023*, (September 2023), https://www.at.gov.lv/files/uploads/files/9_Tieslietu_padome/PROVIDUS_REPORT.COURT.USER_S_09.2023.en.pdf.

Ombudsperson's Office, *Written contribution by the Ombudsperson for the 2024 Rule of Law report*.

Reporters Without Borders (2023), *2023 World Press Freedom Index*.

Saeima (Parliament) (2024) *Information about ethics violations of Members of Parliament* (Par Saeimas deputātu ētikas kodeksa pārkāpumiem, <https://mandati.saeima.lv/lemuma-projekti/par-saeimas-deputtu-tikas-kodeksa-prkpumiem>).

Saeima (Parliament) (2023): *Two adults will be able to enter into a partnership to be registered by a notary* (10 November 2023), <https://www.saeima.lv/en/news/saeima-news/32825-saeima-two-adults-will-be-able-to-enter-into-a-partnership-to-be-registered-by-a-notary>.

Saeima (Parliament) (2024), *Contribution from the Saeima for the 2024 Rule of Law Report*.

State Audit Office (2020), *Performance audit: Effectiveness of investigations and trials of the criminal offences in the economic and financial area*.

State Audit Office (2021), *Press release: Plan to implement the SAO's recommendations for streamlining prosecution of economic and financial crimes*.

State Audit Office of the Republic of Latvia (2022), *'Inquiry Authorities in Latvia: the issue of competences and resources, but not the issue of numbers'*.

State Chancellery (2023), *What does the Law on Transparency of Interest Representation promote?* (Ko veicina Interesu pārstāvības atklātības likums?) (27 December 2023).

State Chancellery (2024), *Written contribution by the State Chancellery for the 2024 Rule of Law Report*.

Transparency International (2024), *Corruption Perceptions Index 2023*.

United Nations Special Rapporteur on Human Rights Defenders (2023), *Latvia: alleged undue use of criminal proceedings against human rights defenders Ieva Raubiško and Egils Grasmanis (joint communication)* (8 May 2023) <https://srdefenders.org/latvia-alleged-undue-use-of-criminal-proceedings-against-human-rights-defenders-ieva-raubisko-and-egils-grasmanis-joint-communication/>.

Annex II: Country visit to Latvia

The Commission services held virtual meetings in March 2024 with:

- Association of Journalists
- Association of Judges
- Bar Association
- Civic Alliance Latvia
- Constitutional Court
- Corruption Prevention and Combating Bureau (KNAB)
- Council of Sworn Advocates (Council of Lawyers)
- Delna – TI Latvia
- Economic Court
- Foreign Investors' Council in Latvia (FICIL)
- Internal Security Board of the State Revenue Service
- Internal Security Bureau (Ministry of Interior)
- Judicial Council
- Latvijas Televīzija (LTV)
- Latvijas Radio (LR)
- Ministry of Culture
- Ministry of Foreign Affairs
- Ministry of Interior
- Ministry of Justice
- National Electronic Mass Media Council
- Ombudsperson's Office
- Prosecutor General's Office
- Providus
- Public Electronic Mass Media Council
- Saeima (Parliament)
- State Audit Office
- State Border Guard
- State Chancellery
- Supreme Court

* The Commission also met the following organisations in a number of horizontal meetings:

- Centre for Democracy and Technology Europe
- Centre for European Volunteering
- Civil Liberties Union for Europe
- Civil Rights Defenders
- Civil Society Europe
- Culture Action Europe
- Democracy Reporting International
- European Centre for Non-Profit Law
- European Civic Forum
- European Federation of Journalists
- European Partnership for Democracy

- European Youth Forum
- Free Press Unlimited
- International Federation for Human Rights
- International Planned Parenthood Federation
- International Press Institute
- Irish Council for Civil Liberties
- JEF Europe
- Open Society Foundations
- Philanthropy Europe Association
- PICUM
- Reporters Without Borders
- SOLIDAR
- Transparency International EU