**OPEN GOVERNMENT PARTENRSHIP SECOND NATIONAL ACTION PLAN OF LATVIA**

**1. Introduction**

Latvia confirms that its goal by joining the partnership is to promote clearly identifiable administrative, legal and public change through shaping and strengthening a people-friendly, effective, open and honest public administration.

The role and influence of civil society have considerably increased in decision-making on development issues vital for Latvia. At the same time, this influence cannot yet be regarded as sufficient or satisfying all stakeholders. The mission of public administration institutions at various levels is to enhance their tools for day-to-day communication with civil society and organisations representing it. The involvement of civil society in decision-making processes and legislative initiatives is one of the ways for reducing the gap between power and society and is a potent tool for building an inclusive society in the country in general.

The connection between public and administration can be ensured both by facilitating public participation in governance processes, which includes technical possibilities enabling that, and by an increased control in the fields that involve the risk of decreasing or disregarding the role of society in public administration, for instance, corruption.

Therefore, the first National Action Plan approved on 10 April 2012 included four priority areas: 1) Improving the quality of public service provision; 2) Involvement of society and civil society organisations in decision-making processes; 3) Restricting corruption; 4) Open data. The choice of areas was determined by their relation to the set goals; the areas also contained descriptions of planned actions.

The implementation of the planned action and achieving of the objectives was closely linked to the National Development Plan for 2014–2020, the Guidelines for the National Identity, Civil Society and Integration Policy for 2012–2018, and policy documents which are relevant for the objectives defined in the Declaration, including the draft Guidelines for the Prevention and Combating of Corruption for 2014–2020 and the draft Guidelines for the Development of Information Society for 2014–2020. The drafts of the two guidelines outline a broad set of measures for reducing of corruption and the implementation of e-administration, including the open data principle.

The draft Guidelines for the Prevention and Combating of Corruption for 2014–2020 establish the main objective: while upholding the principle of good governance and effective management of human resources, ensure a trustworthy functioning of any institution or organisation, and establish a single framework for cooperation between the government and the general public that promotes understanding of the significance of integrity in public administration.

To achieve the main objective of the corruption prevention and combating policy, the following sub-objectives have been formulated:

1. Ensure human resource management policy in public administration that would exclude motivation for corruptive actions;
2. Establish a permanently functioning internal control system that would eliminate as much as possible the pre-conditions for corruption in the public and private sector;
3. Reduce tolerance for corruption among the general public;
4. Ensure inevitability of punishment for offences involving abuse of office;
5. Restrict the power of money in politics.

**2. Overview of the measures implemented**

Within the framework of the four areas specified in Latvia’s first National Action Plan, 17 measures were identified, which targeted concrete improvements towards people-friendly, effective, open and fair public administration.

The Independent Reporting Mechanism established that five measures have been fully implemented, while others remain in various stages of completion. The five implemented measures are as follows:

1. The assessment of NGO participation in the study entitled "Assessment of mechanisms for the involvement of non-governmental organisations in the Cabinet of Ministers decision making processes and formulation of proposals for the improvement of those mechanisms", which provided information on the desired directions for the improvement of civil society involvement in public administration, which includes participation in the drafting of planning documents and legislation at as early stage as possible.
2. The online broadcasting of the Cabinet of Ministers and the Saeima sessions to ensure that the general public has a possibility for directly following most of the politicians’ professional activities.
3. Work has been started to ensure a broad coverage of public internet access points across Latvia. During the first stage of the project, at least 165 access points are planned to be set up by 2015, while the second stage is to be implemented by 2018. In total in Latvia, it has been envisaged to establish 500 connection points in various locations.
4. The assessment of public services has been carried out for the introduction of ‘a one-stop shop’ thus identifying what is required for an effective delivery of public services and reducing the administrative burden on the general public.
5. The provision of e-services at the National Land Service was improved, which considerably reduced the administrative burden on people who handle real estate related matters. The Electronic Declaration System of the State Revenues Service has also been upgraded.

In the reporting period following the Report by the Independent Reporting Mechanism, the following measures have also been completed.

1. On 6 March 2014, the Saeima adopted “Trade Union Law” that will come into force on 1 November 2014.

**3. The Process**

Although the independent assessment mechanism found other activities not being directly linked to the Open Government Partnership principles, the implementation of those activates will continue as much as possible, and the progress will be reported in the next self-assessments.

Latvia's second Action Plan highlights commitments that have direct impact on achieving the above listed objectives set by Latvia and the overall OGP objectives.

Recommendation from civil society organisations had a considerable role in identifying issues and main objectives to be addressed by the second action plan. Consultations about them were held at a meeting on 14 July 2014 with the participation of representatives from six different public bodies and nine civil society organisations.

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| Name and number of the Commitment | | | | |
| **1. Concept Paper on Publishing the Public Sector Data in a Machine Readable Format (Open Data)** | | | | |
| Lead agency | | Ministry of Environmental Protection and Regional Development | | |
| Other involved actors | Government |  | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | Data and information held by public administration institutions is a resource that offers unexplored economic and social potential. The value of data increases when making them available for the use in creating new commercial products and services, in research, the analysis of public processes. This will have a positive impact, in terms of GDP growth and tax yield, not only on national economies but also directly on the budget revenues, a part of which can be used for sustaining and funding this direction in the activities of public administration. | | |
| Main Objective | | To achieve that public administration related data are technically and legally accessible, are published in a proactive format, and their use is facilitated in the creation of new solutions.  In order to support and facilitate making of public data available for re-use, the following measures will be supported:  ● technical solutions for preparing and publishing data in a publicly accessible, transparent, harmonised and automatically processable form, where possible, while ensuring the protection of personal data;  ● establishment of the ICT infrastructure required for sharing to make the current data on national data registers available for reuse;  ● creation of a unified, centralised data catalogue, where data structures and interfaces are described following a harmonised model and available in a centralised catalogue;  ● working out a solution for centralised data distribution, including decentralised solutions, where expedient.  ● support for activities required to ensure the functionality of data sources with the aim of re-use and converting into a reusable format of the data held in those sources, including anonymisation measures;  ● alongside the solutions, the necessary policies should be devised and legal framework put in place:  ○ for implementation into national law of Directive 2003/98/EC of the of the European Parliament and of the Council on the re-use of public sector information (PSI Directive), incl. charging and licencing provisions, e.g. in the area of geospatial information;  ○ for changing the model of financing public administration institutions, in order to promote the re-use and sharing of data held by the state, thereby reducing, as much as possible, direct dependency of the core activities of an institution on revenues gained from offering information for re-use;  ● measures promoting the use of open data in the creation of new and innovative products (application software, solutions contests, educational seminars and workshops).  Infrastructure measures to be supported:  ● shared use solutions for the processing, publishing and previewing of the open data;  ● creating open data applications (incl. dataset aggregation and integration). | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
| X |  | X |
| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| In 2017, the estimation of re-use of public sector information will amount to ~380 points. | | Ongoing |  | 2020 |

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| 2. **Single portal for the drafting of legislative and development planning documents** | | | | |
| Lead agency | | State Chancellery | | |
| Other involved actors | Government | Ministry of Environmental Protection and Regional Development | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | The decision making process is complicated, and, due to that, hardly transparent and not easily accessible for the public. This places limitations on public engagement. | | |
| Main Objective | | Make easier and increase civic participation in public administration processes through expanding possibilities for the use of e-participation tools.  To this end, there are plans to develop and put into operation by the beginning of 2016 a joint portal for drafting of legislation and development planning documents. The portal is expected to enhance the transparency of the processes of document drafting and decision-making in the central government and local authorities, as well as making it easier for the general public to quickly obtain clear information on the legislation and development planning documents being drafted, and engage and participate in the drafting. The decision making process will be visible and accessible as a whole, from the idea to making the final decision.  The general public will have opportunities for presenting their proposals on changes in legislation or administrative practice, as well as for following the progress of draft legislation through all the stages until the adoption and directly contributing their opinions. | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
| X |  | X |
| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| Increase in the number of comments from NGOs and general public | |  | November 2013 | 2016 |

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| **3.** **Common platform for the government institutions' webpages and information** | | | | |
| Lead agency | | State Chancellery  Ministry of Environmental Protection and Regional Development | | |
| Other involved actors | Government | Public administration intitutions (ministries and subordinated institutions)  General public | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | Many public institutions have functionally and technically outdated websites, which do not meet the requirement of modern technologies, cannot ensure customer-oriented services, and are not user-friendly. Different contents management platforms exist, and it is not possible to share best practices. A study established that only 16 out of 115 government institution websites have been recognised as good by users. It has been admitted that the websites have low functionality and non-transparent structures. | | |
| Main Objective | | Public institutions have state-of-the-art, user-friendly websites tailored to the needs of the public.  This will be achieved by devising a uniform website management platform centralised at the government level.  The reform will be conducive to achieving the following aims:  1. The quality and security requirements for the public institution websites in the country are set in a centralised manner.  2. Customer-targeted service is a quality communication channel that facilitates public participation. The websites are based on state-of-the-art technological solutions, they are user friendly and of straightforward design.  3. A considerable financial benefit ensured, as possibilities are precluded for creating new websites or investing into those on the grounds of subjective decisions. Public administration will not have to overspend due to the same functionalities being developed on repeated occasions.  4. More effective planning of the development of public institution websites. | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
| X |  | X |
| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| Establishing a common platform for the management of public institution websites | | Ongoing | 2013 | At least by 2020; a long term initiative |

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| **4.** **Open, fair and professional selection of candidates for the membership on the boards and councils of public entity enterprises** | | | | |
| Lead agency | | State Chancellery, Ministry of Economics | | |
| Other involved actors | Government | All shareholders in enterprises owned by public entities | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | Different practices in procedures for the selection of candidates for the membership on the board and council of a public entity enterprise; the process is often not transparent, which casts doubt on whether the most suitable candidates are being approved. | | |
| Main Objective | | To nominate candidates for the posts of board and council members on the basis of professional competence criteria (education, experience, knowledge of the field, finance, management, etc.), in which a candidate's political affiliation is not a decisive factor. | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
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| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| New procedures laid down for the selection of candidates for membership on enterprise boards and councils.  All public entities, shareholders in state owned enterprises must invariably follow the set procedure for selecting candidates. | | The new procedures for selecting candidates for membership on a board or a council has been set out in the draft “Law on the Management of Enterprises and Shares owned by Public Entities”, adopted in the second reading on 3 July 2014, and the draft Cabinet of Ministers Instruction “Procedures for selecting candidates for membership on a board or a council in companies in which the State as shareholder has the right to nominate board or council members”, announced at the State Secretaries’ meeting on 31 July 2014 (minutes No29, para. 15) and scheduled to be considered at the Cabinet of Ministers meeting on 16 September 2014. |  |  |

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| **5. Introduce more effective supervision or enforcement mechanisms of control over the activities of the officials responsible for handling public resources** | | | | |
| Lead agency | | The Ministry of Finance, the Corruption Prevention and Combating Bureau | | |
| Other involved actors | Government | The Ministry of Justice | | |
| Civil Society, Private Sector |
| Issues to be addressed | | The actions of public officials with state or local government property and funds, and transactions carried out by public institutions should be assessed on their compliance with legislation in order to detect mismanagement, abuse of office, abuse of authority for personal unearned gain or for that of other persons. To monitor the prevention of the conflict of interest in the actions of public officials and compliance with prohibitions and additional restrictions set out in legislations in regard to public officials. | | |
| Main Objective | | To counter corruption by force of law and public support, to achieve that public power is used with integrity in the interests of the state and community. Where violations of the Law “On the prevention of the conflict of interest in the actions of public officials” are detected, to prosecute public officials administratively – hold administrative hearings, enforce liability for violations of corruption prevention provisions, seek damages from officials in respect of loss resulting from their actions.  The following tasks have been set:   * Consider a possibility for enabling public access online to information on all contracts signed by public authorities on the supply of good and services, and other deals, and develop recommendations for ensuring such measures; * Consider a possibility for introducing more effective supervision or enforcement mechanisms to control the activities of public officials responsible for handling public fonds, i.a., administrative liability for misuse (wasteful spending) of public property and funds by officials; * Analyse risks of misuse of funds and corruption in the below-threshold public procurement and purchases not covered by external legislation and provide recommendations for risk reduction.   Assess legislation on criminalizing corruption and, in accordance with the problems identified in practices of the application the law, to produce draft legislation seeking a more effective application of liability provisions regarding unlawful actions with public funds and property. | | |
| OGP challenge addressed by the commitment | |  | | |
|  | | Transparency | Accountability | Public Participation |
| x | x |  |
| Verifyable and measurable milestones to fulfill the commitment | | New commitment | Start Date: | End Date: |
| No information | |  |  | 2018 |

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| **6. Establish a sustainable model of financing NGOs** | | | | |
| Lead agency | | Ministry of Culture | | |
| Other involved actors | Government |  | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | According to the Enterprise Register data, 14,704 organisations were registered in Latvia as of August 2011. However, a comparatively small part of the country's population are members of those organisations, and a downward trend has been observed. A large part of NGOs are working in the areas of sports, culture and recreation (39%), while a considerably lower percentage are active in human rights protection, combating corruption, addressing ecological problems, and similar sectors.  There is a tendency for organisations to be linguistically separated – Latvian and Russian-speaking. Latvia's NGOs remain financially and administratively weak, are far more often being set up in Riga than in other regions of the country, and have a low number of members. Nevertheless, under the socio-economic crisis, it was NGOs that provided services in the social sector and in the field of interest education, where the public administration budget was limited.  At the same time, civil society organisations are not involved in public policy making to their full capacity, which undermines trust in public administration. | | |
| Main Objective | | To enhance the legal and financial framework for increasing the institutional capacity of associations, quality participation of NGOs in decision making, strengthening them as social partners, promoting the delegation of public functions, where it is possible, to associations and foundations, especially in matters of civic education. | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
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| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| No information | |  |  |  |

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| **7.** **Provide a possibility for the online collection of signatures on referenda** | | | | |
| Lead agency | | Ministry of Environmental Protection and Regional Development | | |
| Other involved actors | Government | Public administration intitutions (ministries and subordinated institutions)  General public | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | It was possible for the residents of Latvia to initiate referenda and amendments to legislation by collecting signatures on paper, which then would need to be witnessed by a notary public. Thus far no possibilities existing of collecting the signatures online.  Amendments to the *Law on National Referenda, Legislative Initiatives and the European Citizens Initiative* envisage that as from 1 January 2015 people will also be able to sign online the initiatives on referenda and legislation – via the portal Latvija.lv, and online systems created by private entities.  In addition to its primary purpose, the solution also offers an innovative and open approach – the principle of open interfaces. The Law and the subordinate Cabinet of Ministers regulations stipulate that also private entities are also able to devise and offer solutions for the collection of signatures online, provided their systems comply with security and technical requirements laid down by the state, and has been certified by a competent institution.  The state provides a platform for the submission, checking and counting of votes submitted online. | | |
| Main Objective | | The online collection of signatures for initiating referenda, offered as an e-service on the single state and local government portal [www.latvija.lv](http://www.latvija.lv), aims at providing more convenient and widely accessible possibilities for taking part in the legislative and referendum initiatives, thereby making it easier for people, incl. those staying abroad, to directly participate in democratic processes in their country. | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
| X |  | X |
| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| 1. Cabinet of Ministers Regulations No 471 “Security and technical requirements for signature collection online systems” 2. The new service is offered on the single state and local government [www.latvija.lv](http://www.latvija.lv) 3. Monitoring the intensity of use of the new service | |  | 8 November 2012  September 2014  1 January 2015 | 22 August 2014  1 January 2015  On a regular basis |

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| **8. Draft law on the Protection of Whistleblowers**  Active civil society, reducing the number of cases of the so-called “stealing the state” | | | | | |
| Lead agency | | State Chancellery | | | |
| Other involved actors | Government | Ministry of Justice, Ministry of the Interior, Ministry of Welfare, Supreme Court, Prosecutor General’s Office | | | |
| Civil Society, Private Sector | NGO Delna  Free Trade Unions Organisation of Latvia | | | |
| Status quo or problem/issue to be addressed | | Negative perceptions among the general public about whistleblowers and a mechanism for their practical protection. | | | |
| Main Objective | | Creating positive perception of whistleblowers among society and public officials in order to establish an atmosphere of mutual trust. | | | |
| OGP challenge addressed by the commitment | |  | | | |
| Is it relevant to the advancement of: | | Transparency | | Accountability | Public participation |
| X | | X | X |
| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | | End Date: |
| Development of legal framework and practical guidelines. | |  |  | | December 2014 |

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| **9. Assessment of the system of the financing political parties** | | | | |
| Lead agency | | Corruption Prevention and Combating Bureau | | |
| Other involved actors | Government |  | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | Law on Financing Politcal Organisations (Parties) stipulates that political organisations may be financed by the State budget and lays down certain conditions for receiving and using the funds.  To establish whether the allocation of the State budget funds has achieved the primary objective – the reduction of the impact of major donors in politics, as well as identifying which types of party expenditure can be funded by the State – the functioning of the system for financing political organisations and parties needs to be evaluated, the existing drawbacks and problems identified, and solutions offered to remedy the situation. | | |
| Main Objective | | Limit the power of money in politics.  The work to achieve the objective will be carried out in the frame of eight measures.  1. Assess the functioning of the system for financing political parties and political organisations in the wake of amendments to the Law on Financing Political Organisations (Parties) regarding the allocation of the State budget funds to political parties, and develop recommendations to ensure the functioning of parties in periods between elections, reduce the dependence of parties on large-scale donations, and promote the attraction of small-scale contributions.  2. Ensure the transparency of financial activities of political organisations (parties) by raising the effectiveness of the mechanisms of enforcing liability for violations and imposing less severe sanctions for lesser administrative violations in the field of political party financing, incl. considering a possibility of reducing the administrative burden.  3. On the basis of applications received and checks carried out by the Corruption Prevention and Combating Bureau (*KNAB*), to analyse the manifestations of covert pre-election campaigning in the earlier pre-election periods and provide recommendations for legislative amendments aimed at preventing the risk of covert campaigning.  4. Create and put into operation an electronic declaration system of political parties.  5. On the basis of earlier analysis on the issues of interest for parties and other election participants in the pre-election period and on the election days, to charge the CPCB/*KNAB* with producing a methodological material for political parties.  6. Produce recommendations for the reduction of an increasing impact of private interests on the legislative process and promotion of the transparency of lobbying, as well as publicising procedures for public officials’ (including members of the parliament) communication with lobbyists and other stakeholders who attempt to influence the process.  7. Assess the impact of lobbying on the Law on of the State Budget, the construction sector, bankruptcy procedures, and other sectors and provide recommendations for reducing the impact of disproportionate lobbying.  8. Assess the legal framework related to publicising the identity of a donor and set a limit to the amount of a donation, below which the donor’s information is not made public, thereby promoting the involvement of small-scale donors in providing financial assistance to political organisations. | | |
| OGP challenge addressed by the commitment | |  | | |
| Is it relevant to the advancement of: | | Transparency | Accountability | Public participation |
| X |  |  |
| Verifiable and measurable milestones to fulfil the commitment: | | New or ongoing commitment | Start Date: | End Date: |
| **1.** **Increased trust in the work of the Saeima and the Cabinet**  a) Increasing numbers of respondents who trust the Saeima in terms of resisting corruption:  22.7% in 2012  50% in 2020  b) Increasing numbers of respondents who trust the Cabinet of Ministers in terms of resisting corruption:  24.7% in 2012  25% in 2014  48% in 2020  **2.** **Lower number of violations of political party financing regulations**  a) Increasing numbers of respondents who see the financial activities of political parties as being transparent and their supervision effective:  15% in 2013  16% in 2014  28% in 2020  b) Decreasing percentage of parties and party unions, the audits of whose annual reports and declarations of election-related revenues and expenditures reveal administrative violations:  30% in 2012 (the year when the results of checks of election declarations are made public)  10% in 2013  28% in 2014 (the year when the results of checks of election declarations are made public)  10% in 2020 | |  | 2014 | 2020 |

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| **10.**  **A Public Administration Employee’s Handbook including a Code of Ethics for those employed in direct public administration** | | | | | |
| Lead agency | | State Chancellery | | | |
| Other involved actors | Government | Not to be brought before Government for approval  Experts to be involved in drafting | | | |
| Civil Society, Private Sector |
| Status quo or problem/issue to be addressed | | A common legal framework needs to be developed | | | |
| Main Objective | | To produce a public administration employee’s handbook | | | |
| OGP challenge addressed by the commitment | |  | | | |
| Is it relevant to the advancement of: | | Transparency | | Accountability | Public participation |
| X | | X |  |
| Verifyable and measurable milestones to fulfill the commitment: | | New or ongoing commitment | Start Date: | | End Date: |
| No information | |  |  | |  |