

Open Government Partnership

National Self-Assessment Report

LATVIA

Introduction

The President of Latvia Andris Bērziņš took part in the Official Launch of the Open Government Partnership launch in New York on 20 September 2011, while Latvia officially joined the OGP in April 2012.

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. Latvia sees the Open Government Partnership as an international and unanimous forum that complements, supports and strengthens the efforts of each individual country towards openness in government.

The Process

To achieve the objective set by Latvia in accordance with the Open Government Partnership principles and goals, Latvia produced its National Action Plan. It was drawn up with regard to the “Sustainable Development Strategy of Latvia until 2030” approved by the Saeima and the national Reform Programme of Latvia for the implementation of the European Union (EU) Strategy for smart, sustainable and inclusive growth, “Europe 2020”.

The Government of Latvia has identified four priority areas in which change should be enhanced, thus approaching the established goal:

1. Improving the quality of the involvement of society and civil society organisations in decision-making processes;
2. Improving the quality of public service provision;
3. Restricting corruption;
4. Facilitating freedom of information and introducing the open data system.

The work towards achieving the objectives of the action plan will be done in a close connection with the National Development Plan (2014 – 2020), the Government Action Plan, the Guidelines on National Identity, Civil Society and Integration Policy (2012-2018), as well as policy planning documents relevant to the objectives of the Declaration.

The National Action Plan for Latvia was produced by the inter-ministerial working group led by the Ministry of Foreign Affairs and involving representatives from all the sectorial ministries and the Corruption Prevention and Combating Office (KNAB). The working group convened for three meetings: on 6 January, 10 February, and 10 March 2012.

At the first meeting the said priorities were identified on the basis of planning documents of each ministry, Partnership goals and the needs of Latvia. Preparing for the second meeting, at which the priorities were made available for public consultation, the ministries had to invite their civil society partners; the information was also spread among the members of the Council for Implementation of

the Cooperation Memorandum between Non-governmental Organizations and the Cabinet of Ministers. The Memorandum has currently been signed by 352 organisations.

Fourteen civil society representatives from eleven NGOs and two social partners were present at the meeting and actively contributed, voicing support for the four priorities identified by the working group. With active participation by civil society representatives, each priority was supplemented with a specific objective, a conceptual description of action and specific measures to be taken towards the achievement of the objective.

In view of what the working group had decided, the National Action Plan for Latvia was approved on 10 April 2012 and has been available in Latvian and English since April 2012.

After the adoption of the National action plan the activities of the working group were abolished. The Ministry of Foreign Affairs keeps the leading role in the coordination of partnership in Latvia.

Since goals and activities similar to open government partnership principles and values are already included in government level planning documents, further participation in initiative will be organized in more free and flexible format without formal working group. NGO will be involved for creating new plans and ideas.

Implementation of the Action Plan

By autumn 2013, the following practical measures had been implemented.

1. Improving the quality of the involvement of society and civil society organisations in decision-making processes

In 2013 the Memorandum Implementation Council approved the Council's medium-term action plan and priorities. One of those was the enhancement of the system for financing NGOs. Given that NGO financing is closely related to the capacity of NGOs to enable their engagement in public administration, measures are currently being taken for setting up two high-level working groups for the improvement of NGO financing system and removing administrative hurdles to the absorption of EU Structural Funds and EEA financial instruments.

To motivate and facilitate the sharing and transfer of the best practice in NGO participation at the sectoral ministry level, a new initiative, "The Best in Participation", has been launched inviting both the ministries and NGOs to nominate examples of active civil participation and NGO engagement.

A study, "The assessment of the involvement of non-governmental organisations in the decision making process in the Cabinet of Ministers. Recommendations for the improvement of the mechanisms" was undertaken in 2103. The study proved that possibilities should be expanded for NGO participation in drafting development planning documents and legislation at as early stage as possible.

Thereby amendments to legislation were made in 2013 to stipulate that, in future, procedures for civil society engagement should be applied not only when producing development planning documents but also in drafting legislation; moreover, all legislation and development planning documents will have to be published on the website of the

relevant institution, thus practically introducing the so-called discussion papers – publicising the concepts of development planning documents and draft legislation in advance of their promulgation at the State Secretaries' Meeting.

In July 2013 the State Chancellery established a Twitter account, "Participation", to dynamise communication by the Memorandum Implementation Council, inform the public about emerging possibilities of contributing to the government decision-making process and events related to public participation, as well as enabling a more active response to NGO discussion with respect to public participation.

Taking forward the improvements of the quality of involving the society and civil society organisations in decision-making processes, 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 society to quickly obtain transparent information on the legislation and development planning documents being drafted and engage and participate in drafting.

- "The Trade Union Law" has been submitted to the Saeima for approval.
- An Advisory Council of the Registry of Enterprises has been established; its membership also includes organisations – representatives of societal interests: the Employees Confederation of Latvia, the Latvian Merchant's Association etc., thus ensuring an open public administration accessible for the public. The Advisory Council is being actively engaged in the activities and decision making at the Registry of Enterprises.

Four (4) out of five (5) practical measures in the Action Plan have been introduced, with one remaining in process.

2. Improving the quality of public service provision

- The National Land Service continues to work on the development of e-services to facilitate the development of cost-efficient, transparent and democratic governance, including the development of public administration services.
- An integrated and efficient electronic Land Register process has been set up. Technical solutions enable an electronic submission of a request for corroboration and the annexed supporting documents to the Land Register for the corroboration of rights at a Land Registry Office.
- On a website, www.kadastrs.lv, devised by the National Land Service, one can view free of charge general data on a real estate and see an approximate location of a site in question (a plot of land or a structure). Upon one-off payment or having signed a service subscription agreement, the user can obtain detailed data about a property, use maps for viewing the sites with their borders and other spatial information, as well as conveniently printing out or downloading information or data.
- To relieve the general public of administrative burden and simplify requirements for providing information:

- 1) Clients need not go to the State Land Service to obtain information in inheritance cases, as all the required information for dealing with the case is received by notaries public from the National Real Estate Cadastre Information System online.
 - 2) The Government has approved draft legislation providing for easier procedures for registering real estate. The draft legislation envisages that data in the National Real Estate Cadastre Information System and the State Integral Computerized Land Register will be updated by sharing data and without involving the real estate owner, namely, a natural person will not be required to repeatedly supply information already at the disposal of a public institution.
 - 3) The work is ongoing to establish a Construction Information System containing all the information necessary to assess a preliminary plan for construction and to issue a construction permit. Thus private individuals and business people will not be required to apply in person to various institutions and public service providers to obtain information, approvals and endorsements they need.
 - 4) In cooperation with local authorities work is in progress to transfer addresses to the National Land Service in an electronic form. The purpose of the Preliminary Register to a National Address Register is a faster, cheaper and more convenient transfer of address-related data from local authorities to the National Land Service. Thus addresses would be easier accessible for the public use in land survey for cadastral purposes, when registering information on a declared place of residence, registering a company and in other processes.
 - 5) Work has begun to ensure the exchange of electronic data on the purposes of use of real estate. This will improve and speed up the circulation of decisions made by local authorities on defining the purpose of the use of real estate and updating data in the National Real Estate Cadastre Information System.
- From 1 January 2013 onwards, information on marriages, registered births and deaths is included into and updated by the Integrated Civil Status Records System. The system is also used by personnel from local authority registry offices (347 employees of local registry offices have been trained).
 - The Electronic Declaration System (EDS) of the State Revenues Service has been upgraded:
 - when filling out an annual personal income declaration or a public official's declaration, data at the SRS disposal on income amounts are elected and inserted automatically;
 - a new value added tax (VAT) declaration form has been introduced that integrates all annexes to a VAT declaration and incorporates additional checks;
 - a mutual communication platform has established been for communication between the SRS and a tax payer – a mailbox has been set up on each tax payer's profile to which administrative regulations and decisions issued by the SRS, other documents and information are sent, at the same time notifying the tax payer by his/her e-mail address registered with the SRS;
 - as from 9 July 2013, it is possible for the EDS users to be authenticated in the system by IDs and passwords of a number of Latvia's credit institutions by means of a technical solution provided at www.latvija.lv;

- In 2012, the SRS Tax Administration's customer service centres launched the process of introducing the one stop agency principle, i.e., a customer who needs a service can receive it by contacting only one SRS official in the place of service provision – the customer service hall.
- In 2013, work began on the upgrade of the national information system "Road Carriers Informational Database" to enable the accessibility of the e-service by the end of 2014.

The integrated public e-services portal www.latvija.lv introduced an e-service for the general public on 21 November 2012 – registering in the registers held by the Register of Enterprises. The service enables to file an online application with the Register of Enterprises for incorporating a new merchant, a company, and association and other subjects to be entered into the registers held by the Register of Enterprises. When filling in an application form online, a customer can make sure in advance whether the name of the company to be registered is not already in use and view similar names being used, attach documents, integrate one's own data of a natural person, etc.

- The most often viewed and used e-services in 2012 were as follows.

Title of E-service	
1. Electronic application for studies in basic study programmes	182 973
2. Submission of a place of residence declaration	125 071
3. My data in the Population Register	110 136
4. Check whether a person has declared his/her residence at the indicated address	80 526
5. Information on the prospective amount of old-age pension	71 254
6. My state-funded health care services	63 006
7. Printout of the account of the State-funded pension scheme (2nd tier) member	49 701
8. Information on social insurance contributions and insurance periods	41 324
9. Checking on a document in the Register of Invalid Documents	38 416
10. Persons who have declared my property as their place of residence	34 944

Starting January 2014, the portal will have a new version with a renewed design and improved functionality, including a search function, a services catalogue. The portal contents will also be gradually expanded to include new features.

Three (3) out of four (4) practical measures in the Action Plan have been introduced, with one remaining in process.

3. Preventing corruption

- The National Development Plan for 2014-2020 sets the goal of the establishment of an excellent business environment, an optimum reduction of administrative burden, the share of shadow economy in national economies, and corruption through ensuring a foreseeable tax policy, improving the work of the justice system, and increasing the efficiency of public administration. The criterion for achieving the goal is reduced tolerance for corruption expressed in internationally recognised indicators.

In accordance with the solution approved by the Government in 2012, anti-corruption control environment is to be set up in institutions, and compulsory corruption risk prevention measures will ensure a uniform practice in corruption prevention across all the public institutions.

The solution approved by the Government envisages the following:

- To develop a legal framework for identifying positions held by public officials that are subject to corruption risks, as well as assessing the possibility of increasing remuneration in those positions, where it is critically low and insufficient to ensure basic household needs.
- To draw up a legal act on the requirements of internal control in the field of corruption prevention to eliminate all shortcomings of inefficient organisational management and internal control in institutions; to devise methodology on the inclusion in a risk group of persons holding positions subject to corruption risks.
- Beside the proficiency criterion, to set legality, integrity and ethical aspects as work performance criteria.
- To make public the information on all vacancies in state and self-government institutions, as well as devising and establishing open procedures for personnel selection according to uniform principles of evaluating and employing candidates.
- To strengthen the responsibility of self-government executive directors for setting up and applying an internal control system in self-government administrations.

All the above measures are to be taken within the framework of the Corruption Prevention and Combating Guidelines and Programme for 2014-2020.

As from 18 July 2012, KNAB has been publishing on its website the information on violations committed by public officials in terms of corruption, specifying the official's name, his/her position, the nature of the violation and the time it occurred, as well as the decision taken and its enforcement. Information on 68 public officials held guilty of an administrative offence was publicised during the year.

In 2012, KNAB produced a draft Law on Transparency of Lobbying, aimed at balancing the participation of various groups of society in decision making and ensuring equal opportunities for all stakeholders to get involved in lobbying, while reducing the advantages of certain lobby groups that are more powerful in economic terms to achieve decision making in their favour.

On KNAB's proposal, the principle of the protection of 'whistle-blowers' was enshrined in Latvian legislation to be applied to persons who report violations involving conflicts of interest in the workplace.

- In May 2013, the Government approved a draft law developed by the Ministry of Economy on Management of Enterprises and Shareholdings by Public Persons aimed at promoting an efficient governance of enterprises and shareholdings by a public persons in compliance

with internationally recognised good corporate governance principles, as well as facilitating compliance with the conditions of commercial activities of public persons. By carrying out the reform of shareholdings management higher returns on capital (higher dividends) are expected along with publicly accessible information on the management of state-owned shares and enterprises, and on the achievement of financial and social objectives set for the enterprises.

- Initial declaration procedures with a possibility of legalizing income were introduced during the reporting period. From 1 March 2012 to 1 June 2012 the SRS received property status declarations from residents of Latvia. The information specified in the declarations is used for natural person risk analysis with the purpose of preventing corruption and money laundering; the data are also available for other control institutions under general procedures of data circulation as laid down in the Personal data Protection Law.

All five practical measures of the Action Plan have been implemented.

4. Facilitating freedom of information and introducing an open data system

- Online broadcasting of the Cabinet meetings and plenary sessions of the Saeima (Parliament) has been ensured.
- As regards improving the quality of the involvement of the society and of civic organisations in decision-making processes, the work is on going to set up and make operation by 2016 a joint portal for drafting legislation and development planning documents.
- On the October 1, 2013 Latvian government approved Information Society Development Guidelines 2014-2020.

The target is to ensure that everyone has a chance to use benefits from ICT, develop knowledge-based economics, and improve general quality of life by giving an input in national productivity, efficiency of public administration and competitiveness of businesses. The main motive of guidelines is the economic growth and jobs creation. The action areas of the Guidelines are digital skills and literacy; wide access to information society infrastructure; modern and effective public administration; E-services and digital content for society; cross-border co-operation; ICT research and innovations and trust and security. Special attention in Guidelines is devoted to the implementation of open data principle in public administration.

One (1) out of three (3) practical measures in the Action Plan has been implemented, with two (2) remaining in process.

Summary

By producing this self-assessment Latvia pledges support for the fulfilment of the Open Government Partnership goals, undertakes to continue to honour the OGP values also in future, and will work to achieve the OGP goals in the future. Practical measures set out in the National Action Plan and implemented to date should be seen as just another step towards achieving the goals specified under Latvia's priorities for the Open Government Partnership.

By autumn 2013, Latvia has fulfilled 13 practical measures out of 17 set out in the Action Plan. The remaining four practical measures are expected to be fulfilled in the next reporting periods. It must

be noted that, for a part of what has been accomplished to take effect, the Parliament's approval is being expected.

Following the needs evaluation and an assessment by the civil society of Latvia of the course of implementation of the National Action Plan, a possibility will also be considered for updating the action plan and including new measures to be taken.

The synthesis of perspective of public institutions and the non-governmental sector upon the involvement of the civic society in the processes of public administration decision making, restricting corruption, open data and improving the quality of public services provides an opportunity for evaluating the achievements from a new angle and identifying main future challenges.

As Latvia joined the OGP it became clear that Latvia's successful participation could be possible only if local needs of the country are integrated with the objectives proclaimed by the initiative as a whole. In that way, transnational, positively targeted albeit abstractly formulated goals can be articulated as binding and realistic measures, addressing Latvia's problems in a practical way. Thereby the method selected by the Action Plan of Latvia of building as much as possible upon the ministry planning documents already in place and relating each goal with specific practical actions is to be rated positively as an experience which has justified itself.

When drafting the Action Plan it became clear that the non-governmental sector has a broad and ambitious vision on the development of priority areas in Latvia. Thus the greatest challenge both in the course of drawing up the Action Plan and its further development is bringing the ideas and visions by the non-governmental sector in line with practical possibilities of public institutions.

A future challenge to consider is awareness-raising on the transparency of information and a further spread of the open data system, because the role assigned to those data by a broader society and public institutions still does not reach its full economic and social potential.

Although NGOs had a considerable role in identifying the objectives of the current Action Plan, a broader involvement of civic society should be ensured in the OGP activities, not only at the level of organisations, but also providing an opportunity for every resident of Latvia of expressing his/her opinion and offering recommendations, as well as integrating those as much as possible in the documents to be elaborated.