
INDEPENDENT REPORTING MECHANISM LATVIA: PROGRESS REPORT 2012-13

Zinta Miežaine, Policy Analyst, Association “Workshop of Solutions”

Table of Contents

Executive Summary: Latvia	2
I. Background.....	9
II. Process: Development of Action Plan	12
III. Process: Consultation during Implementation	14
IV. Implementation of Commitments	15
1 Improving the quality of the involvement of society in decision making	17
2 Improving the quality of public service provision.....	22
3 Restricting Corruption	25
4 Facilitating freedom of information and introducing an open data system	30
V. Self-Assessment	34
VI: Moving Forward.....	35
Annex: Methodology	37
OGP Latvia Survey (Translated)	40



INDEPENDENT REPORTING MECHANISM (IRM) PROGRESS REPORT 2012-13

EXECUTIVE SUMMARY: LATVIA

The Latvian action plan was highly relevant and ambitious. Notable commitments focused on the structure for participation of civil society in government and control of corruption. Notably, all commitments were based on work already commenced prior to the action plan. The process, ideally, will be strengthened during development of the next action plan with more a collaborative structure in place.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country. Latvia officially began participating in OGP in September 2011, when President Andris Bērziņš declared the government's intent to join.

The OGP in Latvia is co-ordinated by the Ministry of Foreign Affairs with representatives from relevant ministries reporting directly to the Council of Ministers. Civil society groups have been invited to participate. A significant number of the commitments were carried out by the State Chancellery with the Council on the Co-operation Memorandum between Non-governmental Organizations and the Cabinet of Ministers (Council of Memorandum), which is responsible for enabling civil society to take part in decision-making. The Corruption Prevention and Combatting Bureau also played a significant part in commitments.

OGP PROCESS

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

Latvia developed the OGP plan with collaboration from a significant number of organizations and published the results of these consultations online. A summary of comments and descriptions of how they were incorporated were unavailable.

Consultation during the action plan was decentralised, with most taking place with the relevant agencies. The State Chancellery was the driving force behind ensuring consultation, although it did not have any commitments of its own.

The government self-assessment was published one-month late (the day before the IRM report was turned in) and it is unclear if the government carried out the required 2-week notice and comment period on the draft.

At a glance

Participating since:	2011
Number of commitments or major activities:	17

LEVEL OF COMPLETION

Completed:	5 of 17
Substantial:	10 of 17
Limited:	1 of 17
Not started:	1 of 17

TIMING

On schedule:	14 of 17
--------------	----------

COMMITMENT EMPHASIS:

Access to information:	4 of 17
Participation:	7 of 17
Accountability:	5 of 17
Tech & innovation for transparency & accountability:	3 of 17

NUMBER OF COMMITMENTS WITH:

Clear relevance to an OGP Value:	14 of 17
Moderate or transformative potential impact:	11 of 17
Substantial or complete implementation:	15 of 17
All three (★):	8 of 17

This report was prepared by Zinta Miezaine,

Policy Analyst, Association "Workshop of Solutions"

COMMITMENT IMPLEMENTATION

OGP countries are required to make commitments in a two-year action plan. Table 1 summarises each commitment, its level of completion, its ambition, and whether it falls within Latvia's planned schedule (where that was stated or inferred), and the key next steps for the commitment in future OGP action plans. Latvia is notable for the high number of ambitious, highly relevant, and completed commitments, as detailed below. As a general comment to its many commitments, stakeholders interviewed noted that more proactive forms of communication will be needed if more than just elite watchdog NGOs are to become participants in decision-making. Notably, all commitments described activities that pre-existed the action plan. Table 2 summarizes the IRM assessment of progress on each commitment.

TABLE 1: ASSESSMENT OF PROGRESS BY COMMITMENT

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED										
1 Improving the quality of the involvement of society in decision making										
1.1 NGO fund – establish, manage, and enhance the state fund for advocacy organizations.									On schedule	New commitment building on existing implementation
1.2 Strengthen Social Partners – formalise representation and rights of NGOs in government planning council									Unclear	Further work on basic implementation
1.3 Trade union law – revise and pass the law on trade unions									On schedule	Further work
1.4 NGO co-working – develop recommendations for public participation in planning and legislation									On schedule	None: completed implementation
★ 1.5 Public engagement model – develop a model for public engagement at all levels.									Ahead of schedule	Further work
2 Improving the quality of public service provision										
★ 2.1 Internet Access Points – distribute internet access points to promote use of government e-services at the local level									Unclear	None
2.2 Public Service Assessment – carry out assessment of public services to form the basis of a government “one-stop shop”									On schedule	None

COMMITMENT SHORT NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED</p>										
2 Improving the quality of public service provision (continued)										
2.3 Enhancing e-services – enhance a land register, civil status records system, and revenue collection e-services									On schedule	None
2.4 Transport e-services - develop e-services for the Road Transportation Directorate.									On schedule	None
3 Restricting Corruption										
★ 3.1 Asset disclosure – create a means of assessing individuals’ spending relative to their lawful income									On schedule	None
★ 3.2 Lobbying law – pass rules to regulate transparency of lobbying									On schedule	Further work
3.3 Whistleblower protection – educate public officers about responsibilities and rights of whistleblowers									On schedule	Further work on basic implementation
★ 3.4 Public subsidy control – update the regulation for persons receiving state subsidies									On schedule	Further work on basic implementation
★ 3.5 State owned enterprises management – pass rules to de-politicise daily decision-making at state owned enterprises									On schedule	Further work on basic implementation
4 Facilitating freedom of information and introducing an open data system										
★ 4.1 Single platform for Government websites and information – develop unified concept for 170 Latvian government websites run by the Latvian with civil society input									Ahead of schedule	Further work on basic implementation
★ 4.2 Online broadcasting from the Cabinet and Parliament - Cabinet meetings and parliamentary plenaries will be broadcast online without restrictions									On schedule	None: completed implementation
4.3 Website for public participation – online participation opportunities clearinghouse									Behind schedule	Further work on basic implementation

TABLE 2: SUMMARY OF PROGRESS BY COMMITMENT

NAME OF COMMITMENT	SUMMARY OF RESULTS
★ COMMITMENT IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED	
1 Improving the quality of the involvement of society in decision making	
1.1 NGO fund <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Minor • Completion: Substantial 	The funds have been established and are managed by the Social Integration Fund. Between now and 2017, 77 advocacy organizations will receive funding. The funds come from the European Economic Zone and the European Union Social Fund. In the medium-term, a more sustainable system of financing of NGOs will be needed. The Council for the Implementation of the Council of Memorandum (see above) approved a medium-term plan to tackle this issue during 2013.
1.2 Strengthen Social Partners <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Limited 	This commitment would bring in non-state actors to play an equal role on the Council of Memorandum. There has been an informal agreement that representatives from the Council of Memorandum may attend meetings of the Tripartite Co-operation Council of Social Partners, expanding the planning council from trade unions, employers, and the state to include other non-governmental actors. The commitment, however, suggested legally binding rights to participate and vote and this has not been accomplished. At the same time, the non-governmental sector will need to organize itself to lobby and choose representation.
1.3 Trade union law <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Minor • Completion: Substantial 	The draft law on trade unions was developed during the implementation period. It will not bring about revolutionary changes, but the current draft law better articulates the principles contained in a prior draft. Trade unions and employers debated the current draft, and it has been submitted to the Parliament for approval. At the time of writing (late 2013) the bill has not yet been passed, explaining the “substantial” rather than “complete” rating.
1.4 NGO co-working <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Minor • Completion: Complete 	This commitment would develop recommendations for public participation in planning and legislation. A study was undertaken and opportunities were identified for greater NGO participation in these processes. A next ambitious step would be to implement these recommendations.
★ 1.5 Public engagement model <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Substantial 	This commitment required government to develop a model for public engagement at all levels. Draft regulations cover publication of discussion documents, public involvement with legislative documents and planning documents. There are also provisions for public access to draft documents before they are circulated through ministries, and for enhancing the agenda setting powers of NGOs in the Council of Memorandum. At the current time this commitment is incomplete, as the Government has not developed the information technology or institutional structure to support this. NGOs interviewed also wish to see enhanced participation at the parliamentary level and a unified repository for public comments.
2 Improving the quality of public service provision	
★ 2.1 Internet Access Points <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Complete 	This commitment aimed to distribute internet access points to promote use of government e-services at the local level. This commitment pre-dated the OGP action plan and significant progress has been made in implementing the project. It's unclear how much work was done during the implementation period. The government has achieved its aim and is now transitioning to a “Last Mile” program to cover rural areas. For the next action plan, the IRM researcher suggests that government focus only on those key public service areas that enhance OGP values or that include participation of both clients and service providers.
2.2 Public Service Assessment <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential impact: Moderate • Completion: Complete 	The Assessment of Public Services forms the basis of a “one-stop shop” for government services. This has been introduced. The relationship of this commitment to OGP values of transparency, participation, and accountability is not clearly articulated in the action plan and the commitment is not assessed or explained in the government's self-assessment. At the same time, for the next action plan, the IRM researcher suggests that government focus only on those key public service areas that enhance OGP values or that include participation of both clients and service providers.

<p>2.3 Enhancing e-services</p> <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential impact: Minor • Completion: Complete 	<p>This commitment would enhance the land registry system, civil status records system, and revenue collection e-services. These actions were well under way at the time of the action plan and have been implemented. The country did not establish clear milestones or actions during the implementation period. For the next action plan, the IRM researcher suggests that government focus only on those key public service areas that enhance OGP values or that include participation of both clients and service providers.</p>
<p>2.4 Transport e-services</p> <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential impact: Minor • Completion: Limited 	<p>This commitment would develop e-services for the Road Transportation Directorate. It is still currently under development. As currently articulated it is unclear how the information provided by the service (due 2014) will serve the OGP values of transparency, participation, and accountability. For the next action plan, the IRM researcher suggests that government focus only on those key public service areas that enhance OGP values or that include participation of both clients and service providers.</p>
<h3>3 Restricting Corruption</h3>	
<p>★ 3.1 Asset disclosure</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Substantial 	<p>This commitment sought to create a means of assessing individuals' spending relative to their lawful income. This information can be used to identify those officials involved in money laundering or tax evasion. This commitment is an internal-to-government control only, and, accordingly, has a weaker link to <i>open</i> government. While the system was established during the implementation period, at the current time, no data is available on how data collection transpired or was used afterwards.</p>
<p>★ 3.2 Lobbying law</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Substantial 	<p>The Corruption Prevention and Combatting Bureau has elaborated a draft, "Law on Transparency of Lobbying." This law awaits further debate by the Cabinet of Ministers, but has been implemented internally in the Bureau. Such a law would allow for public scrutiny of lobbying and would potentially increase participation in legislative affairs. This commitment will not have significant impact until it is approved by Parliament and implemented. Even then, stakeholders interviewed expressed doubts about its usefulness.</p>
<p>3.3 Whistleblower protection</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Minor • Completion: Limited 	<p>This commitment aims to educate public employees about their rights as whistle-blowers, including the need to report violations, witness protection programs, protection of informants, and the guarantee of anonymity. This commitment was largely internal-to-government control, and, although highly relevant to anti-corruption, accordingly, has a weaker link to <i>open</i> government. Stakeholders felt that this commitment was limited to only a few agencies of concern and that, until regulations are approved to protect whistle-blowers from reprisal and to provide legal remedies for whistle-blowers, those officials will continue to be harassed.</p>
<p>★ 3.4 Public subsidy control</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Substantial 	<p>This commitment would update the regulation for persons receiving state subsidies as part of their work. This commitment saw a lengthy debate over the level of control and proportionality of its consequences on the NGOs. While the reform is in the Corruption Prevention and Combatting Guidelines and Program for 2014-2020, an updated regulatory framework has seen only limited debate. More debate is needed in order to find a means of achieving the aims of the regulation without adding undue administrative burdens on NGOs.</p>
<p>★ 3.5 State owned enterprises management</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Substantial 	<p>This complicated commitment would work to de-politicise daily decision-making at state owned enterprises. A draft law to address these issues is under debate in Parliament, but remains in draft status. The success of this commitment going forward depends on the ability of these two public bodies to pass their respective reforms.</p>

4 Facilitating freedom of information and introducing an open data system	
<p>★ 4.1 Single platform for Government websites and information</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Transformative • Completion: Substantial 	<p>This commitment would develop a unified concept for the 170 websites run by the Latvian government with the input of civil society. Stakeholders identified a number of key data sets for the implementation of this commitment and government-developed guidelines for implementation covering many relevant open data principles. While the official implementation of this commitment awaits the provision of these key data sets by individual agencies, civil society groups have taken the step to implement this informally, with solutions including a technology portal and various “hackathons.” In addition to passing legislation, the next action plan could ensure tenders to finance further development of data sets and continued collaborative prioritization of open data sets.</p>
<p>★ 4.2 Online broadcasting from the Cabinet and Parliament</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Complete 	<p>Cabinet meetings and plenary session of Saeima (parliament) will be broadcast online without restrictions. This commitment was completely implemented. While the average member of the public may not be able to follow all debates without preparation, the Cabinet of Ministers has made this preparation easier by creating a subscription service for e-portfolios, including supporting documents, opinions of Social Partners, and minutes of discussions of individual ministries. The IRM researcher recommends monitoring and maintenance of these systems.</p>
<p>4.3 Website for public participation</p> <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential impact: Moderate • Completion: Not started 	<p>This commitment would put information about opportunities for public participation online. At this time, the commitment was not implemented and opportunities for participation, where they are publicised are available only on individual agency websites. The next step to achieve this important commitment will be to have the separate agencies come to the agreement to build a unified platform.</p>

RECOMMENDATIONS

Latvia has been on the path toward fulfilling OGP values since it regained its independence and started to build a democratic state. While dialogue between government and civil society has improved, trust and co-operation are still not the norm in most institutions. This section elaborates a few of the recommendations that the next action plan may consider in light of the opportunity OGP presents:

- Maintain ownership at the level of the State Chancellery
- Continue to co-ordinate closely with the Council of Memorandum
- Closely monitor implementation of commitments around Restricting Corruption and Introduction of Open Data
- If commitments around online government services are to be maintained in the next action plan, involve relevant end users in the planning and design of interventions.

Stakeholders interviewed also found the following areas promising for inclusion in the next action plan:

- Continue work on access to information, e-participation, and legislative tracking.
- Revise and enhance commitments including:
 - whistle-blower protection by adding comprehensive protection;
 - facilitation of lobbying by NGOs; and
 - more clear rules on persons receiving state funds to carry out NGO work.
- Add commitments on
 - improving participation in policy planning at early phases of the process;
 - strengthening the capacity of NGOs to use existing and planned mechanisms for participation and monitoring; and
 - developing new finance mechanisms for the medium-term.

Zinta Miezaine is policy analyst and board member of the association, “Workshop of Solutions” which promotes public participation in decision-making processes on the local, national and EU level, and brings together decision makers and their constituents.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP’s Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

*Risinājumu
Darbnīca*



Eligibility Requirements 2012: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, visit <http://www.opengovpartnership.org/eligibility>. Raw data has been re-coded by OGP staff into a four-point scale, listed in parentheses below.

Budget Transparency: No data	(NA)	Access to Information: Law enacted	(4 of 4)
Asset Disclosure: Appointed and elected officials (4 of 4)		Civic Participation: 9.12 of 10	(4 of 4)

I. BACKGROUND

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

INTRODUCTION

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

Latvia officially began participating in OGP in September 2011 when Andris Bērziņš, President of the Republic of Latvia declared the government's intent to join.

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Latvia entered into the partnership exceeding the minimal requirements for eligibility, with a high score in each of the criteria. At the time of joining, Latvia had an access to information law, the highest possible rankings in asset disclosure for senior officials, and a score of 9.12 out of a possible 10 on the Economist Intelligence Unit's Democracy Index Civil Liberties subscore. (Latvia did not have a score for open budgets in the 2010 Open Budget Index.)

All OGP participating governments must develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programs. (See Section 4 for a list of grand challenge areas.) Action plans should then set out each government's OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Along with the other members of OGP, Latvia developed its national action plan from December 2011 through April 2012. The effective start date for the action plan submitted in April was officially 1 July 2012. The period covered by the plan was July 2012 to June 2013. Still most of the activities of the plan were aimed at development of new policies that require more effort and time than planned initially. It has not published its self-assessment (as of 10 November 2013) although the IRM Researcher received the draft on 30 October 2013.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent local researcher to carry out an evaluation of the development and implementation of the country's first action plan. In Latvia the IRM partnered with Zinta Miežaine, an independent researcher with expertise in governance who authored this progress

report. It is the aim of the IRM to inform ongoing dialogue around development and implementation of future commitments in each OGP participating country.

INSTITUTIONAL CONTEXT

The Open Government Partnership initiative in Latvia is co-ordinated by the Ministry of Foreign Affairs. The Ministry established a working group and its mandate was stipulated as Regulations of the Cabinet of Ministers. The working group included representatives from most relevant Ministries and it had a mandate to invite interested NGOs to its meetings. The group was instrumental during development of the Action Plan and was dissolved on 18 June, 2013. The Action Plan entails commitments and decentralised implementation. Each commitment is implemented by a responsible agency and is part of its policy development plans. Agencies report directly to the Cabinet of Ministers. The Ministry of Foreign Affairs serves as informational coordinator as far as work of a responsible agency contributes towards reaching the Aims of the OGP in 4 activity areas.

Commitments in respect of improving the quality of the involvement of society and civil society organizations in decision-making processes are implemented by the State Chancellery, in co-operation with the Council for Implementation of the Co-operation Memorandum between Non-governmental Organizations and the Cabinet of Ministers. Several activities in this area are implemented by the Society Integration Foundation and the Ministry of Welfare. Commitments related to Corruption Restriction are implemented by the Corruption Prevention and Combating Bureau, State Revenue Service and the Ministry of Economy. Commitments which relate to Facilitating freedom of information and introducing open data system as well as commitments related to improving quality of public service provision are implemented by the Ministry of Environmental Protection and Regional Development.

METHODOLOGICAL NOTE

The IRM partners with experienced, independent national researchers to author and disseminate reports for each OGP participating government, working with local individuals or organizations with experience in assessing open government. Zinta Miezaine is a Member of the board of the association, “Workshop of Solutions,” which was established to promote and support public participation in decision-making processes on the local, national and EU level, and to bring together both decision makers and their constituents. The IRM researcher reviewed the government’s draft self-assessment report, gathered the views of civil society, and interviewed appropriate government officials and other stakeholders. OGP staff and a panel of experts reviewed the report. Government and limited members of civil society were also given an opportunity to comment, provide additional information, and identify factual errors prior to publication.

To gather the voices of multiple stakeholders, the IRM researcher organized two stakeholder forums in Riga. The organizations that showed little interest were replaced with individual interviews with 8 representatives of NGOs and a discussion and survey of 27 students studying Civil Society Development. The researcher also reviewed key documents prepared by the Government and the relevant agencies.

Summaries of the interviews and the survey are given in the Annex.

SOURCES

Economist Intelligence Unit, “Democracy Index 2010: Democracy in Retreat” (London: Economist, 2010). Available at: <http://bit.ly/eLC1rE>

Djankov, Simeon, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, “Disclosure by Politicians,” (Tuck School of Business Working Paper 2009-60, 2009): <http://bit.ly/19nDEfK>;

Government of Latvia. *Freedom of Information Law*. 1998.

Government of Latvia. “On working group to ensure Latvia’s participation at Open Government Partnership Initiative,” Decree of the Cabinet of Ministers Nr 672, 19 December, 2011 <http://likumi.lv/doc.php?id=241672> (in Latvian)

Messick, Ricard. “Income and Asset Disclosure by World Bank Client Countries” (Washington, DC: World Bank, 2009). <http://bit.ly/1cIokyf>

Organization for Economic Cooperation and Development (OECD), “Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency,” in *Government at a Glance 2009*, (OECD, 2009). <http://bit.ly/13vGtqS>;

Open Budget Partnership, *Open Budgets Change Lives* (Washington, DC: Open Budget Partnership, 2012). http://internationalbudget.org/wp-content/uploads/2011/06/2010_Full_Report-English.pdf

Workshop of Solutions. <http://www.workshopofsolutions.com/index.php/en>

II. PROCESS: DEVELOPMENT OF ACTION PLAN

GIVEN THE LIMITED RESOURCES AT ITS DISPOSAL, THE GOVERNMENT OF LATVIA MET MANY, BUT NOT ALL, OF THE OGP CONSULTATION REQUIREMENTS. STAKEHOLDERS INTERVIEWED WERE UNCLEAR HOW, IF AT ALL, THEIR INPUT INFLUENCED THE FINAL PLAN.

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector, seek out a diverse range of views, make a summary of the public consultation and ensure that all individual written comment submissions are available online
- Undertake OGP awareness-raising activities to enhance public participation in the consultation
- Consult the population with sufficient forewarning and through a variety of mechanisms to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during consultation, is set out in the OGP Articles of Governance. This requirement is dealt with in section “III: Consultation during implementation”:

- Countries are to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence for consultation both before and during implementation is included here and in Table 1 for ease of reference.

TABLE 1: ACTION PLAN CONSULTATION PROCESS

Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the government meet this requirement
During Development	Timeline and process: Prior availability	Other. See narrative.
	Timeline: Online	Other. See narrative.
	Advance notice	No
	Awareness-raising activities	Yes
	Awareness-raising activities: Links	http://www.latvija.lv/vilnius/jaunumi/MinistrijasPazinojumi/MinistrijasPazinojumi-Template/?pg=21490
	Online consultations	No
	In-person consultations	Yes
	Summary of comments	No
During Implementation	Regular forum	No

ADVANCE NOTICE OF CONSULTATION

Consultation during the development of the Action Plan was done openly, and in several stages. The first announcement on the intent of Latvia to join the OGP Initiative was released to 340

NGOs active in co-operation with Government agencies. Those NGOs who showed interest were invited to the further process.

The Ministry of Foreign Affairs (MFA) organized three working group meetings. The second meeting was open to NGOs. Information was released to the relevant ministries with a notice to also invite NGO co-operation partners that might be interested in the issue. The MFA invited also some NGOs proactively, knowing their interest in issues of open governance. These included the local chapter of Transparency International, known as “Delna,” the public policy NGO “Providus,” the European Movement Latvia and LATO, the organization which promotes Latvia’s membership in the North Atlantic Treaty Organization.

The draft Action plan was published for comments on the website of the Cabinet of Ministers. In accordance with Latvian regulations, each NGO can comment on any policy document at this stage within two weeks. The Ministry received 62 comments. From those submitted, three were from NGOs. Still, the action plan was not modified and approved by the Cabinet of Ministers since all the activities planned are stipulated in other policy documents and institutions were already obliged to report on their implementation to the Cabinet of Ministers.

QUALITY AND BREADTH OF CONSULTATION

Most ideas from NGOs that were discussed during the planning process of the Activity Plan were included in the text. However, the input of NGOs was not taken into account at the later stage when particular activities were translated into policy plans for the government. The Cabinet of Ministers did not review the document after the consultation stage.

Representatives from the following institutions actively took part in development of the Commitments:

- Ministry of Interior
- Ministry of Transport
- Ministry of Education and Science
- Ministry of Finance
- Ministry of Economics
- Ministry of Environmental Protection and Regional Development
- Ministry of Justice
- Ministry of Foreign Affairs
- Organization of Co-operation of Agricultural organizations
- Free Trade Union Confederation of Latvia
- Association for Transparency “Delna”
- Association for Telecommunications
- Centre of Public Policy “Providus”
- Latvian Chamber of Commerce and Industry
- Latvian National Association of Haulers
- Latvian Association of Transit Business
- European Movement Latvia
- Latvian Transatlantic Organization
- Latvian Employers’ Confederation
- The Institute of Mathematics and Physics of Latvian University.

SOURCES

Website of the Cabinet of Ministers, <http://www.mk.gov.lv/lv/mk/tap/?pid=40259424> (in Latvian)

III. PROCESS: CONSULTATION DURING IMPLEMENTATION

A PREVIOUSLY ESTABLISHED CROSS-PARTY WORKING GROUP DID NOT CONTINUE AFTER THE DEVELOPMENT OF THE ACTION PLAN. INSTEAD, CONSULTATION LARGELY TOOK PLACE BETWEEN CIVIL SOCIETY AND INDIVIDUAL IMPLEMENTING MINISTRIES.

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarises that information.

CONSULTATION PROCESS

Consultations on implementation of various commitments were decentralised and held by the responsible agencies. Most agencies used the pre-existing mechanisms of involvement of society already formed for consultation purposes.

Measures under the thematic group “Improving the quality of the involvement of society and civil society organizations in decision making” were consulted within the framework of an already existing consultation mechanism, the Co-operation Memorandum between Non-governmental Organizations and the Cabinet of Ministers (Council of Memorandum). Most measures were discussed in the meetings and a joint work plan was elaborated. Although the State Chancellery, the driving force from Government side of the changes in this area, did not assume any formal commitments still it does undertake and promote actions that correspond to the commitments under the Open Government Partnership initiative.

Most commitments on improving public services and transparency of information are implemented by the Ministry of Environmental Protection and stakeholder NGOs that have co-operation agreements with the Ministry and the Council of Information Society Development. The Ministry representatives mentioned the following NGOs which have been active and instrumental in developing policies and regulations: Latvian Chamber of Commerce and Industry, the Association of Information and Communication Technologies, and the Latvian Association of Open Technologies.

Meetings and consultations were held as necessary.

SOURCES

Web page of the Cabinet of Ministers, <http://www.mk.gov.lv/en/sabiedribas-lidzdaliba/sadarbibas-memorands/?lang=1> (in Latvian)

Web page of the Ministry of Environmental Protection and Regional Development, http://www.varam.gov.lv/lat/lidzd/Sad_nvo/?doc=14926 (in Latvian)

Web page of the Ministry of Environmental Protection and Regional Development, <http://www.varam.gov.lv/lat/lidzd/pad/isp/?doc=15526> (in Latvian)

Researcher’s interviews with representatives of Government institutions

IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action Plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five “grand challenges” that governments face. OGP recognises that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

1. **Improving Public Services**—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
2. **Increasing Public Integrity**—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
3. **More Effectively Managing Public Resources**—measures that address budgets, procurement, natural resources, and foreign assistance.
4. **Creating Safer Communities**—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
5. **Increasing Corporate Accountability**—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, all OGP commitments should reflect four core open government principles:

- **Transparency** — information on government activities and decisions is open, comprehensive, timely, freely available to the public, and meets basic open data standards (e.g. raw data, machine readability).
- **Citizen Participation** — governments seek to mobilise citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative and effective governance.
- **Accountability** — there are rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.
- **Technology and Innovation** — governments embrace the importance of providing citizens with open access to technology, the role of new technologies in driving innovation, and the importance of increasing the capacity of citizens to use technology.

Countries may focus their commitments at the national, local and/or subnational level, wherever they believe their open government efforts are to have the greatest impact.

Recognising that achieving open government commitments often involves a multi-year process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, wherever possible.

This section details each of the commitments Latvia included in its initial action plan.

Items committed to under the action plan have been evaluated together on a single fact sheet in order to avoid repetition and make reading easier for OGP stakeholders.

While most indicators given on each commitment fact sheet are self-explanatory, a number of indicators for each commitment deserve further explanation.

- **Relevance:** The IRM researcher evaluated each commitment for its relevance to OGP Values and OGP Grand Challenges.
 - **OGP values:** Some OGP commitments are unclear in their relationship to OGP values. In order to identify such cases, the IRM researcher made a judgment based on a close reading of the commitment text. This identifies commitments that can better articulate their relationship to fundamental issues of openness.
 - **Grand challenges:** While some commitments may be relevant to more than one grand challenge, the reviewer only marked those that had been identified by government (as almost all commitments address a grand challenge).
- **Ambition:**
 - *Potential impact:* OGP countries are expected to make ambitious commitments (with new or pre-existing activities) that stretch government practice beyond an existing baseline. To contribute to a broad definition of ambition, the IRM researcher judged how potentially transformative commitment might be in the policy area. This is based on researcher's findings and experience as a public policy expert.
 - *New or pre-existing:* The IRM researcher also recorded, in a non-judgmental fashion whether a commitment was based on an action that pre-dated the action plan.
- **Timing:**
 - *Projected completion:* The OGP Articles of Governance encourage countries to put forth commitments with clear deliverables with suggested annual milestones. In cases where this information is not available, the IRM researcher makes a best judgment, based on the evidence of how far the commitment could possibly be at the end of the period assessed.

1 IMPROVING THE QUALITY OF THE INVOLVEMENT OF SOCIETY IN DECISION MAKING

Implement the "NGO Fund" programme co-financed by the European Economic Zone thus increasing the capacity of NGO and their quality engagement in drafting legislation and sectorial policies.

Strengthen the role of the social partners (LBAS and LDDK) and civil society organisations in decision-making process by ensuring that social partners and civil society organisations are an equal discussion partner for the Government, self-governments and other public institutions.

Upgrade legislation that regulates trade union operations.

Assess the practice of co-working between ministries and sectorial NGOs and develop recommendations for improving the works, including the extension of the principles of the Cabinet of Ministers Co-operation Memorandum to cover also the ministries, and the organisation of regular meetings between representatives of the ministries and NGOs in a mutually acceptable form and contents;

Devising a public engagement model for integrated, co-ordinated and quality decision-making at all levels

Commitment Description						
Answerability	Lead institution	State Chancellery,				
	Supporting institutions	Council for the Implementation of the Co-operation Memorandum between Non-governmental Organizations and the Cabinet of Ministers; Society Integration Foundation (SIF); Ministry of Welfare				
	Point of contact specified?	Yes				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1.1 NGO fund		✓			
	1.2 Strengthen Social Partners		✓			
	1.3 Trade union law		✓			
	1.4 NGO co-working		✓			
	1.5 Public engagement model		✓			
Ambition						
Milestone		New vs. pre-existing	Potential impact			
1.1 NGO fund		Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)			
1.2 Strengthen Social Partners		Pre-existing	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)			

1.3 Trade union law	Pre-existing	Minor
1.4 NGO co-working	Pre-existing	Minor
1.5 Public engagement model	Pre-existing	Moderate
Level of completion		
Milestone 1.1 NGO fund		
Start date: September 2012	Actual completion	Substantial
End date: 2017	Projected completion	Substantial
Milestone 1.2 Strengthen Social Partners		
Start date: n/i	Actual completion	Limited
End date: None	Projected completion	No dates or milestones attached or inferable
Milestone 1.3 Trade union law		
Start date: December 2012	Actual completion	Substantial
End date: 2013	Projected completion	Substantial
Milestone 1.4 NGO co-working		
Start date: December 2012	Actual completion	Complete
End date: 2013	Projected completion	Complete
Milestone 1.5 Public engagement model		
Start date: March 2013	Actual completion	Substantial
End date: None	Projected completion	Limited
Next steps		
1.1 NGO fund	New commitment building on existing implementation	
1.2 Strengthen Social Partners	Further work on basic implementation	
1.3 Trade union law	Further work on basic implementation	
1.4 NGO co-working	None: completed implementation	
1.5 Public engagement model	Further work on basic implementation	

WHAT HAPPENED?

The commitment consists of five interrelated milestones all aimed at improving the system of public involvement in decision making. These issues have been part of policy debates. They were also already on the agenda of the responsible agencies and NGOs lobbying for greater impact of Civil Society organizations. These are all part of the government's broader action plan on strengthening civil society. The activities related to involvement of society in decision making are overseen by a consultative body called the Council for Implementation of the Co-operation Memorandum between Non-governmental Organizations and the Cabinet of Ministers. The aim of the Council is to facilitate operation of an efficient public administration system by ensuring involvement of civil society in the decision-making process at all levels and stages in public administration.

European Funds for the NGO Capacity building

Funds for NGO capacity building were distributed through two financial instruments, namely the European Economic Zone (77 NGOs working in advocacy will receive funding by April 2017) and Social Fund of the EU (unclear how many have received grants from the third call). The funds are managed by the Society Integration Foundation (SIF), a public foundation established in 2001 in accordance with the “SIF Law.”

The projects are being implemented currently and therefore it is hard to evaluate their impact. At the same time there are no other sources envisaged for NGO capacity building in National Development plan for period 2014-2020, meaning that other instruments may be developed. So the next steps are implementing and evaluating the projects financed by the SIF and at policy level – securing new financial resources for further capacity building of NGOs.

In 2013 the Memorandum Implementation Council approved its medium-term action plan and priorities. One of the action items 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 underway for setting up two high-level working groups for the improvement of the NGO financing system and removing administrative burden for NGOs in absorbing EU Structural Funds and EEA financial instruments.

Strengthening the role of Social Partners

The IRM researcher found this commitment to have made limited progress. During the implementation period there has been an informal agreement that a representative of the Council for Implementation of the Co-operation Memorandum can attend meetings of the Tripartite Co-operation Council of social partners (trade unions, employers and the Government). Trade unions and employers are invited also to the meetings of the Council of Memorandum. However, the initial idea from NGOs was that a representative of NGOs would have legally binding rights to participate and also vote in the meetings. That, of course would require also serious work among NGOs themselves to delegate a representative who has resources to consult with NGOs represented as well as to be accountable to them.

Law on Trade Unions

The draft law on trade unions was developed during the implementation period. It did not bring about revolutionary changes, but gave better wordings for the principles already included in previous regulations. The Law was debated between representatives of Trade Unions and Employee Organizations and both parties and the Government agreed on the text of the draft. The draft law is currently submitted for debate in Parliament but has not been passed which explains why this commitment received a rating of “Substantial.”

Assessment of NGO involvement

A study assessing the involvement of non-governmental organizations in the decision making process in the Cabinet of Ministers was undertaken. Recommendations for the improvement of the mechanisms were made in 2013. The Council for Implementation of the Co-operation Memorandum debated the results of the study and decided that possibilities should be expanded for NGO participation in drafting development planning documents and legislation at as early a stage as possible.

Devising a public engagement model

The State Chancellery drafted new regulations of the Cabinet of Ministers that require:

- 1) Publishing of new initiatives as discussion documents for comments on their websites (in force)

- 2) Civil society engagement should be applied not only when producing development planning documents but also in drafting legislation;
- 3) Submitting draft policy documents and regulations by all Ministries to the Council of Memorandum prior to their going for comments of the other ministries (in force)
- 4) Reforming the Guiding principles and procedures of the Council of Memorandum, providing for more involvement of NGOs which had signed the Memorandum, in setting the agenda of the meetings of the Council (being discussed).

The planned overview on access to information for NGOs is only in the stage of debating the ideas on various options of the data portal. The State Chancellery suggests that a portal could link all the data on elaboration of a draft policy document or a law or regulation starting with the creation of a working group till the document is approved by the Cabinet of Ministers. It would mean linking the resources of ministries at the State Chancellery.

On the other hand, NGOs interviewed read the commitment text differently and would like to see also Parliament level included. The problem is that, currently, if an NGO has argued for some draft, the arguments should be submitted to the decision makers multiple times, to the Ministry, to the Cabinet of Ministers, to the Parliament Committee and in some instances, also to the Deputies of the European Parliament and Committees. Parliamentarians working in EU institutions would also benefit if all the sources on a particular draft law or national position would be available within the same resource.

DID IT MATTER?

For most milestones of the commitment, it is difficult to evaluate the impact, since most of them are very current. Stakeholders have noted that existing mechanisms and practices function well and also the changes achieved during implementation period are important and good. At the same time, they report that only skilled and resourceful NGOs manage to track the drafts of legislation and other decision-making processes they want to monitor. Often, these expert NGOs are the ones which are asked by Ministries to participate in elaboration of drafts.

Involving non-expert NGOs only at the stage of discussion documents (which are already formulated drafts of policy documents, laws or regulations) is quite ineffective since it requires significant capacity on the NGO side, to “catch” the document of interest within the flow of drafts, to understand its policy or legal language, to assess the impact of the proposed changes on their target group and last but not least, to formulate their opinion in policy or legal language. This works for professional associations but can be too sophisticated for most NGOs working with constituencies like vulnerable groups. Another shortcoming reported by stakeholders was that NGOs representing them in forums such as Council of Implementation of the Co-operation Memorandum, the State Secretary Meeting or Meeting of the Committee of the Cabinet of Ministers, lack resources, instruments and interest to consult the NGOs they represent and their constituencies. They do not report back nor consult them. So even if Latvia has developed unique and great mechanisms for the involvement of NGOs, these mechanisms do not solve the challenge of involvement of all the stakeholders in decision making, especially if decisions concern less advanced and even unorganized groups, that still need their own channel to make their voices heard when policies affecting them are developed.

MOVING FORWARD

The IRM Researcher suggests to co-ordinate the ideas of the State Chancellery, the involved NGOs and the Ministry of Environmental Protection and Regional Development in order to develop a convenient information and data sources for the use of NGOs and the interested society in the context of the planned joined platform for all the web pages of Ministries.

Policies and incentives have to be developed for early involvement of stakeholder representatives in debates and focus group discussions prior to the development of draft policy documents and

laws. Although it is already required by the existing law there is still no culture of proactively seeking opinions of unorganized, sometimes vulnerable, groups of people which will be affected by the planned policy changes. The same is true for involvement of potential end-users of government supported services. At the same time resourceful professional associations and service providers are very active in proposing changes and being present in consultations and working groups.

SOURCES

Web page of Society Integration Foundation,

http://www.sif.lv/index.php?option=com_content&view=category&id=30&ligums=1&Itemid=162&lang=lv (in Latvian)

Web page of Society Integration Foundation,

http://www.sif.lv/index.php?option=com_content&view=article&id=8648&Itemid=121&lang=lv

Researcher's interviews with NGO representatives

Draft OGP National Self-Assessment Report. Latvia, not published

Researcher's interviews with representatives of NGOs

Researcher's interviews with representatives of Government institutions

"The assessment of the involvement of non-governmental organizations in the decision making process in the Cabinet of Ministers. Recommendations for the improvement of the mechanisms," SIA "Baltijas Konsultācijas" and SIA Konsorts," Riga, March 18, 2013,
http://www.mk.gov.lv/files/nvo_01032013_gala_papildin.pdf (in Latvian)

2 IMPROVING THE QUALITY OF PUBLIC SERVICE PROVISION

Take forward the development of e-services and open public internet access points to promote the use of e-services thus reducing costs and administrative burden for population, companies and public administration;

Identify and assess, by applying the 72 criteria methodology, the public services delivered by all government sectors, to establish the need for optimization and delegation of services or forgoing a service altogether;

Enhance frequently used e-services, including a integrated an efficient electronic Land Register process; introduce e-services and improve information systems at the National Land Service, synchronising those with other information systems; introduce electronic registration procedures for all registers held by the Register of Enterprises; set up an integrated information system for civil registration;

Ensure use of e-services by the Road Transport Directorate in the field of passenger and goods transportation, including the issuance of special permits (licences) and licence cards, European Community transport permits and copies, etc.

Commitment Description						
Answers rability	Lead institution	Ministry of Environmental Protection and Regional Development				
	Supporting institutions	none				
	Point of contact specified?	Yes				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables)				
Relevance	OGP grand challenges	Improving public services				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	2.1 Internet Access Points	✓				
	2.2 Public Service Assessment					✓
	2.3 Enhancing e-services					✓
	2.4 Transport e-services					✓
Ambition						
Milestone		New vs. pre-existing	Potential impact			
2.1 Internet Access Points		Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)			
2.2 Public Service Assessment		Pre-existing	Minor			
2.3 Enhancing e-services		Pre-existing	Minor			
2.4 Transport e-services		Pre-existing	Minor			
Level of completion						

Milestone 2.1 Internet Access Points		
Start date: None	Actual completion	Complete
End date: Continuously	Projected completion	No dates or milestones attached or inferable
Milestone 2.2 Public Service Assessment		
Start date: None	Actual completion	Complete
End date: 31.12.2012	Projected completion	Complete
Milestone 2.3 Enhancing e-services		
Start date: None	Actual completion	Complete
End date: 30.06.2012	Projected completion	Complete
Milestone 2.4 Transport e-services		
Start date: None	Actual completion	Limited
End date: 31.12.2014	Projected completion	Limited
Next steps		
2.1 Internet Access Points	None: completed implementation	
2.2 Public Service Assessment	None: completed implementation	
2.3 Enhancing e-services	None: completed implementation	
2.4 Transport e-services	None: Abandon commitment	

WHAT HAPPENED?

Development of e-Government and optimization of services for citizens has been on the Government agenda for several years. From the activities planned in these areas the Government and Stakeholders agreed upon several that could be most in line with the OGP values and goals. The action plan highlights four milestones that could contribute to more openness in provision and introducing e-services. Some of the commitments, as written, are not clear about how they will improve transparency, civic engagement, or accountability, the core values of OGP. The draft self-assessment by the government does not include these items either.

Public Internet Access Points

The first direction is to ensure new public internet access points. The EU-funded program on developing public internet access points continued in 2012 and 2013 financing new access points in local governments. No particular data are available on outputs of the program for the accounting period, so it is unclear how much progress was made during the drafting of the OGP action plan. Still there is a plan developed by the Ministry of Transport to introduce a “Last Mile” project supporting infrastructure projects for internet accessibility in areas where it is currently inaccessible.

Assessment of Public Services

The 72-point public service assessment methodology has been introduced as planned in the OGP Action Plan. It has been a part of pre-existing Government activities. The system serves as a basis for piloting one-stop agency projects as well as for development of e-services.

The two activity areas above are not reflected in the draft Self-Assessment Report of the Government.

Enhance frequently used e-services

Concerning the enhancement of frequently used e-services, most of the commitments of National Land Service, Civil Status Records system and Electronic Declaration System of the State Revenue Service have been developed and implemented. However, as worded, it is unclear what specific milestones were to be achieved in the first year of implementation of the OGP.

Ensure e-services in transportation

The fourth milestone, development of e-Services for the Road Transport Directorate is still in the elaboration process and could be accessible by the end of 2014.

Further activities in the area of improving the quality of public services are stipulated in Guidelines for the Development of Information Society 2014-2020, to be developed by March 2013 and approved by the Cabinet of Ministers in October 2013. Other similar activities are in the Law on Public Services which has been open for discussions among ministries and NGOs since August 2013. For that reason, the milestone's progress is assessed as limited.

DID IT MATTER?

The stakeholder interviews and the survey did not reveal any interest or objections regarding this particular commitment. Most of those questioned did not know about the improvements above and were not clients of these services. The Government's priorities are focused on improving services that are used sparingly, perhaps several times in a person's life, unless their business is related to those areas. These include the National Land service, National Address Register, Construction Information System, Civil Status Records System and the Electronic Declaration System of the State Revenue Service. The respondents of the survey admitted that although the changes are a valuable input in promoting entrepreneurship and fostering the work of Government Administration, they would also wish for more services for an "ordinary citizen," e.g. the health and social services.

There were good remarks about the "E-Latvia" portal that has enhanced opportunities to submit electronic applications. The portal also enables electronic signing of applications and other documents by using the client credentials of Commercial Banks. However, in some instances it was mentioned that instructions on the use of e-services are too complicated. It was also noted that NGOs have been involved in discussions about the draft Law on Public Services.

Again, it should be reiterated that the commitments, as written, are not clear about how they will improve or utilize transparency, civic engagement, or accountability, the core values of OGP.

MOVING FORWARD

The IRM Researcher suggests that the Government continues the development of "one stop shops," public internet access points, promotion of Internet accessibility in remote areas and development of the electronic catalogue of government and local government services. Still, from the OGP perspective, the future action plans should focus only at those aspects of public service provision, that enhance also OGP values. In this case access to information and public participation should be emphasized. As was mentioned by stakeholders, practices should be introduced to involve clients and their organizations (not only associations of the potential service providers) in discussions about government supported services.

SOURCES

Researcher's interviews with representatives of Government institutions

Draft OGP National Self-Assessment Report. Latvia, not published

Draft OGP National Self-Assessment Report. Latvia, not published

Website of the Cabinet of Ministers, <http://www.mk.gov.lv/lv/mk/tap/?dateFrom=2012-10-04&dateTo=2013-10-04&text=inform%C4%81cijas+sabiedr%C4%ABbas&org=0&area=0&type=0> (in Latvian)

Website of the Cabinet of Ministers, <http://www.mk.gov.lv/lv/mk/tap/?pid=40296611> (in Latvian)

Researcher's interviews with NGO representatives

3 RESTRICTING CORRUPTION

Increase control over the spending of physical persons being within the limits of their lawful income;

Facilitate transparency of lobbying by elaborating a statutory regulation of lobbying;

Encourage readiness to report violations through educating the staff of public institutions and the community about the need to report violations of the law to public authorities. Inform about witness protection programmes and the possibilities to use those, the protection of informants and guarantee of anonymity;

Enhance statutory regulation of the matters related to the control of the activities of persons who directly or indirectly receive national budget subsidies or other public funds, while performing their professional duties outside public institutions;

To reduce political influence and put an end to politicising daily administrative decisions, a state shareholdings management concept and related regulations will be drawn up. The current draft concept addresses the model of managing state shareholdings and offers to introduce corporate governance at state-owned companies, including the transparency of information, dividend policy, the policy of motivational remuneration, appointing the members of company administration bodies, setting commercial targets and evaluating results.

Commitment Description						
Answers rability	Lead institution	Corruption Prevention and Combating Bureau				
	Supporting institutions	State Revenue Service, Ministry of Economy				
	Point of contact specified?	Yes				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	3.1 Asset disclosure			✓		
	3.2 Lobbying law			✓		
	3.3 Whistleblower protection			✓		
	3.4 Public subsidy control			✓		
	3.5 State owned enterprises management			✓		
Ambition						
Action		New vs. pre-existing	Potential impact			
3.1 Asset disclosure		Pre-existing	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)			

3.2 Lobbying law	Pre-existing	Moderate
3.3 Whistleblower protection	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)
3.4 Public subsidy control	Pre-existing	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)
3.5 State owned enterprises management	Pre-existing	Moderate
Level of completion		
3.1 Asset disclosure		
Start date: 13.2 2011	Actual completion	Complete
End date: 06. 2012	Projected completion	Complete
3.2 Lobbying law		
Start date: none	Actual completion	Substantial
End date: 2015	Projected completion	Substantial
3.3 Whistleblower protection		
Start date: none	Actual completion	Limited
End date: 2015	Projected completion	Limited
3.4 Public subsidy control		
Start date: none	Actual completion	Limited
End date: 2015	Projected completion	Limited
3.5 State owned enterprises management		
Start date: None	Actual completion	Substantial
End date: 2015	Projected completion	Substantial
Next steps		
3.1 Asset disclosure	None: completed implementation	
3.2 Lobbying law	Further work on basic implementation	
3.3 Whistleblower protection	Further work on basic implementation	
3.4 Public subsidy control	Further work on basic implementation	
3.5 State owned enterprises management	Further work on basic implementation	

WHAT HAPPENED?

This cluster includes the corruption prevention activities that have an openness aspect, including disclosures of public salaries and incomes (politicians and those possibly involved in money laundering or avoiding taxes), disclosures on lobbying activities, protection of whistle-blowers, and more. Openness of public funds used by NGOs and open procedures in management of State owned enterprises that control public resources are also emphasized. However, first commitment more closely relates to the state’s collection of data from citizens (on income) without taking any steps toward openness. The same is partially true about the whistleblower protection that would enable people to be more open towards the Corruption Combating and Prevention Bureau although it would entail cases where people have been open to media or in social networks. All the other measures build on openness towards the society that would bring about less corruption and conflicts of interest.

Control over spending’s of physical persons

One of the ways to combat corruption is to monitor if there are any discrepancies between income levels and personal spending. In order to establish a baseline the Government initiated and conducted a declaration procedure which gave concerned parties an opportunity to legalize previously undeclared savings. The State Revenue service can use these data for the risk analysis to determine if there are concerns regarding possible money laundering or corruption. The data can be used also by other institutions as appropriate providing that the Personal Data Protection Law is obeyed. Still, the main activities of data gathering were done right before the implementation period and there is no analysis available in how the data were used afterwards.

Law on Lobbying

There has been a long debate on the necessity of regulating lobbying in Latvia. The Corruption Prevention and Combating Bureau have elaborated a draft Law on Transparency of Lobbying which was open for consultations with other ministries and also NGOs on 14 July, 2012. There has not been agreement among the ministries since then. Although the Draft Self-assessment report suggests that the commitment has been implemented, it is true only at the level of the responsible institution. Still politicians have yet to come to an agreement to approve the draft at the Cabinet of Ministers, and Parliament has not yet voted for it.

Enhance whistle-blower protection

Regarding “whistle-blower” protection, Government has done limited activities, undertaking only measures of informing and educating officials and public about the necessity to report on corruption and interest of conflict cases. The stakeholders interviewed during the IRM process had proposed a more ambitious aim during the development of the Action Plan, to widen the “whistle-blowers” protection since the regulations so far protect only those working in concerned institutions. Government institutions interviewed said they do not have a government delegated task to elaborate such a regulation. A handbook for the victims of corruption was issued by an NGO, Delna, in co-operation with the Corruption Prevention and Combating Bureau.

Control over private persons managing public funds

There is also a lengthy debate on how to prevent unlawful distribution of public funds if they are managed by private institutions such as NGOs. The Corruption Prevention and Combating Bureau suggests that decision-makers at NGOs should be regarded as state officials subject to annual income declaration. Public policy researchers argue that the measure is disproportionate and that the risks of corruption and conflict of interests in those NGOs which receive public funds should be addressed by other measures, developing a transparent system of distribution of Public Funds to NGOs and introducing a classification of NGOs. Further, in cases where an NGO receives significant donations from public institutions, control should be strengthened by the responsible public institution. Although the solution to the issue is included in the Corruption Prevention and Combating Guidelines and Program for 2014-2020, there still could have been more significant discussion on how the issue should be solved. Thus, the commitment cannot be regarded as completed.

Transparency in management of State owned enterprises

The fifth milestone is a complicated one and concerns increasing transparency of state-owned enterprises. Several concerns will be solved if the Law on Management of Enterprises and Shareholdings by Public Persons is passed. The Ministry of Economy drafted a law and the Cabinet of Ministers approved the draft law, but it is still being discussed in Parliament. As a consequence a substantial progress has been made on this commitment.

DID IT MATTER?

132.000 persons have used initial declaration procedures. Therefore, the State Revenue Service is able to conduct a risk analysis regarding physical persons if their spending is significantly higher than the taxed income. Some observers argue that the procedure did not bring about declarations

of the largest suspects in money laundering since the fine for not submitting the declaration was only LVL 250. There is no analysis or an overview available if and how the State Revenue Service and The Corruption Prevention and Combating Bureau have used the information in finding persons who avoid taxes. The stakeholders admit that the state surveillance over its citizens should be proportionate.

There are no practical results in attempts to enhance transparency of lobbying. Elaboration of the draft law is a step forward. Still, it could not bring about results unless it is approved by Parliament and comes into force. Some ministries, such as the Ministry of Environmental Protection and Regional Development have already published a list of lobby organizations on their websites. The Ministry also discloses the calendar of Minister's meetings. On the other hand, stakeholder representatives are still hesitant to say that the new regulation could bring about significant changes. Lobbying usually does not take place within Ministries or Parliament Offices, so more transparency could bring about moving "meetings" to other places. NGO representatives, especially those involved in advocacy, admit that they do not want to be treated as lobbyists since that term has a bad connotation in Latvia. So it seems that there is no easy track for approving the law in the near future.

Whistle-blower protection remains an issue which requires political will to be included in the official policy making agenda. The latest analysis shows that people who inform about corruption cases can be fired for other reasons. The only remedy for a person in such cases is turning to the court and to undertake the burden of providing proof. So there is a need for government institutions to improve legislation and remedies for the whistleblowers.

The same is true for preventing conflict of interests and counterproductive use of public resources by private institutions, namely NGOs receiving large government grants, subsidies and financing for delegated functions. The debate at this point suggests that there is still a space for finding the most effective ways of avoiding administrative burdens for those NGOs that are obeying the law and avoiding conflicts of interest. It is still debatable if the solution offered by the Corruption Prevention and Combating Bureau of including NGO leaders in the list of State Officials who are subject to submit public annual income declarations is proportionate policy.

Lastly, changes in policy toward state-owned enterprises have only had their first steps and it is too early to evaluate impact. The expedited changes might come about when the Law on Management of Enterprises and Shareholdings by Public Persons get enacted and when the measures for openness of personnel policies get support from the Corruption Prevention and Combating Bureau. Once that happens, they can be passed by Parliament and enacted.

MOVING FORWARD

Most of the milestones in this commitment obviously need to be taken forward, but they are often stalled due to political obstacles. The policies aimed at fighting corruption are the most debated and have the least support from the ministries, politicians, and even NGOs and people who fear too much control and surveillance by the state. Unless agreement is reached among the stakeholders, reforms cannot be adapted and enacted. This is the area which requires extra effort from the institutions and NGOs which aim to prevent corruption. There is a need to continue debates on the best ways of achieving transparency in lobbying and ensuring lawful use of public resources by private institutions until the appropriate legislation is passed and enacted. There is also a need to enhance the existing regulations for whistleblower protection ensuring their confidentiality, and applying disciplinary procedures in case of violation of whistleblower rights.

There is a need to monitor whether the law regulating transparency of state-owned enterprises is passed and enacted. Also, if additional measures are proposed on transparency of the personnel policies by the Corruption Prevention and Combating Bureau and adopted by Government, those should be announced as well.

SOURCES

Website of the Cabinet of Ministers. <http://www.mk.gov.lv/lv/mk/tap/?dateFrom=2012-11-05&dateTo=2013-11-05&text=kapt%C4%81sabiedr%C4%ABbu&org=142974&area=0&type=0> (in Latvian)

Researcher's interviews with representatives of Government institutions

Website of the Cabinet of Ministers,
<http://www.mk.gov.lv/lv/mk/tap/?pid=40259424&mode=vss&date=2013-03-07> (in Latvian)

Researcher's interviews with representatives of Government institutions

Researcher's interviews with NGO representatives

Transparency International, "Whistleblowing in Europe: Legal Protections of the Whistleblowers in Europe," 2013,
http://transparency.org/whatwedo/pub/whistleblowing_in_europe_legal_protections_for_whistleblowers_in_the_eu

Researcher's interviews with NGO representatives

Austere Linda, Vai j—ūatbild tam, ko viegl—ūk piespiest?, Rakstu kr—ūjums "Korupcijas OC" Providus, 2010, http://politika.lv/article_files/1885/original/Nr_10_internetam.pdf?1339436992 (in Latvian)

4 FACILITATING FREEDOM OF INFORMATION AND INTRODUCING AN OPEN DATA SYSTEM

Given that central government institutions of Latvia have approximately 180 different websites, there are plans to develop a unified concept for their administration and a single website of the Government of Latvia, while civil society organizations are invited to identify the data categories publicizing which would make their work easier and help to reach the set objectives.

Ensure universally accessible online broadcasting of the Cabinet meetings and plenary sessions of the Saeima.

Build a website with freely accessible information on the participation possibilities for civil society organizations (events, discussions, public consultations etc.)

Commitment Description						
Availability	Lead institution	Ministry of Environmental Protection and Regional Development				
	Supporting institutions	none				
	Point of contact specified?	Yes				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	4.1 Single platform for Government websites and information	✓	✓		✓	
	4.2 Online broadcasting from the Cabinet and Parliament	✓			✓	
	4.3 Website for public participation	✓	✓		✓	
Ambition						
Milestone		New vs. pre-existing	Potential impact			
4.1 Single platform for Government websites and information		Pre-existing	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)			
4.2 Cabinet and Parliament broadcast		Pre-existing	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)			
4.3 Participation website		Pre-existing	Moderate			
Level of completion						

4.1 Single platform		
Start date: None	Actual completion	Substantial
End date: None	Projected completion	Limited
4.2 Cabinet and Parliament broadcast		
Start date: None	Actual completion	Complete
End date: 2013	Projected completion	Complete
4.3 Participation website		
Start date: none	Actual completion	Not started
End date: none	Projected completion	Limited
Next steps		
4.1 Single platform for Government Websites and information	Further work on basic implementation	
4.2 Online broadcasting from the Cabinet and Parliament	None: completed implementation	
4.3 Website for public participation	Further work on basic implementation	

WHAT HAPPENED?

There are three milestones in the Action plan for promoting access to information and introduction of open data systems.

Single platform for Government Websites

The first milestone describes activities aimed at changing the technological approaches to creating, storing and using [central] government and local government information and data systems. The idea is to define technical standards and to introduce information technologies that provide for:

1. Creating a joint technological platform for all the home pages of ministries. The ministries would build their own content within the system. It would give the customers user-friendly unified access to all the information they could need independently of the concerned ministry;
2. Development of open data sets in accordance with the categories of data identified by stakeholders in technically reusable formats ;
3. Ensuring accessibility and connectivity among already existing, even publically available data sets;
4. Solving the licensing issues.

The Guidelines for the Development of Information Society 2014-2020 provide for implementation of these plans within the period of 2014-2020. The government has also planned necessary financing from both national budget and the EU Funds. Stakeholders have been involved and have identified the following categories for the open data sets of interest for further use in analysis or creation of new services:

- Register of VAT Payers, Register of Tax payers, Register of Tax debts, Methodological notes, anonymous official answers of the State Revenue service on practical application of tax and other laws;
- Basic information about the subjects registered in Enterprise register (machine readable);
- Calendars of Courts, anonymous decisions of Courts;
- Public Procurement advertisements and complaints (available but not in machine readable currently);
- Geospatial information, including maps;

- Database of government procured research, public policy analysis and publications;
- Electronic catalogues of Libraries, archives and museums;
- Digitized objects of culture not protected by copyright and digitized by public resources;
- Information system of Latvia's digital culture, data about all the institutions of culture;
- Anonymous data of National Health Agency;
- Anonymous data from the Data base of State Social Insurance Agency;
- Data from the Population register;
- Data on State Budget income and spending in understandable and machine readable formats.

The Guidelines include implementation guidelines for all the relevant principles. Still, the implementation depends on availability of resources and the political will of the institutions concerned to create and share the particular data sets.

Online broadcasting from the Cabinet and Parliament

The second milestone of the Action Plan was to ensure universally accessible online broadcasting of the meetings of the Cabinet of Ministers and the Plenary Sessions of the Saeima (Parliament). Both ideas are implemented. It has to be admitted that in order to follow the debates it is useful to prepare beforehand. Most information necessary is also available on web sites of the Cabinet of Ministers and Parliament, such as, agenda of the meeting and the related documents, draft laws etc. In case of the Cabinet of Ministers it is also possible for NGOs to subscribe to the data base e-portfolio, which offer access not only to the publically available information put on the website, but also to supporting documents, such as opinions of social partners, and protocols (minutes) of discussions among ministries before the draft had come for the vote.

Website for public participation

The third milestone requires building a website with freely accessible information on the participation possibilities for civil society organizations, including events, discussions, public consultations. This idea is not developed further, since at this stage when each ministry has a separate web page it would require administrative resources to seek such information and to keep it updated and these resources have not been found in the State budget. The idea can be easily implemented if the ministries will come to the agreement to build a joint technical platform for all the web pages of Ministries, then the process could be automated.

DID IT MATTER?

Single platform for Government Websites

The stakeholders admit that the Government has taken a great step towards the introduction of open data systems in Latvia, planning to ensure a legal framework and technical standards for accessibility and usability of data and publicly financed research. Given the slow process of decision making in Government, the stakeholders in this area have been active in developing informal platforms for creating new technological solutions and have even created an open data portal, initiated by Public Policy Centre "Providus." The group works on various data sets such as public procurement, donations for political parties, voting histories of parliamentarians, and so on. Whenever open data are available sporadically in public domain, the group shares the information with others. The community has developed an internet page to reflect on the latest developments in this area. These experts were consulted during the development of policy guidelines. The group also organizes conferences, or "hackathons" which help to share the ideas and practical solutions among practitioners, researchers and the decision makers on open data policies and practices.

Online broadcasting from the Cabinet and Parliament

Internet broadcasts of the meetings of the Cabinet of Ministers and the Parliament have had mixed consequences. First, in order to follow the Meeting of the Cabinet, one has to be prepared in order to get useful information from these meetings, since there are times when decisions are taken based on documents the unprepared observer may not have at the ready. Because ministers are following the agenda on screens, for an outsider it would make little sense to follow the broadcast without preparation beforehand. Just as important, most decisions voted on by the Cabinet were already agreed upon in previous stages of decision making, during inter-ministerial debates, State Secretary Meetings and Meetings of the Committee of the Cabinet of Ministers. Some experts argue that opening the Cabinet meetings would provide themotivation for taking discussions on politically and economically sensitive issues to a closed meeting of the Coalition Board, which is an informal yet powerful forum for discussions among leaders of political parties on decisions of the Cabinet and Parliament.

In case of Parliament, there had been radio translations of Parliament meetings before and also protocols (minutes) of both the Cabinet and Parliament meetings were publically available. In both instances opening the meetings for observing online is educational. They also introduce the possibility of politicians exposing themselves for politicians to expose themselves.

There are no data so far on how popular these broadcasts are and who is using them besides those of professional interest, ministry and Parliament employees, media representatives and NGOs monitoring if particular laws are passed. In the case of the Cabinet of Ministers for NGOs interested in some issues of the Agenda it is possible also to take the floor and argue for some aspects of drafts being voted for. So in this case they would rather attend the meetings of their interest instead of choosing watching of broadcast.

Website for public participation

The third milestone is still an unmet need, though the idea of a joint platform for all the Government web pages would give it a hope to be realized.

MOVING FORWARD

The IRM Researcher suggests implementing the ideas included in the Guidelines for the Development of an Information Society 2014-2020. Ensuring that the needed legislation is developed and passed in due time will require that the reforms contain the open data principles, and that tenders for the projects planned with support of the EU financial instruments include the issue priorities stipulated in the Guidelines. This also requires co-operation and monitoring of the developments from the interested stakeholders.

Regarding the online translations of the meetings of the Cabinet of Ministers and the Parliament there is only a need to maintain the initiatives.

Regarding the building of a website where civil society organizations could get information on planned and ongoing consultations, the idea should be included in the concept of the joint platform for the government websites.

SOURCES

Researcher's interviews with NGO representatives

<http://data.opendata.lv/>

www.opendata.lv

V. SELF-ASSESSMENT

THE LATVIAN SELF-ASSESSMENT REPORT WAS NOT PUBLICLY AVAILABLE AT THE TIME OF WRITING FOR THIS REPORT.

The IRM researcher received the draft of the Latvian Self-Assessment report on 30 October, the day before the deadline for submission of the first draft of the IRM report. However, by 10th November the self-assessment report was still not published for consultations or available publicly.

TABLE 2: SELF-ASSESSMENT CHECKLIST

Was annual progress report published?	Unclear
Was it done according to schedule?	No
Is the report available in the local language?	Unclear
According to stakeholders, was this adequate?	Unclear
Is the report available in English?	Unclear
Did the government provide a two-week public comment period on draft self-assessment reports?	Unclear
Were any public comments received?	Unclear
Is the report deposited in the OGP portal?	Yes
Did the self-assessment report include review of the consultation efforts?	Yes
Did the report cover all of the commitments?	No
Did it assess completion according to schedule?	No
Did the report reaffirm responsibility for openness?	Unclear
Does the report describe the relationship of the action plan with grand challenge areas?	Unclear

SOURCES

Researcher's interviews with representatives of Government Institutions

VI: MOVING FORWARD

This section puts the OGP action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.

COUNTRY CONTEXT

Latvia has been on the path towards the values of the OGP since it regained its independence and started to build a democratic state. The government has learned of the positive gains from transparency, access to information and involvement of people in decision-making. There has been ongoing dialogue between the decision makers and the pressure groups. At the same time, mutual trust and co-operation still is not the main culture in most institutions. Even if the Latvian Government has established clear transparency procedures for the administrative process, transparency can be avoided in cases involving powerful interest groups and big financial decisions. Such decisions tend to be agreed upon with “fast track” or “closed” procedures which do not require consultations. Another shortcoming is the fragmented information about the decision-making process on drafts at various stages, in the Ministries, the Cabinet of Ministers, and Parliament. For now it remains difficult to ensure the availability of diverse opinions of stakeholders throughout all the stages of law making.

Since the OGP Initiative in Latvia has been developed and is co-ordinated at the executive level, it consequently lacks commitments at municipal or local Government level, as well as at the political level within Parliament. The Draft Self-Assessment report suggests that because of this the analysis of implementation of commitments is fixed only at the executive level. For example, the Report says that in many cases commitments are implemented although there is only a draft law elaborated by the responsible agency. In order to bring about a change the draft still has to be discussed by Ministries and NGOs, approved by Cabinet of Ministers, discussed among political parties and voted in Parliament and necessary budget allocations should follow. So it may well be that the draft law is not passed at all and the commitment remains unfulfilled.

STAKEHOLDER PRIORITIES

CURRENT PLAN

The current action plan has been developed as a compromise between the needs and aspirations of stakeholders and planning and budget constraints of the Government. As time has passed, it has brought changing perspectives on the needs and the issues that should be a part of the OGP Action Plan.

The stakeholders suggest that OGP should not contain activities that are already covered by current policy plans in force. The OGP Action Plan could mention a few but essential directions for change that need extra attention and political will to be put on the Government and policy agenda. As for already existing commitments, the most important activities not yet completed were as follows:

- The involvement of society and civil society in decision-making process;
- The overview of standards that regulate access to information for civil society;
- Development of e-participation tools as well as development of a centralized information portal to track development of legislation, policy documents, and national positions throughout all the decision-making steps;
- The protection of 'whistle-blowers' in public administration by adding elements of comprehensive protection, facilitation of lobbying transparency;
- More control over the persons who directly or indirectly receive national budget subsidies or other public funds, while performing their professional duties outside public institutions;

- Introduction of open data systems, including the introduction of unified technical standards concerning the re-use of public sector data, ensuring user-friendly approach to machine readable, accurate and current data on the budget and piloting of open data sets

FUTURE PLAN

For improving the quality of the involvement of society and civil society organizations in decision-making processes, the advice was to focus on development of the tools for involving the groups affected by new policies at initial stages of policy planning. Involving such groups by using tools such as debates or focus group discussions on issues to be solved by policies would save time and other resources both for government officials and other people involved. It was stated also that Latvia has achieved open and transparent involvement mechanisms for well-equipped and skilled NGOs, though most NGOs lack the capacity and resources to use the mechanisms. On the other hand, those with the skills to use the mechanisms rarely consult their constituencies. Development of new financial sources for NGO capacity development should also be on the agenda,

Aspirations and achievements in area of Public Services were highly valued. Still it was noted that they missed a real challenge in the OGP context, because these achievements are already-planned steps in ensuring service provision. It was advised to enhance consultations with end-users of services developed by government institutions. So far, discussions have largely taken place with service provider organizations. Another suggestion was to avoid competition of national government and local government entities in service provision, letting the private sector, both commercial and non-commercial, develop and provide services. Lastly, it was suggested that non-commercial entities such as associations and foundations should not be excluded in bidding for national and local government contracts and project tenders.

RECOMMENDATIONS

NGOs interviewed were rather sceptical about the choice of the Government to decentralise the implementation of the Action Plan, and the designation of the Ministry of Foreign Affairs as the Coordinating body. Given the esoteric character of the changes needed, it could be more effective if the OGP were co-ordinated at the level of the State Chancellery to help foster political will. It would allow for the involvement of ministries that have so far been hesitant to undertake initiatives regarding the OGP. The Ministry of Finance, for example, is instrumental for co-operation regarding producing systems for open budget data and disclosure of lobbying efforts. In addition, most NGOs interested in OGP values are also represented at the Council of Memorandum, co-ordinated by the Chancellery. That would be more efficient considering also the limited capacity and resources of the NGO representatives.

Most of the commitments undertaken in areas of public involvement, such as “Restricting Corruption” and “Introduction of Open Data” have to be monitored until their full implementation. Regarding the “Government Services” commitment, the aspect of how the supported public services correspond to the needs of people could be assessed through the involvement of the end-users.

The Open Government Partnership initiative has provided for new contexts, new knowledge and experiences in other countries allowing for fine-tuning of already existing efforts by the Government and civil society organizations.

SOURCES

Researcher's interviews with NGO representatives

Researcher's interview with representatives of Government institutions

IRM survey of stakeholders

ANNEX: METHODOLOGY

As a complement to the government self-assessment, an independent assessment report is written by well-respected governance researchers from each OGP participating country.

These experts use a common OGP independent report questionnaire and guidelines,¹ based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans contains a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

INTRODUCTION

The IRM Researcher initially planned to arrange interviews with the Government institutions involved. Two stakeholder meetings were also planned, one with NGOs who had experience in OGP action plan development, and the other with organizations that had not heard of the process.

The interviews with the representatives of Government institutions ran smoothly. The OGP focal point, Ministry of Foreign Affairs was welcoming and supportive, and the IRM researcher received answers on all the questions as well as supportive information and documents. The same is true regarding the responsible officers at the State Chancellery, Ministry of Environmental Protection and Regional Development, Ministry of Welfare and the Corruption Prevention and Combating Bureau. OGP values and challenges were clear in all instances. It came to light, however, that the action plan is “weaker” and more fragmented in its wording than the real activities undertaken by the agencies. In that sense, a commitment-by-commitment analysis of the action plan may not capture the many reforms undertaken relevant to OGP values.

The only challenge was that the Government was developing its Self-Assessment report in parallel with the work of the IRM Researcher. Therefore it required double work for all the involved parties to find out what was planned in the wordings stated in the action plan and what activities were conducted. The IRM researcher received the draft of the Latvian Self-Assessment report on October 30th, the last day before the submission deadline for the first draft of the IRM report. The structure of it suggested that in order for both documents to be linked for analysis there was a need to restructure the IRM report. This led to a slight delay submitting it. By November 10th the Self-assessment report was not published for consultations or available publicly.

The IRM Researcher's interviews with representatives of Government institutions include:

- Māris Badovskis, Head of the Work Relations and Job Safety Policy Department, Ministry of Welfare, 24 October, Riga
- Uģis Bisenieks, Director of the Department of Electronic Governance Ministry of Environmental Protection and Regional Development, 15 October, Riga

- Dace Dubova, Senior Officer in International Co-operation issues of the Corruption Prevention and Combating Bureau, 15 October, Riga
- Laura Gintere, Head of the Information Society Policy Division of the Department of Electronic Governance Ministry of Environmental Protection and Regional Development, 15 October, Riga
- Reinis Kalniņš, 3rd Secretary of the Second Bilateral relations Department, Ministry of Foreign Affairs, 3 October, Riga
- Diāna Kurpniece, Head of Corruption Prevention Department of the Corruption Preventing and Combating Bureau, 15 October, Riga
- Zane Legzdīņa-Joja, Consultant of the Governance Development Department of the State Chancellery, 14 October, Riga
- Gatis Ozols, Head of the Electronic Services Division of the Department of Public services of Ministry of Environmental Protection and Regional Development, 15 October, Riga

STAKEHOLDER SELECTION

Organizing of the stakeholder meetings was an unexpected challenge for the IRM Researcher. The Advertisement was distributed through two channels. Information was publicized twice in the weekly electronic information bulletin of the European Movement of Latvia (the bulletin has 2500 active subscribers, NGOs and individuals interested in issues of European Policies). The second channel was a letter of invitation sent out by the Secretary of the Council of Memorandum a week before the planned discussions (352 NGOs which had declared their interest to cooperate with Government). The response was unexpectedly low – only 4 NGOs expressed their interest to participate and several of them had time constraints that did not allow for participation. So the decision was taken to conduct expert interviews with these 4 and select several more in accordance with thematic areas of the Latvian Action Plan. In addition a short questionnaire was developed and discussed with a group of students (27 persons) who study Social work and had chosen a study course “Civil Society Development” thus collecting also opinions of interested but not involved representatives of society.

Asked about the low response among NGOs, the main reasons mentioned were the full schedules of the activists, lack of resources for those who could have been interested (no paid staff, volunteer organizations), low knowledge on the OGP process in Latvia, and the predominance of esoteric issues that are not the daily interest of most NGOs. In some instances there was disillusionment regarding the unsuccessful consultations on the Action Plan back in 2012.

STAKEHOLDER INTERVIEWS

The semi-structured interviews were conducted both face-to-face and by phone or Skype conversations. All the stakeholders were asked about their experience in development of the OGP action plan and the consultations during its implementation. Stakeholders also evaluated the commitments, their implementation and further prospects in correspondence with their fields of interest and experience.

IRM Researcher's interviews with representatives of NGOs included:

- Linda Austere, Council of Foreign Investors, Public Policy Centre "Providus," 1 and 31 October, Riga
- Kristīne Gailīte, European Movement, Latvia, 30 October, Riga
- Andris Gobiņš, European Movement, Latvia, 30 October, Riga
- Gundars Jankavs, Association “Delna,” Local chapter of Transparency International, 21 October, Riga
- Iveta Kažoka, Public Policy Centre “Providus,” 24 October, Riga
- Ausma Pastore, Latvian Movement for Independent life, 12 October, Allaži

- Diāna Potjomkina, European Movement, Latvia, 30 October, Riga
- Inese Vaivare, Latvian Platform for Development Assistance, 21 October, Riga

STAKEHOLDER SURVEY

The survey took place on 28 October. Students were asked if they had heard of the OGP, then they were given a brief history of the initiative as well as an introduction to the Government commitments. Afterwards students worked in groups, three people per group, discussing the commitments filling out the questionnaire. The IRM Researcher provided additional information on the commitments if necessary. Although the results of the survey are not representative they revealed some priorities among the end-users of the open government policies.

The survey used for the discussion is attached.

ABOUT THE INDEPENDENT REPORTING MECHANISM

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design, research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Jonathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close coordination with the researcher. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

¹ Full research guidance can be found at <http://bit.ly/120SROu>

OGP LATVIA SURVEY (TRANSLATED)

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

State Chancellery, Society Integration Foundation,

Commitments	Is it important? Yes/No	How would I evaluate the results 0 = have not heard + = well done - = bad	What should be done in this area
Elaborate research on involvement of the Society			
To discuss the research, develop further actions			
To develop overview on accessibility of information for participation			
To ensure participation of NGO representatives at National Tripartite Co-operation Council and at the Meetings of the Committee of the Cabinet of Ministers			
Implementation of NGO capacity building programs funded by EU and EEZ Funds			
Develop a law regulating labour unions			
Create a website to follow the development of each draft law and policy document.			
Create a website for following the current consultations and public discussions in ministries			
Involving stakeholders in early stages of policy development			

Improving the quality of public service provision

Ministry of Environmental Protection and Regional Development

Commitments	Is it important? Yes/No	How would I evaluate the results 0 = have not heard + = well done - = bad	What should be done in this area
Legal reform to ensure One-Stop Agency system of Public services			
Development of electronic catalogue of public services (www.latvija.lv)			
To enhance quality of particular services (Enterprise register, Land Register, Health, education, data infrastructure etc.)			
Ensure electronic data Exchange in Public sector			
Enhance development of e-services			

Restricting Corruption

Corruption Prevention and Combating Bureau, State Revenue Service, Ministry of Economy

Commitments	Is it important? Yes/No	How would I evaluate the results 0 = have not heard + = well done - = bad	What should be done in this area
Ensure transparency in selection of personnel at state and local government institutions (Ministries, Local Governments, State owned enterprises, Parliament)			
Strengthen the control of spending of physical persons, introduction of initial declarations			
Introduce income declarations of State Officials also to NGO management, if it receives Public Funding			
Enhance regulatory mechanisms for „whistle-blower” protection			
Introduce transparent management of State owned enterprises			
Introduce regulations for lobbying			

Facilitating freedom of information and introducing an open data system

Ministry of Environmental Protection and Regional Development

Commitments	Is it important? Yes/No	How would I evaluate the results 0 = have not heard + = well done - = bad	What should be done in this area
Introduce the latest trends of the EU legislation about the re-use of public data			
Introduce joint technical standards for publicizing the public data			
To develop and support an Open data portal for co-ordinated gathering and storage of public information			
Building an unified platform for all the websites of ministries			
Ensure user friendly access to machine readable, precise and actual data about the State Budget			
Continue development of opportunities to submit electronic applications and reports to Public institutions			
Ensure online broadcasting of Meetings of the Cabinet of Ministers and the Parliament			