

# Independent Reporting Mechanism (IRM): Latvia Design Report 2017–2019

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## Executive Summary: Latvia

Latvia's third action plan includes commitments on open data, whistleblower protection, beneficial ownership transparency, and governance of state-owned enterprises. Commitments continue from the previous action plans but contain mostly incremental steps in important policy areas. Moving forward, Latvia could pursue more ambitious reforms in OGP, focusing on transparency in the financial sector and lobbying activities.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Latvia joined OGP in 2011. Since then, it has implemented two action plans. This report evaluates the design of Latvia's third action plan.

### General overview of action plan

Latvia has continued to perform well on key OGP eligibility criteria, including public access to information and an overall environment for civic participation. Latvia's previous action plans led to major improvements in open data, online participation, and the governance of state-owned enterprises. The current action plan continues initiatives from previous plans, covering a wide range of topics. Topics include transparency in the budget process, lobby regulations, whistleblower protection, and reducing bureaucracy. Several commitments involve developing or using new technologies.

The State Chancellery and the public policy center, Providus, jointly organized the development of the third action plan. Nongovernmental stakeholders from the Council of Memorandum actively participated in the initial stages of developing the plan and received feedback from the State Chancellery if their proposals were not included in the final draft.

Notable commitments in Latvia's fourth action plan include expanding the use of e-participation tools (2), developing an interactive budget tool (5), and improving transparency of state-owned enterprises (10). Other commitments include increasing the amount of data available on Latvia's open data portal (3) and increasing transparency in public procurement (9).

#### Table 1. At a glance

Participating since: 2011  
Action plan under review: 3  
Report type: Design  
Number of commitments: 12

#### Action plan development

Is there a Multistakeholder forum? Yes  
Level of public influence: Involve  
Acted contrary to OGP process: No

#### Action plan design

Commitments relevant to OGP values: 11 (92%)  
Transformative commitments: 0  
Potentially starred commitments: 0

#### Action plan implementation

Starred commitments: N/A  
Completed commitments: N/A  
Commitments with Major DIOG\*: N/A  
Commitments with Outstanding DIOG\*: N/A

\*DIOG: Did it Open Government?



**Table 2. Noteworthy commitments**

<b>Commitment description</b>	<b>Moving forward</b>	<b>Status at the end of implementation cycle.</b>
<p><b>2. Portal for law drafting and public hearings</b></p> <p>Develop a portal that allows the public to provide feedback on draft legislation</p>	<p>Moving forward, the government could link the new portal to the databases of the Cabinet of Ministers and Parliament to further enable civil society’s participation during legislation drafting.</p>	<p>Note: this will be assessed at the end of action plan cycle.</p>
<p><b>5. Interactive budget tool</b></p> <p>Develop an interactive tool to improve navigation of budget information and data</p>	<p>Future action plans could increase public comprehension of the budget through interactive formats that explain public expenditures during the preparation stages of the budget process.</p>	<p>Note: this will be assessed at the end of action plan cycle.</p>
<p><b>10. Transparency in public-owned companies</b></p> <p>Ensure that state-owned enterprises make more information publicly available through the monitoring of the Cross-Sectoral Coordination Centre (CSCC).</p>	<p>Future action plans could include commitments that enhance the monitoring and transparency of the environmental and social impact of state-owned enterprises.</p>	<p>Note: this will be assessed at the end of action plan cycle.</p>

## Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

1. Ensure greater involvement of the Council of Memorandum during the development of the next action plan and publish feedback during consultations.
2. Continue improving lobbying transparency with the involvement of Parliament.
3. Continue strengthening whistleblower protection by improving channels and mechanisms for reporting.
4. Include more ambitious commitments that address transparency in the financial sector, such as beneficial ownership, and making Enterprise Register information publicly accessible.
5. Continue improving systems for public consultation and promote open government locally.

## ABOUT THE AUTHOR

**Zinta Miezaine** is a policy analyst and board member of the Workshop of Solutions Association. The association promotes public participation and decision-making at local, national, and EU levels by joining decision-makers with 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 (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



## I. Introduction

The Open Government Partnership is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments complete commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Latvia joined OGP in 2011. This report covers the development and design of Latvia's third action plan for 2017-2019.

The Independent Reporting Mechanism of OGP partnered with Zinta Miezaine and Workshop of Solutions to conduct this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>.

## II. Open Government Context in Latvia

Latvia continued to perform well on key OGP eligibility criteria, including public access to information and the overall environment for civic participation. Latvia's previous action plans led to major improvements in open data, online participation, and the governance of state-owned enterprises. While some of these initiatives were continued in the third action plan, there remains room for improvement regarding stronger whistleblower protection, beneficial ownership transparency, and lobbying regulations.

Latvia has introduced many effective and open mechanisms for transparency, accountability, and public participation in government. Latvia ranked second in democratic governance among 29 post-communist countries, according to Freedom House's 2017 Nations in Transit Index,<sup>1</sup> and it ranked 40 out of 180 countries in Transparency International's 2017 Corruption Perceptions Index.<sup>2</sup> Latvia joined the European Union (EU) in 2004 and the Organization for Economic Co-operation and Development (OECD) in 2016. Membership in these organizations requires development and implementation of policies in line with OGP values, including open data, improving standards and functionality of government websites, preventing corruption, and ensuring depoliticized state-owned enterprises. Latvia's previous action plans included commitments on nongovernment organization (NGO) financing, enhancing e-participation, transparency in public spending, and open data. Many of these initiatives are continued in the current plan, but challenges around whistleblower protection, beneficial ownership transparency, and lobbying regulations continue to persist.

### Transparency and access to information

The legislative framework for ensuring an open and transparent Latvian government is extensive.<sup>3</sup> However, there is lack of transparency regarding state companies and the public procurement process; private businesses continue to influence the policymaking process.

One challenge for Latvia is anti-money laundering and a high risk of international tax avoidance schemes.<sup>4</sup> Transparency International's Latvia chapter, Delna, found that during the last decade, several individuals and entities have exploited the Latvian banking sector to facilitate the laundering and movement of at least 20 billion EUR of illicit funds, equal to 70% of Latvia's GDP.<sup>5</sup> In 2017, an international investigation of such a scheme implicated the Latvian bank, Trasta Komercbanka.<sup>6</sup> In response, the EU developed a plan and amendments to the Anti-Money Laundering Directive on 4 April 2018. It asks member states to develop public registers of beneficial owners of companies, associations, and foundations. (Provisions protect individuals from threat and persecution.) The directive also extends coverage to virtual currency, lowers the monthly transaction limit for prepaid cards, and requires commercial banks to perform due diligence on financial flows from high-risk countries. The EU Parliament also discussed amendments criminalizing tax avoidance in 2019.<sup>7</sup> Latvia developed legislation in parallel with EU legislation. For example, Latvia passed amendments to legislation on beneficial ownership in 11 August 2017.<sup>8</sup> The regulation permits wider availability of information than the EU legislation, except when the owner is under 18 years old. Nonetheless, fees are still required to retrieve information.<sup>9</sup> Commitment II in the current action plan seeks to address the transparency of beneficial owners.

Latvia is a member of the Council of Europe's anti-corruption monitoring body, the Group of States Against Corruption (GRECO), which regularly assesses corruption prevention by parliamentarians, judges, and prosecutors. GRECO recommended that Latvia improve policies such as strengthening the political independence of the Corruption Prevention and Combating Bureau (CPCB) and introducing rules for how parliamentarians engage with lobbyists and other third parties.<sup>10</sup> It recommended adopting a code of ethics and an enforcement mechanism for parliamentarians, judges, and prosecutors, eliminating their administrative immunity. GRECO also encouraged the promotion of corruption prevention.

One of these policies—the development of lobbying regulations—was included in Latvia's first<sup>11</sup> and second<sup>12</sup> OGP action plans. The first plan included a commitment to develop lobbying regulation.

The CPCB prepared a draft law but Parliament did not approve it, instead suggesting amending existing laws. During the second action plan, several amendments to laws were prepared and offered to Parliament, but no substantive changes were achieved.<sup>13</sup> Lobbying regulation remains a focus in the current action plan.

According to the European Data Portal, which assesses member states' open data policies, Latvia has developed a legal framework for successful open data policies and has an open data portal as of June 2017.<sup>14</sup> The European Data Portal finds that the main barrier for reuse of data is ignorance of the benefits of open data among politicians, adding that the government must provide funding to institutions currently financed in part by the sale of data.<sup>15</sup> Latvia has a long-term strategy, the Information Society Development Guidelines for 2014–2020, which includes initiatives and investment projects that correspond with the EU open data principles and directions.<sup>16</sup> These policies were part of Latvia's first and second OGP action plans and are also highlighted in the current plan.

### **Budget transparency**

Each year, Latvian ministries are legally required to submit their requests for the next year's budget based on their estimates from pre-approved policy plans.<sup>17</sup> All budget related draft amendments are discussed at the Cabinet of Ministers, usually in July, with all agendas and supporting documents publicly available on the Cabinet's webpage. Social partners and civil society organizations (CSOs) work with their line ministries to be included in policy plans and related amendments to laws. The law prescribes that the budget portfolio for the next year is submitted to Parliament by 15 October. The budget laws and most amendments are then available in parliamentary databases of draft laws. CSOs, social partners, and lobbyists can use these databases to request invitations to parliamentary committees debating specific budget issues. The State Treasury releases funds and oversees income. State Audit Office looks if expenditure has been reasonable.

The budget law and relevant amendments are usually a complicated set of documents of several thousand pages. They are not easy to understand for those uneducated in law, economics, and bookkeeping. Commitment 5 of the current action plan seeks to deal with this issue by providing an interactive tool to navigate the budget and linking figures with policy results during the budget-approval stage.

At the same time, the 2017 NGO Sustainability index suggests that, although NGOs followed news on draft budget laws and related tax amendments, the Ministry of Finance and politicians did not consider their suggestions and lessened tax incentives for enterprises which donated to NGOs. Thus, the enterprises do not have incentives to donate to NGOs from their profits.<sup>18</sup>

### **Public accountability**

Whistleblower protection remains an important issue in Latvia and the issue is not often discussed in public debates. Measures to protect whistleblowers are fragmented and therefore employees and citizens who are considering reporting corruption may refuse out of a fear of reprisal. Latvia has not seen many high-profile or significant whistleblower cases, except for "Neo" Ilmars Poikans, whose disclosures made a considerable impact in the public as well as the political sphere.<sup>19</sup>

Latvia adopted a Whistleblowing Law on 11 October 2018, to take force 1 May 2019.<sup>20</sup> The law was developed during the implementation of the second action plan. Commitment 6 in the current plan aims to raise public awareness to facilitate voting by parliamentarians.

### **Civic space**

Latvian law provides for various participation opportunities. Ministries are required to seek NGO opinions on all draft laws and policy planning documents<sup>21</sup> and created the Memorandum Council, an open forum for debates on issues important to NGOs.<sup>22</sup> The government has introduced a mechanism for e-voting and initiating referenda.<sup>23</sup> The law provides for consultations with stakeholders before decisions by the Cabinet of Ministers, as well as a control mechanism requiring ministries prove they consulted and provide reasons if they did not. The government also introduced the green book principle in 2014 for civil society to provide inputs before legislation is drafted.<sup>24</sup>

In 2017, Civicus lowered Latvia's civic space score from "mostly enabling" to "narrowed."<sup>25</sup> This was mostly due to allegations from some parliamentarians that a foreign-funded NGO, Papardes zieds, was acting contrary to the morality clause of Latvian legislation. An amendment to Latvia's constitutional preamble states that the identity of the Republic of Latvia is based, among others, on Christian values.<sup>26</sup> Amendments to the Law on Education state that schools are in charge to teach about morality and family in accordance with the values defined in Constitution of 2016.<sup>27</sup> Papardes zieds organized a "First Day of Ignorance" where they discussed the impact of the clause on knowledge on the reproductive health of children of the Law. It also asked parliamentarians to discuss how the education law could be amended to better serve the needs of children. In response, several parliamentarians asked the Prime Minister to check the funding sources of this NGO to decide if it was working "against security interests of Latvia."<sup>28</sup> The mayor of Ventspils asked to ban George Soros and his foundations, Delna and Providus.<sup>29</sup>

NGOs have raised concerns over the scarce financial resources available to them. Tax amendments from 2017 set stronger restrictions for enterprises who donate to NGOs.<sup>30</sup> This has seriously affected available financial resources. The previous tax regime supported a rise of around EUR 85,000,000 in donations while the current decline is estimated around EUR 17,000. EU/EEZ financing for NGOs was unavailable in 2018 and government has required for 2019 is less than EU/EEZ finds can offer.<sup>31</sup> Also, the Latvian government closely controls NGOs' economic activities and the state revenue service attempted to influence NGOs to narrow their economic activities. As a result of antiterrorism and anti-money-laundering policies, commercial banks tightened control of NGO financing, thus increasing the administrative burden for NGOs.<sup>32</sup>

The Ministry of Interior proposed restrictions for public events of over 5,000 people, burdening NGOs and lengthening the time period required to notify officials for public security.<sup>33</sup> These changes are still being debated before it goes to the Cabinet of Ministers for approval.

The State Chancellery organizes annual conferences for debating participation issues and conducts research in this area. Its research in 2018 revealed that there were low levels of awareness among Latvians about the importance of participation as well as information about participation opportunities. Respondents argued that society and government do not speak the same language. Public involvement was seen as an extra burden and people lack skills for listening and crafting compromises. There was also insufficient political will to involve the public in decision-making. Around half of respondents insisted that they lack feedback from consultations therefore, do not believe that they can influence processes.<sup>34</sup>

Parliamentary elections occurred in October 2018. As a result, members of the former leading coalition lost most of their seats. This change might increase political will for implementing commitments related to anti-corruption and responsible use of public resources, as these goals were part of successful candidates' pre-election promises.

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<sup>1</sup> Karlis Bukovskis and Andris Spruds, "Nations in Transit 2017, Latvia" (Freedom House, 2017), <https://freedomhouse.org/report/nations-transit/2017/latvia>.

<sup>2</sup> Transparency International, Corruption Perceptions Index 2017 (2018), [https://www.transparency.org/news/feature/corruption\\_perceptions\\_index\\_2017](https://www.transparency.org/news/feature/corruption_perceptions_index_2017).

<sup>3</sup> Freedom House, "Freedom in the World 2018, Latvia" (2018), <https://freedomhouse.org/report/freedom-world/2018/latvia>.

<sup>4</sup> Zinta Miezaine et al., "Study on fair international taxation policy" (LAPAS and European Union, 2015), [http://lapas.lv/wp-content/uploads/2016/04/English\\_version\\_Latvian\\_policy\\_research\\_LAPAS\\_Tax\\_Justice\\_together.pdf](http://lapas.lv/wp-content/uploads/2016/04/English_version_Latvian_policy_research_LAPAS_Tax_Justice_together.pdf).

<sup>5</sup> Antonio Greco, Connections: Money Laundering in Latvia and the Role of Trust and Company Service Providers, (Jan. 2018), [delna.lv/wp-content/uploads/2018/01/Delna\\_Connections\\_2018\\_small-2MB.pdf](http://delna.lv/wp-content/uploads/2018/01/Delna_Connections_2018_small-2MB.pdf).

<sup>6</sup> "New Certificates of the Trasta Commercial Bank Involved in US \$13 Million Money Back on Russia" (Delna, 21 Mar. 2017), [delna.lv/lv/2017/03/21/jauni-pieradijumi-par-latvijas-bankas-iesaisti-13-miljaru-asv-dolaru-naudas-atmazgasana-no-krievijas/](http://delna.lv/lv/2017/03/21/jauni-pieradijumi-par-latvijas-bankas-iesaisti-13-miljaru-asv-dolaru-naudas-atmazgasana-no-krievijas/).

<sup>7</sup> European Commission, "Anti-money laundering and counter terrorist financing" (2018), [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/anti-money-laundering-and-counter-terrorist-financing\\_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/anti-money-laundering-and-counter-terrorist-financing_en).

<sup>8</sup> Laws of Latvia, "Amendments to the Law on Prevention of Money Laundering and Financing of Terrorism" no. 2017/222.7 (Latvijas Vēstnesis, 11 Aug. 2017), <https://www.vestnesis.lv/op/2017/222.7>.



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- <sup>9</sup> Aleksandra Mejertāle and Mārtiņš Puķe, "Nākamais rounds cīņā pret finanšu noziegumiem" (Deloitte, 18 Jun. 2018), [https://www2.deloitte.com/content/dam/Deloitte/lv/Documents/Deloitte-Latvia-in-media/lv-deloitte-latvia-in-media-ITiesibas\\_Aleksandra%20Mejertale\\_Martins%20Puke\\_Next%20round.pdf](https://www2.deloitte.com/content/dam/Deloitte/lv/Documents/Deloitte-Latvia-in-media/lv-deloitte-latvia-in-media-ITiesibas_Aleksandra%20Mejertale_Martins%20Puke_Next%20round.pdf).
- <sup>10</sup> GRECO and Council of Europe, Fourth Evaluation Round: Corruption prevention in respect of members of parliament, judges and prosecutors: Interim Compliance Report (14–18 Mar. 2016), <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806c6d6e>.
- <sup>11</sup> Government of Latvia: Cabinet of Ministers, Open Government Partnership Action Plan of Latvia (OGP, 2012), [https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_ricibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g_eng.pdf).
- <sup>12</sup> Government of Latvia: Cabinet of Ministers, Second National Action Plan of Latvia (OGP, 23 Dec. 2014), [https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).
- <sup>13</sup> Zinta Miežaine, Independent Reporting Mechanism (IRM): Latvia End-of-Term Report 2015–2017 (OGP, 2017) [https://www.opengovpartnership.org/sites/default/files/Latvia\\_EOT\\_Report\\_2015-2017\\_EN.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_EOT_Report_2015-2017_EN.pdf).
- <sup>14</sup> European Data Portal, "Latvia Overview" (19 Jul. 2017), [https://www.europeandataportal.eu/sites/default/files/country-factsheet\\_latvia\\_2017.pdf](https://www.europeandataportal.eu/sites/default/files/country-factsheet_latvia_2017.pdf).
- <sup>15</sup> Id.
- <sup>16</sup> Ministry of Environmental Protection and Regional Development, "Information Society Development Guidelines 2014-2020" (POLIS, 13 Oct. 2013), <http://polsis.mk.gov.lv/documents/4518>.
- <sup>17</sup> Laws of Latvia, "Budget and Financial Management Act" (Latvijas Vēstnesis, 24 Mar. 1994), <https://likumi.lv/ta/id/58057-likums-par-budzetu-un-finansu-vadibu>.
- <sup>18</sup> "NGO Sustainability index, Latvia 2017" (2018), [http://nvo.lv/site/attachments/12/09/2018/Latvia\\_2017\\_1.pdf](http://nvo.lv/site/attachments/12/09/2018/Latvia_2017_1.pdf).
- <sup>19</sup> blueprint for Free Speech, "Latvia – Whistleblower Protection, Briefing" (2018), <https://blueprintforfreespeech.net/document/latvia-briefing/>.
- <sup>20</sup> Laws of Latvia, "Alert Lifting Law" no. 2018/210.2 (Latvijas Vēstnesis, 11 Oct. 2018), <https://likumi.lv/ta/id/302465-trauksmes-celsanas-likums>.
- <sup>21</sup> Laws of Latvia, "Order of the Cabinet of Ministers" no. 300 (Latvijas Vēstnesis, 7 Apr. 2009), <https://likumi.lv/doc.php?id=190612>.
- <sup>22</sup> Cabinet of Ministers, "Implementation Council of the Memorandum of Cooperation between non-governmental organizations and the Cabinet of Ministers" (14 Jan. 2016), <https://www.mk.gov.lv/lv/content/nevalstisko-organizaciju-un-ministru-kabineta-sadarbibas-memoranda-istenosanas-padome>.
- <sup>23</sup> State Regional Development Agency, "Subscription for voter initiatives" (2019), <https://www.latvija.lv/pv>.
- <sup>24</sup> Cabinet of Ministers, "Cabinet discussion papers" (8 Jul. 2016), <https://www.mk.gov.lv/lv/content/ministru-kabineta-diskusiju-dokumenti>.
- <sup>25</sup> CIVICUS, "MPs Ask For Investigation Into NGO As Elections Near" (1 Oct. 2018), <https://monitor.civicus.org/newsfeed/2018/10/01/mps-request-investigation-NGO-elections-approach/>.
- <sup>26</sup> Laws of Latvia, "Amendment to the Constitution of the Republic of Latvia" no. 2014/131.4 (Latvijas Vēstnesis, 19 Jun. 2014), <https://www.vestnesis.lv/op/2014/131.4>.
- <sup>27</sup> Laws of Latvia, "Amendment to the Education Law" no. 2015/127.7 (Latvijas Vēstnesis, 18 Jun. 2015), <https://likumi.lv/doc.php?id=275053>.
- <sup>28</sup> Reinis Ābolītiņš and Iveta Ķelle, "'Paparde Flower': Members turn to NGOs and democracy in Latvia" (Satori, 19 Sept. 2018), <https://www.satori.lv/article/papardes-zieds-deputati-versas-pret-nvo-un-demokratiju-latvija>.
- <sup>29</sup> The Baltic Review, "Latvia: Ban on George Soros" (10 Sept. 2016), <https://baltic-review.com/latvia-ban-george-soros/>.
- <sup>30</sup> Laws of Latvia, "Corporate Income Tax Act" no. 2017/156.2 (Latvijas Vēstnesis, 28 Jul. 2017), <https://likumi.lv/doc.php?id=292700>.
- <sup>31</sup> Cabinet of Ministers, "Agenda of the meeting of the Non-Governmental Organizations and the Cabinet of Ministers for Implementation of the Memorandum of Cooperation of 26 September 2018" (Riga: 26 Sept. 2018), <https://www.mk.gov.lv/lv/content/nevalstisko-organizaciju-un-ministru-kabineta-sadarbibas-memoranda-istenosanas-padomes-2018>.
- <sup>32</sup> Cabinet of Ministers, "Meeting of Council of Memorandum, October 31, 2018" (Cabinet of Ministers' YouTube Channel, 31 Oct. 2018), <https://www.youtube.com/watch?v=tpCLCK6HQZE>.
- <sup>33</sup> Latvian Civic Alliance, "Amendments to the organization of public events" (accessed 2 Nov. 2018), <http://www.nvo.lv/lv/news/publication/grozijumi-publisku-pasakumu-organizesana-9596/>.
- <sup>34</sup> Jānis Citskovskis, "Kā veidot efektīvāku sabiedrības līdzdalību valsts un pašvaldību institūciju darbā?" (The State Chancellery of Latvia 29 Aug. 2018), [https://www.mk.gov.lv/sites/default/files/attachments/2\\_i\\_dala\\_janis\\_citskovskis.pdf](https://www.mk.gov.lv/sites/default/files/attachments/2_i_dala_janis_citskovskis.pdf).

### III. Leadership and Multistakeholder Process

Latvia's third action plan was developed with input from civil society, whose proposals were then discussed with public institutions. Out of 16 main proposals put forward at the multistakeholder discussion, four are reflected in the final action plan and five are partially included. Nongovernmental input brought about only one new commitment which was not already on the government agenda or in prior action plans.

#### 3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Latvia. Initially, the Ministry of Foreign Affairs (MFA) led the OGP process in Latvia. However, the MFA could only coordinate the process and had little substantive impact on OGP policy areas and commitment implementation. In January 2016, the Cabinet of Ministers legally transferred OGP responsibility to the State Chancellery, which oversees the Cabinet of Ministers and reports directly to the Prime Minister. The MFA assumed a supporting role to assist with international and diplomatic aspects of the initiative.<sup>1</sup> This change was in line with one of the "Key Recommendations" from the previous IRM report (2015–2017).<sup>2</sup>

The State Chancellery, led by its Director, oversees implementation of several commitments and coordinates the work of the Council for Implementation of the Cooperation Memorandum between NGOs and the Cabinet of Ministers (the Council of Memorandum). The Council of Memorandum can call on ministries to report on implementation of policies, including most OGP commitments. The Council aims to involve civil society in the decision-making process for public administration. This NGO-led initiative was established in 2005, when the Prime Minister signed a memorandum with 57 NGOs. As of November 2018, there are 436 NGOs participating in the Council.<sup>3</sup> The Council is also actively involved in the multistakeholder forum for the OGP process in Latvia.

OGP leadership is placed in the highest level of the executive branch, with involvement by the Prime Minister. Initially, action plans were more ambitious, envisioning changes that required new laws. However, commitments around key policies like accountability and public integrity were not implemented. For example, a draft law to regulate lobbying was prepared by the executive branch but it was not passed by Parliament; politicians did not consider a new law to be the correct way to address the situation. As a result, the current action plan may be limited to the powers of executive to implement them.

#### 3.2 Multistakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating countries are expected to meet these standards. The standards aim to raise the ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish the participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to the OGP process. Latvia **did not** act contrary to the OGP process.<sup>4</sup>

Please see Annex I for an overview of Latvia's performance implementing the Co-Creation and Participation Standards throughout the action plan development.

#### Table 3.1: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.<sup>5</sup> This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborate."

Level of public influence		During development of action plan
<b>Empower</b>	The government handed decision-making power to members of the public.	
<b>Collaborate</b>	There was iterative dialogue AND the public helped set the agenda.	
<b>Involve</b>	The government gave feedback on how public inputs were considered.	✓
<b>Consult</b>	The public could give inputs.	
<b>Inform</b>	The government provided the public with information on the action plan.	
<b>No Consultation</b>	No consultation	

### Multistakeholder forum

The Council of Memorandum of the Cabinet of Ministers is a multistakeholder forum of 436 NGOs representing different areas of interest.<sup>6</sup> The co-creation process is regulated by a Cabinet of Ministers' decree.<sup>7</sup> NGOs elect their representatives to the Council of Memorandum, which meets every month. State secretaries (the highest administrative level officers) represent the government. Any NGO can join the initiative at two times during the year (new members sign the memorandum), and any party can join Council meetings and initiate issues for discussion. Agendas and supporting documents are available two weeks prior to the meetings and members are notified upon their release. All materials are available on the Cabinet's webpage after meetings, and the meetings themselves are streamed online and have been uploaded to the State Chancellery's YouTube channel since March 2016.<sup>8</sup> OGP activities are part of the work plan of the Council of Memorandum.<sup>9</sup> Currently, the Council consists of two men and six women from civil society and five men and two women from government (state secretaries).

The OGP point of contact regularly informs the Council about developments in OGP and consults the Council to involve interested NGOs in the development and implementation of the action plan.

The State Chancellery formally informs all parties of the Council in writing on the start of the action plan development. Those who express interest are invited to further meetings. All members are asked for opinions during consultations on the draft action plan. Responsible officials also report on major plan developments at Council meetings. These reports are available to all members, and any party can participate in meetings where OGP-related issues are debated.

In accordance with the law, the Council of Memorandum cannot make binding decisions for third parties. Therefore, action plans are debated and approved by the Cabinet of Ministers.

### Participation and engagement throughout action plan development

#### Before consultations

On 20 December 2016, the State Chancellery and the public policy center, Providus, organized a seminar to begin developing Latvia's third action plan. Invitations to government and civil society participants were sent seven days before the meeting and included links to OGP-related documentation. Invitees were selected from Council of Memorandum members that were either involved in OGP areas or participated in the 2016 OGP Paris Summit. The Cabinet of Ministers posted background information on OGP to its homepage.<sup>10</sup> The IRM researcher observed the meeting and suggested that the Council serve as a multistakeholder forum to strengthen the OGP process. Representatives of the State Chancellery and Providus introduced the initiative to participants during the planning event.

### During consultations

On 17 March 2017, Providus and the State Chancellery organized a brainstorming session on potential commitments to include in the third action plan. The State Chancellery invited select government institutions and all Council members on 7 March 2017. The Cabinet of Ministers issued a press release and the invitation was put on their webpage on 10 March<sup>11</sup> and that of Providus on 13 March.<sup>12</sup> Sixty-two people participated representing 24 NGOs, one university, and 12 government institutions.<sup>13</sup> The meeting was organized into three sessions. The first session was an introduction to OGP and examples of successful commitments from previous Latvian action plans and from other OGP members. The second session involved debating issues in a “discussion cafe” format at eight tables moderated by government and civil society participants. Attendees could participate in discussions on three issues: public involvement, transparency and fighting corruption, and how innovation and information technology could achieve these aims. These issues were defined by the organizers (State Chancellery and Providus) in accordance with OGP values. The resulting ideas were then presented and voted on by all the participants. The results were published on the webpages of Providus<sup>14</sup> and the Cabinet of Ministers<sup>15</sup> on 31 March and contained five priorities for public participation, seven for enhancing transparency and four for fighting corruption.

The State Chancellery then drafted these results into an action plan highlighting 16 ideas and submitted this draft for comment to government institutions and NGOs on 25 May.<sup>16</sup> The consultation period lasted two weeks, but comments received later were also considered.

### Feedback to contributors

In June 2016, the State Chancellery compiled all the feedback received, including comments from the State Chancellery itself, into a table and sent it out to those organizations who had submitted proposals. Some NGOs who had submitted comments on the draft plan became implementation partners of commitments. However, the State Chancellery did not publish this table, as it was an internal document for those participating.

After these June consultations, the State Chancellery organized round-table discussions with institutions and NGOs who had shown interest.<sup>17</sup> Discussions were held on public procurement, availability of government research, management of state-owned enterprises, beneficial ownership, and open data. After the meetings, minutes were circulated among the participants. According to the action plan,<sup>18</sup> the State Chancellery conducted two rounds of electronic consultations on the document with implementing institutions and organizations. The Cabinet of Ministers approved the action plan on 11 November 2017. The State Chancellery and Providus invited all organizations involved in implementing commitments to a launch meeting on 16 November 2017.<sup>19</sup>

Overall, civil society had wide latitude to participate in the initial development of the action plan. Later, the plan went through government scrutiny. Interested stakeholders could continue following the plan’s development via the Cabinet’s webpage. NGOs that commented on particular commitments were involved throughout the entire drafting process, receiving responses from the State Chancellery if their proposals were not included in the final draft.

Although a wide range of NGOs were included during the development of the action plan, no dramatic change in the government’s choice of commitments was observed. The IRM researcher’s survey of participating CSOs<sup>20</sup> found that many participants did not follow up during the later development of the action plan, although it was published for comments. Those who did comment, saw their comments debated and incorporated. The Institute of Social Sciences of the University of Latvia participated in the co-creation event and also in consultations; Commitment 12, on the availability of public sector research, was included in the plan as a result.<sup>21</sup>

Of the 12 commitments in the third action plan, eight are continuations from previous plans that are slightly changed, accounting for recommendations of the previous IRM report (2015–2017)<sup>22</sup> and stakeholders. All of these policy areas were also considered important by CSOs. Three new commitments were included as a result of the multistakeholder meeting: improving the availability of research by public institutions for policy development; increased transparency of budget expenditures; and reducing bureaucracy. In line with recommendations from the previous IRM

report,<sup>23</sup> the government included a commitment on transparency for beneficial owners of companies.

### Co-creation and participation recommendations throughout development

Latvia showed strong performance in areas of previous commitments. New stakeholders for this action plan included representatives from academia and trade unions. Open data and IT-related commitments are also included.

In order to improve performance on these areas, stakeholders suggest:<sup>24</sup>

- involving groups and sectors which are working on areas not directly related to open government (e.g., consumer protection, children's rights, etc.), to offer a new angle on cooperation with public institutions;
- organizing more focus groups, gathering ideas on wider number of issues (e.g. media);
- providing more information on the plan and its implementation (three-month period was mentioned) to the Council of Memorandum;
- ensuring the highest level of government officials participating in debates instead of just during opening of events; and
- Consider a briefer, simpler document rather than the current large plan covering many complicated policy areas.

To better ensure stakeholders' goals are reflected in future action plans, the IRM researcher suggests that the State Chancellery:

- notify *all* parties of the Council of Memorandum when publishing the draft plan for consultations. This would ensure that NGOs who did not participate in the initial planning meeting could give feedback.
- facilitate public feedback on consultation results by summarizing comments on the Cabinet of Ministers' webpage.

In addition, the IRM researcher suggests that the State Chancellery update the Council of Memorandum on commitments and their implementation, inviting speakers from both the implementing agency and their civil society partners during the implementation phase. The IRM researcher further recommends that stakeholders more proactively follow the OGP process, such as the publication of the draft action plan for comments.

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<sup>1</sup> Cabinet of Ministers, "Draft legislation: Informative Report "On Ensuring Latvia's Participation in the Open Governance Partnership Initiative"" (8 Dec. 2015), <http://tap.mk.gov.lv/mk/tap/?dateFrom=2015-07-30&dateTo=2016-07-29&text=Atv%C4%93rtas&org=142982&area=0&type=0>.

<sup>2</sup> Zinta Miezaine, *Independent Reporting Mechanism (IRM): Latvia End-of-Term Report 2015–2017* (OGP, 2017), [https://www.opengovpartnership.org/sites/default/files/Latvia\\_EOT\\_Report\\_2015-2017\\_EN.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_EOT_Report_2015-2017_EN.pdf).

<sup>3</sup> Cabinet of Ministers, "Information on the Memorandum of Cooperation between NGOs and the Cabinet of Ministers" (2 Jul. 2016), <https://www.mk.gov.lv/content/informacija-par-nvo-un-ministru-kabineta-sadarbibas-memorandu>.

<sup>4</sup> "Acting contrary to process" is defined as: Country did not meet (1) "involve" during the development or "inform" during implementation of the NAP (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

<sup>5</sup> IAP2, IAP2's Public Participation Spectrum" (2014),

[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations\\_course/IAP2\\_P2\\_Spectrum\\_FINAL.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf).

<sup>6</sup> Cabinet of Ministers, "Information on the Memorandum of Cooperation between NGOs and the Cabinet."

<sup>7</sup> Laws of Latvia, "Statute for the implementation of the Memorandum of Understanding between NGOs and the Cabinet of Ministers" no. 2014/10.1 (Latvijas Vēstnesis, 7 Jan. 2014), <https://likumi.lv/doc.php?id=263733>.

<sup>8</sup> Cabinet of Ministers, "Meetings of the Implementation Council of the Memorandum of Cooperation between Non-Governmental Organizations and the Cabinet of Ministers" (26 Jun. 2016), <https://www.mk.gov.lv/content/nevalstisko-organizaciju-un-ministru-kabineta-sadarbibas-memoranda-istenosanas-padomes-sedes>.

<sup>9</sup> The State Chancellery, "Nevalstisko organizāciju un Ministru kabineta sadarbības memoranda īstenošanas padome darba plans 2018. gadam" (Jan. 2018),

[https://www.mk.gov.lv/sites/default/files/editor/memoranda\\_padomes\\_darba\\_plans\\_2018\\_sken.pdf](https://www.mk.gov.lv/sites/default/files/editor/memoranda_padomes_darba_plans_2018_sken.pdf).

<sup>10</sup> The State Chancellery, "Open Government" (Cabinet of Ministers, 10 May 2016),

<https://www.mk.gov.lv/lv/content/atverta-parvaldiba>.

<sup>11</sup> The State Chancellery, "It will discuss opportunities to promote openness and openness in public administration" (Cabinet of Ministers, 17 Mar. 2017), <https://www.mk.gov.lv/lv/aktualitates/diskutes-par-iespejam-veicinat-atvertibu-un-atklatibu-valsts-parvalde>.

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- <sup>12</sup> Providus, “Discussion on Open Governance: What ambitious targets for the coming years?” (13 Mar. 2017), <http://providus.lv/article/diskusija-par-atverto-parvaldibu-kadi-ambiciozi-merki-nakamajiem-gadiem>.
- <sup>13</sup> Key civil society stakeholders included the Civic Alliance of Latvia; the Public Participation Foundation; the Open Society Partnership Latvia; Data School; Providus; representatives from the social sciences faculty of University of Latvia and representatives of 19 other NGOs. Key government stakeholders included the State Chancellery; Ministry of Foreign Affairs; Central Elections Committee; Ministry of Justice; Ministry of Environment Protection and Regional Development; Ministry of Education and Science; Ombudsman Office; Ministry of Economics; Ministry of Finance; Ministry of Interior; Ministry of Culture; Agency for Employment; and the Corruption Prevention and Combating Bureau.
- <sup>14</sup> Providus, “Open Management Partnership Plan 2017-2019: Wish List for Latvian Tasks” (31 Mar. 2017), <http://providus.lv/article/atvertas-parvaldibas-partneribas-plans-2017-2019-velmju-saraksts-latvijas-uzdevumiem>.
- <sup>15</sup> The State Chancellery, “Open Government.”
- <sup>16</sup> *Id.*
- <sup>17</sup> Government of Latvia: The State Chancellery, *Third Latvian National OGP Action Plan* (2017), [https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017\\_1.pdf](https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017_1.pdf).
- <sup>18</sup> *Id.*
- <sup>19</sup> The State Chancellery and Providus, “Atvērtās pārvaldības rīcības plāns 2017.-2019. gadam: no mērķiem uz darbiem” (Nov. 2017), [https://www.mk.gov.lv/sites/default/files/editor/ielugums\\_atvertas\\_parvaldibas\\_plans\\_16.11.2017.pdf](https://www.mk.gov.lv/sites/default/files/editor/ielugums_atvertas_parvaldibas_plans_16.11.2017.pdf).
- <sup>20</sup> Survey of stakeholders conducted by IRM researcher, November 2018.
- <sup>21</sup> Observations by the IRM researcher in meetings with CSOs during previous action plans and at the multistakeholder meeting for developing the current plan.
- <sup>22</sup> Miezaine, *Independent Reporting Mechanism (IRM): Latvia End-of-Term Report 2015–2017*.
- <sup>23</sup> *Id.*
- <sup>24</sup> Survey of stakeholders conducted by IRM researcher, November 2018



## IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's/entity's unique circumstances and challenges. OGP commitments should also be relevant to the OGP values found in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.<sup>1</sup> Indicators and methods used in the IRM research can be found in the IRM Procedures Manual.<sup>2</sup> A summary of key indicators the IRM assesses is below:

- **Verifiability:**
  - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
  - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
  - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
  - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions or policies?
  - Public Accountability: Will the government create or improve public facing opportunities to hold officials answerable for their actions?
  - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
  - Identify the social, economic, political, or environmental problem;
  - Establish the status quo at the outset of the action plan; and
  - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.

### What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

1. **Problem:** What is the overall economic, social, political, or environmental problem rather than describing an administrative issue or tool (e.g., "misallocation of welfare funds" is more helpful than "lacking a website").
2. **Status quo:** What is the status quo of the issue at the beginning of an action plan (e.g., "26% of judicial corruption complaints are not processed currently")?

3. **Change:** Rather than stating intermediary outputs, what is the targeted behaviour change that is expected from the commitment's implementation (e.g., "doubling response rates to information requests" is a stronger goal than "publishing a protocol for response")?

Based on these criteria, Latvia's action plan does not contain any potentially starred commitments.

### Starred commitments

One measure, the "starred commitment" (★), deserves further explanation due to its usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment's design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **substantial** or **complete** implementation.

This variable is assessed at the end of the action plan cycle, in the Implementation IRM report.

### General Overview of the Commitments

Latvia's third action plan focused on four key policy areas (increasing public involvement in decision-making, improving accountability and transparency in public resource use, reducing bureaucracy, and better transparency in private enterprises) as well as the use of innovative technologies to achieve these goals.

The Latvian government did not provide an English language version of its third action plan. For the Latvian language version, please see: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

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<sup>1</sup> "Open Government Partnership: Articles of Governance" (OGP, Jun. 2012) (Updated March 2014 and April 2015), [https://www.opengovpartnership.org/sites/default/files/attachments/OGP\\_Articles-Gov\\_Apr-21-2015.pdf](https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf).

<sup>2</sup> "IRM Procedures Manual" (OGP, 16 Nov. 2015), <https://www.opengovpartnership.org/documents/irm-procedures-manual>.



## I. Effective Public Participation

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Veicināt efektīvāku sabiedrības līdzdalību valsts institūciju un pašvaldību darbā un lēmumu pieņemšanas procesā, tajā skaitā – izmantojot tehnoloģijas:

- informēt par sabiedrības līdzdalības iespējām valsts institūciju un pašvaldību darbā un lēmumu pieņemšanas procesā, tajā skaitā e-vidē un izmantojot NVO kā resursu informācijas izplatīšanai;
- apkopot sabiedrības līdzdalības labās prakses piemērus un izvērtēt sabiedrības līdzdalības atbilstību starptautiski atzītiem principiem un labai praksei;
- uzlabot sabiedrības informētību un iesaisti valsts pārvaldes darbā, ieviešot vienotu tiesību aktu projektu izstrādes un saskaņošanas portālu (sasaiste ar plāna 2. apņemšanos) un valsts un pašvaldību iestāžu tīmekļvietņu vienoto platformu;
- nodrošināt sabiedrības līdzdalību publiskojamo atvērto datu kopu izvēlē. Veicināt sabiedrības informētību par publiskotām atvērto datu kopām un to izmantošanas iespējām (sasaiste ar plāna 3. apņemšanos);
- popularizēt un paplašināt valsts pārvaldes pasākumu tiešraīžu izmantošanu;
- izmantot datus, tajā skaitā atvērtos datus, un pierādījumus tiesību aktu izstrādē un izvērtēšanā un sekmēt tiesību aktu izstrādes laikā radīto datu pieejamību sabiedrībai;
- paplašināt reģionālo NVO koordinātoru funkcijas ar uzdevumu nodrošināt aktivitātes pilsoniskās izglītības un konsultācijas līdzdalības veicināšanas jomās;
- sniedzot valsts finansējumu nevalstiskā sektora attīstībai, prioritāri atbalstīt sabiedrības iesaisti un līdzdalību lēmumu pieņemšanas un demokrātiskos procesos;
- sadarbības partneriem veicināt sabiedrības līdzdalību lēmumu pieņemšanas procesā Saeimā (portāla ManaBalss.lv projekts “ParVaiPret”).

### Milestones:

I.1. Stiprināt interešu aizstāvības kapacitāti nevalstiskajā sektorā un to NVO attīstību, kas veic sabiedrības līdzdalības funkciju valsts programmas „NVO fonds” ietvaros

I.2. Izvērtēt sabiedrības līdzdalības atbilstību OECD vadlīnijām “Labās prakses principi ieinteresēto pušu iesaistei”. Apkopot un popularizēt sabiedrības līdzdalības iespējas un labās prakses piemērus, tajā skaitā rīkojot apmācības politiku izstrādātājiem valsts un pašvaldību institūcijās

I.3. Izstrādājot sabiedrības integrācijas politikas plānu 2019.–2025. gadam, reģionālo NVO koordinātoru funkcijas paplašināt ar uzdevumu nodrošināt aktivitātes pilsoniskās izglītības un konsultācijas līdzdalības veicināšanas jomās”

Start Date: 1 Jul. 2017

End Date: 30 Jun. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓		✓			✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

## Context and Objectives

Latvian law provides for stakeholder involvement in all stages of policy development.<sup>1</sup> There are several ways for citizens to propose ideas, policy solutions, and even draft legislative changes for administrative scrutiny.<sup>2</sup> Citizens can also gather signatures (10,000 minimum) for an issue to be debated in Parliament,<sup>3</sup> or for initiating a referendum.<sup>4</sup> At the same time, research shows that information on participation opportunities is not always timely and understandable for the public.<sup>5</sup>

The objective of this commitment is to enhance public participation at the local and central levels of government through capacity-building activities for government institutions, local governments, and NGOs. The development of an NGO fund has been a part of Latvia's first<sup>6</sup> and second<sup>7</sup> action plans. The current action plan builds on these previous initiatives by:

- Funding capacity-building programs for NGOs involved in advocacy work through an NGO Fund;
- Assessing opportunities for public participation, disseminating information on good practices, and training local government officials on how to enhance public involvement (e.g., consultations); and
- Assigning new advocacy-consulting functions to regional NGO coordinators and including this in a policy document that will be the basis for financing this function.

Strengthening civil society's capacity to participate in decision-making and the new NGO consultations are relevant to the OGP value of civic participation. As formulated, the commitment's activities are verifiable, but lack details, such as what budget or other resources will be allocated to the activities, the quantity of trainings and informative materials, or the targeted audiences for these educational events and materials. This makes it difficult to predict the extent to which these activities could improve public participation in Latvia. Therefore, the IRM researcher assessed the potential impact as minor.

NGO participants in the co-creation process proposed Milestones 1.1 and 1.3, The final wording of these milestones was decided in consultations with the Ministry of Culture. The State Chancellery proposed Milestone 1.2 based on its research and debates in the Council of Memorandum.

## Next steps

The IRM researcher recommends continuing efforts to enhance public participation. The next action plan could pilot new methods to engage targeted groups who have low levels of participation in decision-making due to sectoral or geographical limitations (e.g., families of children with special needs, low income people, and rural women).

<sup>1</sup> Laws of Latvia, "Procedures for Public Participation in the Development Planning Process" (Latvijas Vēstnesis, 25 Aug. 2009), <https://likumi.lv/doc.php?id=197033>.

<sup>2</sup> The public may support solutions to reduce administrative burdens here: State Chancellery, "Mazinām Slogu Kopā: For Once, Play Always" (State Chancellery, accessed 23 Oct. 2018), <https://mazaksslogs.gov.lv/slogs/sakums/>.

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<sup>3</sup> A private web page for gathering signatures for proposed policy changes, to be debated in Parliament, is available here: <https://manabalss.lv/>.

<sup>4</sup> The official Latvian Government portal for signing initiatives is available here: <https://www.latvija.lv/en/Epakalpojumi/EPI77/Apraksts>.

<sup>5</sup> Jānis Citskovskis, *How to build more effective public participation in the work of state and municipal institutions* (State Chancellery, 29 Aug. 2018), [https://www.mk.gov.lv/sites/default/files/attachments/2\\_i\\_dala\\_janis\\_citskovskis.pdf](https://www.mk.gov.lv/sites/default/files/attachments/2_i_dala_janis_citskovskis.pdf).

<sup>6</sup> Government of Latvia, *Open Government Partnership Action Plan of Latvia* (OGP, 2012), [https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_ricibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g_eng.pdf).

<sup>7</sup> Government of Latvia, *Second National Action Plan of Latvia* (OGP, 23 Dec. 2014), [https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).

## 2. Portal for Law drafting and Public Hearings

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

- MK lēmumu pieņemšanas procesa modernizēšana, nodrošinot efektīvāku un ātrāku valsts pārvaldes TAP izstrādes, saskaņošanas, apstiprināšanas un kontroles procesu.
- Uzlabot sabiedrības līdzdalības vidi tiesību aktu jaunrades procesā, tādējādi iedzīvinot atvērtās pārvaldības principu<sup>21</sup> un iniciatīvas un nodrošinot atbilstību Informācijas sabiedrības attīstības pamatnostādņem 2014.–2020. gadam<sup>22</sup>.

Rezultāta rādītāji (sasniedzamā vērtība trīs gadus pēc projekta beigām):

- 165 institūcijas (organizācijas), kas izmanto koplietošanas risinājumu “Vienotā tiesību aktu projektu izstrādes, saskaņošanas, apstiprināšanas un kontroles vide”, t. sk. 115 valsts pārvaldes institūcijas un 50 NVO (t. sk. valdības sociālo un sadarbības partneru organizācijas);
- tehnisko (neautomatizēto) darbību īpatsvars TAP sagatavošanas un saskaņošanas procesā sasniegs 33 % no esošajiem 100 %;
- trīs atkalizmantošanai un koplietošanai pieejamās saturiskās datu kopas, kas tiek publicētas Latvijas Atvērto datu portālā;
- publiskā elektroniskā pakalpojuma “Tiesību aktu projektu sabiedriskā apspriešana” izmantošanas pieaugums līdz 85 % no visiem iesniegtajiem viedokļiem.

Iznākuma rādītāji:

- četri pilnveidoti darbības procesi;
- ieviests TAP portāls;
- ieviests publiskais e-pakalpojums “Tiesību aktu projektu sabiedriskā apspriešana”.

### Milestones:

2.1. Vienotā TAP izstrādes un saskaņošanas portāla izstrāde un ieviešana

2.2. Vienotā TAP izstrādes un saskaņošanas portāla lietošanai nepieciešamo normatīvo regulējumu izmaiņas

2.3. E-pakalpojuma “Tiesību aktu projektu sabiedriskā apspriešana” izstrāde un ieviešana

2.4. Darbības procesu uzlabošana

2.5. Datu kvalitātes pilnveide un datu atkalizmantošanas nodrošināšana, sagatavojot atkalizmantojamo datu kopas un publicējot tās Latvijas Atvērto datu portālā

Start Date: 1 Jul. 2017

End Date: 31 Dec. 2020

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2. Overall		✓	✓	✓		✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

## Context and Objectives

Current legal procedures require consultations on documents of public interest either online or via other formats depending on the issue, affected group, and institutional resources. The government must also publish drafts (TAP - projects of legal documents – draft Laws and Regulations) for comment on the Cabinet of Ministers’ website and report civic involvement in annotations to drafts. However, the public faces challenges in tracking new policies and laws. Planned amendments and timelines are not published on the same website, so tracking developments requires regular checking of several institutional websites.

Analyzing this commitment in previous IRM reports,<sup>1</sup> civil society sought assistance in comparing draft legislation developed by the executive branch with views by Parliament and the public. This means that an organization following a policy issue could see how the project changes in Parliament committees, the public response, and could participate in the debate itself. Now, CSOs can follow development of draft laws in Parliament through the public database of Parliament. Here, CSOs can find links to drafts debated in the Cabinet of Ministers and those debated in Parliament. If developments are not linked, Parliamentarians cannot easily access all civil society contributions such as those submitted to the Cabinet of Ministers. Access to the development of national positions on EU laws is ensured for those CSOs which cooperate with the Ministry of Foreign Affairs where they can access positions of their interest. Linking these two databases to the portal could be achieved through future OGP commitments once this investment project is implemented.

This commitment aims to expand opportunities to use e-participation tools.<sup>2</sup> The portal for legal and policy drafts is meant to help citizens become proactive participants in the policy-planning process. As described in the action plan, the portal would include several features to make legislative drafts (along with public reactions) accessible on a single online source, simplifying public participation. These features include:

- a user-friendly interface for civil society to access the history of proposed policies and laws, including their revisions;
- a platform for citizens to comment on draft documents and laws; and
- three open datasets—policy documents, legal documents (including drafts), and annotations—classified by organizational structure and in machine-readable format.

The commitment is relevant to OGP values of access to information, civic participation, and technology and innovation for transparency and accountability. It is a continuation from Latvia’s first (2013–2014)<sup>3</sup> and second (2015–2017) action plans,<sup>4</sup> and is part of a long-term investment in new IT systems for public administration. During the previous two action plans, a legal basis for the portal was created, and the Cabinet of Ministers approved the project as one of the funding priorities of its investment program.<sup>5</sup> The State Chancellery stressed that the company that wins the bid will be required to respond to the needs of civil society.<sup>6</sup>

Most of the milestones are verifiable, but it is unclear from the description what the related regulations will be (Milestone 2.2). The commitment also does not spell out if and how testing and improving of the portal (Milestone 2.4) will involve civil society.

If fully implemented, the commitment could moderately impact the public’s ability to monitor drafts laws, follow new policies and laws, and give feedback at various stages of drafting.

## Next steps

The timeframe for the implementation exceeds the two-year OGP action plan cycle. Therefore, CSOs will only be able to evaluate the trial versions and comment on the trials during the next action plan period.

During the development of the current action plan, civil society insisted to be included in trials of all technology solutions.<sup>7</sup> The IRM researcher recommends continuing to highlight this commitment in the next action plan by focusing on the involvement of stakeholders in developing technology solutions. Next steps after completing this commitment could involve linking law-drafting databases of the executive with the legislative.

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<sup>1</sup> Zinta Miezaine, *Independent Reporting Mechanism (IRM): Latvia Progress Report 2015–2016* (OGP, 2016),

[https://www.opengovpartnership.org/sites/default/files/Latvia\\_Progress-Report\\_2015-2017\\_for-public-comment\\_0.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_Progress-Report_2015-2017_for-public-comment_0.pdf).

<sup>2</sup> State Chancellery, “Draft legislation of the Cabinet of Ministers of the Republic of Latvia: Draft Legislation...” (7 Mar. 2019), <http://tap.mk.gov.lv/lv/mk/tap/?dateFrom=2015-09-23&dateTo=2016-09-22&mk&text=653&org=0&area=0&type=0>.

<sup>3</sup> Government of Latvia, *Open Government Partnership Action Plan of Latvia* (OGP, 2012),

[https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_ricibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g_eng.pdf).

<sup>4</sup> Government of Latvia: Cabinet of Ministers, *Second National Action Plan of Latvia* (OGP, 23 Dec. 2014),

[https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).

<sup>5</sup> Ministry of Environment Protection and Regional Development, “Supplementary: Cabinet of Ministers Regulations No. Measure 2.2.1...” (9 Dec. 2015),

[http://www.varam.gov.lv/lat/likumdosana/normativo\\_aktu\\_projekti/2014\\_2020\\_gada\\_eiropas\\_savienibas\\_fondi/?doc=20890](http://www.varam.gov.lv/lat/likumdosana/normativo_aktu_projekti/2014_2020_gada_eiropas_savienibas_fondi/?doc=20890).

<sup>6</sup> Zinta Miezaine, *Independent Reporting Mechanism (IRM): Latvia Progress Report 2015–2016* (OGP, 2016),

[https://www.opengovpartnership.org/sites/default/files/Latvia\\_Progress-Report\\_2015-2017\\_for-public-comment\\_0.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_Progress-Report_2015-2017_for-public-comment_0.pdf)

<sup>7</sup> Providus, “Open Management Partnership Plan 2017-2019: Wish List for Latvian Tasks” (31 Mar. 2017),

<http://providus.lv/article/atvertas-parvaldibas-partneribas-plans-2017-2019-velmju-saraksts-latvijas-uzdevumiem>.

### 3. Open Data portal

#### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Izveidot efektīvu Latvijas valsts un pašvaldību iestāžu Atvērto datu portālu [www.data.gov.lv](http://www.data.gov.lv) un veicināt datu atvēršanu:

- lai veicinātu publiskās pārvaldes datu atvēršanu, izstrādāt un izskaidrot datu publicēšanas formātus, standartus, metodiku;
- iestrādāt grozījumus normatīvajos aktos, nosakot Latvijas Atvērto datu portāla darbību, ievērojot personas datu aizsardzības prasības un principus;
- identificēt pieprasījumu pēc konkrētām datu kopām, tajā skaitā:
- izvērtēt ieguvumus un iespējas, mainot datu finansēšanas modeli;
- kopā ar sadarbības partneriem apkopot prioritāri atveramo datu kopu sarakstu, kuru atvēršana ir sabiedrības interesēs.

Rezultāta rādītāji (sasniežamā vērtība trīs gadus pēc projekta beigām):

- palielinās datu apjoms Atvērto datu portālā (ieguldījums publiskā sektora vidējā informācijas atkalizmantošanas indeksā (2015.g. – 0 punkti, trīs gadus pēc projekta beigām – 100));
- apkopots prioritāri publicējamo datu kopu saraksts un vērtīgu datu atvēršanas ieguvumi;
- īstenots vajadzību monitorings, pastāvīgi analizējot un uzraugot situāciju valsts pārvaldes iestādēs;
- apzinātas sabiedrības vajadzības pēc datiem, noskaidrots to izmantošanas apjoms un apmierinātība ar pieejamajiem datiem.

Iznākuma rādītāji:

- publicētas 120 datu kopas Atvērto datu portālā;
- izstrādāta metodika datu publicēšanai Atvērto datu portālā;
- veikts vajadzību monitorings.

#### Milestones:

3.1. Atvērto datu portāla publicēšana

3.2. Datu kopu publicēšana Atvērto datu portālā

3.3: Datu publicēšanas metodikas izstrāde

3.4: Datu publiskošanas izmaksu un ietekmes uz valsts budžetu izvērtējums (informācijas sniegšana Ministru kabinetam)”

Start Date: 1 Jul. 2017

End Date: 30 Jun. 2019

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3. Overall		✓	✓	✓		✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment continues from Latvia’s first (2013–2014)<sup>1</sup> and second (2015–2017) action plans.<sup>2</sup> By the end of the second action plan, the government had provided the legal basis and technical support for government institutions to publish data in open data format. In addition to new open data guidelines and legal definitions of data terms, the beta version of the open data portal, which is already available online, contained 32 datasets from 12 institutions. The datasets were free for reuse and had a Creative Commons license. The law also stipulated that in cases where datasets are not free, their price must not exceed that of their collection. Compared to a baseline devoid of open data and open data guidelines,<sup>3</sup> this commitment led to a major improvement in access to information. However, the 2015–2017 IRM end-of-term report noted that several public administrations who collect data, such as the State Land Service, were still partially financed from selling data. For example, geospatial data is mostly only available for a fee.<sup>4</sup> Even government institutions and local governments occasionally must pay for data.<sup>5</sup>

In the current action plan, the government committed to establish a system to prioritize datasets for release in open data formats (free of charge), and to promote activities about data available in these formats. The government also committed to increase the number of datasets on the open data portal and expand the circle of institutions that release data. This commitment is relevant to the OGP value of access of information. Additionally, the action plan states that the data prioritized for release will be decided in consultation with stakeholders, making the commitment relevant to civic participation as well.

The commitment does not spell out which datasets will be published, nor which institutions will publish data in open data format as a default policy. However, this commitment is a positive next step after having established the data portal and publishing the first set of government-held data. Developing methodology for publishing open data and carrying out cost analyses is an important step for ensuring publication of open data by default as it can serve as the foundation for a policy document. Therefore, the potential impact is moderate.

### Next steps

After implementing the current action plan, additional steps must still be taken to ensure that public institutions publish data by default and that it’s publicly available for free. The government could also conduct activities encouraging the use of data already available.

In the short-term, there are several steps the government could take to enhance availability and use of open data. For example, Delna compared Latvia, Sweden, and Finland, and suggests:<sup>6</sup>

- The Corruption Prevention and Combating Bureau (CPCB) could define a national infrastructure of data necessary for its work and create a timeline on opening data; and
- The government could consult NGOs to identify what data would be most useful for anti-corruption activities;

Based on these suggestions, the IRM researcher recommends a commitment in the next action plan to ensure open data for identifying and preventing corruption. For example, Latvia could provide, in open data format, CPCB datasets of financing for political parties, parliament voting protocols, and the register for beneficial owners. This data is currently not available in open data format, however,



the CPCB clarified that the register on the financing for political parties will be publicly available in 2019 in open data format when the draft “Cabinet regulation on Political Organisations (Parties) information on joining fees and membership fees, donations (gifts), declaration of income and expenses of elections and annual reporting rules” (VSS-494) is adopted and enters into force.<sup>7</sup> In addition to the political financing database, the government, together with the SRS and the CPCB should also consider making public officials’ interest and asset declarations available as open data or improve their accessibility.

According to the Ministry of Environmental Protection and Regional Development, the Ministry has continued to promote the use of open data among other ministries and subordinate institutions by hosting seminars in 2018 and in early 2019, and by developing an open data strategy for Latvia, including a three-year action plan.<sup>8</sup>

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<sup>1</sup> Government of Latvia, *Open Government Partnership Action Plan of Latvia* (OGP, 2012), [https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_ricibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g_eng.pdf).

<sup>2</sup> Government of Latvia: Cabinet of Ministers, *Second National Action Plan of Latvia* (OGP, 23 Dec. 2014), [https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).

<sup>3</sup> Datu Skola, “Latvia on its way to open data” (29 Aug. 2016), <http://www.datuskola.lv/2016/08/29/latvia-on-its-way-to-open-data/>.

<sup>4</sup> Latvian Association of Open Technologies, <http://lata.org.lv/seminars-diskusija-par-latvijas-geotelpisko-datu-atversana/>.

<sup>5</sup> Cabinet of Ministers, “Informācijas sabiedrības padomes protokols” (Jul. 2017), [http://www.mk.gov.lv/sites/default/files/editor/isp\\_13\\_07\\_2017\\_protokols\\_0.pdf](http://www.mk.gov.lv/sites/default/files/editor/isp_13_07_2017_protokols_0.pdf).

<sup>6</sup> Delna, “A New Study: Using Open Data in the Fight Against Corruption” (22 Nov. 2018) <https://delna.lv/lv/2018/11/22/jauna-publikacija-dati-un-korupcijas-mazinasana-latvija-zviedrija-un-somija/>.

<sup>7</sup> The IRM received this information from the Corruption Prevention and Combating Bureau during the pre-publication period for this report. For more information on the VSS-494 see: <http://tap.mk.gov.lv/lv/mk/tap/?pid=40473621>.

<sup>8</sup> The IRM received this information from the Ministry of Environmental Protection and Regional Development of the Republic of Latvia during the pre-publication period for this report.

## 4. Transparency of decision-making and lobbying

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Veicināt lēmumu pieņemšanas procesa valsts institūcijās un lobēšanas atklātumu:

- identificēt galvenās ar lobēšanu un tās atklātības trūkumu saistītās problēmas likumdošanas un izpildvaras institūcijās un apzināt dažādu iesaistīto pušu redzējumu par to risinājumu;
- veicināt izpratni par atklātību lēmumu pieņemšanas procesā, lēmumu un to pamatojuma izskaidrošanu sabiedrībai, ieviešot vienotas vērtības un ētikas principus valsts pārvaldē.

### Milestone

4.1. Organizēt fokusa grupu diskusijas par lobēšanas atklātību

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4. Focus group discussions		✓		✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment continues from Latvia's first action plan (2013–2014)<sup>1</sup> and second action plan (2015–2017).<sup>2</sup> During the first plan, a draft law was submitted to the Cabinet of Ministers<sup>3</sup>. Instead, the Cabinet of Ministers asked if changes to other laws could better ensure lobbying transparency. The Corruption Prevention and Combating Bureau (CPCB) offered recommendations to the Parliament committee, but they were not implemented until the beginning of this action plan.<sup>4</sup>

While decision-making in Latvia is generally transparent, it can still be opaque. For example, ministry officials and parliamentarians are not obliged to reveal meetings with special interest groups. Leaked records of conversations of influential politicians revealed how financial business interests can sway public institutions and the media.<sup>5</sup>

This commitment aims to introduce a joint understanding of ethics in public administration and gather stakeholder input on lobbying through focus groups. However, it is unclear how these discussions will develop policy to ensure transparent lobbying. The action plan does not explain how the focus group discussions will be organized or which groups will be involved. It is also unclear if findings from the discussions will be used and if they will result in any policy document. Therefore, the potential impact is minor.

## Next steps

Lobbying transparency is an important policy area in Latvia requiring further discussion and governmental action. Considering the recent parliamentary changes after the October 2018 elections,<sup>6</sup> the CPCB and interested NGOs could plan more ambitious commitments around lobbying transparency and accountability with support from the new Parliament.

Passing robust lobbying transparency legislation requires wide consultations with stakeholders, including politicians, lobbying groups, advocacy CSOs, media, and representatives of public administrations. The next action plan could include a commitment on developing lobbying regulations with involvement from these stakeholders. The next step would be to identify expected outcomes of these consultations.

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<sup>1</sup> Government of Latvia, Open Government Partnership Action Plan of Latvia (OGP, 2012), [https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_riibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_riibas_plans_ogp_2012.g_eng.pdf).

<sup>2</sup> Government of Latvia: Cabinet of Ministers, Second National Action Plan of Latvia (OGP, 23 Dec. 2014), [https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).

<sup>3</sup> State Chancellery, "Draft legislation of the Cabinet of Ministers of the Republic of Latvia, Draft Law on Lobbying, <http://tap.mk.gov.lv/lv/mk/tap/?pid=40253850>

<sup>4</sup> Zinta Miezaine, Independent Reporting Mechanism (IRM): Latvia End-of-Term Report 2015–2017 (OGP, 2017), [https://www.opengovpartnership.org/sites/default/files/Latvia\\_EOT\\_Report\\_2015-2017\\_EN.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_EOT_Report_2015-2017_EN.pdf).

<sup>5</sup> Ir, "Oligarchs in hotel "Ridzene"" (2017), <https://web.archive.org/web/20170803080641/http://www.irlv.lv/ridzenessarunas/>.

<sup>6</sup> Central Election Commission, "13. Election of the Saeima" (accessed 28 Feb. 2019), <https://sv2018.cvk.lv/pub/ElectedCandidates>.

## 5. Interactive Budget

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Sākot ar 2017. gada valsts budžetu un turpmāk ik gadu, interaktīvā veidā tiks atspoguļota informācija par gadskārtējo valsts budžetu FM tīmekļvietnē.

Apņēšanās mērķa grupa ir sabiedrība – ikviens interesents.

Sabiedrībai būs iespēja uzskatāmā un saprotamā veidā uzzināt un izsekot, kādās jomās un kādā apmērā tiek ieguldīta nodokļu maksātāju nauda un kādi rezultāti sagaidāmi.

### Milestone:

5.1. 2018. gada valsts budžets atspoguļots interaktīvā veidā FM tīmekļvietnē 2018. gada 1. pusgads

Start Date: 1 Jan. 2018

End Date: 31 Dec. 2018

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Interactive budget tool		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment aims to increase transparency and public awareness of the state budget. Currently, the state budget is available on the Cabinet of Ministers' webpage during its development. It is also available before it is debated in Cabinet meetings<sup>1</sup> and on Parliament's webpage.<sup>2</sup> After approval, the budget is published on the Ministry of Finance's webpage. Aspects which concern NGOs are sometimes debated at the Council of Memorandum, and all amendments are published with annotations explaining the changes. The Ministry of Finance publishes information on the approved budget on its webpage. However, budget documents are often highly technical and frequently aren't clearly linked to desired policy outcomes. Until 2017, the budget, tax amendments, and other related laws were published in PDF format, limiting the information's reusability and hindering data searches.<sup>3</sup> Also, tables of figures did not give information on the planned results.<sup>4</sup>

As a solution, the Ministry of Finance partnered with the Latvian anti-fraud movement Atkrāpies! (consisting of ministries, government institutions, NGOs, and businesses) to develop an interactive tool to improve navigation of budget-related information and data.<sup>5</sup> The tool also will link budget figures with expected policy outputs and outcomes. This allows taxpayers to assess how their taxes contribute toward the public good. This commitment aims to be available for all state budgets which are published to the webpage of the Ministry of Finance, starting in 2018, and to transfer the data to an open data portal where it will be available in reusable formats. The commitment is relevant to

OGP values of access to information and technology and innovation for transparency and accountability.

The commitment is specific enough to verify its completion. The budget tool and portal could moderately change access to budgetary information in Latvia. The tool could be a useful resource for media, CSOs, researchers, and policy analysts to monitor government policies and institutions; it will also provide data for informed policy adjustments. If budget information is put on the open data portal, policy analysts and researchers could access quality data and submit policy suggestions.

The commitment did not come from the co-creation process but was instead included as an initiative of the Ministry of Finance. The Ministry considered the tool a good example of cooperation with stakeholders in clarifying budget information and promoting good attitudes toward tax paying. Members of Atkrāpies! are interested adopting similar tools for their own tax-paying members. This tool could serve as an example for these stakeholders.

### Next steps

While this commitment could improve access to budgetary information, it should be noted that while planning the action plan, civil society participants asked for a tool for transparent monitoring of government expenditures. This would involve not only monitoring the budget plan, but also its implementation. Participants argued that it would be beneficial to see when, to whom, and what services receive payments from the planned budget.<sup>6</sup> A commitment explaining public expenditures could be a good next activity in area of budget transparency.

Discussions at the Council of Memorandum<sup>7</sup> show that there is also a need to better explain the budget preparation process so that civil society understand when and whom to address for budget concerns and NGO funding needs. Therefore, the IRM researcher recommends that future action plans consider focusing on understandable, interactive formats, such as linking figures to planned policy results during the preparation stages of the budget process.

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<sup>1</sup> State Chancellery, "Draft legislation of the Cabinet of Ministers of the Republic of Latvia: Draft General Government Budget Plan for Latvia for 2019" (7 Mar. 2019), <http://tap.mk.gov.lv/lv/mk/tap/?pid=40464329>.

<sup>2</sup> *Id.*

<sup>3</sup> Ministry of Finance, "Explanations to the Law "On State Budget for 2017"" (31 Jan. 2018), [http://www.fm.gov.lv/lv/sadalas/valsts\\_budzets/budzeta\\_paskaidrojumi/2017\\_gads2/www.visidati.lv/aptauja/1280243621/www.visidati.lv/aptauja/1280243621/](http://www.fm.gov.lv/lv/sadalas/valsts_budzets/budzeta_paskaidrojumi/2017_gads2/www.visidati.lv/aptauja/1280243621/www.visidati.lv/aptauja/1280243621/).

<sup>4</sup> Ministry of Finance, "5.3.1. Valsts konsolidētā budžeta izdevumi funkcionālā sadalījumā, euro" (accessed 7 Nov. 2018), [http://www.fm.gov.lv/files/valstsbudzets/2017-02-10\\_14\\_12\\_04\\_FMPask\\_AD\\_100217\\_bud2017.pdf](http://www.fm.gov.lv/files/valstsbudzets/2017-02-10_14_12_04_FMPask_AD_100217_bud2017.pdf).

<sup>5</sup> Atkrāpies, <http://atkrapiess.lv/>.

<sup>6</sup> Providus, "Atvērtās pārvaldības partnerības plāns 2017-2019: vēlmju saraksts Latvijas uzdevumiem" (2017), [http://providus.lv/article\\_files/3299/original/OGPidejuApkopojumsFINAL.pdf?1490952718](http://providus.lv/article_files/3299/original/OGPidejuApkopojumsFINAL.pdf?1490952718).

<sup>7</sup> Cabinet of Ministers, "Meeting of Council of Memorandum, October 31, 2018" (Cabinet of Ministers' YouTube Channel, 31 Oct. 2018), <https://www.youtube.com/watch?v=tpCLCK6HOZE>.

## 6. Support mechanism for protection of whistleblowers

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Veicināt efektīva trauksmes celšanas un trauksmes cēlēju aizsardzības mehānisma ieviešanu:

- veikt informatīvus pasākumus, kas veicina izpratni par trauksmes celšanu un trauksmes cēlēju aizsardzību;
- popularizēt iespējas celt trauksmi kompetentajām iestādēm;
- veicināt efektīva vienotā trauksmes celšanas mehānisma izstrādi un ieviešanu;
- izpētīt labo praksi, kā efektīvāk nodrošināt trauksmes cēlēju aizsardzību.

### Milestones:

6.1. Biedrības “Sabiedrība par atklātību Delna” informatīva kampaņa izstāde par trauksmes celšanu

6.2. Starptautiska konference “Trauksmes celšanas veicināšana un trauksmes cēlēju aizsardzība”

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
6. Overall		✓			✓			✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

Latvia passed a whistleblower protection law in October 2018. The law was prepared as part of Latvia’s second OGP action plan and came into force on 1 May 2019. Among its provisions, the law requires organizations to adopt internal whistleblower protection systems, including anonymity, a prohibition on retribution against whistleblowers, and placing the burden of proof on the employer. The law also requires turning to a competent authority and the mediation of the State Chancellery as the contact point for whistleblowers.<sup>1</sup>

The objective of this commitment is to raise awareness on whistleblower protection, encouraging individuals to report abuses of power in businesses and government. This commitment entails two activities: conducting an exhibition and an information campaign on whistleblower protection; and hosting an international conference on whistleblower protection. The commitment broadly seeks to raise awareness regarding existing whistleblower protection mechanisms, and it is relevant to the OGP value of public accountability.

The commitment activities lack specificity on the information campaign like which groups will be targeted and what information channels will be used. The planned international conference also lacks information on the audience, contributors and planned inputs, planned outreach, and availability of materials after the conference. If fully implemented, the exhibition and conference could possibly raise awareness of whistleblower protection and the new law that was passed by Parliament. However, the potential impact cannot be assessed higher than minor given the vague description provided in action plan.

### **Next steps**

Raising awareness of the new whistleblower protections is important to educate and engage citizens on the protections and how to use the new law in private businesses and government institutions. However, due to the vagueness around the expected results, targeted groups, and information channels, the IRM researcher does not recommend carrying this commitment forward to the next action plan. Instead, the IRM researcher recommends continuing development of effective mechanisms and channels for citizens to report wrongdoing. She also recommends involving Parliament in any future commitments on whistleblower protection, as any legislative changes to the Whistleblower Protection Law would require their approval.

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<sup>1</sup> See: <https://likumi.lv/ta/en/en/id/302465-whistleblowing-law>

## 7. Code of Ethics

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Veikt mērķtiecīgus ieviešanas pasākumus, lai veicinātu izpratni par valsts pārvaldes vērtībām un ētikas principiem:

- apstiprināt vienoto valsts pārvaldes vērtību un ētikas principu kodeksu;
- izstrādāt metodisku materiālu par valsts pārvaldes vērtībām un ētikas principiem un izplatīt to valsts pārvaldē;
- organizēt visās ministrijās, piedaloties to padotības iestādēm, skaidrojošus pasākumus par valsts pārvaldes vērtībām un ētikas principiem;
- izstrādāt e-apmācību kursu par valsts pārvaldes vērtībām un ētikas principiem;
- valsts pārvaldes iestādēs veicināt nodarbināto izpratni un diskusiju par vērtībām un ētikas principiem un tiem atbilstošu rīcību.

### Milestones:

7.1. Metodisks materiāls par valsts pārvaldes vērtībām un ētikas principiem un izplatīt to valsts pārvaldē

7.2. E-apmācību kurss par valsts pārvaldes vērtībām un ētikas principiem

7.3. Skaidrojoši pasākumi par valsts pārvaldes vērtībām un ētikas principiem ministrijās ar padotības iestāžu līdzdalību

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
7. Overall		✓	Unclear					✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment continues from a previous action plan, which had a commitment that resulted in developing a code of ethics for public sector employees. The code addresses conflicts of interest and gifts, relations with lobbyists, and professional conduct for civil servants. It also contains guidance on operating ethics committees within public institutions and offers good practices for resolving difficult situations. This commitment aims to raise civil servants' awareness of the code through a methodology, an online course and other educational activities.



Although a code of ethics can improve governmental integrity, this commitment is not directly relevant to OGP values because it is internal to the government.

As written, the commitment's activities are verifiable, such as developing the methodology and e-course. However, the commitment does not specify how many events are planned and what is the targeted number of civil servants for raising awareness. If fully implemented, the activities could strengthen the integrity of civil servants by raising awareness of the code of ethics among Latvia's public sector. While the code of ethics could provide an important foundation for a value-based culture in the public sector, without more details on the awareness raising activities and given the lack of a clear enforcement mechanism, the potential impact of this commitment is minor.

### **Next steps**

Considering that this commitment lacks a public-facing element, the IRM researcher does not recommend carrying it forward to the next action plan. Additional efforts can be made to raise awareness about the code not only with civil servants, but also with journalists.

## 8. Towards “Zero Bureaucracy”

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Virzīties uz “nulles birokrātiju”:

- mazināt administratīvo slogu iekšēji valsts pārvaldē;
- mazināt administratīvo slogu uzņēmējiem un iedzīvotājiem, iesaistot sabiedrību; • izstrādāt Latvijas labāka regulējuma politiku.

### Milestones:

8.1. Veikt aptauju “Mazinām slogu kopā” (par administratīvo slogu noteiktās jomās) vismaz reizi gadā

8.2. Izvērtēt administratīvo slogu iekšēji valsts pārvaldē un sniegt priekšlikumus tā mazināšanai, kā arī uzsākt šo priekšlikumu ieviešanu

8.3. Izstrādāt Latvijas labāka regulējuma politiku, vienlaikus izvirzot mērķi “nulles birokrātija”

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
8. Overall		✓	✓				✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

The State Chancellery of Latvia committed to the goal of zero bureaucracy as part of its public service reform approved by the Cabinet of Ministers on 14 November 2017.<sup>1</sup> For this purpose, it researches administrative burdens in various areas, such as public procurement, tax administration, and establishing enterprises.<sup>2</sup> The Chancellery also measures governmental innerworkings and submits proposals to reduce unnecessary work.<sup>3</sup> The Chancellery created two interactive tools where people may submit problems faced when interacting with the government: “Mazinām slogu kopā” (“Let’s reduce burden together”);<sup>4</sup> and a mobile application “Football” (Futbols in Latvian)<sup>5</sup> where people can find government institutions and give feedback on cooperation of institutions providing services.

The commitment is an initiative of the State Chancellery and calls for conducting an annual survey on how to reduce unnecessary bureaucracy (Milestone 8.1) and using findings from this survey to develop policy recommendations for reducing bureaucracy (Milestone 8.3). The commitment also involves analysis of the inner interinstitutional burdens in public administration to identify solutions for their and reforms (Milestone 8.2). The annual survey of the public who use government services (Milestone 8.1) corresponds to the OGP value of civic participation.

If fully implemented, this commitment could reduce administrative burdens for citizens, NGOs, and businesses. Interactive tools such as the application, “Futbols,” may collect public feedback that might otherwise not have been gathered. Nonetheless, the commitment does not specify which issues will be surveyed or if other tools will be developed for gathering information. Findings from the intergovernmental analysis will form the basis of proposals to facilitate more efficient information flows between government institutions.<sup>6</sup>

The description of activities is also not explicit on which areas will receive regulations. Though the description of commitment references EU policies on regulations in EU level highlighting main principles to be introduced in EU governance in areas of EU competencies.<sup>7</sup> The researcher assumes that the same principles will be applied also in other areas. Because of the low specificity, the potential impact is minor. However, the forthcoming IRM Implementation Report will evaluate the extent to which these activities changed government practice.

### Next steps

If reducing bureaucracy is carried forward to future action plans, the IRM researcher recommends including more activities that are relevant to open government; activities could reduce administrative burdens on behalf of citizens and private legal entities. In this case, an interactive tool for gathering feedback from society could become a separate commitment.

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<sup>1</sup> State Chancellery, “Draft legislation of the Cabinet of Ministers of the Republic of Latvia: Draft Plan “Public Administration Reform Plan 2020”” (7 Mar. 2019), <http://tap.mk.gov.lv/lv/mk/tap/?dateFrom=2016-07-27&dateTo=2017-07-27&text=reformu+pl%C4%81ns&org=0&area=0&type=0>.

<sup>2</sup> State Chancellery, “Administrative burden studies” (25 Nov. 2016), <https://www.mk.gov.lv/lv/content/administrativa-sloga-petijumi>.

<sup>3</sup> State Chancellery, “Draft legislation of the Cabinet of Ministers of the Republic of Latvia: Informative Report “Reducing Administrative Burdens in Public Administration”” (7 Mar. 2019), <http://tap.mk.gov.lv/lv/mk/tap/?pid=40426623>.

<sup>4</sup> State Chancellery, “Mazinām Slogu Kopā: For Once, Play Always” (accessed 9 Nov. 2018), <https://mzaksslogs.gov.lv/slogs/sakums/>.

<sup>5</sup> State Chancellery, “Mazinām Slogu Kopā: For Exact Passes in Public Administration” (accessed 9 Nov. 2018), <https://mzaksslogs.gov.lv/futbols/sakums/>.

<sup>6</sup> State Chancellery, “Draft legislation of the Cabinet of Ministers of the Republic of Latvia: Informative Report “Reducing Administrative Burdens in Public Administration”” (7 Mar. 2019), <http://tap.mk.gov.lv/lv/mk/tap/?pid=40426623>.

<sup>7</sup> European Commission, *Commission Staff Working Document: Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook* (Strasbourg: 19 May 2015), [https://ec.europa.eu/info/sites/info/files/commission-staff-working-document-refit-scoreboard-2015-state\\_of\\_play\\_and\\_outlook\\_may2015\\_en.pdf](https://ec.europa.eu/info/sites/info/files/commission-staff-working-document-refit-scoreboard-2015-state_of_play_and_outlook_may2015_en.pdf).

## 9. Openness in Public Procurement

### Language of the commitment as it appears in the action plan:

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Uzlabot atklātumu un efektivitāti iepirkumu jomā:

- ieviest pasākumus un izvērtēt papildu pasākumu nepieciešamību, lai veicinātu atklātību un sabiedrības informētību publisko iepirkumu jomā, ņemot vērā 2017. gada izmaiņas publisko iepirkumu tiesiskajā regulējumā;
- veicināt atklātības nodrošināšanu zemsliedzīgu iepirkumos, izvērtējot iespējamus risinājumus;
- izvērtēt nepieciešamību un iespējas valsts iestāžu noslēgtos iepirkumu līgumus publicēt vienuviet un vienuviet publiskot arī līguma grozījumus. Izvērtēt līguma publikācijas kā tā spēkā stāšanās nosacījuma ieviešanu;
- veicināt VRAA Elektronisko iepirkumu sistēmā izveidoto e-pasūtījumu un e-konkursu plašāku izmantošanu. Nodrošināt informāciju par iepirkumiem atklāto datu veidā;
- izvērtēt iespējas izstrādāt valsts un pašvaldību institūciju iepirkumu efektivitātes kritērijus un metodiku, kā arī risku analīzes rīkus, lai varētu veikt noteiktu iepirkumu efektivitātes, lietderības un saimnieciskā izdevīguma izvērtēšanu. Efektivitātes kritērijus un metodiku kā pilotprojektu izmēģināt konkrētā nozarē;
- valsts institūcijām sadarbībā ar nozaru organizācijām izstrādāt un popularizēt ieteikumus saimnieciski visizdevīgākā piedāvājuma vērtēšanas kritērijiem dažādu nozaru iepirkumu organizēšanai, lai veicinātu orientāciju uz labāko cenas un kvalitātes attiecību publiskajos iepirkumos, mazinot cenas kritērija dominējošo ietekmi;
- izvērtēt nepieciešamību izstrādāt atbilstības plānošanas dokumentu iepirkumu jomā un veicināt iepirkumu regulējuma ietekmes izvērtēšanu uz tautsaimniecību.

### Milestones:

9.1. ESPD integrācija Elektronisko iepirkumu sistēmas e-konkursu apakšsistēmā 2017. gada 2. pusgads

9.2. Elektronisko iepirkumu sistēmas e-izziņu un ESPD savstarpēja integrācija 2017. gada 2. Pusgads

9.3. Saimnieciski visizdevīgākā piedāvājuma vērtēšanas kritēriju ieteikumu sagatavošana un publicēšana galvenajās iepirkumu jomās

9.4. Elektronisko iepirkumu sistēmas datu publicēšana Atvērto datu portālā 2017. gada 2. pusgads

9.5. Informatīvā ziņojuma par risinājumiem atklātības nodrošināšanai “zemsliedzīgu” iepirkumos un Elektronisko iepirkumu sistēmas funkcionalitātes nepieciešamajiem pielāgojumiem izstrāde

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
9. Overall		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

Transparency in public procurement was addressed in Commitment 4 of the first action plan (2013–2014)<sup>1</sup> and Commitment 5 of the second plan (2015–2017).<sup>2</sup> Before new regulations were passed under the second plan, Latvia lacked an online platform to monitor procurement contracts. Procurement data, if available, was obtainable only by searching through the Procurement Monitoring Office’s website. However, names of the actual contract beneficiaries were not included in these files.<sup>13</sup>

The government undertook a long-term reform to introduce electronic procurement and publish government procurement data at a central depository. The reform requires government institutions to develop their own profiles on the portal, thus making all their procurement spending visible for suppliers, the media, and the general public. Ultimately, the new system of e-procurement (Commitment 5 of the 2015–2017 action plan), together with the requirements to publish planned procurements and release open datasets, have the potential to improve transparency in the long term. However, in the short term, the proportion of publicly available transactions decreased as the threshold for disclosure increased. Therefore, the IRM researcher considered the short-term impact of Commitment 5 from the 2015–2017 action plan as having reduced access of information, since less information on procurements was made available than before the development of the central depository.<sup>3</sup>

The objective of this current commitment is to enhance the public procurement system connecting databases in order to make more information available to the public, publish procurement data in open data format, and prepare policy suggestions for closer monitoring of procurements below the reporting threshold.

Milestone 9.1.2 (Milestones 1 and 2 of the action plan are combined for this report) includes two activities: integrating EU standard procedures into a subsystem of electronic procurement; and integrating e-references, thereby easing the bid submission process for bidders. Milestone 9.3 calls for stronger guidelines for procurement criteria when price is not the main criterion. Publishing data on the open data portal (9.4) is relevant to access of information and technology for transparency and accountability. Milestone 9.5 will provide policy options for regulating procurements under the reporting threshold. This could address the fact that there is currently less information available on a significant section of procurements due to the increased threshold.

As described in the action plan, the minimum information that must be published is: data on contracts concluded in electronic subsystem, a register of government institutions using the system, and data on e-procurements. Additionally, the new regulations require government institutions to publish all awarded procurement contracts, which meet the reporting threshold, to the portal by January 2019. Overall, the milestones are verifiable enough to assess their potential impact and completion.

If fully implemented, this commitment could moderately impact access to procurement contracts, once all the government institutions start using the system. It will significantly change the previous situation, where one had to search information through various files on the webpage of Procurement Monitoring Office. However, it is unlikely to solve the issue from the previous action

plan regarding the lack of information on procurement contracts that are under the threshold. This was the main reason why the 2015–2017 end-of-term report found that the commitment had worsened access to information, and why this current commitment is not transformative.

Additionally, increasing transparency for procurements below the reporting threshold and expanding IT functionalities for that purpose are not described specifically enough to assess their potential impact. Even if these policies are developed and approved by the government and financed, they may not produce tangible results by the end of the implementation period.

### **Next steps**

Although an e-procurement system now exists and provides technical solutions for transparency in public procurement, the problem the IRM researcher pointed out in previous reports—a lack of information on procurements under the threshold—remains unsolved. Compared to the previous action plan period, there is currently less information available on these under-threshold procurements. The next action plan could focus on publishing information on these under-threshold procurements.

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<sup>1</sup> Government of Latvia: Cabinet of Ministers, *Open Government Partnership Action Plan of Latvia* (OGP, 2012), [https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_ricibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g_eng.pdf).

<sup>2</sup> Government of Latvia: Cabinet of Ministers, *Second National Action Plan of Latvia* (OGP, 23 Dec. 2014), [https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).

<sup>3</sup> Zinta Miezaine, *Independent Reporting Mechanism (IRM): Latvia End-of-Term Report 2015–2017* (OGP, 2017), [https://www.opengovpartnership.org/sites/default/files/Latvia\\_EOT\\_Report\\_2015-2017\\_EN.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_EOT_Report_2015-2017_EN.pdf).

## 10. Transparency in Public-owned companies

### Language of the commitment as it appears in the action plan:

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Lai veicinātu atklātību un atbildību publisko kapitālsabiedrību pārvaldībā un darbībā:

- turpināt informēt sabiedrību par valsts kapitālsabiedrību pārvaldību un darbību, tajā skaitā veicinot to nefinanšu rādītāju un ilgtspējas ziņojumu publicēšanu;
- veicināt papildu informācijas sniegšanas prasību valsts kapitālsabiedrībām, kas paredzētas MK 2017. gada 20. jūnijā atbalstītajos grozījumos Publisku personu kapitālsabiedrību un kapitāla daļu pārvaldības likumā, efektīvu ieviešanu;
- sekmēt atklātību un atbildību valsts un pašvaldību kapitālsabiedrību pārvaldībā un darbībā, popularizējot labās prakses piemērus;
- uzlabot un papildināt PKC tīmekļvietni–datubāzi par valsts kapitālsabiedrību pārvaldību, tajā skaitā ar valsts kapitālsabiedrību profiliem. Izvērtēt iespēju tajā izvietot arī uzņēmumu nefinanšu datus;
- veicināt sadarbību ar valsts pārvaldes institūcijām, lai nodrošinātu apmaiņu ar nepieciešamajiem datiem;
- pilnveidot ikgadējos publiskos pārskatus, nodrošinot tajos arvien plašāku informāciju par valsts kapitālsabiedrībām un to darbu sabiedrības interesēs, kā arī ietverot tajos informatīvu kopsavilkumu par katru valsts kapitālsabiedrību;
- izvērtēt iespējas, izmantojot citu valstu labo praksi, veidot ceturkšņa pārskatus par valsts kapitālsabiedrībām, lai valsts kā īpašnieks operatīvi saņemtu datus un spētu savlaicīgi reaģēt iespējamu risku gadījumos;
- veicināt vienveidīgu likumdošanā noteikto atklātības prasību publiskajām kapitālsabiedrībām ievērošanu kā valsts, tā arī pašvaldību un atvasināto personu kapitālsabiedrībās, t. sk. sniedzot konsultācijas;
- apzināt, vai pietiekamā apjomā un cik kvalitatīvi normatīvajos aktos noteiktās valsts un pašvaldību kapitālsabiedrību atklātības prasības tiek ievērotas, un popularizēt labās prakses piemērus.

### Milestones:

10.1: Valsts kapitāla daļu turētāju, kas nodrošina visu likumā noteikto informācijas publiskošanas prasību izpildi, īpatsvars no visiem valsts kapitāla daļu turētājiem (rezultāts – 100 %)

10.2: Valsts kapitālsabiedrību, kuras nodrošina visu likumā noteikto informācijas publiskošanas prasību izpildi, īpatsvars no visām valsts kapitālsabiedrībām (rezultāts – 100 %)

10.3. Valsts kapitālsabiedrību pārvaldības aktuālajiem jautājumiem veltīta konference (rezultāts – 1 konference katru gadu)

10.4. Valsts kapitālsabiedrību, kas izstrādā nefinanšu ziņojumus, skaits (> 5)

**Editorial note:** For further analysis, milestones 10.1 and 10.2 are merged as one milestone since they do not have different measures or goals.

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact		Completion				Did It Open Government?						
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
10. Overall		✓	✓			✓			✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

This commitment continues from Latvia’s prior two action plans (2013–2014<sup>1</sup> and 2015–2017<sup>2</sup>). These commitments focused on examining and increasing transparency in selecting board members to state-owned enterprises (SOEs). In January 2015, Latvia undertook a reform of SOE governance by passing the Law on State Owned Enterprises.<sup>3</sup> Prior to this law, elections of SOE board members were not transparent and the process was highly politicized. Annual reports on SOEs were available for a price from the Enterprise Register. These reports offered information on financial data, but little on planned policy aims and development of the enterprise. Therefore, it was difficult to analyze the nonfinancial influence of SOEs.<sup>4</sup>

Besides passing the Law on State Owned Enterprises, the government also introduced new procedures for selecting board members, including announcing open calls, establishing a selection committee, and publishing the qualifications of candidates. The functions of the supervisory institution were delegated to the Cross-Sectoral Coordination Centre (CSCC), a government policy planning institution that reports to the prime minister.<sup>5</sup> The CSCC developed a portal to release financial and other information on SOEs (such as annual reports, goals, and results of their public functions).<sup>5</sup> For more information, see the 2015– 2017 IRM end of term report.<sup>6</sup>

This current commitment aims to continue increasing transparency of SOEs as well as businesses where the state owns shares. During implementation of this action plan, the government will ensure that enterprises share more information with the CSCC monitoring, which will make it publicly available (Milestone 10.1). The CSCC will also organize two conferences (Milestone 10.2) and ensure that more than five SOEs publish nonfinancial reports (Milestone 10.3). Although the language of commitment is not explicit in how these milestones will be implemented, the action plan refers to the Law on State Owned Enterprises governance<sup>7</sup> and its amendments on the transparency of information.<sup>8</sup> These amendments call for publishing the new information, namely bylaws of company, bylaws for the boards and advisory boards, and information on members of boards and advisory boards (such as their professional experience, education, employment in other SOEs, and terms of their service). The law also asks for disclosure of nonfinancial information. Implementation of this commitment will ensure information related to the management of public resources is available to the media and general public (which was previously unavailable). Therefore, this law is relevant to OGP value of access to information.

Based on reference to the law, implementation of Milestone 10.1 is verifiable. If implemented, all SOEs and companies with government shares will disclose the requested information. Published in the CSCC’s portal, the information will be available for public to see possible political affiliations of the Board and Advisory members. Organizing annual conferences (Milestone 10.2) on governance of SOEs could be an important measure to improve use of public resources. However, the action plan does not provide information on the issues to be discussed or the planned results. It also does not say if it will be public or closed or if the proceedings will be made publicly available. The action plan does not reveal what nonfinancial information SOEs will have to publish. But it refers to EU directive



2014/95/ES which asks members to publish reports on the policies they implement in relation to environmental protection, social responsibility and treatment of employees, respect for human rights, anti-corruption and bribery, and diversity of company boards (e.g., age, gender, educational and professional background).<sup>9</sup> Since SOEs conduct public functions (e.g., hospitals), the commitment calls for disclosing their public benefit goals and annual progress toward these goals. Milestone 10.3 proposes that more than five SOEs publish nonfinancial reports (covering areas such as environmental impact, work conditions, gender balance etc.). This milestone is an important first step toward improved transparency but too limited for achieving transformative change.<sup>10</sup>

Civil society recommended that the current action plan improve public oversight of selecting management personnel for local government institutions, such as transport companies co-owned by local governments. In addition, an expert from the Baltic Institute for Corporate Governance (BICG)<sup>15</sup> proposed several measures for more openness: updating data on enterprises quarterly (not annually, as is done now); and adding information to the database related to the public services delivered by the enterprises. So far, the database provides only general information on enterprises (such as the names of the shareholders and number of employees) and economic information such as income, profits, and expenditures, profitability and other financial indicators. The commitment in the current plan includes activities such as publishing nonfinancial data, disclosing public functions of SOEs, achieving better exchanges of data, publishing quarterly reports submitted by SOEs to help reduce time-sensitive risks, and building on best practices. However, it does not include local government institutions at this stage.

### Next steps

The IRM researcher recommends that the next action plan focus on public monitoring of nonfinancial reports of SOEs. A new area for future Latvian action plans could be monitoring the environmental and/or social impacts of public resource management. Additionally, increasing awareness of public impacts of SOEs may increase public pressure for the government to require more than merely 5% of SOEs to publish data as currently required.

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<sup>1</sup> Government of Latvia: Cabinet of Ministers, *Open Government Partnership Action Plan of Latvia* (OGP, 2012), [https://www.mk.gov.lv/sites/default/files/editor/latvijas\\_pirmais\\_nacionalais\\_ricibas\\_plans\\_ogp\\_2012.g\\_eng.pdf](https://www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g_eng.pdf).

<sup>2</sup> Government of Latvia: Cabinet of Ministers, *Second National Action Plan of Latvia* (OGP, 23 Dec. 2014), [https://www.mk.gov.lv/sites/default/files/editor/ogp\\_2\\_plans\\_aktualizets\\_05.12.2016\\_eng\\_clean.pdf](https://www.mk.gov.lv/sites/default/files/editor/ogp_2_plans_aktualizets_05.12.2016_eng_clean.pdf).

<sup>3</sup> Laws of Latvia, "Law on the Management of Public Shares and Capital Companies" (Latvijas Vēstnesis, 16 Oct. 2014), <https://likumi.lv/doc.php?id=269907>.

<sup>4</sup> Līga Stafecka, *Valsts kapitālsabiedrību pārvaldības reformas pirmais izvērtējums: Sākums gudrai vērtības audzēšanai* (Delna and Providus, Mar. 2017), <http://delna.lv/wp-content/uploads/2017/03/PROVIDUS-Kapitalsabiedribas-petijums-2017.pdf>.

<sup>5</sup> Cross-Sectoral Coordination Centre, "Management of State Capital Companies" (2019), <http://www.valstskapitals.gov.lv/lv/>.

<sup>6</sup> Zinta Miezaine, *Independent Reporting Mechanism (IRM): Latvia End-of-Term Report 2015–2017* (OGP, 2017), [https://www.opengovpartnership.org/sites/default/files/Latvia\\_EOT\\_Report\\_2015-2017\\_EN.pdf](https://www.opengovpartnership.org/sites/default/files/Latvia_EOT_Report_2015-2017_EN.pdf).

<sup>7</sup> Laws of Latvia, "Law on the Management of Public Shares and Capital Companies."

<sup>8</sup> Laws of Latvia, "Amendments to the Law on the Management of Public Shares and Capital Companies" (Latvijas Vēstnesis, 15 Mar. 2018), <https://likumi.lv/ta/id/297811-grozijumi-publiskas-personas-kapitala-dalu-un-kapitalsabiedribu-parvaldibas-likuma>.

<sup>9</sup> European Commission, "Non-financial reporting" (accessed 26 Nov. 2018), [https://ec.europa.eu/info/business-economy-euro/company-reporting-and-auditing/company-reporting/non-financial-reporting\\_en](https://ec.europa.eu/info/business-economy-euro/company-reporting-and-auditing/company-reporting/non-financial-reporting_en).

<sup>10</sup> Cross-Sectoral Coordination Centre, "Valsts kapitālsabiedrības, valstij piederošās kapitāla daļas, valsts kapitālsabiedrībām un to meitas sabiedrībām piederošās kapitāla daļas" (Jul. 2015), [https://www.pkc.gov.lv/sites/default/files/inline-files/VKS\\_01072015\\_lidzdaliba.pdf](https://www.pkc.gov.lv/sites/default/files/inline-files/VKS_01072015_lidzdaliba.pdf).

## 11. Transparency on Latvian Enterprises and their Beneficiary Owners

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Veicināt atklātumu par uzņēmumiem, kas darbojas Latvijā:

- uzlabot un dažādot UR sniegtos informācijas izsniegšanas pakalpojumus, pilnveidojot izsniegšanas kanālus, UR tīmekļvietni un tiešsaistes meklēšanas iespējas, veicinot UR reģistros veikto ierakstu izmantošanu un nodrošinot efektīvāku publisko pieejamību tiem;
- nodrošināt Komercreģistra informācijas pieejamību Eiropas e-tiesiskuma portālā;
- pilnveidot informācijas par patiesajiem labuma guvējiem reģistrāciju un efektīvu pieejamību normatīvajos aktos noteiktajā kārtībā.

### Milestones:

11.1. Ieviesta un sabiedrībai pieejama jauna UR tīmekļvietne

11.2. Uzlabot un dažādot UR sniegtos informācijas izsniegšanas pakalpojumus, pilnveidojot izsniegšanas kanālus, tiešsaistes meklēšanas iespējas UR tīmekļvietnē, veicinot UR reģistros veikto ierakstu izmantošanu un nodrošinot efektīvāku publisko pieejamību tiem

11.3: Nodrošināt Komercreģistra informācijas pieejamību Eiropas e-tiesiskuma portālā

Start Date: 1 Jul. 2017 ..

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
11. Overall	✓		✓			✓					Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

The Enterprise Register (ER) provides general information on legal entities in Latvia free of charge. Some information can be searched by enterprise (name, address, date of registration, etc.) and some general statistics are available on how many enterprises, associations, or political parties were registered during a given period. Citizens could request from the ER basic company information like their name, registration number, date of founding, and address. However, in order to obtain more detailed information—such as beneficial ownership—one must conduct individual searches and pay for each request. This makes it difficult to search for beneficial owners of companies and to determine if there are links to Latvian companies in other countries. Companies were not required to disclose

beneficial ownership information when registering their company or later throughout the company's life.<sup>1</sup>

The objective of the commitment is to improve publicly available information on private enterprises, and in particular their beneficial ownership. It calls for developing a new ER website and to improve the searchability of the available information. In parallel, the government has introduced a requirement for private entities (both businesses and associations) to disclose to the ER information on their beneficial owners.<sup>2</sup> This information can be obtained upon request and for a fee. One of the activities is to link data of the Enterprise Register to the EU Justice portal. EU authorities will have access to enterprise data, but it is not clear from the action plan if the data on beneficial ownership will be made publicly available within the scope of this action plan.

The description of the commitment's activities does not provide enough information to assess if there will be more information available versus the same data merely being obtainable in a different format. The commitment also does not disclose what new features the website will include and in what way the information will be searchable. While the commitment seeks to improve transparency of companies' beneficial owners, none of the commitment's activities, as described, will increase public access to this information. The information will remain accessible only for institutions that are already involved in beneficial ownership policy. Therefore, the potential for this commitment to change the status quo in terms of access to beneficial ownership information is minor. According to the ER, lack of details on what new information will be published is meant to avoid overlap and contradictions between this and other relevant policy planning documents and regulations.<sup>3</sup> While the ER has started publishing data on enterprises in open data format, this is not highlighted in the action plan since it started before its implementation in 2014.

### **Next steps**

Although this commitment could establish preconditions for openness on beneficial owners, additional information will not be available for journalists, NGOs, or researchers through the activities. To improve access to beneficial ownership information, Delna suggests that Latvia follow policies of Great Britain and Slovenia, Denmark, Finland and the Netherlands which have developed open registers for beneficial ownership. Delna also argues that the public benefit from disclosing information is higher than the need to protect the privacy of beneficial owners provided that adequate exemptions measures are in place for special cases of personal security risks.<sup>4</sup> Delna considers the availability of open data on enterprises—including data on beneficial owners—as a transformative change toward identifying links between entities and revealing corruption between enterprises and politicians.<sup>5</sup>

The IRM researcher recommends including in the next action plan a more ambitious commitment on disclosing of beneficial owners, such as nongovernmental efforts in disclosing beneficial owners of multinational companies (see the project, "Open Ownerships," as an example).<sup>6</sup> The next action plan could also highlight how open data by the Enterprise Register could enhance transparency in beneficial ownership.

The IRM researcher also recommends that the ER releases the beneficial ownership register in open data format and to use of the Beneficial Ownership Data Standard developed by Open Ownership. According to the ER, starting in April 2019, information submitted to the ER regarding beneficial ownership will be publicly available on the website [info.ur.gov.lv](http://info.ur.gov.lv).<sup>7</sup> The ER further clarified that, starting in 2020, the ER's functions in providing information from the registers will be fully covered by the state budget. Thus, all information on beneficial ownership information, will be available free of charge to anyone. However, according to the ER, the question of whether it is acceptable to publish personal data in open data format will need to be resolved.

Lastly, the IRM researcher recommends Government shall strengthen the corruption prevention capacity of the ER, ensuring that effective mechanisms are in place for the verification of the identity of beneficial owners and red-flagging in case of potential money laundering or corruption risk.

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<sup>1</sup> Zinta Miezaine, et. al., Pētījums godīgas starptautiskās nodokļu politikas jomā (Laps.lv, EU, and Latvian Association for Development Assistance, Nov. 2015) [http://lapas.lv/wp-content/uploads/2017/01/Tax\\_petijums\\_FIN.pdf](http://lapas.lv/wp-content/uploads/2017/01/Tax_petijums_FIN.pdf).

<sup>2</sup> Laws of Latvia, “Amendments to the Law on Prevention of Money Laundering and Financing of Terrorism” no. 2017/222.7 (Latvijas Vēstnesis, 26 Oct. 2017), <https://likumi.lv/ta/id/294868-grozijumi-noziedzigi-iegutu-lidzeklu-legalizacijas-un-terorisma-finansesanas-noversanas-likuma>.

<sup>3</sup> The IRM received this information from the Register of Enterprises of the Republic of Latvia during the pre-publication period for this report.

<sup>4</sup> Jānis Volberts, “To Reduce Financial Experiences, the Company Must Be Published in the True Register of Good Beneficiaries” (Delna, 21 Apr. 2017), <https://delna.lv/lv/2017/04/21/lai-mazinatu-finansu-noziegumus-uznemumu-patiesa-labuma-guveju-registram-jabut-publiskam/>.

<sup>5</sup> Liene Gatere (Director of Delna), interview with IRM researcher, 15 Jan. 2019.

<sup>6</sup> Transparency International, et al., “Open Ownership” (accessed 29 Nov. 2018), <https://openownership.org/>.

<sup>7</sup> The IRM received this information from the Register of Enterprises of the Republic of Latvia during the pre-publication period for this report.

## 12. Availability of public sector research and data

### Language of the commitment as it appears in the action plan:

**Editorial Note:** The Latvian government did not submit an official English translation of its 2017–2019 to OGP. Therefore, the original Latvian version as it appears in the action plan can be viewed below. For the full text of this commitment, please see the Latvia 2017–2019 action plan here: <https://www.mk.gov.lv/sites/default/files/editor/atvertas-parvaldibas-plans2017.pdf>.

Veicināt datu un pētījumu izmantošanu pierādījumos balstītai lēmumu pieņemšanai un plašākā sabiedrībā:

- attīstīt tīmekļvietni–datubāzi “Pētījumu un publikāciju datubāze”, tajā skaitā veicinot valsts un pašvaldību institūciju pētījumu nosūtīšanu PKC ieviešanai tajā un popularizējot tās izmantošanu valsts pārvaldē un sabiedrībā;
- veicināt izpratni par pierādījumos balstītu lēmumu pieņemšanu valsts un pašvaldību institūcijās un sabiedrībā un tam lietderīgiem datu, informācijas un pētījumu avotiem un to izmantošanu; atbalstīt izglītojošus seminārus un apmācības valsts un pašvaldību institūcijās un pētniekiem, lai vairotu izpratni par atvērto datu principiem, pētījumu un to datu atvērta pieejas lietderīgumu un izmantošanas iespējas;
- Latvijas Universitātei sadarbībā ar PKC izvērtēt pētījumu datu uzglabāšanas jautājumu kontekstā ar zinātnes datu repositoja izveidi;
- izveidot oficiālās statistikas portālu, kur viegli pieejamā veidā tiks nodrošināti lēmumu pieņemšanai un plašākai sabiedrībai noderīgi oficiālās statistikas dati.

### Milestones

12.1. Veicināt valsts un pašvaldību institūciju pētījumu pieejamību “Pētījumu un publikāciju datubāzē”, tajā skaitā to nosūtīšanu PKC

12.2. Izveidot jaunu oficiālās statistikas portālu

Start Date: 1 Jul. 2017

End Date: 30 Jul. 2019

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
12. Overall		✓	✓			✓					Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

### Context and Objectives

Evidence-based policy development has been a priority for civil society since Latvia joined OGP. Professional associations of IT companies have also argued for greater disclosure of data in order to promote economic growth and provide solutions for data use in policy research and analysis.<sup>1</sup>

Data from government-conducted research has been publicly available on the Cabinet of Ministers' webpage since 2003.<sup>2</sup> This database includes ongoing and planned research by government institutions and allows users to search by title, year, the institution which procured the research, and by sector. However, not all government institutions and local governments publish their research to the database, despite being required to do so. Additionally, there is no requirement to publish the raw data gathered by research institutions in open data format, which would enable reuse by other researchers. Thus, CSOs have argued to improve the database and its content.

Another important resource for developing evidence-driven policy is official government statistics. The government of Latvia decided to standardize data from the Central Statistics Office with a new statistics portal.<sup>3</sup> The Central Statistics Office is a pioneer in publishing open data in Latvia and informing the open data community on newly available datasets.<sup>4</sup> It also contacts open data enthusiasts and researchers about their data needs. At the same time, the community of people with data skills is growing, and there are informal networks of enthusiasts gathering around this field.

This commitment aims to improve the availability of data for policy development and enhance the data skills of government institutions, journalists, and public policy organizations. In particular, the action plan highlights two milestones—to improve the availability of research on the Cabinet of Ministers' database and to develop the new portal of the Central Statistical Office. The commitment is relevant to the OGP value of access to information since it will make more data and research available for the policy community and the public. Both milestones also entail developing new IT solutions, thus making the commitment relevant to technology and innovation.

Milestone 12.1 calls for increasing accessibility of government-procured research and envisages cooperation between the University of Latvia and the Cross-Sectoral Coordination Centre in defining best practices for storing data and developing a science data depository. The commitment states that the research database will be restructured in a way that some data will be made available in open data format and the functionality for that shall be developed. However, it does not give insight into how much new research will be made available and if any new functions will be introduced (the description is about policy, it does not reflect if and when investments for the change of portal are planned). Milestone 12.2 calls for developing a new portal for official statistics. However, the description of this portal is vague and does not detail which new features it will contain compared to the existing webpage. It also does not say what (if any) results will be achieved within the period of current action plan. The description does not provide for information what data will be offered in open data format. Given the vagueness of the activities, the potential for this commitment to open government is low.

While the commitment mentions education on the use of research and data, it does not describe what kinds of events will occur, nor their targeted audiences.

### Next steps

Due to the low specificity of this commitment, the IRM researcher does not recommend carrying it forward to the next action plan.

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<sup>1</sup> Edmunds Beļskis, *Datos balstīta sabiedrība* (15 Feb. 2017), [https://www.mk.gov.lv/sites/default/files/editor/ddn\\_prezentacija\\_150217.pdf](https://www.mk.gov.lv/sites/default/files/editor/ddn_prezentacija_150217.pdf).

<sup>2</sup> Cabinet of Ministers, "Database of Research and Publications" (4 Jul. 2019), <http://petijumi.mk.gov.lv/>.

<sup>3</sup> Laws of Latvia, "On the Implementation of Information Society Development Guidelines in Public Administration Information Systems (Target Architecture Version 3.0)" no. 2016/201.5 (Latvijas Vēstnesis, 13 Oct. 2016), <https://likumi.lv/ta/id/285407-par-informacijas-sabiedribas-attistibas-pamatnostadnu-ieviesanu-publiskas-parvaldes-informacijas-sistemu-joma-merkarhitekturas>.

<sup>4</sup> Observations by the IRM researcher in meetings with CSOs during previous action plans and at the multistakeholder meeting for development of current action plan.

## V. General Recommendations

This section aims to inform development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve the OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations.

### 5.1 IRM Recommendations

In order to improve Latvia's performance in OGP, the IRM researcher suggests building on the strengths Latvia has shown during previous OGP action plans.

#### Action plan co-creation process

- Latvia has been successful in conducting an inclusive process for the action plan despite scarce resources. However, the co-creation process could benefit if all possible stakeholders (i.e., the 436 NGOs of the Memorandum Council) received notifications not only about the initial brainstorming of OGP commitments, but also during later stages. This should include informing all parties that the draft plan is published for comments. Another important improvement would be publishing a summary of consultations on the OGP section of the Cabinet of Ministers' website. Ideally, a standing sub-committee or working group within the Memorandum Council could be dedicated specifically to open government issues and OGP.
- The Council of Memorandum could actively track development of the plan as well as its implementation and invite responsible institutions and partners to discuss the commitments and their implementation. NGOs could proactively follow information on the Cabinet's OGP website in order to provide feedback and partner with government institutions implementing their ideas. Government shall consider measures for strengthening capacity of the Council of Memorandum for this purpose.
- The IRM researcher's stakeholder survey shows that few organizations in Latvia are actively involved in the OGP process. OGP currently has a low profile in Latvia. One positive development is that the Council of Memorandum will start monitoring the plan's implementation. Better promotion of OGP could include educational materials, acknowledging OGP when a commitment is complete, issuing press releases on main events of the action plan process, and publishing self-assessment reports. Better promotion can also attract more stakeholders and lead to a more robust process.

#### Commitment design

- Future commitments should be more directly related to OGP values and more specific. Most commitments are well formulated at the output level. However, little information is given for details such as the involvement of civil society in implementation, audiences for capacity building events, the number of participants at information campaigns or events, and the planned features and functions of IT projects. Without these details, it is difficult to accurately assess the potential impact of proposed measures.

#### Thematic priority areas

- One of the most debated areas in Latvia is business and financial sector secrecy. Latvia recently passed regulations on beneficial ownership and is currently implementing a new internet platform for the Enterprise Register to further increase transparency in this area. Still, the ability to access and navigate information without searching one by one and paying a high fee should be addressed. In light of recent



corruption scandals in Latvia’s banking sector, stronger commitments to open information about the beneficial owners of companies and reducing secrecy in banking sector should be included in future action plans. OGP is an appropriate international framework for enhancing such policies.

- Stakeholders insist that transparency of lobbying activities needs to be strengthened. Although previous OGP action plans saw several attempts to pass relevant laws, Latvia still lacks regulations on lobbying. Thus far, Parliament had not passed such legislation, so the challenge for OGP in Latvia is to involve Parliament as a stakeholder for this commitment. On the other hand, there are other opportunities to promote openness. Government institutions and Parliament keep records of people entering buildings and meeting particular departments, committees, or politicians. This data could be made available for analysis purposes. Also, information on the career paths and private business histories of politicians and civil servants should be more easily traceable.
- Although Latvia passed a law on whistleblower protection which will enter into force on 1 May 2019, there remains room for improvement in assuring people are safe to report conflicts of interest, corruption, and other behaviors which are incompatible with the integrity of institutions and businesses. Therefore, the IRM researcher recommends continuing to develop more effective mechanisms and channels for citizens to report wrongdoing. Similar to the above-mentioned recommendation on lobbying regulations, the government could consider involving Parliament in future commitments on whistleblower protection, as any legislative changes to the Whistleblower Protection Law would require parliamentary approval.
- Another priority of stakeholders is open and effective participation in policy development. Previous OGP plans also highlighted this area and some commitments, such as the portal for drafting laws, will probably still be on the agenda until it is ready for use. After that, there will be a need for promotional activities to educate the public on the new system. Therefore, future action plans could focus on improving public consultations (such as legislative drafting portals and e-consultations) and promoting open government principles and practices at the local level.

**Table 5.1: Five Key Recommendations**

1	Ensure greater involvement of the Council of Memorandum during the development of the next action plan and publish feedback during consultations.
2	Continue improving lobbying transparency with the involvement of Parliament.
3	Continue strengthening whistleblower protection by improving channels and mechanisms for reporting.
4	Include more ambitious commitments that address transparency in the financial sector, such as beneficial ownership, and making Enterprise Register information publicly accessible.
5	Continue improving systems for public consultations and promote open government locally.

## 5.2 Response to Previous IRM Key Recommendations

**Table 5.2: Previous IRM Report Key Recommendations**



	Recommendation	Responded to?	Integrated into Current Action Plan?
1	Establish the Memorandum Council as a regular forum for defining and monitoring OGP issues.	X	Yes
2	Include commitments in the next action plan that are well defined, ambitious, and feasible over a two-year period.	X	No
3	Brainstorm ways of using open data for better policy development, and prioritize releasing datasets in high demand, such as state budget data.	X	Yes
4	Identify channels to better involve stakeholders in the early stages of policy development and proactively reach out to unorganized vulnerable groups in society.	X	Yes
5	Expand the thematic reach of OGP action plans to include priority issues such as media policy and corporate transparency.	X	Yes

The government reports on implementing the above recommendations in their self-assessment; however, the government of Latvia did not submit its self-assessment by the time of this report (December 2018). Out of the five recommendations, one is integrated fully, and three are integrated partially.

The first recommendation (establish the Memorandum Council as a regular forum for OGP issues) was implemented, as the Council now involves its members in both creating and monitoring the action plan. The second recommendation (future commitments should be realistic, stronger, and more detailed) is implemented partially. Some commitments still require longer time periods beyond the two-year implementation window. The third recommendation (facilitate the use of open data) was also implemented partially. The government strived for more ambitious longer-term results, such as publishing data in open data format by default. The action plan also mentions that there will be meetings for planning which priority datasets shall be opened, but there were no concrete milestones defined.

The fourth recommendation (increase stakeholder involvement) was implemented partially. While the State Chancellery revealed the need to involve people in early stages of policy making and incorporated this idea into Commitment I, no wording can be found in the text of the commitment.

Finally, the fifth recommendation (expand the thematic reach of OGP action plans) was also implemented partially. The action plan covers corporate accountability but does not touch upon media issues. Media issues weren't given as a priority during the multistakeholder meeting, so they were not reflected in the plan.

## **VI. Methodology and Sources**

The IRM reports are written by researchers for each OGP-participating country or entity. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Latvia's OGP repository,<sup>1</sup> website, findings from the government's own self-assessments,<sup>2</sup> and any other assessments of the process and progress put out by civil society, the private sector, or international organizations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day feedback period regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit all implementation sites. Some contexts require anonymity of interviewees and the IRM reserves the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.<sup>3</sup>

### **Interviews and stakeholder input**

The IRM researcher surveyed 30 nongovernmental stakeholders who participated in a multistakeholder discussion on 17 March 2017. Questions in the survey asked about their involvement during the development process and their ideas on enhancing this process going forward. The survey also asked about current issues to be included in next plan. The IRM researcher also conducted a semi-structured interview with Liene Gātere, the Director of Latvia's TI chapter Delna on 15 January 2019.

The IRM researcher observed two planning events held on 20 December 2016 and 17 March 2017. The first meeting was reflecting on the OGP Paris Summit and sharing opinions of NGOs and government institutions on how to develop the current action plan. The second meeting was the multistakeholder brainstorm of ideas to be included in the plan.

The IRM researcher followed discussions of the Council of Memorandum on all issues related to the plan's implementation via the Latvian government's official YouTube channel. The Council of Memorandum debated the inclusion of OGP monitoring in its work plan, on NGO financing, and on new transparency requirements for beneficial owners. The IRM researcher also followed the annual forum on public involvement organized by the State Chancellery.

Finally, the IRM researcher gathered written contributions on the action plan from Inese Kuške, Consultant of the State Chancellery and the OGP point of contact in Latvia.

### **About the Independent Reporting Mechanism**

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is:

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Fredline M’Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

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

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<sup>1</sup> Cabinet of Ministers, “Open Government” (10 May 2016), <https://www.mk.gov.lv/lv/content/atverta-parvaldiba>.

<sup>2</sup> Latvia’s self-assessment was not yet available during development of this report.

<sup>3</sup> IRM Procedures Manual, V.3 is available at: <https://www.opengovpartnership.org/documents/irm-procedures-manual>.

## Annex I. Overview of Latvia's performance throughout action plan development

Green = Meets standard

Yellow = In progress (steps have been taken to meet this standard, but standard is not met)

Red = No evidence of action

<b>Multistakeholder Forum</b>	
<b>1a. Forum established: There is a forum to oversee the OGP process</b>	Green
1b. Regularity: The forum meets at least every quarter, in person or remotely	Green
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership, and governance structure	Green
1d. Mandate public: Information on the forum's remit, membership, and governance structure is available on the OGP website/page	Green
<b>2a. Multistakeholder: The forum includes both governmental and nongovernment representatives</b>	Green
2b. Parity: The forum includes an even balance of governmental and nongovernmental representatives	Green
<b>2c. Transparent selection: Nongovernmental members of the forum are selected through a fair and transparent process</b>	Green
2d. High-level government representation: The forum includes high-level representatives with decision-making authority from government	Green
<b>3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum</b>	Green
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events	Green
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities and results to wider government and civil society stakeholders	Yellow

<b>Action Plan Development</b>	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published	Green
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process	Green
4c. Awareness-raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process	Yellow
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity	Yellow
<b>4e. Reasoned response: The multistakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment</b>	Yellow
<b>5a. Repository: Government collects and publishes a document repository on the national OGP website/webpage, which provides a historical record and access to all documents related to the national OGP process, including (but not limited to) consultation documents, National Action Plans, government self-assessments, IRM reports</b>	Green

**and supporting documentation of commitment implementation (e.g., links to databases, evidence of meetings, publications)**

**Editorial note:** If a country “meets” the six standards in bold, the IRM will recognize the country’s process as a Starred Process.