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FOURTH NATIONAL OPEN GOVERNMENT PARTNERSHIP ACTION
PLAN OF LATVIA

2020–2021

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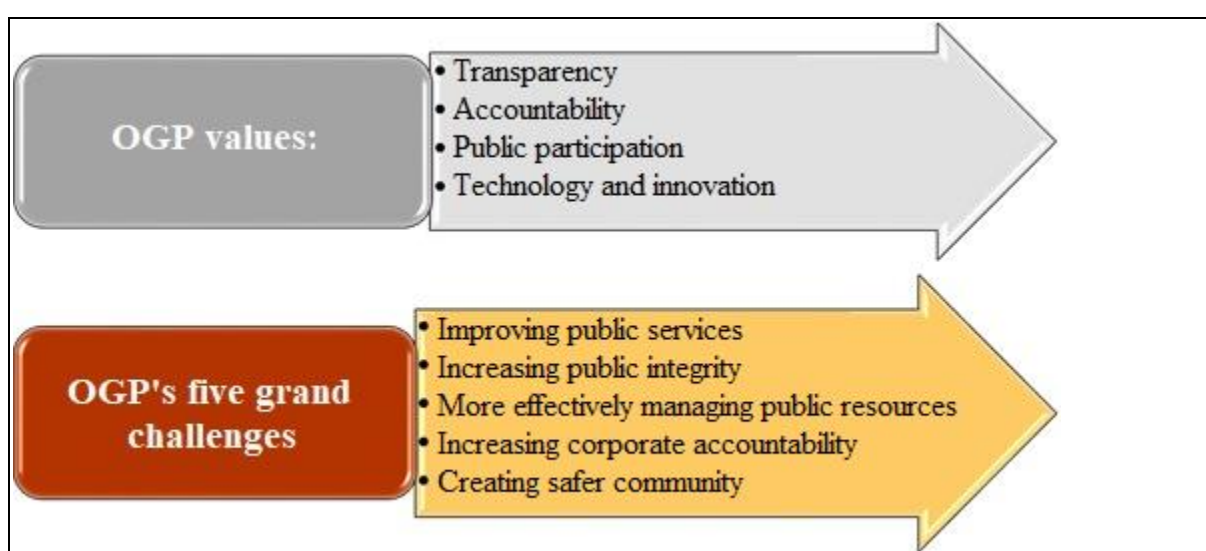
1. Introduction

The Open Government Partnership (hereinafter – the OGP) is an international initiative which was launched in 2011. Currently Latvia is one of the 79 OGP national members. Members of OGP include not only countries, but also local governments of several countries and thousands of non-governmental organisations.

Latvia joined the OGP in 2011.¹ The Cabinet Decision of 8 December 2015 lays down that the State Chancellery and the Ministry of Foreign Affairs shall coordinate the participation of Latvia in the OGP, starting from 1 January 2016. The OGP of the State Chancellery is a point of contact for Latvia.

Similarly to other OGP national members, Latvia undertakes to embody open government values² and look for solutions to the OGP's grand challenges for open government.

Figure 1. Values of and grand challenges for the open government partnership



Upon joining the OGP, Latvia undertook to abide by the Open Government Declaration, including to:

- increase the availability of information about governmental activities;
- support civic participation;
- implement the highest standards of professional integrity throughout administrations;
- increase access to new technologies for openness, accountability and participation.³

The main OGP implementation mechanisms available to national members are national action plans and participation in OGP global summits.

¹ During its meeting of 13 September 2011, the Cabinet supported participation of the Republic of Latvia in the Open Government Partnership. Latvia's letter of intent was sent on 14 September 2011.

² OGP. *OGP Handbook*. 2019. (values explained on pp. 9–10), www.opengovpartnership.org/wp-content/uploads/2019/03/OGP_Handbook-Rules-Guidance-for-Participants_20190313.pdf

³ See: <https://www.opengovpartnership.org/process/joining-ogp/open-government-declaration/>

Public participation and co-creation are essential elements of the OGP. National members must comply with the OGP Participation and Co-creation Standards.⁴ These Standards include the following requirements in the context of national action plans: to ensure public access to information regarding development of these plans; to provide a platform for dialogue on activities of the plan; to assume joint responsibility for the activities included in the plan. The OGP national members are also expected to involve representatives of the public in a multi-stakeholder forum, thus involving them in the development of the plan, and also allowing them to monitor and evaluate its implementation.⁵

For more information see:
www.opengovpartnership.org
www.mk.gov.lv/lv/content/atverta-parvaldiba

2. Previous Action Plans for Open Government Partnership

To date three national open government partnership action plans have been developed in Latvia. The following activities have been implemented (or their implementation continues) within the framework of those action plans:

- availability of data and information in the form of **open data**, Open Data Portal, and public participation in the selection of open data sets (Plans 1, 2, and 3);
- establishment of the **single portal** for the development and agreement upon draft **laws and regulations** (Plans 2 and 3);
- establishment of a single **platform** for **websites** of government authorities (Plan 2);
- transparency in **capital companies** of a public person, including in the selection of the members of boards and councils and provision of information regarding the management and operation of the capital companies (Plans 1, 2, and 3);
- more efficient mechanisms for the monitoring of **officials** who are responsible for actions with public resources (Plans 1 and 2);
- **public participation** in decision-making, including a sustainable model for the financing of non-governmental organisations/establishment of a NGO fund (Plans 1, 2, and 3);
- a possibility to collect signatures for **referenda** online (Plan 2);
- legal framework for **whistleblowing** and establishment of a more efficient mechanism (Plans 2 and 3);
- evaluation of the model for the **financing** of political **parties** (Plan 2);
- development of a unified code of **conduct for public administration** (Plans 2 and 3);
- improvement of the quality of provision of **government services** (Plan 1);
- transparency of the decision-making process and **lobbying** (Plans 1 and 3);
- provision of information regarding investment of the **State budget** funds and its results to the public in an interactive form (Plan 3);
- movement towards **zero bureaucracy** (Plan 3);
- transparency and efficiency in the field of **public procurements** (Plan 3);
- transparency over companies which operate in Latvia and their **beneficial owners** (Plan 3);
- available and widely used publicly commissioned **studies** (petijumi.mk.gov.lv), data-based decision-making, and use of data in society (Plan 3).

⁴ OGP. *OGP Participation and Co-creation Standards*. 2017. See: www.opengovpartnership.org/sites/default/files/OGP_Participation-Cocreation-Standards20170207.pdf

⁵ Ibid.

3. Process for the Development of the Action Plan and the Parties Involved

The process for the development of the Fourth National Open Government Partnership Action Plan (hereinafter – the Action Plan) was open and inclusive. It involved a number of government authorities and also representatives of the public. The statement of the State Chancellery on the opportunities for participation in the development of this Plan was published right after commencement of the development process, thus presenting opportunities for participation in the entire course of development. Joint discussions on problems which should be addressed within the framework of this Plan and activities which should be included took place already at an early stage.

For the first time representatives of local governments and of the *Saeima* also participated in the development of the Plan, demonstrating that the open government is important not only for the executive power at the national level, but also for other state powers and at the level of local governments.

In future, measures for strengthening the principle of open parliament are planned. For example, in the next few years the *Saeima* plans to improve its website by making it more user friendly and promoting public participation in legislative activities. At the legislative level, the Defence, Internal Affairs and Corruption Prevention Committee of the *Saeima* has established a working group for the development of the draft law on the transparency of lobbying. For its part, the Legal Affairs Committee develops amendments to the Rules of Procedure of the *Saeima*, evaluating several initiatives for changes in working procedures of the parliament which are also aimed at the promotion of openness and transparency.

Six commitment topics were chosen by taking into account the propositions made in the open discussions and during the survey to poll public opinion *Ideju talka – Izsaki savu viedokli par atvērto pārvaldību* [Idea Collection – Express your Opinion on Open Government].

The core stage of the development of the Action Plan was the development of each commitment in more detail by six working groups. Co-creation principles were applied. Working groups were managed by representatives of the Procurement Monitoring Bureau, the Ministry of Environmental Protection and Regional Development (MoEPRD), the Latvian Association of Local and Regional Governments, the *Saeima*, the State Chancellery (SC), the Ministry of Culture, the association *Sabiedriskās politikas centrs PROVIDUS* [Centre for Public Policy PROVIDUS], and the Corruption Prevention and Combating Bureau. Representatives of different government authorities and public participated in the working groups, jointly preparing a description for the commitments.

The parties involved had the possibility to participate in the following development and agreement stages.

Table 1. Core stages for the development of and agreement upon the Action Plan

12 September 2019	The SC publishes a statement on the opportunities for participation in the development of the Action Plan and a <u>discussion paper</u> . Information is published on the website www.mk.gov.lv and disseminated on social networks
16 September 2019	First open discussion on the development of the Action Plan (SC)

1–13 October 2019	Survey to poll public opinion: <i>Ideju talka – Izsaki savu viedokli par atvērto pārvaldību</i> (survey results)
14 October 2019	Second open discussion on the development of the Action Plan (SC) Establishment of six working groups. Information regarding the possibility to apply for working groups at www.mk.gov.lv and on social networks
14 October to 15 November 2019	Development of commitments for the Action Plan in working groups consisting of public authorities and representatives of the public
5 December 2019	Announcement of a draft Action Plan in a meeting of the State Secretaries
December to January	Official agreement upon the Action Plan (provision of opinions from 5 to 19 December 2019)
January 2020	Submit to the Cabinet for approval

4. Objectives of the Action Plan

The objective of the Action Plan is to promote embodiment of the values of open government – transparency, accountability, and public participation, *inter alia*, by means of digitalisation and innovation – in Latvia.

The Action Plan includes six commitments or lines of action for the achievement of the objectives of the Action Plan on which Latvia commits to work in the following two years in order to promote open government in Latvia:

1.	Transparency of public procurements and contracts
2.	Opening of data sets of significance to the freedom of information
3.	Transparency of interest representation and lobbying
4.	Open government in local governments
5.	Efficient public participation in reform processes and addressing of topical societal issues
6.	Actions for corruption prevention

The Action Plan is a single framework for open government initiatives in different sectors and policy areas to unite specialists of various fields for a common goal – to improve transparency, public accountability, and public participation, as well as trust in public administration.

The Action Plan allows to enhance international visibility of Latvia and provides a possibility for Latvia to introduce other countries with its examples of good practices.

In addition to the Action Plan, other activities promoting the open government may be implemented. During the development process, agreement was reached that such activities which are included in other documents, have the required resources, and are to be performed irrespective of this Plan will not be included in this document to avoid duplication. For example, the Regional Policy Guidelines for 2021–2027 set out activities to increase involvement of the public in the implementation of regional policy objectives, including to increase the capacity of

local governments in promoting public participation, to provide methodological support for increasing the capacity of various groups in society in respect of participation measures, to promote the implementation of participatory budgeting in Latvia by making the required changes in the laws and regulations. The planned activities will contribute to the implementation of the objectives and tasks of the Commitment 4 of the Action Plan.

5. Planning documents related to the Action Plan

- Regional Policy Guidelines for 2021–2027 (approved by the Cabinet on 19 November 2019);
- National Development Plan 2021–2027 (in the process of development⁶);
- Open Data Strategy of Latvia;
- Corruption Prevention and Combating Guidelines for 2015–2020 (and for the new period);
- Public Administration Reform Plan 2020 (and for the new period);
- Action Plan for the Improvement of the Public Procurement System (in the process of development).

6. Funding for the implementation of the Action Plan

The Ministries and other central State bodies shall implement the commitments and activities indicated in the Action Plan (in Sections “What is the commitment?” and “Milestone activity with a verifiable deliverable”) using the State budget funds allocated for 2020 and 2021.

If additional funding will be required for the implementation of commitment , the issue regarding the allocation of additional funds from the State budget will be examined by the Cabinet in the process of development of the draft State budget law for 2021 and draft medium term budget framework law.

Other parties involved shall implement the activities using their own budget resources or by attracting additional funding.

The State and local government authorities and representatives of the public involved in the implementation of the Action Plan may attract additional funding also from other sources.

Additional information is indicated in the Section “The funding available to or required for the implementation of the commitment”.

⁶ The version of the draft NDP available on 12 January 2020:
www.pkc.gov.lv/sites/default/files/20191223_NAP_2021_2027_gala_redakcija_projekts_pdf.pdf

7. Commitments of the Action Plan ⁷

COMMITMENT 1: Transparency of public procurements and contracts	
Commitment implementation start and end date	1 January 2020 – 31 December 2021
Responsible authorities	Procurement Monitoring Bureau (PMB) (authority responsible for the commitment in general) Central Finance and Contracting Agency (CFCA) (authority responsible for the matter regarding the possibilities to use the Integrity Pact in the projects funded by the EU financial instruments)
Responsible officials (given name, position, contact information)	Dace Gaile, Head of the Procurement Monitoring Bureau, dace.gaile@iub.gov.lv Anita Krūmiņa, Director of the Central Finance and Contracting Agency, anita.krumina@cfla.gov.lv
Other parties involved	
State and local government authorities	The Ministry of Finance, the CFCA, the MoEPRD (State Regional Development Agency (SRDA)), specific local governments where procurement will be monitored within the framework of the Integrity Pact (will be selected when starting the fulfilment of the commitment), the SC (matters regarding the availability of contracts governed by public law)
Representatives of the public	association <i>Sabiedrība par atklātību–Delna</i> [Transparency International Latvia Delna], other representatives of civil society, mass media
COMMITMENT DESCRIPTION	
Which problems of public and State significance will this commitment address?	
<p>A distrust in the integrity and efficiency of the public procurement outcomes can be observed in the society. This distrust is reinforced by cases where purchasers have acted for selfish reasons, the price paid for goods, services, construction has been too high, the resulting quality does not correspond to the price. In order to enhance public trust in effective actions of the State and local government authorities with budgetary resources and European Union financial resources, new and effective methods for the procurement monitoring should be sought, including through promotion of public participation in the procurement monitoring.</p> <p>The Integrity Pact is an instrument for the monitoring of public procurement and preventing of corruption which is increasingly being used in Europe. It is supported and promoted also by the European Commission. Under its authority, the Integrity Pact was introduced in 11 Member States as a monitoring instrument for projects funded with the support of the EU funds.⁸</p> <p>Convenient and comprehensive identification of potential risks with regard to specific purchasers is necessary for both institutions monitoring procurement in order to create a risk-based sample of the procurement to be checked and representatives of the public in order to</p>	

⁷ The text of the six commitments of the Action Plan has been drafted according to the format common to all OGP national members which is available here: OGP. *OGP Handbook*. 2019 (link to the document in footnote 2)

⁸ One of such projects is the Integrity Pact of association *Sabiedrība par atklātību–Delna* [Transparency International Latvia Delna] with *Rīgas pašvaldības SIA “Rīgas satiksme”* [Riga local government Ltd. *Rīgas satiksme*] to perform monitoring within the framework of the project “Tram Infrastructure Development in Riga”.

strengthen the public monitoring of the course of procurement and public demand for the State and local government authorities to improve their performance in the field of public procurement. Currently various risk factors are compiled by manually gathering information from various sources. In turn, digitisation of procurement risk assessment by using the information published on the website of the Procurement Monitoring Bureau that has been collected from procurement notices and decisions of the complaint examination commission would allow the stakeholders to analyse information and select contracting authorities to the procurement behaviour of which additional attention should be paid in one place.

Although all concluded procurement contracts and their amendments are published in the Electronic Procurement System at www.eis.gov.lv in the profile created for each procurement (texts of the contracts are attached in pdf or docx format), information regarding performance of a procurement contract from the moment of its conclusion until complete performance is not available in a structured and easy-to-read form. Thus the supervising authorities, non-governmental organisations, and public have a limited possibility to obtain information regarding actual expenditure in public procurement, compare contract prices and planned and actual deadlines for the performance of contracts, and identify risks of unjustified expenditure. Several European Union Member States have contract registers where information regarding concluded contracts, their amendments, and actual performance can be found in one place; moreover, this information is also available in the form of open data by publishing it on the national open data portals.

Information regarding contracts governed by public law which provide for the allocation of State or local government funds for the performance of administration tasks delegated or transferred under a participation contract cannot be found in one place. Pursuant to the State Administration Structure Law, information regarding delegation contracts and participation contracts must be published on the website of the institution which delegated the administration task. Thus it is more difficult for the public to obtain information in a convenient manner and in one place regarding the administration tasks delegated to private persons and the allocation of public funding provided for in delegation regulations. The results of the internal audit of delegation of State administration tasks conducted by the units of internal audit of State administration authorities in 2018 shall be used in the implementation of this commitment.

What is the commitment?

The following activities will be carried out in order to promote greater **transparency of public procurements and contracts**:

1. Structured publication of data describing the performance of procurement contracts

By using information from the procurement notices and results of procurement procedures and changes in the period of validity of contracts which has been published on the website of the Procurement Monitoring Bureau and data entered by contracting authorities regarding amendments to contracts and their performance, to create a database of public procurement contracts (a register of procurement contracts) which would hold information regarding each concluded contract by reflecting the initial contract price (the amount for which a contract has been concluded as a result of procurement) and the initial performance deadline, changes in the contract resulting from amendments (upon changing the contract price and performance deadline) and grounds for making amendments, the contract price actually paid upon completing the performance of the contract, and the actual deadline for the performance of the contract, as well as the reasons for the termination of the contract if it has been terminated. Data of the contract register would be published and shown on the website of the Procurement Monitoring Bureau and on the Open Data Portal of Latvia in the open data format.

The contract register shall include information which can be obtained from the procurement notices published on the PMB website. It will not be possible to obtain information regarding contracts with regard to which no notices need to be published in this way. Therefore, according to a proposal put forward by the working group, it would be necessary to, as far as possible, research solutions and benefits and make proposals, if necessary, for the provision of publicity to contracts which are not subject to the law, because their contract price falls below the thresholds at which the law applies. It should be initially stated to which contracts and starting from what amounts this should be applicable.

In developing such database, it is essential to protect restricted access information which is included in public procurements, providing for exceptions from general procedures when such public procurements are not included in the database.

2. Digital tool for procurement risk assessment

By using the information published on the website of the Procurement Monitoring Bureau and collected from procurement notices, the digital tool for procurement risk assessment will collect in one place such information as the number of the suspended procurement lots, the number of amendments made to the procurement documentation, the number of procurements in which only one economic operator has participated, how often procedures which do not ensure competition have been used, whether it can be established that the same economic operators obtain the contracting rights in the tenders of the relevant contracting authority on a regular basis etc. The digital tool for procurement risk assessment will also gather information regarding the number of the procurement notices published by a contracting authority that are associated with some of the procurement risk characteristics (the so-called red flags). If a specific level of risk indicators is reached, the authorities controlling procurement will be able to establish that additional attention is required for procurements carried out by the contracting authority.

3. Public procurement monitoring by means of the Integrity Pact

To analyse the possibilities for adapting the Integrity Pact to the Latvian context and to promote random application of the Integrity Pact to public procurement, including to procurements for European Union fund projects – an independent public benefit organisation monitors a public procurement from the moment of the development of procurement documentation until complete performance of the procurement contract. Thus it is expected to achieve greater transparency in the performance of public procurement, as well as correct development of procurement documentation, ensuring of equal competition, and also performance of a contract which has been concluded as a result of procurement conforming to the law.

In analysing the possibilities for adapting the Integrity Pact to the Latvian context, it shall be evaluated from what procurement thresholds and to what types of procurement the Integrity Pact could be applicable.

The commitment foresees informative activities in local governments regarding the Integrity Pact and possibilities and methods of its use in which representatives of non-governmental organisations with experience in implementation of the Integrity Pact would provide seminars for employees of local governments who are related to the performance and monitoring of public procurement, as well as representatives of the public, active residents, journalists, and other interested parties. The residents of a local government would acquire knowledge of how to monitor the public procurements performed in their local government, as well as information about their right to conduct such monitoring. This would promote both procurement monitoring and public participation.

Integrity Pact is the public monitoring of a specific public procurement. It manifests as an agreement concluded by and between the purchaser, public organisation, and, where necessary, other parties, for example, participants of the procurement procedure and its winner. Integrity Pact is not the delegation of the State administration task – to monitor public procurements. Monitoring functions of the Procurement Monitoring Bureau to monitor such public procurement are not delegated and do not change.

4. Conduct a study on and promote the availability of contracts governed by public law (delegation contracts, participation contracts, and other contracts)

The commitment includes an activity to conduct a study on the availability of information about contracts governed by public law in the reporting period and to produce and put forward specific recommendations for ensuring freedom of information.

How will the commitment contribute to addressing the listed public problems?

The contract register will be built as a convenient tool for the publication and monitoring of information about the performance of contracts, as well as for cost analysis, for example, by providing a possibility to analyse information about those sectors, departments or regions in which the contract price tends to increase more during performance of a contract, which economic operators usually fail to perform contracts at the prices offered in the procurement. Since it is envisaged that the contract register will also contain links to procurement documents and the published procurement contract, it will also allow to analyse how the conditions set out in the procurement affect costs and whether the conditions of the contract change in favour of a contracting party after conclusion of the contract. Introduction of the contract register will require amendments to laws and regulations in the field of public procurement, as well as provision of a possibility to enter information in the contract register conveniently which could later be published in a structured manner in the open data format and shown in the digital tool for procurement risk assessment for the purpose of analysis.

In view of the risk assessment, the authorities, such as the PMB, the CFCA, the State Audit Office, and the Competition Council, will be able to make an in-depth assessment of the procurements performed by a relevant contracting authority by analysing the procurement information related to the relevant contracting authority which would be provided in one place in the digital tool for procurement risk assessment. Considering that the digital tool for procurement risk assessment will be freely available on the website of the Procurement Monitoring Bureau, any representative of the public will be able to analyse the information gathered in this tool by quickly and easily obtaining information regarding procurements performed by the relevant contracting authority on a yearly basis. Information will be made available to users in a visually-friendly manner. Where necessary, the data will be downloadable in spreadsheet form.

In circumstances where the public actively participates in the public procurement monitoring and a State or local government institution provides monitors with an open access to information, it is possible for the public to learn about the efficiency and integrity of public procurements, as well as about the fact whether the actions with public resources have been effective. Residents can ascertain that public procurements take place lawfully which enhances trust in public administration, but, upon establishing a violations in the conduct of either officials or a potential candidate, the responsible institutions can be immediately notified and the inappropriate use of public resources can be stopped or prevented.

Delegation and participation contracts, as well as other contracts also provide for the allocation of public funding for the implementation of delegated administration tasks and performance of other actions. The commitment would result in the identification of possibilities for the public to receive information in an easily accessible and easy-to-read manner regarding the relevant contracts, tasks transferred to private persons and allocated funding, as well as in making recommendations for the measures necessary to ensure transparency, including the need to make amendments to laws and regulations.

Why is this commitment in line with the OGP values?

The commitment is in line with the following OGP values:

- **transparency** because the contract register will provide a possibility for the public to freely access the information regarding a contract (amendments, performance) of interest on the website of the Procurement Monitoring Bureau and analyse it in the form of open data. The digital tool for procurement risk assessment will provide a possibility for the public to view information regarding a purchaser of interest in a visually-friendly manner in one place and in one tool, and also provide a possibility to download the selected information. The use of the Integrity Pact will promote transparency in public procurements by making the entire procurement procedure

directly available for public monitoring. The possible problems related to the transparency of delegation and participation contracts will also be identified and proposals for the improvement of the availability of information will be prepared;

- **participation** because the contract register and the digital tool for procurement risk assessment will help government authorities, private companies, and society in general to access data on the use of taxpayers' money and to have a higher awareness of the actual outcomes of public procurement. Availability of information will allow the public to participate in procurement monitoring and demand accountability from the management of local governments or authorities for unsatisfactory practice of the organisation of procurements and specific actions for the improvement of the situation.

It is expected that transparency and direct public participation in public procurement monitoring will enhance the **accountability** of officials for the correct and lawful implementation of public procurements and use of public resources.

Additional information	
The funding available to or required for the implementation of the commitment	<p>The development of the public procurement contract database will be ensured by using the Procurement Monitoring Bureau budget or by attracting funding from the Connecting Europe Facility.</p> <p>To prevent that the implementation of the Integrity Pact is financed from the funds of a contracting authority or a candidate/the possible winner of the procurement, independent financier needs to be attracted.</p> <p>The association <i>Sabiedrība par atklātību–Delna</i> [Transparency International Latvia Delna] has submitted a project which can provide funds for seminars in five local governments. Unless the project is approved, it will be necessary to look elsewhere for the funds.</p>
Relationship to other documents	<p>The commitment corresponds to the call made in the European Commission documents for the Member States to establish contract registers and other tools for the control of the performance of procurement contracts and to ensure increased transparency of procurements.</p> <p>The commitment corresponds to Task 38 “We will improve public procurement procedures by increasing their efficiency and reducing the risk of corruption” (to ensure that detailed and updated information regarding concluded procurement contracts and amendments made to them is available in one place) included in the Government Action Plan for the Implementation of Declaration on Activities Intended by the Cabinet Headed by Arturs Krišjānis Kariņš.</p>
Other information	Changes are needed in laws and regulations in the field of public procurement which would impose an obligation upon a contracting authority to enter data in the contract register regarding amendments to contracts and actual performance of a contract

	(contract price and deadline), as well as the reasons for the termination of a contract.	
Milestone with a verifiable deliverable	Start date	End date
1. Development of the descriptions of methods for the selection of data for the digital tool for procurement risk assessment	1 January 2020	1 March 2020
2. Local governments have been selected and training seminars with regard to the Integrity Pact (if financing is available) have been given	1 January 2020	1 March 2020
3. Implementation of the Integrity Pact / monitoring of public procurement (or evaluation of implementation feasibility)	1 March 2020	31 December 2021
4. Publication of the digital tool for procurement risk assessment	1 March 2020	1 April 2020
5. Incorporation of an obligation to enter information in the contract register in laws and regulations in the field of public procurement	1 January 2020	31 December 2021
6. Development and introduction of the contract register by ensuring the entry and publication of information	1 September 2020	31 December 2021
7. Evaluation of the results of the application of the Integrity Pact: a summary of challenges and good practices, proposals for further application	1 September 2021	31 December 2021
8. Provision of re-usable data sets of the contract register in the form of open data	1 January 2021	31 December 2021
9. Recommendations for the availability of contracts governed by public law (delegation, participation etc.)	1 September 2020	1 September 2021

COMMITMENT 2: Opening of data sets important to the freedom of information	
Commitment implementation start and end date	1 January 2020 – 31 December 2021
Responsible authority	Ministry of Environmental Protection and Regional Development
Responsible official (given name, position, contact information)	Toms Ceļmillers, System Analyst, dati@varam.gov.lv
Other parties involved	
State and local government authorities	Ministry of Justice, the Enterprise Register of the Republic of Latvia, the Ministry of Finance, the Procurement Monitoring Bureau, the Cross-Sectoral Coordination Centre, the Corruption Prevention and Combating Bureau, the Treasury, the State Revenue Service, the Court Administration, the National Health Service, the State Chancellery, the Ministry of Education and Science
Representatives of the public	<i>Sabiedrība par atklātību–Delna</i> [Transparency International Latvia Delna], <i>Sabiedriskās politikas centrs PROVIDUS</i> [Centre for Public Policy PROVIDUS], Latvian Association of Local and Regional Governments, the Latvian Open Technology Association, the association <i>Atvērtās pārvaldības partnerība Latvijā</i> [Open Government Partnership in Latvia]
COMMITMENT DESCRIPTION	
Which problems of public and State significance will this commitment address?	
<p>In the field of open data, significant progress was achieved during the course of implementation of the Third National Open Government Partnership Action Plan of Latvia – the Open Data Portal of Latvia was established at data.gov.lv and new data sets were developed, guidelines for the support of publishers of open data were developed, and representatives of information and communication technologies sector were involved in the definition of priority data sets to be opened.</p> <p>In the course of the development of this Action Plan, it was established, in cooperation with representatives of the public, that several data sets with regard to the fields of fighting corruption and transparency of judicial process, finance, budget, State payments, taxes, and actions of officials that are of essential significance to the freedom of information are still not available in the form of open data. If information would be more widely available in the form of open data, the public could analyse data and participate in the improvement of State administration processes, thus reducing the risks of corruption and increasing trust in the State administration.</p> <p>In accordance with Section 10, Paragraph 2.1 of the Freedom of Information Law, the open data access refers only to generally accessible information, thus, in evaluating wider possibilities of opening data, both the requirements of personal data protection and requirements of laws and regulations governing other fields will be taken into account, and in cases of uncertainty the evaluation of the State Data Inspectorate will be requested.</p>	

What is the commitment?

The commitment constitutes **opening of the data sets of importance to the freedom of information**, and involves, in cooperation with the holders of data sets and representatives of the public, evaluation of wider possibilities for the opening of data in the following areas:

1. Payment of taxes: the total amount of taxes paid by taxpayers (merchants) in the taxation year and administered by the SRS (State Revenue Service)
2. The publicly accessible parts of the declarations of public officials submitted by the public officials, including the President, members of the Saeima, the Prime Minister, the Deputy Prime Minister, ministers, ministers for special assignments, Parliamentary Secretaries, and declarations of public officials of councillors of councils of republic cities (State Revenue Service)
3. Finances of political parties and donations to parties (Corruption Prevention and Combating Bureau)
4. Payments of the State budget expenditure* (Treasury)
5. Information regarding the implementation of budgets of State administration institutions** (Treasury)
6. Work of courts, speed in courthouses, instances, and types of cases, work of judges (Court Administration)
7. Work of medical treatment institutions and waiting times for services, work of doctors, allocation of funding and other data which allow to analyse and improve management of the health sector (National Health Service)
8. Complaints on procurements, on administrative sanctions imposed for infringements in procurement activities (Procurement Monitoring Bureau)
9. Field of education: educational institutions, number of educatees in educational institutions, number of students in higher education institutions, number of the academic staff and their division according to positions, accredited educational programmes, including higher education programmes (Ministry of Education and Science)
10. Human resources and remuneration in State administration, development of open data model for the remuneration registration system (RRS) (State Chancellery)

* Such a regulatory framework needs to be developed which would define in detail the regularity and the amount in which the information should be published, including exceptions and restrictions in relation to various data protection requirements in accordance with the Law on Payment Services and Electronic Money, Personal Data Processing Law, EU General Data Protection Regulation, and other laws and regulations governing the field of payments and budget implementation.

** According to the programmes, sub-programmes, and expenditure economic classification codes laid down in the law on the state budget of the current year.

The evaluation of data sets will result in recommendations determining the scope of data opening for each data set, the activities necessary for the opening of data, and time limits, if necessary, proposals for amendments to laws and regulations which ensure the opening of data. Recommendations will be developed in light of the availability of open data in each field and plans for the opening of data, considering the requirements for personal data protection and other requirements for data protection, and the best global practices for the opening of data of the relevant field.

The commitment is aimed at ensuring the widest possible availability of open data in the abovementioned fields.

How will the commitment contribute to addressing the listed public problems?

The commitment will be initially implemented under the management of MoEPRD, consulting with the parties involved in order to develop recommendations for the opening of data sets. More open data will foster trust in State administration and allow everyone to participate and ascertain that activities of the public sector are transparent.

Why is this commitment in line with the OGP values?

The commitment is in line with the following OGP values:

- **transparency** because it provides for a wider disclosure of information to the public, as well as helps to improve the quality of the information provided and availability of information;
- **accountability** because it is oriented towards accountability of government institutions for the efforts taken and decisions made.

Additional information

The funding available to or required for the implementation of the commitment	It will be evaluated during the course of making recommendations whether the opening of data sets will be ensured using the funds allocated from the State budget or additional funding will be required, including for the opening of which data sets it will be required. The question on the required additional State budget funding should be respectively examined during the process of the development of the budget for 2021.	
Relationship to other documents	The opening of data is supported by the informative report Open Data Strategy of Latvia which provides for moving towards the introduction of the principle of “open by default” in the State administration.	
Correspondence to the UN Sustainable Development Goals	The opening of data corresponds to the Goal 16 of the UN Sustainable Development – to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (16.6. develop effective, accountable and transparent institutions at all levels; 16.10. ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements)	
Milestone with a verifiable deliverable	Start date	End date
1. Evaluation of data sets and development of recommendations	1 January 2020	31 December 2020
2. Opening of data sets	1 January 2021	31 December 2021

COMMITMENT 3: Transparency of interest representation and lobbying

Commitment implementation start and end date	1 January 2020 – 31 December 2021	
Parties involved		
State and local government authorities	The <i>Saeima</i> , LSPA, other competent authorities in the field of interest representation/lobbying	
Representatives of civil society	<i>Sabiedrība par atklātību–Delna</i> [Transparency International Latvia Delna], Association of Senior	

	Communities of Latvia, Kurzeme NGO Centre, Latvia Hemophilia Society, association <i>Latvijas Pilsoniskā alianse</i> [Civic Alliance – Latvia]
COMMITMENT DESCRIPTION	
Which problems of public and State significance will this commitment address?	
<p>In Latvia, work on a legal framework for transparency of lobbying has been underway for approximately 10 years, however, without any significant, practical results.⁹ So far work has been twofold:</p> <ul style="list-style-type: none"> • to include the framework related to lobbying in one law, or • to incorporate the framework related to lobbying into several laws and regulations. <p>With regard to the first option, a working group established by the Corruption Prevention and Combating Bureau (hereinafter – the CPCB) developed a draft law – Lobbying Transparency Law. However, on 17 February 2014, this draft law was examined and rejected at a meeting of the Cabinet committee, and it was ordered to make proposals for the inclusion of the framework for lobbying in the existing laws and regulations.</p> <p>Work was started to include the framework for lobbying in the following laws and regulations:</p> <ul style="list-style-type: none"> • Rules of Procedure of the <i>Saeima</i> (framework with regard to the communication between the members of the <i>Saeima</i> and lobbies and third parties affecting legislative process; to provide for liability in the Code of Conduct of the members of the <i>Saeima</i>); • State Administration Structure Law (include the definition of lobbying); • law On Prevention of Conflict of Interest in Activities of Public Officials (lobbying restrictions); • Cabinet Instruction, Procedures for Assessing Initial Impact of a Draft Legal Act (indicate lobbying activities in the abstract of a legal act); • Cabinet Regulation, Procedures for the Public Participation in the Development Planning Process, and Cabinet Regulation, Procedures for Publishing Information on the Internet by Institutions, (registration and publication of information regarding lobbyists). <p>Yet a common understanding was missing both at the administrative and political level, and amendments did not go through. Currently amendments to the Rules of Procedure of the <i>Saeima</i> are being advanced.</p> <p>On 9 June 2017, it was acknowledged in the conference <i>Lobēšanas regulējuma nepieciešamība Latvijā</i> [The Need for the Framework for Lobbying in Latvia] which was organized by the Commission for the Improvement of Legal Environment established by the President Raimonds Vējonis that such framework is necessary, lobbying should be transparent, and that it is also important to promote transparency of the decision-making process. Discussions took place at the conference on different framework models, lobbyist registers and experience of other countries and international organisations.¹⁰</p> <p>Currently society holds many prejudices about lobbying. It is believed that decision-making is not sufficiently transparent and decisions are often taken under the influence of some personal</p>	

⁹ The need for transparency of lobbying was first analysed in the concept developed by the CPCB “The need for the Legal Framework for Lobbying in Latvia” which was examined by the Cabinet (approved by the Cabinet Order No. 435 of 28 July 2008).

¹⁰ LV Portāls. 19.06.2017. *Būt vai nebūt Lobisma atklātības likumam?*, see: <https://lvportals.lv/norises/288071-but-vai-nebut-lobisma-atklatibas-likumam-2017>

interests, and they are not justified or does not correspond to the public interest. The interests, however, are legitimate, and they should be understandable and transparent. Implementation of the activities is important in order to make it more clear whose interests (of a member, owner, intermediary) a person represents.

In October 2019, the Defence, Internal Affairs and Corruption Prevention Committee of the *Saeima* established a working group for the development of the draft lobbying transparency law. In 2019, the Analytical Service of the *Saeima* made a study on lobbying. The working group started to work on the development of the draft lobbying transparency law in 2020. The working group of the *Saeima* intends to develop a comprehensive framework in order to promote the transparency of interest representation in different branches of State powers.

What is the commitment?

The commitment constitutes the promotion of **the transparency of represented interests and lobbying** in the following directions:

- **improvement of the framework for interest representations (transparency of lobbying);**
- **informative measures, including in public, to promote the transparency of the represented interests and raise awareness of its benefits;**
- **initiatives for the introduction of greater transparency of the meetings of specific officials (open calendars);**
- **raising awareness of the transparency of lobbying in institutions (at the level of employees and managers).**

How will the commitment contribute to addressing the listed public problems?

An interest representation (lobbying transparency) law would solve the long-standing problem of the lack of a common framework for the transparency of lobbying. It would promote transparency of the interests under the influence of which specific decisions have been made (the groups whose interests were heard). This would also improve the participation process, since not only the participating parties/participants of the agreement process should be indicated in more detail and more systematically, but also the lobbyists with whom meetings have been held, whose and which interests in particular a person/organisation has represented.

Why is this commitment in line with the OGP values?

The commitment is in line with the following OGP values:

- **transparency** because increased availability of information and greater clarity of the represented interests will be ensured;
- **accountability** because it will be required to disclose to the public which interests have affected the decisions. Also persons and organisations will be expected to indicate the interests they are representing;
- **public participation** because equal approach to the decision-taking process will be promoted.

Additional information

The funding available to or required for the implementation of the commitment	The commitment will be implemented using the budgetary resources available to the parties involved
Relationship to other documents	The commitment corresponds to Task 183 “We will ensure the transparency of interest representation and transparency of the public sector information” of the Government Action Plan for the Implementation of the Declaration on Activities Intended by the Cabinet Headed by Arturs Krišjānis Kariņš.

Correspondence to the UN Sustainable Development Goals	Corresponds to the Target 16.7 of the UN Sustainable Development – “Ensure responsive, inclusive, participatory and representative decision-making at all levels”.	
Milestone with a verifiable deliverable	Start date	End date
The matter of lobbying transparency is included in one training provided by the Latvian School of Public Administration and one training provided within the Programme for the Development of Senior-Level Managers	1 March 2020	31 December 2021

COMMITMENT 4: Open government in local governments	
Commitment implementation start and end date	1 January 2020 – 31 December 2021
Responsible authorities	Ministry of Environmental Protection and Regional Development in cooperation with the Latvian Association of Local and Regional Governments
Responsible official (given name, position, contact information)	Maija Anspoka, MoEPRD, Public Services Department, maija.anspoka@varam.gov.lv Jevgēnija Butņicka, MoEPRD, Regional Policy Department, jevgenija.butnicka@varam.gov.lv Kristīne Kinča, Latvian Association of Local and Regional Governments, kristine.kinca@lps.lv
Other parties involved	
State and local government authorities	SC, Latvian Association of Large Cities, other local government institutions, <i>VSI</i> “ <i>Latvijas Vēstnesis</i> ” [State limited liability company Official Gazette of Latvia]
Representatives of the public	The foundation <i>Sabiedrības līdzdalības fonds</i> [Foundation for Public Participation] (portal ManaBalss.lv), Lilita Seimuškāne, lecturer at the University of Latvia, the association <i>Atvērtās pārvaldības partnerība Latvijā</i> [Open Government Partnership in Latvia], Sabile Care Foundation “Kalme”, Kurzeme NGO Centre, <i>Sabiedriskās politikas centrs PROVIDUS</i> [Centre for Public Policy PROVIDUS], the association <i>Latvijas Pilsoniskā alianse</i> [Civic Alliance – Latvia]
COMMITMENT DESCRIPTION	
Which problems of public and State significance will this commitment address?	
Local governments are much closer to residents than central State authorities, therefore many of them have accrued valuable experience in involvement of the public in the processes for the development of the local government, budget planning, and also organisation of advisory councils, competitions for residents’ projects and public consultations on documents.	

However, the examples of good practice cannot be shared as they are not sufficiently gathered. Recently a collection of good practice examples was published which included several examples of an efficiently organised consultation process.¹¹

A current problem the addressing of which within the framework of this commitment would be useful in the next two years is the strengthening of residents' participation in local governments by educating them on participation possibilities and strengthening their participation capacity.¹²

Several important events related to the participation in local governments will be implemented within the framework of Regional Policy Guidelines for 2021–2027 which inter alia foresees: education of the representatives of local government authorities on promotion of participation, mutual benefits and types of participation;

- provision of methodological support for increasing the capacity of various groups in society in respect of participation measures;
- promotion of the implementation of participatory budgeting in local governments by making the necessary changes in the laws and regulations.

Introduction of participatory budgeting in local governments is one of the topics discussed in the development of this plan. At the moment, participatory budgeting is implemented only in the local government of the Riga City. Introduction of participatory budgeting also in other local governments would allow to involve residents in taking decisions on changes needed in the local government and priorities for the allocation of the local government funding by submission of project ideas and voting on them.

During the development of this commitment other directions for the promotion of participation in local governments were also identified. Referenda of local governments, for example, is an essential public participation tool. They allow for a certain number of residents of the local government to request an issue to be decided by the council, but the council determines whether it will satisfy the request (provision similar to the one included in the Rules of Procedure of the *Saeima*, only at the local government level). Collective submissions and petitions may be developed at the local government level.

This commitment foresees to commence the movement of open local governments. It aims to increase the openness and transparency in the work of local governments. Local governments choose to participate in this movement on their own initiative, committing to take specific actions. The responsible authorities shall, in cooperation with the State Chancellery, gather and disseminate the results. A local government can join the Open Government Declaration¹³, make relevant changes that promote openness, for example, improve the availability of information regarding participation on its website (for example, improve the availability of the binding regulations of the local government, publish the list of employees in working groups, highlight information regarding public consultations, NGO financing possibilities, possibilities for residents to participate in the work of local governments etc.), or apply the transparency

¹¹ Providus. *Pārskats par iedzīvotāju iesaistes piemēriem.* 2019. See: http://providus.lv/article_files/3606/original/final_labots.pdf?1572010383

¹² Workshop *Iedzīvotāju līdzdalības veicināšana: labā prakse un nākotnes ieceres* [Promotion of Residents' Participation: Good Practice and Future Plans] of the local government cooperation network *Reģionālā attīstība un sadarbība* [Regional Development and Cooperation]. 18.12.2019. www.lps.lv/lv/komitejas/regionalas-attistibas-un-sadarbibas-komiteja/5277-lps-regionalas-attistibas-un-sadarbibas-jautajumu-tikla-sanaksme-18-decembri-2019-kekava

¹³ See: <https://www.opengovpartnership.org/process/joining-ogp/open-government-declaration/>

standard (recommendations) for local governments developed within the framework of this commitment, introduce participatory budgeting etc.

Similarly, since 2014 several local governments have, within the framework of an analogue Estonian Action Plan, undertaken the initiative to make their work more transparent and accessible to residents.¹⁴

During the development of this Action Plan the need to ensure greater availability of the binding regulations of local governments both to local inhabitants and the country in overall, for example, to merchants, was identified. It would be useful to ensure the availability of the consolidated versions of binding regulations on the websites of local governments and to publish the complete text of binding regulations in the official gazette *Latvijas Vēstnesis* and to codify them in the portal of laws and regulations www.likumi.lv. As a result, any interested person could compare the regulatory framework adopted by different local governments. For example, merchants could find it as a useful tool for choosing the local government in which to develop their commercial activities.

What is the commitment?

The commitment constitutes the creation of supportive environment in local governments which is oriented towards practising participation and greater transparency. The commitment includes the following activities:

1. Minimising formality in public participation:

- compilation of the good practices of public participation and establishment of practical cooperation networks;
- development of openness standards and recommendations for local governments;
- development of proposals for residents on how to prepare themselves for a conversation with members of the council/council;
- involvement of NGOs in the problem solving;
- promotion of digital participation forms (such as surveys);
- indicating a point of contact on websites of local governments where information regarding the possibilities of public participation in a specific local government can be obtained.

2. Improvement of the framework for participation and availability of information which concerns residents in local governments:

- Evaluation by local governments of the possibility to incorporate a section on the public participation process and on issues and proposals in their binding regulations.
- Evaluation by local governments of the possibility to include the ‘catch-the-eye’ procedure in meetings of the local government council in order to allow residents to express their ideas, as well as include a section of public participation in the by-laws in committee meetings before council meetings.
- Publication on websites of local governments of the consolidated version of the regulations of local governments, instead of separate amendments.
- Ensuring that binding regulations of all local governments are published in the official gazette *Latvijas Vēstnesis* and codified in the portal of laws and regulations www.likumi.lv.

¹⁴See: 20–35 minute in the recording of the conference <https://www.youtube.com/watch?v=5V38gli09II>

- Making the format of local government spatial development planning documents user-friendly to residents (for example, a summary in a readily comprehensible form or review of the entire format). Organisation of travels of the members of city councils to residents and provision of reports thereto on the completed and planned activities.

3. Promotion of educational initiatives for participation:

- Implementation of initiatives in local governments for the education of residents about participation possibilities.

(Activity 3 shall be implemented in conjunction with the Commitment 5)

4. Open local government movement:

- Each local government is invited to, within the framework of this Action Plan, perform activities within its local government which promote openness, transparency of actions, accessibility to and participation of residents.
- Local governments are invited to inform the responsible authorities of their participation in the activities foreseen in this Action plan and of the implanted activities. The SC shall include this information in reports on the implementation of the Action Plan and may also share it with other countries as the good practice of Latvia.

Upon coming into force of this Action Plan, the responsible institutions shall, with the support of the State Chancellery and in cooperation with all parties involved, develop a plan for the implementation of this commitment by specifying the distribution of responsibilities for the activities referred to in this Section therein.

How will the commitment contribute to addressing the listed public problems?

The commitment will enhance transparency in local governments – openness and public participation.

Recommendations for ensuring transparency will be provided to local governments, and the internal regulatory framework of local governments will be improved by incorporating requirements for participation therein.

Local governments, upon their own initiative, will be able to participate in this plan and implement relevant activities for openness.

The commitment is also oriented towards provision of qualitative and understandable information to residents.

Why is this commitment in line with the OGP values?

The commitment corresponds to the following OGP values:

- **transparency** because provides for greater disclosure of information to the public, as well as helps to improve the quality and understandability of the provided information;
- **participation** because it is oriented towards a wider and more efficient public participation in the work of local governments.

Additional information

The funding available to or required for the implementation of the commitment

The commitment will be implemented from the State budget, local government budget or organisation budget funds available to the involved parties.
If ministries and other central bodies will need additional funding from the State budget for the

	activities related to the development of new digital tools, educational work or coordination of the open local government movement or practical cooperation network, this matter should be examined in the process of developing the draft State budget law for 2021 and draft medium term budget framework law.	
Relationship to other documents	Regional Policy Guidelines for 2021–2027 The conceptual report <i>Par līdzdalības budžeta ieviešanu Latvijā</i> [On the Introduction of Participatory Budgeting in Latvia] (in the process of development) National Development Plan of Latvia 2021-2027 (in the process of development)	
Correspondence to the UN Sustainable Development Goals	Corresponds to the Target 16.7 of the UN Sustainable Development – “Ensure responsive, inclusive, participatory and representative decision-making at all levels”.	
Milestone with a verifiable deliverable	Start date	End date
1. Development of openness standards and recommendations for local governments	1 February 2020	1 December 2020
2. At least three local governments get involved in the open local government movement	1 March 2020	31 December 2021

COMMITMENT 5: Efficient public participation in reform processes and addressing of topical societal issues	
Commitment implementation start and end date	1 January 2020 – 31 December 2021
Responsible authority	State Chancellery
Responsible official (given name, position, contact information)	Inese Kuške, SC, State Administration Policy Department, inese.kuske@mk.gov.lv
Other parties involved	
State and local government authorities	Latvian School of Public Administration, the MoEPRD, the Ministry of Justice, the Ministry of Defence, the Ministry of Foreign Affairs, the Ministry of Culture, the CPCB, the Society Integration Foundation, the Ministry of Health
Representatives of the public	<i>Sabiedriskās politikas centrs PROVIDUS</i> [Centre for Public Policy PROVIDUS], the foundation <i>Sabiedrības līdzdalības fonds</i> [Foundation for Public Participation] (portal ManaBalss.lv), the association <i>Latvijas Pilsoniskā alianse</i> [Civic Alliance – Latvia]
COMMITMENT DESCRIPTION	
Which problems of public and State significance will this commitment address?	

The existing legal framework stipulates an obligation for the State and local government authorities to ensure public participation:

- in the development planning process, as well as in the drawing up of draft legal acts which substantially change the current framework or provide for the introduction of new political initiatives;¹⁵

- if a project could affect the rights or legal interests of any part of the public;¹⁶

- in matters that are important to the public¹⁷.

Cabinet Regulation No. 970 of 25 September 2009, Procedures for the Public Participation in the Development Planning Process, specifies the stages in which public should be involved: the proposing of a process and the drawing up, introduction, monitoring, evaluation and updating of a document. It also lists the following types of participation which may be used: working groups, advisory councils, public consultations (period of time), public discussions (meetings), discussion groups, forums, opinion in writing and other participation activities.

A proposal was put forward in the working group for the development of the commitment to improve the framework for the ensuring of public participation at the local government level in order to introduce the tools necessary for public participation (such as local referenda) in local governments.

In brief, the current framework of participation generally provides for a sufficiently wide public participation.

Problems the solving of which should take priority are related to the ensuring of public participation in practice. Participation in the work of State and local governments in practice is not ensured to the sufficient extent and efficiently.

The survey *Par sabiedrības līdzdalību valsts un pašvaldību iestāžu darbā* [On Public Participation in the Work of State and Local Government Institutions] conducted by the State Chancellery in 2018 indicated the following problems: the public wishes to participate at an early stage, in most cases the information provided by State administration and local government institutions regarding possibilities of participation is neither timely, nor sufficient and understandable, there is a lack of constructive discussion, feedback and information about participation results, consequently leading to the loss of motivation for participation.

It is interesting to note that the problems indicated in the survey¹⁸ conducted by the SC after a year in October 2019 partly reiterate the findings of the survey of 2018: information regarding the participation possibilities is not available in a timely manner and in one place, there is no proactive call for participation, participation is not wanted, but rather formal, the opinion cannot be expressed in a convenient manner, there is a lack of a reasonably organised consultation process, there is no traceability of initiatives, there is a lack of feedback and communication of participation results, the language in which residents are addressed is not clear and understandable.

It should also be noted that the number of convincing examples of consultations and participation of residents before any of the major reforms, development of new policies or introduction of changes having a significant effect on the public is not sufficiently high.

Within the last seven years, the number of consultative authorities of ministries and their subordinate institutions has increased – in 2018 there were 170 such authorities, but it has not been analysed how widely and efficiently they are used as a platform for the involvement of public.

Problems point to the lack of understanding, tools, methods and often also capacity and resources both in State and local government authorities and public organisations directly for

¹⁵Paragraph 5 of the Cabinet Regulation No. 970 of 25 September 2009, Procedures for the Public Participation in the Development Planning Process.

¹⁶The State Administration Structure Law. Section 10, Paragraph seven.

¹⁷The State Administration Structure Law. Section 48, Paragraph two.

¹⁸State Chancellery. *Ideju Talka: Izsaki savu viedokli par atvērto pārvaldību*. Summary of results. 14.10 2019.

ensuring public participation in practice. In certain cases, the lack of political will to involve the public in decision-making also is a problem.

New and innovative participation methods are introduced around the world. The design thinking – person-centred solutions based on the experience and needs of users – is increasingly used in the public sector. In 2018-2019, 24 participants from 14 State administration institutions learned about the design thinking in the training course “Publiskā pakalpojuma dizaina mācības. Treneru mācības.” [Public Service Design Training. Train the Trainer] organised by the LSPA. The popularity of deliberations with residents or the involvement of randomly selected representatives of the public in the solving of a difficult problem to achieve a joint decision¹⁹, resident panels and other methods is also increasing.

So far the framework for participation and the existing tools have supported collective participation forms. Such possibilities are, for example, reinforced in the Cabinet Rules of Procedure, and delegation of representatives from collective organisations to the Council for the Implementation of the Memorandum of Cooperation between the NGOs and Cabinet. It would be important to offer wider forms of cooperation and communication, thus creating preconditions for individual expressions or action not requiring to join into collective forms of organisation. Therefore such participation tools which offer the individuals also forms and possibilities for individual participation should be supported.

E-environment, online portals and platforms creates more options for the provision of information regarding the possibilities to participate in project consultations to the public and regarding the results of participation. One of the activities of the First Open Government Partnership Action Plan was not completed – to create a website where information regarding the participation possibilities offered by civil society organisations (activities, discussions, public consultations) would be freely available.²⁰ A good example for the provision of information in e-environment is the website of the Cross-Sectoral Coordination Centre for public consultations on the National Development Plan of Latvia for 2021–2027.²¹

It is envisaged that the Single Portal for the Development and Coordination of Draft Laws and Regulations (TAP Portal) will be launched in the first quarter of 2021. The TAP Portal will include laws and regulations to be submitted to the Cabinet –draft development planning documents, draft laws, draft legal acts issued by the Cabinet. The TAP Portal will provide information regarding specific new projects and possibilities for participation therein (for example, submit an opinion, apply for work in a working group), allow to track the course of a project and become acquainted with the participation results. Thus the TAP portal will improve the availability of information regarding specific projects by displaying the proposals provided in the course of the project in one place. It will facilitate tracking of such projects, including by signing up for receipt of news regarding policy areas or projects of interest in e-mail.

Furthermore, there are also other topical issues which require public participation, for example, planning documents and binding regulations of local governments, draft laws initiated by the *Saeima*, various projects implemented by institutions, meetings, evaluations, surveys etc. Different initiatives of individuals, public and private organisations are also available, such as draft laws registered by the Central Election Commission (initiatives of voters), collective submissions to local governments, civil society initiatives, such as portal ManaBalss.lv, platforms ParVaiPret.lv and lemejs.lv etc.

¹⁹ OGP. Deliberation: Getting Policy – Making out from behind closed doors. Volume I. May 2019; OECD is working on a publication – Report on the use of deliberative processes for public decision-making, collection of 600 examples of good practice (information as at 15.10.2019)

²⁰First National Open Government Partnership Action Plan of Latvia. See: www.mk.gov.lv/sites/default/files/editor/latvijas_pirmais_nacionalais_ricibas_plans_ogp_2012.g._lv.pdf

²¹See: www.pkc.gov.lv/lv/nap2027

The portal “Cilvēks. Valsts. Likums” [Person. State. Law] has been established, and it is a part of the State, civil society and legal information platform maintained by the official gazette *Latvijas Vēstnesis*. It aims to raise the public awareness of the rights and obligations specified for private individuals in laws and regulations.

In 2019, the association *Latvijas Pilsoniskā alianse* [Civic Alliance – Latvia] together with the office of *Friedrich-Ebert Stiftung* in Baltic countries developed the application “Līdzdalība. Padoms. Aktīvisms.” (L.P.A) which provides access to useful resources regarding active citizenship, public participation and political dialogue.

The complex nature of participation points to a number of other challenges the addressing of which should be continued. They include low involvement of residents, insufficient understanding of the importance of participation, as well as the lack of knowledge and skills of planning and ensuring participation.

For the public administration, it is important to continue the development of both the methodological support (including training and unified participation standard) and new participation tools. It is also essential to develop the capacity to skilfully ensure participation – to identify the parties involved, to know how to choose and use methods (forms of participation) that are most suitable for the particular project, to efficiently provide feedback etc.

Researchers must be given the possibility to participate in public consultations and other activities for the establishment of public opinion, thus promoting evidence based decision-making.

At the same time, it is also crucial to implement purposeful participation in practice, and encourage and promote the exchange of success stories (examples of good practice).

Within the recent years, several other countries, including Lithuania, Estonia, Austria, the United Kingdom, Australia, Italy, New Zealand and Germany, have implemented participation support measures and developed e-platforms. Several countries have also developed participation (open policy) principles or standards, in the United Kingdom they are also being tested. Austria has established a participation portal.²² “Epilisonis”, a central portal for communication with government institutions and participation at www.epilietis.lrv.lt, has been recently launched in Lithuania. Estonia runs the e-consultation platform at www.osale.ee which is currently being improved within the framework of an open government partnership plan.

The commitment must be implemented using the existing resources and tools, for example, the network of the officials of ministries and their subordinate institutions responsible for public participation²³, unified customer service centres of the State administration (UCSCSA)²⁴ and the portals already established and to be established in the State. Cooperation must be established with the NGOs which receive public funding for the promotion of public participation, including the Active Citizens Fund the introduction of which has already been commenced in Latvia.

What is the commitment?

1. Promotion of understanding, knowledge and skills of public participation

- Evaluation of the contribution of NGOs in the promotion of public participation in regions within the framework of the programmes and projects supported by SIF, and

²² National Standards for Public Involvement (the UK); Open Policy-Making Toolkit (the UK); Standards of Public Participation and website at www.participation.at (Austria), Good Practice of Engagement (Estonia); Guidelines for Public Participation (Italy); Engagement and consultation guidance (New Zealand).

²³ www.mk.gov.lv/content/kontakti-0

²⁴ www.latvija.lv/pakalpojumucentri

the provision of information of NGOs regarding the possibilities to apply projects for the NGO fund for participation activities (*responsible authority*: SIF).

- Master classes in ensuring participation for the State administration officials responsible for public participation (*responsible authority*: LSPA, *co-responsible authorities*: SC, MoJ).
- Inclusion of information regarding developments in the practice of public participation in the training of employees of the UCSCSA on a yearly basis and training these employees to provide information to residents regarding public participation in a digital environment. Posting up-to-date information on the network of the UCSCSAs and at <https://www.latvija.lv> (*responsible authority*: MoEPRD).
- Implementation of measures in general education institutions in order to give an idea to youth about public participation in a democratic country, explain why it is important and how to implement it in a meaningful way (*responsible authority*: Ministry of Education and Science, *co-responsible authorities*: local governments and general education institutions).

2. Pilot projects of good practices of participation and involvement of residents:

- Public participation in the establishment of a comprehensive national defence system (*responsible authority*: Ministry of Defence, *co-responsible authority*: all ministries within their competence, local government authorities, NGOs in the field of defence).
- Elimination of the risks of corruption in the public health sector (gratitude gifts) by involving representatives of the health sector and residents who receive health care services, using innovations and methods for the study of behaviour in the public sector²⁵ (*responsible authorities*: Ministry of Health and the CPCB).

Shall be implemented in conjunction with the activity “Reduction of the risks of corruption in the health care system” within the framework of the Commitment 6.

- Communication measures, so that those working in the State administration could, in accordance with the Diaspora Law, involve a diaspora in taking decisions which could affect the diaspora (*responsible authority*: Ministry of Foreign Affairs with the support of the Diaspora Advisory Council).

3. Participation support measures and development of e-participation tools:

Proposals for ensuring efficient public participation (maturity model) and participation in the development of visual information (*responsible authority*: SC with the support of the officials responsible for participation).

Development of new and innovative participation tools, including participation portals, through the use of the possibilities provided by e-environment and promoting public participation both at the collective and individual level (*responsible authority*: SC, ManaBalss.lv, the association *Latvijas Pilsoniskā alianse* [Civic Alliance – Latvia], SIF, and other authorities and organisations).

The development and improvement of participation tools, including portals, conducted by State authorities and/or financed from the State budget funds shall be coordinated and agreed upon with the MoEPRD to avoid their duplication with other analogue tools.

How will the commitment contribute to addressing the listed public problems?

The commitment will help to enhance understanding and knowledge of public participation and skills for its ensuring. Sharing of good practices in participation (pilot projects) will be

²⁵ OECD. *Delivering Better Policies Through Behavioural Insights*. 2019. See:

<https://www.oecd.org/gov/regulatory-policy/delivering-better-policies-through-behavioural-insights-6c9291e2-en.htm>

supported. The commitment also provides for the development of standards, portal and new tools to ensure more efficient and purposeful participation by reaching a wider part of the public and establishing the public opinion in more efficient ways.

Why is this commitment in line with the OGP values?

The commitment corresponds to the following OGP values:

- **participation** because it is oriented towards a wider and more skilful involvement of the public in the work of government institutions and better understanding of the importance of participation and its benefits.

Additional information

The funding available to or required for the implementation of the commitment	<p>MoEPRD – within the State budget subsidy for operation of the UCSCSAs, budget programme 30 00 00 “National Support Instruments for Development”</p> <p>The Ministry of Defence shall ensure the involvement of the public in the pilot project for the development of a comprehensive national defence system from the existing budget resources without the allocation of additional funding for the pilot project.</p> <p>In 2020, the Ministry of Health shall determine the activities to be implemented within the pilot project and those activities for which additional funding is necessary. The matter of the additional funding from the State budget necessary for the Ministry of Health for the implementation of the pilot project in 2021 shall be examined in the process of developing the budget for 2021.</p>	
Relationship to other documents	Regional Policy Guidelines for 2021–2027 National Development Plan of Latvia for 2021-2027 (in the process of development)	
Correspondence to the UN Sustainable Development Goals	Corresponds to the Target 16.7 of the UN Sustainable Development – “Ensure responsive, inclusive, participatory and representative decision-making at all levels”.	
Milestone with a verifiable deliverable	Start date	End date
1. Educational activities regarding participation for responsible officials, employees of the UCSCSAs and representatives of civil society in regions (at least one training course for each group)	1 June 2020	1 June 2021
2. Implementation of at least one pilot project	1 January 2020	31 December 2020
3. Development of proposals for public participation and publishing thereof in e-environment, including on tai.mk.gov.lv and TAP portal	1 January 2021	31 December 2021

4. An increase in the number of draft laws and regulations in terms of the percentage with regard to which the public opinion has been obtained	Measurement is taken twice: on 31 December 2020 and 31 December 2021.	
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COMMITMENT 6: Actions for corruption prevention

Commitment implementation start and end date	1 January 2020 – 31 December 2021
Responsible authority	Corruption Prevention and Combating Bureau
Responsible official (given name, position, contact information)	Irina Dobelniece, CPCB, Irina.Dobelniece@knab.gov.lv
Other parties involved	
State and local government authorities	Ministry of Finance, the Ministry of Health, the Ministry of Justice, the Office of the Prosecutor General, the Ministry of the Interior
Representatives of civil society	<i>Sabiedrība par atklātību–Delna</i> [Transparency International Latvia Delna], the Latvian Association of Local and Regional Governments

COMMITMENT DESCRIPTION

Which problems of public and State significance will this commitment address?

The understanding of the public and State administration of the risks of corruption, effects of conflicts of interest, and measures which may help to reduce them still differs, just like there is a different attitude towards various types of the effects of corruption and a conflict of interests. A better understanding needs to be gained of the support that the government authorities would need and the methods which would effectively improve skills in the field of prevention of corruption and conflicts of interest, so that conflicts of interest would be prevented in a timely manner prior to their occurrence and understanding of authorities of the corruption risks would increase, thus promoting public trust.

Measures for the prevention of corruption in the field of public health care are insufficient. The CPCB has conducted analysis of the risks of corruption in this sector²⁶. However, the work on the targeted addressing of individual topical problems in the field has not been systemic. Several topical problems were identified during the development of this Action Plan. For example, measures which will promote fair and transparent attitude towards an appointment with a physician on a ‘first come, first served’ basis in cases when a vacant place opens in the waiting line are needed. An in-depth analysis of the reasons for the gratitude gifts still commonly given by patients to physicians in order to receive services or more favourable attitude and how to improve this situation has not been conducted.

The public views the lack of transparency in State institutions, local governments and local government companies, including of the financial flows and use of financing, as a major problem. This increases risks of both the conflicts of interest and corruption, and also reduces public trust.

Another topical problem is the insufficient exchange of information between law enforcement institutions and other authorities. Institutions aren’t always informed when an employee has committed a violation and a prohibition to hold a position or to fulfil duties of an office has been imposed thereon. Therefore the need to make amendments to laws and regulations should

²⁶ CPCB. *Korupcijas riski veselības aprūpes sistēmā*. 2012. https://www.knab.gov.lv/upload/2019/korupcijas_riski_veselibas_aprupes_sistema.pdf

be considered. For example, the person directing the proceedings must, in accordance with the procedures specified by law, inform the employer/institution by providing a true copy of the decision of those cases when restrictions or prohibition to fulfil duties of an office have been imposed on officials, when criminal proceedings against a person have been terminated for reasons other than exoneration of the person which prohibit from holding the position specified in law in future.

The Criminal Procedure Law strictly lays down the cases (Section 247, Paragraph one, Section 254, Section 265, Paragraph four, Section 481, Paragraph four, and Section 634, Paragraph four, Clause 4) when the employer of the respective person must be informed of a compulsory measure applied to or a restriction (prohibition) imposed on the person.

What is the commitment?

The commitment constitutes implementation of **the following activities to prevent corruption and conflicts of interests in a timely manner:**

1. Support to the promotion of knowledge in the State administration and public for the prevention of conflicts of interests and corruption, and also zero tolerance against corruption.

- Survey and presentation of the results of the survey in order to discuss the required support and methods for raising awareness, for example, such interactive methods as workshops, guide, possibilities to receive consultations, dilemmas, audio content (podcasts).
- Raising awareness in the State administration of conflicts of interests through the use of the methods supported in the survey.
- Training of trust representatives or further educators on ethical issues in the State administration.
- Communication with the public on effects and causes of corruption (using innovative methods).

2. Measures for the reduction of corruption risks in the healthcare system

- Implementation of measures for the reduction of corruption risks (gratitude gifts) in the field of healthcare by involving representatives from the field of healthcare and residents who receive services from this field through the use of public sector innovations and methods for researching behaviour.

Implementation shall be linked to Commitment 5 – public participation pilot project in the field of healthcare.

- Introduction of a system for the monitoring of the actual waiting time for healthcare services which is based on the functionality of e-referrals.

The CPCB shall, in cooperation with the Ministry of Health, evaluate whether these solutions are sufficient or other measures are also needed in order to alleviate those topical societal problems which were established during the development of this Action Plan.

3. Promotion of ensuring transparency of the procurement process and use of financial funds of local governments and their capital companies in practice (including the funds of subsidiaries and funds allocated to associations and foundations) and preventing of situations where a conflict of interests occurs.

This measure will be implemented by involving local governments and their capital companies, asking to submit proposals and good practice examples. As a result of the measure, recommendations will be provided to local governments and their capital companies.

4. Provision of information to an employer/institution of the fact that against an employee of the respective institution criminal proceedings which prohibit him or her from holding a certain office in the future or imposes certain restrictions thereupon have been initiated or terminated.

This measure will contribute to greater transparency in the State administration in relation to the criminal offences committed by officials and will allow to ensure in a timely manner that the officials who have committed criminal offences and on whom a respective prohibition has been imposed do not hold such office or fulfil duties of the office, for example, by laying down that the person directing proceedings must inform the employer of such cases.

How will the commitment contribute to addressing the listed public problems?

The commitment will help to raise awareness in the State administration and public of the aspects related to the prevention of conflicts of interests and corruption through the use of modern, interactive and innovative methods. Through the provision of information and education to the persons working in the State administration and public, risks of corruption will be reduced.

Activities of the commitment will help to reduce the risks of corruption in healthcare institutions by increasing understanding of the inadmissibility of corruption both among employees of institutions and members of the public.

The commitment will promote transparent financial management in local governments, foundations, associations and capital companies.

The commitment will promote transparency in government institutions by ensuring timely exchange of information between institutions regarding the officials on whom a prohibition has been imposed to fulfil the duties of office or who are prohibited from holding an office in the future in accordance with the procedures laid down by law.

Why is this commitment in line with the OGP values?

The commitment completely corresponds to the following OGP values:

- **transparency** because it raises public awareness of the aspects promoting corruption and provides more information to the public regarding the work of government institutions,
- **accountability** because it improves the framework and mechanisms which are oriented towards accountability of government institutions and officials for the actions taken and decisions made.

Additional information

The funding available to or required for the implementation of the commitment

The commitment will be implemented from the State budget funds allocated for this objective.

If ministries and other central bodies will need additional funding from the State budget for the measures for the preventions of conflicts of interests, reduction of the corruption problems that are topical for the public in the field of healthcare (except for Commitment 5), or promotion of more transparent procurement process and use of financial resources of local governments and their capital companies, this matter shall be examined in the process of developing the draft State budget law for 2021 and draft medium term budget framework law.

Relationship to other documents

Corruption Prevention and Combating Guidelines

Milestone with a verifiable deliverable	Start date	End date
1. Training of employees of the State administration	1 January 2020	31 December 2021
2. Support to employees of the State administration in the issues of the conflict of interest and corruption through the use of interactive and innovative methods	1 January 2020	31 December 2021
3. An implemented measure in the health care sector.	1 May 2020	31 May 2021
4. Proposals for greater transparency in the use of financing of local governments and their capital companies avoiding exposure to a conflict of interest have been prepared	1 February 2020	1 January 2021
5. Amendments to laws and regulations which provide for improving the exchange of information between government institutions regarding the initiated or terminated criminal proceedings against persons working in the State administration	1 January 2020	31 December 2021

8. Implementation and Oversight of the Action Plan

The State Chancellery shall coordinate the implementation of the Action Plan and prepare a mid-term and final report on the implementation of the Action Plan.

The commitments of the Action Plan shall be implemented by the responsible authorities in cooperation with other authorities, persons and organisation involved in the implementation of the plan (the responsible authorities and other parties involved are indicated at the beginning of each commitment).

After approval of the Action Plan by the Cabinet, the responsible authorities shall organise a meeting with other parties involved and agree on a plan for the implementation of each commitment, including by specifying the distribution of responsibility for the implementation of specific activities, and also conditions for cooperation and mutual communication.

Each authority or organisation referred to in the Action Plan shall designate a responsible person who may be contacted in relation to the implementation of this Action Plan and who will provide information for mid-term and final reports, and shall inform the responsible authorities and State Chancellery thereof.

Multistakeholder Forum

OGP requires each national member to establish a Multistakeholder Forum for the parties involved in the national action plan. OGP defines it as follows: “a structured environment

designed to maximize participation and cooperation between government and civil society by bringing relevant partners into the discussion and ensuring that all voices are heard”.²⁷

The State Chancellery, the Ministry of Foreign Affairs, the authorities responsible for the commitments and other authorities and organisations involved in the implementation of the Plan participate in the Multistakeholder Forum. Academics and researchers are also invited to participate. At the beginning of 2020, the State Chancellery shall publish the list of participants on the website <http://www.mk.gov.lv/lv/content/atverta-parvaldiba>. The Multistakeholder Forum meets at least on a quarterly basis. The State Chancellery ensures work of the Multistakeholder Forum administratively.

The Multistakeholder Forum functions as a mutual supervision and support mechanism.

Role of the Memorandum Council

The Council for the Implementation of the Memorandum of Cooperation between the NGOs and Cabinet oversees the implementation of the open government action plan by ensuring monitoring of the execution of the plan and hearing the opinion of NGOs on the progress in the fulfilment of each commitment. This issue shall be examined once a year at a meeting of the memorandum council.

Prime Minister

A. K. Kariņš

²⁷ See: www.opengovpartnership.org/multistakeholder-forums