Independent Reporting Mechanism: Latvia Transitional Results Report 2019–2021

This report was prepared in collaboration with Indra Mangule, independent researcher

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I. Introduction

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

The IRM has partnered with Indra Mangule to carry out this evaluation. The IRM aims to inform ongoing dialogue around the development and implementation of future commitments. For a full description of the IRM's methodology, please visit https://www.opengovpartnership.org/about/independent-reporting-mechanism.

This report covers the implementation of Latvia's fourth action plan (2019–2021). In 2021, the IRM will implement a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.[1] The IRM adjusted its implementation reports for 2018–2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

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[1] For more information, *see* https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/.

II. Action Plan Implementation

The IRM transitional results report assesses the status of the action plan's commitments and the results from their implementation at the end of the action plan cycle. This report does not re-visit the assessments for "verifiability," "relevance," or "potential impact." The IRM assesses those three indicators in IRM design reports. For more details on each indicator, please see Annex I in this report.

2.1. General highlights and results

Latvia's fourth OGP action plan included six commitments focused on procurement transparency, open data access, lobbying, open government in local governments, corruption prevention, and public participation in reform processes. Commitments on procurement transparency, open data, and lobbying transparency build upon previous action plan commitments.

The level of implementation improved compared to the previous plan—two commitments (33%) were implemented completely and four (67%) were implemented to a substantial level. This may be due to a smaller number of overall commitments and more achievable objectives and activities. For example, Commitment 2 focused on specific datasets and set a specific goal of assessing and evaluating their potential to be opened. The evaluation was then completed and some datasets have already been opened as a result.

The design report highlighted three commitments as noteworthy: public procurement, lobbying transparency, and open government in local government.[1] Commitment 1 (public procurement) led to more information being published on procurement risks, although it is too soon to tell what further impact this has had on procurement processes. Commitment 4 (open local governments) brought legislative reforms for greater openness. Some municipalities started to implement these on 24 November 2020, despite the publishing obligation not beginning until January 2022.

The other noteworthy commitment was Commitment 3 on lobbying transparency. It included the broad aim of supporting a new lobbying framework. Besides the commitment being implemented, meaningful developments have also occurred outside the scope of the action plan and a proposal on a new lobbying framework is being drafted in Latvia's parliament ("Saeima") as of December 2021. The Open Lobbying working group in the Saeima's committee on Defense, Internal Affairs and Corruption Prevention (established October 2019) met regularly.[2] They drafted basic principles[3] for developing a draft lobbying law, which they published for public consultation[4] in January 2021. Since then, drafting the law has continued and should conclude by early 2022 when the draft would be presented to the Saeima.[5]

2.2. COVID-19 pandemic impact on implementation

Latvia declared a state of emergency on 12 March until 10 June 2020 in response to the COVID-19 pandemic. Since then, restrictions requiring working from home, social distancing, limiting passengers on public transportation, wearing masks, and a ban on large gatherings have been adapted depending on the epidemiological data.[6]

Interviews with civil society and government members of the multistakeholder forum indicated that while the public and private sectors in Latvia were affected significantly and negatively by the COVID-19 pandemic, it did not significantly impact implementation of the fourth OGP action plan.[7] However, stakeholders said adapting to working online and moving in-person activities online required a rather steep learning curve for some.[8]

Nevertheless, both civil society and government[9] emphasized the positive effects of the pandemic on implementing the action plan. The pandemic forced public sector bodies to

adapt to working online, which in turn highlighted the importance of digitization, transparency, and open data (such as Commitment 2).

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[1] Indra Mangule, *Independent Reporting Mechanism (IRM): Latvia Design Report 2019–2021* (OGP, 6 Nov. 2020), https://www.opengovpartnership.org/documents/latvia-design-report-2019-2021/.

[2] Information on the group's activities and meeting agendas can be found here (accessed 28 Nov. 2021): https://aizsardziba.saeima.lv/darba-grupa-lob%C4%93%C5%A1anas-atkl%C4%81t%C4%ABbas-likuma-izstr%C4%81dei.

[3] Principles for the development of a lobbying opening framework are available here (accessed 28 Nov. 2021): https://interesuaizstaviba.lv/wp-content/uploads/2021/01/Interesu-parstavniecibas-atklatibas-regulejuma-pamatprincipi.-Publiska-apspriesana-pirms-likumprojekta-izstrades-Saeima.pdf.

[4] Inese Helmane, "Sabiedriskajai apspriešanai nodod lobēšanas atklātības regulējuma pamatprincipus" [The basic principles of the regulation of openness of lobbying have been submitted for public consultation] (accessed, 28 Jan. 2021), https://lvportals.lv/norises/324281-sabiedriskajai-apspriesanai-nodod-lobesanas-atklatibas-regulejuma-pamatprincipus-2021.

[5] Inese Voika Member of Parliament (Open Lobbying working group at Saeima's committee of Defense, Internal Affairs and Corruption Prevention), interview by IRM researcher, 25 Nov. 2021.

[6] For a full list of government decisions regarding COVID-19 related restrictions in Latvia, *see* State Chancellery, "Aktualitātes" [Spotlight] (10 Feb. 2022), https://covid19.gov.lv/aktualitates?category%5B19%5D=19&page=0.

[7] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021; Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021; Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021; Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021; Ieva Rubeļska (Ministry of Defence), interview by IRM researcher, 25 Nov. 2021; Inese Voika MP (Open Lobbying working group at Saeima's committee of Defense, Internal Affairs and Corruption Prevention), interview by IRM researcher, 25 Nov. 2021; Elīna Virtmane and Baiba Ruķere-Lenkeviča, Procurement Monitoring Bureau, interview by IRM researcher, 25 Nov. 2021; Kristīne Kinča (The Latvian Association of Local and Regional Governments), interview by IRM researcher, 26 Nov. 2021; Inta Salinieka, Agnija Karlsone- Djomkina and Līga Reinfelde (Court Administration), interview by IRM researcher, 26 Nov. 2021; and Kristine Kuprijanova and Agnese Rācene-Krūmiņa, Ministry of Justice, interview by IRM researcher, 29 Nov. 2021.

[8] Ieva Rubeļska (Ministry of Defence) and Kristīne Kinča (The Latvian Association of Local and Regional Governments), interview by IRM researcher, 25 Nov. 2021.

[9] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021; Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021; Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021; Diāna Rasuma (Ministry of Environment and Regional Development), interview by IRM researcher, 26 Nov. 2021; Daiga Reihmane and Mārtiņš Brencis (Central Finance and Contracting Agency), interview by IRM researcher, 29 Nov. 2021; Irina Dobelniece (The Corruption Prevention and Combating Bureau), interview with IRM researcher, 1 Dec. 2021; and Inese Taurina and Agnija Birule (TI Latvia 'Delna'), 3 Dec. 2021.

2.3. Early results

The IRM acknowledges that results may not be visible within the two-year time frame of the action plan and that at least a substantial level of completion is required to assess early results. For the transitional results report, the IRM will use the "Did it Open Government?" (DIOG) indicator to highlight early results based on the changes to government practice in areas relevant to OGP values. Moving forward, new IRM results reports will not continue using DIOG as an indicator.

Section 2.3 focuses on outcomes from implementing commitments that had an ambitious or strong design, per the IRM design report assessment or that may have lacked clarity and/or ambition but had successful implementation with "major" or "outstanding" changes to government practice.[1] Commitments analyzed in this section had at least a "substantial" level of implementation, as assessed by the IRM in Section 2.4. While Section 2.3 analyzes the IRM's findings for the commitments that meet the criteria described above, Section 2.4 includes an overview of the completion for all the commitments in the action plan.

Commitment 1: Transparency of Public Procurements and Contracts	
Aim of the commitment	The key aim of the commitment was to promote greater transparency in public procurement. Introducing "a number of novelties to advance public contracts' transparency,"[2] this commitment included publishing data on changes that are made to contracts and the creation of a visual, digital tool to enable risk assessments in the procurement process. The commitment also entailed implementation of Integrity Pacts and built upon the previous action plan's commitment on procurement.
Did it open government? **Marginal**	The Procurement Monitoring Bureau (PMB), one of the key authorities responsible for implementing the commitment, developed and introduced a digital procurement risk assessment tool that analyzes, compiles, and visualizes procurement data.[3] This part of the commitment has been implemented fully and allows easier assessment of the procurement data. The tool indicates the number of changes made during the procurement process, the number of tenders where only one tenderer has participated, and the frequency of non-competitive procedures.[4] In addition, PMB also introduced a separate feature of red flags[5] for procurement publications. These appear automatically when public procurement risks are identified (such as accelerated procedures, procedures without previous publications, or procedures with a small number of tenderers). This feature publicly signals which entries require closer attention, but regulatory bodies are not automatically informed or obliged to act upon these red flags—they can choose to act if they feel a red flag should be investigated. While civil society and watchdogs say they have yet to assess the effectiveness of the tool,[6] the new monitoring tool was accessed over 1,100 times in 2021,[7] and there is an example of analysts using this tool to review vehicle procurements.[8] Public authorities welcomed these improvements, and the opportunity now available for procurement stakeholders (like regulators, the media, analysts, and the public) to analyze the information easily and free of charge.[9] The part of the commitment that focuses on Integrity Pacts was not implemented fully by the end of the implementation period. PMB published a website explaining transparent public procurement

procedures[10] and Transparency International Latvia collaborated with PMB to develop and publish procurement guidelines with templates that can be used by municipalities when organizing procurement processes.[11] The guidelines, along with the templates, were presented in a webinar for procurement specialists from the public and private sectors.[12] However, Integrity Pacts were not implemented due to lack of funding.[13] In July 2020, the State Chancellery approached the European Commission to ask for additional funding for this purpose but was not successful.[14]

In addition, the commitment included a milestone to incorporate, in public procurement laws and regulations, an obligation to enter information in the contract register. On 27 October 2020, the draft law "Amendments to the Public Procurement Law"[15] was supported by the Cabinet of Ministers and submitted to Saeima.[16] The amendments were expected to be confirmed in 2021, but this has not happened as of December 2021.[17]

Overall, the commitment to date has marginally contributed to opening government. The digital procurement risk assessment tool now shows more information than before, in particular by highlighting procurement risks. PMB representatives[18] confirmed that the new digital risk assessment tool was working well and there is one example of third-party use. However, it remains unclear how useful these tools are in precluding procurement risks, in improving procurement processes more broadly (such as by reducing non-competitive tenders), or in facilitating the reporting and investigation of suspicious cases. Interviews with the State Chancellery[19] and the Central Finance and Contracting Agency[20] representatives indicated that efforts to secure funding for Integrity Pacts continue into 2022.

Commitment 4: Open government in local governments	
Aim of the commitment	This was the first time that a Latvian action plan included a commitment for local governments, which was particularly timely due to the then-upcoming structural reforms to Latvian local governments.[21] This commitment aimed to create a supportive environment in local governments toward practicing civic participation and greater transparency.[22] The activities sought to increase residents' participation by educating them on participatory opportunities available to them as well as strengthening their capacity to participate. Simultaneously, the commitment was also looking to develop good practice recommendations for municipalities and to encourage them to use participatory tools more frequently.
Did it open government? **Marginal**	The milestone to develop openness standards and recommendations for local governments was completed. In 2020, civil society organization PROVIDUS published *Public Participation in local government planning document development: An evaluation of Latvian municipalities*[23] and developed guidelines for local community development. PROVIDUS worked with the Ministry of Environmental Protection and Regional Development to develop transparency standards for municipalities,[24] which were presented in two online seminars to representatives of municipalities (attended by 80 people).[25] Municipalities, however, are not required to implement these guidelines, and there is no evidence yet that

| | any have. In addition, the Ministry of Environmental Protection and Regional Development is continuing work on guidelines for participatory budgeting initiatives (included in the new Municipality Law), which is due to come into force on 1 January 2022. The self-assessment also reports that local governments shared their experiences of implementing participatory budgeting as part of promotional education activities.[26]

Other activities to improve participation and access to information were completed. Amendments to the Law on Official Publications and Legal information[27] came into force on 24 November 2020 and amendments to the Spatial Development Planning Law[28] came into force on 18 February 2021, stipulating that all local governments must publish their regulations in the official government gazette *Latvijas Vēstnesis* and published on the website Likumi.lv starting from January 2022. To support municipalities in arranging their archives and to ensure consistency, *Latvijas Vēstnesis* published methodological guidelines[29] for their regulations. Ministry of Justice representatives indicated that some municipalities had already started publishing regulations in the official government gazette earlier than the January 2022 start date.[30] These are available on the Likumi.lv platform.[31]

Representatives of the Ministry of Justice[32] indicated that implementing the activities in this commitment had been expected for a long time, and the action plan finally brought it to life. A representative from the Latvian Association of Local and Regional Governments indicated that by itself, the commitment would not significantly impact the level of local participation unless further steps were taken to encourage the public to engage and to inform them of the different participatory opportunities that are available to them.[33]

As a result of the commitment, some local municipalities have already published information via the official government gazette, before the January 2022 legislative start time. It is unclear if this has led to greater participation in local government but there has been a positive effect on local government transparency. Publications and educational activities have helped raise awareness and set expectations, but it is not clear to what extent this has or will be put into practice. |
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[1] IRM design reports identified strong commitments as "noteworthy commitments" if they were assessed as verifiable, relevant, and had transformative potential impact. If no commitments met the potential impact threshold, the IRM selected noteworthy commitments from the commitments with "moderate" potential impact. For the list of Latvia's noteworthy commitments, see the Executive Summary of the 2019–2021 IRM design report: https://www.opengovpartnership.org/wp-content/uploads/2020/11/Latvia_Design_Report_2019-2021_EN.pdf.

[2] Indra Mangule, *Independent Reporting Mechanism (IRM): Latvia Design Report 2019–2021* (OGP, 6 Nov. 2020), 17, https://www.opengovpartnership.org/wp-content/uploads/2020/11/Latvia_Design_Report_2019-2021_EN.pdf.

[3] Procurement Monitoring Bureau, "Publiskā sektora iepirkumi" [Public sector procurement] (accessed 28 Nov. 2021), https://info.iub.gov.lv/lv/visual.

[4] Procurement Monitoring Bureau, "Paziņojumu Meklēšana" [Searching For Notifications] (accessed 28 Nov. 2021), https://info.iub.gov.lv/lv/meklet/f_wf/1/adv/1/.

[5] More information on the red flag feature is available here (accessed 28 Nov. 2021): https://www.iub.gov.lv/lv/sarkanie-karodzini.

[6] Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021.

[7] Google Analytics data shows that the Procurement Monitoring Bureau webpage was viewed 4343,201times in 2021 by 45,931 users. Out of these, 1,174 viewers used the new monitoring tool. Data provided by Procurement Monitoring Bureau.

[8] Zaiga Vipule (Ministry of Environment and Regional Development), "Vebinārs par zaļā publiskā iepirkuma kritēriju piemērošanu transporta iepirkumos" [Webinar on the application of green public procurement criteria in transport procurement] (YouTube, 1 Dec. 2021) beginning 1:12, https://www.youtube.com/watch?v=lLnUEPijqNE&ab_channel=Hibr%C4%ABdpas%C4%81kumiLV.

[9] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021; Elīna Virtmane and Baiba Ruķere-Lenkeviča, Procurement Monitoring Bureau, interview by IRM researcher, 25 Nov. 2021; Daiga Reihmane and Mārtiņš Brencis (Central Finance and Contracting Agency), interview by IRM researcher, 29 Nov. 2021.

[10] Procurement Monitoring Bureau, "Skaidrojums 'Atklātība publisko iepirkumu procedūrās'" [Explanation "Openness in public procurement procedures"] (14 Oct. 2020), https://www.iub.gov.lv/lv/skaidrojums-atklatiba-publisko-iepirkumu-proceduras.

[11] Delna, "Jauni Paraugnolikumi Pašvaldību Iepirkumiem" [New Model Regulations For Local Government Procurement] (23 Jul. 2020), https://delna.lv/lv/2020/07/23/jauni-paraugnolikumi-pasvaldibu-iepirkumiem/.

[12] Delna, "28. Aprīlī Vebinārs 'Publiskie Iepirkumi Latvijas Pašvaldībās Un Sabiedrības Iesaiste Iepirkumu Monitorēšanā'" [April 28: "Public Procurement in Latvian Municipalities and Public Involvement in Purchase Monitoring"] (24 Apr. 2020), https://delna.lv/lv/2020/04/24/28-aprili-vebinars-publiskie-iepirkumi-latvijas-pasvaldibas-un-sabiedribas-iesaiste-iepirkumu-monitoresana/.

[13] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021.

[14] *Id.*

[15] Cabinet of Ministers, "Tiesību aktu projekti (līdz 08.09.2021)" [Draft legislation (until 08.09.2021)] (accessed Feb. 2022), http://tap.mk.gov.lv/lv/mk/tap/?pid=40488971&mode=mk&date=2020-10-27.

[16] Saeima, "13.Saeimas sēžu stenogrammas: Latvijas Republikas 13. Saeimas rudens sesijas divdesmit sestā (attālinātā ārkārtas) sēde" [Transcripts of 13.Saeima sittings: 13th Republic of Latvia Twenty-sixth (remote extraordinary) session of the autumn session of the Saeima] (19 Nov. 2020), https://saeima.lv/lv/transcripts/view/2143.

[17] Elīna Virtman and Baiba Ruķere-Lenkeviča (Procurement Monitoring Bureau), interview by IRM researcher, 25 Nov. 2021.

[18] *Id.*

[19] Kušķe, interview.

[20] Virtman and Ruķere-Lenkeviča, interview.

[21] Saeima Press Service, "Saeima adopts administrative-territorial reform" (10 Jun. 2020), https://www.saeima.lv/en/news/saeima-news/29027-saeima-adopts-administrative-territorial-reform.

[22] Mangule, *Independent Reporting Mechanism (IRM): Latvia Design Report 2019–2021*, 26.

[23] Key examples and findings of the research project were presented at the LAMPA democracy festival in September 2020 and a conference in November 2020. For more information *see* https://providus.lv/en/raksti/video-panel-discussion-global-trends-of-citizen-engagement-in-municipal-planning-what-can-we-learn-from-other-countries/.

[24] Providus, "Domnīca PROVIDUS un VARAM publicē Atvērtības standartus — ieteikumus pašvaldībām lielākas atvērtības nodrošināšanai" [PROVIDUS and MEPRD publish Openness Standards - recommendations for local governments to ensure greater openness] (accessed 8 Nov. 2021), https://lvportals.lv/dienaskartiba/334469-domnica-providus-un-varam-publice-atvertibas-standartus-ieteikumus-pasvaldibam-lielakas-atvertibas-nodrosinasanai-2021.

[25] Diāna Rasuma (Ministry of Environment and Regional Development), interview by IRM researcher, 26 Nov. 2021; Providus, "Domnīca PROVIDUS un VARAM publicē Atvērtības standartus...."

[26] State Chancellery, *Latvijas Ceturtais Nacionālais Atvērtās Pārvaldības Plāns 2020-2021, Vidusposma Izvērtējums Par Plāna Izpildi 2020. Gadā* [Latvia's Fourth National Open Management Plan2020-2021, Mid-term evaluation for the implementation of the plan in 2020] (2021), https://www.mk.gov.lv/lv/media/8928/download.

[27] *See* https://likumi.lv/ta/id/319394-grozijumi-oficialo-publikaciju-un-tiesiskas-informacijas-likuma.

[28] *See* https://likumi.lv/ta/id/321370.

[29] The methods (in Latvian) can be reviewed here (accessed 25 Nov. 2021): https://www.varam.gov.lv/lv/vadlinijas-saistoso-noteikumu-izstradei-2021.

[30] Kristine Kuprijanova and Agnese Racene-Krumina (Ministry of Justice), interview by IRM researcher, 29 Nov. 2021.

[31] *See* https://likumi-lv.translate.goog/ta/veids?_x_tr_sl=lv&_x_tr_tl=en&_x_tr_hl=en-GB#domes.

[32] Kuprijanova and Racene-Krumina, interview.

[33] Kristīne Kinča (Latvian Association of Local and Regional Governments), interview by IRM researcher, 26 Nov. 2021.

2.4. Commitment implementation

The table below assesses the completion for each commitment in the action plan.

Commitment	Completion
	(limited, substantial, or complete)
1. Transparency of public procurements and contracts	**Complete** For details regarding the implementation and early results of this commitment, see Section 2.3.
2. Opening of datasets important to the freedom of information	**Complete** The main aim of the commitment was to evaluate wider possibilities for opening data in a number of important datasets,[1] identifying the feasibility of opening data, and determining obstacles to this process. According to the self-assessment and the informative report published by the Ministry of Environment and Regional Development (MEPRD),[2] all the datasets outlined in this commitment were fully evaluated and assessed. Representatives from the Court Administration[3] and MEPRD[4] confirmed that the listed datasets (which included taxes, public-official declarations, data on employees in public administration and their remuneration, political party finances, state budget payments, and councilor declarations) were evaluated. In addition, some datasets are now open, such as court data, education data, and data on medical institutions in connection with COVID-19.[5]
3. Transparency of interest representation and lobbying	**Substantial** This commitment aimed to support the development of a new lobbying framework by training civil servants, raising awareness, and publishing the calendars of public officials. Transparency International Latvia (Delna), the Saeima's committee of Defense, Internal Affairs and Corruption Prevention, and the State Chancellery organized an international online conference[6] "The road to Lobbying Regulation in Latvia." Delna said the conference had a positive impact and hopes it improved Latvians' understanding of lobbying, as the usual understanding is that it is not good or some sort of corruption.[7] Additionally, the Latvian School of Public Administration conducted trainings via an online webinar on lobbying transparency in October 2021 where there were around 25 attendees.[8] Delna has also published an extensive study on current lobbying practices in Latvia at the national level and in municipalities.[9] Delna set up a dedicated website[10] for lobbying-related news and activities. Actions to publish officials' calendars was not completed but measures to ensure open calendars is due to be included in the draft lobbying transparency law.

4. Open government in local governments	**Substantial**
	For details regarding the implementation and early results of this commitment, see Section 2.3.
5. Qualitative public participation in reform processes and addressing of topical societal issues	**Substantial**
	This commitment aimed to provide information to promote and educate the public on civic participation, as well as run pilot participative projects.
	Most of the activities listed in the commitment are complete or at the very least, initiated. For example, there was an evaluation in 2020 of the "NGO Fund" in the state budget, including its contribution to strengthening public participation and civil society.[11] On 25 February 2020, ManaBalss, in collaboration with the Network of State and Municipal Unified Customer Service Centers, organized a training on public participation, focusing on digital participation. The training was attended by 98 participants.[12]
	Milestone 2 entailed three pilot-projects in collaboration with the Ministry of Health (described as part of activities for Commitment 6, below), the Ministry of Defense, and the Ministry of Foreign Affairs. In all three cases, the projects have been initiated and work on public participation is to be continued in 2022.[13]
	In September 2021, the Single Portal for Development and Harmonization of Draft Legal Acts (TAP portal) was launched (Milestone 3), which publishes all the documents related to the Cabinet of Ministers' decision-making process, including information on public contributions to the process. In 2021, the State Chancellery continued work on guidelines for public administrations to ensure opportunities for public participation.[14]
	The State Chancellery monitors the draft legal acts and planning documents announced at meetings of State Secretaries. Somewhat completing Milestone 4, a meeting of State Secretaries in September 2020 announced that the number of drafts that were not provided with public participation when they required it, decreased from 6.4% to 1.4%.[15]
6. Actions for corruption prevention	**Substantial**
	The commitment aims to implement corruption prevention and monitoring measures in Latvia's healthcare system and local governments by training officials and raising awareness in institutions.
	The Corruption Prevention and Combating Bureau (KNAB) and Transparency International Latvia (Delna) carried out Milestone 1 by developing several interactive online trainings,[16] seminars, informative webinars, studies,[17] and public opinion and business surveys.[18] The self-assessment report states that during 2020, KNAB organized 41 trainings for public administration employees, attended by 4,661 people.

	As indicated in the midterm evaluation and by a KNAB representative, the relevant activities for Milestone 2 included online consultations on corruption for public officials on Microsoft Teams, Webex, and via Google Drive.[19] In addition, in cooperation with the Latvian School of Public Administration, they organized an e-course on corruption prevention.[20]
	Relating to Milestone 3 (including activities in Commitment 5), in September 2020, PROVIDUS collaborated with the Ministry of Health and the Friedrich Ebert Foundation to survey health-sector corruption, focusing on "tokens of gratitude." They found that 18% of Latvians have given a gift or money to medical staff in addition to official payments in last two years.[21] Following this, PROVIDUS organized two events—one to introduce deliberative methods for public participation[22] and one online deliberative consultation with randomly selected participants[23]—to come up with recommendations for the Ministry of Health to address the problem.
	In reference to Milestone 4, KNAB held a meeting on 12 November 2020 with representatives from the Ministry of Finance, PMB, the Latvian Association of Local and Regional Governments, and Delna to discuss the issue, which concluded mechanisms for monitoring this issue already exist.[24] The discussion concluded with Delna and KNAB committing to developing guidance materials for local governments that include information on the topic, but this has not yet been completed.[25]
	Milestone 5 aimed to amend laws and regulations to improve information exchanges between government institutions on initiated or terminated criminal proceedings against persons working in the state administration. There is not much evidence that meaningful steps have been taken. That said, a KNAB representative[26] mentioned that this issue was raised at the Ministry of Justice's Criminal Procedure Law working group meeting in September 2021 and work on resolving it (with legislative amendments) will continue.

[1] Indra Mangule, *Independent Reporting Mechanism (IRM): Latvia Design Report 2019–2021* (OGP, 6 Nov. 2020), 21, https://www.opengovpartnership.org/documents/latvia-design-report-2019-2021/.

[2] Cabinet of Ministers, "Tiesību aktu projekti (līdz 08.09.2021)" [Draft legislation (until 08.09.2021] (accessed 15 Dec. 2021), http://tap.mk.gov.lv/lv/mk/tap/?pid=40504528.

[3] Līga Reinfelde, Inta Salinieka, and Agnija Karlsone-Djomkina (Court Administration), interview by IRM researcher, 26 Nov. 2021.

[4] Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021.

[5] Budget execution information of public administration institutions is online at: https://data.gov.lv/dati/lv/dataset/pasvaldibu-saistibu-apmers; data on courts and judges is online at: https://dati.ta.gov.lv/MicroStrategy/asp/Main.aspx?src=Main.aspx.2048001&evt=2048001&documentID=BF8E206E48039A9F66E436BB511763C6&currentViewMedia=1&visMode=0&Server=10.219.1.47&Port=0&Project=TA+Dati; and data on education is online at: https://data.gov.lv/dati/lv/organization/izglitibas-un-zinatnes-ministrija.

[6] Information on the event, as well as its recording, is available at: https://delna.lv/lv/2020/12/09/starptautiska-konference-cela-uz-interesu-aizstavibas-tiesisko-regulejumu-latvija/.

[7] Inese Taurina and Agnija Birule (Delna), interview by IRM researcher, 3 Dec. 2021.

[8] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021.

[9] Antonio Greco and Olafs Grigus, *Designing lobbying regulation in Latvia* (Delna, Jun. 2021), https://delna.lv/wp-content/uploads/2021/06/EN_Designing-Lobbying-Regulation-in-Latvia_final.pdf.

[10] *See* https://interesuaizstaviba.lv/about-lobbying-regulation/.

[11] Alda Sebre (Society Integration Foundation), interview by IRM researcher, 2 Dec. 2021.

[12] Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021.

[13] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021; Ieva Rubļevska (Ministry of Defence), interview by IRM researcher 25 Nov. 2021; and Alda Sebre (Society Integration Foundation), interview by IRM researcher, 2 Dec. 2021.

[14] Inese Kušķe (State Chancellery), interview by IRM researcher, 16 Nov. 2021.

[15] For a full list, *see* State Chancellery, *Atvijas Ceturtais Nacionālais Atvērtās Pārvaldības Plāns 2020-2021* [Midterm evaluation of the Action Plan Implementation in 2020] (2020), 23, https://www.mk.gov.lv/lv/media/8928/download.

[16] Delna, "Sekmīgi Noslēdzies Pretkorupcijas Datu Hakatons" [Anti-Corruption Data Hackathon Successfully Completed] (15 Nov. 2021), https://delna.lv/lv/2021/11/15/sekmigi-nosledzies-pretkorupcijas-datu-hakatons/; Corruption Preventing and Combatting Bureau, "Corruption Iceberg" (1 Nov. 2021), https://www.knab.gov.lv/en/corruption-iceberg.

[17] Delna and Transparency International Norway, *Transparency Index of Local Authorities* (2021), https://delna.lv/wp-content/uploads/2021/11/Transparency-Index-Local-Authorities-2021.pdf.

[18] For a full list, *see* State Chancellery, *Atvijas Ceturtais Nacionālais Atvērtās Pārvaldības Plāns 2020-2021* [Midterm evaluation of the Action Plan Implementation in 2020] (2020), 28-32, https://www.mk.gov.lv/lv/media/8928/download.

[19] Irina Dobelniece (Corruption Prevention and Combating Bureau) interview by IRM researcher, 1 Dec. 2021; State Chancellery, *Atvijas Ceturtais Nacionālais Atvērtās Pārvaldības Plāns 2020-2021* [Midterm evaluation of the Action Plan Implementation in 2020] (2020), 30, https://www.mk.gov.lv/lv/media/8928/download.

[20] The course description is available at: VAS MPS, "E-Mācību Kurss 'Korupcijas Novēršana'" [E-Learning Course "Prevention Of Corruption"] (accessed 15 Dec. 2021), https://mps.vas.gov.lv/edu/course/363.

[21] Iveta Kažoka and Sintija Tarasova, "Iedzīvotāji sniegs ieteikumus, kā izskaust aplokšņu maksājumus medicīnā" [Citizens will make recommendations on how to eliminate envelope payments in medicine] (Providus, 1 Dec. 2021), https://providus.lv/raksti/14638/; PROVIDUS representatives, interview by IRM researcher, 15 Dec. 2021.

[22] Sintija Tarasova-Dubkeviča, "Seminārs 'Pilsoņu asamblejas un deliberatīvie pasākumi: mūsdienīgas metodes iedzīvotāju iesaistē:' Deliberatīvās metodes iedzīvotāju iesaistei — kas tās ir?" [Seminar "Citizens' Assemblies and Deliberative Events:" Modern Methods for Involving Citizens:" Deliberative methods citizen involvement - What is it?] (Iceland, Liechtenstein, Norway Active citizens fund, et al., Dec. 2021), https://providus.lv/wp-content/uploads/2021/12/Prezentacija-Deliberativas-metodes-iedzivotaju-iesaistei-%E2%80%94-kas-tas-ir.pdf.

[23] Kažoka and Tarasova, "Iedzīvotāji sniegs ieteikumus, kā izskaust aplokšņu maksājumus medicīnā;" (1 Dec. 2021) https://providus.lv/raksti/14638/; A recording of the event is available at: https://www.facebook.com/providuslv/videos/893594291527414 (last accessed 15 Dec. 2021).

[24] Irina Dobelniece (Corruption Prevention and Combating Bureau), interview by IRM researcher, 1 Dec. 2021.

[25] *Id.*

[26] *Id.*

III. Multistakeholder Process

3.1 Multistakeholder process throughout action plan implementation

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

OGP's *Articles of Governance* also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to the OGP process. Latvia **did not act** contrary to OGP process.[1]

Please see Annex I for an overview of Latvia's performance implementing the co-creation and participation standards throughout the action plan implementation.

Table 3.1: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply it to OGP.[2] In the spirit of OGP, most countries should aspire to "collaborate."

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

During implementation of the action plan, the multistakeholder forum met three times when there was something meaningful to discuss for the forum as a whole (e.g., when presenting midterm report).[3] During the rest of the implementation period, civil society and the government met in smaller teams, within their commitment-specific working groups, or communicated via email when necessary.[4] For example, representatives from the Ministry of Health collaborated with PROVIDUS[5] when devising a survey on bribery in the health sector.

The government point of contact stated that members of the multistakeholder forum continued informing each other of their progress by using the online platform Sharepoint, which was updated regularly.[6]

The government and civil society[7] evaluated the communication process during the implementation period positively, and explained they appreciated the swift and active response from the State Chancellery whenever they had questions, suggestions, or concerns.

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[1] Acting Contrary to Process: Country did not meet (1) "involve" during the development or "inform" during implementation of the action plan, or (2) the government fails to collect, publish, and document a repository on the national OGP website in line with IRM guidance.

[2] IAP2, "IAP2 Spectrum of Public Participation" (2018), https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf.

[3] Inese Kuške (State Chancellory), interview by IRM researcher, 16 Nov. 2021.

[4] Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021; Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021; Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021; Elīna Virtmane and Baiba Ruķere-Lenkeviča, Procurement Monitoring Bureau, interview by IRM researcher, 25 Nov. 2021;

[5] Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021.

[6] Kuške, interview.

[7] Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021; Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021; Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021; Ieva Rubeļska (Ministry of Defence), interview by IRM researcher, 25 Nov. 2021; Elīna Virtmane and Baiba Ruķere-Lenkeviča, Procurement Monitoring Bureau, interview by IRM researcher, 25 Nov. 2021; Inese Voika MP (Open Lobbying working group at Saeima's committee of Defense, Internal Affairs and Corruption Prevention), interview by IRM researcher, 25 Nov. 2021; Kristīne Kinča (The Latvian Association of Local and Regional Governments), interview by IRM researcher, 26 Nov. 2021; Diāna Rasuma (Ministry of Environment and Regional Development), interview by IRM researcher, 26 Nov. 2021; Inta Salinieka, Agnija Karlsone- Djomkina and Līga Reinfelde (Court Administration), interview by IRM researcher, 26 Nov. 2021; Kristine Kuprijanova and Agnese Rācene-Krūmiņa (Ministry of Justice), interview by IRM researcher, 29 Nov. 2021.

3.2 Overview of Latvia's performance throughout action plan implementation

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Multistakeholder Forum	During Development	During Implementation
1a. Forum established: An OGP national multistakeholder forum exists to develop commitments and approve the plan. The State Chancellery (SC) oversees and facilitates the design process, and coordinates with stakeholders.[1]	Green	Green
1b. Regularity: The multistakeholder forum met three times during the implementation period.	Green	Yellow
1c. Collaborative mandate development: The forum was set up and designed by the SC, but once the stakeholders arrived, they had a lot of freedom to shape how their group worked. The working groups worked by themselves without interference of the SC (unless the SC was involved in the particular commitment).	Green	N/A
1d. Mandate public: Information on the forum's remit, membership, and governance structure is available on the OGP website.	Green	Green
2a. Multistakeholder: The forum includes both government and nongovernment representatives.	Green	Green
2b. Parity: There was an overall balance of power between government and CSO members of the forum, although numerically, most participants were from government and state institutions.	Green	Green
2c. Transparent selection: The initial call for participation is available on the SC website. No specific participant selection criteria was published, but interviews with government clarified that CSOs were selected through a fair process (in fact, all CSO candidates were selected).	Red	N/A
2d. High-level government representation: Civil servants (including heads of departments) participated in the forum, but no ministers attended or contributed.	Green	Green
3a. Openness: There were several opportunities for civil society, the general public, and other stakeholders to contribute to the action plan draft, and civil society organization continued with active contributions during the implementation period.	Green	Green
3b. Remote participation: There were opportunities for remote participation via online meetings and an information-sharing platform.	Green	Green
3c. Minutes: SC is active in disseminating information on its decisions, activities, and results to wider government and civil society stakeholders.[2] However, minutes of multistakeholder forum meetings are not publicly available.	Yellow	Yellow

Key:
Green= Meets standard
Yellow= In progress (steps have been taken to meet this standard, but standard is not met)
Red= No evidence of action

Action Plan Implementation	
4a. Process transparency: All OGP-related information is published on the State Chancellery (SC) website.[3]	Green
4b. Communication channels: SC shared information about OGP to stakeholders in advance to facilitate informed and prepared participation in all stages of the process. The list of the documents is available on the SC website.	Green
4c. Engagement with civil society: SC holds regular meetings with the Council of Memorandum.	Green
4d. Cooperation with the IRM: SC shares links to IRM reports on their website.	Green
4e. MSF engagement: There is no specific, formally established feedback mechanism for monitoring and deliberating how to improve action plan implementation, but it was noted in the interviews that SC welcomed and encouraged stakeholders to share their insights, criticisms, and ideas.	Yellow
4f. MSF engaged with the self-assessment report: SC submitted its end-of-term self-assessment report to the national multistakeholder forum for feedback.	Green
4g. Repository: The government documented, collected, and published a repository on the domestic OGP website in line with IRM guidance.	Green

[1] Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021; Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021; Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021; Ieva Rubeļska (Ministry of Defence), interview by IRM researcher, 25 Nov. 2021; Elīna Virtmane and Baiba Ruķere-Lenkeviča, Procurement Monitoring Bureau, interview by IRM researcher, 25 Nov. 2021; Inese Voika MP (Open Lobbying working group at Saeima's committee of Defense, Internal Affairs and Corruption Prevention), interview by IRM researcher, 25 Nov. 2021; Kristīne Kinča (The Latvian Association of Local and Regional Governments), interview by IRM researcher, 26 Nov. 2021; Diāna Rasuma (Ministry of Environment and Regional Development), interview by IRM researcher, 26 Nov. 2021; Inta Salinieka, Agnija Karlsone- Djomkina and Līga Reinfelde (Court Administration), interview by IRM researcher, 26 Nov. 2021; Kristine Kuprijanova and Agnese Rācene-Krūmiņa (Ministry of Justice), 29 Nov. 2021.
[2] Iveta Kažoka (PROVIDUS), interview by IRM researcher, 18 Nov. 2021; Toms Ceļmillers (Ministry of Environment and Regional Development), interview by IRM researcher, 23 Nov. 2021; Didzis Meļķis (ManaBalss), interview by IRM researcher, 24 Nov. 2021; Ieva Rubeļska (Ministry of Defence), interview by IRM researcher, 25 Nov. 2021; Elīna Virtmane and Baiba Ruķere-Lenkeviča, Procurement Monitoring Bureau, interview by IRM researcher, 25 Nov. 2021; Inese Voika MP (Open Lobbying working group at Saeima's committee of Defense, Internal Affairs and Corruption Prevention), interview by IRM researcher, 25 Nov. 2021; Kristīne Kinča (The Latvian Association of Local and Regional Governments), interview by IRM researcher, 26 Nov. 2021; Diāna Rasuma (Ministry of Environment and Regional Development), interview by IRM researcher, 26 Nov. 2021; Kristine Kuprijanova and Agnese Rācene-Krūmiņa (Ministry of Justice), 29 Nov. 2021; Irina Dobelniece (Corruption Prevention and Combating Bureau), interview with IRM researcher, 1 Dec. 2021; Kristīne Zonberga (Civic Alliance), interview by IRM researcher, 1 Dec. 2021; and Inese Taurina and Agnija Birule (Delna), 3 Dec. 2021.
[3] State Chancellery, "Atvērtā pārvaldība" [Open Government] (10 Dec. 2020), https://www.mk.gov.lv/lv/atverta-parvaldiba.

IV. Methodology and Sources

Research for the IRM reports is carried out by national researchers. All IRM reports undergo a process of quality control led by IRM staff to ensure that the highest standards of research and due diligence have been applied.

The International Experts Panel (IEP) of the IRM oversees the quality control of each report. The IEP is composed of experts in transparency, participation, accountability, and social science research methods.

The membership of the International Experts Panel at the time of drafting the report was

- César Cruz-Rubio
- Mary Francoli
- Brendan Halloran
- Jeff Lovitt
- Juanita Olaya

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual[1] and in Latvia's Design Report 2019 -2021.

About the IRM

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

Open Government Partnership

Indra Mangule collaborated with the IRM to conduct desk research and interviews to inform the findings in this report. Indra Mangule is an independent policy analyst, focusing on civic participation, democratic governance, integration, migration and policy development in Latvia.

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[1] IRM Procedures Manual, V.3: https://www.opengovpartnership.org/documents/irm-procedures-manual

Annex I. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.[1] A summary of key indicators the IRM assesses is below:

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

Results oriented commitments?
A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment design is one that clearly describes the:
1. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website.').
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26 percent of judicial corruption complaints are not processed currently.")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment's implementation (e.g., "Doubling response rates to information requests" is a stronger goal than "publishing a protocol for response.")?

Starred commitments

One measure, the "starred commitment" (✪), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. To receive a star, a commitment must meet several criteria:

● The commitment's design should be **Verifiable**, **Relevant** to OGP values, and have **Transformative** potential impact. As assessed in the Design Report.
● The commitment's implementation must be assessed by IRM Implementation Report as **Substantial** or **Complete.**

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

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[1] "IRM Procedures Manual," OGP, https://www.opengovpartnership.org/documents/irm-procedures-manual/