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Action Plan Review:
Latvia 2022-2025

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Introduction

In January 2021, the IRM rolled out the new products that resulted from the IRM Refresh process.[1] The new approach builds on the lessons after more than 350 independent, evidence-based and robust assessments conducted by the IRM and the inputs from the OGP community. The IRM seeks to put forth simple, timely, fit for purpose and results-oriented products that contribute to learning and accountability in key moments of the OGP action plan cycle.

The IRM products as of 2021 are:

1. **Co-creation Brief** - brings in lessons from previous action plans, serves a learning purpose, and informs co-creation planning and design.
2. **Action Plan Review** - an independent, quick, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process.
3. **Results Report** - an overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning. This product is scheduled to roll out in a transition phase in 2022, beginning with Action Plans ending implementation on 31 August 2022. Results Reports are delivered up to four months after the end of the implementation cycle.

This product consists of an IRM review of Latvia's 2022-2025 action plan. The action plan is made up of six commitments. This review focuses on the strength of the action plan to contribute to implementation and results. For the commitment-by-commitment data see Annex 1. For details regarding the methodology and indicators used by the IRM for this Action Plan Review, see section III. Methodology and IRM Indicators

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[1] For more details regarding the IRM Refresh visit https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/

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Government
Partnership

Independent
Reporting
Mechanism

Table of Contents

Section I: Overview of the 2022-2025 Action Plan

Latvia's fifth action plan introduces six commitments that seek to tackle low trust in public institutions through increasing transparency of government actions and introducing innovative civic participation methods nationally and locally. Prioritising efforts to identify and engage groups which are less likely to take part in participatory processes would enhance the results of the action plan.

Latvia's fifth action plan contains six commitments that aim to improve public trust in institutions by focusing on public participation and transparency. They aim to strengthen public participation frameworks and engage citizens in decision-making across multiple policy areas, promote engagement with young people, encourage the use of plain and accessible language by government, promote open data usage among the public, and support civic participation in local government.

Commitments 1 and 3 are promising commitments and analysed together in this review. They seek to introduce formal participatory mechanisms, broaden engagement, and develop a culture of participation in government institutions. Commitment 6 is another promising commitment that would implement the introduction of legal requirements for local governments to conduct innovative participation methods, and put into practice the standards and recommendations on using participatory mechanisms that were established in the previous action plan.[2]

The action plan cycle is due to end in 2025, which is a longer timeframe than previous action plans. A civil society representative said this opens the scope for broader and ambitious commitments as well as providing more time for their completion.[3] Some activities in the plan are linked to other strategies, increasing the likelihood for full implementation. The plan builds on previous commitments (Commitment 5, for example, builds on the publication of numerous important datasets from the previous action plan by promoting the use of this, and other, open data), and also addresses recommendations from previous IRM reports to improve opportunities for deliberation and public participation.[4]

AT A GLANCE

Participating since: 2011
Action plan under review: 2022-2025
IRM product: action plan review
Number of commitments: 6

Overview of commitments:
- Commitments with an open gov lens: 6 (100%)
- Commitments with substantial potential for results: [3 (50%)]
- Promising commitments: 2

Policy areas
Carried over from previous action plans:
- Participation in local government
- Open data

Emerging in this action plan:
- Participation of young people
- Plain language policy

Compliance with OGP minimum requirements for Co-creation:
- Acted according to OGP process: Yes

The development of Latvia's action plan involved the public in a broader manner than previously, leading it to deal with citizen priorities, but also miss out on major topic areas that civil society may have otherwise prioritised. For example, a civil society representative expressed disappointment that anti-corruption topics like public procurement transparency were not included in the action plan as in the previous plan.[5] After the launch of the co-creation process at the end of April 2021, the civil society organisation (CSO), Manabalss, hosted a month-long survey to gather citizen input.[6] Anyone from this point who signed up to receive updates was invited to participate at any stage in the co-creation process. In parallel, state institutions submitted their proposals and, for the first time, masters students for Public Administration (University of Latvia) submitted their suggestions (of which one became milestone 4.4).[7] Government and nongovernment stakeholders then discussed the ideas in two working groups (one focused on participation, and the other on transparency),[8] which led to the development of a draft plan that was published on the Single Portal for Development and Harmonisation of Draft Legal Acts (hereinafter – the TAP portal).[9] Civil society stated that they felt there were sufficient opportunities for engagement and public institutions took their input seriously.[10] The TAP portal documents in written form all proposals, amendments, objections and reasoned responses.[11] The Cabinet of Ministers adopted the plan on 14 February 2022.

To enhance the results of Commitments 1 and 3, institutions could consider developing contingencies for non-funded activities to ensure they can be implemented, ensure public access to information on civic dialogue and the rules on public participation, ensure civil society are involved in the design and delivery of training for public officials that complement existing activities, and ensure regular check-in moments with implementing institutions to ensure ongoing implementation of innovative participative mechanisms. Commitments 4 and 5 related to the use of plain language could learn from the recent commitment in the Netherlands to improve government communications and apply plain language to areas including public procurement, as well as an ambitious Finnish commitment which included ongoing training of officials and the inclusion of people with disabilities, the elderly and young people as part of developing and implementing accessible language guidance.[12] Commitment 6 which seeks to introduce enhanced transparency and participatory measures at the local level could benefit from active promotion and distribution of support and guidance for institutions about participatory budgeting. It could also benefit from an awareness-raising programme targeting local institutions and citizens about new opportunities for engagement at the local level, and further support oversight of implementation by publishing data on performance indicators on transparency and participation.

[2] Open Government Partnership, Latvia Transitional Results Report 2019-2021, Commitment 4, https://www.opengovpartnership.org/documents/latvia-transitional-results-report-2019-2021/
[3] Didzis Melkis (Manabalss), interview by the IRM, 9 August 2022.
[4] Open Government Partnership, IRM Latvia 2019-2021 Design Report, 6 November 2020, https://www.opengovpartnership.org/documents/latvia-design-report-2019-2021/
[5] Inese Taurina and Agnija Birule (DELNA-Transparency International Latvia), interview by the IRM, 28 June 2022.
[6] Manabalss.lv, "'Ideas' Open Latvia" (via WayBack Machine website), https://web.archive.org/web/20220119164117/https://atvertalatvija.manabalss.lv/idejas
[7] Inese Kušķe and Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 16 May 2022.
[8] Working Group on meaningful and effective public participation, Minutes of Zoom meeting: The process of developing Latvia's Fifth National Open Management Plan, 9 July 2021, https://drive.google.com/file/d/1xUrEspkPPAKQocJUVPlY1nGAbRzBMWJY/view; also, description of process here: State Chancellery, Information on the progress of plan development and participation opportunities, 8 May 2021, https://www.mk.gov.lv/lv/media/9350/download

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Mechanism

[9] State Chancellery, Single Portal for Development and Harmonisation of Draft Legal Acts (TAP portal), https://tapportals.mk.gov.lv/

[10] Iveta Kažoka (PROVIDUS), interview by the IRM, 23 May 2022.

[11] State Chancellery TAP portal, Latvia's Fifth National Open Government Action Plan, https://tapportals.mk.gov.lv/legal_acts/bc0aded2-457f-4810-8426-7999bf581311#.

[12] Open Government Partnership, Netherlands: Implement plain language initiatives (NL0044), https://www.opengovpartnership.org/members/netherlands/commitments/NL0044/; Open Government Partnership, Finland: Improving Understandability and Inclusion of Government Information (FI0030) https://www.opengovpartnership.org/members/finland/commitments/FI0030/.

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Independent Reporting Mechanism

Section II: Promising Commitments in Latvia's 2022-2025 Action Plan

The following review looks at Commitments 1, 3 and 6 that the IRM identified as having the potential to realise the most promising results. This review will inform the IRM's research approach to assess implementation in the Results Report. The IRM Results Report will build on the early identification of potential results from this review to contrast with the outcomes at the end of the implementation period of the action plan. This review also provides an analysis of challenges, opportunities and recommendations to contribute to the learning and implementation process of this action plan.

Commitment 1 on strengthening public participation frameworks and Commitment 3 on increasing dialogue with the public in decision-making processes have substantial potential for results. These commitments are grouped together and analysed in depth as a cluster of promising commitments as they have complimentary objectives and activities. Commitment 6 on promoting public participation in local government is assessed to have substantial potential for results and is also analysed below in depth as a promising commitment.

Commitment 2 seeks to promote public participation and focuses on actions with CSOs and young people. The action plan links these activities to Commitments 1 and 3 under the objective of providing meaningful and effective opportunities for public participation in decision-making. However, our Review has not clustered it with Commitments 1 and 3 since the government confirmed Commitment 2 seeks to inform the public of the participation opportunities more efficiently rather than change current practices.[13] For example, activities bringing participatory budgeting principles into schools is primarily about teaching students about the practice. In the longer term, DELNA-Transparency International Latvia hopes this education may lead to young people engaging in participatory budgeting once it is introduced into law for municipalities,[14] but this is not currently envisaged as part of the commitment. Also, engaging in NGO Day (which began in 2009) and re-establishing the Youth Saeima (a project of the Latvian Parliament providing young people with an opportunity to learn about how parliament works, and present and defend their ideas) are important for building a broader culture of active citizenship, but largely continue or revitalise existing activities.

The action plan groups together Commitments 4 and 5 under common goals to communicate in plain language and raise awareness of information and data created by institutions. They have modest potential for results as they focus on improving the quality and understandability of government communications rather than publishing new or more information or better-quality data. Actions under Commitment 4 include training public officials and providing resources on using simple language, introducing accessibility principles (stemming from the EU Directive on Web Accessibility 2016/2102) into government communications, and piloting and rolling out the use of plain language across government. The government seeks to promote and explain the use of open data, promote examples of data reuse and improve access to already-available data, as part of actions under Commitment 5. The commitment related to plain language could learn from the recent commitment in the Netherlands to improve government communications by prioritising plain language usage in areas that are most complex or use jargon (such as public procurement), as well as an ambitious Finnish commitment which included ongoing

training of officials and the inclusion of people with disabilities, the elderly and young people as part of developing and implementing accessible language guidance.[15]

Table 1. Promising commitments

Promising Commitments
Cluster 1 (Commitments 1 and 3): Meaningful and effective public participation in the development of balanced and high-quality decisions. This cluster of commitments seeks to establish a common vision and more uniform practice across the public administration regarding public participation, increase awareness of effective public engagement in decision-making among public administration and civil society, strengthen public engagement across sectors and policy areas such as the dispersal of COVID-19 funding, and introduce formal mechanisms of civil dialogue.
Commitment 6: Promote openness and citizen involvement and participation in local government. This commitment will introduce changes to openness standards for municipalities and strengthen the legal framework and opportunities for residents to engage in budgetary and decision-making processes at the local government level.

Cluster 1 (Commitments 1 and 3): Meaningful and effective public participation in the development of balanced and high-quality decisions

State Chancellery, State Administration School, Ministry of Culture, Ministry of Justice, Society Integration Fund, Cross-departmental Coordination Center, Civic Alliance, Providus

For a complete description of the commitment see Commitments 1 and 3 in Latvia's 2022-2025 action plan: https://www.opengovpartnership.org/documents/latvia-action-plan-2022-2025/

Context and objectives:

A 2021 OECD Government at a Glance Report revealed that Latvia's citizens have low levels of trust in government and satisfaction with democracy. Only 29 per cent of citizens reported that the political system allows people like them to have a say in what the government does, compared to an OECD average of 41 per cent.[16] The action plan refers to a 2020 public opinion survey showing that only 18.5 per cent of citizens agree that their opinion matters when it comes to opportunities to influence developments in Latvia.

The action plan also explains that CSOs often do not have the capacity to participate regularly in decision-making, or there are not enough civil CSOs that are able to do so. Furthermore, the public administration does not fully understand the benefits of participation, therefore it remains insufficient and formalised around legal requirements and a narrow circle of cooperation partners. The action plan says public administration makes little to no use of innovative methods of participation.

During the co-creation process, citizens indicated that opportunities to engage in the decision-making process are limited.[17] A government representative also commented that civil society had previously criticised the format for dialogue and cooperation between civil society and government before the development of the action plan.[18] Furthermore, the government representative confirmed that the commitments would address the need to increase the circle of partners that institutions work with, engage civil society more in the planning process of

COVID-19 recovery funds, and improve information to get a better picture of the civil society landscape in Latvia.[19]

Recent Latvian action plans have also included commitments that seek to improve public participation in decision-making. This cluster of commitments builds on the activities in the 2019-2021 action plan that saw substantial implementation developing guidelines on participation and launching the TAP participation portal.[20] The TAP portal publishes all information related to draft legal acts in one place and facilitates public participation in drafting legislation.

Commitment 1 and Commitment 3 include activities that would encourage changes to government actions to increase and improve engagement with citizens and civil society. The IRM has clustered these commitments together for this analysis. They contain 11 milestones, including developing a framework for civic dialogue (1.1), improving regulations on civic participation (1.2), providing training events and sharing good practice examples among public officials (1.3, 1.4), developing a digital platform containing information on public participation (1.5), strengthening regular dialogue with non-government partners (3.1), developing models of innovative participation methods and applying them (3.2, 3.5), ensuring transparency and public involvement in the dispersal of COVID-19 recovery funds (3.3), providing training for civil society on using government participation portals (3.4), and improving government identification of civil society partners (3.5). The commitment is clearly relevant to the OGP values of civic participation and access to information.

Potential for results: Substantial
Overall, this cluster of commitments has substantial potential for results. The implementation of the milestones would introduce positive structural changes to dialogue between government and civil society where this currently does not exist, encourage changes to public participation towards more innovative practices, engage civil society in the oversight of COVID-19 recovery fund investments, increase access to information on participation, and provide new opportunities for knowledge sharing.

Since there is currently no formalised framework for civil dialogue, the milestone to develop a structured and institutionalised civil dialogue framework (1.1) could substantially change civil society-government interactions. Implementation would provide a permanent and well-resourced mechanism for civil society to provide organised input directly to policy- and decision-makers. CSO representatives felt positively about prospects of introducing civil dialogue,[21] with one stating that it would elevate consultations with civil society to the same level as the current National Tripartite Cooperation Council consultations between government, employers and trade unions ('social dialogue'[22]) where almost all major government initiatives are discussed. They explained that plans to elevate the status of the Memoranda Council between the government and civil society, and increase its resources, would help ensure that government institutions engage with (and perceive) civic dialogue at the same level as social dialogue.

The milestone to strengthen regular dialogue with non-government partners (3.1) would be achieved through standardising the rules around how government institutions engage with partners, according to a government representative.[23] Building on these standardised rules around participation, milestones 3.2 and 3.5 would lead to the publication of guidance and models of participation which would also lower the barriers to institutional understanding of

innovative participation measures. A government representative stated that promoting them would help institutions understand why using modern methods for engagement is a good thing.[24] They also stated that by promoting these methods and examples (from home and abroad), they aim to encourage more resistant institutions to go beyond the legal participatory minimums such as undertaking public consultations on final drafts of policy, towards using deliberative or other innovative participatory mechanisms. Representatives from CSO Providus said that they would support promotion by organising at least two large-scale deliberative events.[25] They indicated that the introduction of deliberative mini-publics into decision-making should help tackle the priority of engaging Russian speakers and those with low incomes in particular, who are least likely to engage normally.[26] If implemented, this milestone would provide numerous examples of innovative participation methods being employed across institutions.

The classification of registered CSOs by fields of activity (1.6) would assist institutions to identify CSOs they have maybe not yet engaged with on relevant policy areas, and broaden their circle of partners to engage with during decision-making. At the moment, no such lists exist so institutions often engage more closely with CSOs with which they have already-established relationships.

Another milestone (3.3) would apply public engagement and transparency to the investments financed within the framework of Latvia's COVID-19 recovery plan and EU cohesion policy funds. The results of this activity would help to address civil society criticisms about not being engaged in the process of identifying investments so far, according to a government representative.[27] They also confirmed that ministries participating in the dispersal of these funds are being encouraged by the State Chancellery to adopt more participatory measures.[28] A civil society representative stated that encouraging and supporting watchdog-type activities would help civil society to carry out this function.[29] At this point, they said, civic oversight of this kind of information on EU funding allocations is not well resourced, and therefore not systematic or easy to do, and is often limited to ad hoc investigations by journalists. The results of this activity could be substantial should implementation lead to more information being easily available and accessible, with civil society able to carry out a watchdog function, and with institutions interacting with them.

The milestones related to training events for public officials and civil society, and good practice for knowledge sharing (1.3, 1.4, 3.4) would help develop the knowledge and skills needed to support uptake of the mechanisms and participatory processes that the commitment envisages in state institutions. These activities would assist in the successful implementation of other milestones under Commitments 1 and 3, and support a culture of participation more broadly.

The transparency-related activities in this cluster (1.2, 1.5) would also improve current practices. On the one hand, the implementation of improvements to public participation regulations (Council of Ministers' Rule 970 "Procedure for public participation in the development planning process") would ensure that institutions publish information in a uniform, consistent and effective manner.[30] Beyond this formal requirement, the commitment seeks to implement a digital platform to publish materials on public participation that would encourage and help sustain public officials' knowledge and skills on public participation. Stakeholders have already identified the prototype from the Civic Alliance, State Chancellery and the European Economic Area Grants project called "Public Participation - The Key to Democratic Future" as

the potential digital public participation platform. The site would be interactive and would include guidelines, other support tools, practical advice on participation and openness, and provide the public with the latest information on participation opportunities. It is not clear however, to what extent, if at all, this would be integrated or connected to the TAP portal.

Opportunities, challenges and recommendations during implementation
A government representative outlined the biggest foreseeable challenges to be resources and lack of institutional capacity to implement changes across institutions.[31] While most activities come under existing budgets, the launch and maintenance of the digital public platform would require additional funding from the state budget, particularly if it is developed as a standalone platform that is not integrated into existing websites. Activities to develop and encourage the uptake of innovative participation methods (3.1, 3.2) require additional funding from the state budget, so there could be limits to the extent and success of these actions. However, the government representative confirmed that the Society Integration Fund would fund the activities establishing a civic dialogue mechanism.[32]

While some milestones of the commitments are specific and clear, other milestones set out broader aims with less concrete objectives that can be measured. While this is to be expected given the four-year timeframe for this action plan, and offers flexibility to enhance the impact of implementation, it also carries the risk of losing focus. The implementing institutions, partners and multi-stakeholder forum should maintain regular dialogue and monitoring of these commitments, including a mid-point implementation check-in to ensure that the action plan and implementation of commitments are on track.

- **Develop contingencies for non-funded activities to ensure they can be implemented.** The government and members of the multi-stakeholder forum need to be aware of which activities are least likely to secure funding, and what measures could be taken to ensure that the implementation of the commitment is not totally lost. This may require European Union funding mechanisms and conversations with donor organisations where funding would be primarily for civil society-led activities. Where funding is not available, implementing institutions and organisations would need to try to integrate activities within already existing activities – for example, publishing information on pre-existing websites rather than on new online platforms. For example, informative material on public participation could be more effective if it is linked and published through the TAP portal, rather than through an unlinked or separate website. The funding question also means that institutions seeking to engage the public in innovative ways should ensure that the input of the public in this way is integrated into decision-making, rather than conducted as a tick-box exercise.
- **Publish information on civic dialogue, rules and guidance for institutions about public participation, and classifications of CSOs by field of activity.** Ensuring transparency is embedded as a core feature of these different milestones would help to increase trust in the efforts of government institutions to engage relevant civil society actors and citizens. Furthermore, it would help ensure that people can understand those interactions happening at the level of civic dialogue (publishing minutes of meetings, or materials produced and used during civic dialogue). It would also help citizens understand in what ways they could engage in innovative models of participation, and facilitiate oversight of them. Where relevant, such information should

be easily and publicly available on existing platforms, in easy-to-understand and accessible language (in Latvian and Russian).

- **Develop training in collaboration with civil society and integrate events so they are complementary to ongoing actions.** Ensure that various trainings and events for public officials are complementary to activities taking place in their jurisdictions, and encourage ongoing actions rather than one-off events. Integrate civil society into the design and delivery of these events.
- **Create a regular check-in moment with institutions to ensure they are continuing to implement innovative participation mechanisms**. The planned events for knowledge sharing could also include an accountability or feedback element which would include information on the actions being taken by institutions to engage the public. A check-in moment could also be drawn from regular or annual reporting up to the State Chancellery on participatory actions being taken (or taken over the past 12 months), and information being published about such actions that could encourage institutions that are not carrying out such innovative participative measures to do so.

Commitment 6: Promote openness and citizen involvement and participation in local government.
State Chancellery, Ministry of Environmental Protection and Regional Development (VARAM), Latvian Association of Large Cities, Civic Alliance, Providus

For a complete description of the commitment see Commitment 6 in Latvia's 2022-2025 action plan: https://www.opengovpartnership.org/documents/latvia-action-plan-2022-2025/

Context and objectives:
The government reformed Latvia's territorial organisation and distribution of competences in 2020 (reducing the number of municipalities from 119 to 43).[33] On top of general concerns about the level of public participation in decision-making in Latvia, concerns have persisted that participation and involvement of CSOs in decision-making is weaker locally than nationally.[34]

Civil society have identified factors inhibiting public participation in local government decision-making that include a lack of information about local government meetings (including agendas and minutes), as well as information about elected public officials, committees and others.[35] Furthermore, the action plan states that, to date, Latvian municipalities do not publish comparable data that could be used to compare the costs of municipal functions. The action plan argues that such data would be useful for comparing and evaluating the financial performance of local governments, accountability and for cooperation, promoting efficiency and balanced development.

In response, government institutions and CSOs have been working on separate projects to increase openness at the local level.[36] Latvia also introduced a commitment on openness in local government in its 2019-2021 action plan.[37] Coming in parallel to reforms to the country's territorial organisation, implementation of the previous commitment sought to pre-empt rules that are due to come into effect (over the course of this 2022-25 action plan) by developing guidelines and encouraging the adoption of actions to increase transparency and participation voluntarily at the local level. Amendments to the Law on municipalities passed the third reading in the Saeima in July 2022 and will make some participatory actions (such as participatory

budgeting) mandatory at the local level. During early stages of the action plan co-creation process, citizens and civil society submitted ideas on openness at the local government level.[38]

This commitment seeks to build on the previous action plan commitment, and consolidate other work outside the OGP process, by implementing common openness standards in municipalities (6.1) and holding an annual exchange among municipal employees on public participation issues (6.2). Activities introducing different measures such as participatory budgeting, surveys and residents' councils which would strengthen public participation (6.3), would consolidate the activities of different civil society projects at the local level and introduce other requirements stemming from the Law on municipalities.

Potential for results: Substantial
The commitment has substantial potential for results. The most impactful changes will come out of the obligations to involve citizens in budget and policy-making processes which is part of the reform of the Law on municipalities. A VARAM representative said that loans could be made available to municipalities to develop participatory projects, which may help with implementation of this commitment.[39]

At the moment, mechanisms like participatory budgeting are ad hoc and limited to a handful of local governments (notably, the capital city, Riga). Milestone 6.2 lists participatory budgeting as one form of participation that is foreseen to be implemented by municipalities. A VARAM representative confirmed that it is developing a common platform to facilitate the implementation of participatory budgeting across local government, as the amendments to the Law on municipalities would require all municipalities to introduce participatory budgeting.[40] Civil society representatives have highlighted the importance of getting citizens and young people involved in participatory budgeting at the local level.[41] If this milestone is fully implemented across all municipalities, the relationship between citizens and local government on developing local budgets and monitoring spending could be transformed.

The commitment would also seek to implement the organisation of residents' councils in each municipality. Residents would be elected and hold meetings to initiate dialogue between themselves and councils.[42] While not mandated by the new Law, introducing residents' councils could formalise deeper and ongoing dialogue and engagement between residents and local public administration as part of local government decision-making, beyond local elections and regular consultation processes.

The implementation of openness standards (6.1) could significantly increase transparency across municipalities. This would directly implement the standards that were created as part of Commitment 4 of the 2019-2021 action plan.[43] A civil society representative, involved in developing these standards, stated that it would be a major change in transparency even if implemented in only half of local governments.[44] Milestone 6.3.g would also lead to the development of guidelines and standards for local government on reporting local budgets, which a VARAM representative has said would help standardise how this is reported at the local level.[45] Common transparency standards and practices among local governments would make it easier for citizens to monitor and compare local governments' levels of openness, which could then enable central government to apply targeted support for those local governments not meeting the minimum standards. A civil society representative stated that monitoring these standards will be important in making sure they are implemented effectively.[46]

Other activities to encourage exchanges of experience between local government employees on implementing these openness measures represent a welcome but more modest aspect of the commitment. This is because the current expectation is that these events will occur once a year, limiting the potential for them to lead to significant changes. Furthermore, a VARAM representative confirmed that the details of what would be part of the support provided by VARAM more generally had not been discussed, but that the expectation was for activities to be mainly related to the provision of information on the existence of openness standards.[47]

Opportunities, challenges and recommendations during implementation
Some of the milestones under this commitment are dependent on the adoption of the amendments to the Law on municipalities. Any delay could put the brakes on implementation of this commitment, but this is unlikely as the draft passed its third reading in parliament.

This feeds into another challenge to this commitment to ensure that all municipalities implement the requirements of the expected law. Without legal requirements and associated funding, there is no clear expectation for local governments to take up these otherwise voluntary initiatives of their own accord.

At the time of writing this review, there was no clarity yet on the content of the planned exchanges between public officials on implementing openness standards.[48] Greater clarity would strengthen the potential for this milestone to contribute towards good practices and improve public officials' knowledge about participation.

- **Promote and distribute support and guidance for participatory budgeting at the local level and raise awareness about it and other participatory mechanisms**. For most municipalities, the concept and implementation of participatory budgeting will require additional institutional support and resources to get off the ground. Guidance could also encourage inclusive participation so that Russian speakers, those with low incomes, or other groups that are not always likely to participate actively in such exercises, are involved. Those municipalities with lower capacity or funding may need extra support to meet the requirements of the Law on municipalities and implementation of openness standards. Both civil society and central government could actively encourage citizen involvement in participatory mechanisms like participatory budgeting through radio, online and other media.
- **Publish performance indicators on transparency and participation to encourage municipalities to be more open.** While there are activities of this commitment that would become required under the Law on municipalities, there are other activities that are voluntary. Furthermore, until the Law is adopted, there is still a need to encourage greater transparency and participation at the local level. Estonia underwent a similar territorial restructuring, and successfully implemented a comprehensive tool available for all citizens to view and compare the data of their local government categorised by areas.[49] Lithuania successfully published financial data of municipalities in its 2018-2020 action plan, which has also enabled more efficient analysis of public spending and use of state property.[50] Similar approaches in Latvia could also encourage greater take up of transparency and innovative participation measures and enable institutional, civil society and local citizen oversight of local government budgets and performance.

Open Government Partnership

Independent Reporting Mechanism

[13] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[14] Inese Taurina and Agnija Birule (DELNA-Transparency International Latvia), interview by the IRM, 28 June 2022; Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[15] Open Government Partnership, Netherlands: Implement plain language initiatives (NL0044), https://www.opengovpartnership.org/members/netherlands/commitments/NL0044/; Open Government Partnership, Finland: Improving Understandability and Inclusion of Government Information (FI0030) https://www.opengovpartnership.org/members/finland/commitments/FI0030/.

[16] OECD, Government at a Glance 2021, Country Fact Sheet: Latvia, https://www.oecd.org/gov/gov-at-a-glance-2021-latvia.pdf

[17] Manabalss.lv, "'Ideas': Open Latvia" (via WayBack Machine website), https://web.archive.org/web/20220119164117/https://atvertalatvija.manabalss.lv/idejas

[18] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[19] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[20] See Commitment 5 in the 2019-2021 action plan, Open Government Partnership, IRM Latvia 2019-2021 Transitional Results Report, 28 March 2022, https://www.opengovpartnership.org/documents/latvia-transitional-results-report-2019-2021/

[21] Didzis Meļķis (Manabalss), interview by the IRM, 19 August 2022; Iveta Kazoka (Providus), correspondence with the IRM, 15 August 2022.

[22] Ministry of Welfare, The Sub-council of the Tripartite Cooperation in Labour Affairs, 7 August 2020 https://www.lm.gov.lv/en/sub-council-tripartite-cooperation-labour-affairs

[23] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022,

[24] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[25] Iveta Kažoka (PROVIDUS), interview by the IRM, 23 May 2022.

[26] Iveta Kažoka (PROVIDUS), correspondence with the IRM, 15 August 2022.

[27] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[28] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[29] Iveta Kažoka (PROVIDUS), correspondence with the IRM, 15 August 2022.

[30] Cabinet of Ministers Regulations No. 970 "Procedures for Public Participation in Development in the planning process" and in Cabinet Regulation No. 455 of 14 July 2020 "Institutional Procedures of Publishing information on the Internet" set out the arrangements for public participation and the requirements for authorities to share information on their websites under the section "Public participation", where they are to post details of who their partners of corporations are, a brief description of the principles of the cooperation and key contacts.

[31] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[32] Zane Legzdiņa-Joja (State Chancellery), interview by the IRM, 17 June 2022.

[33] Likumi, Law on Administrative Territories and Populated Areas, 22 June 2020, https://likumi.lv/ta/en/en/id/315654

[34] European Commission, July 2022. https://ec.europa.eu/info/sites/default/files/33_1_194053_coun_chap_latvia_en.pdf

[35] European Commission, July 2022, https://ec.europa.eu/info/sites/default/files/33_1_194053_coun_chap_latvia_en.pdf; also, Transparency International Latvia in cooperation with Transparency International Norway, 2021, Transparency Index of Local Authorities, https://transparencyindex.lv/transparency-index-of-local-authorities/

[36] Inese Taurina and Agnija Birule (DELNA-Transparency International Latvia), interview by the IRM, 28 June 2022. Such projects include: DELNA-Transparency International Latvia, Transparency Index of Local Authorities, https://transparencyindex.lv/; The Latvian Association of Local and Regional Governments, Facilitation of inter-municipal cooperation and enhancement of good governance principles in Latvian local governments, https://www.lps.lv/en/projects/projects-ongoing/38-facilitation-of-inter-municipal-cooperation-and-enhancement-of-good-governance-principles-in-latvian-local-governments (last accessed 21 September 2022); PROVIDUS, Openness standards: recommendations to local governments to ensure greater openness, 25 January 2022, https://providus.lv/en/raksti/openness-standards-recommendations-to-local-governments-to-ensure-greater-openness/

[37] Open Government Partnership, Latvia, https://www.opengovpartnership.org/members/latvia/commitments/LV0043/

[38] Manabalss.lv, "'Ideas': Open Latvia" (via WayBack Machine website), https://web.archive.org/web/20220119164117/https://atvertalatvija.manabalss.lv/idejas

[39] Diāna Rasuma (Ministry of Environmental Protection and Regional Development), interview by the IRM, 14 June 2022.

[40] Diāna Rasuma (Ministry of Environmental Protection and Regional Development), interview by the IRM, 14 June 2022.

[41] Inese Taurina and Agnija Birule (DELNA-Transparency International Latvia), interview by the IRM, 28 June 2022.

[42] Baltic News Network, Latvian government approves the new Law on Local Governments, 5 March 2021, https://bnn-news.com/latvian-government-approves-the-new-law-on-local-governments-222703

[43] The openness standards are made up of 16 main categories of information, which include 42 subcategories of information, covering a wide spectrum of municipal activities - accessibility of regulatory acts issued by municipalities, traceability of municipal decision-making processes (council meetings and committee activities), handling of municipal resources and property, municipal budget openness, supervision and openness of municipal capital companies, public procurement, costs for information services, costs of information, compliance with information disclosure requirements, as well as opportunities for the public to

13

get involved in the activities of the municipality. Latvijas Vēstneša, "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 November 2021), https://lvportals.lv/dienaskartiba/334469-domnica-providus-un-varam-publiceatvertibas-standartus-ieteikumus-pasvaldibam-lielakas-atvertibas-nodrosinasanai-2021

[44] Iveta Kažoka (PROVIDUS), correspondence with the IRM, 15 August 2022.

[45] Diāna Rasuma (Ministry of Environmental Protection and Regional Development), interview by the IRM, 14 June 2022.

[46] Iveta Kažoka (PROVIDUS), correspondence with the IRM, 15 August 2022.

[47] Diāna Rasuma (Ministry of Environmental Protection and Regional Development), interview with the IRM, 14 June 2022.

[48] Diāna Rasuma (Ministry of Environmental Protection and Regional Development), interview with the IRM, 14 June 2022; Inese Kuške and Zane Legzdiņa-Joja (State Chancellery), interview with the IRM, 16 May 2022.

[49] Open Government Partnership, Estonia, https://www.opengovpartnership.org/members/estonia/commitments/EE0052/; My municipality, https://minuomavalitsus.fin.ee/

[50] Open Government Partnership, Lithuania: Publish Fiscal Information (LT0026), https://www.opengovpartnership.org/members/lithuania/commitments/LT0026/

Section III. Methodology and IRM Indicators

The purpose of this review is not an evaluation as former IRM reports. It is intended as an independent quick technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The promising commitments highlighted in this review by the IRM are either those which have the highest potential for results, are a high priority for country stakeholders, are a priority in the national open government context or are a combination of these factors.

To determine which reforms or commitments the IRM identifies as promising the IRM follows a filtering and clustering process:

> **Step 1:** determine what is reviewable and what is not based on the <u>verifiability</u> of the commitment as written in the action plan.
> **Step 2:** determine if the commitment has an <u>open government lens</u>. Is it relevant to OGP values?
> **Step 3:** Commitments that are verifiable and have an open government lens are reviewed to identify if certain commitments needs to be clustered. Commitments that have a common policy objective or commitments that contribute to the same reform or policy issue should be clustered and its "potential for results" should be reviewed as a whole. The clustering process is conducted by IRM staff, following the steps below:
>   a. Determine overarching themes. They may be as stated in the action plan or if the action plan is not already grouped by themes, IRM staff may use as reference the thematic tagging done by OGP.
>   b. Review objectives of commitments to identify commitments that address the same policy issue or contribute to the same broader policy or government reform.
>   c. Organise commitments by clusters as needed. Commitments may already be organised in the Action Plan under specific policy or government reforms or may be standalone and therefore not clustered.
>
> **Step 4:** assess the <u>potential for results</u> of the cluster or standalone commitment.

The filtering process is an internal process and data for individual commitments is available in Annex I below. In addition, during the internal review process of this product the IRM verifies the accuracy of findings and collects further input through peer review, the OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review and oversight by the IRM's International Experts Panel (IEP).

As described in the filtering process above, the IRM relies on **three key indicators** for this review:

I. Verifiability
- "Yes" Specific enough to review. As written in the action plan the objectives stated and actions proposed are sufficiently clear and include objectively verifiable activities to assess implementation.

- "No": Not specific enough to review. As written in the action plan the objectives stated and proposed actions lack clarity and do not include explicit verifiable activities to assess implementation.

  *Commitments that are not verifiable will be considered "not reviewable", and further assessment will not be carried out.

II.   Does it have an open government lens? (Relevant)

This indicator determines if the commitment relates to open government values of transparency, civic participation or public accountability as defined by the Open Government Declaration, the OGP Articles of Governance and by responding to the guiding questions below. Based on a close reading of the commitment text, the IRM first determines whether the commitment has an open government lens:
- **Yes/No:** Does the commitment set out to make a policy area, institutions or decision-making process more transparent, participatory or accountable to the public?

The IRM uses the OGP Values as defined in the Articles of Governance. In addition, the following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:
- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation**: Will government create or improve opportunities, processes or mechanisms for the public to inform or influence decisions? Will the government create, enable or improve participatory mechanisms for minorities or underrepresented groups? Will the government enable a legal environment to guarantee freedoms of assembly, association and peaceful protest?
- **Public Accountability**: Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy or institutional frameworks to foster accountability of public officials?

III.   Potential for results
Formerly known as the "potential impact" indicator, it was adjusted taking into account the feedback from the IRM Refresh consultation process with the OGP community. With the new results-oriented strategic focus of IRM products, this indicator was modified so that in this first review it laid out the expected results and potential that would later be verified in the IRM Results Report, after implementation. Given the purpose of this Action Plan Review, the assessment of "potential for results" is only an early indication of the possibility the commitment has to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area.

The scale of the indicator is defined as:
- **Unclear:** the commitment is aimed at continuing ongoing practices in line with existing legislation, requirements or policies without indication of the added value or enhanced open government approach in contrast with existing practice.

- **Modest:** a positive but standalone initiative or changes to process, practice or policies. Commitments that do not generate binding or institutionalised changes across government or institutions that govern a policy area. For example, tools like websites, or data release, training, pilot projects
- **Substantial:** a possible game changer to the rules of the game (or the creation of new ones), practices, policies or institutions that govern a policy area, public sector and/or relationship between citizens and state. The commitment generates binding and institutionalised changes across government

This review was prepared by the IRM in collaboration with Indra Mangule and was externally expert reviewed by Andy McDevitt. The IRM methodology, quality of IRM products and review process is overseen by the IRM's International Experts Panel (IEP). For more information about the IRM refer to the **"About IRM" section of the OGP website** available here.

Annex 1. Commitment by Commitment Data[51]

Commitment 1: Strengthen the framework for public participation and raise awareness of an effective participation process
- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as: Meaningful and effective public participation in the development of balanced and high-quality decisions (Commitments 1 and 3)
- Potential for results: Substantial

Commitment 2: Promote opportunities for public participation, including the involvement of young people and NGOs
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 3: Strengthen public representation and dialogue with the public in decision-making processes in all sectors
- Verifiable: Yes
- Does it have an open government lens? Yes
- This commitment has been clustered as: Meaningful and effective public participation in the development of balanced and high-quality decisions (Commitments 1 and 3)
- Potential for results: Substantial

Commitment 4: For the state to communicate with the public in a comprehensible & humane language to explain decisions and complex topics, emphasising benefits
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 5: Promoting the availability and comprehensibility of data by increasing citizens' access to and development of data-based solutions
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 6: Promote openness and citizen involvement and participation in local government
- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

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[51] *Editorial notes:*
1. *For commitments that are clustered: the assessment of potential for results is conducted at the cluster level, rather than the individual commitments.*
2. *Commitment short titles may have been edited for brevity. For the complete text of commitments, please see Latvia's action plan: https://www.opengovpartnership.org/documents/latvia-action-plan-2022-2025/*

Annex 2: Minimum Requirements for Acting According to OGP Process[52]

According to OGP's Procedural Review Policy, during development of an action plan, OGP participating countries must meet the "Involve" level of public influence per the IRM's assessment of the co-creation process.

To determine whether a country falls within the category of "involve" on the spectrum, the IRM assesses different elements from OGP's Participation & Co-creation Standards. The IRM will assess whether the country complied with the following aspects of the standards during the development of the action plan, which constitute the minimum threshold:

1. **A forum exists:** there is a forum to oversee the OGP process.
2. **The forum is multi-stakeholder:** Both government and civil society participate in it.
3. **Reasoned response:** The government or multi-stakeholder forum documents or is able to demonstrate how they provided feedback during the co-creation process. This may include a summary of major categories and/or themes proposed for inclusion, amendment or rejection.

The table below summarises the IRM assessment of the three standards that apply for purposes of the procedural review. The purpose of this summary is to verify compliance with procedural review minimum requirements, and it is not a full assessment of performance under OGP's Co-creation and Participation Standards. A full assessment of co-creation and participation throughout the OGP cycle will be provided in the Results Report.

Table 2. Summary of minimum requirements to act according to OGP Process

OGP Standard	Was the standard met?
A forum exists. The Council for the Implementation of the Memorandum of Cooperation between Non-Government Organisations and the Cabinet of Ministers (known as the Council of Memorandum) is Latvia's multi-stakeholder forum which oversees the OGP process.[53]	Green
The forum is multi-stakeholder. The Council of Memorandum is made up of eight civil society stakeholders and eight government officials.[54]	Green
The government provided a reasoned response on how the public's feedback was used to shape the action plan. The government published online all responses to proposals, amendments and objections made via the TAP portal on the draft action plan.[55]	Green

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[52] On 24 November 2021, OGP's Steering Committee approved an update to the OGP Participation & Co-Creation Standards. The changes became effective on 1 January 2022, for any country co-creating in 2022 onwards. Countries that submit action

Open Government Partnership

Independent Reporting Mechanism

plans for the 2021-2023 cycle will be assessed with the previous version of the standards because their co-creation took place before the changes were approved.
[53] State Chancellery, Implementation Council of the Cooperation Memorandum of Non-Governmental Organizations and the Cabinet of Ministers, 17 October 2022, https://www.mk.gov.lv/lv/nevalstisko-organizaciju-un-ministru-kabineta-sadarbibas-memoranda-istenosanas-padome
[54] Ibid.
[55] State Chancellery TAP portal, Latvia's Fifth National Open Government Action Plan, https://tapportals.mk.gov.lv/legal_acts/bc0aded2-457f-4810-8426-7999bf581311