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Groupe d'États contre la corruption

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FOURTH EVALUATION ROUND

Corruption prevention in respect of members of
parliament, judges and prosecutors

COMPLIANCE REPORT

LATVIA

Adopted by GRECO at its 67^h Plenary Meeting
(Strasbourg, 23-27 March 2015)

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I. INTRODUCTION

1. The Compliance Report assesses the measures taken by the authorities of Latvia to implement the recommendations issued in the Fourth Round Evaluation Report on Latvia which was adopted at GRECO's 58th Plenary Meeting (3-7 December 2012) and made public on 17 December 2012, following authorisation by Latvia ([Greco Eval IV Rep \(2012\) 3E](#)). GRECO's Fourth Evaluation Round deals with "Corruption Prevention in respect of members of parliament, judges and prosecutors".
2. As required by GRECO's Rules of Procedure, the authorities of Latvia submitted a Situation Report on measures taken to implement the recommendations. This report was received on 30 September 2014 and served, together with the information submitted subsequently, as a basis for the Compliance Report.
3. GRECO selected the Netherlands (with respect to parliamentary assemblies) and Estonia (with respect to judicial institutions) to appoint rapporteurs for the compliance procedure. The Rapporteurs appointed were Ms Anneloes van der ZIJDE, Policy Advisor, Ministry of the Interior and Kingdom Relations, on behalf of the Netherlands and Mr Urvo KLOPETS, Advisor, Analysis Division, Criminal Policy Department, Ministry of Justice, on behalf of Estonia. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.
4. The Compliance Report assesses the implementation of each individual recommendation contained in the Evaluation Report and establishes an overall appraisal of the level of the member's compliance with these recommendations. The implementation of any outstanding recommendation (partially or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after the adoption of the present Compliance Report.

II. ANALYSIS

5. GRECO addressed 14 recommendations to Latvia in its Evaluation Report. Compliance with these recommendations is dealt with below.

General

Recommendation i.

6. *GRECO recommended that measures be taken to strengthen the independence of the Corruption Prevention and Combating Bureau KNAB, thus ensuring that it can exercise its functions in an independent and impartial manner.*
7. The authorities of Latvia report on two separate initiatives: the first one led by a Working Group chaired by the Head of the State Chancellery and consisting of representatives from the Supreme Court, the General Prosecutor's Office, the Ministry of Justice, the Ministry of Finance and the KNAB, which suggests changes to the KNAB's Law regarding the competence, rights and obligations of the Director of the KNAB, the supervision by the Prime Minister of the KNAB's activities, disciplinary actions against the KNAB's Director, and the competence of the Director¹.

¹ This Working Group was set up in early 2014 to give effect to several recommendations made by another Working Group, established in 2013 by the Prime Minister and under the guidance of the Prosecutor General. See also Addendum to the Second Compliance Report on Latvia, Third Evaluation Round, Greco RC-III (2014) 3E.

8. The second initiative, tabled by a Working Group chaired by the State Secretary of the Ministry of the Interior, and composed of the Director of the Security Police, the State Secretary of the Ministry of Justice, the Deputy Head of the Legal Division of the State Chancellery, a prosecutor from the Department of Protection of Persons and Constitutional Law at the Prosecutor's General Office, proposes a reorganisation of the KNAB and its transfer to the Ministry of the Interior.
9. Moreover, in August 2014, the Deputy Speaker of the Saeima sent a request to the OSCE/ODIHR for an opinion/expertise on the Law on the KNAB. The review was issued in November 2014 and is publicly accessible². At the time of adoption of the present report, the authorities indicated that the proposal to place the KNAB under the Ministry of Interior (paragraph 8) is no longer on the table. The Corruption Prevention Subcommittee of the Saeima has assumed the task to prepare a new draft law; it is foreseen that the basis of the latter would be the proposal made by the State Chancellery Working Group (paragraph 7).
10. The authorities further report that, as regards GRECO's comments on the KNAB's budget, it has been decided to keep, for the time being, the procedure for its allocation (i.e. the activities of the KNAB are financed from the State budget, which is decided on by the Saeima, as part of the Law on the State Budget, on the basis of a proposal by the Cabinet of Ministers). In 2014, the budget of the KNAB was 4 721 874 €; in 2015, it was increased to 5 237 328 € to cover new policy initiatives, such as a control system of party accounts, hiring of new personnel and moving to new premises. In March 2015, the Corruption Prevention Subcommittee of the Saeima positively assessed the results of the KNAB's work in 2014 and praised the institution for its positive performance in all areas of activity (prevention of conflicts of interest of public officials, control over political finances, etc.).
11. GRECO notes that there is no single unique model for anticorruption institutions; functional and structural patterns have to be adjusted to the specific national context. Likewise, GRECO concedes that the type of structure created in a given country may well vary and evolve over time; it being understood that the key underlying reasoning for changing existing models must be to improve the effectiveness of the anticorruption institutional framework. In 2002, Latvia established the KNAB as a multipurpose anticorruption agency with preventive, repressive and education responsibilities. It is a separate autonomous institution, which is placed high on the organisational structure of the State administration, under the *aegis* of the Cabinet of Ministers and supervision by the Prime Minister. From the start, GRECO has supported, first, the establishment of the KNAB and then the results of its work, as acknowledged in the successive evaluation and compliance reports issued in the First, Second, Third and Fourth Evaluation Rounds. Given the key functions of the KNAB (for example, regarding supervision of political financing, prevention of conflicts of interests in all three different branches of the State, etc.), GRECO recommended additional efforts to strengthen its independence.
12. In order to minimise the risks of political interference in the appointment of the Director of the KNAB, secondary legislation was issued, in 2011 and 2012, providing for open competition to the post, as well as setting out the composition of the appointment commission (bringing together high ranking officials from the judiciary and the executive power, as well as enabling participation of other specialists and experts, including NGOs). GRECO considered this to be a positive step to meet, just in part, one of the recommendations it made in the Third

² OSCE/ODIHR Opinion on the Law on the Bureau on Prevention and Combating of Corruption of Latvia (www.legislationline.org/documents/id/19392).

Evaluation Round Report on Latvia³. When GRECO closed its Third Round compliance procedure with respect to Latvia, it regretted that a decision had not been reached regarding the different policy options proposed to strengthen the independence and the status of the KNAB, including by modifying its budgetary procedures (the budget of the KNAB is proposed and decided by the same people that the KNAB might potentially investigate, although, in practice, the level of State funds provided to the KNAB have not only been sustained, but also increased, as necessary for the institution to cope with its manifold responsibilities).

13. GRECO now takes note of the two different proposals presented by the authorities concerning the role of the KNAB, as presented in paragraphs 7 and 8. In the particular context of Latvia, GRECO has doubts about the proposal placing the KNAB under the authority of the Ministry of the Interior. This would be tantamount in practice to placing the KNAB lower in the organisational set-up of State bodies. Such a proposal would run counter to the goal of recommendation i, and more generally, the series of remarks made by GRECO over the years regarding the need to assure the KNAB's independence and impartiality, and its structural and operational autonomy. More recently, in its 65th and 66th plenary sessions, respectively, GRECO expressed misgivings about the worrying developments in Latvia⁴. Consequently, GRECO can only welcome that this proposal has now been dropped by the Government, as reported by the authorities in GRECO 67.
14. The matter was also brought to the attention of the Secretary General of the Council of Europe (SG) and assurance has been given by the Latvian Government that the structural independence of the KNAB will not be compromised and that any possible changes to the current system will be subject to public scrutiny⁵. In their official replies to the SG's letter, the authorities nevertheless pointed at internal tensions within the Bureau as a source of concern.
15. As mentioned earlier, GRECO has repeatedly acknowledged the central role played to date by the KNAB in the anticorruption framework of Latvia. The institution has, nevertheless, experienced recurrent staff problems and departures of long-standing personnel. Furthermore, none of the former Directors of the KNAB has concluded his full term of office. GRECO has consistently highlighted the importance of finding the right balance between the independence of the KNAB without creating impunity or compromising the accountability of the institution and its Director. It is only natural that, as an institution matures, ways are sought to improve its working protocols and to formalise them properly. As GRECO has already highlighted in its Third Evaluation Round Report (paragraphs 76 to 79), and then reiterated in its Fourth Evaluation Round Report (paragraphs 20 to 22), there are areas that need further and prompt development, notably, by clarifying the supervisory role of the Cabinet of Ministers and the Prime Minister, better defining the dismissal procedure of the Director of the KNAB and reviewing budgetary measures. The ongoing reflection process must reinforce, rather than weaken, the position of the KNAB; it must also be subject to public scrutiny.
16. GRECO concludes that recommendation i has not been implemented.

³ [Third Evaluation Round Report on Latvia, Theme II – Party Funding](#), recommendation ii *to take measures to strengthen the independence of the Corruption Prevention and Combating Bureau (KNAB) (including as regards the supervision of its activities, the procedure for appointing and dismissing its Director and deciding on its budget), thus ensuring that it can exercise its functions in an independent and impartial manner.*

⁴ Greco (2014) 13E Decisions GRECO 65 and Greco (2014) 17E Decisions GRECO 66.

⁵ A public hearing, to which the GRECO Secretariat was invited, took place on 23 January 2015. Parliament held a subsequent debate on 10 February 2015; GRECO's Vice-President participated in this event.

Recommendation ii.

17. *GRECO recommended the introduction of rules on how Members of Parliament engage with lobbyists and other third parties who seek to influence the legislative process.*
18. The authorities of Latvia indicate that the KNAB submitted to the Government, in December 2013, a draft law dealing with transparency of lobbying. In February 2014, the Government rejected such a proposal and decided instead to introduce amendments to both the Rules of Procedure of the Saeima, as well as the State Administration Structure Law. An inter-institutional working group was established to this aim; it is tasked to come up with concrete proposals for legislative amendments by 1 August 2015.
19. GRECO takes note of the information provided and notes that the steps undertaken to regulate lobbying are still at very early stages of the legislative process. A draft law on lobbying was already under way at the time of the Fourth Round Evaluation visit in 2012, two years have elapsed since then and there continues to be no consensus to regulate this matter. It is recalled that, at present, parliamentarians are not subject to any obligation to disclose details on meetings and consultations held with third parties in connection with on-going legislative proposals outside the meetings of commissions. In the Fourth Evaluation Round Report (paragraph 34), GRECO considered this to be an important loophole in the system given the allegations of increasing influence of private interests in the legislative process. GRECO, therefore, urges the authorities to step up their action in this domain.
20. GRECO concludes that recommendation ii has not been implemented.

Recommendations iii and v.

21. *GRECO recommended that:*
 - *the Code of Ethics be (i) revised and updated and (ii) complemented with practical measures in order to provide adequate guidance and counselling to members of the Saeima regarding ethical and corruption-prevention related provisions (recommendation iii);*
 - *the mechanisms internal to the Saeima for assuring application of the Code of Ethics, as well as for preventing conflicts of interest, be further developed and articulated with a view to ensuring their proactivity and effectiveness (recommendation v).*
22. The authorities of Latvia indicate that soon after the adoption of the Fourth Round Evaluation Report in April 2013, and then later on in May 2014, the KNAB addressed the State Chancellery to proceed with implementation measures. Whilst GRECO recommendations to reinforce the parliamentary ethos (recommendations iii and v) have been included in the draft Guidelines on the Programme for Preventing and Combating Corruption (2014-2020), no material action has been effected to date.
23. GRECO very much regrets that no tangible measures have been initiated to address recommendations iii and v and thereby step up the Saeima's capacity to self-regulate, to address real and potential conflicts of interest and to sanction those who fall short of acceptable standards of ethical conduct. This is a discouraging sign that runs counter to the proactivity and effectiveness requested by GRECO from the Saeima. In this connection, GRECO specifically called, in its Fourth Evaluation Round Report on Latvia, for a more decisive action of the Saeima, and its individual

members, to prove commitment to self-control and responsibility when dealing with conflicts of interest and other integrity matters.

24. GRECO concludes that recommendations iii and v have not been implemented.

Recommendation iv.

25. *GRECO recommended abolishing the exception provided in the Conflict of Interest Law to the general prohibition for MPs to enter into contracts with State authorities.*
26. The authorities of Latvia indicate that amendments were made to the Conflict of Interest Law (as adopted on 30 October 2014; entry into force on 1 January 2015) in order to abolish the possibility for MPs – and some other senior officials – to enter into contracts with State authorities. This ban continues to apply for two years post-employment.
27. GRECO welcomes the action taken by the authority to ban parliamentarians from entering into contracts with State authorities, as recommended.
28. GRECO concludes that recommendation iv has been implemented satisfactorily.

Recommendations vi, x and xiii.

29. *GRECO recommended that the system of administrative immunities for members of the Saeima (recommendation vi), judges (recommendation x) and prosecutors (recommendation xiii) be abolished.*
30. The authorities of Latvia indicate that the draft Law on Amendments to the Constitution supressing administrative immunities for parliamentarians, judges and prosecutors, was sent to the Legal Affairs Committee of the Saeima back on 21 June 2012 (i.e. even before the adoption of the Fourth Round Evaluation Report). However, since then, the amendment has never been included in the parliamentary agenda for debate and thus has not even undergone first-reading.
31. A proposal to abolish administrative immunity for prosecutors has also been tabled in the draft Law on amendments to the Law on the Prosecutor's Office. However, it was rejected on the grounds that administrative immunity does not constitute a real privilege for prosecutors given that disciplinary liability entails even more severe consequences (i.e. the disciplinary process can have a much graver, career-limiting impact and attract much more public attention than the mere imposition of a fine for an administrative offence).
32. GRECO regrets the lack of action in this regard. The issue of immunities was regulated in Latvia in 1922 and has not been subject to change since. As noted by GRECO (and echoed by other instances of the Council of Europe, including its highest representative, the Secretary General), the time has come to abolish the privilege of administrative immunity which is way too broad and makes little sense in the democratic society of Latvia today. This will help dispel any idea that parliamentarians, judges and prosecutors are above the law and help strengthen the confidence of Latvian citizens in their parliament and judiciary which currently ranks rather low. GRECO has, in previous pronouncements on the issue of immunities (and in line with Principle 6 of the Twenty Guiding Principles for the Fight against Corruption), stressed the need to strike a balance between immunity as a means to protect public officials against pressures and abuses from state powers or individuals, and the fact that public officials should not be above the law. In this connection, the concept of limited functional immunity is generally accepted according to international standards. It is, however, questionable that an unlawful

act committed outside the scope of official duties, which could give rise to administrative liability (e.g. a traffic offence), falls under the scope of the immunity provisions; this clearly goes beyond the notion and justification of functional immunity.

33. As to the explanation of the authorities on keeping administrative immunity for prosecutors, this does not depart from what was already stated by the authorities in the Fourth Round Evaluation Report. GRECO continues to have misgivings in this respect. GRECO recalls that, during the meetings held on-site, professionals themselves questioned the efficacy, as well as the proportionality, of the current disciplinary system for dealing with administrative offences (paragraphs 138 and 193, Fourth Round Evaluation Report).
34. GRECO concludes that recommendations vi, x and xiii have not been implemented.

Corruption prevention in respect of judges

Recommendation vii.

35. *GRECO recommended (i) strengthening the decisive influence of the relevant self-governing judicial bodies (e.g. the Judicial Council and Judicial Qualification Board) in the appointment, reappointment and career progression of the judiciary; and (ii) reconsidering the scope of powers held by the Saeima in this area, notably, by restricting it to the confirmation of judicial appointments as recommended by the relevant judicial bodies, with a view to better dispelling the risks of political influence.*
36. The Latvian authorities highlight again that, pursuant to Articles 60, 61 and 62 of the Law on Judicial Power, the *Saeima* decides about appointment, reappointment and promotion of judges, on the basis of the recommendations made by the Minister of Justice. Amendments were introduced in 2010 to the Law on Judicial Power to leave decisions on rotation and transfers of judges to self-governing judicial bodies (i.e. the Judicial Council and the Judicial Qualification Board); further developments followed in 2011 and in 2013 to refine evaluation criteria and procedures. Likewise, following the 2011 amendments, the attributions of the Judicial Council have continued to expand in different areas, notably, in connection with the dismissal procedure of the Chief Justice of the Supreme Court (i.e. the power to propose to the Saeima the dismissal of the former official lies now in the hands of the Judicial Council rather than with the Cabinet of Ministers which was previously the case), the determination of professional examination contents, as well as career progression processes.
37. The authorities further report on draft amendments to the Law on Judicial Power to establish that decisions on judicial transfers (whether to higher or lower levels of courts) fall under the exclusive responsibility of the Judicial Council, thereby no longer entrusting the Saeima with a decision on the matter. The aforementioned amendments also extend the mandate of the Judicial Council in the appointment of chairpersons of district and regional courts. The procedures for giving effect to these expanded competences of the Judicial Council have not yet been structured. The draft amendments were discussed and supported by the Judicial Council on 9 February 2015; they now need to undergo inter-institutional consultation for their submission to first reading in Parliament.
38. GRECO takes note of the information reported, most of which was already in place at the time of the Fourth Evaluation Round. At that time, GRECO already acknowledged the efforts made to gradually increase the responsibilities of the Judicial Council since it was first established in 2010 and to further articulate career

progression rules and procedures. GRECO welcomes the fact that there are further legislative amendments underway aimed at enlarging the powers of the Judicial Council in certain decisions regarding the judicial career (i.e. judicial transfers and the appointment of chairpersons at district and regional courts). It is however too early in the legislative process to come up, at this stage, with a conclusive assessment of the proposed improvements.

39. GRECO regrets that a decision has been reached to leave the appointment and reappointment of judges under the final say of the Saeima, since any change on the current situation would require constitutional changes. GRECO understands that constitutional amendments are usually a sensitive and cumbersome matter, but it can only reiterate its concern, as also echoed by the Council of Europe Commission for Democracy through Law (so-called Venice Commission), that the issues raised by recommendation vii are essential for building and protecting judicial independence in Latvia. In this connection, in the Fourth Evaluation Round Report, GRECO expressed misgivings about possible exposure to undue political interference regarding appointments and reappointments, and more particularly, it recommended reconsidering the scope of the powers of the *Saeima* to restrict them to the mere confirmation of judicial appointments as recommended by the relevant judicial bodies.
40. GRECO concludes that recommendation vii has been partly implemented.

Recommendation viii.

41. *GRECO recommended that the authorities continue in their endeavours to ensure court judgments are easily accessible and searchable to the public, taking into account the appropriate privacy safeguards.*
42. The authorities of Latvia refer to the 2013 amendments to the Law on Judicial Power, by virtue of which all open sessions and adopted court rulings (from all three court instances in civil, administrative and criminal cases) are published online (www.tiesas.lv/nolemumi). Provision is made for the identification data of persons referred to by the relevant court rulings to remain anonymous.
43. GRECO welcomes the important measure undertaken to enhance the transparency of judicial work, notably, by enabling online access to the contents of court rulings and open sessions.
44. GRECO concludes that recommendation viii has been implemented satisfactorily.

Recommendation ix.

45. *GRECO recommended that the role and resources of the Commission of Judicial Ethics be strengthened in order to further develop its work, and in particular, to ensure that the Judicial Code of Ethics is updated and that regular guidance on its provisions is dispensed.*
46. The authorities of Latvia explain that the Commission of Judicial Ethics has continued to play its advisory role in the field of judicial integrity and plans to intensify its activity in this area, notably, by convening more regular sessions of the Commission's members (currently, the Commission meets once a month), updating the code of ethics before spring 2016 (when the current Commission's members' term of office will expire), introducing new working methods (e.g. carrying out joint meetings with judges to discuss ethical matters, holding off-site sessions of the Commission – a total of three off-site sessions have been held to date), and seeking ways to improve its communication strategy. The Commission's resources

are limited: its members do the work in addition to their normal judicial duties; additional means have been requested of the court administration and the Ministry of Justice is currently looking at this matter.

47. GRECO welcomes the positive initiatives underway to strengthen the role of the Commission of Judicial Ethics and to enhance awareness on judicial integrity. GRECO already noted favourably, in the Fourth Evaluation Round Report (paragraph 110), the valuable and proactive advisory role the Commission was playing. That said, many of these plans – including a review of the code of ethics and the provision of regular guidance on its contents, as recommended – have yet to materialise in practice. The recommendation calls for additional resources in this respect.
48. GRECO concludes that recommendation ix has been partly implemented.

Recommendation xi.

49. *GRECO recommended that measures be taken to ensure that disciplinary cases concerning improper conduct by judges are decided before the expiry of the statute of limitations, such as extending the time period for imposing sanctions from the date of detection, reassessing the adequacy of the limitation period as a whole, and providing for the interruption or suspension of the period of limitation under specified circumstances.*
50. The authorities of Latvia report that they have reassessed the adequacy of the current limitation period for disciplinary cases concerning improper conduct by judges. Accordingly, the Ministry of Justice, the Judicial Council, the Supreme Court and the Association of Judges reached an agreement, on 9 February 2015, to extend the relative statute of limitation from three months to one year after the initiation of disciplinary proceedings; the absolute statute of limitation remains the same, i.e. no later than two years from the day the violation was committed. It has also been discussed to establish a Supreme Disciplinary Court which will hear appeals for decisions on disciplinary matters involving not only judges and prosecutors, but also other legal professionals (lawyers, bailiffs and notaries). A final decision on the aforementioned issues has not yet been made.
51. Legislative amendments have also been proposed to establish additional grounds for the interruption and suspension of the period of limitation, including the periods in which the case is reviewed by either the Disciplinary Court or the Judicial Disciplinary Board.
52. GRECO takes note of the recent discussion on the matter, which appears to go in the right direction. However, it is premature to assess whether the final output would indeed correspond to the anticipated plans. The authorities themselves concede that no final decision has been taken yet on the review of the limitation period.
53. GRECO concludes that recommendation xi has not been implemented.

Recommendation xii.

54. *GRECO recommended i) that professional training on corruption prevention, ethics and integrity is given higher priority within the judiciary, that it is properly funded, and that it forms part of a regular rolling programme for all judges; and (ii) that specific on-going training is developed for court chairs, to better equip them to provide a lead on matters of ethics, conflicts of interest and other integrity and anti-corruption matters within their courts.*

55. The authorities of Latvia report that deontological matters form part of the induction training curriculum (theoretical and practical) for new recruits to the judicial service. More particularly, the following lectures are delivered: identification of corruption risks and the essence of the problem, recommended corruption prevention measures in the judiciary, recommended ethical principles for the judiciary, public administration offences, prevention of conflicts of interest, viewpoint of the Prosecutor's Office in the prevention of corruption, and understanding the concept of substantial damage in case law.
56. Further work is underway to develop a comprehensive training programme for the period 2014-2020, which would encompass additional initiatives concerning tailored training on corruption prevention, ethics and integrity for judges (including specific measures targeting court chairs). Concrete implementation of such a programme is expected to happen in the third quarter of 2016. Similarly, the authorities intend to provide tailored-made training on ethical matters to court chairs, upon individual requests. The authorities indicated that concrete information on regular training programmes regarding judicial ethics, which are already running, will be provided in their future communications to GRECO.
57. GRECO appreciates the steps already made to include training on ethics and integrity matters in induction courses for newly recruited judges. GRECO also acknowledges the anticipated measures to further tackle such matters, in a systematic way, through in-service training programmes, as well as through tailored-made courses for court chairs as per their individual needs and challenges. However, until the anticipated plans are implemented in practice, GRECO concludes that recommendation xii has been partly implemented.

Corruption prevention in respect of prosecutors

Recommendation xiv.

58. *GRECO recommended that training on corruption prevention (including issues of confidentiality and reporting concerns about wrongdoing), ethics and integrity, tailored to prosecutors is given a greater priority and resources such that it forms part of a regular rolling programme.*
59. The authorities of Latvia report that, in the framework of an EU-funded project "Interdisciplinary training for members of the judicial service and other professions dealing with financial and economic crime", a two-day training was held in September 2014, including, inter alia, topics related to professional deontology and the prevention of conflicts of interest. This training was broadly attended by judges, prosecutors (a total of 175 prosecutors) and other representatives of law enforcement institutions, including the KNAB. The authorities indicated that concrete information on regular training programmes for prosecutors regarding deontology and integrity within the profession, which are already running, will be provided in future communications to GRECO.
60. Further, the authorities underscore that, following some considerations made by GRECO in its Fourth Evaluation Round Report regarding the openness of disciplinary outcomes for prosecutors, it is now possible to find details on the Prosecutor General's website on appeal procedures with regard to prosecutorial decisions (www.lrp.gov.lv/public/31052.html).
61. GRECO takes note of the information provided and welcomes the developments reported regarding training and transparency in the prosecution service. GRECO, however, is of the opinion that more needs to be done to ensure, as recommended,

that corruption prevention, ethics and integrity form part of a regular rolling programme for prosecutors. GRECO expects training on ethics and conduct to be continued on a regular basis.

62. GRECO concludes that recommendation xiv has been partly implemented.

III. CONCLUSIONS

63. **In view of the foregoing, GRECO concludes that Latvia has implemented satisfactorily only two of the fourteen recommendations contained in the Fourth Round Evaluation Report.** Of the remaining recommendations, four recommendations have been partly implemented and eight recommendations have not been implemented.
64. More specifically, recommendations iv and viii have been implemented satisfactorily, recommendations vii, ix, xii and xiv have been partly implemented and recommendations i, ii, iii, v, vi, x, xi and xiii have not been implemented.
65. With respect to members of parliament, there is little positive development to signal, other than the establishment of a ban for parliamentarians to enter into contracts with State authorities in order to better prevent potential conflicts of interest. All other recommendations made by GRECO in this domain are set aside effectively in different parliamentary procedures, without crystallising in practice. In particular, no adequate measures have been taken as regards rules on contacts of parliamentarians with lobbyists and other third parties seeking to influence the legislative process. Nothing has been done to step up the Saeima's capacity to self-regulate, to address real and potential conflicts of interest nor to sanction those who fall short of acceptable standards of ethical conduct.
66. With respect to judges and prosecutors, some initial steps have been made to comply with GRECO recommendations. For example, it is to be welcomed that court judgements are now publicly available. The Commission of Judicial Ethics has continued to encourage debate on ethical matters within the judicial profession and training opportunities for prosecutors on integrity have been, or are in the process of being, boosted. Efforts have been made to strengthen the role of the Judicial Council in career progression procedures and decisions. However, a vast number of the initiatives reported by the authorities to comply with GRECO concerns, are still plans under discussion, which may, or may not, see the light in the future. More generally, the reinforcement of the activities and responsibilities of self-governing judicial bodies is crucial to ensure judicial independence and dispel risks of undue political influence. Finally, the system of administrative immunities for the three categories of officials under review (parliamentarians, judges and prosecutors) remains in place and finds little legal ground today.
67. GRECO has acknowledged in former reports the laudable efforts made by Latvia in the anticorruption field in the last ten years. However, with respect to this Fourth Evaluation Round and its specific recommendations, the action taken has been quite limited. Moreover, the uncertainty around the structure of the KNAB, a cornerstone of the anticorruption fight in the Latvian system, is a worrying matter for GRECO which has consistently recommended strengthening the independence of the institution. It is evident throughout this report that the KNAB cannot, and must not, be left alone in implementing or driving forward anticorruption reforms, it needs the support and commitment of the different pillars of the executive, legislative and the judiciary to do so. Self-responsibility in compliance of the different categories of officials targeted in this report (members of parliament, judges and prosecutors) is crucial.

68. In view of the above, GRECO therefore concludes that the current very low level of compliance with the recommendations is “globally unsatisfactory” in the meaning of Rule 31, paragraph 8.3 of the Rules of Procedure. GRECO therefore decides to apply Rule 32 concerning members found not to be in compliance with the recommendations contained in the mutual evaluation report, and asks the Head of delegation of Latvia to provide a report on the progress in implementing the outstanding recommendations (i.e. recommendations i, ii, iii, v, vi, vii, ix, x, xi, xii, xiii and xiv) as soon as possible; however – at the latest – by 30 September 2015.
69. Finally, GRECO invites the authorities of Latvia to authorise, as soon as possible, the publication of the report, to translate the report into the national language and to make this translation public.