



Office for Democratic Institutions and Human Rights

REPUBLIC OF LATVIA

PARLIAMENTARY ELECTIONS

6 October 2018

ODIHR NEEDS ASSESSMENT MISSION REPORT

4-7 June 2018



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ODIHR Needs Assessment Mission Report

I. INTRODUCTION

Following an invitation from the authorities of the Republic of Latvia to observe the 6 October 2018 parliamentary elections and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 4 to 7 June. The NAM included Richard Lappin, Deputy Head of the ODIHR Election Department, Keara Castaldo, ODIHR Election Adviser, and Ulvi Akhundlu, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and preparations for the parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming elections and, if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions as well as with representatives of political parties, media and civil society. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and for sharing their views.

II. EXECUTIVE SUMMARY

On 6 October, the citizens of Latvia will vote to elect the 100 members of parliament for a four-year term. Members of parliament are elected through a proportional open list system. To be awarded a seat, a party must obtain five per cent of the valid votes cast across the country.

The political landscape is largely divided along ethnic and linguistic lines, with parties broadly perceived as representing either Latvian speakers or the considerable Russian-speaking population, many of whom are non-citizens. Despite some initiatives to simplify citizenship procedures, there remain some 233,400 people registered as non-citizens. Such individuals may join political parties and make campaign finance contributions, but do not have the right to vote.

Elections are primarily regulated by the Constitution and Law on Parliamentary Elections. In general, the legal framework has not been changed substantially since the last elections and most ODIHR NAM interlocutors expressed satisfaction with the election law. However, some interlocutors raised concerns about a 2016 amendment that introduced limits on political party eligibility to contest elections. Further concerns were voiced regarding proposed amendments that would prohibit campaigning in non-European Union languages, including in media, and, in particular, how this could impact the Russian-speaking population.

The elections are administered by a three-tiered structure, headed by the Central Election Commission (CEC). The CEC has extensive responsibilities and a wide supervisory role. Voters are able to cast their vote early or from abroad, and the CEC has taken several steps to facilitate

voting for persons with disabilities. All ODIHR NAM interlocutors expressed full confidence and trust in the professionalism and impartiality of election administration at all levels.

All citizens over 18 years of age have the right to vote. There is no permanent voter register for parliamentary elections and voters may vote at any polling station in any constituency regardless of their residence. A passport, or temporary voter registration identification document, is stamped at the time of voting as a safeguard against multiple voting. For these elections there are some 1.55 million eligible voters.

Eligible voters over 21 years of age who attest to proficiency in the Latvian language can be nominated as candidates by a political party or a coalition of parties. Women's political representation is low and there are no legislative measures to promote women candidates. Legislation does not allow for independent candidates and prohibits individuals standing who are subject to lustration proceedings. Recent amendments limit registration in the elections to parties founded at least one year prior to the elections and with at least 500 members. Some parties expressed concerns that candidacy requirements are overly restrictive.

The official campaign begins 120 days before election day. No issues were noted about the ability to campaign freely, but some ODIHR NAM interlocutors expressed concerns about possible abuse of state resources. The importance of preventing and responding to possible foreign interference in the election campaign was noted by many ODIHR NAM interlocutors.

Campaign finance is regulated in detail, including on permitted forms of contributions, expenditure limits, and reporting requirements to the Corruption Prevention and Combating Bureau (KNAB). While the majority of ODIHR NAM interlocutors expressed confidence in the campaign finance system, some expressed concerns about possible circumvention of the rules.

The media environment is diverse but divided along linguistic lines. Many media outlets are perceived as being affiliated with influential businesses or political actors. Contestants are provided with free airtime on an equal basis on public broadcasters and all media are obliged to provide equal conditions for paid advertising. Most ODIHR NAM interlocutors expressed overall satisfaction with provisions for media access and coverage during elections, but noted some concerns about the ability of the National Electronic Mass Media Council to oversee compliance, particularly in light of the possible changes to media law.

The complaints and appeals system is regulated by several laws and executed by a number of judicial and administrative bodies. While gaps exist in the law pertaining to the procedures and deadlines for filing administrative appeals, the ODIHR NAM interlocutors expressed overall confidence in the integrity and impartiality of the complaints and appeals system.

Although the law makes no specific reference to citizen and international observers, the CEC facilitates their observation activities. Additionally, political parties and coalitions have full access to observe all stages of the electoral process, as well as representatives of the media and persons authorized by election commissions.

The ODIHR NAM noted the confidence of interlocutors in the integrity of the electoral process and the professionalism and impartiality of the election administration in organizing the elections. No significant concerns were expressed related to the respect for fundamental freedoms, transparency of the electoral process, and administration of election day proceedings. Nevertheless, several ODIHR NAM interlocutors noted that only a few previous ODIHR recommendations have been implemented and that an external assessment could contribute to

continued refinements of election legislation and practice. A number of aspects would merit specific attention from an ODIHR observation activity, including the management of voter lists, candidacy rights, campaign finance, media access and coverage of the campaign, and participation of national minorities and women. On this basis, the ODIHR NAM recommends the deployment of an Election Assessment Mission for the 6 October parliamentary elections.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

Latvia is a parliamentary republic with legislative powers vested in the 100-member unicameral parliament (*Saeima*). Executive power is exercised by the government, led by the prime minister. The president is elected by parliament for a four-year term and holds limited functions.

The last parliamentary elections were held on 4 October 2014 and resulted in a three-party governing coalition consisting of Unity (23 seats), Union of Greens and Farmers (21), and National Alliance (17). The Social Democratic Party “Harmony” (24) remained the largest opposition party in the parliament.¹ Women’s political representation is low. While the speaker of the outgoing parliament is a woman, only 16 of 100 MPs and 3 of the 14 outgoing ministers are women.

In December 2015, Prime Minister Laimdota Straujuma resigned from office citing instability within her Unity party.² In February 2016, Māris Kučinskis from the Union of Greens and Farmers was elected to the post. Despite a change of the government and several political scandals affecting the ruling coalition, the government remained stable.³ Local elections held in June 2017 saw the emergence of several new parties, but most cities and districts elected incumbent representatives, with Harmony winning the Riga municipal election and securing its party leader’s return to office for a third term.

The political landscape is largely divided along ethnic and linguistic lines. Parties are broadly perceived as representing either Latvian speakers or the country’s considerable Russian-speaking population, many of whom are non-citizens.⁴ Currently, there are approximately 233,400 people registered as non-citizens. Such individuals may join political parties and make campaign finance contributions, but they not entitled to vote. In 2013, the Law on Citizenship was amended to simplify procedures for granting citizenship to children born in Latvia to non-citizens. In 2017, the president proposed legislative changes that would automate the naturalization process for these children, though the changes have not yet been adopted in

¹ Other parties represented in the 2014 parliament included the Harmony Centre (24 seats), Latvian Association of Regions (8) and For Latvia from the Heart (7).

² Unity continued to fragment after the resignation of the prime minister. In summer 2017, five Unity members of parliament (MPs) resigned from the party and co-founded a new liberal party, Movement For!, which will stand in the upcoming elections.

³ In spring 2017, the liberal weekly magazine *Ir* published a series of leaked transcripts of secretly taped conversations between several influential political figures. The so-called “oligarch transcripts” provoked heated public debate about suspected cases of corruption and abuse of power, as well as on alleged intentions to restrict press freedom and gain control of government institutions.

⁴ After the restoration of independence in 1991, Latvian citizenship was granted automatically only to holders of citizenship prior to 1940 and their descendants. Non-citizens are legal residents of Latvia who do not possess Latvian or any other citizenship. They cannot vote in national, local or European Parliament elections, and are barred from holding certain public posts, but otherwise enjoy full economic and social rights and protections. See also sections on *Voter Registration* and *Candidate Registration*.

parliament. The Office of Citizenship and Migration Affairs (OCMA) sends letters encouraging families with eligible non-citizen children to pursue naturalization, but no such campaign is targeted to the non-citizen population of voting age.⁵ ODIHR has previously recommended that, in order to promote inclusive political participation, the authorities should explore ways to increase the naturalization rate.

ODIHR has observed six elections in Latvia since 1998.⁶ For the 2014 parliamentary elections, ODIHR deployed an Election Assessment Mission, which concluded that the elections were professionally administered, enjoying a high level of public confidence.

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are primarily regulated by the Constitution (last amended in 2016) and the Law on Parliamentary Elections (Election Law, last amended in 2018). These are supplemented by the Law on the Central Election Commission (CEC), Law on Pre-Election Campaign, and the Law on Financing of Political Organizations, as well as a range of CEC regulations and judicial decisions.⁷ Latvia is a party to major international and regional instruments related to the holding of democratic elections.⁸

The legal framework has been amended since the last elections. While most changes are of a technical nature and do not affect fundamental aspects of the electoral process, a 2016 amendment to the Election Law restricts candidacy eligibility criteria (see *Candidate Registration*). Although most ODIHR NAM interlocutors expressed overall satisfaction with the election law, prior ODIHR recommendations related to candidacy rights, electoral participation of women and national minorities, election observation and effective legal redress remain unaddressed in the law. In addition, the ODIHR NAM was informed that draft amendments prohibiting election campaigning in non-European Union languages was pending before the parliament. Some ODIHR NAM interlocutors emphasized that, if adopted, the amendment would limit the ability of parties representing national and linguistic minorities to campaign on par with other parties.

The 100 MPs are elected from five multi-member constituencies through a proportional open list system for four-year terms. To be awarded a seat, a political party must obtain five per cent of the valid votes cast across the country. While political parties present a ranked list of candidates per constituency, the final order is decided by the voters who can express a preference for a candidate within a specific list by adding a plus mark opposite the candidate's name, or reject a

⁵ According to the OCMA, over 97 percent of non-citizen residents of Latvia are aged 18 or older.

⁶ See all [previous ODIHR election-related reports on Latvia](#).

⁷ Secondary legislation includes the Law on Political Parties, Law on Freedom of Information, Law on Prevention of Conflict of Interest in Activities of Public Officials, Law on Electronic Mass Media, and the Law on Administrative Proceedings.

⁸ Including the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD), 1966 International Covenant on Civil and Political Rights (ICCPR), 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 2003 UN Convention against Corruption, and 2006 UN Convention on the Rights of Persons with Disabilities. Latvia is also a member of the Council of Europe's European Commission for Democracy through Law (Venice Commission) and Group of States against Corruption (GRECO), and is a party to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and Framework Convention for the Protection of National Minorities (FCNM).

candidate by adding a minus mark next to his or her name.⁹ A voter is assigned to a constituency based on their registered residency but may, in practice, choose to vote at any polling station in the country and, in turn, for that respective constituency election.

The number of mandates per constituency is allocated by the CEC four months before the vote in proportion to the number of voters in each constituency, based on data provided by the OCMA.¹⁰ Some ODIHR NAM interlocutors questioned the accuracy of the residency data as registered by voters, which, alongside the possibility to vote in any constituency, may unduly impact the number of votes needed to elect a candidate from different constituencies.

C. ELECTION ADMINISTRATION

The election administration comprises a three-tiered commission structure: the Central Election Commission (CEC); 119 Municipal Election Commissions (MECs), and 957 Polling Station Commissions (PSCs). An additional 115 polling stations will be established in Latvia's diplomatic and consular offices and other designated premises to facilitate out-of-country and postal voting.

The CEC is a permanent body responsible for the overall conduct of the elections, whose members are appointed to four-year terms, most recently in March 2015. The CEC comprises nine members, eight appointed by the Parliament on the basis of nominations from political parties, and one nominated by the Supreme Court from among the judiciary. The chairperson is selected by the Parliament and the deputy chairperson and secretary by the CEC members. There are no gender requirements for nomination; three CEC members are women.

The MECs are permanent bodies and oversee the electoral process at the municipal level. The MECs serve four-year terms and comprise between 7 and 15 members appointed by the municipal council, which determines the number of members; the chairperson and secretary are elected from among the MEC members.¹¹ The PSCs oversee the voting and counting procedures on election day. PSCs are temporarily established at least 40 days prior to the elections, and comprise from five to seven members appointed by the respective MECs. Political parties and coalitions, groups of at least ten voters, and individual members of the municipal council may nominate representatives to the MECs and PSCs. Individual members of the MECs may nominate representatives to the PSCs. Several political parties informed the ODIHR NAM that they are unlikely to nominate large numbers of representatives, due to their overall trust in the administration of elections.

The CEC informed the ODIHR NAM that it has adopted the election calendar and that preparations for the elections, including logistical arrangements, were ongoing. The CEC plans to conduct trainings on election day procedures for MEC chairpersons and secretaries in July and August. It will also offer online training for MECs and PSCs and provide information on its website related to election rules and procedures. This information will be provided in Latvian, as

⁹ During the 2014 parliamentary elections, one candidate, Arturs Kaimiņš, gained a seat by moving from the last to the first position in the list of the Latvian Association of Regions. In another example, Unity leader Solvita Āboltiņa moved from first to fourth place in her list, initially left without a seat.

¹⁰ Voters residing abroad are included in the Riga constituency. According to a CEC decision adopted on 11 June 2018, 35 members of parliament will be elected from Riga (an increase of three seats compared to 2014), 25 from Vidzeme (one seat less), 14 from Latgale (one seat less), 14 from Zemgale, and 12 from Kurzeme (one seat less). The increase in Riga is attributed to the fact that there are more voters registered abroad, compared with 2014.

¹¹ According to the CEC, women constitute 84 per cent of all chairpersons and secretaries at the MEC level.

well as English and Russian languages. However, due to legislation requiring that all official documents be disseminated exclusively in Latvian, voting materials and procedural information at polling stations will not be available in minority languages. ODIHR previously recommended that consideration be given to providing a broader voter education in minority languages.

In co-operation with civil society organizations, the CEC has introduced some measures to facilitate the voting rights of persons with disabilities, including easy-to-read ballots, informational videos produced with subtitles, and audio recordings of registered parties' platforms and lists of candidates.¹² For the upcoming elections, the CEC has designated some 619 polling stations to be accessible to voters with reduced mobility.

Early voting mechanisms are available. Voters in Latvia have the opportunity to cast a ballot at selected polling stations up to three days prior to election day.¹³ Additionally, eligible voters residing abroad may cast a ballot in-person on election day at the polling stations opened at Latvian diplomatic and consular offices as well as other designated premises abroad. Sixteen of these PSCs will also organize postal voting for out-of-country voters. Voters seeking to vote by mail must submit an application form together with their passport, which will be stamped, no later than 14 September. Ballot papers for voters abroad are mailed starting from three weeks prior to the elections, and votes cast from abroad are assigned to Riga.¹⁴

The election administration at all levels, including PSCs established abroad, use an electronic information system to facilitate a number of processes, such as candidate registration, election day complaint registration, and transmission of result protocols. In line with a previous ODIHR recommendation, technical documents regarding this system are publicly available and the testing of the system is accessible to observers. The CEC noted increased efforts to guarantee the security of its election technologies, including pre-election security audits and contingency plans. Additionally, municipalities may provide PSCs with ballot scanners to facilitate counting and tabulation of votes. The CEC anticipates that up to two-thirds of polling stations will use scanners in the upcoming elections.¹⁵

All ODIHR NAM interlocutors expressed full confidence and trust in the professionalism and impartiality of election administration at all levels, and no concerns were raised regarding the technical preparations and conduct of the elections.

D. VOTER REGISTRATION

All citizens of Latvia who have reached the age of 18 are eligible to vote, including prisoners and persons with mental disabilities.¹⁶ For these elections there are some 1.55 million eligible voters, including 130,000 living abroad.

¹² See paragraph 50 of the 2017 [Concluding Observations on Latvia](#) of the Committee on the Rights of Persons with Disabilities, which noted a “lack of accessibility to electoral processes, facilities and materials for persons with intellectual and physical disabilities, as well as for blind and deaf persons”.

¹³ The law requires at least one such polling station in municipalities with more than 7,500 eligible voters. The Constitution precludes voting other than on election day, so these ballots are not considered final and may be changed by the voter at the same polling station before or on election day. In the prior elections, only two percent of voters cast early ballots at the 61 polling stations offering the opportunity.

¹⁴ In the prior parliamentary elections, only 425 applications were received for postal voting.

¹⁵ These scanners are financed by municipalities. The CEC informed the ODIHR NAM that it currently lacks the financial resources to provide ballot scanners in all polling stations.

¹⁶ A possibility exists for courts to revoke voting rights on an individual basis. However, the authorities informed the ODIHR NAM that there are no such cases at present.

Latvia has no permanent voter register for parliamentary elections and PSCs do not consult pre-prepared voter lists on election day.¹⁷ Instead, lists of voters are recorded at polling stations, as voters present themselves with their valid Latvian passport. A stamp is affixed in the passport of the voter to indicate that they have voted, so as to prevent multiple voting. Voters may choose to vote at any polling station in the country and their vote will be assigned to that respective constituency, which may not be the constituency of their registered residence. The CEC estimates the number of voters in each polling station based on data from the population register compiled by the OCMA, as well as from previous elections. The ODIHR NAM was informed of ongoing discussions and initiatives to introduce pre-prepared voter lists for future parliamentary elections.

Eligible voters without a valid passport may collect a temporary voting card from the OCMA in the three weeks prior to the election.¹⁸ In the prior parliamentary elections, 4,871 citizens took this opportunity out of 27,520 eligible individuals who did not possess a valid passport. The OCMA informed the ODIHR NAM that the law was amended so that cards are produced for all eligible individuals without the need for a prior request. The OCMA plans to expand public outreach about the availability of these cards for these elections.

E. CANDIDATE REGISTRATION

Citizens who have attained the age of 21 years and who attest to proficiency in the Latvian language are eligible to stand for elections, except for those who are serving a prison sentence, who have previously committed an intentional crime, or who have been placed under statutory trusteeship by a court. Contrary to prior ODIHR recommendations, the legislation does not allow for individual independent candidates to contest the elections. In addition, individuals subject to lustration remain ineligible to stand as candidates for a political party list.¹⁹

In order to contest the elections, parties and coalitions must register their lists of candidates with the CEC between 18 July and 7 August, together with a deposit of EUR 1,400. Recent amendments limit registration to parties with at least 500 members and founded at least one year prior to the elections.²⁰ These changes were viewed by some ODIHR NAM interlocutors as a means to avoid political party fragmentation and abuse of public party funding.²¹ However, many interlocutors expressed concerns that the requirements are overly restrictive and may limit

¹⁷ The parliament, in line with recommendations from the CEC, is considering amendments to the Election Law that will introduce a permanent voter registration system based on population register data. Precise amendments have not yet been formally introduced and there is no expected change to the law prior to the forthcoming elections.

¹⁸ According to the OCMA, an estimated 60,000 citizens do not currently possess a valid passport.

¹⁹ Individuals subject to lustration include prior salaried staff of the state security, intelligence or counterintelligence services of a foreign country or of the former Soviet Union, or members of associated post-Soviet political entities. The European Court of Human Rights held previously that Latvia's temporary lustration provisions were not contrary to international treaty, but later held that the blanket restrictions are overly broad and violate Article 3 of Protocol 1 of the ECHR, which guarantees the right to free elections (see *Ždanoka v. Latvia*, from March 2006, and *Adamsons v. Latvia*, from June 2008, respectively). Since these rulings, amendments to the election law narrowed the application of the provisions to exclude individuals serving technical support roles, and a further decision regarding the provisions is expected by spring 2019.

²⁰ Parties may register as a political organization with only 200 members, and may contest the elections as part of a coalition, so long as the coalition consists of 500 members across its parties. However, all parties in a coalition must register as political organizations at least one year prior to the elections.

²¹ As of May 2018, there are 78 registered political parties.

access of parties to contest the elections. Aside from these amendments, interlocutors expressed confidence in the CEC's impartiality in enforcing the registration requirements.

Despite previous ODIHR recommendations and continued underrepresentation in parliament, there are no special legislative measures to promote women candidates. No parties informed the ODIHR NAM of targeted efforts to promote the nomination or election of women candidates.

F. ELECTION CAMPAIGN

The official campaign period begins 120 days before election day. The Law on Pre-Election Campaign extensively regulates campaigning, such as the use of public spaces, campaign mail, and print and electronic media, including the internet. The legislation does not provide for a campaign silence period, with the exception of prohibition on reporting opinion poll results two days prior to election day. Most ODIHR NAM interlocutors did not raise concerns about the ability of candidates to campaign freely.²² However, several stakeholders expressed concerns about possible abuse of state resources by incumbents.

The campaign is expected to focus on the economy, migration, healthcare and education, as well as national security and foreign policy issues. Several ODIHR NAM interlocutors expect aspects of the campaign to be divided along linguistic and ethnic lines, with a particular focus on an ongoing education system reform and the use of minority languages.²³ All ODIHR NAM interlocutors expect an active campaign conducted through small public meetings, posters, billboards, and media advertisements, as well as an active use of the Internet and social media.

Many ODIHR NAM interlocutors emphasized the importance of preventing and responding to possible foreign interference in the upcoming election campaign.²⁴ The government has set up a special group to facilitate co-ordination and exchange of information among various agencies to counter potential disinformation on social networks and manipulation of search engine results.²⁵

G. CAMPAIGN FINANCE

Party and campaign finance are regulated by the Law on Financing Political Organizations, which is supplemented by the Law on Corruption Prevention and Combating Bureau (KNAB), the Law on Pre-election Campaign, and KNAB decisions.²⁶

Political parties may be financed by membership fees, donations from individuals, and income earned through parties' economic activities, according to set limits. Public financing is also provided to all parties who gained two per cent of the vote in the last parliamentary elections.²⁷

²² After the 2014 elections, the police investigated a vote-buying case in favour of one Unity MP. In October 2016, two persons were found guilty and charged for organizing a vote-buying scheme in Latgale constituency targeting socially vulnerable groups.

²³ Some ODIHR NAM interlocutors expressed concern about the response of law enforcement agencies to protests against the new Education Law adopted on 22 March 2018.

²⁴ In his public statement on 15 May, President Raimonds Vejonis warned of internal and external attempts to influence the outcome of the parliamentary elections.

²⁵ The group is headed by the prime minister's adviser on strategic communication and consists of representatives of all ministries, the Constitution Protection Bureau, and the Security Police.

²⁶ The Council of Europe's Group of States against Corruption (GRECO), in its [third evaluation round in 2014](#), concluded that Latvia had implemented satisfactorily a number of its previous recommendations pertaining to campaign and political party financing rules.

²⁷ Public funds are distributed in an amount proportional to the number of votes received. Six parties qualified in 2014, with the state budget allocating a total of EUR 629,368 to support parties per year.

The law forbids donations from legal entities, as well as anonymous and foreign sources. Parties are not allowed to take or issue loans. Candidates can donate to their own campaign, but according to the limits established for donations from individual persons. All donations must be made through bank transfers, except for those made in cash at less than EUR 430. The ODIHR NAM was informed by one party of difficulties in opening a bank account.

Citizens with full suffrage rights, as well as non-citizens, may contribute up to EUR 21,500 to a political party per year.²⁸ For these elections, campaign expenditure limits are set at EUR 533,348 per party, with candidate limits determined by constituency size.²⁹ The law sets an expenditure limit for third-party campaigning at EUR 6,450, but some ODIHR NAM interlocutors noted concerns about hidden advertisements, particularly with online campaigning.

The KNAB supervises campaign finance provisions, exercising investigative and enforcement powers. Political parties are required to submit general financial reports for the previous calendar year by 31 March. By law, the deadline for declaration of campaign income and expenditures is 30 days after election day. KNAB also requests additional party income reports, which must disclose all donations within 15 days of receipt, and which are published on an ongoing basis on the KNAB website.³⁰ Donors are obliged to provide information on their income, savings, and property upon the request of the KNAB, as well as documents proving the legality of the sources of donations given. If an election contestant exceeds the campaign expenditure ceiling, the KNAB is empowered to prohibit further campaign activities. Despite noting some gaps in existing provisions, most ODIHR NAM interlocutors expressed confidence in the party and campaign finance rules, including the oversight role of the KNAB.

H. MEDIA

The media environment is diverse, including 67 television and 52 radio broadcasters, as well as numerous online and print media, at the national and local level. Despite a growing reliance on the Internet and social media for news, television remains the primary source of political information.

Freedom of expression is enshrined in the Constitution and generally respected. Contrary to previous ODIHR recommendations, defamation remains a criminal offense. The lack of transparency in media ownership and concentration of media ownership with links to business leaders and politicians were noted by several ODIHR NAM interlocutors as a concern. Broadcasters are required to disclose all beneficial owners, though the information is not publicly available.³¹

The ODIHR NAM was informed that a package of amendments to the Law on Electronic Media passed a second reading in parliament and, if adopted, would provide a broader mandate for the National Electronic Mass Media Council (NEMMC) to restrict broadcasting of electronic media

²⁸ Up to 30 per cent of their income in the previous year, but no more than 50 minimum monthly salaries. According to KNAB, the national minimum monthly salary constitutes EUR 430.

²⁹ The highest spending limit is established at EUR 171,885 for Riga and the lowest for Kurzeme at EUR 68,297 per candidate.

³⁰ Political parties are also required to notify the KNAB within three days of signature of any agreement concluded for pre-election campaigning purposes, including those related to the placement of political ads on television, radio and online, distribution of printed materials, sponsorship agreements and others. Parties are also required to submit separate reports on membership fees on a quarterly basis.

³¹ [The European Journalism Centre](#) found that despite the disclosure requirement, the register “does not promote transparency of the media environment” and that “the true beneficial owners remain unknown”.

that fails to ensure accurate and impartial coverage. In addition, the amendments provide for the blocking of websites that retransmit audio-visual content without permission for up to six months. Some ODIHR NAM interlocutors voiced concerns with regard to the scope and practical implications of the amendments, as well as the limited information and public debate prior to their adoption.

The conduct of media during the electoral period is primarily regulated by the Law on Pre-Election Campaign, which obliges both public and private media to ensure neutrality, diversity, objectivity and balance in reporting. The law obliges Latvian public radio and television to provide each party and coalition contesting the elections with a total of 40 minutes of free airtime during the campaign: 20 minutes each on public radio and television, divided into four slots. Parties and coalitions, as well as candidates, are entitled to place paid advertisements on private broadcasters and public radio until 30 days before election day.

All media, including Internet-based outlets, are obliged to publicize and to inform KNAB and NEMMC of their advertising rates 150 days prior to election day and to provide all parties with equal conditions for placing such advertisements. All paid materials must be clearly identified as such and include information on who it was paid by. Apart from free airtime and paid advertising, electronic and print media plan to cover the campaign through a variety of thematic programmes and articles. Some ODIHR NAM interlocutors acknowledged the challenge of ensuring balanced coverage across the political spectrum due to a considerable number of electoral contestants as well as institutional appearances of incumbent candidates.

Public television and radio intend to organize debates and discussions among parties throughout the campaign, including debates among prime-ministerial candidates of the top ranking political parties in public opinion polls. *LTVI* plans a series of short interviews with candidates to be made available on its website. *LTV7* and *LR4* will broadcast election-related content in Russian language.

The NEMMC is responsible for monitoring electronic media and has authority to impose sanctions in case of non-compliance with the law.³² As per previous practice, the NEMMC intends to outsource media monitoring of broadcasters during the campaign to a private company. For the first time, and partly addressing a prior ODIHR recommendation, the Council plans to publish its findings throughout the campaign period; however, no qualitative analysis of campaign coverage is envisaged. Several ODIHR NAM interlocutors noted that the Council has been subject to criticism of its impartiality.³³

I. COMPLAINTS AND APPEALS

The complaints and appeals system is regulated by several laws and executed by a number of judicial and administrative bodies. CEC decisions on candidate registration may be appealed by submitters of candidate lists before the District Administrative Court (DAC) within three days. The court decision is due within seven days and is final. Decisions by MECs and PSCs may be appealed to the CEC, whose decisions can in turn be appealed at the DAC. CEC decisions on

³² The NEMMC is composed of five members elected by the parliament upon consultation with media associations and civil society.

³³ In 2015, reacting to the parliament's decision to dismiss four members of the NEMMC, the OSCE Representative on Freedom of the Media (RFoM) [called for the respect of the regulator's independence](#). In summer 2017, the staff of the Latvian public radio [issued an open letter](#) (in Latvian) urging the NEMMC to respect its editorial independence and content autonomy.

election results may be challenged only by submitters of candidate lists at the Supreme Court within three days, which has to bring a final decision within seven days.

While the Election Law provides that violations pertaining to voting can be challenged with the PSC chairperson, it is silent on any procedure to this effect, including a mechanism for appeal. The election law also does not provide for appeal of CEC decisions regarding organizational and technical aspects of the electoral process. Under the Law on Administrative Violations, appeals against decisions of administrative bodies may be filed with first instance administrative courts through regular procedures, but with no specific election-related deadlines. Nonetheless, all ODIHR NAM interlocutors expressed overall confidence in the integrity and impartiality of the complaints and appeals system.

J. ELECTION OBSERVATION

Political parties and coalitions have full access to all stages of the electoral process through delegating up to two representatives to each election commission. Some parties met with by the ODIHR NAM stated their intention to use this opportunity. The legislation also permits media and people authorized by election commissions to act as observers. Although the law makes no specific reference to citizen and international observers, the CEC facilitates the process through a special decision; it also encourages citizen participation through a “Volunteer Observer” project and an e-learning course on election day proceedings, as well as a “Practice in the Polling Station” initiative aimed at increasing youth participation and knowledge in electoral matters.

IV. CONCLUSIONS AND RECOMMENDATIONS

The ODIHR NAM noted the confidence of interlocutors in the integrity of the electoral process and the professionalism and impartiality of the election administration in organizing the elections. No significant concerns were expressed related to the respect for fundamental freedoms, transparency of the electoral process, and administration of election day proceedings. Nevertheless, several ODIHR NAM interlocutors noted that only a few previous ODIHR recommendations have been implemented and that an external assessment could contribute to continued refinements of election legislation and practice. A number of aspects would merit specific attention from an ODIHR observation activity, including the management of voter lists, candidacy rights, campaign finance, media access and coverage of the campaign, and participation of national minorities and women. On this basis, the ODIHR NAM recommends the deployment of an Election Assessment Mission for the 6 October parliamentary elections.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Aiga Liepiņa, Ambassador, Director, International Organizations and Human Rights Department
Maija Mauriņa, First Secretary, Human Rights Division
Evija Johansone, First Secretary, Consular Department

Ministry of Justice

Inta Salinieka, Head of Constitutional Rights Division, Department of Public Law
Liene Zariņa, Expert of the Constitutional Rights Division

Ministry of Interior

Olga Dabiža, Senior Desk Officer of Sectoral Policy Department

Ministry of Interior – Office of Citizenship and Migration Affairs

Sanda Cielēna, Head of Persons Status, Control Division
Rolands Timermanis, Senior Desk officer of Persons Status, Control Division

Central Election Commission

Arnis Cimdars, Chairperson of the Commission
Kristīne Kurzemiece, Head of Legal Department
Kristīne Bērziņa, Head of the Information Department

Public Administration and Local Government Committee of the Parliament

Sergejs Dolgopolovs, Chairperson
Romāns Mežeckis, Member
Viktors Valainis, Member

Corruption Prevention and Combating Bureau

Amīlija Jaunskunga, Head of Division for Control of Financing of Political Parties

National Electronic Mass Media Council

Gunta Līdaka, Member of the Council
Uldis Lielpēters, Head of Strategic Development and Supervision Department
Kristers Pļešakovs, Head of Monitoring Division

Political Parties

Inguna Sudraba, MP, Chairperson, For Latvia from the Heart
Aivars Meija, MP, For Latvia from the Heart
Boriss Cilevičs, MP, Harmony
Igor Pimenov, MP, Harmony
Sergejs Potapkins, MP, Harmony
Edvīns Šnore, MP, National Alliance
Ritvars Eglājs, Member, National Alliance
Juris Viļums, MP, Latvian Association for Regions
Tatjana Ždanoka, Chairperson, Latvian Russian Union
Artis Rasmanis, MP, Union of Greens and Farmers
Ints Dālderis, MP, Deputy Secretary General, Unity
Edgars Ikstens, MP, Secretary for Foreign Affairs, Unity

Latvian Television

Ivars Belte, Chairperson of the Management Board
Jānis Geste, News Presenter, LTV1
Sergejs Gerasimovs, Head of News Department, LTV7

Latvian Radio

Una Klapkalne, Board Chairperson
Uģis Lībietis, Senior International Correspondent
Aidis Tomsons, Journalist

Civil Society

Liebe Gātere, Director, Delna
Arnis Kaktiņš, Executive Director, Marketing and Public Opinion Research Centre
Ieva Strode, Head of Department, Marketing and Public Opinion Research Centre
Anhelita Kamenska, Director, Latvian Centre for Human Rights
Iveta Kažoka, Researcher, Providus
Sanita Jemberga, Executive Director, Re:Baltica