



Office for Democratic Institutions and Human Rights

# LATVIA

## PARLIAMENTARY ELECTIONS

1 October 2022

ODIHR Election Assessment Mission

Final Report



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**LATVIA**  
**PARLIAMENTARY ELECTIONS**  
**1 October 2022**

**ODIHR Election Assessment Mission Final Report<sup>1</sup>**

**I. EXECUTIVE SUMMARY**

Following an invitation from the authorities of Latvia, and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Assessment Mission (EAM) for the 1 October parliamentary elections. The ODIHR EAM assessed the compliance of the electoral process with OSCE commitments and other international obligations and standards for democratic elections, as well as with national legislation.

The elections were competitive and pluralistic, with political contestants able to freely convey their messages to voters and most ODIHR EAM interlocutors expressing full confidence in the administration of the electoral process. The legal framework for parliamentary elections is conducive to organizing democratic elections. Substantial amendments to the electoral legislation were adopted since the previous parliamentary elections, including on the introduction of the Electronic Online Voter Register (EOVR), in line with a previous ODIHR recommendation, and changes to regulations on political and campaign financing. Despite these recent reforms, a number of previous ODIHR recommendations remain unaddressed, including on candidacy rights, decriminalization of defamation, and providing for the presence of international and citizen observers.

The elections were administered professionally by election management bodies in a three-tiered structure led by the Central Election Commission (CEC), which enjoyed broad public confidence. Several interlocutors pointed to an overall lack of budget and limited staff as persistent challenges to the CEC in the organization of the electoral process, including in the provision of voter education.

Citizens at least 18 years of age have the right to vote and, in line with international standards, the legislation does not restrict the right to vote based on intellectual and psycho-social disabilities or due to imprisonment. The law provides for diverse and inclusive voting methods, including homebound voting, early voting, postal and out-of-country voting as alternatives to in-person voting at regular polling stations. ODIHR EAM interlocutors expressed overall confidence in the system of voter registration, including in the implementation and accuracy of the EOVR.

ODIHR EAM interlocutors expressed overall trust in the impartiality and inclusiveness of the candidate registration process, which resulted in 1,829 candidates from 19 lists that contested the elections. There is no legal quota for gender representation on candidate lists, and women constituted 36.4 per cent of the total number of candidates, varying from 27 to 50 per cent on individual party lists. A number of legal requirements that restrict the right to stand or to nominate candidates, including on the basis of language and political affiliation, challenge the principles of non-discrimination and universal suffrage.

The election campaign was competitive and pluralistic, and existing rules on campaigning were assessed positively by most political parties, with a few describing cases of over-regulation. While some interlocutors described the campaign as divided along ethnic and language lines, only a third of contestants campaigned exclusively in the Latvian language, with many also conducting outreach in Russian and other languages. Many parties' programmes, as well as some organized debate content, touched on issues related to the rights of national minorities, women, youth, persons with disabilities and other underrepresented groups, but overall, the campaign did not prominently feature such

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<sup>1</sup> The English version of this report is the only official document. An unofficial translation is available in Latvian.

messages. Campaign materials were rarely produced in accessible formats, which creates challenges for persons with visual or hearing impairments to access information about contestants and make an informed choice.

The regulatory framework for political and campaign finance underwent substantial revision since the previous elections. Increased annual state funding to political parties was welcomed by most interlocutors as fostering competition and reducing reliance on private donors, but was introduced without mechanisms to promote the political participation of under-represented groups. The Corruption Prevention and Combating Bureau enjoyed general trust among political contestants in terms of its control of political and campaign finances, and its regular publication of reported financial data during the election period, including expenditures on traditional and online advertising, enhanced the transparency of the process. However, some regulations could be strengthened further, such as requirements on the publication of sanctions.

The media landscape is pluralistic, and the legal framework guarantees the freedoms of expression and access to public information. Defamation remains a criminal offence, despite previous ODIHR recommendations. Both public and private media extensively covered the campaign in their regular news editions and programmes and by organizing debates, enhancing opportunities for voters to develop an informed choice and providing candidates with the possibility to introduce their platforms. Some ODIHR EAM interlocutors raised concerns related to cases of apparent political pressure on public media and its lack of sustainable funding.

The election dispute resolution system generally enjoys the confidence of stakeholders, although only a small number of complaints were filed in these and previous elections. The law provides reasonable deadlines for the adjudication of electoral disputes. After election day, the CEC received four complaints contesting the election results, all of which were dismissed, with two complainants unsuccessfully appealing to the Supreme Court. Contrary to international standards and good practice, only contestants can appeal CEC decisions on election results.

In line with ODIHR's methodology, the EAM did not carry out a systematic or comprehensive election day observation but visited a limited number of polling stations. The voting process was transparent and efficiently administered, although the setup of some visited polling stations did not always ensure the secrecy of voting. The EOVR functioned throughout the day, with minor interruptions. The CEC reported a voter turnout of 59.41 per cent and the preliminary results were published in a transparent and timely manner on the CEC website.

This report offers a number of recommendations to support efforts to bring elections in Latvia closer in line with OSCE commitments and other international obligations and standards for democratic elections. Priority recommendations focus on the need to enhance the human and financial capacity of the CEC, to eliminate various restrictions on candidacy rights, to introduce mechanisms to promote women's participation, to decriminalize defamation, to legislate the presence of international and citizen observers, and to safeguard the freedom of expression and the right of voters to receive reliable information in minority languages. ODIHR stands ready to assist the authorities to further improve the electoral process and to address the recommendations contained in this and previous reports.

## **II. INTRODUCTION AND ACKNOWLEDGMENTS**

Following an invitation from the authorities of Latvia and based on the findings and conclusions of a Needs Assessment Mission (NAM) conducted from 25 to 28 April, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) deployed an Election Assessment Mission (EAM) to observe

the 1 October parliamentary elections.<sup>2</sup> The ODIHR EAM was led by Ditmir Bushati and consisted of eight experts (four women and four men) drawn from eight OSCE participating States. The EAM was based in Riga and visited Daugavpils and some localities around the capital.

The electoral process was assessed for compliance with OSCE commitments, other international obligations and standards for democratic elections, and with national legislation. In line with ODIHR's methodology, the EAM did not observe election day proceedings in a systematic or comprehensive manner but visited a limited number of polling stations.

The ODIHR EAM wishes to thank the Ministry of Foreign Affairs (MFA) and the Central Election Commission (CEC) for their co-operation and assistance, as well as to express gratitude to representatives of other state institutions, the judiciary, election commissions at all levels, political parties and candidates, media, civil society, and other interlocutors for sharing their views.

### III. BACKGROUND AND POLITICAL CONTEXT

Latvia is a parliamentary republic with legislative powers vested in the 100-member unicameral parliament's House of Representatives (*Saeima*). Executive power is exercised by the government, led by a prime minister, who is nominated by the president and approved by the parliament.<sup>3</sup> The president serves as Head of State and is elected through an open, absolute-majority parliamentary vote for a maximum of two four-year terms.<sup>4</sup>

The 2018 parliamentary elections resulted in a five-party coalition of parliamentary newcomers, "Who owns the State?", the New Conservative Party, and Development/For!, along with incumbents National Alliance and New Unity.<sup>5</sup> Internal struggles of "Who owns the State?" led to party dissolution, resulting in a residual, four-party coalition announced in June 2021. The coalition has been the longest serving in modern Latvian history, the only one to serve a full four-year term.

Latvia held local elections in 2021 for 42 municipal councils and extraordinary Riga City Council elections in 2020. A range of parties were successful in attracting the local vote, although with a very low voter turnout, 34 and 41 per cent respectively.<sup>6</sup> Concerns related to possible low voter participation was repeatedly raised ahead of the 1 October parliamentary elections by various stakeholders.<sup>7</sup>

Women constituted 31 per cent of the outgoing parliament, including 80 per cent of its presidium, and the outgoing speaker was a woman.<sup>8</sup> Still, women remain under-represented in politics and decision-making, with only 14 per cent outgoing women ministers, 7 per cent women mayors and some 30 per

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<sup>2</sup> See [previous ODIHR election reports on Latvia](#).

<sup>3</sup> The outgoing government comprised 14 ministers, 4 representing Development/For!, 4 from the Conservatives, 3 from New Unity (including the prime minister), and 3 from National Alliance party.

<sup>4</sup> The current President Egils Levits is an independent, nominated by the coalition parties and in office since 8 July 2019. The ruling coalition was led by Prime Minister Arturs Krišjānis Kariņš of the centre-right New Unity Party.

<sup>5</sup> "Who owns the State?" (16 seats), New Conservative Party (16 seats), Development/For! (13 seats), National Alliance (13 seats), New Unity (8 seats). The New Conservative Party is now renamed into the Conservatives.

<sup>6</sup> In the 2021 local elections, the Union of Greens and Farmers and Latvian Regional Alliance shared the best results, each party receiving the most votes in five local councils. Union's member party Farmers' Union won control of an additional four councils. In the 2020 Riga City Council elections, the coalition of Development/For! and the Progressives received the most votes.

<sup>7</sup> The CEC ultimately reported a national turnout of 59.41 per cent for these elections.

<sup>8</sup> Women constituted only 18 percent of the previous parliamentary convocation, from 2014 to 2018.

cent women municipal councilors. Some 27 per cent of the outgoing parliament and 14 per cent of outgoing ministers are under the age of 40.<sup>9</sup>

The war in Ukraine and moderate polarization related to COVID-19 crisis management marked public discourse in the election year, which also focused on heightened geopolitics, regional security, and related economic, health, and energy crises. Public debate on security and economic issues was frequently interrupted by revived discussions on minority issues, such as long-contested limitations on the use of non-state languages in education.<sup>10</sup>

#### IV. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

Parliamentary elections are primarily regulated by the Constitution, the Law on Parliamentary Elections, the Law on Pre-Election Campaign, the Law on the Central Election Commission (CEC), and the Electoral Register Law.<sup>11</sup> The legal framework provides an adequate basis for the conduct of democratic elections.<sup>12</sup>

Substantial amendments to the legal framework have been adopted since the 2018 elections, including on the introduction of the EOVR (see *Voter Registration*), in line with a previous ODIHR recommendation. Other amendments included changes to the political and campaign financing system that increased state funding to parties with at least two per cent of votes in the last parliamentary elections and to those who passed the five per cent representation threshold, and regulated the maximum amount of private contributions (see *Campaign Finance*). Additional reforms included the transposition of new regional administrative divisions in the organization of the election administration as well as a minor change to constituency boundaries.<sup>13</sup> Despite these recent reforms, a number of prior ODIHR recommendations remain unaddressed, including on candidacy rights, decriminalization of defamation, and providing for the presence of international and citizen observers.

In June 2022, the parliament adopted an amendment to the Law on Political Parties to prohibit activities against “the independence and territorial integrity of the Republic of Latvia and other democracies” and to prohibit activities that support, such as in the form of information campaigns, “persons or countries that undermine or threaten the territorial indivisibility, sovereignty, and independence of

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<sup>9</sup> See the Inter-Parliamentary Union’s 2021 report on, [Youth Participation in National Parliaments](#).

<sup>10</sup> In September 2022, the parliament adopted amendments foreseeing that, as of September 2025, all primary education programmes in Latvia are to be taught exclusively in the state language. The parliament is currently discussing additional legislative initiatives to curtail the use of minority languages in the service sector. Additional initiatives included the planned demolition of 69 Soviet-era monuments.

<sup>11</sup> Other applicable laws are the Law on Political Parties, the Law on Financing of Political Organizations, the Law on Local Government Election Commissions and Polling Station Commissions, the Law on Identity Documents, the Pre-election Campaign Law, legislation regulating administrative and criminal proceedings and the media, as well as CEC decisions and instructions.

<sup>12</sup> Latvia is party to key international human rights treaties and conventions. These include among others the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 2003 UN Convention against Corruption, and the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD). Latvia is also party to the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) and the 1998 Framework Convention for the Protection of National Minorities (FCNM), and is a member of the Council of Europe’s European Commission for Democracy through Law (Venice Commission) and Group of States against Corruption (GRECO).

<sup>13</sup> An amendment adopted on 20 January 2022 included the municipality of Varakļani in the electoral constituency of Vidzeme.

democratic countries or the constitutional system”.<sup>14</sup> Certain legal safeguards were introduced with the amendment, including warnings issued by the public prosecutor, prior to further action by the authorities, instructing that the identified violation must cease. Still, the amendment allows the state to ban, if required, a political party’s activities until a final ruling on the case is made by a competent court. The amendment aims at safeguarding the Latvian state and democracy from a national security perspective, and keeping such messages out of the political campaign. This purpose could potentially be achieved by other means, such as fines, administrative measures or judicial actions against individual members of a party, rather than a general ban which could potentially restrict political participation too broadly.<sup>15</sup>

In June 2022, a draft amendment was introduced in parliament, which would oblige political parties that receive public funding to carry out campaign activities only in the state language.<sup>16</sup> Such a restriction is at odds with international standards and OSCE commitments as, if approved, it would deprive candidates of the full exercise of their freedom of expression and eligible minority voters from receiving relevant campaign information.<sup>17</sup> In this regard, the legal office of the parliament provided an opinion on the draft warning that the election campaign regulations cannot limit the right of citizens to participate in the political life of the country on the basis of language.<sup>18</sup> The amendment was ultimately rejected in a second reading.

*The electoral legislation should ensure and contain safeguards to protect the freedom of expression in election campaigns, including the right to campaign in minority languages, in line with international standards and OSCE commitments.*

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<sup>14</sup> The amendments prohibit party activities expressing proposals for violent change of the constitutional order of Latvia and other democracies or for non-compliance with the law if it endangers the security of the State, as well as providing support, such as in the form of information campaigns, to "persons or countries persons or countries that undermine or threaten the territorial indivisibility, sovereignty and independence of democratic countries or the constitutional system".

<sup>15</sup> Article 11.2 of the European Convention on Human Rights states that “No restrictions shall be placed on the exercise of these rights other or such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or for the protection of the rights and freedoms of others”. Paragraph 15 of the Council of Europe’s Commission for Democracy through Law (Venice Commission) [2000 Explanatory Report to Guidelines on the Prohibition of Political Parties and Analogous Measures](#) states that “State authorities should also evaluate [...] whether other measures, such as fines, other administrative measures or bringing individual members of the political party involved in such activities to justice, could remedy the situation”. See also paragraph 38 in the decision of the European Court of Human Rights (ECtHR) in [Sidiropoulos and others v. Greece \(57/1997/841/1047\)](#), which states that “Exceptions to freedom of association must be narrowly interpreted, such that the enumeration of them is strictly exhaustive and the definition of them necessarily restrictive”.

<sup>16</sup> See draft amendment [780/lp13](#) of 8 June 2022.

<sup>17</sup> According to the Central Statistical Bureau’s [2017 External Migration Survey](#) results, an estimated 36 percent of the Latvian population speaks Russian at home. Paragraph 12 of the 1996 UN Human Rights Committee’s General Comment 25 states that “information and materials about voting should be available in minority languages”. Paragraph 32.5 of the 1990 OSCE Copenhagen Document states that “persons belonging to national minorities have the right [...] to disseminate, have access to and exchange information in their mother tongue”. The [Council of Europe’s Framework Convention on National Minorities](#), states that “the Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language”. Paragraph 186 of the ODIHR/Venice Commission Joint Guidelines on Political Party Regulations states that “[m]easures should be taken within the electoral framework and process, therefore, to ensure that national minorities have an effective opportunity to be elected and represented in parliament”.

<sup>18</sup> See the [Opinion of the Legal Office of the Parliament on the draft law "Amendment to the Pre-Election Campaign Law"](#), dated 9 March 2021. Article 114 of the [Constitution](#) states that “persons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity”.

The 100-member unicameral parliament is elected for a four-year term through a proportional open list system, with five multi-member constituencies corresponding to five regions: Kurzeme, Latgale, Riga, Vidzeme and Zemgale. The number of members of parliament to be elected in each of the constituencies is determined by a formula detailed in the law, which is based on the number of registered voters in each constituency, and which provides for equal voting powers and a balanced distribution of seats among the electoral districts, in line with international good practice.<sup>19</sup> A candidate list is eligible for the allocation of mandates if it has obtained at least five per cent of votes cast nationwide.<sup>20</sup> Voters may cast their ballots in any constituency without prior request. Out-of-country votes are allocated to the Riga constituency. Both of these provisions may potentially influence the equality of the vote, as it may substantially increase or decrease the number of votes needed for each candidate to be elected as compared to the number of registered voters, on which the formula to determine seat allocation per constituency is calculated.<sup>21</sup>

Voters can express support or refusal to as many candidates as they wish on the ballot by adding a plus mark opposite a candidate's name to express their preference, or crossing out the names of those they reject. The number of votes for each candidate is calculated by adding the number of votes received by the list to the number of positive marks and subtracting the number of negative marks. Candidates with the highest number of votes within the lists obtain the seats allocated to that list. The lack of legal requirements for gender representation in lists of candidates together with the preferential voting system in place was raised as inconducive to increasing women's participation in parliament (see also *Candidate Registration*).

## V. ELECTION ADMINISTRATION

Elections are managed by a three-tier administration, including the CEC, 43 city and municipal election commissions (MEC) and 1,030 polling station commissions (PSC), including those organized for voters abroad.<sup>22</sup> The CEC is a permanent body that oversees the implementation of the legislation, issues mandatory decisions, instructions and orders, reviews decisions of lower-level commissions, manages the budget, provides training and voter education. The CEC is composed of nine members (four women, including the chairperson, and five men), nominated for a four-year term.<sup>23</sup> The commissioners are assisted by a staff composed of 11 employees. The majority of ODIHR EAM interlocutors expressed their confidence in the professionalism and independence of the CEC.

The CEC held regular meetings, which were open to public.<sup>24</sup> Decisions were taken collegially by open ballot, with a majority of votes required for adoption. The agenda of the meetings and its decisions were published on the CEC website in a timely manner, while the minutes were not made available to the

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<sup>19</sup> For these elections, Riga was allocated 36 mandates, Vidzeme 26, Zemgale and Latgale 13 and Kurzeme 12.

<sup>20</sup> Mandates are allocated on the constituency level according to the *Sainte-Laguë* method.

<sup>21</sup> The CEC did not collect information on how many voters cast a ballot outside of their constituency of residence. Section I.2.2.2. of the Council of Europe's Venice Commission 2002 Code of Good Practice in Electoral Matters provides that seats must be evenly distributed among constituencies and the permissible deviation from the norm should not exceed 10 per cent, or 15 per cent in special circumstances. This distribution should be based on the population, the number of resident nationals, the number of registered voters, the number of people actually voting, or some reasonable combination of these.

<sup>22</sup> The number of the MECs was reduced in 2021 from 119 as a result of the administrative reform.

<sup>23</sup> Eight members, including the chairperson, are nominated by the parliament, while one is nominated by the Supreme Court. The secretary and deputy chairperson are elected by the members of the CEC, while the chairperson is appointed by the parliament. Members nominated by the political parties represent a wide range of political parties represented in the parliament. The chairperson is usually non-partisan.

<sup>24</sup> The meetings are called by the chairperson. The CEC meets once per week or more or less frequently, as required.



public. Complaints received by the CEC, depending on their nature, are either resolved by its staff or can be discussed in the meeting.<sup>25</sup>

MECs organize elections in their municipalities, including coordinating the PSCs, providing technical assistance and resolving complaints. The number of members can range from 7 to 15, and members are nominated for a four-year mandate by the municipal or city councils, registered political parties or coalitions, or by at least 10 voters. The MECs met by the ODIHR EAM held regular meetings.<sup>26</sup>

PSCs are composed of five to seven members, nominated by MECs, political parties or groups of voters that nominated candidates, and organized voting procedures, including early voting. PSCs had sufficient members, although in some municipalities additional efforts were undertaken for recruitment.<sup>27</sup> The CEC organized 45 training sessions for PSC and MEC members as well as for political parties on candidate registration. Additionally, helplines were available for legislative and technical queries and a booklet with legislation and instructions was distributed to PSCs.<sup>28</sup> Statistics on gender within the election administration and on electoral participation are not consistently compiled, however, a high proportion of women among election staff was posited by interlocutors and noted by the ODIHR EAM during visits to a limited number of polling stations on election day.<sup>29</sup> According to the CEC, 33 of 43 (77%) chairpersons of municipal election commissions were women.

*In line with international standards, gender disaggregated data on the election administration and on voter participation should be collected and published in a comprehensive manner. The election administration could also collect data on the participation of youth and first-time voters, to inform voter outreach and education methods.*

Election commissions at all levels utilized an electronic election management system (“BALSIS”), which was used for candidate registration, to document and monitor the process in the polling stations, to register complaints and incidents, as well as to transmit data on voter turnout and results. Electronic systems are deemed by law as critical infrastructure and a working group of state institutions led by the State Chancellery coordinated the planning and implementation of security mechanisms. Penetration and stress tests were performed, while a general scenario-based testing took place one week before the elections.<sup>30</sup> According to the CEC, additional cyber-security measures were introduced to the electoral infrastructure in advance of these elections, such as VPN solutions for out-of-country polling stations and stricter login and access procedures, as part of a zero-trust security model.

Overall, ODIHR EAM interlocutors expressed a high level of confidence in the integrity of the electoral infrastructure and its electronic systems, including the EOCR. Several interlocutors underlined that a lack of specialized IT staff within the CEC creates challenges for the effective management of the

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<sup>25</sup> No complaints were discussed during the observed meetings. The chairperson or the secretary can decide which complaints are discussed in the meeting.

<sup>26</sup> The ODIHR EAM met with the city election commissions of Daugavpils, Jūrmala and Riga.

<sup>27</sup> The low remuneration of PSC members was considered by many interlocutors as a setback in identifying sufficient staff for the elections.

<sup>28</sup> The booklet contained information about legislation, COVID-19 safety measures and recommendations to communicate with voters with disabilities, the latter prepared by the civil society organizations Sustento and the Agency for Easy Language.

<sup>29</sup> Paragraph 40.13 of the [1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE](#), stipulates that participating States will “ensure the collection and analysis of data to assess adequately, monitor and improve the situation of women”. Article 48d of the 1997 [UN Committee on the Elimination of Discrimination Against Women General Recommendation No. 23](#) states that parties should collect “statistical data, disaggregated by sex, showing the percentage of women relative to men who enjoy those rights”.

<sup>30</sup> In addition, the CEC provided security recommendations and a risk assessment sheet to all MECs.

electronic systems.<sup>31</sup> The private information technology (IT) company SOAAR developed relevant software and provided assistance and training to the election commissions. The State Audit Office (SAO) remarked in its 2021 report that long-term dependency on a single provider could represent a risk.<sup>32</sup> In November 2022, the Corruption Prevention and Combating Bureau requested the parliament to remove the CEC chairperson from office in connection with an investigation into procurement procedures, and initiated investigations into previous CEC contracts with the private supplier.<sup>33</sup>

The budget for these elections was about EUR 3.5 million, which many ODIHR EAM interlocutors deemed insufficient to organize the process. In October 2021, the CEC addressed the parliament requesting more resources to ensure the functioning of its IT systems, to provide voter education and for the remuneration of the lower-level staff. The budget was increased to some EUR 8 million.<sup>34</sup> Most ODIHR EAM interlocutors highlighted the negative impact of the low budget on the organization of the election process.

*To ensure the operational independence and efficiency of the Central Election Commission, adequate financial and human resources should be allocated in a timely manner. Authorities should consider increasing the capacity of the IT Department to manage and ensure the security of electronic systems and to organize procurement procedures.*

A dedicated voter helpline organized by the CEC was available from 22 July, and the CEC published on its website a series of seven video and audio voter education materials, as well as infographics focusing on voting procedures, out-of-country voting, identification documents and complaints. Information was available in Latvian, as well as basic regulations in Russian and English. Positively, a booklet with key procedures was available for voters in easy language format,<sup>35</sup> and the CEC website is available with certain adjustments for persons with visual impairments. The CEC did not provide information in sign language or subtitled video content for persons with hearing impairments. Overall, the CEC did not organize comprehensive voter education activities due to a lack of funding and dedicated staff, and most ODIHR EAM interlocutors underlined the need for more sustained voter education campaigns, including youth outreach.<sup>36</sup>

*The Central Election Commission should be provided with sufficient resources in order to prepare and implement comprehensive and timely voter education programs, including in minority languages and for young and first-time voters and for voters with different disabilities.*

## VI. VOTING METHODS

The law provides for diverse and inclusive voting methods as alternatives to in-person voting at regular polling stations. Voters unable to vote in a polling station due to health issues, including those affected by COVID-19, as well as their caretakers could register for voting at home from 26 September to 1

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<sup>31</sup> The 2022 [Committee of Ministers' Guidelines on the use of information and communication technology \(ICT\) in electoral processes in Council of Europe member States](#) highlights that "Member States should build and retain the necessary capacity to assess, introduce and manage the use of ICT solutions in the electoral process. [...] it is essential that member States have the necessary administrative and technical capacity and related resources, including financial resources, to plan, implement and run the technology successfully and in a sustainable way".

<sup>32</sup> SOAAR has been the only supplier for the CEC for more than ten years.

<sup>33</sup> On 2 February 2023, the new parliament elected a new chair and members of the CEC, in line with legislation.

<sup>34</sup> A primary change increased the gross remuneration for PSC members from EUR 2.7 to EUR 6 per hour.

<sup>35</sup> The booklet was available [on the CEC website](#) and in printed format in polling stations.

<sup>36</sup> The SAO stated in its [2021 report](#) that it "considers important to identify the responsible institutions that would develop electoral policy, analyse the factors influencing voter turnout and implement targeted actions to increase voter turnout".

October, and registration was also available for voters in hospitals or in retirement homes.<sup>37</sup> Voting was organized in prisons and for soldiers and national guardsmen performing international service duties. The CEC designated some 71 per cent of polling stations as accessible for persons with physical disabilities, based on accessibility recommendations established by the CEC, and these locations were listed on the CEC website.<sup>38</sup> Voters with disabilities can be assisted by a person of their choice, excluding PSC members.

Following the 2021 amendments, the organization of early voting was extended to all municipalities.<sup>39</sup> On 26, 29 and 30 September, voters could cast early ballots in 66 polling stations across the country, and could change their vote, including on election day, in any polling station.<sup>40</sup> Statistics were published at the end of each day on the CEC website and in total 63,342 voters cast their ballot during the early voting period (4.11 per cent of eligible voters).<sup>41</sup>

Citizens residing abroad could vote in 81 polling stations organized in 42 countries, as well as by post.<sup>42</sup> The number of polling stations abroad decreased from 121 in 2018, which some ODIHR EAM interlocutors attributed to a lower level of outreach by political parties. Following the 2021 amendments, citizens residing or temporarily abroad could also apply for postal voting at a diplomatic representation or through the government's e-services portal. Voters received instructions by e-mail and were required to print the ballot and expedite it themselves to one of the 22 indicated polling stations.<sup>43</sup> Several ODIHR EAM interlocutors noted that the new and simplified postal voting procedure led to a higher registration rate, reaching 3,368 voters.<sup>44</sup> In total, 25,960 voters cast ballots from abroad in these elections.<sup>45</sup>

## VII. VOTER REGISTRATION

Citizens at least 18 years of age have the right to vote. Positively, the legislation does not restrict the right to vote based on intellectual or psycho-social disability or due to imprisonment.

In line with previous ODIHR recommendations on the establishment of a permanent voter register, amendments adopted in September 2021 introduced the EOVR for parliamentary elections. The EOVR

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<sup>37</sup> Requests for homebound voting could be submitted either at the closest polling station or at the MEC, if the voter used a digital signature. For hospitals and retirement homes, registration was managed by the administration of the location. Some 15,093 voted by request, including in hospitals and prisons.

<sup>38</sup> Additional funding requested by the CEC to further improve the accessibility of polling stations was not approved.

<sup>39</sup> The full list of polling stations was available on [the CEC website](#). A polling station was organized in each municipality and in the large municipalities a polling station was established for each 20,000 voters, while in previous elections they were organized only in municipalities with more than 7,500 voters.

<sup>40</sup> Some 139 voters changed their vote cast in early voting and only the last ballot was counted; all early votes were cast with secrecy envelopes to enable this process.

<sup>41</sup> The number of voters that cast ballots in early voting increased compared to 2018 when 33,791 voters (2.18 per cent) used this option.

<sup>42</sup> Forty-one polling stations abroad were established at the proposal of the MFA based on information provided by diplomatic representations, and 40 were established upon the request of at least 36 voters submitted directly to the respective diplomatic representation or to the CEC between 3 June and 18 July. Two requests submitted by voters were rejected by the CEC due to technical reasons.

<sup>43</sup> Previously, voters received printed ballots by mail and were required to return them to the address mentioned by the PSC.

<sup>44</sup> Previously, voters were required to register by mail by submitting their passport, which was stamped as a control measure to attest that the voter had voted. For these elections, voters could apply in person, by post, e-mail, and through online application on the official e-services website and on the OCMA website if they had a secure digital signature, between 27 August and 9 September. A total of 2,340 envelopes were returned by post and 2,218 ballots were valid.

<sup>45</sup> Comparatively, 31,946 votes (23.69 per cent) were cast in 2018 and 23,116 votes in 2014.

system is managed and processed by the Ministry of Interior's Office of Citizenship and Migration Affairs (OCMA).<sup>46</sup> The required information is extracted from the Register of Natural Persons, which was established in 2021 and replaced the former population register.<sup>47</sup> The deadline for extraction of the EOVR to be used by the PSCs is seven days before election day and no further modifications are possible. Voters can verify if they are registered through the governmental e-services portal and can appeal their inclusion, refusal to include or removal in court.<sup>48</sup> The EOVR as of 24 September comprised 1,542,407 eligible voters.

As of 1 July 2022, 191,036 non-citizens (around 9 per cent of the resident population), who do not have the right to vote or stand in elections, were registered in Latvia.<sup>49</sup> Despite a number of legal provisions introduced in previous years to facilitate naturalization, as well as measures to promote and incentivize the acquisition of citizenship resulting in a reported increase in applications for citizenship, the proportion of non-citizens remains a challenge. While citizenship is recognized as an acceptable requirement for the right to be elected and to vote in national elections, concerns remain that a sizable part of Latvia's population, mainly consisting of persons identifying as belonging to national minorities, is unable to participate in the electoral process, and as such experiences obstacles to access political rights.

On election day, voters were verified in the EOVR by scanning the passport or identification document (eID) with smartphone devices or by manually entering the personal code.<sup>50</sup> Some two-thirds of voters were registered using the scanning function and one-third by manual input. The CEC conducted security tests on a sample of the rented smartphones, but PSC members were also permitted to use personal equipment. In addition to the electronic system, voters were recorded on handwritten lists, which served as the primary source of confirmation that the voter received the voting documents.<sup>51</sup> Due to policies instituted during the COVID-19 pandemic, the validity of identification documents that expired after 1 March 2020 was extended until 30 April 2023, which enabled affected eligible voters to cast ballots.<sup>52</sup> In case of a failure of the live connection to the system, voters could vote with secrecy envelopes, which were provided to all PSCs. In this case, such voters were included on separate voter lists and verified when the connection became available.

## VIII. CANDIDATE REGISTRATION

Citizens of at least 21 years of age are eligible to run for elections. Candidacy requirements restrict the right to stand for citizens who are placed under legal guardianship, those serving a prison sentence, and those who have committed a crime in a state of limited or lack of mental capacity or who have

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<sup>46</sup> The OCMA introduces in the register information on citizens who turn 18 years on election day; this is done 45 days before election day. The initial online voter register is prepared not later than 35 days before election day; for these elections it was created on 17 August.

<sup>47</sup> The population register was updated due to technical reasons and in order to update the registration process of foreigners, and includes some 3 million persons.

<sup>48</sup> According to the OCMA, no complaints were received for these elections.

<sup>49</sup> The government's statistics portal provides a resident citizen population of 1,742,108 as of 1 July 2022, as well as 191,036 resident "non-citizens" and 160 who are reported to be "stateless". In Latvian legislation, the term non-citizen includes persons who hold the passport of a non-citizen of Latvia.

<sup>50</sup> The system was used for the first time in the 2021 municipal elections. The smartphones were rented through a public procurement procedure, while for polling stations abroad the use of computers was recommended. The web-based software was developed by the SOAAR, which also provides technical assistance during the election day. In average, five smartphones were distributed to each polling station.

<sup>51</sup> During the 2018 elections, voters' passports were stamped when voting.

<sup>52</sup> According to the OCMA, some 26,000 documents could be expired. The legal amendment referred only to documents used in Latvia. On 26 September, the CEC issued a decision stating that expired documents of voters residing abroad were also valid in these elections.

committed an intentional criminal offense irrespective of its gravity, which has not been expunged. The latter restriction is at odds with the principles of non-discrimination and proportionality provided for in the 1990 OSCE Copenhagen Document.<sup>53</sup> A 2018 decision of the Riga Administrative Court lifted the permanent restriction on citizens who were determined to be in a state of mental incapacity at the time of or after committing an offense, in line with previous ODIHR recommendations.<sup>54</sup>

Although the electoral legislation does not prescribe language requirements for candidate eligibility, it stipulates registration procedures that require prospective candidates to attest to working knowledge of the state language, and elected members of parliament can be removed if ascertained by a competent educational institution to lack sufficient language skills.<sup>55</sup> The decision on the removal of a deputy may be appealed to the Supreme Court.

Citizens who engaged in certain previous political activities continue to be ineligible to stand.<sup>56</sup> A 2006 European Court of Human Rights (ECtHR) judgment urged the Latvian parliament to establish a time limit for this restriction and to periodically review it in order to bring it to an “early end”.<sup>57</sup> Although reviews of this lustration provision have taken place and several Constitutional Court rulings have narrowed its application, the limitation remains in place.<sup>58</sup> The restriction is not in place for candidates running for the European Parliament, which, following an August 2018 administrative court decision, compelled the CEC to register an affected candidate for the 2018 Latvian parliamentary elections, on grounds of the dissimilar eligibility criteria for parliamentary candidates being unjustified.<sup>59</sup> The Latvian parliament subsequently amended rules on eligibility for candidates to the European Parliament, introducing restrictions similar to those of candidates to the Latvian parliament.

*The parliament should consider removing or establishing a time limit on restrictions on the right to stand based on previous political activities, in order to conform with the 2006 European Court of Human Rights ruling and international standards.*

Political parties and coalitions could submit candidate lists between 13 July and 2 August to the CEC, together with a security deposit of 1,400 EUR. The legislation does not allow submissions from independent candidates, contrary to OSCE commitments and international standards.<sup>60</sup> Political parties

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<sup>53</sup> Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) stipulates that OSCE participating States ensure “to respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination”.

<sup>54</sup> Judgment No. [A43-0079-18](#) of 30 August 2018.

<sup>55</sup> See Articles 18.2.2 and 131 of the [parliament's rules of procedure](#). Paragraph 3 of the 1996 UN Human Rights Committee’s (CCPR) General Comment 25 on Article 25 of the ICCPR states that “[n]o distinctions are permitted between citizens in the enjoyment of these rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status”.

<sup>56</sup> Citizens who belong or have belonged to the staff of the security service or intelligence of a foreign country, the Soviet Union or the former Latvian Soviet Republic, or who have been active members of the Communist Party of the Soviet Union or the Communist Party of Latvia after January 1991.

<sup>57</sup> See paragraph 135 of the ECtHR decision in [Zdanoka v. Latvia](#) (16 March 2006), which states that “[t]he Latvian parliament should establish a time-limit on the restriction. In light of this warning, even if today Latvia cannot be considered to have overstepped its wide margin of appreciation under [Article 3 of Protocol No. 1](#) [of the ECHR], it is nevertheless the case that the Latvian parliament must keep the statutory restriction under constant review, with a view to bringing it to an early end”.

<sup>58</sup> Paragraph 24.1 of the Constitutional Court ruling [2017-25-01](#) of 29 June 2018. Previous Constitutional Court rulings on the matter were issued in [2000](#) and [2005](#).

<sup>59</sup> Paragraph 16 of the Riga Administrative Regional Court judgment No. [A43-0079-18](#) of 30 August 2018 states that “[t]he Regional Court does not find any argument of national interest (...) which would indicate that candidates for the *Saeima* should be subject to stricter restrictions than candidates for the European Parliament”.

<sup>60</sup> Paragraph 7.5 of the [1990 OSCE Copenhagen Document](#) underlines that States should “respect the right of citizens to seek political or public office individually or as representatives of political parties or organizations, without discrimination”. See also paragraph 15 of the [1996 UN CCPR General Comment 25](#).

with fewer than 500 members and those that registered less than one year prior to the elections are not eligible to submit candidate lists. While most interlocutors did not raise concerns regarding party eligibility, the one-year requirement seems an unnecessary limitation that challenges the principles of proportionality and equal treatment, and could pose a particular barrier to new parties in case of early elections.<sup>61</sup>

*In line with OSCE commitments and international standards, the electoral legislation should provide the possibility for independent candidates to participate in elections. The parliament should remove the restriction on the submission of candidates by political parties registered less than one year before the elections.*

The law requires the CEC to verify the information on candidate eligibility provided by several institutions and to remove candidates if they are not eligible. Three applicants were disqualified for being “convicted of an intentionally committed criminal offence”.<sup>62</sup> The verification of eligibility is performed mostly by the secretary, while the lists are approved within the plenary of the CEC. After the election day, the police opened a criminal case to investigate alleged fraudulent information regarding education and employment submitted by a candidate of the For Stability! party.<sup>63</sup> The majority of ODIHR EAM interlocutors expressed their confidence in the integrity of the candidate registration process.

Nineteen political contestants registered 1,829 candidates. Some 87 per cent of the incumbent members of the outgoing parliament contested the elections. Upon registration, candidates were given the possibility to indicate their ethnic affiliation and out of all candidates, 68.8 per cent declared their ethnicity: 59.9 per cent identified as ethnic-Latvian, 6 per cent as ethnic-Russian, while 2.9 per cent declared other ethnicities. On 9 September, the CEC published the lists of candidates and programs in the Official Gazette, and the information was also available on the CEC website.

The law does not prescribe a gender quota in the composition of lists.<sup>64</sup> Women represented 36.4 per cent of the total number of candidates, varying from 27 to 50 per cent on each party’s lists.<sup>65</sup> A total of 30 women candidates were ultimately elected. Most parties met by ODIHR EAM did not have specific internal mechanisms in place for promoting women or other under-represented groups as candidates.<sup>66</sup> In total, candidates under the age of 40 represented 35.9 per cent, while the average candidate age was 46. Although statistics on candidates with disabilities are not compiled, some interlocutors pointed out that only a few candidates with disabilities were included on the lists.

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<sup>61</sup> Paragraph 7.6 of the 1990 OSCE Copenhagen Document underlines that state have to “provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities”.

<sup>62</sup> The CEC obtained information regarding criminal records from the Information Center of the Ministry of Internal Affairs. The CEC removed two candidates from Force of People’s Power and one candidate from Alliance for Latvia. In two cases, the crimes were committed abroad.

<sup>63</sup> The CEC does not verify the accuracy of all personal information provided by the candidates and verifies only their eligibility according to legal requirements.

<sup>64</sup> In paragraphs 29 and 30 of its [2020 Concluding Observations on Latvia](#), the UN Committee on the Elimination of Discrimination Against Women noted that “women’s participation in political and public life and decision-making remains insufficient” and recommended that the authorities “[a]dopt and apply temporary special measures to promote the substantive equality of women and men in all areas in which women are underrepresented or disadvantaged, such as participation in political and public life [...] including requiring political parties to introduce quotas for women candidates, to increase the participation of women [...]”, Article 2 of the [OSCE Ministerial Council Decision 7/09](#) calls on participating States to “consider possible legislative measures, which would facilitate a more balanced participation of women and men in political and public life and especially in decision-making”.

<sup>65</sup> [Disaggregated data on candidate](#) gender, age, education, marital status, ethnicity, dual nationality, and place of residence is published on the CEC website, providing both overall and party-specific indicators.

<sup>66</sup> One party listed women and men in an alternating order throughout its candidate list.

*Political parties should adopt effective internal mechanisms for strengthening women's participation and representation within political parties. The legislature should consider additional measures to promote the political participation of women, such as through legal quotas on candidate lists, or financial incentives linked to public funding.*

## IX. ELECTION CAMPAIGN

The official campaign began 120 days prior to the elections, on 4 June 2022, and ended with a silence period one day prior to the elections.<sup>67</sup> The legislation also prohibits political advertising on televised and electronic media broadcasts 30 days prior to election day.<sup>68</sup> The Law on Pre-Election Campaign regulates campaigning, including access to and use of electronic and print media, campaign advertising on the Internet, campaigning in public spaces and in printed materials. The law stipulates requirements for campaigners and service providers on campaign advertising disclosure. Paid political messaging in traditional and online formats should contain imprint data, while hidden or undisclosed advertising and abuse of state resources for political purposes are prohibited.

The election campaign was competitive and pluralistic, with political contestants able to convey their platforms to voters, and with the freedoms of expression, assembly, and association respected. The campaign regulation framework was assessed positively by most political parties met by the ODIHR EAM, with a few raising concerns on the complexity of procedures and over-regulation.<sup>69</sup> A few political parties described cases of complex regulations being imposed by certain local councils on the use of public spaces for election campaigning, which allegedly prevented some campaign activities or resulted in their parties being fined.<sup>70</sup> During the campaign, the Corruption Prevention and Combating Bureau (KNAB) received 350 election-related complaints mostly on campaign material breaches and a few on hidden advertising and on the abuse of state resources, and initiated administrative procedures in 10 cases. On election day, the KNAB received 80 complaints regarding campaign violations mostly relating to campaign activities on social media, on which few existing regulations apply, and 11 cases were investigated as potential administrative cases.

While some ODIHR EAM interlocutors argued that the campaign was divided along ethnic and linguistic lines, only a third of political parties campaigned exclusively in the Latvian language, with many conducting some campaign activities in Russian and other languages, often on their Facebook pages.<sup>71</sup> Several interlocutors described initial concerns that heightened polarization amid the COVID-19 pandemic and the war in Ukraine could lead to an increase in intolerant rhetoric or contribute to significant disinformation campaigns and attempts to interfere in the elections, but ultimately felt confident that no such incidents materialized which would have impacted the electoral process.<sup>72</sup> The ODIHR EAM observed that intolerant statements were made repeatedly by the same few political contestants, targeting mainly Russian-speakers, as well as a woman journalist.

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<sup>67</sup> The reporting of opinion poll results is also prohibited on election day.

<sup>68</sup> This excludes non-paid political debates and free airtime on public media allocated equally to all contestants.

<sup>69</sup> One political party raised concerns related to the required 150-day advance submission of price lists by advertising service providers.

<sup>70</sup> Daugavpils, Rēzekne, Sigulda, Liepāja, and Ogre councils were mentioned by ODIHR EAM interlocutors. Campaigning in public spaces is not prohibited by law, but complex zoning restrictions *de facto* rule it out.

<sup>71</sup> The ODIHR EAM analysed the campaign language on political parties' websites, printed campaign materials, and in Facebook posts. Only 6 of 19 political parties campaigned exclusively in the Latvian language.

<sup>72</sup> Interlocutors described that the recent COVID-19 crisis opened space for alternative sources of information and the spread of disinformation, but that these trends generally did not spill over into election campaign. This assessment was corroborated by authorities met by the ODIHR EAM.

A variety of campaign tools were used to convey messages to voters, in person and via media. Campaign tents in outdoor public spaces served as a resource-efficient way to facilitate direct outreach. Vehicles with party and candidate branding, billboards, and printed leaflets were also widely used. The majority of these campaign visuals depicted men, reflecting a male-dominated party leadership. Paid media advertisements were purchased on private television, radio and on online platforms, particularly local news sites and Facebook. With the exception of a few political parties, most parties informed the ODIHR EAM that they considered social media outreach a lesser focus of their campaigns, citing difficulties in achieving a competitive advantage on Facebook, Instagram, or Twitter, and a lack of expertise on effectively campaigning on the largely unregulated and youth-targeting TikTok platform.

Parties' espoused policy platforms covered a broad political spectrum but priorities often overlapped, in a campaign environment where political ideology seemed of secondary importance to personality-based campaigning. Most party programmes focused on hard security, economy, social welfare, energy crisis, and education.<sup>73</sup> The campaign did not prominently feature campaign messages addressed to national minorities, women, youth, persons with disabilities or other groups; however, most of the parties' programmes targeted some of these groups. A number of parties addressed minority rights, focusing on language, citizenship and tolerance. A few parties addressed women's rights, mainly related to maternity policies, with one party also addressing gender equality and sexual identity rights. Most parties addressed youth-related issues of education and tax subsidies. Rights of persons with disabilities were included in only a few party programmes, covering mainly subsidies, tax exemptions, and early retirement for care providers.

Campaign messages, manifold as they were, often remained inaccessible for persons with disabilities such as visual or hearing impairments.<sup>74</sup> Political parties are not legally obliged to provide campaign materials or messages in accessible formats, such as easy to read formats or provide subtitles or sign language interpretation, and most of them did not do so. The ODIHR EAM noted efforts by a few political parties to feature on their website audio versions of the party programme or campaign videos with subtitles. About a third of parties narrated their 4000-character party programmes to make them accessible in audio format, while the CEC did so for the remaining parties. A few debates were organized with sign language interpretation, but were generally produced with no alternative communication format.<sup>75</sup>

*To strengthen the electoral participation of persons with disabilities, political parties should provide their programmes, campaign messages and materials in formats appropriate, accessible and easy to understand by persons with various types of disabilities. Legal or financial incentives could be introduced to encourage accessible campaign content.*

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<sup>73</sup> The ODIHR EAM analysed the campaign messages on political party's websites, printed campaign materials and campaign activity as well as during meetings with party interlocutors.

<sup>74</sup> In paragraphs 51 and 52 of its [2017 Concluding Observations on the initial report of Latvia](#), the UN Committee on the Rights of Persons with Disabilities expressed concern "about the lack of accessibility to electoral processes, facilities and materials for persons with intellectual or physical disabilities, as well as for blind or deaf persons" and recommended "that the State party guarantee the right to vote independently by ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to use for all persons with disabilities". Furthermore, Article 6 of the Venice Commission's [Revised Interpretative Declaration to the Code of Good Practice in Electoral Matters on the Participation of People with Disabilities in Elections](#) states that "[i]n the duty to 'enable voters to know the lists and candidates standing for elections' (The Code, item I.3.1.b.ii), the public authorities must ensure that the above information is available and accessible, to the greatest extent possible and taking due account of the principle of reasonable accommodation, in all necessary alternative formats under restriction of commensurability, legal regulation and realistic feasibility. The information provided shall be easy to read and to understand".

<sup>75</sup> The ODIHR EAM analysed the presence of campaign messaging in alternative communication formats on political party websites, party programmes on the CEC website, printed campaign materials, and campaign activity on Facebook, along with a broader media analysis done for political debates.



## X. CAMPAIGN FINANCE

Political and campaign finance is primarily regulated by the Law on Financing of Political Organizations, which has been substantially revised since the previous elections, and by the Pre-election Campaign Law. Most ODIHR EAM interlocutors approved of recent changes to political financing and expressed overall satisfaction with the legislative framework for campaign finance. The KNAB enjoyed general trust among political contestants, and its regular publication of reported financial data during the election period enhanced the overall transparency of the process. However, some regulations could be strengthened further, such as requirements on the publication of sanctions, and measures to promote the participation of under-represented groups.

### A. INCOME AND EXPENDITURE

The law provides for a mixed private and public system of political party finance. Parties may receive private contributions from individuals as well as membership fees, and may pursue economic activities. In order to prevent proxy donations, private contributions are restricted to a maximum of 30 per cent of an individual's annual income up to set permissible amounts per party, which were lowered in 2022.<sup>76</sup> Cash contributions are permitted up to EUR 500. An annual funding limitation, both private and public amounts to EUR 975,000 per party.<sup>77</sup> Donations from legal entities and from anonymous or foreign sources are prohibited.

State funding for political parties is allocated based on the previous electoral results and paid out by the KNAB semi-annually. This funding was substantially increased following amendments to the Law on Financing Political Organizations in November 2019.<sup>78</sup> Political parties that receive at least two per cent of votes in the parliamentary elections are entitled to state funding.<sup>79</sup> Parliamentary parties are allocated an additional EUR 100,000 annually. Parties may receive a maximum of EUR 800,000 annually in state funding. Political parties receiving state funding are required to open a dedicated bank account for electoral funds in a credit institution registered in Latvia and have to report annually on their state funding income and expenditures. All parties receiving state funding submitted an annual report for 2021.<sup>80</sup> During this election, the KNAB identified four contestants operating without a dedicated account; of these, three were not receiving state funding and thus were not required by law to open a bank account, and one party had its accounts closed by the bank.

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<sup>76</sup> In 2022, permissible amounts of individual private donations (including membership fees) to a party were a maximum of EUR 2,500 (5 minimum monthly salaries) to parliamentary parties receiving state funding, EUR 6,000 (12 minimum monthly salaries) to parties not in parliament but qualifying for state funding having received between two and five per cent of votes in the parliamentary elections, and for parties not entitled to state funding: EUR 10,000 (20 minimum monthly salaries) from non-party members and EUR 25,000 (50 minimum monthly salaries) from party members.

<sup>77</sup> Transitional provisions limiting total annual funding for political organizations expire on 31 December, 2022. Until 31 December 2022, political parties are allowed to receive funding not exceeding EUR 975,000 per year (1,950 minimum monthly salaries), including state funding. Possible further regulation beyond 2022 is not specified.

<sup>78</sup> Legislative changes introduced in November 2019 increased annual state funding to political parties almost sevenfold, from a previous subsidy of EUR 0.71 per parliamentary electoral vote to the current EUR 4.50 per vote.

<sup>79</sup> Additional amendments adopted on 24 February 2022 and which entered into force after the elections, on 1 November 2022, introduced a reduction in state funding for political parties whose parliamentary factions dissolve or the deputies of which decrease by two-third, and indexed the nominal amount per electoral vote tying it to the minimum monthly salary (from EUR 4.50 to 0.9 per cent of the minimum monthly salary, which in 2022 amounts to the same).

<sup>80</sup> Political parties receiving state funding are obligated to prepare an annual report by 31 March each year on the spending of state funding, indicating cash balances at the beginning and end of the reporting year as well as cash receipts and cash payments for different types of expenses. Annual reports are published in KNAB's [Party Finance Database](#). Political parties not receiving state funding are also required to submit an annual report, as per regular accounting regulations. For the year 2021, the KNAB received annual reports of 46 political parties by the set deadline and initiated 18 administrative violation proceedings against parties for failing to submit reports within the deadline or in accordance with the law.

The increased state funding to political parties was welcomed by most ODIHR EAM interlocutors as an important step towards reducing reliance on private donors and fostering electoral competition, although several noted that the increased allotment should be accompanied by additional criteria related to the inclusion of underrepresented groups in party structures.<sup>81</sup> The allocation of state funding to the parties was generally perceived by interlocutors as transparent and fair, although a few claimed a disproportionate disadvantage towards newly established or restructured political alliances participating in the campaign for the first time. In 2022, ten political parties were allocated a total of EUR 4,615,906 of state funding.<sup>82</sup> The KNAB withheld a total of EUR 743,423 from three parties for violations of the Law on Financing of Political Organizations and published a list of imposed sanctions on its website.<sup>83</sup> An appeal process is provided for, whereby political parties could appeal minor administrative fines to the head of KNAB, while sanctions such as withholding of state funding could be appealed through administrative court procedures.<sup>84</sup>

*Consideration should be given to introducing additional criteria for the allocation of state funding to political parties to promote the political participation of under-represented groups, including in the period between elections.*

Campaign expenditure limits are prescribed by the law and published on the KNAB website ahead of each election campaign. For these elections, the limits were set nationally at EUR 708,053 per party to be divided across the five constituencies.<sup>85</sup> Campaigning by third parties is subject to financial regulation, with the maximum permitted expenditures capped at 15 minimum monthly wages, or EUR 7,500.

## **B. REPORTING AND OVERSIGHT**

The transparency of campaign finance is facilitated by a legal requirement for parties to report on their donations, campaign advertising contracts, and campaign expenditures. Donations must be declared by political parties within 15 days of receipt, with data submitted via an electronic data input system maintained by the KNAB.<sup>86</sup> No later than three working days after entering into an advertising contract, political parties and their respective service providers were obliged to separately submit contractual

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<sup>81</sup> As articulated in the Council of Europe Committee of Ministers Recommendation (2003)3 on balanced participation of women and men in political and public decision-making, allocation of public funds can be contingent on compliance with requirements for women's participation. While it is important to respect the free internal functioning of parties in candidacy selection and platform choices, public funding may reasonably be restricted based on compliance with a set of basic obligations.

<sup>82</sup> In 2022, Harmony received EUR 800,000 in state funding, Conservative Party, EUR 639,140; Development/For!, EUR 586,964; National Alliance, EUR 573,256; the Union of Greens and Farmers, EUR 506,967; New Unity, EUR 442,482; the United List, EUR 144,155; Progressive party, EUR 107,612; and Latvian Russian Union, EUR 71,904.

<sup>83</sup> The Party for a Humane Latvia had its state funding suspended on 13 January 2022 for a period of one year, with EUR 646,303 withheld in relation to having misspent its state funding in 2020 in excess of EUR 30,000; the party is appealing the decision in court.

<sup>84</sup> United List had EUR 25,215 of its state funding withheld on 14 July 2022 for breaching an expenditure rule in 2020; the party is appealing the decision in court. Latvian Russian Union had EUR 71,904 of its state funding withheld on 14 July 2022, due to not having a dedicated state funding account in a credit institution registered in Latvia.

<sup>85</sup> Contestant expenditure limits are calculated based on a quotient including the average monthly income and the number of registered voters. For these elections, [the contestant expenditure limit per constituency](#): Riga, EUR 251,065; Vidzeme, EUR 179,322; Latgale, EUR 94,879; Kurzeme, EUR 85,371; Zemgale, EUR 97,414. Additional campaign expenditure limits are set for political parties receiving state funding, prescribing that campaign expenditures should not exceed 60 percent of the state funding received in the relevant year.

<sup>86</sup> The [Party Finance Database](#) can be searched by political party, type of transaction (money, property, or service), the exact value, name of donor, and date of donation.

details to the KNAB, which cross-checked the data for accuracy.<sup>87</sup> Providers of advertising services in public places or on the internet were required by law to submit prices for the campaign period to the KNAB by 150 days prior to the elections.<sup>88</sup> The KNAB monitored campaign expenditures for the 2022 elections based mainly on data gathered from advertising contracts and, positively, regularly published expenditure data throughout the campaign in a format allowing for interactive analysis of expenditures, including by party and by expenditure type.<sup>89</sup> These regular publications contributed to the overall transparency of campaign financing.

As of election day, the KNAB had received 201 reports of alleged violations, some through individual online complaints or through the designated mobile app “Report to the KNAB,” with 79 being further investigated as potential administrative cases.

Contestants have up to 30 days after the elections to submit declarations of income and expenses of elections.<sup>90</sup> Within six months from the final submission date, the KNAB reviews and publishes a consolidated campaign finance report for all contestants,<sup>91</sup> which contains information on campaign finance violations and applied sanctions. The KNAB is not required by law to publish all administrative sanctioning decisions, except those concerning a prohibition of further campaign activities.<sup>92</sup>

*The Law on Financing Political Organizations should be revised to require the publication of all decisions of the Corruption Prevention and Combating Bureau related to the election campaign and campaign financing, subject to reasonable exceptions pertaining to personal data protection.*

## XI. MEDIA

### A. MEDIA ENVIRONMENT

The media landscape in Latvia is pluralistic. Television is the primary source of political news, followed by online news platforms, social media, radio, and print media.<sup>93</sup> Ownership within the media market is concentrated, with a high level of competition and a diminishing influence of domestic media owners.<sup>94</sup> Media consumption is generally linguistically segmented; positively, the public broadcasters

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<sup>87</sup> Contractual details are submitted by the party and the service provider by [downloading](#) a form and submitting it to KNAB.

<sup>88</sup> The [campaign pricing](#) per company is available on KNAB’s website. Advertising prices in electronic media were submitted to the National Council of Electronic Media. Failure by providers to submit price lists within the prescribed timeframe prohibits them from selling campaign materials, whereby sales at higher or lower prices than indicated are also prohibited.

<sup>89</sup> [Campaign expenditures by political party](#), for the campaign period from 4 June to 27 September, were regularly published by KNAB, starting from 21 July, then biweekly and on a weekly basis, covering seven broad campaign expense categories: television, outdoor advertisement, radio, printed media, social networks, internet advertisement, and charity.

<sup>90</sup> Information is submitted partially electronically and [campaign income and expenditure declarations](#) by party are available on KNAB’s website along with party’s annual income and expenditure reports. A donation given by the party or a charity event sponsored by the party as part of its election campaign is also considered a campaign expenditure and is to be reported to KNAB within three days of occurrence.

<sup>91</sup> The report includes campaign income and expenditure reports for all contestants, with 16 expense subcategories.

<sup>92</sup> The Pre-election Campaign Law specifies a requirement for KNAB to publish data on sanctioning measures only in cases when the sanction prohibits further campaigning. [ICCPR General Comment 34](#), Article 19: “To give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information.”

<sup>93</sup> See the [Eurobarometer Media & News Survey \(July 2022\)](#).

<sup>94</sup> The largest digital news media, Delfi and Tvnet, and the national news agency LETA are owned by Estonian media corporations. Latvia no longer has an influential independent national daily newspaper.

provide content, including political coverage, in both the Latvian and Russian languages, as do some commercial media.<sup>95</sup>

The public broadcasters, *Latvian Television* (LTV) and *Latvian Radio* (LR) successfully compete with commercial outlets and experience a high level of public trust.<sup>96</sup> The public broadcasters left the advertising market in 2021 and have since been financially dependent on state funding, which is allocated annually, without clear criteria.<sup>97</sup> Several ODIHR EAM interlocutors raised concerns over instances of political pressure on public media, which they describe as exacerbated by the current funding structure.<sup>98</sup>

*To safeguard the independence of the public broadcaster, legislation should ensure an adequate and sustainable financing mechanism.*

In the course of 2022, the parliament adopted several amendments to the Law on Electronic Mass Media which authorize the National Electronic Mass Media Council (NEPLP), without a court order, to suspend access to websites on the basis of false information or threats to national security, and to ban the transmission of audiovisual or on-demand services originating in a “state that threatens the territorial integrity of another country”.<sup>99</sup> While appreciating the national security context in which the legislation was pursued, several interlocutors raised concerns that the amendments were adopted in a rushed and non-transparent process without sufficient public consultation, and that the suspensions, which do not require a court order, could create an unfortunate legal precedent.

Although investigative and analytical journalism thrives and media representatives generally describe a free and safe operating environment, ODIHR EAM interlocutors described several cases of

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<sup>95</sup> Public service media operate TV channel *LTV7*, radio station *LR4* and news portal *RUS.LSV.lv* that provide political news in the Russian language. Several ODIHR EAM interlocutors indicated that coalition parties were reluctant to expand services in the Russian language and attributed it to nationalist attitudes during the pre-election period.

<sup>96</sup> According to [Kantar audience data \(August 2022\)](#), the public Latvian Television (*LTV*) reaches the highest share of the TV market, followed by private channel TV3. Apart from two TV channels (*LTV1* and *LTV7*) and six radio stations that dominate the radio market, the public service media also operate a news portal *LSM.LV*. According to [Eurobarometer Media & News Survey \(July 2022\)](#), 51 per cent of respondents most trust the news sources represented by public TV and radio stations (including their online presence).

<sup>97</sup> The 2022 annual budget of *LTV* and *LR* amounts to EUR 38 million (EUR 26 million allocated to *LTV* and EUR 12 million to *LR*), which represents 0.13 per cent of the GDP. The SEPLP suggested that the annual budget of *LTV* and *LR* should be tied to a fixed percentage of certain taxes (1.3 per cent of collected individual income taxes and 2.12 per cent of collected excise duties). The proposed amendment would increase the budget of public media by EUR 3.5 million per year.

<sup>98</sup> For example, on 2 April, the defense minister published [a letter](#) on Twitter to the Public Electronic Mass Media Council (SEPLP) linking *LTV* editorial decisions to its future funding, following an *LTV7* interview with a Russian journalist. The SEPLP criticized the minister’s opinion as an apparent attempt to exert political pressure and directly influence public media content. The NEPLP concluded that no violation of the Law on Electronic Mass Media had been detected in the *LTV* program. The European Broadcasting Union Director General [expressed concern](#) about alleged political pressure on *LTV* editorial choices.

<sup>99</sup> On 24 February 2022, the National Electronic Mass Media Council (NEPLP) banned 41 TV channels registered in Russia, invoking a previously untested provision in the 2018 EU Audiovisual Media Services Directive which provides for immediate suspension on national security grounds. On 10 March, the parliament adopted new legislation authorizing the NEPLP to suspend websites that disseminate false information and constitute a threat to national security. On 15 March, NEPLP blocked access to 71 sites. On 12 May, [NEPLP blocked access](#) to Russian social media networks “VKontakte”, “Odnoklassniki” and “Moi mir” following EU sanctions imposed on the owners. On 26 May 2022, the parliament adopted additional amendments stipulating that audiovisual and on-demand services undermining or threatening the territorial integrity, sovereignty or state independence of another country should not be operational in Latvia, and on 6 June 2022, the NEPLP banned the transmission of the remaining 80 available TV channels registered in Russia. As of 30 September, the NEPLP had restricted 132 TV channels and 226 internet sites, covering all available Russian-registered channels and sites and several from Belarus.

harassment and threatening rhetoric by politicians towards journalists,<sup>100</sup> and noted that women journalists are often exposed to sexist and misogynist rhetoric.<sup>101</sup> Several described social networking platforms being used to belittle journalists and to discredit the role and importance of media in society.

## B. LEGAL FRAMEWORK AND OVERSIGHT MECHANISMS

The legal framework guarantees the freedom of expression, the confidentiality of journalistic sources, and the right of access to public information, and these rights are actively and effectively defended in the court system. The principles of accuracy, objectivity, diversity and balance in reporting, as well as respect for principles of journalism ethics, are set out in the Electronic Mass Media Law, which, inter alia, implements the EU Audio-visual Media Services Directive. Defamation remains a criminal offence, contrary to international standards and despite previous ODIHR recommendations. ODIHR EAM interlocutors noted that the provision is not frequently enforced, but raised concerns that it could be used to intimidate or pressure journalists.<sup>102</sup>

*Defamation should be decriminalized in favor of civil remedies, in line with international obligations on the freedom of expression.*

Public and private broadcasters and other electronic media, including on-demand audio-visual services, and certain online content, are regulated and overseen by the NEPLP. During pre-election period, the NEPLP issued guidance and educational tools for electronic media, published price lists for political advertising, and conducted monitoring of the regulatory compliance of broadcast media. The monitoring results are reviewed by the NEPLP on a monthly basis, at which time decisions are issued on potential breaches and sanctions are imposed. All monitoring results and related decisions are published on the NEPLP website. During the campaign period, the NEPLP levied two administrative fines on *LTV* on the basis of hidden campaigning in its broadcasts, and appeals are pending in court.<sup>103</sup>

While most ODIHR EAM interlocutors expressed overall confidence in the NEPLP as a monitoring and enforcement body, several noted that the selection process for Council members, which are nominated and elected by the parliament, could be improved to guarantee the Council's independence, as previously recommended by ODIHR. Interlocutors welcomed a new Law on Public Electronic Media and Administration, which established the Public Electronic Media Council (SEPLP) and a public media ombudsperson, expressing confidence in the independence of these institutions.<sup>104</sup>

<sup>100</sup> According to the [Statement of public service media ombudsperson](#) published on 9 September 2022, 78 per cent of journalists surveyed in Latvia indicated that they were subjected to humiliating or hateful speech. Further, 72 per cent experienced public discrediting of their work, 48 per cent shared that their morals were questioned, 23 per cent of respondents' data was used for fabricated or manipulated stories and 12 per cent experienced intimidation.

<sup>101</sup> On 25 September 2022, MP Aleksandrs Kiršteins, while commenting on Twitter about the pre-election debate, called the *LTV* journalist a liar and a "political prostitute". *LTV* and Latvian Association of Journalists requested the parliament to evaluate the ethical conduct of its deputy, while the State Police launched an investigation on defamation charges. The rhetoric was [condemned by Reporters Without Borders](#).

<sup>102</sup> Being a criminal offense, defamation is punishable with deprivation of liberty, community service, or a fine. Nevertheless, most legal actions against the media are taken under Civil Law, which stipulates the withdrawal of information and payment of non-pecuniary damages. Hence, even though defamation does not lead to the imprisonment of journalists, it could be used to pressure them. According to Paragraph 47 of the [2011 CCPR General Comment No. 34 to the ICCPR](#), "States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty".

<sup>103</sup> *LTV* appealed the NEPLP decision to Riga District Court, where the case is pending. The NEPLP informed the ODIHR EAM that during the election period, it received 19 complaints (13 lodged before election day and 6 received on election day). Out of the total figure, seven complaints were brought to the attention of the Council by the KNAB. Majority of complaints concerned hidden campaigns or refusal of advertising broadcast.

<sup>104</sup> One of three SEPLP members is nominated by the president; one by the Council for the Implementation of the Memorandum of Cooperation between Non-Governmental Organizations and the Cabinet of Ministers; and one by the parliament. SEPLP then elects the public media ombudsperson through an open competition.

Regulations on media coverage of the elections aim to guarantee a level playing field for all contestants, while electronic mass media have the right to determine their procedures for pre-election broadcasts, including criteria for the participation of candidates in pre-election debates. The SEPLP must approve *LTV* and *LR* campaign coverage regulations. By law, each party or coalition is guaranteed a total of 40 minutes of free air time in public media. ODIHR EAM interlocutors generally assessed the guidelines for pre-election coverage issued by *LTV* and *LR* as equitable and fair.

The role of social networking platforms in election campaigns or in political financing is not regulated by national legislation. The Strategic Communications Coordination Department at the State Chancellery, together with the NEPLP and the State Security Service, may report suspicious activities (e.g. potential inauthentic accounts, violations of national legislative acts, and/or potential foreign-led influence or information operations) to private companies operating social networking platforms in Latvia, such as Meta.

### C. CAMPAIGN COVERAGE

Both public and private media extensively covered the campaign in their regular news editions and programmes, and organized debates, giving voters an adequate chance to make an informed choice and providing candidates with the possibility to introduce their programmes.

Overall, the political debates organized on private and public media provided vibrant discourse, with recorded content of the debates available online and often used as a campaigning platform. In the debates candidates offered a spectrum of opinions and the debates generally included representation of minority, women and youth candidates. For its debates, the public *LTV* set a threshold of two per cent of reported support in opinion polls for parties to be invited.<sup>105</sup> Two political parties lodged complaints to the Riga District Administrative Court claiming that they were unduly denied participation in the final debates of prime minister candidates (the Republic party according to the polls did not reach the 2 per cent threshold and the Union of Greens and Farmers party leader did not run as a candidate). The Court dismissed both complaints.<sup>106</sup> *LTV*, in co-operation with independent journalism organization Re:Baltica, conducted fact-checking of the statements made by election candidates in the pre-election debates.

According to the NEPLP, the obligation to provide free airtime for contestants was fulfilled by the public broadcaster. The conditions for paid campaign advertisement on private broadcast media were equal for all candidates and the prohibition to advertise on television during the last 30 days of the campaign was respected.<sup>107</sup> Although false and misleading information appeared in digital and social media, including statements by a few smaller political parties seeking to discredit the election process, representatives of relevant authorities and other interlocutors posited to the ODIHR EAM that its impact was negligible to the electoral process and outcomes.

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<sup>105</sup> The invitations to the debates were based on political party poll ratings based from two leading pollster companies, SKDS and [Factum](#).

<sup>106</sup> In its decision, the Court recognized *LTV*'s editorial freedom to decide on participants when organizing pre-election broadcasts, and stressed that *LTV* had offered political parties more opportunities to participate in the pre-election broadcasts than it was required by law.

<sup>107</sup> Broadcast media are obliged to provide equal conditions for paid advertisement for all contestants. Furthermore, it is prohibited to place election campaign materials for a higher or lower price than determined in the price lists that had to be submitted to NEPLP at least 150 days before the election day. The costs for paid ads may not exceed the average price for audio and audiovisual commercial announcements.

## XII. ELECTION DISPUTE RESOLUTION

The system of election dispute resolution generally enjoys the confidence of stakeholders, although only a small number of complaints were filed in these and in previous elections. CEC decisions to register or disqualify candidates or lists of candidates, or to dismiss an already registered candidate, may be appealed by the aggrieved party to the District Administrative Court, whose rulings are final. Contestants have the right to challenge polling station results to the CEC, whose decision can be appealed to the Supreme Court, which is the last instance. Contrary to good practice, only contestants can appeal CEC decisions on election results and on the registration of candidates.<sup>108</sup> All other decisions taken by election commissions, including on voter registration, the election campaign, campaign finance, and media-related matters, can be appealed through ordinary administrative procedures by the persons whose rights have been affected, and are not subject to expedited deadlines.

*In line with good electoral practice, the law should be revised to allow individual voters to file complaints, in particular, but not limited to, on election results. The law should provide clear and expedited timelines for the resolution of all election-related disputes.*

Deadlines for the submission and adjudication of appeals of certain decisions of election management bodies specified in the Law on Parliamentary Elections provide for three calendar days to file the complaint, which should be adjudicated by the relevant court within seven calendar days.<sup>109</sup> There is no possibility of further appeal of the court's decision to higher judicial instances.

Election crimes include hindering citizens from participating in the elections, violent election campaign, threats, fraud, bribery or forging candidate registration documents and are handled as criminal matters.<sup>110</sup> In cases of such violations, the CEC may reallocate seats if the offense is found to have impacted the election results.

No complaints were filed against CEC decisions on candidate registration, and according to the CEC, no complaints were received on election day. After election day, three Harmony candidates requested the annulment of results in all polling stations and the recount of all votes cast for the party. Furthermore, the Force of People's Power party contested the results in 70 out-of-country polling stations on grounds of IT malfunctioning and requested recounts to be organized. The CEC dismissed all complaints on the grounds of a lack of supporting evidence and irrelevance in terms of results. One of the Harmony candidates and the Force of People's Power appealed to the Supreme Court; both appeals were rejected. The KNAB reported that it investigated eleven cases of alleged intimidation of voters and violations of the campaign silence on election day, both online and offline.<sup>111</sup> The police informed that it received at least 42 reports on violations of the electoral silence, of which eight resulted in the opening of administrative proceedings.

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<sup>108</sup> See Section III.3.3.92 (Explanatory Report) of the 2002 Code of Good Practice in Electoral Matters.

<sup>109</sup> Section II.3.3.g of the [Code of Good Practice in Electoral Matters](#) recommends that deadlines for the submission and adjudication of complaints be within three to five days. The legal deadlines for submitting complaints were not always respected; but the CEC did not reject complaints on these formal grounds and the CEC accepted a complaint filed by the Force of People's Power party after the three-day deadline.

<sup>110</sup> The [Criminal Law](#) provides for penalties up to four-year imprisonment for hindrance on the exercise of the right to vote, violation of the secrecy of the vote and tampering with election results protocols.

<sup>111</sup> Source: [KNAB press release](#) of 3 October 2022.

### XIII. CITIZEN AND INTERNATIONAL OBSERVERS

Despite a previous ODIHR recommendation, the law does not provide for citizen and international observation of all stages of the electoral process, at odds with OSCE commitments.<sup>112</sup> However, the authorities facilitated access of the ODIHR EAM to all aspects of the process, and the mission received full cooperation from the election administration. The CEC issued instructions which included requirements for application, deadlines, as well as rights and obligations of observers. Citizens over the age of 18 could register between 26 August and 22 September on the CEC website and were provided with a compulsory online training in order to act as volunteer citizen observers. The CEC ultimately accredited 115 citizen observers, as well as 32 national observers from two national institutions, and 64 international observers from 16 countries.<sup>113</sup> Political parties and coalitions have the right to accredit up to two representatives per each polling station, however some interlocutors noted that, in practice, most parties do not accredit observers, due to high trust in the election process.<sup>114</sup> There were no nationwide efforts to observe the elections, however some civil society organizations monitored specific areas or organized voter education activities.<sup>115</sup>

*The legislation should be revised to explicitly provide for the access of citizen and international observers to all stages of the election process, in line with OSCE commitments.*

### XIV. ELECTION DAY

In line with ODIHR methodology, the EAM did not observe election day proceedings in a comprehensive or systematic manner. However, mission members visited a limited number of polling stations during early voting in Riga, and during the voting and counting procedures in and around Riga as well as in Jelgava, Jūrmala and Olaine.

In the polling stations visited, the process was generally transparent and efficiently administered. Most polling staff at visited locations were familiar with procedures, including the novelties related to electronic voter registration. According to the CEC, the EOVR functioned throughout the day, with minor interruptions. In some of the visited polling stations, the general layout and the positioning of the voting booths did not always ensure the secrecy of voting.<sup>116</sup> The structure and layout of most visited polling stations allowed for independent access by voters with physical disabilities.

*Consideration should be given to improving the layout of polling stations and the design of polling booths, with the aim of ensuring the secrecy of the vote.*

The few vote counts observed by the ODIHR EAM were well-organized and followed regulations. Ballots cast by post were opened on 2 October based on a new regulation approved in 2021, which

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<sup>112</sup> Paragraph 8 of the [1990 OSCE Copenhagen Document](#) underlines that “the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place”.

<sup>113</sup> The Office of the Ombudsperson deployed 27 observers from its staff to assess the voting of persons with mental disabilities.

<sup>114</sup> The CEC accredited 331 observers representing political parties.

<sup>115</sup> Delna – Transparency International Latvia evaluated the political programs of the candidates and organized trainings for citizens. The World Federation of Free Latvians provided voter education for those residing abroad, while the National Youth Council of Latvia prepared online voter education materials for young voters.

<sup>116</sup> Paragraph 4.52 of the 2002 [Venice Commission’s Code of Good Practice in Electoral Matters](#) Explanatory report states that the “Secrecy must apply to the entire procedure – and particularly the casting and counting of votes. Voters are entitled to it, but must also respect it themselves [...]”.



provides that these envelopes are opened after the end of voting.<sup>117</sup> BALSIS was used in all polling stations for early voting, during election day and for the counting, as well as to calculate and transmit results to upper-level election commissions. Some 75 per cent of polling stations were equipped with scanners to count the ballots.<sup>118</sup>

The CEC reported a voter turnout of 59.41 per cent.<sup>119</sup> The preliminary results were published in a transparent and timely manner on the CEC website. The final results were approved by the CEC on 17 October.

## XV. RECOMMENDATIONS

These recommendations, as contained throughout the text, are offered with a view to further enhance the conduct of elections in Latvia and to support efforts to bring them fully in line with OSCE commitments and other international obligations and standards for democratic elections. These recommendations should be read in conjunction with past ODIHR recommendations that remain to be addressed.<sup>120</sup> ODIHR stands ready to assist the authorities of Latvia to further improve the electoral process and to address the recommendations contained in this and previous reports.

### A. PRIORITY RECOMMENDATIONS

1. To ensure the operational independence and efficiency of the Central Election Commission, adequate financial and human resources should be allocated in a timely manner. Authorities should consider increasing the capacity of the IT Department to manage and ensure the security of the electronic infrastructure and to organize procurement procedures.
2. The Central Election Commission should be provided with sufficient resources to prepare and implement comprehensive and timely voter education programs, including in minority languages and for young and first-time voters and for voters with different disabilities.
3. In line with OSCE commitments and international standards, the electoral legislation should provide the possibility for independent candidates to participate in elections. The parliament should remove the restriction on the submission of candidates by political parties registered less than one year before the elections.
4. Defamation should be decriminalized in favor of civil remedies, in line with international obligations on the freedom of expression.

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<sup>117</sup> Voters residing abroad were allowed to cast a ballot in a polling station on election day, even though they opted for postal voting.

<sup>118</sup> According to the CEC, the reliability of scanning in recent elections was around 99 per cent for the party and 90 per cent for the preferential votes. PSCs verify if all the ballots are correctly scanned and can modify the electronic interpretation of the choice if there are errors.

<sup>119</sup> Data regarding the voter turnout was published at 8:00, 12:00, 16:00 and 20:00.

<sup>120</sup> In Paragraph 25 of the [1999 OSCE Istanbul Document](#), all OSCE participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”. The follow-up of prior recommendations is assessed by the ODIHR EAM as follows: recommendation 11 from the ODIHR final report on the 2018 parliamentary elections (2018 Final Report) was fully implemented. Recommendations 12, 13, 15 and 16 from the ODIHR final report on the 2014 parliamentary elections (2014 Final Report) and recommendations 13, 16 and 17 from the 2018 Final Report were mostly implemented. Recommendations 5 and 14 from the 2014 Final Report and recommendations 4 and 14 from the 2018 Final Report were partially implemented. See also the [ODIHR electoral recommendations database](#).

5. The legislation should be revised to explicitly provide for the access of citizen and international observers to all stages of the election process, in line with OSCE commitments.
6. The parliament should consider removing or establishing a time limit on restrictions on the right to stand based on previous political activities, in order to conform with the 2006 European Court of Human Rights ruling and international standards.
7. The electoral legislation should ensure and contain safeguards to protect the freedom of expression in election campaigns, including the right to campaign in minority languages, in line with international standards and OSCE commitments.

## **B. OTHER RECOMMENDATIONS**

### **Election Administration**

8. In line with international standards, gender-disaggregated data on the election administration and on voter participation should be collected and published in a comprehensive manner. The election administration could also collect data on the participation of youth and first-time voters, to inform voter outreach and education methods.

### **Candidate Registration**

9. Political parties should adopt effective internal mechanisms for strengthening women's participation and representation within political parties. The legislature should consider additional measures to promote the electoral participation of women, such as through legal quotas on candidate lists, or financial incentives linked to public funding.

### **Election Campaign**

10. To strengthen the electoral participation of persons with disabilities, political parties should provide their programmes, campaign messages and materials in formats appropriate, accessible and easy to understand by persons with various types of disabilities. Legal or financial incentives could be introduced to encourage accessible campaign content.

### **Campaign Finance**

11. Consideration should be given to introducing additional criteria for the allocation of state funding to political parties to promote the political participation of under-represented groups, including in the period between elections.
12. The Law on Financing Political Organizations should be revised to require the publication of all decisions of the Corruption Prevention and Combating Bureau related to the election campaign and campaign financing, subject to reasonable exceptions pertaining to personal data protection.

### **Media**

13. To safeguard the independence of the public broadcaster, legislation should ensure an adequate and sustainable financing mechanism.

### **Election Dispute Resolution**

14. In line with good electoral practice, consideration should be given to allowing individual voters to file complaints, in particular, but not limited to, on election results. The law should provide clear and expedited timelines for the resolution of all election-related disputes.

### **Election Day**

15. Consideration should be given to improving the layout of polling stations and the design of polling booths, with the aim of ensuring the secrecy of the vote.

**ANNEX: FINAL RESULTS<sup>121</sup>**

<b>In total</b>	
Number of Eligible Voters	1,542,407
Number of Votes Cast	916,368
Valid Votes	903,639
Invalid Votes	10,383
Early Votes	63,342
<b>In country</b>	
Number of Eligible Voters	1,380,358
Number of Votes Cast	890,222
Valid Votes	878,767
Invalid Votes	10,219
Early Votes	63,342

<sup>121</sup> The results are available [on the CEC website](#).

	<b>Political party or coalition</b>	<b>Number of mandates</b>	<b>Percentage of valid votes</b>	<b>Number of women MPs</b>	<b>Number of men MPs</b>
1	New Unity	26	18.97	11	15
2	Latvia Russian Union	0	3.63		
3	Union of Greens and Farmers	16	12.44	4	12
4	Servants of the People of Latvia	0	1		
5	Sovereign Power	0	3.24		
6	Christian Progressive Party	0	0.15		
7	Social Democratic Party Harmony	0	4.81		
8	For Stability!	11	6.80	5	6
9	The Force of People's Power	0	1.13		
10	United for Latvia	0	0.15		
11	National Alliance	13	9.29	2	11
12	Latvia in first place!	9	6.24	2	7
13	Conservatives	0	3.09		
14	For Each and Everyone	0	3.67		
15	Progressives	10	6.16	4	6
16	Development/For!	0	4.97		
17	Alliance for Latvia	0	0.33		
18	United List - Latvian Green Party, Latvian Association of Regions, Liepāja Party	15	11.01	2	13
19	Republic	0	1.76		

## ABOUT ODIHR

The Office for Democratic Institutions and Human Rights (ODIHR) is OSCE's principal institution to assist participating States "to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy and (...) to build, strengthen and protect democratic institutions, as well as promote tolerance throughout society" (1992 Helsinki Summit Document). This is referred to as the OSCE human dimension.

ODIHR, based in Warsaw (Poland) was created as the Office for Free Elections at the 1990 Paris Summit and started operating in May 1991. One year later, the name of the Office was changed to reflect an expanded mandate to include human rights and democratization. Today it employs over 150 staff.

ODIHR is the lead agency in Europe in the field of **election observation**. Every year, it co-ordinates and organizes the deployment of thousands of observers to assess whether elections in the OSCE region are conducted in line with OSCE commitments, other international obligations and standards for democratic elections and with national legislation. Its unique methodology provides an in-depth insight into the electoral process in its entirety. Through assistance projects, the ODIHR helps participating States to improve their electoral framework.

The Office's **democratization** activities include: rule of law, legislative support, democratic governance, migration and freedom of movement, and gender equality. The OSCE/ODIHR implements a number of targeted assistance programmes annually, seeking to develop democratic structures.

ODIHR also assists participating States' in fulfilling their obligations to promote and protect **human rights and fundamental freedoms** consistent with OSCE human dimension commitments. This is achieved by working with a variety of partners to foster collaboration, build capacity and provide expertise in thematic areas including human rights in the fight against terrorism, enhancing the human rights protection of trafficked people, human rights education and training, human rights monitoring and reporting, and women's human rights and security.

Within the field of **tolerance and non-discrimination**, ODIHR provides support to the participating States in strengthening their response to hate crimes and incidents of racism, xenophobia, anti-Semitism and other forms of intolerance. ODIHR's activities related to tolerance and non-discrimination are focused on the following areas: legislation; law enforcement training; monitoring, reporting on, and following up on responses to hate-motivated crimes and incidents; as well as educational activities to promote tolerance, respect, and mutual understanding.

ODIHR provides advice to participating States on their policies on **Roma and Sinti**. It promotes capacity-building and networking among Roma and Sinti communities, and encourages the participation of Roma and Sinti representatives in policy-making bodies.

All ODIHR activities are carried out in close co-ordination and co-operation with OSCE participating States, OSCE institutions and field operations, as well as with other international organizations.

More information is available on the ODIHR website ([www.osce.org/odihr](http://www.osce.org/odihr)).