



## CORRUPTION PREVENTION AND COMBATING BUREAU

# IN BRIEF



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**LATVIA**

CORRUPTION PREVENTION AND COMBATING BUREAU





# CORRUPTION PREVENTION AND COMBATING BUREAU

## **MISSION STATEMENT**

*We take action against corruption  
for the good of society and the national interest  
with the full force of law and public support,  
in order to achieve integrity  
in the exercise of power  
entrusted to public officials.*

**Corruption Prevention and Combating Bureau (in Latvian *Korupcijas novēršanas un apkarošanas birojs, "KNAB"*) was established in 2002. It is the leading public institution in Latvia in the area of fight against corruption.**

## BACKGROUND

The first law On Prevention of Corruption, which is no longer in force, was adopted in 1995. At that time there were different public institutions contributing to the fight against corruption, however, as the Council of Europe' Group of States against Corruption noted in its first evaluation report on Latvia, their efforts were segmented and did not produce the results expected by the society. In 1997 the Cabinet of Ministers created the Corruption Prevention Council. It recommended setting up a single, dedicated anti-corruption body. An important impetus was the accession of Latvia to the European Union and NATO.

## ESTABLISHMENT

KNAB was established by a special law On Corruption Prevention and Combating Bureau adopted by the Parliament in April 2002. The Law entered into force in May 2002. KNAB became fully operational in February 2003.

## GOAL

KNAB was created with the aim to prevent and fight against corruption and monitor financing of political parties in a comprehensive and coordinated way. "Corruption" means bribery or any other action taken to obtain a personal benefit or benefit for another persons by using official position.

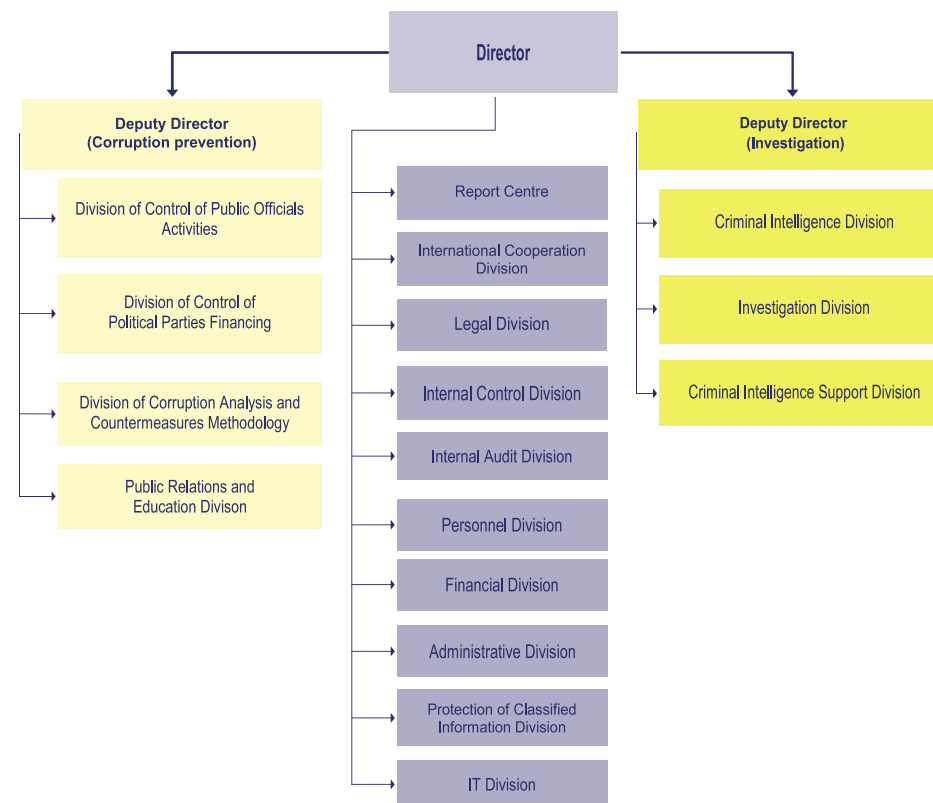
## STATUS

KNAB is an independent public administration institution under supervision of the Cabinet of Ministers. The Prime Minister has rights to examine the lawfulness or revoke unlawful decisions and order to take a decision in cases of unlawful failure to act. KNAB is also a pre-trial investigatory body. It can perform investigatory operations.

## MANAGEMENT

Director of KNAB is appointed by the Parliament on the recommendation of the Cabinet of Ministers for 5 years. He has two deputies. Since May 2004 KNAB is headed by Dr. iur. Aleksejs Loskutovs.

## ORGANISATIONAL STRUCTURE



## ACTIVITIES

According to the law, the core activities of KNAB are divided into two major fields - prevention of corruption and investigation:

### • **PREVENTION OF CORRUPTION**

#### **National anti-corruption programme**

KNAB develops and coordinates the implementation of the national anti-corruption programme. The Corruption Prevention and Combating Programme for 2004-2008 was adopted by the Cabinet of Ministers in August 2004. It contains 120 measures. These measures are divided into several priority areas: prevent "state capture"; prevent illegal and inefficient use of state and municipal assets; improve control over illegal income; improve investigation of corruption offences; ensure efficient use of EU and other international funds; develop internal measures to prevent corruption in public institutions; and raise awareness. Each measure is assigned to a specific institution and has a term. KNAB regularly collects information about progress achieved and reports to the Cabinet of Ministers.

#### **Analysis and methods to counter corruption**

In order to analyse trends, promote better understanding and suggest further improvements, KNAB is analysing corruption-related offences and violations committed in Latvia, centralises information on measures taken by various public institutions to prevent corruption and develops guidelines.

*For instance*, KNAB has produced reports about offences committed in the public service and sanctioned persons, guidelines for internal anti-corruption action plans and manual on conflict of interest, and conducted two surveys – about public's experience with corruption in 2005 and public officials' understanding of corruption and anti-corruption measures in 2006.

#### **Legal analysis and drafting**

To further strengthen the legal framework to counter corruption in Latvia, KNAB is suggesting amendments to the existing legislation and regulation and drafting new laws and regulations.

*For example*, KNAB participated to drafting laws and regulations or prepared amendments on political party and election campaign financing, prevention of conflict of interest, lease of state and municipal property, to the Administrative Violations Code of Latvia, Criminal Law, etc.

## **Control of activities of public officials**

To prevent conflict of interest of public officials and ensure that in performing their duties they are not guided by personal interest or interest of related persons, KNAB controls activities of public officials. Complaints received from other institutions and citizens form an important source of information to start an enquiry. In the control process, KNAB uses public officials' asset declarations submitted to the State Revenue Service. KNAB can determine liability of public officials and impose sanctions in accordance with the Administrative Violations Code of Latvia. Sanctions include fines, restriction to hold official duties and confiscation. An official can be asked to return illegally acquired income.

*For instance*, in 2005 for violations of the Law On Prevention of Conflict of Interest in Activities of Public Officials KNAB held administratively liable and imposed fines on 109 public officials compared to 74 in 2004 and 18 in 2003.

## **Control of financing of political parties**

To ensure transparency and respect of law in financial activities of political parties and promote values of parliamentary democracy, KNAB controls financing of political parties. All political parties and their unions registered in Latvia have to submit annual financial declaration, pre-election declaration, post-election declaration and annual reports. KNAB can determine liability of political parties and impose fines in accordance with the Administrative Violations Code of Latvia. KNAB can ask political parties to return to the state budget illegally acquired funding. Information submitted by political parties is published in the official gazette and made available to citizens through the searchable political parties financing data base at **[www.knab.gov.lv/db](http://www.knab.gov.lv/db)**.

*For instance*, in 2003-2005, 45 decisions were adopted asking political parties to return to the state budget all together about 315 000 LVL (450 000 EUR).

## **Education and information of the society**

KNAB is in charge of educating the public about corruption, ethics and respect of law. Regular seminars are hold for different public institutions about internal anti-corruption mechanisms, prevention of conflict of interest and promotion of professional ethics, as well as for representatives of political parties.

KNAB informs the society about trends in corruption and progress achieved in its work, for example, criminal cases sent to prosecution or violations detected in funding political parties. KNAB regularly issues press releases, holds press conferences, and produces semi-annual and annual reports. Citizens can access this information on the website **[www.knab.gov.lv](http://www.knab.gov.lv)**.

*For instance*, in 2005 there were in average 335 publications in month about KNAB in Latvian press; KNAB officers participated to 56 seminars.

## • **INVESTIGATION OF CORRUPTION OFFENCES**

As a pre-trial investigatory body KNAB is in charge of gathering information and carrying out investigations to detect criminal offences related to corruption in public service. Within the competence of KNAB are the offences set out in the Articles 316 – 330 of the Criminal Law. The work of KNAB in this area is regulated by the Criminal Procedure Law, which was adopted in October 2005. KNAB starts criminal procedure and after a preliminary investigation forwards the proceedings of the case to the Prosecution Office proposing to start criminal prosecution.

*For instance*, in 2003 KNAB started 18 criminal investigations, 30 in 2004 and 34 cases and 25 criminal procedures in 2005; in 2003 KNAB sent for prosecution 12 cases, in 2004 - 22 and in 2005 - 27.

## • **REPORTING CORRUPTION**

Citizens can submit complaints to KNAB about allegations of offences and other violations committed by public officials. Citizens can visit the Report Centre of KNAB, write a letter or call the free line 8002070. KNAB accepts both anonymous and non-anonymous complaints. If there is reasonable ground, a complaint can serve as basis for an administrative or criminal investigation.

*For instance*, in 2005 KNAB received 257 complaints from legal persons, 864 complaints from natural persons and 198 anonymous complaints.

## • **INTERNATIONAL CO-OPERATION**

KNAB exchanges experience and knowledge about preventing and fighting corruption with other countries and represents Latvia in various anti-corruption initiatives at global, European and regional level; it is also involved in bilateral co-operation with similar services in other countries.

*For instance*, since Latvia adopted the United Nations Convention against Corruption KNAB is responsible for its implementation in Latvia. KNAB represents Latvia at the Council of Europe's Group of States against Corruption ("GRECO") mutual evaluation process. KNAB has concluded a cooperation agreement with the Special Investigation Service of Lithuania. KNAB has participated as expert in such countries as Moldova, Kazakhstan and Tajikistan.

KNAB supports Latvia's efforts to join the Organisation for Economic Co-operation and Development' Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

## **POWERS AND RIGHTS**

In order to efficiently perform their duties, KNAB officers have such powers as to investigate and impose sanctions for administrative violations on natural persons and political parties, investigate criminal offences and carry out investigatory

operations, summon persons, arrest and escort suspects and persons charged with committing criminal offences, check personal documents, request and receive information from other public institutions, organizations and natural persons, including since 2004 information from commercial banks about bank accounts and transactions.

## **CODE OF ETHICS**

KNAB has its own Code of Ethics. It states our main values: fairness; responsibility; impartiality; and independence. Cases of breaches of the Code of Ethics can be reported by any citizen. They are examined by the Ethics Commission comprising several KNAB officers elected by all KNAB staff members.

## **ACCOUNTABILITY**

While KNAB is an independent institution, it is reporting regularly about its activities to the Cabinet of Ministers and the Parliament. When investigating criminal offences, the work of KNAB is supervised by the Prosecution Office.

The work of KNAB is under scrutiny of its Public Consultative Council. It comprises 15 non-governmental organisations and professional associations. For instance, in 2005 the Council developed recommendations on reducing corruption in the court system.

KNAB has also a Foreign Advisory Panel. It brings together representatives of foreign embassies, international organisations and foreign business interests in Latvia.

## **RESOURCES**

As of 1 August 2006, there were 129 staff members working at KNAB. In total, KNAB can recruit 148 staff members.

The budget of KNAB is made from allocations from the state budget voted by the Parliament. These allocations have gradually increased from 1,6 million LVL (about 2,2 million EUR) in 2003 to 2,2 million LVL (about 3,14 million EUR) in 2005.

In addition, KNAB received funding from the European Union and the World Bank and support from bilateral donors, such as Germany, Finland, Japan and the United States.

### **RELEVANT LEGISLATION**

- Law on Corruption Prevention and Combating Bureau
- Law on Prevention of Conflict of Interest in Activities of Public Officials
- Law on Financing of Political Parties (Organisations)
- Criminal Law
- Criminal Procedure Law
- Investigatory Activities Law
- Administrative Violations Code of Latvia

The full text is available at <http://www.knab.gov.lv/documents/act>.