

The letters of the President of Latvia regarding significant legislative issues

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Letter of the President of Latvia to the Madam Speaker of the Saeima on the Law “Amendments to the Labour Law”

When promulgating the Law “Amendments to the Labour Law” passed by the Saeima on 28 March 2019, President of Latvia Raimonds Vējonis sent a letter to the Madam Speaker of the Saeima with a call on the Saeima to pay more attention to compliance with the requirements of the Constitution and the principles of good legislation in the legislative process, especially subject to the preliminary ruling of the Constitutional Court on 17 April 2019.

“While adopting the law, the majority of the Saeima has not provided a justification for the decisions taken and an assessment of the potential non-compliance of the regulation with the Constitution. This raises doubts about the observance of the principle of good legislation and the conclusions formulated in the judgments by the Constitutional Court of Latvia. Such legislator’s action weakens confidence in the parliament and state power in general, as well as does not reinforce the rule of law in Latvia,” stated the President of Latvia in his letter to the Madam Speaker of the Saeima.

Although the Saeima has made certain improvements in the law after receiving it for reconsideration, the arguments of the Ombudsman, the Saeima’s Legal Bureau, and the objections of the President of Latvia to unequal treatment of employees and employers regarding overtime pay have not been taken into account.

“The state must guarantee fair opportunities for all by law. By combating the shadow economy in one sector, we must not put employers and employees in another sector at a disadvantage. When trying to promote the coming of one or other sectors of the economy from the shadow economy, the risks associated with the fair application of this regulation in other sectors have not been assessed adequately,” said the President of Latvia earlier.



[The letter of the President of Latvia](#) 

Letter of the President of Latvia to the Legal Committee of the Saeima on the draft law “Amendments to the Rules of Procedure of the Saeima”

On 4 February 2019, President of Latvia Raimonds Vējonis sent a letter to the Legal Committee of the 13th convocation of the Saeima with proposals for improvement of the legislative process in order to improve the quality of law making and to promote public confidence to state power.

For the legislative process be more transparent and an opportunity to familiarise with the justifications of a draft law in a convenient and easy-to-understand way, as well as to provide information on the people who have participated in the drafting of the law, the President of Latvia proposes that both the grounds for the proposals and information on the consultations that have taken place during the preparation of the proposals shall be submitted in writing when submitting proposals for the draft law.

Likewise, the President of Latvia encourages amending the Rules of Procedure of the Saeima repeatedly so that the consideration of proposals that are outside the scope and purpose of the draft law discussed in previous readings could not be admissible in the third reading. “This would enable us avoiding slash dash last-minute solutions with a high probability of errors,” stated the President of Latvia in his letter to the Saeima.

The President of Latvia also encourages that all draft laws should be followed by annotations before submitting the draft law. This would allow for a more complete assessment of the potential impact of draft laws and provide greater clarity to both the legislator and the public at large as to why the law is needed and what issues the new framework is calling for.

In his letter to the 13th convocation of the Saeima, the President of Latvia has indicated that he had repeatedly called on the

Saeima to improve the legislative process and improve the quality of the laws by submitting proposals and draft laws to the Saeima in his letters of 12 September 2016 and 18 August 2017 to the Saeima.

 [The letter of the President of Latvia](#) 

Letter of the President of Latvia to the Legal Committee of the Saeima on the draft law “Amendments to the Rules of Procedure of the Saeima”

On 18 August 2017, President of Latvia Raimonds Vējonis submitted proposals to the Legal Committee of the Saeima for improving the legislative process aimed at increasing the quality of law-making, achieving greater transparency in the legislative process, and promoting public confidence in state power. The President of Latvia calls for amendments to several articles of the Rules of Procedure of the Saeima.

In his letter to the Legal Committee of the Saeima, when submitting proposals for a draft law, both the justification for the proposals and the information about the consultations that took place during the preparation of the projects should be provided in writing. That would make the legislative process more transparent and would enable readers to be acquainted with the justifications of the law conveniently and efficiently, as well as would provide information about the people involved in the drafting of that law.

The proposals foresee drafting annotations for all draft laws henceforth that would answer the questions why the code is necessary and what its possible impact on the economy and other areas of life might be. The proposals submitted by the President of Latvia also provide for the duty to draft an explanatory report for each draft law containing the purposes of the adopted laws and considerations whereon the chosen solution was based.

The President of Latvia calls for the amendments to the Rules of Procedure of the Saeima repeatedly so that the consideration of proposals that are outside the scope and purpose of the draft law discussed in previous readings could not be admissible in the third reading. This would enable us avoiding slash dash last-minute solutions with a high probability of errors.

 [The letter of the President of Latvia](#) 

Letter of the President of Latvia to the Human Rights and Public Affairs Committee of the Saeima on the draft law “Amendments to the Children’s Rights Protection Law”

President of Latvia Raimonds Vējonis sent a letter to the Human Rights and Public Affairs Committee of the Saeima on 7 February 2017, where he asked for improving the regulation on providing extra-familial care of children under the age of three that was set forth in draft law “Amendments to the Children’s Rights Protection Law” in the third reading.

The President of Latvia drew the attention of the Human Rights and Public Affairs Committee of the Saeima to potential non-compliance of the regulation forwarded in the second reading with the Constitution of the Republic of Latvia and the international commitments of the Republic of Latvia. In his letter, Raimonds Vējonis stated that it was undesirable to define such exceptions in the statutory framework that was contrary to the best interests of the child in their essence and that could create preconditions for infringement of the child’s fundamental rights.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Madam Speaker of the Saeima on delivering laws for promulgation

On 22 December 2016, the President of Latvia sent a letter to Madam Speaker of the Saeima Ināra Mūrniece, where he drew her attention to the fact that he was forced to face situations regularly when the laws adopted by the Saeima were sent late for promulgation. In his letter, the President of Latvia called on posting the laws after their adoption by the terms outlined in the first sentence of Article 69 and in the first sentence of Article 71 of the Satversme.

The first sentence of Article 69 of the Satversme stipulates the duty of the President of Latvia to promulgate the laws adopted by the Saeima no earlier than the tenth day and no later than the twenty-first day after their adoption. In its turn, the first sentence of Article 71 of the Satversme empowers the President of Latvia to request reconsideration of law in a motivated letter within ten days from the date of adoption of that law by the Saeima. In his letter to the Madam Speaker of the Saeima, the President of Latvia emphasised that decision-making on the promulgation of law or requesting reconsideration of law required the final text of the adopted law and a reasonable period of time, which was defined explicitly in the Satversme.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Madam Speaker of the Saeima on “Amendments to the Law of Handling Alcoholic Beverages”

When promulgating the Law “On Amendments to the Law of Handling Alcoholic Beverages” adopted in accordance with Article 75 of the Satversme (Constitution) of the Republic of Latvia, the President of Latvia sent a letter to Madam Speaker of the Saeima Ināra Mūrniece calling on the Saeima to assess very carefully, in which cases urgent adoption of the laws was required and appropriate for solving and deciding pressing issues.

In his letter to Madam Speaker of the Saeima Ināra Mūrniece, the President of Latvia pointed out that the advancement of the draft laws as a matter of urgency was detrimental to the quality of the laws, and the hasty actions resulted in erroneous and ill-considered decisions frequently. Therefore, the adoption of the law as a matter of urgency would be desirable only in those cases, where the urgent solution of the issue is actually required. If the law is adopted in an immediate procedure, particular attention should be paid to the development of a draft law as urgent legislative process limits the opportunities for improving the draft law between the readings thereof in the Saeima, as well as imposes an obligation to the President of Latvia to promulgate the law passed without being able to request reconsideration of the law.

On 1 December 2016, the Law “On Amendments to the Law of Handling Alcoholic Beverages” adopted by Article 75 of the Satversme of the Republic of Latvia facilitates the operation of small alcoholic beverage breweries and partly repeals the ban on advertising alcoholic beverages in outdoor advertising. Since the ban on advertising of alcoholic beverages outdoors is essential for the protection of public health, another draft project “On Amendments to the Law of Handling Alcoholic Beverages” was included in the meeting agenda of the Saeima of 8 December 2016 correcting the regulation stipulated in the Law adopted on 1 December 2016.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Madam Speaker of the Saeima and the Prime Minister on the state budgeting process

When announcing the state budget for 2017 and the state budget-related laws, President of Latvia Raimonds Vējonis called to evaluate the options to further streamline the drafting procedure of budget law package so that deciding on national financial resources would be comprehensible and transparent and would promote public trust in the decisions made by the state administration.

In his letter to Madam Speaker of the Saeima Ināra Mūrniece and Prime Minister Māris Kučinskis, the President of Latvia informs that he has received and continues to receive requests from many businesses and other residents not to proclaim or suspend the provisions stipulated in the law “Amendments to the Law on State Social Insurance” adopted on 30 November 2015 on the minimum mandatory instalments of state social insurance. Raimonds Vējonis calls on the Saeima to review the Law and return to the deciding on that issue by achieving fair regulation that complies with the collective public interest.

The President of Latvia invites the Members of Parliament to join the formation of the state budget at the earlier stage of that process possible so that ideas and suggestions on potential spending of national financial resources would be examined and discussed duly henceforth.

He also requests to ensure that the budget law package does not include such issues further on which are not related to the spending of the national financial resources, as that limits opportunities of the community to discuss those thoroughly.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Madam Speaker of the Saeima on the Law “Amendments to the Law on Change of a Record of Name, Surname, and Nationality”

On 29 September 2016, when promulgating the Law “Amendments to the Law on Change of a Record of Name, Surname, and Nationality”, the President of Latvia sent a letter to Madam Speaker of the Saeima Ināra Mūrniece, where he stressed that the issues affecting the identity of the Latvian nation, cohesion of the Latvian society, and foundations of the statehood of Latvia should be carefully assessed, when looking for correct solutions, which the majority of the Saeima and the Latvian public would support.

The President emphasised that the Latvian society required a qualitative discussion of whether the affiliation to the Latvian nation could be determined based only on origin/birth of a person or a different solution could be possible, which made affiliation to the Latvian nation open for those persons, who wished to confirm communion of their fate with Latvians.

To search for a sound and correct solution that would strengthen the state of Latvia and cohesion of our society, Raimonds Vējonis intends to organise expert discussions on the principles to define affiliation to the Latvian nation, and he calls on the Saeima to continue working on this issue.

In his letter, the President of Latvia pointed out that we should consider carefully and have a serious debate on the issue while assessing it in the context of the Satversme requirements, interests of the state of Latvia, and practice in other European countries. We must ensure that the commitment expressed in the preamble of the Satversme to guarantee existence and development of the Latvian nation, Latvian language, and culture through the centuries, turns from words inscribed in the Satversme to deeds.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Madam Speaker of the Saeima on improving the quality of laws

The President of Latvia sent proposals for improvement of the legislative process and the quality of laws to Madam Speaker of the Saeima Ināra Mūrniece on 12 September 2016.

The President of Latvia proposed to consider an opportunity to provide in the Rules of Procedure of the Saeima that only those proposals that included grammatical or technical corrections or that were required to prevent non-compliance with the Satversme could be submitted and reviewed in the third reading. Raimonds Vējonis was confident that the submission of any proposal that was beyond the purpose and scope of the draft law discussed during previous readings was inadmissible in the third reading.

So that the laws adopted by the Saeima would be apparent to the public and an action of the legislator would be explained to the public, the President of Latvia also proposes to consider an opportunity to align an annotation text of a draft law with wording of the law as of the final reading or to prepare an explanatory memorandum or explanatory report for each draft law in the third reading.

Raimonds Vējonis encourages to lay down also an obligation for all applicants of draft laws to add an annotation to a draft law in the Rules of Procedure of the Saeima, which currently is only required from the Cabinet of Ministers because a responsible committee provides it to other applicants.

The President of Latvia also called for consolidating the excellent practice already forged in the Saeima that the proposals were

motivated in writing.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Prime Minister on the statutory regulation of buying pharmaceuticals

The President of Latvia sent a letter to the Prime Minister on 16 June 2016 calling for a review of Cabinet Regulation No 416 of 26 June 2007 “Procedure for Distribution and Quality Control of Pharmaceuticals” and the provisions stipulated therein regarding individuals, who buy pharmaceuticals.

The President of Latvia drew attention to the amendments to the Cabinet Regulation made on 2 February 2016, which set an absolute prohibition for individuals to receive pharmaceuticals by post from third countries, although there had been an opportunity to stipulate more reasonable solutions that would be less restricting on the rights of individuals.

In view of the limited resources of the state budget and underfunding for the state compensated medicines, the President of Latvia called for considering a more flexible statutory framework without increasing the risks of uncontrolled and inappropriate drug use and finding a reasonable balance between the rights of individuals and the protection of public health at the same time.

 [Letter of the President of Latvia](#) 

[Amendments to the statutory regulation on buying pharmaceuticals adopted by the Cabinet of Ministers](#)

Letter of the President of Latvia to the Madam Speaker of the Saeima on the amendments to the Criminal Law

On 27 April 2016, the President of Latvia sent a letter to the Madam Speaker of the Saeima regarding the announced amendments to the Criminal Law, where the President of Latvia appreciated the accomplishment of the Saeima in improving the wording of the provisions before the final reading. The President of Latvia stressed that the reservations he had previously expressed about the draft law were heard and taken into account.

At the same time, the head of state suggested the Saeima monitor firmly the application practice of the rules contained in the amendments to the Criminal law after they come into legal force for timely identification and elimination of potential problems in applying the statutory provisions. The President of Latvia also called on the Saeima to evaluate both an opportunity of envisaging criminal liability for the illegal acquisition of state secrets and the procedure for classification and declassification of the objects of state secret in a separate discussion so that concerns about unjustified classification of the information of public significance as an object of state secret.

 [Letter of the President of Latvia](#) 

Letter of the President of Latvia to the Legal Affairs Committee of the Saeima on a draft law “On Amendments to the Criminal Law”

President of Latvia Raimonds Vējonis sent a letter to the Legal Affairs Committee of the Saeima regarding the amendments to the Criminal Law on 18 March 2016, where he stated: “to prevent probability from infringing the fundamental human rights, I call for stipulating explicitly that criminal liability can arise from the non-constitutional activity. Everyone must understand from the text of the Criminal Law provisions what actions will be criminalised further on.”

President of Latvia drew the attention of the Saeima to several controversial definitions of the amendments to the law requiring a clearer and more precise wording so that the proposed statutory solutions would not contradict the Satversme and international commitments of Latvia. Having acquainted with the amendments to the Criminal Law Code, the President of Latvia concluded that such a significant issue for the country was decided hastily.

Raimonds Vējonis has already pointed out that the proposed wording of the Criminal Law provisions can lead to infringement of fundamental rights: freedom of expression, freedom of assembly, and freedom of association, as well as the rule of law, which are core values of our country. Thus, it is necessary to develop a clear and unambiguous legal framework that does not allow any chance for infringement of those fundamental rights.

 [The letter of the President of Latvia](#) 

[Law "Amendments to the Criminal Law" adopted by the Saeima](#)

Letter of the President of Latvia to the Budget and Finance (Taxation) Committee of the Saeima on the assessment of state budget spending

President of Latvia Raimonds Vējonis sent a letter to the Budget and Finance (Taxation) Committee of the Saeima on 6 November 2015 by proposing to supplement the Law on Budget and Financial Management and stipulating that the government should ensure continuous assessment of state budget spending and state functions by the objectives of national development. The President's proposal was submitted for the spending of the base state budget would be more transparent further on and ensuring greater parliamentary control over the formation and execution of the state budget.

Supplements to the Law would ensure strategic assessment of state budget spending and would enable to implement a systematic approach to the purposeful and efficient distribution of limited state budget funds. The initiative of the President of Latvia provides that the Cabinet of Ministers shall issue corresponding regulations and define a list of areas, sectors of the national policy and state functions to be assessed as a priority before 1 March 2016.

 [The letter of the President of Latvia](#) 

[Law "Amendments to the Law on Budget and Financial Management" adopted by the Saeima](#)

<https://www.president.lv/en/letters-president-latvia-regarding-significant-legislative-issues>