

The President of Latvia submits a legislative initiative requiring the senior officials of local governments to obtain a special permit for access to state secrets in accordance with the procedure laid down by law

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Published: 22.11.2023.



On 22 November, President Edgars Rinkēvičs signed and sent to the Saeima for consideration the draft law "Amendments to the Law on State Secrets" and the draft law "Amendments to the Law on Local Governments", which strengthen the requirement for senior officials of local governments to obtain a special permit for access to state secrets in the procedure established by law.

"In today's geopolitical circumstances, when Russia continues its full-scale military offensive against Ukraine, it is unacceptable that the leading officials of local governments, whose responsibilities include the performance of duties of national and public importance, may not meet the requirements set by law for obtaining a special permit for access to state secrets or may not be able to operate with protected information. Imposing such a requirement on senior local government officials is not an end in itself or a political whim, but an objective necessity. Effective response and action by local authorities is essential not only in times of national threat or crisis, but also in everyday life. Full and effective performance of the functions of local governments in everyday life, in the event of a state threat and in crisis situations is essentially impossible if local government officials do not have the right, and therefore the opportunity, to inspect state secrets," the letter of the President of Latvia to the Presidium of the Saeima emphasises.

In his letter to the Saeima, President Rinkēvičs draws attention to the fact that state secrets are not abstract documents which, after the adoption of a law and obtaining a special permit, local government officials will be able to read. State secrets are a much broader concept and cover military, political, economic, scientific, technical or other information, the loss or unlawful disclosure of which could harm national security, economic or political interests. At the same time, however, it is information which, in certain circumstances, is also essential for the senior officials of local authorities to know in order to be able to act in the best

possible interests of the citizens of their municipality.

"Some local government leaders have said that they have never had to work with state secrets in 30 years. And such a statement is absolutely correct. However, it should be stressed that the accuracy of the statement lies in the fact that no person without a special permit is entitled to work with state secrets at all, not in the fact that such information was not necessary for the performance of their duties. There is already an objective need for local authorities to work with state secrets, in particular to know the local situation, both when making political and economic decisions and when engaging in civil-military cooperation and cooperation with national security authorities. Therefore, I believe that the requirement for the leading officials of local governments to obtain a special permit for access to state secrets in accordance with the procedure established by law should be enshrined in the law," said E. Rinkēvičs in his letter to the legislator.

On 28 September, the Saeima approved the new National Security Concept, and on 5 October, the National Defence Concept. Both documents reinforce the move towards a comprehensive national defence system, which includes not only strengthening defence and deterrence capabilities, but also strengthening public resilience, capacity and will to defend the country, while also emphasising the active role and involvement of local authorities. Each local government has a role to play in the event of a national emergency, to continue to carry out functions that are critical to society and to support public authorities and the National Armed Forces.

The civil protection system is one of the cornerstones of an effective and comprehensive national defence system. It encompasses civil-military cooperation - coordination between civilian and military institutions, coordination of resources and harmonisation of capabilities. The ability of the civilian sector to provide critical services to the population and civilian support to military operations is one of NATO's core requirements.

The draft law in no way restricts the right of currently serving municipal officials and employees to apply to the competent national security authority for a special security clearance if this is necessary for the performance of their direct duties. "I call on the heads of local governments to take a responsible approach to their official duties, to apply to the competent state security institutions and to obtain special permits for access to state secrets in order to fully participate in ensuring national security," the President's covering letter to the Saeima reads.

The full text and annotations of the draft laws "Amendments to the Law on State Secrets" and "Amendments to the Law on Local Governments" can be found on the website of the Chancery of the President of Latvia.

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