



Corruption Prevention
and Combating Bureau
Republic of Latvia

Corruption Prevention and Combating Bureau

KNAB





Corruption Prevention
and Combating Bureau
Republic of Latvia

KNAB is the leading specialized anti-corruption authority of Latvia

- SP, SBG, ISB, MISS (MIDD)
- independent, supervised by Cabinet of Ministers

Fight against corruption in a coordinated and comprehensive way through prevention, investigation and education

- prevention
- combating





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History

1995 first law on Corruption Prevention

- definition of «corruption»

1997 Corruption Prevention Council

1998 first Corruption Prevention Program

1999-2000 Corruption Prevention Conception
and analysis for an independent institution on
corruption prevention and combating

2000-2002 work on legislation, establishing
KNAB



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Key laws

- Law on Corruption Prevention and Combating Bureau
- On Prevention of Conflict of Interest in Activities of Public Officials
- Law on Financing of Political Organisations (Parties)
- Pre-election Campaign Law
- On Prevention of Squandering of the Financial Resources and Property of a Public Person



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Key documents

- Corruption Prevention and Combating Guidelines 2015-2020
- KNAB Strategy 2020-2022



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International cooperation

- United Nations Office on Drugs and Crime
- GRECO – Council of Europe
- OECD Working Group on Bribery
- KAPO, STT, NABU, CBA, FBI
- Mutual Legal Assistance
- 2019 received 53 MLA, accomplished 70 MLA



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Internal cooperation

- Law enforcement agencies
 - SP, SBG, ISB, SRS
- Prosecution Office
 - supervision of criminal procedures
- Financial Investigation Unit
 - unusual or strange payments
- Other institutions
 - Competition Council – on cartels
 - Central Finance and Contracting Agency
 - Investment and Development Agency
 - Anti-Fraud Coordination Service



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On Prevention

- Anti-corruption policy planning
 - legal initiatives
 - corruption risk assessment in normative acts/drafts
- Educating the society on negative impacts of corruption
 - e.g. why exactly is it a bad idea to bribe policemen
- Educating public officials
 - e.g. why exactly is it a bad idea to take bribes
- Whistleblowing, reports from society
 - 4420 phone calls, 1534 submissions, 40 visitors
- International cooperation
 - recommendations





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On Combating

- Criminal proceedings
 - 47 CP in 2019
- Corruptive criminal offences in the public service
 - asset declarations of public officials
 - information received
 - publishing information annually

Control of pre-election
campaigning and party financing





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- KNAB powers:
 - criminal intelligence
 - criminal investigations
 - access to information (including from banks)
 - access to premises





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2) Criminal procedure law

Section 386. Investigating Institutions

The following institutions shall perform an investigation within the framework of the competence thereof:

- 1) the State Police;
- 2) the State Security Service
- 3) the Financial Police;
- 4) the Military Police;
- 5) the Latvian Prison Administration;
- 6) the Corruption Prevention and Combating Bureau;**
- 7) customs authorities;
- 8) the State Border Guard;
- 9) the captains of seagoing vessels at sea;
- 10) the commander of a unit of the Latvian National Armed Forces located in the territory of a foreign state;
- 11) the Internal Security Bureau.



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- Chapter XXIV of Criminal Law
 - Exceeding Official Authority
 - Using Official Position in Bad Faith
 - Failure to Act by a Public Official
 - Accepting/Giving/Misappropriating/Intermediating of Bribes
 - Trading with Influence
 - Forging Official Documents
- And connected criminal offences
 - fraud, appropriation, legalization, competition etc.





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What hinders investigation?

- Hidden criminal offence
- No direct victim
- High threshold of tolerance
- Fear of whistleblowing
 - Law on Whistleblowing
- Inefficiency of law enforcement agencies



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How to prove corruption?

- What is the bribe?
- Is it a public official? Which one?
- Conditions on asking, squeezing out, accepting bribe
- Conditions on offering, promising or giving out bribe
- Action for what the bribe is given/asked
- Connection of the action with official position
- The benefit received by bribe-giver
- Direct intent of the people involved
- Mediators and accomplices
- Material question



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- Evidence – lawfully and procedurally secured information on facts regarding the investigation offence or its circumstances
 - testimony
 - expert opinion
 - opinion of an institution
 - document
 - material proof
 - electronic proof



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- **KNAB**
 - investigates
 - conducts operational activities
- **PROSECUTION**
 - starts and conducts criminal prosecution
 - keeps State prosecution at court
- **COURT**
 - the only institution in Latvia which judges
 - only court can either acquit someone or find them guilty



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Why so long?

- Size of criminal case
 - number of people involved, episodes of investigation, specificity of case (procurement, construction..), timeline of offences
- Terms for expertise
 - DNA up to 1 year, phonoscopy up to 2 years, IT up to 2 years, handwriting up to 3 months
- MLA
 - EU up to 3 months, non-EU up to 3 years
- Other
 - change of testimonies, non-compliance with procedural requirements (not showing up for testifying etc.), request for additional expertise etc.



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Case study 2018

- Director of an educational institution signs documents for services not received
- Together with her daughter and accountant they falsify waybills and several times fill the gas into daughter's car
- Same is done with another employees car
- The daughter and the director live in the dormitory of the educational institution without paying bills and rent. The head of the dormitory knows about it
- Total loss to the state – 55 573,20 EUR



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