

KNAB proposes to criminalise illegal activities related to financing of political parties

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Corruption Prevention and Combating Bureau (KNAB) is concerned that currently law does not allow performing criminal investigation, as well as to hold a person criminally liable and to sentence a person for illegal financing of political parties and for acceptance of donations in a large amount, including, for demanding to finance illegally political parties in a large amount.

KNAB has drafted amendments to the Criminal Law aimed at broadening criminal liability for violations in the area of party financing. Thus, a harmonised system of administrative and criminal liability would be created as it traditionally exists in other areas. It foresees for minor violations administrative liability and for serious violations – criminal liability.

It is planned to review the proposed amendments at the Cabinet of Ministers meeting on 18 March 2008.

At present, administrative liability is foreseen for violations of the Law on Financing of Political Parties notwithstanding an amount of a donation. The Criminal Law, in turn, foresees a criminal liability for quite narrow range of subjects – only for financing of a political party by using intermediation. KNAB considers that it is necessary to establish criminal liability also for other criminal offences in the area of financing of political parties. It would allow using methods of criminal investigation and operational activities in detecting and investigating such crimes.

KNAB proposes to criminalise illegal activities related to political party financing – donation of financial resources or property in a large amount surpassing the threshold required by law or without a bank transfer to political party's bank account. Amendments to the Criminal Law foresee to set criminal liability of those persons who have accepted the said donations, as well as of those persons who have demanded to illegally finance a political party in a large amount.

KNAB believes that several violations of the Law on Political Parties Financing can substantially infringe the interests of society and state. The existing practice shows that in several cases the law was violated on a large scale. Besides, KNAB's experience in controlling political parties financing, as well as the experience of other countries indicates that these violations are significant and they differ from other violations as they are highly dangerous to the interests of the society.

During the Cabinet of Ministers' meeting it is envisaged to review amendments to the Administrative Violations Code of Latvia, which foresee to determine liability of donators to political parties for violating restrictions set out in law which, in fact, is out of control of political parties.

Amendments to the Criminal Law and Administrative Violations Code of Latvia prepared by KNAB were announced at the State Secretaries' Meeting on 2 November 2006 and approved by competent institutions.

<https://www.knab.gov.lv/en/article/knab-proposes-criminalise-illegal-activities-related-financing-political-parties>