

European  
Elections monitor

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**D-7**  
7 days before  
the poll

# Outgoing Head of State, Valdis Zatlers, running favourite in the Presidential Election on 2nd June next in Latvia.

On 16th March last outgoing President of the Republic Valdis Zatlers announced that he was running for office again as Head of State. Some days later on 23rd March Prime Minister Valdis Dombrovskis (Unity, V) gave him his support. The Head of State consulted all of the Parliamentary groups of the Saeima (the only chamber in Parliament) at the beginning of May. He now has the support in the presidential election that will take place on 2nd June next of the majority group Unity (33 MPs) and the National Union that comprises "All for Latvia (VL) led by Ratvis Dzintars and the Fatherland Union (TB/LNNK) led by Roberts Zile (7 Mps). Valdis Zatlers will be running against Andris Berzins, chair of the Latvijas Unibanka, appointed by 5 MPs of the Union of Latvian Greens and Farmers' Party (ZZS), chaired by Augusts Brigmanis, which has a total of 22 MPs.

## The Presidential Seat

The Latvian Head of State is elected for a four year term in office (renewable once) by the absolute majority of the 100 members of the Saeima who vote in a secret ballot. The post is open to any Latvian aged at least 40 on condition he has no other nationality. Candidates must announce that they are going to run 50 days at the earliest and 45 days at the latest before the end of the mandate of the Head of State in office; this year that meant between 19th and 24th May.

If none of the candidates wins the 51 votes necessary for his election in two rounds another presidential election is organised two weeks later. Candidates then have five days to come forward. If none of them wins the absolute majority again, a further election is organised.

The Latvian President represents the State internationally, ratifies international treaties, appoints the country's diplomatic representatives and accredits the foreign diplomatic representatives. He is the head of the country's armed forces, leads the National Security Council and holds a right to amnesty.

The President of the Republic can put forward laws as well as call a referendum on the dissolution of the Saeima. If the majority of the electorate vote in favour the Parliament is dissolved and new general elections are organised in the 2 months that follow this. However if more than half

of the electorate vote against dissolution the President of the Republic must resign from office and the Saeima elects his successor for a term that matches the time left for the President in office to end his mandate. On the request of at least half of the MPs the Head of State can be impeached by Parliament during a closed session by a 2/3 majority at least of its members. In this event the Saeima immediately elects a new President.

## The Electoral Campaign

On 26th April last outgoing President Valdis Zatlers gave a speech during a conference at the University of Latvia entitled "A Strategic, Intelligent State, a Vision of Latvia's Future". The Head of State set the country four goals to achieve over the next four years: the launch of structural reform, an improvement in employment and the business climate, regional development and the preparation for the adoption of the euro as its currency.

"We have to bring down administrative barriers on investments. The simplification of administrative procedures would also reduce the risk of corruption;" stressed Valdis Zatlers who said he wanted to create a new institution "the Council for Fiscal Discipline". On institutional matters he said he wanted to revise the Constitution so that Parliament could vote against the government in office on condition however that it put a new government forward.

The Head of State also said he want to extend dual nationality (for citizens of countries allied to Latvia, NATO, EU or EFTA members) and to grant Latvian nationality to any child born after 21st August 1991, the day the country recovered its independence. Dual nationality has been prohibited in Latvia since 1995. "The country's interests must not be linked to ethnic interests," declared Valdis Zatlers, referring implicitly to ever present, justified concerns over Russian interference in national political life.

"I see demography as a major challenge" declared the President finally, deploring the decline in the number of births, the ageing population and Latvian emigration.

Former Presidents of the Republic Guntis Ulmanis (1993-1999) and Vaira Vike-Freiberga (1999-2007) provided their support to the outgoing Head of State. "A person who has four years of experience has obviously an advantage over another candidate," declared Vaira Vike-Freiberga. "I believe that the outgoing President of the Republic is the right person in the right place and I shall vote for him in the next election," said Guntis Ulmanis, member of For a Good Latvia that rallies the People's Party (TP) and Latvia's First-Latvia's Way (LPP-LC).

Experience is also the quality put forward by Sandra Kalniete (V), former European Commissioner and former Foreign Minister who also spoke in support of the outgoing Head of State. "If Valdis Zatlers wins the election he will have to work actively to change the Constitution so that Latvia can join the ranks of democracies in which the President of the Republic is elected by the people," she declared.

The leader of All for Latvia/Union for the Fatherland and Freedom, Roberts Zile explained on 12th May that he supported Valdis Zatlers because he wanted to avoid political instability in the country and that he did not want Harmony Centre (the main opposition party led by Janis Urbanovics with 29 MPs) to increase its sphere of influence. On 2nd June this party said that it would support the candidate that "would guarantee it a place in government."

Appointed by 5 MPs of the Latvian Greens and Farmers' Union, it is possible that Andris Berzins will not win the votes of all of the MPs in this party. Indeed because there was no unanimous agreement about his candidature within the group, MPs of the Latvian Greens and Farmers' Union can vote for the candidate of their choice.

## The awesome challenge of universal suffrage

Outgoing President Valdis Zatlers has said he supports the election of the President of the Republic by direct universal suffrage and said he wanted to launch debate on this. In his opinion the people's vote would make the election fairer and more transparent. Prime Minister Dombrovskis has also said something along these lines. According to polls nearly three-quarters of Latvians (77%) are in favour of the election of the Head of State by direct universal suffrage.

Former President of the Constitutional Court Aivars Endzins stressed that the appointment of the President of the Republic by the population would not solve Latvia's problems. Ivars Ijabs, professor of political science at the University of Latvia warned of the dangers of a change like this. In his opinion civil society is too weak to oppose a possible authoritarian use of power by the President of the Republic. Solvita Aboltina (V), the Saeima's spokesperson suggested increasing the number of parliamentary votes necessary to be elected to the supreme office and creating a public council that would assess candidates in the presidential election. She quoted the example of Rolandas Paksas (former President of the Republic of Lithuania who was impeached on 6th April 2004 by parliament after being found guilty of infringing the Constitution and the country's State secrets and also for having received the support of groups with Russian interests) to illustrate that direct universal suffrage had more disadvantages than advantages. Finally outgoing President Valdis Zatlers suggested that the time between the appointment of candidates and the election be set in a way that Latvians could get to know and make a better assessment of the people running. According to a poll by TNS Latvia more than three-quarters of Latvians (79%) believe that the selection of candidates for the supreme office is not transparent and difficult to understand. According to a poll by TNS Latvia and TV channel LNT half of Latvians (49%) would be against a further candidature on the part of outgoing Valdis Zatlers as Head of State. When asked about the people they would like to see run for the presidential election 27.4% of those interviewed quoted the mayor of Ventspils Aivars Lembergs (ZZS). The outgoing President came second however (24.9%), Vaira Vike-Freiberga was mentioned by 19.3% of those interviewed.

The two candidates, Valdis Zatlers and Andris Berzins took part in a TV debate on 25th May as part of the programme "What's going on in Latvia?" hosted by journalist Janis Dom-

burs. In answer to Harmony Centre's wish to have seats in government the outgoing Head of State said that this party should be given responsibilities so that it would see how difficult government work was. Andris Berzins stressed that

the party should first come to agreement with the other political parties.

According to political analyst Ivars Ijabs, a second round will be necessary to elect the President of the Republic.

## Andris Berzins replaces Valdis Zatlers as President of the Republic of Latvia.

On 2nd June Andris Berzins (Union of Latvian Greens and Farmers' Party, ZZS) became the new President of the Republic of Latvia. The former chair of Latvijas Unibanka, won the votes of 53 of the 100 members of the Saeima, the only chamber in Parliament. His rival, outgoing President Valdis Zatlers, supported by the government led by Prime Minister Valdis Dombrovskis, Unity (V), won 41 votes. In the first round of voting Andris Berzins won 50 votes and outgoing President Valdis Zatlers 43. One MP was absent from parliament in this election.

### Results

#### Valdis Zatlers' Thunderbolt Decision

Undeniably this result is a defeat for the coalition (Unity) of head of government Valdis Dombrovskis that rallies New Era led by Solvita Aboltina, the Civic Union led by Girts Valdis Kristovskis and the Society for Different Politics (SCP), led by Aigars Stokenbergs. The National Union that rallies All for Latvia, (VL) led by Ratvis Dzintars and the Union for the Fatherland and Freedom (TB/LNNK), led by Roberts Zile also gave its support to the outgoing president. The election result can mainly be explained by Valdis Zatlers' thunderbolt decision, just as he was running favourite in the presidential election, to dissolve parliament five days before the vote. Some MPs turned away from the head of State, who also said that he was aware of the effect that his decision might have on his chances of being re-elected to office.

On 28th May last the outgoing President was interviewed on the TV channel LNT so that he could explain his decision to his fellow countrymen; article 48 of the Constitution allows him to dissolve the Saeima. "I want to give hope that things will change. We must end the behaviour which goes against the interests of our people and our country. This is why I want to tell you that I have signed the presidential decree asking for the dissolution of parliament and have submitted this to the Constitutional Court. The decree takes immediate effect," declared the Head of State.

Valdis Zatlers justified his action by MPs refusal on 26th May to lift parliamentary immunity on MP Ainars Slesers, the leader of Latvia's First/Latvian Way (LPP-LC) together with that of Riga's deputy mayor, (and chair of the town's free port) who are suspected of paying out and receiving bribes, money laundering and embezzlement. The MPs vote prevented the prosecution from undertaking a search of their homes. Several businesses, including the free port of Riga and Euroline had already been searched. Ainars Slesers denies however that these companies, which do not appear in his tax declaration, belong to him and maintains that they were the property of his business partner, Viesturs Koziols.

On 20th May last the Anti-Corruption Bureau (KNAB) launched an inquiry into allegations of money laundering, corruption and fraudulent business transaction, embezzlement and false declarations which involved several politicians. In a search undertaken at Aivars Lembergs's home – he has been the Mayor of Ventspils since 1988 and is being prosecuted for corruption and money laundering – the police seized a certain number of documents that mention former Prime Minister (1995-1997 and 1999-2000) and leader of the People's Party (TP), Andris Skele and former Minister, Ainars Slesers. The parties led by these two men joined forces on 26th April 2010 within a group called "For a Good Latvia".

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"The Saeima's vote is an alarm bell that reveals a serious conflict between the legislative and legal powers, two of the three mainstays on which our country is based," said outgoing President Valdis Zatlers, who also said that it was not the first time that the Saeima had defied the legal system referring to MPs opposition to the re-election of Janis Mai-zitis as General Prosecutor in April 2010. "Parliament has lacked respect and has shown its defiance with regard to the competence of the legal authorities and has defended the interests of a restricted group of people rather than the State. Latvians have made great sacrifices – was this so that the State could be robbed? Politicians have to find a new compromise with the people so that they can act in the public's interest," added the Head of State.

The coalition, Unity, led by Prime Minister Valdis Dombrovskis approved the lifting of parliamentary immunity on Ainars Slesers on 26th May whilst its government partner, the ZZS of which Ainars Lembergs, also under suspicion, is a central figure - voted against. The head of government Valdis Dombrovskis said that he had had a serious conversation with his allies whom he accused of having done everything they could to ensure that the law on political party funding was not approved. "We have reached a threshold and the government coalition will not survive another vote like this. This is a yellow card and two yellow cards equal a red," said the Prime Minister to MPs of ZZS.

To be effective the dissolution hoped for by outgoing President Valdis Zatlers has to be confirmed by a popular referendum. This will take place on 23rd July. Latvians will have to answer the following question: "Are you in favour or against the dissolution of Parliament?" If they answer "yes" a general election will be organised within the two months following the consultation to elect a new Parliament. If they

vote against the head of State will have to resign and the Saeima will remain in office. No minimum turnout is required to validate the referendum result that will be decided by a simple majority vote.

### Who is the new President of the Republic?

Aged 67, Andris Berzins comes from Nitaure, a town in the province of Vidzeme. He is an engineering graduate of the Polytechnic Institute of Riga and he also has a degree in economy from the University of Latvia. In 1990 he was elected to the Supreme Council where he was a member of the People's Front and during which time he voted in support of the independence of Latvia on 4th May. Andris Berzins was appointed Chair of Latvijas Unibanka in 1993, a position he maintained until 2004, the year when the establishment was purchased by the Swedish bank SEB. In December 2006 until April 2009 he chaired the board of the national electricity company, Latvenergo. Elected onto the town council of Riga with the Union of Latvian Greens and Farmers' Party, ZZS (of which he was not even a member at the time) during local elections on 13th March 2005 Andris Berzins entered the Saeima after the elections of 2nd October 2010.

Valdis Zatlers, who was the first President of the Republic to use his power to dissolve parliament, is now a hero in the eyes of some since he decided to convene a referendum on the issue. Others regret however that the Head of State took the risk of plunging a country, which is struggling to recover growth after having suffered a violent economic crisis, back into turmoil.

Andris Berzins will take office on 8th July next. His first task will be to organise the referendum on 23rd July on the dissolution of the Saeima.

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