



Report on the application of the LED under Article 62 LED

Questions to Data Protection Authorities/the European Data Protection Board (2025)

Fields marked with * are mandatory.

Background

The Data Protection Law Enforcement Directive (LED)[1] applies to domestic and cross-border processing of personal data by competent authorities for the purposes of preventing, investigating, detecting or prosecuting criminal offences and executing criminal penalties, including safeguarding against and preventing threats to public security. The LED takes a comprehensive approach to data protection in the field of law enforcement, including by regulating 'domestic' processing.

In 2022, the European Data Protection Board provided a consolidated contribution[2] of the individual replies of the DPAs to the questionnaire circulated in preparation of the 2022 Commission's first report. Following the Commission's presentation to the European Parliament and to the Council of the first report on the evaluation and review of the Directive in 2022[3], it is required to present a report every four years thereafter[4]. The Commission will present the second report in May 2026. Following the review the Commission shall, if necessary, submit appropriate proposals for amendments, in particular taking account of developments in information technology and in the light of the state of progress in the information society[5].

The LED stipulates that the Commission shall take into account the positions and findings of the European Parliament, of the Council and of other relevant bodies or sources[6]. The Commission may also request information from Member States and supervisory authorities. The Commission intends to consult Member States through the Council Working party on Data Protection. The European Union Agency for Fundamental Rights (FRA), is also conducting research based on interviews with competent authorities/prosecutors and Data Protection Authorities on the practical implementation of the LED.

For the purpose of the evaluation and review of the Directive, the Commission shall in particular examine the application and functioning of the LED provisions on international data transfers[7]. This questionnaire also

seeks to cover other aspects with particular relevance for the supervisory authorities, such as the exercise of their tasks and powers and their cooperation with each other, as well as the consistent application of the LED in the EU.

As this questionnaire intends to contribute to evaluating the LED, in your replies please provide information which falls under the scope of the LED. The reporting period covers the period from January 2022 to the 31 of August 2025. Please note that the European Commission intends to send out a version of this questionnaire on a yearly basis. Future versions will be aligned to the extent possible to the annual questionnaire on the GDPR.

The Commission would be grateful to receive the **individual replies to this questionnaire in its online form in English**, and the EDPB contribution to the LED review by 16 January 2026. In order for the EDPB to compile its contribution to the LED review, individual DPA replies should be submitted by 15 October 2025 eob.

Please note that your replies may be made public or may be disclosed in response to access to documents requests in accordance with Regulation (EC) No 1049/2001.

When there are several DPAs in your Member State, please provide a consolidated reply at national level.

When replying, please take into account that the questions below concern the period from January 2022 to 31 August 2025.

Following the input from other stakeholders, it is not excluded that the Commission might have additional questions at a later stage.

Deadline of submissions of the answers to the questions by DPAs: **15 October 2025 eob.**

[1] Directive (EU) 2016/680 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data.

[2] https://www.edpb.europa.eu/sites/default/files/files/file1/edpb_contributiongdprevaluation_20200218.pdf

[3] Communication from the Commission to the European Parliament and the Council - [First report](#) on application and functioning of the Data Protection Law Enforcement Directive (EU) 2016/680 ('LED'), 25.7.2022 COM(2022) 364 final. Individual replies from data protection supervisory authorities to the European Commission's first evaluation of the LED in 2022 can be found [here](#).

[4] Article 62(1) LED

[5] Article 62(5) LED.

[6] Article 62(4) LED.

[7] Article 62(2) LED.

Information:

Please save your submission ID (by either downloading the PDF version of the submission or by copying it after the submission) in order to be able to later amend your submission.

If you would like to work on a submission before finalising it, please use the "Save as draft" button on the right-side panel of the published survey tab. You will be able to continue working on the submission with the given draft link. If you need to change a submission, please go to [Edit contribution](#). You will find all the required information on the [Help page for participants](#).

Questionnaire

We kindly ask the countries that have more than one SA to send us one consolidated reply.

* Please select your SA:

Latvia

Please describe your role and function in your DPA.

(Ideally the person answering this questionnaire works on the LED on a regular basis).

Legal adviser with the legal department of Data State Inspectorate

1 Scope

1.1 Have you ever raised a query/issued a decision relating to a competent authority's determination that a processing activity falls outside the scope of Union law (such as on the basis of national security) in accordance with Article 2(3)(a) LED?

- ☐ Yes
☒ No

2 Exercise of data subjects' rights through the DPA

2.1 Has Article 17 LED been implemented into your national law?

- ☒ Yes
☐ No

2.1.a Please indicate per year how many requests under Article 17 LED have you received from January 2022 to 31 August 2025? (Please also include complaints lodged under Article 52 LED which your DPA decided to subsequently handle as an Article 17 LED request).

| | 2022 | 2023 | 2024 | 2025 (until August) |
|-----------------------------------|------|------|------|---------------------|
| Number of requests (numbers only) | 0 | 0 | 0 | 0 |

2.2 Is there an increase / decrease since the [last review](#)?

- ☐ Increase
☒ Decrease

3 Consultations and advisory powers

3.1 Have competent authorities utilised the prior consultation procedure in accordance with Article 28 (1)(a) or (b) LED from January 2022 to 31 August 2025? In this context, did you provide written advice and/or use your corrective powers pursuant to Article 28(5) LED?

- ☒ Yes
☐ No

3.1.a In how many cases – please indicate this per year?

| | 2022 | 2023 | 2024 | 2025 (until August) |
|--------------------------------|------|------|------|---------------------|
| Number of cases (numbers only) | 2 | 2 | 3 | 3 |

3.2 From January 2022 to 31 August 2025, have you established a list of processing operations that are subject to prior consultation pursuant to Article 28(3) LED or have you updated your previous list?

The Latvian DPA has not established or updated a list of processing operations subject to prior consultation pursuant to Article 28(3) of the LED during the period from January 2022 to 31 August 2025.

3.3 With respect to the requirements set down in Article 28(2) LED, has your DPA been consulted systematically, from January 2022 to 31 August 2025?

Yes. In accordance with the Rules of Procedure of the Cabinet of Ministers, draft laws and regulations falling within the scope of the LED must be coordinated with the Latvian DPA. Therefore, the DPA is systematically consulted and frequently provides opinions on draft laws and Cabinet regulations.

3.4 Please indicate the types of issues/topics on which you have been approached for advice thereby distinguishing between Article 28(1) LED and Article 28(2) LED (e.g. deployment of facial recognition cameras during identity checks based on existing laws, draft of legislative/regulatory measure for the deployment of facial recognition for a purpose under the LED, access to data in criminal investigations etc.)?

Under Article 28(1) LED, the Latvian DPA has been approached by competent authorities on a number of specific issues concerning the envisaged deployment of technologies in law enforcement practice, for example:

- the possible use of AI in traffic control cameras with automated data exchange between the cameras and databases containing records of previous traffic violations;
- consultations with the State Police on the potential introduction of facial recognition tools in internal databases to identify persons based on images obtained during operational activities;
- consultations with the Corruption Prevention and Combating Bureau (KNAB) regarding the development of a system for analysing officials' asset declarations to detect possible indicators of corruption and provide alerts for further investigation.

Under Article 28(2) LED, the Latvian DPA has been systematically consulted within the framework of inter-institutional procedures for drafting or amending legislative or regulatory measures concerning personal data processing in the context of law enforcement. These consultations take place in accordance with the Cabinet of Ministers Rules of Procedure (Kārtības rullis) and ensure that draft laws and regulations falling under the LED are reviewed by the DPA before adoption.

4 Data breach notifications

4.1 Does your DPA make a distinction between what constitutes a breach under the LED and a breach under the GDPR?

- ☐ Yes
☒ No

5 International transfers

5.1 Have you encountered cases where a controller transferred personal data pursuant to Article 37(1)(a) LED?

- ☒ Yes
☐ No

5.1.a What was the nature of the legally binding instrument grounding the transfer (e.g. bilateral MLA agreement, multilateral agreement)? Did the instrument contain all the appropriate safeguards necessary to provide an equivalent level of protection? Did you encounter any cases where the instrument did not meet the standard and what enforcement measures were taken, if any?

An example concerned a bilateral international agreement between the General Inspectorate of the Border Police of the Ministry of Internal Affairs of the Republic of Moldova and the State Border Guard of the Republic of Latvia.

The agreement serves as the legally binding instrument grounding the transfer under Article 37(1)(a) LED. It provides that the Parties cooperate within their functional competence and act in accordance with applicable international conventions, treaties, and national legislation binding upon both States. Its purpose is to implement and strengthen mutual partnership for the effective performance of border guard tasks and the prevention of illegal migration.

The agreement explicitly confirms that the Parties are authorised to act under its provisions and that there are no grounds to consider that the applicable legal requirements in force would prevent its implementation. The Latvian DPA considers that the agreement includes the necessary safeguards to ensure an equivalent level of protection as required by Article 37(1)(a) LED. No deficiencies have been identified and therefore no enforcement measures were necessary.

5.2 Have you encountered cases where a controller transferred personal data based on a 'self-assessment' pursuant to Article 37(1)(b) LED?

- ☐ Yes
☒ No

5.3 Have you carried out any investigations into data transfers based on derogations, in particular those set out in Article 38(1)(c) LED and Article 38(1)(d) LED?

- ☐ Yes
☒ No

5.4 Have you carried out activities to promote the awareness of controllers/processors (specifically) with respect to their obligations under Chapter V of the LED?

- ☒ Yes
☐ No

5.4.a Please provide a few examples:

The Latvian DPA has promoted awareness of controllers' and processors' obligations under Chapter V of the LED through several activities. For example, the topic of international transfers of personal data has been included in seminars and training sessions organised for law enforcement authorities, where the requirements and safeguards under Chapter V LED were explained. In addition, the DPA has provided clarifications on its website and in responses to individual requests, thus supporting controllers in understanding their obligations regarding data transfers to third countries.

5.5 Have you advised law enforcement competent authorities about their obligations with respect to data transfers under Chapter V (Articles 35-40) of the LED, for instance as regards the appropriate safeguards required under Article 37(1)(a), (b) LED? Have you issued any guidelines, recommendations and/or best practices in this regard?

The Latvian DPA has not issued specific written guidelines, recommendations, or best practices regarding data transfers under Chapter V (Articles 35-40) of the LED. However, the DPA has, on several occasions, addressed questions related to data transfers in the framework of training sessions and seminars for law enforcement authorities, particularly when such questions were raised in advance. In this way, the DPA has provided practical advice to competent authorities on their obligations with respect to data transfers under the LED.

In addition, in 2022 the Latvian DPA published on its website the EDPB statement on data transfers to Russia, which was also relevant in the context of the LED.

5.6 Have you received/handled complaints (by data subjects and/or bodies, organisations or associations in accordance with Article 55 LED) specifically addressing the issue of data transfers?

No, the Latvian DPA has not received or handled any complaints specifically addressing the issue of data transfers during the reference period.

5.7 Have you exercised your investigative and/or enforcement powers with respect to data transfers? In particular, have you ever imposed (temporary or definitive) limitations, including a ban, on data transfers?

No, the Latvian DPA has not exercised its investigative or enforcement powers with respect to data transfers, nor has it imposed any temporary or definitive limitations, including bans, on such transfers during the reference period.

5.8 Have there been cases in which you have cooperated with foreign data protection authorities (for instance, exchange of information, complaint referral, mutual assistance)? Are there existing mechanisms on which you can rely for such cooperation?

No, the Latvian DPA has not had any cases of cooperation with foreign data protection authorities regarding data transfers during the reference period, nor are there specific mechanisms on which it has relied for such cooperation.

6 Awareness-raising, training and guidance

6.1 From January 2022 to 31 August 2025, have you issued guidance and/or practical tools supporting competent authorities or processors to comply with their obligations?

- ☒ Yes
☐ No

6.1.a Please list them:

Training for the State Police (VP): Twice a year, training sessions on “Personal Data Protection Breaches” were delivered, providing both legal and practical analysis on what constitutes a breach, how to prevent breaches, the actions to take in case of a breach, and the types of liability resulting from breaches. These sessions also analyzed the interaction between the Law Enforcement Directive (LED) and the GDPR in the context of data breaches.

Training for the VP SIRENE Bureau: Training on “Data Subject Rights within the SIS” was provided, offering legal and practical analysis on the exercise of data subject rights, taking into account the competence of the VP SIRENE Bureau.

Training for the State Border Guard (VRS): Training on “Data Protection and Data Subject Rights in the VIS” was delivered, covering a practical analysis of data processing principles, the role of the VRS in the processing operations, the exercise of data subject rights, and the implementation of data security measures.

7 Competence

7.1 Have you faced any difficulties stemming from your national law or practical difficulties in supervising processing operations pursuant to Article 45 LED? Have you faced difficulties as regards the supervision of processing operations by courts when they do not act in their judicial capacity?

No, the Latvian DPA has not faced any difficulties stemming from national law or practical issues in supervising processing operations pursuant to Article 45 LED, nor in supervising processing operations by courts when they do not act in their judicial capacity.

7.2 For which independent judicial authorities, other than courts, are you not competent pursuant to Article 45 (2) LED, to supervise their processing operations?

There are no independent judicial authorities, other than courts, for which the Latvian DPA is not competent to supervise their processing operations pursuant to Article 45(2) LED.

8 Powers

8.1 With respect to your investigative powers, do you consider them effective?

- ☒ Yes
☐ No

8.2 Has your answer substantially changed since the [last review](#) (from 2018-2021)?

- ☐ Yes
☒ No

8.3 Please indicate, per year (January 2022 to 31 August 2025), how many investigations and/or inspections you have conducted:

| | 2022 | 2023 | 2024 | 2025 (Until August) |
|---|------|------|------|---------------------|
| On your own initiative (numbers only) | 0 | 0 | 0 | 0 |
| On the basis of complaints (numbers only) | 0 | 0 | 0 | 0 |

8.4 Did you face any difficulties in exercising your investigative powers?

- ☒ Yes
☐ No

8.4.a Please specify which ones:

According to Article 6 of the LED, competent authorities, when processing personal data, must, as far as possible, ensure the separation of data relating to different categories of data subjects (e.g., suspects, convicted persons, victims, witnesses, third parties) and distinguish facts from personal assessments (e.g., operational information or analytical assumptions (Article 7)).

The purpose of such separation is to improve the quality of the processed data and to ensure procedural fairness, particularly in the context of law enforcement and criminal proceedings.

In the view of the Data State Inspectorate, the practical applicability of this requirement is limited.

Firstly, the legal framework does not provide a clear methodology for how the controller should implement this separation in practice. The LED does not specify any technical or organizational solutions for how this requirement should be fulfilled.

Secondly, many competent authorities use national information systems in which data on different categories of data subjects are stored in a single file without structural separation. This creates difficulties in ensuring accurate separation, especially in cases where a person's status in the proceedings may change (e.g., from witness to suspect).

These issues with the separation of data categories may affect the quality of the data and the compliance of processing with the principles of proportionality and purpose limitation. In certain cases, competent authorities cannot determine the status of such data, as it depends on other data that may be obtained later in the criminal proceedings.

8.5 Have there been any changes since the [last review](#) with respect to your corrective powers listed under Article 47(2)(a), (b – including rectification, erasure, restriction) and (c) LED?

- ☐ Yes
☒ No

8.6 Do you consider your corrective powers effective?

- ☒ Yes
☐ No

8.7 With respect to the effectiveness of your corrective powers, has your answer substantially changed since the [last review](#)?

- ☐ Yes
☒ No

8.8 From January 2022 to 31 August 2025, please indicate, per year, which corrective powers you have applied and in how many cases. Please list the powers used according to Article 47(2)(a) LED (warnings). Amongst those cases, how many were related to the supervision of SIS[1] and VIS[2]?

[1] Council Decision 2007/533/JHA, Regulation (EU) 2018/1860, Regulation (EU) 2018/1861, Regulation (EU) 2018/1862 (as of March 2023).

[2] Council Decision 2008/633/JHA, Regulation (EC) 767/2008 (as of March 2023).

| 47(2)(a) | 2022 | 2023 | 2024 | 2025 (until August) |
|----------|------|------|------|---------------------|
| SIS | 0 | 0 | 0 | 0 |
| VIS | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 |

8.9 From January 2022 to 31 August 2025, please indicate, per year, which corrective powers you have applied and in how many cases. Please list the powers used according to Article 47(2)(b) LED (compliance orders). Amongst those cases, how many were related to the supervision of SIS[1] and VIS[2]?

[1] Council Decision 2007/533/JHA, Regulation (EU) 2018/1860, Regulation (EU) 2018/1861, Regulation (EU) 2018/1862 (as of March 2023).

[2] Council Decision 2008/633/JHA, Regulation (EC) 767/2008 (as of March 2023).

| 47(2)(b) | 2022 | 2023 | 2024 | 2025 (until August) |
|---|------|------|------|---------------------|
| SIS (please also specify whether you ordered the controller to provide access/delete data) | 0 | 0 | 0 | 0 |
| VIS (please also specify whether you ordered the controller to provide access/delete data) | 0 | 0 | 0 | 0 |
| Other (please also specify whether you ordered the controller to provide access /delete data) | 0 | 0 | 0 | 0 |

8.10 From January 2022 to 31 August 2025, please indicate, per year, which corrective powers have you applied and in how many cases. Please list the powers used according to article 47(2)(c) LED (limitation of processing). Amongst those cases, how many were related to the supervision of SIS[1] and VIS[2]?

[1] Council Decision 2007/533/JHA, Regulation (EU) 2018/1860, Regulation (EU) 2018/1861, Regulation (EU) 2018/1862 (as of March 2023).

[2] Council Decision 2008/633/JHA, Regulation (EC) 767/2008 (as of March 2023).

| 47(2)(c) | 2022 | 2023 | 2024 | 2025 (until August) |
|----------|------|------|------|---------------------|
| SIS | 0 | 0 | 0 | 0 |
| VIS | 0 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 |

8.11 Have the competent authorities or processors complied with decisions issued since the [last review](#) where you exercised your corrective powers?

- ☒ Yes
☐ No

8.12 If you have not used any of your corrective powers since the [last review](#), please provide reasons

The Latvian DPA has not used any of its corrective powers since the last review, as it has not received any complaints nor identified any need to carry out an investigation regarding data processing.

8.13 Do you have the ability to impose an administrative fine?

- ☒ Yes
☐ No

8.13.a Are there any limitations on your ability to impose an administrative fine?

- ☐ Yes
☒ No

8.14 Total amount of fines imposed (from January 2022 until August 2025, numbers only, in €)

0

8.15 Amount of the highest fine imposed (from January 2022 until August 2025, numbers only, in €)

0

8.16 Average amount of the fines imposed (from January 2022 until August 2025, numbers only, in €)

0

9 Power pursuant to Article 47(5) LED

9.1 From January 2022 to 31 August 2025, have you exercised your power to bring infringements of your national law(s) transposing the LED to the attention of judicial authorities?

- ☐ Yes
☒ No

9.2 From January 2022 to 31 August 2025, have you exercised your power to commence or otherwise engage in legal proceedings?

☐ Yes

☒ No

9.3 Which difficulties, if any, did you face in exercising this power? (such as procedural difficulties in your national law, because it would create an outcry from your national parliament etc.) Please also state if you do not have the power to carry out either or both of these actions.

The Latvian DPA does not have the power to bring infringements of the national laws transposing the LED to the attention of judicial authorities on its own initiative or to commence legal proceedings.

10 Cooperation

10.1 Please indicate the number of Mutual Assistance requests under Article 50 LED (please indicate per year)

| | 2022 | 2023 | 2024 | 2025 (until August) |
|----------|------|------|------|---------------------|
| Launched | 0 | 0 | 0 | 0 |
| Received | 0 | 0 | 0 | 0 |

10.1.a Please indicate the subject matter of the requests (including the type of cooperation – e.g. request for info, to carry out an investigation, inspection etc.)

10.2 Have you encountered any obstacles (e.g. of an administrative nature) when requesting or providing assistance to another DPA?

- ☐ Yes
☒ No

10.3 Which EDPB guidelines have proven helpful for your work under the LED and/or of the controllers?

Several EDPB guidelines and recommendations have been particularly helpful for the Latvian DPA's work under the LED and for controllers:

- Guidelines 05/2022 on the use of facial recognition technology in the area of law enforcement
- Recommendations 01/2021 on the adequacy referential under the Law Enforcement Directive
- Recommendations 02/2020 on the European Essential Guarantees for surveillance measures
- Guidelines 01/2023 on Article 37 of the Law Enforcement Directive

These documents have supported both the supervisory activities of the DPA and assisted controllers in fulfilling their obligations under the LED.

10.4 What are the topics that should be covered by future EDPB guidelines to foster the consistent application of the LED?

- Clarification of the scope of the LED, in particular:
 - what constitutes a “competent authority” (personal scope) and how to determine when a body or agency falls under that definition;
 - what types of processing fall under “law enforcement purposes” (material scope), especially in borderline cases (e.g. when a body performs mixed functions, or when processing is partly administrative).
- Guidance on the interaction and delineation between the LED and the GDPR, to avoid legal uncertainty about which legal framework applies in specific cases.
- Further explanations and examples of the legally binding safeguards under Article 37(1)(a) LED for data transfers to third countries or international organisations, including model clauses, criteria for assessing equivalence of protection, and how to document and verify those safeguards in practice.
- Practical guidance on investigative and corrective powers of supervisory authorities in national law: how these powers should work in practice under the LED, how they should be implemented, and case studies of good practices.
- Examples or best practices regarding the use of personal data processed under LED for research purposes: under which conditions this may be allowed, how to safeguard data subjects’ rights in such contexts, whether and how consent or anonymisation/pseudonymisation should apply.

11 Complaints

11.1 How many complaints have you received during this reporting period (i.e. from January 2022 to 31 August 2025)? Please state the number per year. How many of these were lodged by bodies, organisations or associations in accordance with Article 55 LED?

| | 2022 | 2023 | 2024 | 2025 (until August) |
|---|------|------|------|---------------------|
| Total of complaints | 0 | 0 | 0 | 0 |
| Total of complaints lodged by bodies, organisations or associations in accordance with Article 55 LED | 0 | 0 | 0 | 0 |

11.2 Has there been an increase in complaints following the [last review](#) (i.e. from January 2022 to 31 August 2025) in your Member State?

- ☐ Yes
☒ No

11.3 From January 2022 to 31 August 2025, please indicate the issues raised most often in these complaints (multiple choices are possible):

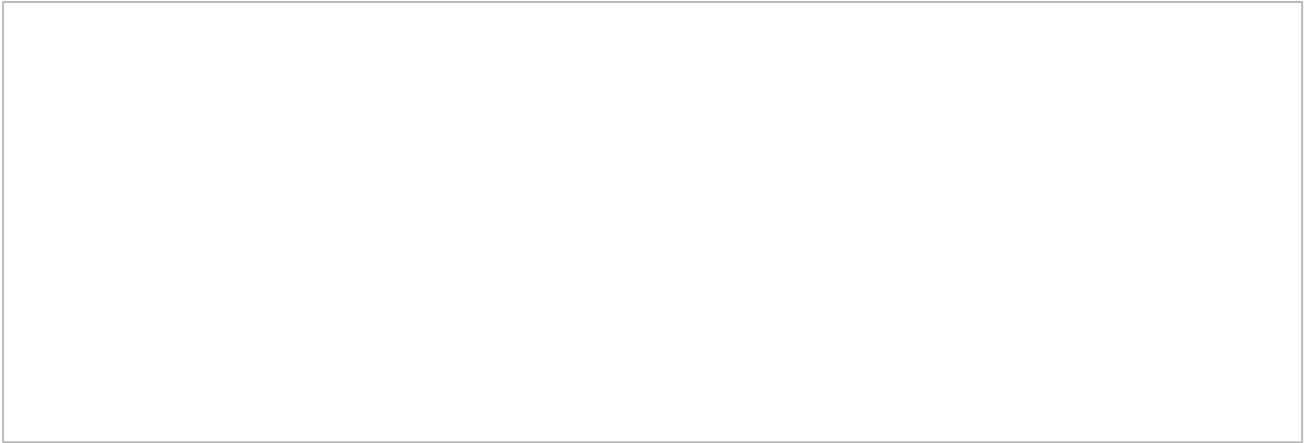
- ☐ The respect of the proportionality and necessity principle
- ☐ The respect of the purpose limitation principle, including for subsequent processing (Article 4 (1) (b) LED)
- ☐ Data minimisation principle (Article 4 (1) (c) LED)
- ☐ Accuracy of the data (Article 4 (1) (d) LED)
- ☐ Storage limitation principle (Article 4 (1) (e) LED) and appropriate time limits (Article 5 LED)
- ☐ Accountability of the controller (Article 4 (4) LED)
- ☐ The determination of the legal basis (Article 8/Article 10 LED)
- ☐ The conditions related to the processing of special categories of personal data (Article 10 LED)
- ☐ Automated individual decision-making, including the right to obtain human intervention in automated individual decision - making (Article 11 LED)
- ☐ Modalities for exercising the rights (Article 12 LED)
- ☐ The right to information (Article 13 LED)
- ☐ Right of access by the data subject and limitations to this right (Articles 14 and 15 LED)
- ☐ The right to rectification or erasure of personal data (Article 16 LED)
- ☐ Exercise of the data subject's rights in the context of joint controllership (Article 21 LED)
- ☐ Data protection by design and by default (Article 20 LED)
- ☐ The obligation to keep track of the logs and purposes of processing regarding the logs (Article 25 LED)
- ☐ The obligation to conduct a data protection impact assessment (Article 27 LED)
- ☐ The obligation to ensure the security of processing, including data breaches (Articles 4 (1) (f), 29 LED)
- ☒ Other:

11.3.a Please clarify:

This question is not applicable to the Latvian DPA, as no complaints related to these issues have been received during the reporting period.

11.4 With respect to complaints made regarding the processing of special categories of personal data, what are the main infringements you have found with respect to the conditions set down in Article 10 LED (i.e., that the processing was not strictly necessary, including whether the competent authorities have demonstrated

strict necessity, that the processing was not authorised by law, where you determined that the data hasn't been made manifestly public etc)? Has recent CJEU case-law (eg C-205/21, C-80/23) changed your approach?



12 Judicial review – contested decisions

12.1 Please indicate the number of decisions/inactions per year (from January 2022 to 31 August 2025) that were challenged in court

| | 2022 | 2023 | 2024 | 2025 (until August) |
|---------------------------|------|------|------|---------------------|
| Total number of decisions | 0 | 0 | 0 | 0 |
| Total number of inactions | 0 | 0 | 0 | 0 |

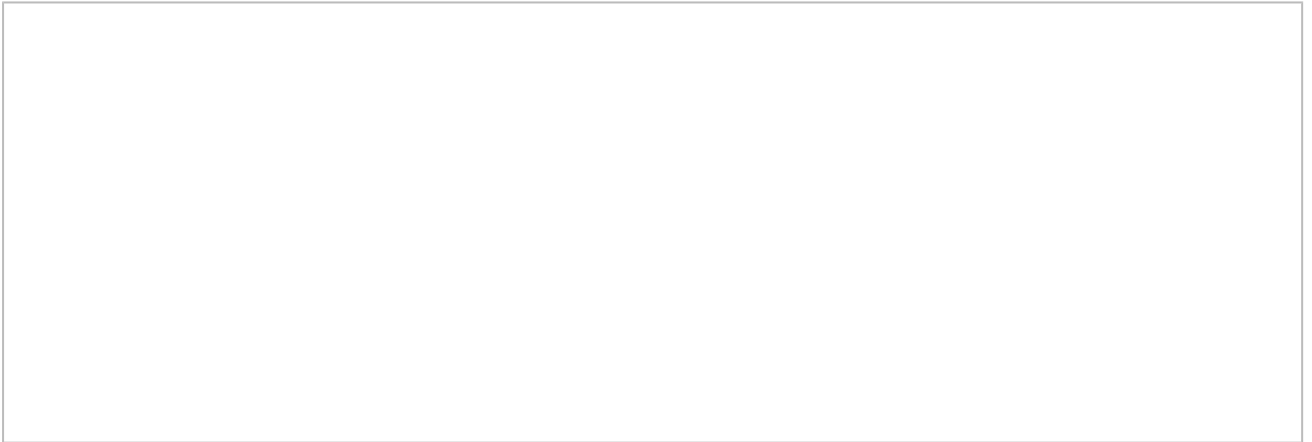
12.1.a Please indicate, per year and per outcome, how many actions in court are pending, were considered to be inadmissible, or led to the DPA's decision being (partially) upheld - **Decisions:**

| Decisions | 2022 | 2023 | 2024 | 2025 (until August) |
|--|------|------|------|---------------------|
| Pending judicial proceeding | 0 | 0 | 0 | 0 |
| Inadmissible action | 0 | 0 | 0 | 0 |
| DPA's decision upheld/partially upheld etc | 0 | 0 | 0 | 0 |

12.1.b Please indicate, per year and per outcome, how many actions in court are pending, were considered to be inadmissible, or led to the DPA's decision being (partially) upheld - **Inactions**:

| Inactions | 2022 | 2023 | 2024 | 2025 (until August) |
|--|------|------|------|---------------------|
| Pending judicial proceeding | 0 | 0 | 0 | 0 |
| Inadmissible action | 0 | 0 | 0 | 0 |
| DPA's decision upheld/partially upheld etc | 0 | 0 | 0 | 0 |

12.1.c What were the main aspects challenged (e.g., a decision of a DPA may be challenged on more administrative issues' aspects, such as the fine amount or just concern a more LED-related issue, e.g., the right to erasure - either substantial matters or administrative matters for the DPAs' decision) and by who (competent authority /processor/ data subject)?

A large, empty rectangular box with a thin black border, intended for the user to provide an answer to the question above.

13 Human, financial and technical resources

13.1 Please indicate the number of full-time equivalents working on the LED. Please provide data per year (from January 2022 to 31 August 2025). What percentage of overall staff does this represent (per year)?

| | 2022 | 2023 | 2024 | 2025 (until August) |
|---|------|------|------|---------------------|
| Full-time equivalents working on the LED. | 1,5 | 1,5 | 1,5 | 1,5 |
| Percentage of overall staff | 4,55 | 4,55 | 4,55 | 4,55 |

13.2 How would you assess your DPA's resources for its work on the LED from a human and financial point of view?

- ☐ Sufficient
- ☒ Insufficient

13.2.a Please explain why:

The Latvian DPA considers its resources for work under the LED to be insufficient. This assessment is based on the limited number of staff dedicated to LED-related tasks (1.5 FTE in 2025, representing only 4.55% of overall staff) and the very restricted IT support capacity. The DPA employs only one in-house IT specialist, while additional IT support is obtained externally on an outsourcing basis. This arrangement limits the DPA's ability to engage more extensively and proactively in supervision of complex technical systems used in law enforcement. These constraints, combined with limited financial resources, reduce the DPA's capacity to fully address the increasing complexity of technologies and to ensure effective supervision and guidance.

13.3 Do you face any specific challenges when supervising competent authorities in terms of expertise (criminal law / new technologies) and IT resources?

- ☒ Yes
- ☐ No

13.3.a What challenges are you facing? (Multiple choice is possible)

- ☒ Insufficient expertise in criminal law
- ☐ Insufficient expertise in working methods and practices of law enforcement authorities
- ☐ Insufficient expertise in international cooperation in criminal matters
- ☒ Insufficient expertise in technologies used in the area of law enforcement
- ☒ Insufficient IT resources
- ☐ Other challenges

13.3.a.1 Insufficient expertise in criminal law - please provide more details and advise on what would assist to overcome these challenges:

The Latvian DPA faces challenges in cases where the application of criminal procedure rules must be assessed alongside data protection requirements. In particular, difficulties arise in determining which legal framework applies in specific situations and how the provisions of the Law Enforcement Directive interact with national criminal procedure legislation. This creates complexity when evaluating the lawfulness of data processing operations carried out by competent authorities.

13.3.a.4 Insufficient expertise in technologies used in the area of law enforcement - please provide more details and advise on what would assist to overcome these challenges:

The Latvian DPA has limited in-house expertise in certain advanced technologies used in the area of law enforcement, such as data analytics, biometric identification systems, and automated data exchange solutions. This creates challenges in fully assessing the compliance of complex technical systems with the requirements of the LED, especially in cases involving novel or rapidly evolving technologies.

13.3.a.5 Insufficient IT resources - please provide more details and advise on what would assist to overcome these challenges:

The Latvian DPA has only one IT specialist, and the available IT resources are limited, particularly in terms of specialised tools and infrastructure needed to conduct in-depth technical assessments of complex law enforcement systems, securely analyse large datasets, and perform advanced audits. This significantly constrains the ability to fully evaluate compliance with the LED in technically sophisticated cases.

13.4 Have you used the EDPB Support Pool of Experts for LED related tasks?

- ☐ Yes
☒ No

13.4.b Please provide more details:

No, the Latvian DPA has not used the EDPB Support Pool of Experts for LED-related tasks, as there has been no need to do so during the reporting period.

14 Horizontal questions

14.1 Have you identified any significant problems regarding the transposition of the LED in your Member State that were not mentioned in the [last review](#)?

- ☐ Yes
☒ No

14.2 Have there been any amendments to your national law implementing the LED from January 2022 to 31 August 2025?

- ☒ Yes
☐ No

14.2.a Please provide more details:

The LED is transposed into the national law On the Processing of Personal Data of Natural Persons in Criminal Proceedings and Administrative Offence Proceedings. Since January 2022, this law has been amended twice – in 2024 and in 2025. The purpose of these amendments was to supplement the law with references to relevant EU directives, such as Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016, Directive (EU) 2023/2123 of the European Parliament and of the Council of 4 October 2023, and Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019.

14.3 Is there anything else you would like to mention relevant for the LED evaluation that is not covered in this questionnaire?

- ☒ Yes
☐ No

14.3.a Please clarify:

The Latvian DPA would like to highlight an issue regarding the further use of personal data processed under the LED for research purposes. At present, it is not entirely clear whether and under what conditions such further processing is permissible. Clarification on this matter would be particularly important to ensure legal certainty for competent authorities and researchers. The DPA considers that dedicated EDPB guidelines could provide valuable support in this area.

14.4 Please add the topics and/or policy messages you would like to include in the EDPB report. Elaborate the reasons why, in your view, such topics should be included.

Contact

[Contact Form](#)

