



**A case initiated with respect to the joining of the rural municipality of Vangaži to the Ropaži Region and of the rural municipality of Inčukalns to the Sigulda Region**

On 27 August 2020, the 2<sup>nd</sup> Panel of the Constitutional Court initiated the case “On Compliance of Sub-para 32.4. and 36.2. of “Annex to the Law on Administrative Territories and Populated Areas “Administrative Territories, Administrative Centres thereof and the Units of Territorial Division”” with Article 1 and the First Sentence of the Second Part Article 101 of the *Satversme* of the Republic of Latvia and the Sixth Part of Article 4 as well as Article 5 of the European Charter of Local Self-Government”.

**The Contested Norms**

Sub-para 32.4. of “Annex to the Law on Administrative Territories and Populated Areas “Administrative Territories, Administrative Centres thereof and the Units of Territorial Division”” provides that the city of Vangaži is part of the Ropaži Region, whereas Sub-para 36.1. provides that the rural municipality of Inčukalns is part of the Sigulda Region.

Article 1 of the *Satversme* of the Republic of Latvia (hereafter – the *Satversme*): “Latvia is an independent democratic republic.”

The second sentence of the first part of Article 101 of the *Satversme*: “Local governments shall be elected by Latvian citizens and citizens of the European Union who permanently reside in Latvia.”

The sixth part of Article 4 of the European Charter of Local Self-Government (hereafter – the Charter) “Scope of local self-government”: “Local authorities shall be consulted,

insofar as possible, in due time and in an appropriate way in the planning and decision-making processes for all matters which concern them directly.”

Article 5 of the Charter “Protection of local authority boundaries”: “Changes in local authority boundaries shall not be made without prior consultation of the local communities concerned, possibly by means of a referendum where this is permitted by statute.”

### **The Facts**

The case was initiated on the basis of an application submitted by the Inčukalns Regional Council. On 10 June 2020, the *Saeima* adopted the Law on Administrative Territories and Populated Areas. The Annex to the Law defines the administrative territories, their administrative centres and the units of territorial division. In accordance with sub-para 32.4. and 36.2., the city of Vangaži is part of the Ropaži Region, whereas the rural municipality of Inčukalns - part of the Sigulda Region.

The Inčukalns Regional Council holds that by adopting the contested norms and dividing the administrative territory of the Inčukalns Region, *Saeima* violated the principle of good governance and local-government, *inter alia*, had not properly consulted the local government Council. Hence, the contested norms are said to be incompatible with Article 1 and Article 101 of the *Satversme* as well as with the sixth part of Article 4 and Article 5 of the Charter.

### **The Legal Proceedings**

The Constitutional Court has requested the *Saeima* to submit a written reply on the facts of the case and the legal reasoning by 27 October 2020.

**The term for preparing the case is 27 January 2021.** The Court will decide on the type of procedure and the date for hearing the case after it has been prepared.

---

The press release was prepared with the aim to facilitate understanding of cases heard by the Constitutional Court. It shall not be regarded as part of the judgement and is not binding to the Constitutional Court. The judgements, decisions and other information regarding the Constitutional Court are available at the homepage of the Constitutional Court [www.satv.tiesa.gov.lv](http://www.satv.tiesa.gov.lv).

**Ketija Strazda**

Head, Public Relations and Protocol Department  
of the Constitutional Court

Ketija.Strazda@satv.tiesa.gov.lv

+ 371 67830749, + 371 26200580