Satversmes tiesa

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Joining Ilūkste municipality to Augšdaugava municipality and joining Ozolnieki municipality to Jelgava municipality does not comply with the Constitution. In respect of the municipalities of Jaunjelgava, Carnikava, Rugāji, Iecava, Rundāle, Auce, Sala, Salacgrīva, Aloja, Babīte, Kandava, and Mazsalaca, the administrative-territorial reform complies with the Constitution

On 21 June 2021, the Constitutional Court passed a judgment in Case No 2020-41-0106 "On compliance of sub-paragraphs 8.5, 8.7, 8.8, 8.16, 8.17, 8.19, 8.20, 10.2, 10.6, 10.7, 10.8, 10.17, 10.18, 10.21, 10.23, 11.2, 12.10, 12.13, 13.8, 13.9, 13.13, 13.16, 13.20, 16.2, 16.5, 16.11, 16.14, 16.18, 16.19, 16.20, 18.1, 18.8, 18.10, 19.18, 19.20, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.8, 23.12, 23.13, 23.14, 23.15, 27.1, 27.3, 39.1, 39.8, 39.9, 39.12, 39.19, 39.21, 39.22, 41.14, 41.15, 41.18, 41.22 and 41.23 of the Annex 'Administrative territories, their administrative centres and territorial units' to the Law on Administrative Territories and Populated Areas with Articles 1 and 101 of the Constitution of the Republic of Latvia, Article 4(3), (6) and Article 5 of the European Charter of Local Self-Government".

Contested Provisions

- Sub-paragraphs 8.5, 8.7, 8.8, 8.16, 8.17, 8.19 and 8.20 of the Annex to the Law on Administrative Territories and Populated Areas (hereinafter – the Law on Administrative Territories) 'Administrative territories, their administrative centres and territorial units' (hereinafter – the Annex to the Law on Administrative Territories) provides that the rural territories of Daudzese, Jaunjelgava, Sece, Sērene, Staburags, and Sunākste, as well as the town of Jaunjelgava, are part of Aizkraukle municipality.
- Sub-paragraphs 10.2, 10.6, 10.7, 10.8, 10.17, 10.18, 10.21 and 10.23 of the Annex to the Law on Administrative Territories provide that the rural territories of Bebrene, Dviete, Eglaine, Pilskalne, Prode, and Šēdere, as well as the town of Ilūkste and the town of Subate, are part of Augšdaugava municipality.
- Sub-paragraph 11.2 of the Annex to the Law on Administrative Territories provides that Carnikava rural territory is part of Ādaži municipality.
- Sub-paragraphs 12.10 and 12.13 of the Annex to the Law on Administrative Territories provide that the rural territories of Lazdukalns and Rugāji are part of Balvi municipality.

- Sub-paragraphs 13.8 and 13.9 of the Annex to the Law on Administrative Territories provide that the rural territory of Iecava and the town of Iecava are part of Bauska municipality.
- Sub-paragraphs 13.13, 13.16, and 13.20 of the Annex to the Law on Administrative Territories provide that the rural territories of Rundāle, Svitene, and Viesturi are part of Bauska municipality.
- Sub-paragraphs 16.2, 16.5, 16.11, 16.14, 16.18, 16.19 and 16.20 of the Annex to the Law on Administrative Territories provide that the town of Auce, as well the rural territories of Bēne, Īle, Lielauce, Ukri, Vecauce, and Vītiņi are part of Dobele Municipality.
- Sub-paragraphs 18.1, 18.8 and 18.10 of the Annex to the Law on Administrative Territories provide that the rural territories of Cena, Ozolnieki, and Salgale are part of Jelgava municipality.
- According to sub-paragraphs 19.18 and 19.20 of the Annex to the Law on Administrative Territories, the rural territories of Sala and Sēlpils are part of Jēkabpils municipality.
- Sub-paragraphs 23.1, 23.2, 23.8, 23.12 and 23.13 of the Annex to the Law on Administrative Territories provide that Ainaži rural territory, the town of Ainaži, Liepupe rural territory, Salacgrīva rural territory, and the town of Salacgrīva are part of Limbaži municipality.
- Sub-paragraphs 23.3, 23.4, 23.5, 23., 23.14 and 23.15 of the original version of the Annex to the Law on Administrative Territories provided that Aloja rural territory, the town of Aloja, Braslava rural territory, Brīvzemnieki rural territory, Staicele rural territory, and the town of Staicele are part of Limbaži municipality. By the amendments of 18 March 2021 to the Law on Administrative Territories, the numbering in paragraph 23 was altered, with the result that sub-paragraphs 23.14 and 23.15 are now to be considered as sub-paragraphs 23.15 and 23.16 accordingly.
- Sub-paragraphs 27.1 and 27.3 of the Annex to the Law on Administrative Territories specify that the rural territories of Babīte and Sala are part of Mārupe municipality.
- Sub-paragraphs 39.1, 39.8, 39.9, 39.12, 39.19, 39.21 and 39.22 of the Annex to the Law on Administrative Territories provide that the rural territories of Cēre, Kandava, Matkule, Vāne, Zante, and Zemīte, as well as the town of Kandava, are part of Tukums municipality.
- Sub-paragraphs 41.14, 41.15, 41.18, 41.22 and 41.23 of the Annex to the Law on Administrative Territories stipulate that the rural territories of Mazsalaca, Ramata, Sēļi, and Skaņkalne, as well as the town of Mazsalaca, are part of Valmiera municipality.

Provisions of Superior Legal Force

- Article 1 of the Constitution (*Satversme*) of the Republic of Latvia (hereinafter – the Constitution):

"Latvia is an independent democratic republic."

- Article 101 of the Constitution:
"Every citizen of Latvia has the right, as provided for by law, to participate in the work of the State and of local government, and to hold a position in the civil service.

Local governments shall be elected by Latvian citizens and citizens of the European Union who permanently reside in Latvia. Every citizen of the European Union who permanently resides in Latvia has the right, as provided by law, to participate in the work of local governments. The working language of local governments is the Latvian language."

- Article 4(3) of the European Charter of Local Self-Government (hereinafter – the Charter):
"Public responsibilities shall generally be exercised, in preference, by those authorities which are closest to the citizen. Allocation of responsibility to another authority should weigh up the extent and nature of the task and requirements of efficiency and economy."

- Article 4(6) of the Charter:
"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:
"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".

Facts of the Case

On 10 June 2020, the *Saeima* adopted the Law on Administrative Territories. Administrative territories, their administrative centres and units of territorial division are determined in the Annex to the Law.

The Applicants – Jaunjelgava Municipality Council, Ilūkste Municipality Council, Carnikava Municipality Council, Rugāji Municipality Council, Iecava Municipality Council, Rundāle Municipality Council, Auce Municipality Council, Ozolnieki Municipality Council, Sala Municipality Council, Salacgrīva Municipality Council, Aloja Municipality Council, Babīte Municipality Council, Kandava Municipality Council, and Mazsalaca Municipality Council – hold that the *Saeima* acted contrary to the aims and criteria underlying the reform and violated the principles of self-government and good legislation, as well as other principles

of a democratic state governed by the rule of law. It is also alleged that during the drafting of the said provisions the subsidiarity principle was not observed and no proper consultation with the residents and councils of the respective municipalities took place.

In the Applicants' opinion, the contested provisions are incompatible with Article 1 and Article 101 of the Constitution, Article 4(3), (6) and Article 5 of the Charter.

The Court's Findings

On the principle of subsidiarity

A number of the Applicants are of the opinion that the contested provisions do not comply with the subsidiarity principle enshrined in Article 4(3) of the Charter.

The Constitutional Court found that the contested provisions do not provide for reallocation of functions between a local government and the central authority and, consequently, do not interfere with the subsidiarity principle. Therefore, the compliance of those provisions with Article 4(3) of the Charter is not to be assessed in the case under consideration, and the court proceedings on this part of the claim cannot be continued. [6]

On the methodology of evaluating the constitutionality of the contested provisions

In the judgment of 12 March 2021 in case No 2020-37-0106 (hereinafter – judgment in case No 2020-37-0106) and the judgment of 28 May 2021 in case No 2020-43-0106, the Constitutional Court had assessed the compliance of several provisions of the Annex to the Law on Administrative Territories with provisions of superior legal force. Considering that the Applicants' arguments are similar to those evaluated in the said cases, the Constitutional Court followed the same methodology of assessing constitutionality as in the respective judgments. [7]

Thus, in the case under consideration, the Constitutional Court had to find out whether the contested provisions had been drafted and adopted following proper procedure, and whether the legislature had not acted arbitrarily. [7]

On whether the contested provisions had been drafted and adopted following a proper procedure

The Constitutional Court reminded that, in evaluating the procedure in which legal provisions related to the administrative-territorial reform were drafted and adopted, it is necessary to examine, firstly, whether consultation with the

respective local authorities during the period of drafting and consideration of those provisions took place in accordance with the relevant regulations and, secondly, whether the contested provisions were considered and adopted by *the Saeima* in accordance with the relevant regulations. [8]

On whether consultation with the respective local governments during the period of drafting and consideration of the contested provisions had taken place in accordance with the relevant regulations

In examining whether consultation with the respective local governments during the period of drafting and consideration of the contested provisions had been carried out in accordance with the relevant regulations, the Constitutional Court found out: 1) whether the local council had had a possibility to prepare its opinion, having also found out the opinion of the residents of the respective administrative territory, and to submit to the responsible government authorities its proposals and objections regarding the planned reform; 2) whether the time allowed for this had been reasonable; 3) whether the local government's proposals and objections had been given consideration. [8]

The Constitutional Court concluded that the local governments of Jaunjelgava municipality, Ilūkste municipality, Carnikava municipality, Rugāji municipality, Iecava municipality, Rundāle municipality, Auce municipality, Ozolnieki municipality, Sala municipality, Salacgrīva municipality, Aloja municipality, Babīte municipality, Kandava municipality, and Mazsalaca municipality had had a possibility to prepare their opinions regarding the planned solution for administrative-territorial division within a reasonable time and to submit their proposals and objections to the responsible authorities. The proposals and objections submitted by the local governments had been evaluated as part of the consultation process. Therefore, the contested provisions were recognised as being compliant with Article 4(6) and Article 5 of the Charter. [9–23]

On whether the contested provisions had been considered and adopted by the *Saeima* in accordance with the relevant regulations

By reference to the findings contained in the judgment in case No 2020-37-0106, the Constitutional Court concluded that the contested provisions had been considered and adopted by the *Saeima* in accordance with the relevant regulations. [23]

The Constitutional Court also noted that the involvement of experts from different sectors in the process of preparing the reform should be considered positively. It allows a more comprehensive assessment of the probable consequences of the reform and enables the legislature to better understand the substance of the decisions made. However, in deciding on the administrative-

territorial division, the legislature must balance the individual interests of a number of local governments with the collective interests of society and ensure that a sustainable legal framework is developed. It is the legislature that needs to decide in the political process which considerations should be given priority. Expert opinions are of importance in the process of designing the reform, but they cannot substitute for the *Saeima*'s right to choose the most efficient possible solution, as long as it is based on rational considerations. [23]

On whether the legislature had not acted arbitrarily

The Constitutional Court had already concluded in the judgment in case No 2020-37-0106 that the aim of the administrative-territorial reform had been defined and that it was meant to contribute to the common good of society. The aim is "to establish by 2021 administrative territories capable of economic development, with local governments capable of exercising their autonomous functions set out by law at a comparable level of quality and accessibility, providing high-quality services to local residents at reasonable cost". Also, the Constitutional Court had already recognised that the criteria underlying the administrative-territorial reform sought to achieve the aim of the reform. Therefore, in the present case, the Court did not repeatedly identify the aim and criteria underlying the reform. [24]

To complete the assessment of the compatibility of the contested provisions with Articles 1 and 101 of the Constitution, and to conclude that the legislature, in adopting the contested provisions, had not acted arbitrarily, the Constitutional Court had to find out: 1) whether the legislature, in adopting the contested provisions, had complied with the aim of the reform and with the criteria for the achievement thereof; 2) whether the legislature, in adopting the contested provisions, had considered the interests of the local community concerned, that is, respected the local community's right to democratic participation. [24]

The Constitutional Court reminded that it is an obligation of the legislature in the course of implementing a reform to take rationally reasoned decisions that contribute to the achievement of its aim, which includes rectifying any shortcoming found in the draft law which has been prepared and submitted to the *Saeima* by the government. In exceptional circumstances, the legislature may depart from the set reform criteria if such departure is based on rational considerations and is in line with the aim of the reform. [26.2]

On whether the legislature, in adopting the contested provisions, had complied with the aim and criteria of the reform in respect of particular local governments

On the provisions contested by Jaunjelgava Municipality Council

The Constitutional Court concluded that the existing Jaunjelgava municipality does not have a development centre of regional or national significance. Therefore, retaining Jaunjelgava municipality as an independent local self-government would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. Sēlija municipality, if such were established as proposed by the Jaunjelgava local government and other local governments, would not have a development centre of regional or national significance, either. In contrast, the newly established Aizkraukle municipality, in which the existing Jaunjelgava municipality has been included, meets the criteria underlying the reform. It follows that, in deciding to make the existing Jaunjelgava municipality part of Aizkraukle municipality, the legislature had complied with the aim and criteria of the reform. [25]

On the provisions contested by Ilūkste Municipality Council

The Constitutional Court concluded that the existing Ilūkste municipality does not have a development centre of regional or national significance. Retaining Ilūkste municipality as an independent self-government **or opting for** other solutions for administrative-territorial division proposed by the local government, would contradict at least one of the criteria underlying the reform, namely, the one requiring that a municipality must have a development centre of regional or national significance. [26.1]

The Constitutional Court also found that the legislature had not specified the rational considerations as to why, in establishing the new Augšdaugava municipality without a development centre of regional or national significance, it had derogated from a criterion underlying the reform and in what way this solution would allow to achieve the aim of the reform. Thus, in deciding to include the existing Ilūkste municipality in the new Augšdaugava municipality, which does not have a development centre of regional or national significance defined as such in the state development programming documents, the legislature had failed to comply with the aim and criteria of the reform and had acted arbitrarily. Therefore, sub-paragraphs 10.2, 10.6, 10.7, 10.8, 10.17, 10.18, 10.21 and 10.23 of the Annex to the Law on Administrative Territories are incompatible with Articles 1 and 101 of the Constitution. [26.2]

On the provisions contested by Carnikava Municipality Council

The Constitutional Court concluded that, in terms of population, the existing Carnikava municipality does not meet the reform criterion concerning the minimum number of residents in a municipality just outside Riga [a *Pierīga*

municipality]. In contrast, the new Ādaži municipality meets the criteria underlying the reform. Also, the new Ādaži municipality is a single geographical region and, together with the residents of the existing Carnikava municipality, it will have a population of over 15 000 people. It follows that, in deciding to make the existing Carnikava municipality part of Ādaži municipality, the legislature had complied with the aim and criteria of the reform. [27]

On the provisions contested by Rugāji Municipality Council

The Constitutional Court concluded that the existing Rugāji municipality does not have a development centre of regional or national significance. Therefore, retaining Rugāji municipality as an independent self-government would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. Conversely, the newly established Balvi municipality, in which the existing Rugāji municipality has been included, meets the criteria underlying the reform. It follows that, in deciding to make the existing Rugāji municipality part of Balvi municipality, the legislature had complied with the aim and criteria of the reform. [28]

On the provisions contested by Iecava Municipality Council

The Constitutional Court concluded that the territory of the existing Iecava municipality does not include a development centre of regional or national significance, and neither of Iecava municipality's proposed solutions for merger of the existing municipalities would ensure that there is such a development centre. Therefore, retaining Iecava municipality as an independent self-government or opting for other solutions for administrative-territorial division proposed by the local government would contradict at least one of the criteria underlying the reform – the one requiring that the territory of a municipality must include a development centre of regional or national significance. Conversely, the new Bauska municipality, in which the existing Iecava municipality has been included, meets the criteria underlying the reform. Therefore, in deciding to make the existing Iecava municipality part of Bauska municipality, the legislature had complied with the aim and criteria of the reform. [29]

On the provisions contested by Rundāle Municipality Council

The Constitutional Court concluded that the existing Rundāle municipality does not have a development centre of regional or national significance. Therefore, retaining Rundāle municipality as an independent self-government would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. Conversely, the newly established Bauska

municipality meets the criteria underlying he reform. Thus, in deciding to make the existing Rundāle municipality part of Bauska municipality, the legislature had complied with the aim and criteria of the reform. [30]

On the provisions contested by Auce Municipality Council

The Constitutional Court concluded that the territory of the existing Auce municipality does not include a development centre of regional or national significance. This would also be the case if other rural territories previously part of Auce district were joined to it. Therefore, retaining Auce municipality as an independent self-government or opting for the solution for administrative-territorial division proposed by the local government would contradict at least one of the criteria underlying the reform – the one requiring that the territory of a municipality must include a development centre of regional or national significance. In contrast, the new Dobele municipality meets the criteria underlying he reform. Thus, in deciding to make the existing Auce municipality part of Dobele municipality, the legislature had complied with the aim and criteria of the reform. [31]

On the provisions contested by Ozolnieki Municipality Council

The Constitutional Court concluded that the existing Ozolnieki municipality does not have a development centre of regional or national significance. Therefore, retaining Ozolnieki municipality as an independent self-government would contradict a criterion underlying the reform, namely, that the territory of a municipality must include a development centre of regional or national significance. However, the new Jelgava municipality, in which Ozolnieki municipality is planned to be included, does not have such a development centre, either. [32]

The Constitutional Court also found that the legislature had not provided the rational considerations as to why, in establishing the new Jelgava municipality without a development centre of regional or national significance, it had derogated from an underlying criterion of the reform and in what way this solution would allow to achieve the aim of the reform. Thus, in deciding to include the existing Ozolnieki municipality in the new Jelgava municipality, which does not have a development centre of regional or national significance, the legislature had failed to comply with the aim and criteria of the reform and had acted arbitrarily. Therefore, sub-paragraphs 18.1, 18.8 and 18.10 of the Annex to the Law on Administrative Territories are incompatible with Articles 1 and 101 of the Constitution. [32]

On the provisions contested by Sala Municipality Council

The Constitutional Court concluded that the existing Sala municipality does not have a development centre of regional or national significance. This would also be the case with Jēkabpils municipality if the town of Jēkabpils were not included into it. Therefore, retaining Sala municipality as an independent self-government or opting for other solutions for administrative-territorial division proposed by the local government would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. In contrast, the new Jēkabpils municipality meets the criteria underlying he reform. It is a single geographical region, and its territory includes a development centre of national significance – Jēkabpils. It follows that, in deciding to make the existing Sala municipality part of Jēkabpils municipality, the legislature had complied with the aim and criteria of the reform. [33]

On the provisions contested by Salacgrīva Municipality Council

The Constitutional Court concluded that the territory of the existing Salacgrīva municipality does not include a development centre of regional or national significance. This would also be the case with Piejūra municipality if it were established as proposed by Salacgrīva local government. Therefore, retaining Salacgrīva municipality as an independent self-government or establishing Piejūra municipality would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. In contrast, the newly established Limbaži municipality meets the criteria underlying he reform. It follows that, in deciding to make the existing Salacgrīva municipality part of Limbaži municipality, the legislature had complied with the aim and criteria of the reform. [34]

On the provisions contested by Aloja Municipality Council

The Constitutional Court concluded that the existing Aloja municipality does not have a development centre of regional or national significance. Therefore, retaining Aloja municipality as an independent self-government would contradict at least one of the criteria underlying the reform, namely, the one requiring that a municipality must have a development centre of regional or national significance. In contrast, the newly established Limbaži municipality meets the criteria underlying he reform. It follows that, in deciding to make the existing Aloja municipality part of Limbaži municipality, the legislature had complied with the aim and criteria of the reform. [35]

On the provisions contested by Babīte Municipality Council

The Constitutional Court concluded that the population of Babīte municipality does not meet the reform criterion concerning the number of residents in municipalities just outside Riga [*Pierīga* municipalities]. Conversely, the newly established Mārupe municipality, in which the existing Babīte municipality was included as part of the reform, meets the criteria underlying the reform. Thus, in deciding to make the existing Babīte municipality part of Mārupe municipality, the legislature had complied with the aim and criteria of the reform. [36]

On the provisions contested by Kandava Municipality Council

The Constitutional Court concluded that retaining Kandava municipality as an independent self-government, as well as joining particular administrative territorial units to this municipality, would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. In contrast, the newly established Tukums municipality meets the criteria underlying the reform. It follows that, in deciding to make the existing Kandava municipality part of Tukums municipality, the legislature had complied with the aim and criteria of the reform. [37]

On the provisions contested by Mazsalaca Municipality Council

The Constitutional Court concluded that the existing Mazsalaca municipality does not have a development centre of regional or national significance. Therefore, retaining Mazsalaca municipality as an independent self-government would contradict at least one of the criteria underlying the reform, namely, the one requiring that the territory of a municipality must include a development centre of regional or national significance. In contrast, the newly established Valmiera municipality meets the criteria underlying he reform. It follows that, in deciding to make the existing Mazsalaca municipality part of Valmiera municipality, the legislature had complied with the aim and criteria of the reform. [38]

On whether the legislature, in adopting the contested provisions, had considered the interests of the local community concerned, that is, respected the local community's right to democratic participation

Even though the local government elections took place on 5 June 2021, and the newly elected municipality councils or provisional administrations appointed by a separate law are to meet in their first session on 1 July 2021, the reform cannot yet be considered as fully completed. The responsibility for the comprehensive completion of the reform and its results falls primarily to *the Saeima* and the Cabinet. It is the responsibility of *the Saeima* and the Cabinet, *inter alia*, to ensure that the mechanisms for democratic participation of the residents set out in the Law on Administrative Territories are implemented in full. [39.2]

The Constitutional Court noted that regulations already provide for the citizens' right to democratic participation in local governance – e.g., the right to vote and the right to be elected, the right to express an opinion, the right to turn with a submission to the local government authority – for the interests of the local residents in the municipality to be fulfilled as much as possible. Therefore, the fact that a law providing for the local communities' right to democratically elect their representatives and granting such local communities the competence to solve issues of local significance is not yet adopted is not indicative of a restriction of the right to democratic participation. [39.2]

The Constitutional Court concluded that it will only be possible to assess the mechanisms for democratic participation of the residents of the municipality towns and rural territories that are part of the newly established municipalities after the reform has been completed. At present, there is no reason to conclude in respect of the local communities of Jaunjelgava, Carnikava, Rugāji, Iecava, Rundāle, Auce, Sala, Salacgrīva, Aloja, Babīte, Kandava, and Mazsalaca municipalities that the legislature acted arbitrarily and the residents might lose their right to democratic participation as a result of the reform. [39.2]

On the temporal effect of the judgment in respect of Ilūkste municipality and Ozolnieki municipality

The Constitutional Court noted that, according to the first sentence of paragraph 2 of the Transitional Provisions of the Law on Administrative Territories, the existing local governments of republican towns and regions shall continue to exercise their functions and tasks following the procedures set out in regulations until the first session of the local council elected in the 2021 local government elections or of the provisional administration appointed by a separate law, and such session is to be convened on 1 July 2021 in accordance with the procedure established by this Law. [40]

The Constitutional Court concluded that recognising the provisions contested by Ilūkste Municipality Council and Ozolnieki Municipality Council as being void as of the date of adoption or as of the day of coming into effect of the Constitutional Court's judgment may result in a substantial interference with the interests of other individuals. [40]

Therefore, for the sake of legal stability, clarity, and peace, it is necessary and permissible in the present case that provisions which are incompatible with the Constitution remain in force for a certain time and the *Saeima* is given a possibility to establish a new administrative-territorial division in respect of Ilūkste municipality and Ozolnieki municipality in compliance with the Constitution, having taken into account the principles of a democratic rule-of-

law state and the findings articulated in this judgment. Thus, the Constitutional Court recognised the contested provisions as being void in respect of Ilūkste municipality and Ozolnieki municipality as of 1 January 2022. [40]

The Constitutional Court emphasised that it is the *Saeima*'s task to ensure that a solution for administrative-territorial division in respect of Ilūkste municipality and Ozolnieki municipality in compliance with the Constitution is found as soon as possible. [40]

The Constitutional Court ruled:

1. To terminate the proceedings in the case insofar as it concerns the compliance of sub-paragraphs 8.5, 8.7, 8.8, 8.16, 8.17, 8.19, 8.20, 10.2, 10.6, 10.7, 10.8, 10.17, 10.18, 10.21, 10.23, 12.10, 12.13, 13.13, 13.16, 13.20, 16.2, 16.5, 16.11, 16.14, 16.18, 16.19, 16.20, 19.18 and 19.20 of the Annex to the Law on Administrative Territories and Populated Areas "Administrative territories, their administrative centres and territorial units" with Article 4(3) of the European Charter of Local Self-Government.

2. To recognise sub-paragraphs 10.2, 10.6, 10.7, 10.8, 10.17, 10.18, 10.21, 10.23, 18.1, 18.8 and 18.10 of the Annex to the Law on Administrative Territories and Populated Areas "Administrative territories, their administrative centres and territorial units" as being compatible with Article 4(6) and Article 5 of the European Charter of Local Self-Government.

3. To recognise sub-paragraphs 10.2, 10.6, 10.7, 10.8, 10.17, 10.18, 10.21, 10.23, 18.1, 18.8 and 18.10 of the Annex to the Law on Administrative Territories and Populated Areas "Administrative territories, their administrative centres and territorial units" as being incompatible with Article 1 and Article 101 of the Constitution of the Republic of Latvia and void as of 1 January 2022.

4. To recognise sub-paragraphs 8.5, 8.7, 8.8, 8.16, 8.17, 8.19, 8.20, 11.2, 12.10, 12.13, 13.8, 13.9, 13.13, 13.16, 13.20, 16.2, 16.5, 16.11, 16.14, 16.18, 16.19, 16.20, 19.18, 19.20, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.8, 23.12, 23.13, 23.15, 23.16, 27.1, 27.3, 39.1, 39.8, 39.9, 39.12, 39.19, 39.21, 39.22, 41.14, 41.15, 41.18, 41.22 and 41.23 of the Annex to the Law on Administrative Territories and Populated Areas "Administrative territories, their administrative centres and territorial units" as being compatible with Articles 1 and 101 of the Constitution of the Republic of Latvia and with Article 4(6) and Article 5 of the European Charter of Local Self-Government".

The judgment of the Constitutional Court is final and not subject to appeal; the judgment enters into force on the day it is published.

The text of the judgment is available on the website of the Constitutional Court: https://www.satv.tiesa.gov.lv/wp-content/uploads/2020/08/2020-41-0106_Spriedums-2.pdf

Up-to-date information on the cases initiated in the Constitutional Court regarding the administrative-territorial reform is available here: https://www.satv.tiesa.gov.lv/press-release/satversmes-tiesa-par-administrativi-teritorialo-reformu-lidz-sim-ierosinajusi-19-lietas-aktualizets-08-01-2021/

This release has been prepared to inform the public about the work done by the Constitutional Court. More detailed information on current issues, cases initiated and decided by the Constitutional Court is available on the website **of the Constitutional Court.** You are also invited to follow the information on the Court's *Twitter* account @Satv_tiesa and *YouTube* channel.

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