



Satversmes tiesa

Press release

• Case No. 2023-09-01

• 23 March 2023

A case has been initiated on the rules prohibiting the breeding of fur animals solely for fur

On 23 March 2023, the 3rd Panel of the Constitutional Court initiated the case “On Compliance of Section 2 and Section 3 of the Law “Amendments to the Animal Protection Law”, adopted 22 September 2022, with the Section 1 and Section 105 of the Constitution of the Republic of Latvia”.

THE CONTESTED NORMS

By Section 2 of the Law “Amendments to the Animal Protection Law” (hereinafter – the Amendments) Section 13.¹ was added to the “Animal Protection Law”, according to which the breeding and keeping of farm animals is prohibited if the sole or main purpose of the breeding or keeping is the acquisition of furs.

Section 3 of the Amendments adds Clause 22 to the Transitional Provisions of the “Animal Protection Law”, according to which Article 13.¹ of this Law will enter into force on 1 January 2028.

NORM WITH A HIGHER LEGAL FORCE

Section 1 of the Constitution of the Republic of Latvia (hereinafter – the Constitution): “Latvia is an independent democratic republic.”

First and third sentences of Section 105 of the Satversme: “Everyone has the right to own property. Property rights may be restricted only in accordance with law.”

THE FACTS OF THE CASE

The case has been initiated on the basis of application submitted by the Limited Liability Company “BALTIC DEVON MINK” (hereinafter referred to as – the Applicant).

The Applicant is a capital company which economic activity is keeping and breeding minks for the acquisition of furs. It has been invested financial resources in its company, but will not be able to recover them due to the Contested norms.

The Contested norms already require the Applicant to adopt such decisions, the amendment of which will not be possible at a later stage. Namely, it has to make decisions about its future economic activity, including the cessation of breeding animals, as well as the possibilities of reducing the losses incurred. Thus, the Contested norms infringed the Applicant's right to property contained in the first and third sentences of Section 105 of the Constitution. The application also indicates that the Contested norms infringe the principle of legitimate expectations contained in Section 1 of the Satversme.

JUDICIAL PROCEEDINGS

The Constitutional Court has requested the authority which issued the contested act, i.e., the *Saeima*, to submit to the Constitutional Court its written reply presenting the facts of the case and legal basis by **23 May 2023**.

- The deadline for preparation of the case is **23 August 2023**.

The Court shall decide on the procedure and date for hearing the case after the case is prepared.

- The decision on initiation of the case (in Latvian) is available here: https://www.satv.tiesa.gov.lv/wp-content/uploads/2023/03/2023-09-01_lemums_par_ierosinasanu.pdf

This press release has been prepared to inform the society on the work of the Constitutional Court. Further details on the latest developments and cases opened and examined by the Constitutional Court are available on the website of the Constitutional Court www.satv.tiesa.gov.lv. We invite you to follow the Court's activities on our Twitter account [@Satv_tiesa](https://twitter.com/Satv_tiesa) and our YouTube [channel](#).

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