



THE CONSTITUTIONAL COURT OF THE REPUBLIC OF LATVIA

Riga, July 25, 2001

JUDGMENT in the name of the Republic of Latvia

in case No. 2001-03-04

The Constitutional Court of the Republic of Latvia in the body of the Chairman of the Court session A.Endziņš, justices J.Jelāgins and A.Ušacka, with the secretary of the Court session E.Rozenberga,

in the presence of the sworn advocate A.Bērziņa and the Saeima deputy R.Labanovskis – the authorised representative of the petitioner i.e. twenty deputies of the Saeima, namely: R.Labanovskis, P.Salkazanovs, J.Čevers, J.Ādamsons, V.Lauskis, E.Baldzēns, O.Zvejsalnieks, J.Leja, A.Barča, L.Bojārs, I.Burvis, O.Grīgs, I.Ūdre, I.Stirāns, A.Kalniņš, I. Solovjova, V.Lāzo, R.Pauls, A.Bērziņš and G.Bojārs

and the sworn advocate Uģis Grūbe as well as the authorised representative of the State Stock Company "Diplomatic Service Agency" – the institution, which has issued the disputable act

under Article 85 of the Satversme (Constitution) of the Republic of Latvia, the Constitutional Court Law and Item 5 of the Transitional Provisions of the Amendments to the Constitutional Court Law

in a public hearing in Riga, on July 16, 2001 reviewed the case

"On Compliance of March 18, 1999 Cabinet of Ministers Regulations No. 128 "On the State Stock Company "Diplomatic Service Agency"" (the part on incorporation of the property investment – the real estate at No.6 Mārstaļu street in Riga – into fixed assets of the Diplomatic Service Agency and its Registration with the Land Book) with Article 19 of the Law "On the Protection of Cultural Monuments" and Article 9 of the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres"".

The Constitutional Court **established**:

On November 3, 1995 the Saeima adopted the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres", which took effect on November 11, 1995. Article 4 of the Law determines that "the following institutions enjoy the state significance status of the object of culture: ... 31) Photographic Artists' Society (legal address at No.6 Mārstaļu street, Riga);...".

On the basis of February 27, 1997 Ministry of Finance Certificate No. 03-4/1680 and September 4, 1996 State Land Service Certificate No. 41439 the property right to real estate at No. 6 Alksnāja street, No. 7 Vecpilsētas street and No. 6 Mārstaļu street (cadastral No. 0 100 003 0113, Land Book section No. 6382) has been fixed on the State of Latvia in the person of the Ministry of Finance.

On March 18, 1999 the Cabinet of Ministers passed Regulations No.128 "On the State Stock Company "Diplomatic Service Agency"", establishing that the real estate at No. 6 Mārstaļu street, No. 6 Alksnāja street, No.7 Vecpilsētas street has been incorporated into the fixed assets of the state stock company "Diplomatic Service Agency". On the basis of the Regulations, in the Land Book the right to the above property was fixed to the state stock company "Diplomatic Service Agency".

The petitioner questions compliance of March 18, 1999 Cabinet of Ministers Regulations No.128 "On the State Stock Company "Diplomatic Service Agency"" in the part on incorporation of the property investment, namely, the real estate at No.6 Mārstaļu street, into fixed assets of the state stock company "Diplomatic Service Agency" with Article 19 of the Law "On the Protection of Cultural Monuments" and Article 9 of the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres".

The petitioner points out that by incorporation of the property at No.6 Mārstaļu street, Riga into the fixed assets of the state stock company (henceforth- SSC) "Diplomatic Service Agency" are violated:

- 1) norms of Article 19 of the Law "On the Protection of Cultural Monuments", as the building – in accordance with the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres"- houses a cultural object of state significance – the Latvian Photo Artists' Society (henceforth- LPAS). In 1988 the premises of the building were rebuilt to meet the requirements of the association.
- 2) norms of Article 9 of the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres", because the

rented premises of the building at No.6 Mārstaļu street are the only premises of the LPAS. Breach of the lease agreement on January 3, 1994 and the offer to conclude a new agreement on lease of the premises for a ten times greater payment, in fact meant liquidation of the LPAS.

The applicant expressed the viewpoint that property right on the real estate in Riga at No.6 Mārstaļu street had not been restituted to the former owner or his/her heirs (as the norms of Article 12 of the Law "On the Land Reform in the Cities of the Republic of Latvia" envisage) as there was a cultural object of state significance – the LPAS on the land. If the LPAS is turned out from the building at No.6 Mārstaļu street, then – in compliance with Article 14 of the above Law - one shall question incorporation of the property into the fixed assets of the "Diplomatic Service Agency".

At the Court session the representative of the petitioner upheld the claim and stressed that the Saeima deputies, who did not encourage cultural policy and privatisation practice, existing in the state, had submitted the application.

In addition to the above the viewpoint was expressed that LPAA as a cultural object in the meaning of the Law "On Objects of Education, Culture and Science of State Significance and National Sports Centres" was an institution – LPAS as a professional public organisation is a common estate with premises at No.6 Mārstaļu street, which ensure normal functioning of the LPAS. Neither the premises without LPAS, nor the LPAS without the premises shall be considered a cultural object of state significance.

The representative of the petitioner acknowledged that at his disposal were no documents, confirming that the former owner of the real estate at No. 6 Mārstaļu street in Riga or his/her heirs had submitted an application on restitution of the land right and that it had been rejected.

The Cabinet of Ministers in its written reply expresses a viewpoint that the disputable act complies with the laws of the Republic of Latvia.

It is indicated in the reply that the norm, incorporated in Article 19 of the Law "On the Protection of Cultural Monuments" cannot be regarded as imperative. The norm does not limit the right of the owners and other users with just one way of utilisation. The disputable act does not regulate the utilisation conditions of the particular cultural monument, thus it does not regulate any condition, which could violate the requirements of the above Article. To their mind the statement that the disputable act contradicts the Article is ungrounded.

The Cabinet of Ministers stresses that the Photo Artists' Society occupies the premises at No.6 Mārstaļu street in compliance with the lease agreement, the

term of which expired on December 31, 1995. The disputable act could change neither the validity nor the term of lease relations. LPAS was turned out from the premises by February 22, 2001 Civil Matters Panel (as an appellate instance court) Decision in case No.CA-236/12. The decision has not been appealed.

The viewpoint expressed in the written reply reads that Article 1 of the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres" clearly and unmistakably establishes the objective of the Law – to align the land property relations. The Law just indicates that the real estate at No.6 Mārstaļu street in Riga is the legal address of the LPAS. As concerns the case - there is no argument that the above property or part of it had been passed to LPAS. Besides, Article 4 of the Law uses the term "institutions", but LPAS is a public organisation.

The Cabinet of Ministers stresses that Article 9 of the Law shall not be attributed to the procedure of termination or liquidation of a public organisation.

At the Court session the representative of the Cabinet of Ministers upheld the viewpoint, expressed in the written reply and additionally stressed that former owners or their heirs had not announced about their rights to the real estate at No.6 Mārstaļu street in Riga.

It was pointed out that the disputable act did not determine either turning LPAS out or concluding lease agreements or any other conditions. Besides the claim on turning LPAS out was not submitted by SSC "Diplomatic Service Agency" but by the State Real Estate Agency. Moreover, in 1999 the Diplomatic Service Agency offered LPAS to conclude the lease agreement but LPAS did not want to discuss the issue. Since December 31, 1995 LPAS has not paid for the premises.

The representative of the Cabinet of Ministers explained that the premises were allotted to the SSC "Diplomatic Service Agency" with an objective of proposing them to diplomatic missions, which usually ask for premises in the Riga centre.

The Constitutional Court concluded:

1. Article 1 of the Satversme (Constitution) of the Republic of Latvia determines that Latvia is an independent democratic republic. It means that the State of Latvia shall realise all the functions the democratic state should. On May 4, 1990 with the Declaration "On the Accession of the Republic of Latvia to International Instruments Relating to Human Rights" Latvia recognised the "International Covenant on Economic, Social and Cultural Rights" as binding on our State. The Covenant is effective since July 2, 1992. Article 15 of the Covenant establishes that "the Member States of the Covenant recognise the

rights of any person: a) to take part in cultural life; b) to enjoy the benefits of scientific progress and its applications; c) to benefit from the protection of moral and material interests, resulting from any scientific, literary or artistic production of which he is the author". It also determines that the steps to be taken by the states parties to the present Covenant to achieve the full realisation of this right shall include those necessary for the conservation, the development and the diffusion of science and culture".

Article 15 of the Covenant shall be applied in context with Article 2 of the Covenant, envisaging that the Member States undertake to take the steps, individually and through international assistance and co-operation, to the maximum of its available resources with a view to achieving progressively the full realisation of the rights recognised in the Covenant by all appropriate means, including the adoption of legislative acts.

The scope, contents and mechanism of realisation of the above activities shall be determined by the legislator – by adopting corresponding laws. The Satversme of the Republic of Latvia and the Covenant grants the legislator with freedom of action in determining what activities are necessary for the conservation, the development and the diffusion of scientific and cultural achievements. The legislator of Latvia has passed several acts to determine the assignments of the State in the sector of culture and the mechanism of realisation of the assignments. Among the acts are also "The Law on Cultural Institutions", "The Law of the Culture Capital Foundation" and "the Law on the Protection of Cultural Monuments".

2. In compliance with Article 1 of the Law "On the Protection of the Cultural Monuments" "cultural monuments are the part of the cultural heritage- landscape and separate territories (graves, graveyards, parks, places of activity of prominent people and places of historic events) as well as separate graves, groups of buildings and separate buildings, art productions, equipment and objects of historic, scientific or some other cultural value, whose conservation for the next generations complies with the interests of the Latvian State and nation as well as with international interests." The public organisation LPAS is not and cannot be a cultural monument.

The former apartment house at No.6 Mārstaļu street in Riga (Group 3, Site 113) is an outstanding old city monument - a baroque – classical building. The portal of this building has been included in the list of cultural monuments to be protected by the State (a cultural monument of State significance No.7274). The whole building was not included in the list, but it is situated in the territory of the Riga historical centre, which is the monument of state significance (protection No. 7442). The value of this building in the

understanding of the Law "On the Protection of Cultural Monuments" is not connected with LPAS residing in it.

In compliance with Articles 7 and 11 of the above Law, in Latvia cultural monuments may be the property of the State, the municipalities, also the property of a natural person or a legal entity, however the persons shall ensure preservation of the cultural monuments in their possession.

Article 19 of the Law " On the Protection of Cultural Monuments" establishes that " cultural monuments are used most of all for objectives of science, education and culture. Their use for economic activities is admissible only if it does not damage the monument, does not lessen its historic, scientific and artistic value." The second sentence of the Article shall be interpreted as a prohibition to use the cultural monument for economic activities, if it damages the monument and lessens its historic, scientific and artistic value. The materials of the case do not contain any evidence that incorporation of the property into fixed assets of the SSC "Diplomatic Service Agency" has violated the prohibition. The State Cultural Monument Protection Inspection in its June 22, 2001 letter No. 02-09/726 expresses the viewpoint that incorporation of the above real estate into fixed assets of the SSC "Diplomatic Service Agency" cannot lessen the historic, scientific and artistic value of the cultural monument.

Thus the disputable act does not contradict Article 19 of the Law "On the Protection of Cultural Monuments".

3. The objective of the Law "On the Cultural Institutions" is "to establish types of the cultural institutions of Latvia, their economic activities and sources of their financing, state guarantees in ensuring conservation and enlarging of the cultural heritage as well as favouring the creative and economic initiative, professionalism and artistic quality and meeting the cultural requirements of the society." The Law has been adopted on October 14, 1998 and took effect on November 13, 1998, that is – later than the Law "On the Objects of Education, Culture and Science of State Significance and National Sport Centres".

The Law on Institutions of Culture in compliance with its Article 3 is binding on all the Latvian institutions of culture, not depending on their belonging and legal status. In conformity with the second part of the above Article "particular laws regulate separate sectors of culture, their legal status and activities". The Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres" shall not be regarded as the Law, regulating one specific sector of culture.

From the LPAS Statutes added to the case it follows that LPAS is a public organisation. Articles 5-7 of the Law on Institutions of Culture

determine that state cultural institutions are only cultural establishments of the State and cultural enterprises founded by the State. The public organisation LPAS is not a state cultural institution. In the understanding of the Law on the Cultural Institutions LPAS is a private cultural institution. In accordance with Articles 15 and 26 of the above Law and under effective legislative acts, founders of the private cultural institutions determine forms of performance and the procedure of financing.

The procedure of liquidation or termination of the activity of a public organisation is determined by the Law "On Public Organisations and their Unions". The public organisation may adopt a decision on self-liquidation or reorganisation, or a court may terminate its activity under the procedure determined by the law. The law does not envisage the right of the government – the Cabinet of Ministers – to liquidate a public organisation. Change of the places of activity or the legal address of a public organisation in the understanding of this law does not mean its liquidation.

The Law on Cultural Institutions envisages only one specific category of cultural institutions – cultural institutions of national significance. In compliance with Articles 29 and 30 of the above Law cultural institutions of national significance are the leading and most important institutions of their sector, whose main duty is to take care of preservation of the cultural heritage, its actualisation and development. The organisations are founded, reorganised or liquidated only under the procedure envisaged by the law. The law determines the legal status, activities as well as sources and ways of financing of the above institutions.

The Cultural Institutions Law does not envisage specific ways or sources of financing for other categories of cultural institutions, e.g., objects of culture of state significance. In conformity with Article 31 of the Law, the State guarantees to any cultural institution also to LPAS the rights in the procedure determined in law to be a candidate for state and local government orders, assets of the Culture Capital Foundation, participation in projects and programs of state or international support, as well as other guarantees and privileges anticipated by law.

The Law of Cultural Capital Foundation determines that the objective of the Foundation is to support by financial means and to promote balanced development of creative activities of all branches of culture and art and maintenance of cultural heritage. To implement this objective the legislator has envisaged both – the means and the procedure of distribution of the means.

4. The objective of the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres" in accordance with Article 1 is to establish the status of objects of education, culture and science as well as national sport centres in order to streamline land ownership related matters in the cities of the Republic of Latvia (in compliance with Article 12 of the Law "On the Land Reform in the Cities of the Republic of Latvia").

This Article has been formulated in compliance with the proposal of the Saeima Legal Bureau. When commenting the review of the draft law in its third reading the reporter J.Vaivods stresses: "Essential was the problem that we kept arguing if the draft referred also to the country, what was the context of the list, namely, that it resulted from the law on land reform in the cities. To give an answer to the issue we have expressed Article 1 in an unmistakable wording. We have stressed that the objective of this Law is to determine the status of objects of education, culture and science as well as national sport centres in order to streamline land ownership related matters in the cities of the Republic of Latvia in accordance with Article 12 of the Law on Land Reform in the Republic of Latvia (Verbatim report of the Saeima October 26, 1995 session).

This law shall be interpreted only in context with the Law "On Land Reform in the Cities of Latvia ". The objective of the Law "On Objects of Education, Culture and Science of State Significance and National Sport Centres" is not to make a list of objects of culture, to determine other privileges, with an exception of those established in the Law "On the Land Reform in the Cities of the Republic of Latvia". It follows also from the fact that objects, situated in the country, are not enumerated. At the same time it cannot be denied that inclusion of an institution in the list expresses the attitude of the legislator to it.

In compliance with Article 2 the objective of the Law "On the Land Reform in the Cities of the Republic of Latvia" is "reorganisation of the land property and legal, social and economic relations in the cities by gradual denationalisation of the state property, by conversion, privatisation and restitution of illegally expropriated land property to promote city construction, protection and rational utilisation of the land in the interests of the society".

In conformity with Article 5 of the above Law the land reform shall be implemented in three moves, the first of which is the acceptance of land requests. The former landowners had to submit applications on restitution of land property rights up to June 20, 1992.

Article 12 "Satisfying the Land Claim" of the Law "On the Land Reform in the Cities of Latvia" determines cases, when the claims are to be satisfied by restituting property rights and cases when they are to be satisfied in other ways established by law. In compliance with the Article property rights are not

restituted to the former landowners or their heirs if there were objects of education, culture and science of state significance, determined by law on the land, which has belonged to them earlier.

However, as can be seen from the documents of the case on the real estate and the copy of the Riga Land Book Section No. 6382 (cadastre No. 0 100 003 0113), the former owner or his heirs had not submitted the claim on restitution of the right to the real estate at No.6 Alksnāja street, No.7 Vecpilsētas street and No.6 Mārstaļu street. August 29, 1996 Certificate No. 1868 by the Riga Land Commission confirms that " up to June 1, 1994 the former owner has not requested restitution of the real estate at No.6 Mārstaļu street in Riga (group 3, ground 113). Property rights have not been acknowledged."

As the land claim on the above real estate has not been received, Article 12 " Satisfying the Land Claim" of the Law " On the Land Reform in the Cities of the Republic of Latvia" shall not be applied to it.

Thus, neither the statement, included in the application, that " heirs of the former owner could not restitute property rights to the above real estate as there was an object of culture of state significance – LPAS on it, nor the assumption, expressed at the Court session, that the former landowner or his heirs had not applied for the real estate just because the object of culture of state significance was on it. In compliance with Article 6 of the above Law, the former landowners or their heirs had to submit claims on restitution of property rights up to June 20, 1992. The Certificate issued by Riga Land Commission dates back to June 1, 1994. In its turn the Law "On objects of Culture of State Significance" was passed only in November 1995.

Ungrounded is also the statement, included in the application, that if LPAS is being turned out of the above building, then in compliance with Article 14 of the Law " On the Land Reform in the Republic of Latvia Cities" incorporation of it into fixed assets of the SSC "Diplomatic Service Agency" shall be challenged. The Article determines that " in cases when the land property rights have not been restituted to the former landowner because of reasons envisaged by the law, then – if the owner has not received compensation or another plot of equal worth – the rights have to be restituted as soon as the above reasons cease to exist. The reason why property rights to the real estate at No.6 Alksnāja street, No.7 Vecpilsētas street and No.6 Mārstaļu street have not been restituted to the former owner or his heirs is the fact that the claim to it was not submitted but not the fact that there were the premises of LPAS in the building at No.6 Mārstaļu street.

Thus Article 14 of the Law "On the Land Reform in the Republic of Latvia Cities" shall not be attributed to the real estate at No.6 Mārstaļu street and the disputable act does not contradict the above Article.

On the request of the State Real Estate Agency property rights to the real estate in Riga at No.6 Alksnāja street, No. 7 Vecpilsētas street and No.6 Mārstaļu street were restituted to the State in the person of the Ministry of Finance. Reference to Article 930 of the Civil Law, determining that "cases of real estate without the owner concern the state" as well as to Articles 2 and 8 of the Law "On State and Local Government Land Ownership Rights and Their Recording with Land Books" were made in the request. December 23, 1994 letter No.4/480/14 VP by the Riga Dome Board of the Centre district confirms that "the request on restitution of ownership rights on the particular real estate has not been received". In accordance with Item 1 (the second part) of Article 2 of the above Law, during the land reform the land with state owned buildings on it if it has been owned by legal entities and physical persons as at July 21, 1940, for which these persons have not requested renewal of ownership rights on land, the land shall be recorded in the name of the state which shall be entitled to this land. In compliance with the sixth part of Article 8 the land shall be recorded with the Land Book on the name of the state in person of the Ministry of Finance, unless otherwise specified by the Cabinet of Ministers. The particular act of the Land Book has not been questioned.

LPAS was included in the list of the objects of culture of state significance (the Law "On the Objects of Culture, Education and Science of State Significance and National Sport Centres") during the second reading of the draft law.

Article 1 of the draft law submitted by the Cabinet of Ministers (document No. 869 to be reviewed at the 1995 autumn session) envisaged that "establishment of land ownership rights in compliance with Article 12 of the Law "On the Land Reform of the Republic of Latvia Cities" the status of objects of education, culture and science of state significance is attributed to state founded and financed as well as the unique in the branch institutions of education, culture and science ..."

The presently effective Article 9 was incorporated in the draft law during its second reading on the proposal of the deputy A.Siliņš. It was submitted on the basis of the wording of the first reading, which contained only the list of the state institutions. During the third reading only the number of the Article was changed. Thus in Article 9 of the Law "On the Objects of Education, Culture and Science of State Significance and National Sport Centres" the legislator has not determined a specific procedure of liquidation of an organisation. The notion "the institution", incorporated in the Article refers only to state institutions. Therefore the Law "On the Objects of Education, Culture and Science of State Significance and National Sport Centres" does not refer to the process of liquidation of the public organisation – LPAS.

Besides the submitter of the application uses the notion "liquidation" not in the meaning of "legal liquidation" but in the meaning of "causing activity

inconveniences”, which is not included in the particular Article. The petitioner declares that ”January 3, 1994 breach of the lease agreement and the offer to conclude a new lease agreement with a ten times increased payment in fact means liquidation of LPAS”. The disputable Cabinet of Ministers act does not refer to breach of the lease agreement and new relations of lease. The Civil disputes resulting from lease relations between LPAS and the lessor are in the authority of the court of general jurisdiction.

The Law ”On the Objects of Education, Culture and Science of State Significance and National Sport Centres” does not determine state or the listed institutions’ property rights to the particular object of culture. During the second reading, when supplementing the list of the draft law with institutions, which were not state establishments, discrepancy between the wording ”institutions of culture of state significance”, which has remained in the title of the Article (later- the preamble) and the enumerated objects of culture that are not state establishments. However, the discrepancy does not serve as the reason of concluding that the objective of the legislator has been to grant the above institutions the status of the state establishment or any other rights, not connected with the aim defined in Article 1 of the Law ”On Objects of Education, Culture and Science of state Significance and National Sport Centres”.

Ungrounded is also the statement of the petitioner that in 1988 the building at No.6 Mārstaļu street in Riga has been specially rebuilt to meet the requirements of LPAS. As can be seen from the Statutes of LPAS, the Statutes have been adopted only on September 30, 1989. It does not result from the above document that LPAS was the legal successor of another organisation.

From August 23, 1995 letter No. 109, addressed to the Chairperson of the Saeima Education, Culture and Science Committee, it can be seen that LPAS has repeatedly requested to reach a positive decision on the issue of transferring the buildings of the Photo House at No.6 Mārstaļu street in Riga and its branch in Liepāja at No. 2/4/6 Kūrmājas Avenue to the possession of the creative association for 99 years.

If the legislator had considered it necessary, it could solve the issue on presence of LPAS in the above building by adopting a special law on transferring the property to LPAS as it has been done when passing the Laws ” On Transferring the Real Estate to the Association of the Latvian National Culture Society named after Ita Kozakeviča”, ”On Transferring the Real Estate to the Public Council of the Popular Front Museum”, ”On Transferring the Real Estate to the Union of Local authorities of Latvia”, ”On Transferring the Real Estate to the Liepāja Lithuanian Culture society ”Rūta””.

Thereby the disputable act does not contradict the Law "On the Objects of Education, Culture and Science of State Significance and National Sport Centres".

5. At the Court session the representative of the applicant stressed that in point of fact the claim was not directed against the SSC "Diplomatic Service Agency" or the disputable act but against the state practice in the sector of culture policy and privatisation.

Development of the culture policy first of all depends on the legislator. The legislator is authorised to incorporate in laws such norms, which determine privileges to the institutions of culture. The legislator also passes regulations on transferring state property to institutions of culture or on lease easement of premises.

From Article 15 of the Convention in context with the estimate of the legislator that LPAS is the object of culture of state significance it follows that the duty of the Cabinet of Ministers is to take care (at least on the minimum level) of the existence and development possibilities of the organisation. However it is not connected with the presence of LPAS in the same premises, namely, at No.6 Mārstaļu street in Rīga and on the same terms as at the moment of adoption of the law. Prohibition of alienation of the above property does not follow from the duty.

The Constitutional Court when reviewing the case has to estimate compliance of the disputable act with legal norms of higher force, but not the achievement of the Cabinet of Ministers in implementation of the culture policy. The Constitutional Court is not authorised to evaluate if the Cabinet of Ministers has actively and honestly taken care about the advancement of the institutions of culture, among them also –LPAS.

On the basis of Articles 30-32 of the Constitutional Court Law

the Constitutional Court

DECIDED:

to declare that March 18, 1999 Cabinet of Ministers Regulations No. 128 "On the State Stock Company "Diplomatic Service Agency"" (in the part on incorporation of the property investment – the real estate at No.6 Mārstaļu street in Rīga – into fixed assets of the Diplomatic Service Agency and its registration with the Land Book) **as being in compliance with** Article 19 of the Law "On the Protection of Cultural Monuments" and Article 9 of the Law

”On the Objects of Education, Culture and Science of State Significance and National Sport centres”.

The Judgment takes effect from the moment of its announcement. The Judgment is final and allowing of no appeal.

The Judgment was announced in Riga on July 25, 2001.

The Chairman of the Constitutional Court session

A. Endziņš