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**A Case Initiated on the Norms of the Law on National Referendums, Legislative Initiatives and European Citizens' Initiative“ upon the Application submitted by the Senate of the Supreme Court**

On 12 March 2013 the 1<sup>st</sup> Panel of the Constitutional Court initiated a case “On Compliance of Para 2 of Section 23(5) and Section 23<sup>1</sup>(1) of Law on National Referendums, Legislative Initiatives and European Citizens' Initiative with Article 1 of the Satversme of the Republic of Latvia.”

**Contested Norms**

Para 2 of Section 23 (5) of Law on National Referendums, Legislative Initiatives and European Citizens' Initiative provides that the Central Election Commission refuses to register a draft law or draft amendments to the Satversme if the draft law or draft amendments to the Satversme are not fully elaborated as to their form or content.

Section 23<sup>1</sup> (1) of Law on National Referendums, Legislative Initiatives and European Citizens' Initiative provides that the initiative group may appeal against the decision adopted by the Central Election Commission to refuse registration of the draft law or draft amendments to the Satversme to the Department of Administrative Cases of the Supreme Court Senate.

**Norm with a Higher Legal Force**

Article 1 of the Satversme: “Latvia is an independent democratic republic.”

**The Facts**

The application was submitted by the Department of Administrative Cases of the Senate of the Supreme Court (SC), which has under its review the case concerning the decision of the Central Election Commission (CEC) not to submit the draft law “Amendments to the Citizenship Law for collection of signatures.

The Applicant holds that the contested norms are colliding with the principle of divisions of power, i.e., the jurisdiction of both CEC and SC Senate are too broad. In accordance with the contested norm CEC has to examine the constitutionality of the submitted draft law. The court, in its turn, in examining the legality of the decision adopted by CEC, has to control the content of the legal initiative, which otherwise should be done by the Saeima.

**The Legal Proceedings**

The Constitutional Court has asked the Saeima to submit a reply on the facts of the case and the legal substantiation by 14 May 2013.

The term for preparing the case is 12 August 2013.

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