The *Saeima*1 has adopted and

the President has proclaimed the following Law:

**Freedom Monument and Rīga Brethren Cemetery Law**

**Section 1. Purpose and Task of the Law**

(1) The purpose of this Law is to ensure the preservation of the Freedom Monument and Rīga Brethren Cemetery as the symbols of the fight for national independence, national identity, and national self-awareness of Latvia and as holy places for the nation of Latvia, and the demonstration of the corresponding respect thereto.

(2) The Law prescribes the procedures for the maintenance, use, management, and financing of the Freedom Monument, the protection zone thereof and Rīga Brethren Cemetery, the territory and the protection zone thereof and other matters related thereto, and also the rules on behaviour in the relevant territories.

(3) The preservation, maintenance, and use of the Freedom Monument, the protection zone thereof and Rīga Brethren Cemetery, the territory and the protection zone thereof shall also be determined by the law On Protection of Cultural Monuments, the Law on Preservation and Protection of the Historic Centre of Rīga, and other laws and regulations.

**Section 2. The Freedom Monument and the Cultural and Historical Value Thereof**

(1) The Freedom Monument was erected as a symbol of the unity and freedom of the people of Latvia using the funds donated by the nation, according to the project of the sculptor Karlis Zale following the architectural solutions of Ernest Stalbergs, and also the dedicatory words of Karlis Skalbe “For the Fatherland and Freedom”, and is the value of all Latvian society.

(2) The values of the Freedom Monument to be preserved are tangible and intangible statements regarding the creation of the Freedom Monument, the spatial solution in the urban landscape, the architectural artistic idea created by the authors, the symbolic significance, the composition, the sculptural solutions saturated with images and artistic expression, the monumental unity of the monument, the historical system of planting, the site planning, the structure of the monument, the constructive system, the original use of materials, the technique of execution, the artistic and artisan quality, the historical site context, the object authenticity, the historical patina, and the atmosphere created by a set of historical values.

**Section 3. Rīga Brethren Cemetery and the Cultural and Historical Values Thereof**

(1) Rīga Brethren Cemetery is a symbol of the fight for national independence of Latvia, a memorial ensemble (resting place) for the soldiers who laid down their lives for the freedom of the State of Latvia. Rīga Brethren Cemetery was built using funds donated by the nation and is the value of all Latvian society.

(2) Rīga Brethren Cemetery is a part of the cultural and historical heritage of Latvia and a State protected sacral art monument. The authors thereof are sculptors Karlis Zale and Martins Smalcs, landscape architect Andrejs Zeidaks, and architects Peteris Feders and Aleksandrs Birznieks.

(3) The values of Rīga Brethren Cemetery to be preserved are tangible and intangible statements about the creation of Rīga Brethren Cemetery, spatial solutions in the urban landscape, the terrain, silhouette, perspective of views, the architecturally artistic ideas created by the authors, the symbolic significance, composition, the sculptural solutions saturated with images and artistic expression, the monumental unity of the ensemble, the planting system, the greenery, the synthesis of garden art and architectural solutions, the elements of environmental arrangements, the plan of the ensemble, the structure, original use of materials, the execution techniques, the high quality additions of a later period, the artistic and artisan quality, the historical site context, the historical burials and those of a later time in keeping with the original concept, the relics, the object authenticity, the historical patina, and the atmosphere created by a set of historical values.

**Section 4. Status of Ownership and State Protected Cultural Monuments of the Freedom Monument and Rīga Brethren Cemetery**

(1) The Freedom Monument and Rīga Brethren Cemetery are the property of the State of Latvia.

(2) The Freedom Monument is included in the list of State protected cultural monuments as an art monument of State significance which is located in the territory of the object “Historic Centre of Rīga” and the monument of urban planning of State significance “Historic Centre of the City of Rīga” included in the World Heritage List of the United Nations Educational, Scientific and Cultural Organization.

(3) Rīga Brethren Cemetery is included in the list of State protected cultural monuments as an architectural monument of State significance and an art monument of State significance.

**Section 5. Management of the Freedom Monument and Rīga Brethren Cemetery**

(1) The preservation, maintenance, and restoration of the Freedom Monument, the protection zone thereof and Rīga Brethren Cemetery, the territory and the protection zone thereof shall be ensured by the manager of the Freedom Monument and Rīga Brethren Cemetery specified by the Cabinet (hereinafter – the manager of the Freedom Monument and Rīga Brethren Cemetery). The manager of the Freedom Monument and Rīga Brethren Cemetery shall be selected in accordance with the procedures laid down in the laws and regulations governing public procurement or by delegating administrative tasks to a private individual or public person in accordance with the procedures laid down in the State Administration Structure Law.

(2) The preservation, maintenance, research, and restoration of the Freedom Monument, the protection zone thereof and Rīga Brethren Cemetery, the territory and protection zone thereof shall take place in accordance with the Programme for the Preservation, Maintenance, Research and Restoration of the Freedom Monument and Rīga Brethren Cemetery (hereinafter – the Management Programme). The Management Programme shall be developed by the manager of the Freedom Monument and Rīga Brethren Cemetery and coordinated with the Council of the Freedom Monument and Rīga Brethren Cemetery. The Management Programme shall be approved by the Cabinet.

**Section 6. Financing of the Preservation, Maintenance, Research, and Restoration Works of the Freedom Monument and Rīga Brethren Cemetery**

(1) The preservation, maintenance, restoration, and management of the Freedom Monument and Rīga Brethren Cemetery shall be financed from the funds specifically provided for this purpose in the State budget and in accordance with the Management Programme.

(2) Local governments have the right to participate in the implementation of the objectives specified in this Law, including to participate in the financing of the works provided for in the Management Programme.

(3) Donations may be used for the preservation, maintenance, and restoration of the Freedom Monument and Rīga Brethren Cemetery.

**Section 7. The Freedom Monument and the Protection Zone Thereof and Rīga Brethren Cemetery, the Territory and Protection Zone Thereof and the Restrictions Specified Therein**

(1) The boundaries of the Freedom Monument as an art monument of State significance and the protection zone thereof are specified in Annex 1 to this Law.

(2) The boundaries of Rīga Brethren Cemetery as an architectural and art monument of State significance and the protection zone thereof are specified in Annex 2 to this Law.

(3) The following restrictions are specified for the Freedom Monument and the protection zone thereof, and also in Rīga Brethren Cemetery, the territory and protection zone thereof:

1) such activities are prohibited which cause or may cause the damage or loss of cultural and historical values;

2) street trade and begging, and also the performance of street music or other performances with the view to obtaining income are prohibited;

3) it is prohibited to place movable objects (vehicles, constructions, etc.) and to carry out other activities which hinder or may hinder the public from viewing the Freedom Monument and the protection zone thereof, Rīga Brethren Cemetery, the territory and protection zone thereof in the original historical representation or to create a rendition or atmosphere that does not correspond to the cultural and historical heritage of Latvia, except for the cases provided for in Paragraph five of this Section;

4) it is prohibited to organise events or to carry out activities that are aimed towards aggressive confrontation;

5) it is prohibited to install visually active environmental design objects, and also to place visual information and advertising which transforms or affects the visual background or visibility of the Freedom Monument or Rīga Brethren Cemetery. If an environmental design object, visual information, or advertising does not modify or affect the visual background or visibility of the abovementioned monuments, it shall be permitted to place it for not more than one month, if the local government authority has received the positive opinion of the Council of the Freedom Monument and Rīga Brethren Cemetery in taking the relevant decision.

(4) Official ceremonies in the protection zone of the Freedom Monument and Rīga Brethren Cemetery, the territory and protection zone thereof during official public holidays, remembrance and festive days, and also during visits by foreign delegations, shall be organised in accordance with the traditions of the ceremonial and diplomatic protocol. Other public events in the protection zone of the Freedom Monument and in the territory and protection zone of the Rīga Brethren Cemetery shall be organised in accordance with the procedures laid down in the laws and regulations regarding the organisation of public events, in conformity with the restrictions referred to in Paragraph three of this Section.

(5) It is permitted to place movable objects (vehicles, constructions, etc.) in the protection zone of the Freedom Monument and in the territory and protection zone of the Rīga Brethren Cemetery in order to ensure the course of events during public holidays, remembrance and festive days, and also during the official ceremonies for visits by foreign delegations.

**Section 8. Council of the Freedom Monument and Rīga Brethren Cemetery**

(1) In order to promote cooperation between authorities and decision-making in relation to the preservation, protection, and development of the Freedom Monument and Rīga Brethren Cemetery, a Council of the Freedom Monument and Rīga Brethren Cemetery shall be established the composition (upon proposal of the Minister for Culture) and by-laws of which shall be approved by the Cabinet. The State and local government authorities, when taking a decision on the relevant matter, shall comply with the opinion provided by the Council of the Freedom Monument and Riga Brethren Cemetery.

(2) The Council of the Freedom Monument and Rīga Brethren Cemetery shall be an advisory body the composition of which shall include:

1) a representative of the Ministry of Defence;

2) a representative of the Ministry of Culture;

3) a representative of the Ministry of Foreign Affairs;

4) a representative of the Ministry of Finance;

5) the head of the National Heritage Board;

6) an expert of the National Heritage Board in matters of the protection and restoration of cultural monuments;

7) the Executive Director of Rīga City Council;

8) the head of the authority of Rīga City Council responsible for the protection of cultural monuments;

9) at least two representatives from non-governmental organisations the operational purpose of which is the preservation of the cultural and historical heritage of the Freedom Monument and Rīga Brethren Cemetery.

(3) The composition of the Council of the Freedom Monument and Rīga Brethren Cemetery shall be approved for a period of four years. The chairperson of the Council of the Freedom Monument and Rīga Brethren Cemetery shall be elected from among its members for the term of authorisation of the Council.

(4) The Council of the Freedom Monument and Rīga Brethren Cemetery shall carry out the following activities:

1) assess the Management Programme of the Freedom Monument and Rīga Brethren Cemetery;

2) submit a proposal to the Ministry of Culture regarding State financing for the current year;

3) assess reports on the progress of the Management Programme of the Freedom Monument and Rīga Brethren Cemetery and on the use of the State budget, local government budget, and donated funds;

4) provide an opinion on the draft laws and regulations governing the preservation, protection, and use of the Freedom Monument and Rīga Brethren Cemetery, including provide proposals to the responsible authorities of the State and Rīga City Council regarding the restrictions or lifting of restrictions specified in the protection zone of the Freedom Monument and in the territory and protection zone of Rīga Brethren Cemetery;

5) provide proposals to the manager of the Freedom Monument and Rīga Brethren Cemetery regarding the use of donations made for the preservation, maintenance, and restoration of these cultural monuments;

6) provide an opinion on the use of symbolism of the Freedom Monument and Rīga Brethren Cemetery;

7) propose the examination of other matters related to the preservation, protection, use, or development of the historic centre of Rīga and the protection zone thereof in the respective authorities, and also participate in the examination of such matters and provide opinions thereon.

(5) The Council of the Freedom Monument and Rīga Brethren Cemetery may invite experts, other competent persons, or specialists to ensure the functions thereof. The need to invite experts, other competent persons, or specialists shall be decided at the meeting of the Council of the Freedom Monument and Rīga Brethren Cemetery.

(6) The organisation of the work of the Council of the Freedom Monument and Rīga Brethren Cemetery shall be ensured by the National Heritage Board.

(7) Representatives of non-governmental organisations included in the Council of the Freedom Monument and Rīga Brethren Cemetery shall participate in the work thereof with the rights of an adviser and shall not be regarded as public officials within the meaning of the law On Prevention of Conflict of Interest in Activities of Public Officials.

**Section 9. Administrative Liability for Showing Disrespect Towards the Freedom Monument or Rīga Brethren Cemetery**

For the showing of blatant disrespect towards the Freedom Monument or Rīga Brethren Cemetery, a fine from two hundred to four hundred units of fine shall be imposed on a natural person.

**Section 10. Administrative Liability for Street Trade, Begging, Performing Street Music or Other Performance with the View to Gaining Income, the Placing of Unauthorised Environmental Design Objects, Visual Information, and Advertising, and the Organisation of Events and Other Activities Aimed at Aggressive Confrontation**

(1) For street trade, begging, and also performing of street music or other performances with the view to gaining income in the protection zone of the Freedom Monument or in the territory or protection zone of Rīga Brethren Cemetery, a warning or a fine up to one hundred units of fine shall be imposed.

(2) For the unauthorised placement of environmental design objects, visual information, and advertising in the protection zone of the Freedom Monument or the territory or protection zone of Rīga Brethren Cemetery, a warning or a fine up to one hundred units of fine shall be imposed on a natural person, but a fine up to two hundred and eighty units of fine – on a legal person.

(3) For the organisation of events or carrying out other activities aimed towards aggressive confrontation in the protection zone of the Freedom Monument or in the territory or protection zone of Rīga Brethren Cemetery, a fine from fifty to two hundred units of fine shall be imposed on a natural person, but a fine from two hundred to five hundred units of fine – on a legal person.

**Section 11. Competence in the Administrative Offence Proceedings**

Administrative offence proceedings for the offences referred to in Sections 9 and 10 of this Law shall be conducted by the State Police and municipal police.

**Transitional Provisions**

1. Within three months after the coming into force of this Law, the Cabinet shall establish the Council of the Freedom Monument and Rīga Brethren Cemetery referred to in Section 8 of this Law and shall approve the by-laws thereof.

2. The Cabinet shall, by 31 December 2020, determine the manager of the Freedom Monument and Rīga Brethren Cemetery.

3. The manager of the Freedom Monument and Rīga Brethren Cemetery shall, by 30 April 2021, develop and submit the Management Programme referred to in Section 5, Paragraph two of this Law to the Cabinet for approval.

4. The Cabinet shall approve the Management Programme by 31 July 2021.

5. The manager of the Freedom Monument and Rīga Brethren Cemetery, determined by the Cabinet, shall take over the function of the manager of the Freedom Monument and Rīga Brethren Cemetery referred to in Section 5 of this Law from Rīga Municipal Agency “Rīga Monuments Agency” until 31 December 2021.

6. Section 6, Paragraph one of this Law regarding the participation of the State in the financing of the Management Programme shall come into force on 1 January 2022.

7. The Cabinet shall, by 31 December 2022, resolve the matter regarding the transfer of land under the Freedom Monument and Rīga Brethren Cemetery to State ownership.

8. Sections 9, 10, and 11 of the Law shall come into force concurrently with the Law on Administrative Liability.

The Law has been adopted by the *Saeima* on 11 June 2020.

President E. Levits

Rīga, 22 June 2020

Freedom Monument and Rīga Brethren Cemetery Law

**Annex 1**

**Graphic Representation of the Freedom Monument and the Protection Zone Thereof**



Freedom Monument and Rīga Brethren Cemetery Law

**Annex 2**

**Graphic Representation of Rīga Brethren Cemetery, the Territory and Protection Zone Thereof**

