The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Garden of Destiny Law**

**Section 1. Terms Used in the Law**

The following terms are used in the Law:

1) **Garden of Destiny** – a memorial place initiated and jointly created by the society the objective for the creation and development of which is to acknowledge, remember, and honour people whom Latvia lost in the 20th century due to the totalitarian regimes;

2) **Garden of Destiny project** – the project for the creation of the Garden of Destiny which includes the creation of structures, natural and cultural sites on Daugava Island and the involvement of the society for the transfer of past experiences and memories to the present and the future and the development of which was initiated and implemented by the foundation “Koknese Foundation” (hereinafter – the Koknese Foundation);

3) **manager of the Garden of Destiny** – the Koknese Foundation or another organisation which continues the implementation and development of the Garden of Destiny project.

**Section 2. Purpose and Operation of the Law**

(1) The purpose of the Law is to ensure the preservation, protection, development, and succession of the Garden of Destiny.

(2) The Law shall determine the composition, ownership rights, maintenance, use, protection, management, and financing procedures of the Garden of Destiny, and also other matters related to the Garden of Destiny.

**Section 3. Composition and Affiliation of the Garden of Destiny**

(1) The Garden of Destiny consists of:

1) the immovable property “Island”with the cadastre number 3260 008 0109, registered in the Land Register division No. 1000 0015 2521 of Koknese rural territory of Aizkraukle district court, consisting of two land parcels with the total area of 21.76 hectares – a land parcel (cadastre designation 3260 008 0109) in the area of 21.62 hectares and a land parcel (cadastre designation 3260 008 0137) in the area of 0.14 hectares – and the address of which is: “Island”, Koknese rural territory, Koknese municipality, “Garden of Destiny”, Koknese rural territory, Koknese municipality (hereinafter – the immovable property);

2) the immovable property structures, elements of public outdoor facilities and greenery which have been created in accordance with the Garden of Destiny project (hereinafter also – the structures and outdoor facilities);

3) other immovable properties if, in the course of the implementation of the Garden of Destiny project, the State acquires ownership rights to the land bordering the Garden of Destiny.

(2) The immovable property specified in Paragraph one, Clause 1 of this Section shall be the property of the State of Latvia which has been transferred into the possession of the Ministry of Agriculture.

(3) The structures and outdoor facilities referred to in Paragraph one, Clause 2 of this Section which have been put into operation and the construction of which has been commenced until the time of the coming into force of this Law, shall be the properties of the Koknese Foundation. The structures and outdoor facilities shall be transferred to the State without remuneration in the person of the Ministry of Agriculture if the Koknese Foundation ceases to exist or loses the status of a public benefit organisation.

(4) The immovable property, the structures and outdoor facilities shall be used only for the activities referred to in Section 4 of this Law.

(5) It is prohibited to alienate and pledge the immovable property, the structures and outdoor facilities contained in the composition of the Garden of Destiny. The prohibition shall be corroborated in the Land Register accordingly. The recovery of creditors’ claims shall not be directed against the immovable property, the structures and outdoor facilities referred to in this Paragraph.

**Section 4. Use of the Garden of Destiny**

The Garden of Destiny shall be used:

1) for the preservation of collective memories and the conducting of events related thereto;

2) for educational and cultural events;

3) as an international and local tourism object;

4) for the activities necessary for the development of the Garden of Destiny project;

5) for activities related to attraction of donations;

6) for other activities conforming to the objective for the establishment of the Garden of Destiny.

**Section 5. Protection of the Garden of Destiny**

(1) In the Garden of Destiny it is prohibited:

1) to carry out activities which could cause degradation, damage, or loss to the natural, cultural, or historical values, except:

a) for the felling and removal of such dangerous trees which are a threat to human life and health, the structures and outdoor facilities nearby;

b) for the felling of trees for the performance of fire safety measures and for the elimination of the consequences of accidents, natural disasters, or disasters;

c) for the felling of trees for the improvement of the quality of the landscape, the installation and maintenance of viewing points according to the objective for the establishment and development of the Garden of Destiny;

2) to carry out street trade;

3) to act in contradiction with generally accepted ethical and behavioural norms;

4) to carry out activities or to organise events which do not conform to the objective for the establishment and development of the Garden of Destiny specified in this Law or to the requirements of this Law and other laws and regulations.

(2) When drawing up the local government spatial plan or making amendments thereto, the local government in the administrative territory of which the Garden of Destiny is located shall provide for the regulations for the use and construction of the Garden of Destiny and the territory adjacent thereto which are in conformity with the purpose of this Law.

**Section 6. Financing of the Implementation of the Garden of Destiny Project and the Preservation, Development, and Maintenance of the Garden of Destiny**

(1) The State may participate in the financing of the implementation of the Garden of Destiny project and the preservation, development, and maintenance of the Garden of Destiny if financial resources are provided for such purpose in the annual State Budget Law.

(2) Local governments have the right to participate in the financing of the implementation of the Garden of Destiny project and the preservation, development, and maintenance works of the Garden of Destiny.

(3) Donations from natural and legal persons, including public and private capital companies, may be used for the implementation of the Garden of Destiny project and the management, development, and maintenance of the Garden of Destiny.

(4) The manager of the Garden of Destiny has the right to earn income from the services provided. This income shall be allocated to the financing of the Garden of Destiny project or to the management of the Garden of Destiny.

**Section 7. Implementation and Management of the Garden of Destiny Project**

(1) The implementation of the Garden of Destiny project, including the construction of the structures and outdoor facilities, public involvement and publicity measures, and also attraction of donations, shall be organised by the Koknese Foundation.

(2) The Koknese Foundation shall enter into a contract with the Ministry of Agriculture regarding the granting of building rights on the land owned by the State referred to in Section 3 of this Law, dividing the area of land necessary for building and determining the time period of the building rights for a period not exceeding 30 years. No remuneration is determined for the granting of building rights. After termination of the building rights, the structures constructed on the basis of the building rights shall be acquired into ownership by the State in the person of the Ministry of Agriculture without remuneration. It is prohibited to alienate building rights, and also to encumber them with property rights.

(3) The possessor of the State property is entitled to transfer the immovable property referred to in Section 3, Paragraph one, Clause 1 of this Law for use without remuneration to the Koknese Foundation for a period of time as long as the status of a public benefit organisation granted to the Foundation is in effect.

**Transitional Provision**

The local government of Koknese municipality shall, within six months after coming into force of this Law, transfer without remuneration and the State of Latvia in the person of the Ministry of Agriculture shall take over into its ownership the immovable property specified in Section 3, Paragraph one, Clause 1 of this Law. The local government of Koknese municipality shall, concurrently with the transfer of the immovable property, terminate the land lease agreement entered into with the Koknese Foundation and, as the State of Latvia in the person of the Ministry of Agriculture, transfer the immovable property taken over to the Koknese Foundation into use without remuneration on the basis of Section 7, Paragraph three of this Law.

The Law has been adopted by the *Saeima* on 21 June 2018.

President R .Vējonis

Rīga, 4 July 2018