

Latvia

Treaties:

Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1997)

Supplementary Protocol of Convention on the Prohibition of Use or Limitation of Certain Kinds of Weapons Regarded as Weapons of Mass Destruction or Nonselective Action (1997)

Comments to 1540

Operative Paragraph 1

The Republic of Latvia does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. Such support is penalized under the Criminal Law.

Operative Paragraph 2

Action taken

1.

- Obligations under CWC and BTWC are enacted in the law of the Republic of Latvia

- The "Law on Circulation of Strategic goods" (May 1, 2004). Control over the circulation of strategic goods in accordance with national and international interests and international requirements for monitoring their export, import and transit, in order to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery.

- Article 73 of the Criminal Law (April 1, 1999) on Manufacture, Amassment, Deployment and Distribution of Weapons of Mass Destruction says "For a person who commits manufacture, amassment, deployment or distribution of nuclear, chemical, biological, bacteriological, toxic or other weapons of mass destruction, the applicable sentence is life imprisonment or deprivation of liberty for a term of not less than three and not exceeding twenty years."

2.

- Criminal Law incorporates legal provision for the suppression of terrorism. The first paragraph of Section 88 of the Criminal Law defines the concept of terrorism and determines liability for that. The second paragraph of the said Section states the penalty not only for the offences mentioned in the first paragraph, but also for threats to commit such acts. Criminal Law defines terrorism as a serious crime against the interests of the State. The maximum applicable sentence for terrorism, in accordance with Section 88, is life imprisonment with confiscation of property.

- The suppression of the financing of terrorism falls under the "Law on Prevention of the Laundering of the Proceeds from Crime". In accordance with this law and in conjunction with international obligations, the Cabinet of Ministers has elaborated and approved Regulation on "Lists of Persons Suspected for Commitment of Terrorism or Persons Involved in Commitment of Terror Attacks Issued by States of International Organizations". The control over these proceeds is realized by the Service for the Prevention of the Laundering of the Proceeds of Crime. On June 20, 2002 amendments to a number of Articles of the law, "On Prevention of Laundering of Proceeds derived from Criminal Activity" were passed. One of the amendments authorized the appropriate authorities to issue orders to stop debit operations of funds in the client's account or transfer of

other property, for a period of not more than six months, to persons who, due to suspicions on having committed acts of terrorism, are included in lists of such persons compiled by other countries, international organizations or Law enforcement agencies of Latvia.

- The suppression of terrorism also falls under Section 89¹ of the Criminal Law. This section sets the liability for the establishment of a criminal organisation, providing that not only persons who have established, lead or participated in the commission of especially serious crimes against State interests, but also persons who are aware of a criminal organisation's goals and intentionally involve themselves in this organisation or in its substructures, shall be liable in accordance with this Section. The financing of terrorism also falls under this Section, because if a person provides financial support to this kind of organisation, he/she has intentionally involved him/herself in this criminal organisation.

Operative Paragraph 3

Action taken

- The "Law on Circulation of Strategic goods" (May 1, 2004). Control over the circulation of strategic goods in accordance with national and international interests and international requirements for monitoring their export, import and transit, in order to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery.

- According to the "Law on Circulation of Strategic goods", Environmental State Inspectorate is responsible for the control of the chemicals included in the Schedules of the CWC. Starting from 1997 The Environmental State Inspectorate has submitted annual reports to the OPCW regarding the chemicals included in the CWC Schedules.

Planned action

The Republic of Latvia is considering what further action may be necessary.

Action taken

- The "Law on Circulation of Strategic goods" (May 1, 2004). Control over the circulation of strategic goods in accordance with national and international interests and international requirements for monitoring their export, import and transit, in order to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery;

- European Council Regulation (EC) No. 1334/2000 with regard to the list of controlled dual use items and technology when exported;

- Regulation of the Cabinet of Ministers No. 467 "Order in which documentation of strategic goods is issued or denied" of 29 April, 2004;

- Regulation of the Main Customs Service No. 1161, 2004 "On control of imports, exports and transit of Strategic Goods in the institutions subordinated to the Main Customs Service" of 30 July, 2004;

- Main Customs Service is involved in various projects aimed at increasing international cooperation and improvement of the system of control of imports, exports and transit of strategic goods

Planned action

The Republic of Latvia is considering what further action may be necessary.

Operative Paragraph 5

Action taken

The Republic of Latvia is a state party to the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC) and the Biological and Toxin Weapons Convention (BTWC). Latvia is a member to the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW). Obligations under the above mentioned conventions and organizations are enacted in the law of the Republic of Latvia.

Operative Paragraph 8(a)

Action taken

- EU Common Position, November 2003, on the universalization of the main multilateral nonproliferation agreements (CWC, BTWC, NPT)
- Additional Protocol as a condition of supply: EU lobbying for universalization of CSA and Additional Protocol
- Inclusion of non-proliferation clause in EU-third country agreements

Operative Paragraph 8(c)

Action taken

- The Republic of Latvia as a state party continues to provide support for the aims and activities of the IAEA, the OPCW and the BTWC.

Operative Paragraph 9

Action taken

- Latvia continues to promote dialogue, as well as regional and international cooperation on non-proliferation so as to address the threat posed by proliferation of nuclear, chemical and biological weapons, and their means of delivery

Operative Paragraph 10

Action taken

- Latvia supports the Proliferation Security Initiative (PSI) as a tool that aims to prevent trafficking in WMD
- Latvia cooperates with other States in order to improve its control system so as to prevent illicit trafficking in nuclear, chemical or biological weapons, their means of delivery, and related materials

Planned action

- Latvia is still considering what further action may be necessary