The Ministry of Foreign Affairs of the Republic of Latvia presents its compliments to the Office for Disarmament Affairs of the United Nations and, referring to the Note No. ODA/3-2010/NLDU, dated on 4 February 2010, has the honor to convey the following information on the national legislation, regulations and procedures on the transfers of arms, military equipment and dual-use goods and technology.

Circulation of goods of strategic significance (military and dual-use items) is controlled in accordance with Latvian national legislation and international documents, such as the EU Common Position 2008/944/CFSP defining common rules governing control of exports of military technology and equipment, the EU Council Regulation No 428/2009 setting up a Community regime for the control of exports of dual-use items and technology, and control lists of international export control regimes such as the Australia Group, the Wassenaar Arrangement, the Missile Technology Control Regime and the Nuclear Suppliers Group.

Currently the following legislation governing transfers of arms, military equipment and dual-use goods and technology is in force in the Republic of Latvia:

„Law on the Circulation of Goods of Strategic Significance“ of July 19, 2007 is designed to ensure control over the circulation of strategic goods in accordance with national and international requirements for monitoring their export, import, transfer and transit. The Law defines division of authority among institutions involved. It provides definitions for transactions with strategic goods, including brokering, and sets procedure of expertise and identification of specific goods.

Cabinet of Ministers Regulations No. 1665 of December 28, 2009, “Procedures by Which Licenses and Other Documents of the Control of Strategic Goods Are Issued or Denied” set out procedures of issuance, denying or annulment of import, export, transfer or transit licenses of military or dual-use goods, as well as of end use certificates, international import certificates and delivery verifications. It contains also criterions set out in EU Council Common Position 2008/944/CFSP.

Cabinet of Ministers Regulations No. 1655 of December 28, 2009 “Regulations on Duties for Preparation and Issue of end use certificates, international import certificates, delivery verifications and import, export, transfer or transit licenses” contains provisions on the amount of duties for each type of document as well as sets out procedure when and how the duty should be paid.
Cabinet of Ministers Regulations No. 866 of August 4, 2009, “Regulation on the Control Committee of Strategic Goods” sets out functions and responsibilities of the Committee. New regulations have been adopted in 2009 due to some structural changes in different institutions involved in the control process. The Strategic Goods Control Committee is an inter-institutional group of experts in charge of controlling circulation of military and dual-use goods in the territory of the Republic of Latvia, by monitoring the system of manufacture, stockpiling, use, export, import and transit of military and dual-use goods in Latvia, and issuing licenses for transactions in export, import, transit or transfers of these goods. New regulations have been adopted due to some structural changes in different institutions involved in the control process.

Cabinet of Ministers Regulations No. 736 of October 11, 2007 “Procedure by Which the Documents of Approval are Issued by State Police for Transfer of Firearms and Ammunition in the Territory of the EU Member States”. The regulations provide the list of documents a natural person or entity involved in strategic goods circulation shall submit to the State Police to obtain documents of approval for transfer of firearms and ammunition in the territory the EU Member States, as well as procedure by which documents are issued. The regulations contain requirements of the EU Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons and Council Directive 93/15/EEC of 5 April 1993 on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses.

Cabinet of Ministers Regulations No. 645 of September 25, 2007 “Regulations on the National List of Goods and Services of Strategic Significance”. The regulations provide the list of goods to be controlled on national level in addition to those included in the EU Council Regulation 428/2009 and Common Military List of the EU. According to regulations, the list is approved by government.

In the Republic of Latvia any kind of illegal circulation of weapons or other military or dual-use goods carries administrative and criminal liability.

The Code for Administrative Violations contains provisions set out in Article 181 on Violation of the procedure for circulation of arms, ammunition, special devices and pyrotechnic products. In accordance with this article cases of violation of Regulations on the acquisition, registration, possession, transporting, moving, carrying, use, import into the Republic of Latvia and export from the Republic of Latvia of firearms, ammunition and special devices committed by natural persons holding appropriate permits shall be fined up to LVL 250, 00 (two hundred and fifty Lats) or cancellation of the right to possess and carry firearms for period of one to three years. Furthermore cases of violation of Regulations on the acquisition, registration, possession, transporting, moving, carrying, use, import into the Republic of Latvia and export from the Republic of Latvia of firearms, ammunition and special devices committed by legal entities holding appropriate permits shall be fined from fifty up to three hundred fifty LVL or cancellation of the right to possess and carry firearms from one to three years. In cases of violation of regulations or procedure for the use of guns or heavy pneumatic weapons a fine may be imposed of up to LVL 250,00 (two hundred and fifty Lats), or permission to acquire, keep and carry a gun or a heavy pneumatic weapon may be withdrawn for a period of one to three years.

The Criminal Law - its Article 237 Violation of Provisions on Circulation of Strategic Goods of the Criminal Law foresees that for violation of provisions on circulation of strategic goods, if it has caused significant harm, and for violation of provisions on circulation of equipment for operational activities, the applicable sentence is deprivation of liberty for a term not exceeding two years or arrest, or
compulsory labor, or a fine not exceeding one hundred times the minimum monthly wage, with deprivation of the right to engage in specific activities for a period not exceeding five years.

Information on all documents on export, import, transfer and transit of strategic goods (licenses, certificates, end-use certificates and statements) and the related information are compiled in databases, allowing quick and easy access by one or several key definitions: names of merchants, specific goods or their groups, or end-users states. These databases provide for easy statistical analysis of development trends in export, import, transfer and transit of goods of strategic significance. The databases on strategic goods are also used by members of the Strategic Goods Control Committee, Customs, Border Guard and other agencies monitoring export control.

The Ministry of Foreign Affairs of the Republic of Latvia avails itself of this opportunity to renew to the Office for Disarmament Affairs of the United Nations the assurances of its highest consideration.

Riga, 23 April 2010