



LATVIJAS REPUBLIKAS PASTĀVĪGĀ PĀRSTĀVNICĪBA ANO, EDSO UN CITĀS
STARPTAUTISKAJĀS ORGANIZĀCIJĀS VĪNĒ
PERMANENT MISSION OF THE REPUBLIC OF LATVIA TO THE UN, OSCE AND OTHER
INTERNATIONAL ORGANIZATIONS IN VIENNA

Verbal Note

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The Permanent Mission of the Republic of Latvia to the UN, OSCE and other International Organizations in Vienna presents its compliments to all Permanent Delegations and Missions to the OSCE and to the Conflict Prevention Centre of the OSCE and, in accordance with the FSC Decision 2/09, has the honour to submit *the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security, valid as of April 15, 2015*.

The Permanent Mission of the Republic of Latvia to the UN, OSCE and other International Organizations in Vienna avails itself of this opportunity to renew to all Permanent Delegations and Missions to the OSCE and to the Conflict Prevention Centre of the OSCE the assurances of its highest consideration.



Vienna, April 16, 2015

**To: All Permanent Missions and
Delegations to the OSCE,
CPC of the OSCE**

Vienna

**QUESTIONNAIRE
ON THE CODE OF CONDUCT
ON POLITICO-MILITARY ASPECTS OF SECURITY**

Section I: Inter-State elements

1. Account of measures to prevent and combat terrorism

1.1. To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

Latvia is a state party to 16 universal international instruments related to the prevention of terrorism:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft, Tokyo, 14 September 1963,
- Convention for the Suppression of Unlawful Seizure of Aircraft, the Hague, 16 December 1970,
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, 23 September 1971,
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, New York, 14 December 1973,
- Convention against the Taking of Hostages, New York, 17 December 1979,
- Convention on the Physical Protection of Nuclear Material, New York, 3 March 1980,
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal, 24 February 1988,
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, Rome, 10 March 1988,
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, Rome, 10 March 1988,
- Convention on the Marking of Plastic Explosives for the Purpose of Detection, Montréal, 1 March 1991,
- International Convention for the Suppression of Terrorist Bombings, New York, 15 January 1997,
- International Convention for the Suppression of the Financing of Terrorism, New York, 9 December 1999,
- International Convention for the Suppression of Acts of Nuclear Terrorism, New York, 13 April 2005,
- Amendment to the Convention on the Physical Protection of Nuclear Material, adopted on 8 July 2005.
- Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against Safety of Maritime Navigation, London, 14 October 2005,
- Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, London, 14 October 2005.

Latvia is a state party also to the following regional legal instruments adopted under the auspices of the Council of Europe:

- Convention of Cybercrime, Budapest, 23 November 2001,
- European Convention on Mutual Assistance in Criminal Matters, Strasbourg, 20 April 1959,

- European Convention on the International Validity of Criminal Judgments, The Hague, 28 May 1970,
- European Convention on the Transfer of Proceedings in Criminal Matters, Strasbourg, 15 May 1972,
- European Convention on the Suppression of Terrorism, Strasbourg, 27 January 1977,
- Additional Protocol to the European Convention on the Mutual Assistance in Criminal Matters, Strasbourg, 17 March 1978,
- Protocol amending the European Convention on the Suppression of Terrorism, Strasbourg, 15 May 2003,
- Council of Europe Convention on the Prevention of Terrorism, Warsaw, 16 May 2005,
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, Warsaw, 16 May 2005.

Latvia has signed the following bilateral treaties on counter-terrorism measures:

1. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Hungary on Co-operation in Combating Terrorism, Illicit Drug Trafficking and Organized Crime, Riga, 6 March 1997,
2. Cooperation Agreement between the Government of the Republic of Latvia and the Government of the Republic of Turkey on Fighting against International Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, International Terrorism and Organized Crime, Riga, 4 June 1997,
3. Agreement between the Government of the Republic of Latvia and the Government of the State of Israel on Cooperation in Combating Illicit Trafficking and Abuse of Narcotic Drugs, Psychotropic Substances and Precursors, Terrorism and other Serious Crimes, Jerusalem, 27 July 1998,
4. Agreement between the Government of the Republic of Latvia and the Government of the Slovak Republic on Co-operation in Combating Terrorism, Illicit Drug Trafficking and other Organized Crime, Riga, 24 May 1999,
5. Agreement between the Government of the Republic of Latvia and the Cabinet of Minister of Ukraine on Co-operation in Combating Terrorism, Illicit Trafficking of Drugs, Psychotropic Substances and Precursors and Organised Crime, Kiev, 24 February 2000,
6. Agreement between the Government of the Republic of Latvia and the Government of the Czech Republic on Co-operation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances and Organised Crime, Prague, 14 November 2000,
7. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Croatia on Co-operation in Combating Terrorism, Illicit Drug Trafficking and Organised Crime, Zagreb, 23 February 2001,
8. Agreement between the Government of the Republic of Latvia and the Government of the Kingdom of Belgium on Police Cooperation, Brussels, 16 October 2001,
9. Agreement between the Government of the Republic of Latvia and the Government of the Georgia on Co-operation in Combating Terrorism, Illicit Drug Trafficking and Organized Crime, Tbilisi, 26 October 2001,
10. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Uzbekistan on Cooperation in Combating Organized Crime, Terrorism and Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors, Tashkent, 17 June 2002,
11. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Moldova on Cooperation in Combating Terrorism, Illicit Traffic in

- Narcotics and Psychotropic Substances and Precursors and Organized Crime, Chisinau, 29 May 2003,
12. Agreement between the Republic of Latvia and the Kingdom of Spain on Cooperation in Combating Terrorism, Organised Crime, Illicit Traffic in Narcotic Drugs, Psychotropic Substances and Precursors and Other Crime, Madrid, 24 November 2003,
 13. Agreement between the Government of the Republic of Latvia and the Austrian Federal Government concerning Cooperation between Police Services, Riga, 20 January 2004,
 14. Letter of Agreement on Law Enforcement between the Government of the Republic of Latvia and the Government of the United States of America, Riga, 27 September 2004,
 15. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Cyprus on Co-operation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and Organized Crime, Riga 11 April 2005,
 16. Agreement between the Republic of Latvia and the Swiss Confederation on Police Cooperation in Combating Crime, 23 May 2005,
 17. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Slovenia on Co-operation in Combating Terrorism, Organized Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and Other Serious Crimes, Riga, 13 September 2005,
 18. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Azerbaijan on Co-operation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and Organised Crime, Baku, 3 October 2005,
 19. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Lithuania on Cooperation in Combating Organised Crime and Other Offences and on Joint Actions in Border Regions, Vilnius, 7 June 2006,
 20. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Estonia on Cross-Border Cooperation in Combating Crime, Vilnius, 7 June 2006,
 21. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Belarus on Cooperation in the Fight against Organized Crime, Illicit Traffic of Narcotic Drugs, Psychotropic Substances and Precursors, Terrorism and Other Crime, Minsk, 17 May 2007,
 22. Agreement between the Government of the Republic of Latvia and the Government of Malta on Cooperation in Combating Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and Organized Crime, Brussels, 24 July 2008,
 23. Agreement between the Government of the Republic of Latvia and the Government of the United States of America on Enhancing Cooperation in Preventing and Combating Serious Crime, Riga, 29 September 2008,
 24. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Armenia on Cooperation in Combating Terrorism, Organized Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and Other Crimes, Yerevan, 10 December 2009,
 25. Agreement between the Government of the Republic of Latvia and the Council of Ministers of the Republic of Albania on Co-operation in Combating Terrorism, Organized Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors, Tirana, 16 December 2009,

26. Agreement between the Government of the Republic of Latvia and the Government of the Russian Federation on Cooperation in Combating Crime, in Particular in its Organized Forms, Moscow, 20 December 2010,
27. Agreement between the Government of the Republic of Latvia and the Government of Turkmenistan on Co-operation in Combating Terrorism, Organized Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and other Crime, Ashgabat, 14 May 2013,
28. Agreement between the Government of the Republic of Latvia and the Government of the Republic of Tajikistan on Cooperation in Combating Terrorism Organised Crime and Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors and other Crimes, Dushanbe, 10 June 2014.

1.2. What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

The following legislative acts are the main legislative background for implementation of the norms of the conventions and the legal instruments of the international organizations:

- The suppression of terrorism falls under Article 88, 88¹, 88² and 88³ of the Latvian Criminal Law establishing the penalty for terrorism, the financing of terrorism, the incitement to terrorism and training for terrorism. Moreover, Articles 241 to 244¹ establish a penalty for offences committed to cyber safety.
- The Commercial Law and the Credit Institution Law determine the legal status of credit institutions, regulate their operations, liability and supervision, as well as determining the rights, duties and liability of those persons bound by the requirements of this Law.
- Law on the Prevention of Money Laundering and Terrorism Financing (. The purpose of this Law is to prevent money laundering and terrorism financing.
- Law on Operation of the Schengen Information System The purpose of this Law is to ensure the use of the System for strengthening of public order and security in the Member States.
- Regulations issued by the Cabinet of Ministers on 22 December 2008, Nr.1071 „Regulations about list of indications of unusual transactions and order how report on unusual or suspicious transactions has to be provided”.
- The Law on Radiation Safety and Nuclear Safety. The Law prescribes the safety requirements for sources of ionising radiation and activities with these and proposes specific requirements for ionising radiation objects of national significance, and prescribes the division of duties among the State authorities in the field of radiation safety and nuclear safety.
- Regulations issued by the Cabinet of Ministers on 4 November 2002, Nr.508”Requirements for Physical Protection of Sources of Ionising Radiation”.
- Law on the Handling of Weapons and Special Means transposes directives of the European Parliament and Council No 2008/51/EC. Its purpose is to determine the rights and obligations of natural persons and legal persons in relation to the handling of weapons, components thereof, munitions, explosives, explosive devices, special means or pyrotechnic articles in the Republic of Latvia, as well as to specify the classification of such objects in order to ensure the safety of persons and the public.
- Law On the Security of Information Technologies, adopted on 1 February 2011.
- Regulations issued by the Cabinet of Ministers on 25 November 2008, Nr. 966. “The List of Third Countries Whose Regulatory Documents on Preventing Money Laundering and Financing of Terrorism Have Provisions That Are Equivalent to Provisions in the European Union’s Legislative Acts”.

- Regulations issued by the Cabinet of Ministers on 22 December 2008, Nr. 1092. “Procedure to be followed by State and Municipal Institutions in Providing Information to the Office of the Prevention of Laundering Proceeds Derived from Criminal Activity.”
- Regulations issued by the Cabinet of Ministers on 13 January 2009, Nr.36. “States and International Organisations That Have Compiled Lists of Persons Suspected of Participating in Terrorist Activities.”
- Bank of Latvia Recommendation No. 141 of September 15, 2014 on the Requirements for the Prevention of Money Laundering and Terrorism Financing Buying and Selling Foreign Currency in Cash (came into force on September 16, 2014).
- Regulations issued by the Cabinet of Ministers on 18 September 2007, Nr.639. “Procedures for the Entering, Correction and Deletion of Alerts in the Schengen Information System, as well as Ensuring Accessibility of Supplementary Information between the SIRENE Latvia Bureau and Procedures for the Exchange of Supplementary Information of Institutions and Authorities.”
- Regulations issued by the Cabinet of Ministers on 11 September 2007, Nr.622. “Procedures for the Request and Issue of Information Regarding a Data Subject that is kept in the Schengen Information System and the SIRENE Information System.”

1.3. What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

The Security Police of Latvia (DP) is responsible for coordinating activities of governmental and municipal institutions and other legal persons as well as implementation of State’s policy analysis in the field of counterterrorism.

DP that is counterintelligence and internal security service is supervised by the Minister of Interior. DP is a subject of operational activities, and DP has the right to conduct pre-trial investigation regarding criminal offenses committed in the area of national security (espionage, terrorism, disclosure of state secrets etc.).”

SP is responsible for:

- Counterterrorism;
- Counterintelligence;
- Protection of the constitutional order;
- Protection of the state secrets;
- Protection of the high officials;
- Prevention of the crimes that threaten national security and rule (corruption, counterfeiting, distribution of radioactive, chemical and other arms, unauthorized distribution of explosive substances).

SP functions in the field of counterterrorism:

- Counterintelligence and operational activities to fight terrorism,
- Counterintelligence and operational activities to fight illegal distribution of explosive, nuclear, chemical weapons, radiological materials, dual-use goods;
- Coordination of activities of state and municipal institutions as well as other legal entities in the field of counterterrorism.

Functions in the field of counterterrorism are ensured by a special department of SP – the Counterterrorism Centre (CTC).

The main functions of the CTC are:

- - Monitoring of terrorism threats (information analysis and assessment on possible threats of terrorism);
- - Planning and coordination of counterterrorism preventive and response measures;
- - Planning and organization of counterterrorism training and exercises;
- - Control of objects (critical infrastructure and soft targets) of terrorism risks;
- - Coordination of terrorism threat level and National counterterrorism plan implementation.”

One of the tasks of the National Armed Forces is to perform special state defence and security operations and participate in the execution of counter-terrorism measures. The Ministry of Defence is involved in monitoring the international security environment and in elaborating the threat assessment as well as in taking part in the development of the national counter-terrorism system. The Ministry of Defence also ensures participation of the National Armed Forces in international operations contributing to counter-terrorism efforts.

Article 6.¹ of the Law of the National Armed Forces defines, that in case of terror threats the National Armed Forces supports the measures taken by SP to prevent or manage terror threats.

Article 17 of the Law of the National Armed Forces stipulates that in the case of terror threats, the Minister of Defence upon the request of the Minister of the Interior instructs the Commander of the National Armed Forces to provide support to the measures taken by SP to prevent or manage threats of terror, providing the tasks, the time and the place. The head of the task force is responsible for the orders given to the National Armed Force’s units involved in the measures to prevent and manage terror threats.

Preventive measures are performed in each of the above mentioned areas accordingly to functions of the institutions involved (Customs, State Border Guard etc.)

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining inter alia to:

- *Financing of terrorism;*
- *Border controls;*
- *Travel document security;*
- *Container and supply chain security;*
- *Security of radioactive sources;*
- *Use of the Internet and other information networks for terrorist purposes;*
- *Legal co-operation including extradition;*
- *Safe havens and shelter to terrorists and terrorist organizations.*

The respective state institutions are working in each above mentioned field to combat and prevent terrorism.

2. Stationing of armed forces on foreign territory

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

Participation of military personnel or units in international operations as well as in international military exercises is regulated by the Law on the Participation of the National Armed Forces of Latvia in the International Operations.

The decision of the participation of National Armed Forces in international military exercises whether in Latvia or abroad is taken by the Minister for Defence after coordination with the Ministry of Interior and the Ministry of Foreign Affairs. Except in the cases of international military exercises in Latvia when the number of foreign military personnel exceeds 500, the decision is made by The Cabinet of the Ministers (Government).

The Law on the Participation of the National Armed Forces of Latvia in the International Operations stipulates that units of the National Armed Forces participate in international operations within the mandate of the United Nations or other international organizations or according to the international agreements binding upon the Republic of Latvia and applied in accordance to the laws of the Republic of Latvia, as well as in accordance with decisions on the participation of armed forces in international operations made by the Saeima (Parliament), the Cabinet of Ministers or, in the special cases defined by law, by the Minister of Defence.

Article 5 of the Law on the Participation of the National Armed Forces of Latvia in the International Operations provides that in case of a demand from a foreign country the Minister of Defence may decide on the participation of individual specially trained units of the National Armed Forces in international rescue operations and international humanitarian operations in NATO or EU member states.

Regarding transit procedures through the territory of Latvia, the law On the Status of Foreign Military Forces in the Republic of Latvia, sets up two options: if the number of military personnel from states other than NATO or EU member states that transit the territory of Latvia exceeds 500, permission is given by the Cabinet of the Ministers, in other cases the permission is granted by the Minister of Defence after coordination with the Ministry of Interior and the Ministry of Foreign Affairs.

Latvian Armed Forces continued their participation in international operations in 2014 in accordance with the annual appropriate decisions of the Parliament. Throughout the year Latvia was engaged in four military operations – NATO-led operation in Afghanistan (ISAF), EU Counter piracy operation ATALANTA, EU Training Mission Mali (EUTM Mali) and EU military operation in Central African Republic (EUFOR RCA). Additionally, Latvia has contributed troops to the NATO Response Force.

Taking into account that the Republic of Latvia is a member of NATO and has acceded to NATO basic treaties (i.e., the NATO SOFA) as well as the PfP SOFA, the provisions of these international treaties are being implemented.

3. Implementation of other international commitments related to the Code of Conduct

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence and security-building as an element of indivisible security are implemented in good faith.

Arms control, disarmament and confidence building are significant Latvian security policy elements. Latvia works closely with its partners in international (bilateral and multilateral) formats, including OSCE and NATO. Sharing the international concerns on the proliferation of weapons, Latvia participates in discussions on disarmament and arms control issues. Latvia is a member of all the main international treaties prohibiting weapons of mass destruction and their means of delivery, and restricting their proliferation: the Treaty on the Non-Proliferation of Nuclear Weapons, Comprehensive Nuclear Test Ban Treaty, Convention on the Prohibition

of the Development, Production and Stockpiling of Biological and Toxin Weapons and on Their Destruction, Convention on the Prohibition of Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Latvia is also the Subscribing State to the Hague Code of Conduct Against Ballistic Missile Proliferation. Latvia follows the principles of the UN Security Council Resolution 1540, and has joined the Proliferation Security Initiative and Global Initiative to Combat Nuclear Terrorism. Latvia's national legislation is accordingly adapted.

Latvia supports relevant non-proliferation and disarmament resolutions at the UN General Assembly First Committee .

Latvia has developed and implements a strict and an effective export control system to prevent illicit trafficking of nuclear, chemical or biological weapons and their means of delivery, and of sensitive dual use and strategic goods and technologies. The national legislation and practice with regard to import, export and transit of arms follows the principles and norms of EU, such as the EU Council Common Position and relevant regulations and directives.

Latvia is participating in the main international export control regimes: Nuclear Suppliers Group, Australia Group, the Wassenaar Arrangement. Latvia has also legal measures in force for implementing the provisions of the Missile Technology Control Regime.

Latvia pays particular attention to the concerns posed by illicit trafficking and uncontrolled proliferation of small arms and light weapons. Latvia is a State Party to the Arms Trade Treaty, contributing to the efforts to make export control of legal transactions with arms universal within the UN. Latvia submits annual reports on arms export and import to UN Register of Conventional Arms, and to OSCE on the implementation of Code of Conduct on Politico-Military aspects of Security, and OSCE Document on Principles Governing the Conventional Arms Transfers.

3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

Latvia regards the OSCE Arms Control and Confidence and Security - Building Measures (CSBMs) as important security policy tools.

Latvia actively participates in OSCE Vienna Document of the Negotiations on Confidence- and Security - Building Measures evaluation visits and inspections. Latvia is a member of Treaty on Open Skies, as well as implements the bilateral transparency arrangements (e.g. with Belarus according to the *Declaration on Additional Confidence and Security Building Measures*).

Section II: Intra-State elements

1. National planning and decision-making process

1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

Latvia has an effective defence planning system that is compatible with NATO planning requirements. It is based on the main state defence principles and NATO recommendations, and provides a framework for an annual planning cycle. Consequently, it ensures that the available resources deliver the maximum defence capability. Regular reviews of the plans are

carried out, which allows adjusting the resource allocations taking into consideration the changes in the security environment and the economic development of the country. The defence planning system is based on a hierarchy of defence planning documents that are divided between the levels of security policy, defence policy and defence planning.

The major planning documents at the security policy level are:

The State Risk Analysis is a comprehensive assessment of the existing and potential risk factors to national security that is prepared by the Constitution Protection Bureau and is approved by the Cabinet of Ministers.

The National Security Concept is based on the State Risk Analysis; this document determines the basic strategic principles, priorities and measures for the prevention of crises and threats to national security. The National Security Concept was approved by the Parliament on March 10, 2011.

The defence policy documents are as follows:

The Military Threat Analysis is an assessment of the possibility of military aggression against Latvia which is prepared by the Ministry of Defence and is reviewed on an annual basis by the Cabinet of Ministers.

The State Defence Concept is drafted on the basis of the Military Threat Analysis and determines the basic strategic principles, priorities and guidelines to ensure state military defence. The State Defence Concept was adopted by Saeima on 10 May 2012.

The defence planning documents are:

The National Armed Forces Development Plan determines the prospective twelve-year development of NAF infrastructure, personnel, equipment, material, technical facilities and the estimated state resources required to fulfil the Plan. The National Armed Forces Development Plan for 2012-2024 was approved by the Cabinet of Ministers on June 19, 2012.

Based on the documents above, the NAF prepares medium and short term defence planning documents – implementation plans for the principles set out by security and defence policy.

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

Latvia actively participates in a broad range of global and regional multilateral organizations aimed at strengthening international security and rule of law including the United Nations, NATO, the EU and the OSCE.

Participation of our National Armed Forces in international operations is conducted only within the mandate of UN, other international organizations or according to the international agreements binding upon the Republic of Latvia. Each deployment of National Armed Forces is in accordance to the national laws and decisions made by Cabinet of Ministers and Saeima.

2. Existing structures and processes

2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

(i) Military Forces

Latvia has established democratic control over the National Armed Forces. The legal basis for democratic control is embedded in the Constitution and in legislative acts that determine the responsibility of armed forces.

Participation of the National Armed Forces in international operations is possible only in accordance with political decisions of the Saeima and/or Cabinet of Ministers, or in special cases by the Minister of Defence. The constitutional and legal framework provides transparency and clear division of power between the President, the Saeima and the Cabinet of Ministers including Minister of Defence.

The civilian Minister of Defence symbolises and executes the democratic control over the National Armed Forces. The Minister of Defence is politically responsible to the Saeima. The Commander of the National Armed Forces is directly subordinated to the Minister of Defence. The Commander of the National Armed Forces, in accordance with the Defence Minister's directives, maintains operational command over the National Armed Forces.

The division of responsibilities is clarified in the Law on National Security and in the Law on the National Armed Forces.

Article 19 of the Law on the National Armed Forces regulates the civilian control over the National Armed Forces, and determines the competence and control of the Defence Minister, the State Audit Office, the Cabinet of Ministers, the President and the Saeima over the armed forces. The Commander of the National Armed Forces carries out the internal control over the forces.

(ii) Paramilitary Forces

In the territory of the Republic of Latvia there are no forces defined as paramilitary forces.

(iii) Internal Security Forces

The Law on the National Armed Forces stipulates that the Military Police are tasked to perform special operations in interests of state defence and security including to ensure protection of the highest state officials (also foreign). The greatest role in internal security is played by the land forces who participate in counter-terrorism activities etc. However, units of the National Armed Forces have certain tasks concerning internal security.

The Law on National Security defines that the Constitution Protection Bureau, the Security Police and the Military Intelligence and Security Service are internal security authorities and their activities are governed by special laws and regulations.

(iv) Intelligence Services

The national security system contains 3 separate intelligence services - the Constitution Protection Bureau, the Military Intelligence and Security Service and the Security Police. The Military Intelligence and Security Service is a state security authority under the supervision of the Ministry of Defence. The Security Police is under the supervision of the Ministry of Interior. The Constitution Protection Bureau is supervised by the Cabinet of Ministers and the supervision is carried out by the Ministry of Justice.

The National Security Council controls all these services. The National Security Commission of the Parliament provides parliamentary control over the State Security authorities.

(v) Police

The legal basis for police activities is provided by the Constitution, the Law on Police, the Investigatory Operations Law as well as other laws and regulations and international treaties regulating the protection of the national security and economic sovereignty.

According to Article 38 of the “Law on Police”, the Cabinet of Ministers, the Minister of the Interior and local government authorities control the activities of the police within their competence.

2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

Please refer to the information provided to question 2.1 in Section II.

2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

(i) Military Forces

The Law on the National Armed Forces, Article 6, regulates the tasks of the National Armed Forces.

(1) The main tasks of the National Armed Forces [NAF] are the following:

- to ensure the inviolability of the land, airspace, and territorial waters ;
- to participate in international military operations according to the procedures specified in the law and international agreements; and
- to participate in the prevention of situations that constitute a threat to the State

(2) The units (sub-units) of the NAF may become involved in the performance of other tasks not stipulated this Law but only by an order of the Cabinet of Ministers.

Participation of military personnel in international operations is regulated by the Law on the Participation of the National Armed Forces of Latvia in the International Operations.

The Law on the Participation of the National Armed Forces of Latvia in the International Operations stipulates that units of the National Armed Forces participate in international operations within the mandate of the United Nations or other international organizations or according to the international agreements binding upon the Republic of Latvia, and in accordance with the laws of the Republic of Latvia, as well as according to decisions on the participation of National Armed Forces in international operations made by the Saeima [the Latvian Parliament], the Cabinet of Ministers or, in the special cases defined by law, by the Minister of Defence.

Article 5 of the “Law on the Participation of the National Armed Forces of Latvia in the International Operations” provides that in case of a demand from a foreign country the Minister of Defence may decide on the participation of individual specially trained units of the National Armed Forces in international rescue operations and international humanitarian operations in NATO or EU member states.

The Minister of Defence controls the execution of the above mentioned tasks and missions by the NAF. The Ministry has assisting structures to ensure the legality of actions of the National Armed Forces – the Inspector General in the Ministry of Defence and National Armed Forces. There is also the Military Police subordinated to the Commander of National Armed Forces.

(ii) Paramilitary Forces

Not applicable. No forces defined as paramilitary currently exist.

(iii) Security Forces

The Law on National Security specifies that the Constitution Protection Bureau, the Military Intelligence and Security Service and the Security Police are internal security authorities and their activities are governed by special laws.

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

(i) Military

By December 2006, the last conscripts finished their military service, and on 1 January 2007 Latvia became the first country in the Baltic Sea region that has solely professional armed forces. According to the State Defence Concept that was approved by Saeima on 19 June 2008, total number of personnel of National Armed Forces is not exceeding 20 000 – 5800 of those are soldiers of professional service and the rest consists of national guards, and civil and military officials.

(ii) Paramilitary Forces

Not applicable.

(iii) Security Forces

The Law on National Security Institutions, the Law on Police, Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration and other legal acts regulate the recruitment procedures for the police and other interior security institutions.

3.2 What kind of exemptions or alternatives to military service does your State have?

There is no compulsory military service in Latvia therefore there is no need for alternatives.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

Legal and administrative procedures protecting the rights of all military personnel are regulated by the Law on Military Service, the Law on the National Guard, the Law on the National Armed Forces, and the Law on Service Pensions for Military Personnel, as well as various governmental regulations on provisions catering, insurance and compensation for military personnel.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programs and regulations?

Latvia is a state party to all Geneva Conventions. Moreover, Latvia is a party to many other international legal instruments in the field of humanitarian law, such as the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) and its five Protocols. Latvia is also a state-party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction.

International rules, conventions and commitments governing armed conflict are incorporated in the national legal acts.

The National Defence Academy has a course on international defence-related legislation including International Humanitarian Law, Code of Conduct on Politico-Military Aspects and other international rules, conventions and commitments governing armed conflicts.

Latvia adheres to the principles set out in the OSCE Code of Conduct.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

Please refer to the information provided to question 4.1.in Section II.

Units to be deployed abroad are also briefed on international humanitarian law, war crimes and individual responsibility and command responsibility.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

Please refer to the information provided to questions 2.1 and 2.3 in Section II.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

As stipulated in Section 15 of the Military Service Law, soldiers are prohibited from:

- 1) Engaging in political activities, joining trade unions, organizing strikes and participating in them;
- 2) Combining the performance of military service with another position or work not permitted by law;
- 3) Being a representative of another person in matters related to a unit (institution) in which he or she holds a position; and
- 4) Taking part, personally or through the intermediation of another person, in transactions, upon the entering into or the fulfilment of which soldiers may unlawfully utilize their service position or come into a conflict of interest.

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

International law and the international obligations that the Republic of Latvia has undertaken are taken into account when drafting defence policy and doctrines (i.e. international humanitarian law, arms control treaties, human rights conventions, the UN Charter and customary international law).

Section III: Public access and contact information

1. Public access

1.1. How is the public informed about the provisions of the Code of Conduct?

The Ministry of Defence of Latvia and National Armed Forces do not provide any specific information on the Code of Conduct. General information on cooperation with the OSCE as well as link to the organization's website is published on the official website of the Ministry of Defence of Latvia www.mod.gov.lv.

1.2. What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

See previous point (1.1) directly above.

1.3. How does your State ensure public access to information related to your State's armed forces?

Public access to information on the National Armed Forces is organised according to Freedom of Information Law and the Law on the Press and Other Mass Media.

Among the main activities of the Ministry of Defence of Latvia and National Armed Forces in order to ensure public access to information are:

- Press releases and replies to enquiries from the journalists;
- Annual Reports on Armed Forces Development and State Defence Policy;
- Official website of the National Armed Forces www.mil.lv (available in Latvian only).
- News portal of defence sector <http://www.sargs.lv/> (available in Latvian only);
- Social media activities:

<http://twitter.com/Latvijas_armija> National Armed Forces

<<http://twitter.com/aizsardzibasmin>> Ministry of Defence

<<http://www.draugiem.lv/latvijas-armija>>

<<http://www.facebook.com/pages/Latvijas-armija/127277387309642>>

<http://www.flickr.com/photos/latvijas_armija>

<http://www.youtube.com/LatvijasArmija>

2. Contact information

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

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Implementation of UNSCR 1325 “Women, Peace and Security” in the Latvian National Armed Forces

3. Procedures related to different forces personnel

3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

In peacetime, the personnel of the Latvian National Armed Forces (LNAF) shall be formed by professional service soldiers, the National Guards, civilian employees and reserve soldiers inducted for training.

As of January 2007 Latvia has a volunteer military service system. Professional service soldiers fulfil service in accordance with a contract. A uniform course of military service is determined by Military Service Law (MSL). Civilian employees perform a specific job (work) on the basis of an employment contract in units (sub-units) in civil positions of staff in accordance with regulatory enactments regulating employment legal relationships.

In accordance with the MSL the soldier is a Latvian citizen who performs active service and has been awarded a military rank. Therefore MSL sets out the principle of equality without seeking to differentiate soldiers according to their gender. MSL also requires those regulatory provisions of the employment relationship which intend the prohibition against unequal treatment to be applied to soldiers, including the prohibition to discriminate persons due to their gender. Moreover, according to MSL those Latvian citizens - women who have attained the age of 18 years can also join the reserve service if they meet with the requirements and indicate their willingness or have completed special military training course or training in the National Guard.

Latvia has no paramilitary forces.

3.2 What kind of exemptions or alternatives to military service does your State have?

In the Republic of Latvia there is no compulsory military service, so there is no alternative military service.

3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

The principles of gender equality are enshrined in the Constitution of the Republic of Latvia which requires all persons within Latvia to be equal before the law and the courts and human rights shall be implemented without any discrimination.

The same principles also provides the Labour Law – everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. This right shall be ensured without any direct or indirect discrimination – irrespective of a person's race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances.

MSL provides that regulatory enactments regulating employment legal relationships shall not apply to a soldier, except for provisions governing the prohibition of differential.

A soldier in LNAF is under the protection of the State. His or her life, freedom, honour and dignity are protected by law. A soldier has the right to be a member of such public organizations, which do not have a political nature, as well as to establish public organizations' for soldiers and participate in other non-political activities if such activities do not interfere with the performance of service duties.

Soldiers have the right to nominate a representative in each unit from amongst their number to protect the interests of soldiers and to solve practical issues in relationships with the unit commander (superior officer) and higher officials. The representative of soldiers shall

exercise his or her powers in accordance with the procedures determined by the Minister for Defence.

A soldier has the right to appeal the decisions of officials taken in respect of him or her to a court if such decisions restrict his or her rights or infringe upon his or her honour and dignity without grounds and if he or she has utilised all means to dispute the decision in accordance with subordination procedures to higher officials, including the Minister for Defence. Procedures for submission and examination of service complaints shall be prescribed by the Military Interior Service Regulations.

Soldiers are prohibited from combining the performance of military service with another position or work not permitted by law, being a representative of another person in matters related to a unit (institution) in which he or she holds a position and taking part, personally or through the intermediation of another person, in transactions, upon the entering into or the fulfilment of which soldiers may unlawfully utilise their service position or come into a conflict of interest.

A soldier has no right to refuse to perform military service on religious grounds, and to utilise his or her service position to impose his or her religious conviction on others. A soldier's private property and its administration shall not be an obstacle or impediment to the performance of military service or to the transfer of the soldier from one unit to another.

Professional service soldier's remuneration, as remuneration for officials (employees) of State and local government authorities, are governed by the Law on Remuneration of Officials and Employees of State and Self-government Authorities. The amount of monthly salary for soldiers shall be determined in accordance with the service rank and term of service.

A soldier shall receive special additional payments, regulated by the Cabinet of Ministers, for participation in international operations, for the service tasks associated with an increased risk to health (life), for specific (hard) conditions of service.

4. Implementation of other political norms, principles, decisions and international humanitarian law

4.1 How does your State ensure that international humanitarian law and law of war are made widely available, e.g., through military training programs and regulations?

IHL aspects are included in all career training programs in the National Defence Academy as well as in training programs for soldiers before the deployment to NATO operations.

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

According to MSL each soldier shall be personally liable for the observance of military discipline. Violations committed by a soldier shall be examined in accordance with the procedures set out in law, Soldier Military Discipline Regulations and other regulatory enactments.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

Please refer to the information provided to questions 2.1 and 2.3 in Section II.

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

Soldier's rights and obligations are set in MSL. According to MSL soldiers are prohibited from engaging in political activities, joining trade unions, organizing strikes and participating in them.

INDICATIVE LIST OF ISSUES PERTAINING TO WOMEN, PEACE AND SECURITY TO BE PROVIDED IN THE QUESTIONNAIRE ON THE OSCE CODE OF CONDUCT

I. Prevention

1. Measures to increase armed forces personnel understanding of the special needs and contributions of women in conflict.

Gender equality aspects are covered by the international laws of war which are included in the NAF training program for soldiers before the deployment to NATO operations. In addition to that, special training program "HIV and sexually transmitted diseases (STD) prevention course for section commanders" has been taught in the basic training course.

2. Measures to address the violation of the rights of women and girls, in line with international standards.

– Number and percentage of military manuals, guidelines, national security policy frameworks, codes of conduct and standard operating procedures/protocols of national security forces that include measures to protect women's and girls' human rights.

Members of the armed forces receive both regular training and even more specifically pre-deployment training in international law and humanitarian law, issues of violation of rights of women and girls being one the training subjects. The principles of the international law related to the protection of women and girls' rights are integrated in all levels of national law, including the laws, policies and procedures regulating military service.

In addition NAF and MoD staff regularly participates in the US Defense Institute of International Legal Studies seminars on Human Rights and International Humanitarian Law.

– Number and percentage of directives for peacekeepers issued by head of military components and standard operating procedures that include measures to protect women's and girl's human rights.

Please see answer above.

II. Participation

1. Measures to increase the number of women in general and in decision-making positions in the armed forces and the ministry of defence.

– Number and percentage of women applying to be part of the military forces.

The number of women in the units of the NAF in 2014 reached 1063, this equals to 21,2 % of the total number of personnel.

– *Establishment of policies to attract female candidates (Targeted campaigns, review of accession tests, etc.).*

Due to the large proportion of women in LNAF (see the previous paragraph), specific policies to attract female candidates join the LNAF are not created.

– *Establishment, promotion, maintenance and use of specialized rosters of female profiles in the military fields.*

Specialized rosters of female profiles in the military fields aren't established.

– *Number and percentage of women in the military forces disaggregated by rank.*

Rank	2011		2012		2013		2014	
	Number	%	Number	%	Number	%	Number	%
OF-4	2	5	1	2.1	1	1.9	2	3.2
OF-3	18	10.1	24	12.9	22	12.5	28	16.7
OF-2	63	15.4	65	15.6	69	16.5	68	21.3
OF-1	57	21.6	47	19	41	19.6	46	27.5
OF-0	13	16.3	15	19.7	18	20.9	14	18.4
OR-7	21	16.4	19	16.8	19	17.3	25	28.4
OR-6	79	22.5	81	23	81	23.5	90	34.6
OR-5	162	29.6	162	29.2	164	27.9	156	34.3
OR-4	133	19.1	133	18.3	137	18.7	134	23.1
OR-3	159	14.3	152	13.5	133	11.9	121	12.3
OR-2	67	8.9	51	7.1	52	8.4	65	10.8

– *Number and percentage of discrimination and sexual harassment complaints that are referred, investigated and acted upon.*

Complaints of the discrimination and sexual harassment aren't received.

– *Development of regular analysis of retention and promotion practices for men and women in the forces.*

Information on personnel development is not analysed by gender.

2. *Measures to increase the number of women in peacekeeping forces.*

– *Number and percentage of women in peacekeeping forces disaggregated by rank.*

2014 there were 14 women deployed in NATO operations, that equals to 6,73 % of total number of Latvian soldiers serving in NATO operations.

Rank	Number
OF-3	4
OR-6	3
OR-5	2
OR-4	2
OR-3	3

– *Number and percentage of international missions where gender advisors were appointed.*

Gender advisors haven't been appointed to international missions.

– *Number and percentage of participating State's international missions that address specific issues affecting women and girls in their terms of reference and the mission reports.*

No information.

III. Protection

1. Increased access to justice for women whose rights are violated.

– *Number and percentage of reported cases of exploitation and abuse allegedly perpetrated by uniformed peacekeepers that are referred, investigated and acted upon.*

Information of exploitation and abuse allegedly perpetrated by Latvian uniformed peacekeepers isn't received.

IV. Other information

– *Information on the development, implementation and evaluation of a National Action Plan to implement UNSCR 1325.*

The principles of UNSCR 1325 are enshrined in the Constitution of the Republic of Latvia which requires all persons within Latvia to be equal before the law and the courts and human rights shall be implemented without any discrimination. This also refers to gender equality. The Constitution of the Republic of Latvia provides equal rights for both – men and women – to participate in the activities covered by this Resolution.

The principles of UNSCR 1325 are incorporated in regulatory provisions, and gender equality at the Ministry of Defence and its subordinated institutions including the NAF is fully respected.

– *Information on best practices and lessons learned.*

Specific studies about gender role in NATO operations have not been conducted.

– *Any other relevant information.*