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COVER NOTE

From :	Ms Vineta MUIŽNIECE, Minister of Justice, Latvia
Date of receipt :	22 June 2004
To:	Mr Charles ELSEN, Director-General, DG H, General Secretariat of the Council
Subject :	Council Framework Decision on the European arrest warrant and the surrender procedures between Member States - Notifications by Latvia

Sir,

In accordance with Article 34 of the Council Framework Decision (2002/584/JHA) of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, I should like to inform you that on 16 June 2004 the Latvian State President promulgated a law concerning "Amendments to the Latvian Code of Criminal Procedure" whereby the aforementioned EU legislation is implemented in Latvia; in conformity with the Satversme (Constitution) of the Republic of Latvia, the law will come into force on 30 June 2004.

At the same time I should like to inform you that Article 98 of the current version of the Latvian Constitution provides that "a citizen of Latvia may not be extradited to a foreign country." On 17 June 2004 the Saeima (Parliament) of the Republic of Latvia adopted at second reading a draft law concerning "Amendments to the Constitution of the Republic of Latvia"; this includes changes to the Constitution's Article 98 concerning the extradition of Latvian citizens which will enable Latvia to execute European arrest warrants in respect of Latvian citizens. The third (and final) reading by the Saeima is scheduled for September, and the General Secretariat of the EU Council will be duly notified of the date on which the draft law is adopted and comes into force.

Attached is some additional information concerning the Republic of Latvia's notifications and declarations in accordance with the Council Framework Decision on the European arrest warrant and the surrender procedures between Member States. Also attached is the text, in Latvian, of the law concerning "Amendments to the Latvian Code of Criminal Procedure" as published in the Republic of Latvia's official gazette (Latvijas Vēstnesis) on 16 June 2004, as well as an extract from the consolidated version of the Latvian Code of Criminal Procedure with the articles incorporating the amendments whereby the Framework Decision is implemented and indicating the source references for those amendments.

Please accept, Sir, the assurance of my highest consideration.

(signed) Vineta Muižniece

**Notifications and declarations by the Republic of Latvia in accordance with
the Council Framework Decision of 13 June 2002
on the European arrest warrant and the surrender procedures
between Member States
(2002/584/JHA)**

Article 6(3) of the Framework Decision:

Judicial authorities competent to issue a warrant (Article 6(1))

District (City) Courts are competent to issue a European arrest warrant in order to request extradition of persons for the purposes of prosecution or of execution of a penalty involving deprivation of liberty.

Judicial authorities competent to execute a warrant (Article 6(2))

The Prosecutor General's Office is competent to decide to execute a European arrest warrant.

Article 7 of the Framework Decision:

The Republic of Latvia's central authority is:

Office of the Prosecutor General
Kalapaka Boulevard 6, Riga,
LV-1801
Latvia

Tel. : +371 7044400

Fax : +371 7044449

e-mail : gen@lrp.gov.lv

Article 8(2) of the Framework Decision:

Latvia will accept for execution European arrest warrants made out in Latvian or English.

Article 25(2) of the Framework Decision:

The Prosecutor General's Office is competent to receive transit requests and the necessary documents, as well as any other official correspondence relating to transit requests.

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