



**COUNCIL OF
THE EUROPEAN UNION**

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COVER NOTE

from:	Normunds Popen, Permanent Representative, Permanent Representation of Latvia to the European Union
to:	Unit 2B - Judicial Cooperation in Criminal Matters, Directorate 2 - Judicial Cooperation in Civil and Criminal Matters, Directorate-General H - Justice and Home Affairs, General Secretariat of the Council of the European Union
Subject:	Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders - Notification letter by Latvia

Delegations will find in the annex a notification letter from Latvia.

Re: implementation of Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders

A Law enacting amendments to the Criminal Procedure Code, providing for the implementation of Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders (hereinafter "the Framework Decision"), came into force on 14 July 2009. Given that the Framework Decision provides for each Member State to send notification as to which central authority is competent to execute confiscation orders and a declaration concerning the language in which Latvia will accept certificates, and for the submission of the text of the provisions whereby the Member State transposes into its national law the obligations resulting from the Framework Decision, we wish to present the following information.

Article 3 of the Framework Decision provides that each Member State shall inform the General Secretariat of the Council as to which authority, under its law, is competent to issue and execute confiscation orders. In addition, each Member State may, if it is necessary as a result of the organisation of its internal system, select one or more central authorities responsible for the administrative transmission and reception of the confiscation orders and to assist the competent authorities. We accordingly give notice that in Latvia the competent executing authority is the city (district) court and the competent issuing authority is the court. We also give notice that the central authority is the Ministry of Justice of the Republic of Latvia.

Article 19(2) of the Framework Decision provides that any Member State may, when the Framework Decision is adopted or at a later date, state in a declaration deposited with the General Secretariat of the Council that it will accept a translation in one or more other official languages of the Institutions of the European Communities. We accordingly give notice that the certificate provided for in Article 4 of the Framework Decision will be accepted by Latvia in Latvian.

In addition, Article 22(2) of the Framework Decision requires Member States to communicate to the General Secretariat of the Council and to the Commission the text of the provisions transposing into their national law the obligations resulting from the Framework Decision. We therefore enclose an extract from the Criminal Procedure Code showing Chapters 71 and 72 of Part C (International Cooperation in the Criminal-Legal Field) supplemented by Sections 785¹, 801⁸, 801⁹, 801¹⁰, 801¹¹, 801¹², 801¹³, 801¹⁴, 801¹⁵, 801¹⁶, 809¹, 810⁴, 810⁵, 810⁶ and 810⁷.

In the event of any questions, the person to contact is Ms Inga MELNACE, Deputy Director, Criminal Law Department, Ministry of Justice (tel.: +371 67046102, e-mail: inga.melnace@tm.gov.lv)

- Annexes:
1. Latvia's notification and declaration (1 page)
 2. Extract from the Criminal Procedure Code (17 pages)

(Complimentary close)

p.p. the Permanent Representative

Jānis Sīlis
Counsellor

Notifications and declaration by the Republic of Latvia in accordance with the Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders

Framework Decision, Article 3:

Competent authority in Latvia as executing State: any district (city) court

Competent authority in Latvia as issuing State: any court

Central authority:

Tieslietu ministrija (Ministry of Justice)

Brīvības bulv. 36 - Riga

LV-1536

Latvia

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+371 67285575

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e-mail: tm.kanceleja@tm.gov.lv

Framework Decision, Article 19(2):

Latvia accepts, for execution, confiscation orders drawn up in Latvian.
