

No. 46586

**Latvia
and
Malta**

Agreement between the Government of the Republic of Latvia and the Government of Malta on co-operation in combating terrorism, illicit trafficking in narcotic drugs, psychotropic substances and precursors and organized crime. Brussels, 24 July 2008

Entry into force: *23 January 2009 by notification, in accordance with article 16*

Authentic texts: *English and Latvian*

Registration with the Secretariat of the United Nations: *Latvia, 12 October 2009*

**Lettonie
et
Malte**

Accord de coopération entre le Gouvernement de la République de Lettonie et le Gouvernement de Malte tendant à combattre le terrorisme, le trafic illicite de stupéfiants, de substances psychotropes et de leurs précurseurs et le crime organisé. Bruxelles, 24 juillet 2008

Entrée en vigueur : *23 janvier 2009 par notification, conformément à l'article 16*

Textes authentiques : *anglais et letton*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 12 octobre 2009*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF LATVIA AND THE GOVERNMENT OF MALTA
ON CO-OPERATION IN COMBATING TERRORISM, ILLICIT
TRAFFICKING IN NARCOTIC DRUGS, PSYCHOTROPIC
SUBSTANCES AND PRECURSORS AND ORGANIZED CRIME**

The Government of the Republic of Latvia and the Government of Malta (hereinafter referred to as "the Parties"),

Guided by their mutual desire to contribute to the development of their bilateral relations;

Convinced of the substantial importance of the bilateral co-operation in combating crime, especially terrorism, illicit trafficking in narcotic drugs, psychotropic substances and precursors and organized crime;

Aiming to increase their joint efforts to combat terrorism;

Desiring to harmonize their actions against internationally organized crime;

Taking into consideration the relevant international treaties;

have agreed as follows:

Article 1

1. Taking into consideration the national legislation of the Parties and pursuant to the provisions of the present Agreement, the Parties shall co-operate in combating terrorism, illicit trafficking in narcotic drugs, psychotropic substances and precursors and organized crime.

2. The Parties shall co-operate especially in cases wherein crimes or their preparations are carried out in the territory of the state of one of the Parties, and information obtained refers to the territory of the state of the other Party.

Article 2

For combating terrorism, the Parties:

exchange information on the planned or committed acts of terrorism, those who participate in such crimes, the methods of commission and the devices used;

exchange information on terrorist groups and the members of the groups planning, committing or having committed criminal acts in the territory of the state of one of the Parties and to the disadvantage of either

Party, as well as information which is necessary for combating terrorism and crimes seriously threatening the public safety;

exchange analytic and other materials related to terrorism;

exchange experience and knowledge in the field of ensuring state and public security;

in accordance with the national legislation of the Parties, upon the request of one of the Parties, the other Party or both Parties jointly shall carry out operational and other measures.

Article 3

For combating illicit trafficking in narcotic drugs, psychotropic substances and precursors, the Parties:

inform each other on persons involved in the illicit trafficking in narcotic drugs, psychotropic substances and precursors; on hiding places, means of transport and illicit transportation routes and channels; on the place of origin and destination of the narcotic drugs, psychotropic substances and precursors, as well as of any other relevant details of such crimes, in so far as they are necessary for combating these crimes;

inform each other on the methods of illicit international trafficking in narcotic drugs, psychotropic substances and precursors, and of other relevant facts;

exchange the results of criminalistic and criminological research on illicit trafficking in narcotic drugs, psychotropic substances and precursors;

put at each other's disposal samples of narcotic drugs, psychotropic substances and precursors, if necessary;

exchange experience in controlling the legal trade of narcotic drugs, psychotropic substances and precursors;

in accordance with the national legislation of the Parties, upon the request of one of the Parties, the other Party or both Parties jointly shall carry out operational and other measures.

Article 4

For combating serious crimes, especially organized crime, the Parties:

inform each other of the data on persons involved in organized crime, their connections, the structure of criminal organizations and groups, the facts of the cases (especially the time, location and method of commission), the attacked facilities, the measures taken, as well as any other relevant details, in so far as they are necessary and not in conflict with the interests of the investigation of the delivering Party for combating such crimes;

exchange information and experience on methods of commission and new forms of transnational organized crime;

exchange the results of criminalistic and criminological research, the experience on investigation techniques and application of the working methods and equipment;

upon request, put at each other's disposal information on and samples of objects resulting from criminal acts or used for committing crimes;

exchange experts for joint or mutual training in order to obtain a higher level expertise and to study mutually the newest achievements in investigation techniques, equipment and methods used in combating crime;

in accordance with the national legislation of the Parties, upon the request of one of the Parties, the other Party or both Parties jointly shall carry out operational and other measures.

Article 5

Co-operation between the Parties shall also include, within the limits allowed by their national legislation, the exchange of:

information on legislative provisions concerning the criminal acts described in the present Agreement;

information on the identification and tracing of proceeds of criminal acts;

information necessary for the other Party to combat the smuggling and traffic of persons or the illegal trade of the labour force.

Article 6

1. In order to implement the provisions of the present Agreement, the competent authorities of the Parties:

on the part of the Republic of Latvia:

the Ministry of the Interior, the State Police, the Security Police, the State Border Guard, the State Revenue Service;

and on the part of Malta:

the Ministry of the Justice and Home Affairs, the Attorney General and the Commissioner of Police of Malta,

shall within their powers and competence, co-operate with each other directly.

2. The competent authorities of the Parties may specify the definite fields of co-operation and forms of communication in separate Protocols.

3. The Parties shall notify each other through diplomatic channels of the contact information of the competent authorities and the jurisdiction of their competence necessary for mutual communication.

4. The Parties shall promptly notify each other through diplomatic channels of any changes in the list of the competent authorities of the Parties referred to in paragraph 1 of this Article.

5. Unless it is otherwise agreed, the English language shall be used in communication and exchange of information between the competent authorities of the Parties.

Article 7

1. Within the framework of the present Agreement co-operation between the competent authorities of the Parties shall be on a request basis. Requests shall be forwarded to the competent authorities of the Parties according to their competence.

2. Requests for co-operation shall be made officially in writing and delivered through any technical means.

3. Requests for co-operation shall bear the name of the requesting authority, the subject of the request and justification. Requests for co-operation may be accompanied by other documents pertaining to the subject matter of the request.

4. Where a competent authority of one Party is unable to respond to a request, it shall forward the request to another competent authority of that Party and inform the requesting authority thereabout.

Article 8

Taking into consideration the national legislation of the Parties for the protection of personal data transmitted in the course of the co-operation, the following conditions shall apply:

the receiving competent authority may use the data solely for the purpose and under the conditions determined by the delivering competent authority;

upon the request of the delivering competent authority, the receiving competent authority shall give information on the utilization of the data transmitted and the results thus achieved;

personal data may be forwarded solely to the competent authorities of the Parties combating terrorism, illicit trafficking in narcotic drugs, psychotropic substances and precursors and organized crime. Data may be forwarded to other authorities only upon prior written permission of the delivering competent authority;

requests for communication of personal data shall be submitted in writing to the competent authorities and shall include an indication of the person or authority making the request and of the reason and purpose for which the request is made;

the delivering competent authority shall reply in writing informing the competent authority making the request of the decision taken as to whether the request can be met or not;