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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. paper	Re: [Latvian-Russian Border Agreement] (2 pages)	n.d.	P1/b(1) VZ 9/21/2023
002. report	Re: [Latvian politics] (2 pages)	02/18/2000	P1/b(1)
003. email	White House Situation Room to Steven Black, et al., re: [Latvia in Politics] (5 pages)	01/27/2000	P1/b(1) VZ 9/21/2023

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ke2190

RESTRICTION CODES

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P3 Release would violate a Federal statute [(a)(3) of the PRA]
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LATVIA in NATO

Why it's good for the United States *and* Europe



*“If a European country is important to our security,
and if it demonstrates that it is ready
– politically, economically, and militarily –
to contribute to our security, it will be in our interest
to welcome it through the open door.”*

U.S. Secretary of State Madeleine Albright
May 28, 1998

POLICY MEMORANDUM:

Social Integration in Latvia

ISSUE:

The social integration of minorities has been one of the top priorities of successive Latvian governments. Over the last several years, the government has developed a program in support of social integration that it will implement over the coming years. Social integration is an important part of Latvia's general policy of integrating into Euro-Atlantic institutions.

BACKGROUND:

Comprised of citizens and resident non-citizens, Latvia's challenge is to create a civil society that is inclusive of all its inhabitants. Recognizing this challenge, the government has undertaken a number of initiatives, listed below:

- In March 1998 a ministerial Integration Council is established which is tasked with drafting the Framework Document of the National Program "Integration of Society in Latvia".
- In March-September 1998 a group of experts established by the Integration Council prepares the first draft Framework Document the National Program.
- On 29 September, 1998 the Cabinet of Ministers accepts the draft Framework Document as a basis for future discussions.
- On 18 February, 1999 a Steering Group is established to co-ordinate the public debate on and revision of the draft Framework Document the National Program.
- On 10 March, 1999 the public debate commences; it lasts until the end of May. An estimated 25.000 persons take part in the debate, an unprecedented number in Latvia. More than 80 events take place during this period, including national and regional conferences and seminars on particular issues dealt with in the Framework Document.
- In June-July 1999 the draft Framework Document the National Program is revised and updated, taking into account the results of the public debate. In the text of the final draft two new sections on civic participation and social integration are added.
- On 7 December, 1999 the Cabinet of Ministers gives the final approval to the Framework Document the National Program. The Ministry of Justice will be tasked with co-ordinating the implementation of the Integration Program.
- On 21 December, 1999 the condensed version of the Integration Program is presented to the Government. It outlines the structure of the National Program "Integration of Society in Latvia" and finalises the practicalities of implementation mechanisms.

- In March, 2000 the expanded version of the Integration Program and concrete projects for the next two years along with the corresponding calculations of financial requirements in the field of integration will be prepared.

FRAMEWORK DOCUMENT:

The Government of Latvia has adopted the Framework Document of the National Program "Integration of Society in Latvia" to support the formation of a democratic civil society on the basis of common values such as Latvia's independence, respect for human rights, including the right of persons belonging to minorities to preserve their identity. It has been developed to better co-ordinate the existing efforts aimed at integration of society, such as Latvian language training, naturalisation and reform of education, as well as to establish the framework for new initiatives in this area. The Framework Document forms the basis of a comprehensive program which will address integration problems in the political, social, education, culture and other areas.

1) Fundamentals of Integration

The development of the independent Latvian state and the integration of society are mutually reinforcing processes. The goal of integration is to form a democratic, consolidated civil society, founded on shared basic values. Integration is unthinkable without the support and active participation of the political forces in Latvia. Human rights, including the rights of persons belonging to an ethnic minority, are a significant instrument for the consolidation and development of Latvian society.

2) Main Fields of Activities

The integration of society includes processes that occur in various spheres - political, judicial, social, educational, cultural; all these areas are covered by the Framework Document of the National Program "Integration of Society in Latvia".

- In the field of **civic participation and political integration**, the Program will seek to increase political integration and active participation of residents of Latvia at all levels in the parliamentary process, also by continued naturalisation. It will seek to promote civic participation by supporting formation and activities of NGOs. It foresees the establishment of a comprehensive system which would ease the repatriation for any citizen of Latvia who wished to do so and would assist in his/her integration in the society of Latvia.
- In the field of **social and regional integration**, the Government seeks to create a society with equal opportunities for all; to extend the possibilities for social participation for all individuals and groups of residents. It will work to decrease and prevent unfavourable regional differences.
- In the field of **education, language, and culture**, the teaching of Latvian language will be strengthened; the implementation of minority educational programs will be continued. The state will continue to care for preservation, research and development of Latvian and minorities' cultures, to create preconditions for integration of cultural life and to develop tolerance with regard to other cultures

3) Implementation Mechanism of the Integration Program

The Ministry of Justice will co-ordinate the implementation of the Integration Program. In accordance with the Framework Document a charitable foundation for the Integration of Society will be established. The foundation will be charged with attracting financial resources to the implementation of the Integration Program and with the distribution of funds, including funds allocated from the state budget.

4) International Aspects of the Integration Program

The Ministry of Foreign Affairs of Latvia regularly briefs Latvia's international partners on the development of the National Program "Integration of Society in Latvia". The text of the draft Framework Document of the National Program has been submitted to Mr. Max van der Stoel, OSCE High Commissioner on National Minorities. Mr. van der Stoel has expressed his interest regarding the future development of the National Program during his visits to Latvia.

The United Nations Development Program(UNDP) office in Latvia has expressed its interest in co-ordinating donors' subscriptions for the implementation of the Integration Program. In the future, the participation of international donors in the implementation of concrete projects will be crucial, due to the large scale of the project. The Government of Latvia hopes that its international partners will be able to support the implementation of the Integration Program, given its high significance for the development of an integrated society in Latvia.

APPENDICES

CITIZENSHIP IN LATVIA

Citizenship is one of the strongest links that bind an individual and the state. Latvia has adopted citizenship legislation that ensures a fair and equitable implementation of the law.

The Law on Citizenship determines the procedure how all permanent inhabitants of Latvia may become citizens, and establishes the requirements for applicants that enable them to participate in the life of the society - knowledge of the Latvian language and the history of Latvia.

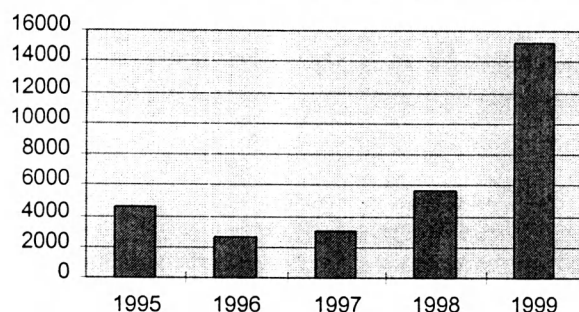
In developing its citizenship legislation, Latvia has taken into account the recommendations of international organisations dealing with human rights (the UN, the Council of Europe, the OSCE). These organisations have acknowledged that Latvia's citizenship legislation corresponds to the norms of democracy and human rights. Mr. Max van der Stoel, the OSCE High Commissioner on National Minorities, has stated that Latvia has fulfilled all his recommendations in the field of citizenship and that he will not make any new recommendations in this regard.

Naturalisation

Naturalisation has been an important aspect of the integration process. Following the liberalisation of the Citizenship Law in autumn 1998, the number of applications has risen almost fourfold. The interest in naturalisation and the rate of granting citizenship remains high and continues to increase.

By the end of December 1999, a total of 31,033 applications had been received since the naturalisation began in 1995, and 23,859 persons had been granted Latvian citizenship. Out of these, 16,280 applications had been filed, and 11,738 granted since the amendments to the Citizenship law entered into force in November 1998.

Table. Number of Citizenship Applications 1995 -1999



Naturalisation exams have been simplified on several occasions. As a result, more than 95% of applicants pass the tests in the first attempt. The Naturalisation Board expanded its staff and opened new offices in 1999 to cope with the increased demand.

Since the beginning of naturalisation process in 1995, no complaints about the naturalisation procedure have been registered. This fact attests to the transparent and efficient functioning of the Naturalisation Board.

STATE LANGUAGE LAW

The State Language Law, adopted by the Saeima of the Republic of Latvia on December 9, 1999, confirms the will of Latvia to create a modern and integrated society, and is an important element of the Government's social integration policy. The Government is committed to implement the State Language Law transparently and fairly.

The Law reflects changes in the language situation in Latvia that have taken place since 1989 when the previous Language Law was adopted. The State Language Law will strengthen the position of the Latvian language that had weakened by the policy of Russification during the Soviet occupation. On the other hand, the Law sets very strict borders to state interference in the private sphere including the cultural life of ethnic minorities.

International Aspects of the Law

The adoption of the State Language Law in full compliance with Latvia's international human rights obligations was one of the priorities of the Government in 1999. The Law, which will enter into force on 1 September, 2000, has been elaborated in close co-operation with the OSCE experts and fully meets the international human rights standards.

The adoption of the State Language Law was welcomed by the OSCE High Commissioner on National Minorities, the Presidency of the European Union and the Secretary General of the Council of Europe.

The State Language Law fully meets Latvia's obligations under the Europe Agreement. This clearly demonstrates the will of the political parties represented in the Parliament to do everything necessary to ensure Latvia's smooth integration in the EU.

Regulation of Language in Business

According to the Law, the use of language is regulated only in cases when the activities of enterprises affect legitimate public interests - public safety, health, morals, health care, protection of consumer and labour rights, safety in the workplace, or public administration supervision. Any such regulation must be proportionate to the rights and interests of the private companies.

Foreign specialists of enterprises who work in Latvia can use an interpreter for their own needs; their knowledge of Latvian is not examined. A foreign language may be used at business meetings; only if a participant requests translation in the state language. Contracts can be concluded in a foreign language but translation into state language shall be attached.

The use of language is not regulated in public events organised by private organisations unless these events affect legitimate public interests.

MINORITY EDUCATION IN LATVIA

Education in minority languages is a precondition for maintenance of the cultural identities of national minorities in Latvia. The Government of Latvia facilitates education in minority languages even where the small number of pupils makes such efforts uneconomical. State-financed secondary education is available in eight minority languages - Russian, Polish, Jewish, Ukrainian, Estonian, Lithuanian, Roma (Gypsy) and Belarussian. State-financed tertiary education is provided in Latvian. A number of private educational institutions with language(s) of instruction other than Latvian exist.

Education Law

The Education Law adopted in 1998 provides a firm basis for minority education system. The Law determines that minority education programs shall include the content necessary for acquiring the respective ethnic culture and for the integration of minorities in Latvia. The Ministry of Education and Science determines the subjects for study in minority education programs which are to be taught in the state language. The Ministry of Education has elaborated four model minority education programmes which differ by the suggested proportion of classes held in the minority language and Latvian. Minority schools can choose one of the four model programmes or elaborate their own programmes.

Minority Schools

There are 737 schools with Latvian as the language of instruction, 190 schools with Russian as the language of instruction, as well as 159 with 2 languages of instruction (Latvian and Russian). There are 6 Polish, 2 Jewish, 1 Ukrainian, 1 Estonian, 1 Lithuanian and 1 Belarussian schools. There are also Romany classes in 2 schools in Latvia.

TABLE: Number of Students by Language of Instruction

Academic year	1995/6	1996/7	1997/8	1998/9	1999/2000
Latvian	203607	212017	219794	233939	238652
Russian	132540	129120	125643	125741	120612
Others	1513	1664	1817	2042	2168
Total	337660	342801	347254	361722	361432
% learning Latvian	60.3	61.8	63.3	64.7	66.0

*Note: in some minority schools, the language of instruction is mostly Latvian or in Russian.

During the last ten years a general tendency has been observed that the demand for education in the Latvian language has increased, leading to a corresponding decrease in the demand for education in Russian. In 1999/2000 academic year 73.5% of the first-graders began studying in Latvian. This is mainly due to the willingness of non-Latvian parents to ensure that their children receive an education which in the future will ensure wider opportunities for university studies and greater competitiveness in the labour market.

THE USE OF LANGUAGE IN PRIVATE BUSINESS IN LATVIA

Any business involves a number of activities where language is used - in negotiations, in book-keeping, in contracts and the like. The State Language Law, adopted in 1999, was designed to ensure the protection and promotion of Latvian - the state language. On the other hand, the Law sets very strict borders to state interference in the private sphere. The provisions of the Law reflect this balance.

The Use of Language in Private Companies

According to the Law, the use of language is regulated only in cases when the activities of private companies affect legitimate public interests such as public safety, health care, protection of consumer and labour rights, safety in the workplace or public administration supervision. Any such regulation must be proportionate to the rights and interests of the private companies.

The Use of Language in Business Contacts

- Foreign managers of enterprises and experts working in Latvia may use an interpreter for their own needs; their knowledge of Latvian is not examined.
- A foreign language may be used at business meetings. The organisers shall provide translation into Latvian only if so requested by a participant at the meeting.
- In public events organised by private individuals and legal entities, translation in Latvian shall be ensured only in cases when legitimate public interests are affected. However, if the public event is co-organised by a state or municipal institution, one of the working languages shall be Latvian, and the organiser shall ensure translation into the state language.

The Use of Language in Documents

- Contracts may be drawn up and concluded in foreign languages. If the contracts relate to providing public services, such as medical services, translation into Latvian shall be included.
- Private companies may use foreign languages in record-keeping and documents. However, documents which are to be submitted to state or municipal institutions in accordance with law, such as annual reports and book-keeping documents, must be compiled in Latvian.
- In general, documents submitted to state and municipal authorities must be accompanied with a translation into Latvian.
- Documents received by state and municipal authorities from foreign countries may be accepted and reviewed without a translation into Latvian.

The Use of Language in Labeling

- Labels and user instructions for goods sold in Latvia must be translated into Latvian but foreign languages may be used alongside.
- Goods meant for export do not need any labeling in Latvian.

Please note:

- The Law will enter into force on September 1, 2000.
- The use of Latvian language in enterprises where the state or municipality holds the largest share of the capital is more extensive.
- Private enterprises and self-employed persons performing public functions, for instance lawyers and notaries, must use the state language to the extent necessary for the performance of their functions.
- This information sheet is not a legal document; English translation of the State Language Law will be provided upon request.

OFFICIAL COMMENTS

**Statement by Mr. Max van der Stoep, OSCE High Commissioner on National Minorities
regarding the adoption of the State Language Law
by the Latvian Parliament, 9 December 1999**

I welcome the adoption of the State Language Law by the Saeima.

Analysis of the revised text of the State Language Law adopted by the Saeima today leads me to the conclusion that the law is now essentially in conformity with Latvia's international obligations and commitments.

I trust that the Cabinet of Ministers will follow the letter and spirit of the Law in elaborating implementing regulations, as foreseen in certain provisions of the Law, and in supervising public administration of the Law.

**Statement by the Presidency of the European Union
regarding the adoption of the State Language Law, 9 December 1999:**

The European Union welcomes the State Language Law adopted by the Latvian Saeima on 9 December 1999. The Union considers this as an encouraging development for enhancing the process of integration of minorities in Latvian society.

The European Union fully supports the Statement on the Language Law by the High Commissioner on National Minorities, Mr. Max van der Stoep, in which he concludes that the law is now essentially in conformity with Latvia's international obligations and commitments. The Union trusts that the proper implementation of the Law will be ensured.

At the same time the European Union acknowledges the Latvian Government's decision to adopt the Framework Document for Integration of Society and is looking forward to continuing development in this field. The Union will continue to work in close co-operation with Latvia to support this objective.

**Statement by Mr. Walter Schwimmer, Secretary General of the Council of Europe
regarding the adoption of the State Language Law, 10 December 1999**

I welcome improvements contained in the amendments to the State Language Law as approved yesterday. They show in comparison with the previous version, a positive development in the right direction.

I express the hope that the remaining concerns regarding the compatibility of the law with the European Convention of Human Rights and other relevant international instruments will be addressed through the regulatory acts of the Cabinet of Ministers and the implementation of the law.

The Council of Europe stands ready to provide further assistance to the Latvian authorities with a view to promoting the integration of Latvian society through measures that are in line with Latvia's international commitments.

Non Paper

On The Current Status With Regard To The Latvian - Russian Border Agreement

Negotiations on the Agreement between the Republic of Latvia and the Russian Federation on the State Border started in the early 90-ties. The formation of the Latvian and Russian border commissions started in 1995 and was completed in 1996. The first meeting of the border commissions took place on April 18-19, 1996.

During the entire process of the negotiations Latvian side showed pragmatism and willingness to develop good neighbouring relations with the Russian Federation. Latvia demonstrated its readiness to compromise by accepting the demand of the Russian side not to make a reference to the 1920 Peace Agreement between the Republic of Latvia and the Soviet Russia. Such reference was intended to reaffirm the continuity of Latvia's statehood and was important because in the Riga Peace Agreement Russia renounced any claims to the Latvian territory and people.

Latvia made further concessions by agreeing to accept the administrative border between the Russian Soviet Federal Socialist Republic and the Soviet Socialist Republic of Latvia as the border between the Republic of Latvia and the Russian Federation, giving up the territory of Abrene district (*Pitalovskiy Rayon*) which was Latvian territory until 1940.

The work of the border commissions was completed on October 30, 1997. The delegations met in Pskov and the heads of the delegations approved the border delimitation map and agreed on the text of the Draft Agreement on the State Border and its two appendixes (description of the border and delimitation map).

On December 9, 1997 the Government of Latvia examined the draft Agreement and gave its authorisation to sign it.

After that Latvia has repeatedly approached the Russian side and expressed its readiness to sign the Agreement. Unfortunately, the Russian side has not responded favourably to this request.

The Russian Federation has used the following arguments to explain its unwillingness to sign the Agreement:

1. The internal procedures to prepare for signing are complex and would take a long time.
2. The Latvian - Russian relations should be viewed in their entirety. The signing of the border agreement is not possible without substantial improvement of Latvia's compliance with international human and minority rights' standards.
3. The State Duma, is dominated by leftist forces and would not ratify the agreement.

Latvia does not consider these arguments as valid ones. The complexity of internal procedures can not be used as an excuse for not signing an agreement. The procedures have not prevented Russia from entering into hundreds if not thousands of international agreements.

In Latvia's view the signing of border agreement must not be linked to any other issue. Latvia's compliance with the international human and minority rights standards has been recognised by the organisations authorised to monitor their observance. Even if the Russian Federation maintains its position, to which Latvia does not agree, it can not be an obstacle for signing the agreement.

Eventual difficulties with the ratification, even if they existed, should not be an obstacle to sign the agreement. Moreover, after December 1999 elections the composition of the State Duma has changed and at present a significant number of the MPs support the Government. That allows the Russian Federation to demonstrate its genuine will to develop a constructive dialogue with Latvia and to sign the Agreement on the State Border.

Despite the fact that the Agreement on the State Border is not signed in practice both sides have accepted the borderline as defined in the draft. The border crossing points and other installations are being developed accordingly.

Information Technology Sector in Latvia

Background information

Since the restoration of Latvia's independence, the information technology (IT) sector has seen significant growth and achieved major international successes. In 1991 Latvian software designers won an international tender to develop and implement a \$5million software system for the social insurance of artists in Germany. The work was done very successfully within one year, and this early achievement served as basis for development of the IT industry in Latvia.

From year to year, the volume of information technology service exports to the West has grown, and in 1999 Latvia's two largest software producers - DATI and SWH Technology exported software products and services for \$20 million.

Total number of IT specialists employed by over 20 companies exceed 3000. Latvian universities presently have over 1400 students trained in IT.

The goals of the Latvian Government

The government considers IT of strategic importance and is devising various programs to attract investments in this sector in order to:

1. To make Latvia a powerful exporter of software services
2. To establish the design and maintenance of information systems and software products as a true "trademark" for the Baltic States
3. To develop industries associated with IT (service centers for Baltic region, CIS and Nordic countries)
4. To promote Latvia as a place for investment in high tech industries

What Latvia offers to the global IT industry

1. **An efficient, reliable and flexible physical and logistics infrastructure**
2. **A supply of skilled specialists to meet a growing demand.** According to various studies, there is a shortfall of between 130,000 and 500,000 software specialists in the world right now, and the deficit may increase to some 1 million people over the course of the next 5-10 years.
3. **A source for the development of talented new IT specialists**
4. **Excellent training for computer specialists and software designers**
5. **Proven performance** (there are five computer assemblers and two software companies in Latvia that have already obtained the ISO 9001 certificate)
6. **Local business support for IT training** (Latvian companies offer scholarships to top students, encourage employees to present lectures at universities, organize student conferences and academic project competitions)

What the Latvian Government has done so far

1. Adopted a National Program on Informatics, which includes a concrete action plan for IT industry development.
2. State budget financing to universities has been increased for year 2000 and special state order will be placed for education of IT related specialists in year 2001. Programs to expand the range of available credits for students, and to stimulate businesses to invest in education and create new jobs have been launched.
3. Special corporate tax breaks have been introduced for production in high tech industries, to be effective from 2001.

Accomplishments of Latvian Government

- Government of Latvia has adopted a number of measures to improve the **business environment** and stimulate both foreign and local investment. **Government of Latvia stresses the importance of continuing the structured dialogue with foreign investors.**
 - The Foreign Investors Council in Latvia (FICIL) is a semi-annual meeting of the highest government officials and the chief executives of foreign companies already doing business in Latvia or considering doing so.
 - **The implementation of FICIL recommendations is crucial for the further development of Latvia's competitiveness.** As a practical example Latvia has adopted the amendments to reduce the real estate tax from 4 % to 1.5 %.
After the second FICIL meeting government of Latvia has adopted the Action plan based on more than 30 recommendations for improving the business environment focussing on skilled labour force, taxation, transport infrastructure, customs financial sector development and administrative barriers to investment.
- To enlarge the market Latvia has concluded free trade agreements with EU, EFTA, Central European and Baltic countries and Ukraine.
- **Latvia offers to foreign investors free economic zones with considerable fiscal incentives.**
- The commercial relations in Latvia are prudently regulated. The existing legislation in general complies with the requirements of market economy and with the EC company and civil law directives. **Latvia was the first Baltic country to join the World Trade Organisation on February 10, 1999.** The conformity of Latvia's national legislation with the WTO requirements has been insured during the accession process. Currently legal approximation with the EU legislation is well underway being implemented according to the National Program for the Adoption of the Acquis.

University of Latvia Centre for Judaic Studies

July 15, 1998 for the first time in the history of the Republic of Latvia a **Centre for Judaic Studies** was established at the **University of Latvia**.

Frame and goals

- to provide university students, staff members, the Jewish community and the broader society a wider range of knowledge concerning the whole variety of subjects in Jewish history, philosophy, religion, traditions and Hebrew language;
- the history of the Jews in Latvia and the Baltic region with a special accent on the history of the Holocaust.

Financing

The Centre for Judaic Studies has been donated by the Latvian Government, the Soros Foundation - Latvia, a Grant from the Memorial Foundation of Jewish Culture (NY), Small Embassy programme: the Embassy of the Netherlands in Latvia, the Embassy of Israel, Rabbi Nathan Barkan and the SHAMIR foundation (Jerusalem).

The main activities of the Judaic Centre

The Centre has organised the **lecture courses** included in the curriculum of study programmes for the students striving for the BA and MA degrees in the Faculty of History and Philosophy, Faculty of Theology, as well as to the students of other faculties at the University of Latvia:

1. *The history of Jews in Latvia from 16thC till today;*
2. *Introduction to Rabbinical Literature;*
3. *Introduction to Judaism;*
4. *The History of Jewish People until 70 C.E.;*
5. *Jewish Tradition and Philosophy in the 20th Century.*

Scientific priorities

The Centre had defined three main scientific priorities which have been successfully carried out.

1. History and cultural history of Jews in Latvia and Baltic (A.Stranga, L.Dribin, M.Vesterman)
2. Rabbinical and philosophical Jewish thought in Latvia and Baltic region (I. Leitane)
3. Jewish thought and modern science (R. Ferber)
4. The concept of Jewish education in Latvia and Baltic (A. Kopelovich, A. Antane).

Conferences

The First International Conference "Jews in a Changing World," held in **Riga on August 28-29, 1995**, received considerable attention in Latvia and the CIS. 37 papers on demography, culture, philosophy, Jewish education, and the Jewish communities of the former Soviet Union were presented at the conference by participants from Latvia, Lithuania, Estonia, Belarus, Ukraine, Russia, Israel, the USA, and Great Britain.

The Second International Conference "Jews in a Changing World" was held in Riga on August 25-27, 1997. It presented analyses of contemporary issues from both modern secular and traditional Jewish perspectives. Lecturers from 8 countries discussed Medical Ethics; Business

Ethics; Culture & Religion; Torah & Science; the Holocaust; Jewish Education; and Philosophy & History.

The Third International Conference "Jews in a Changing World" was held in Riga on 25th, 26th and 27th October 1999. The Third International Conference "Jews in a Changing World" was dedicated to the outstanding Jewish personalities in the history of Latvia and Baltic, to their contribution into culture of Eastern and Central Europe and the whole world. The contributions and working discussions concerned religious thinkers, community leaders, great personalities in the area of philosophy, history, science, medicine, arts.

A special extended session was dedicated to the late **Sir Isaiah Berlin**, who was born and brought up in Riga, and his political philosophy. The conference was honoured by presence of Lady Berlin.

Conclusions of the international meeting on the investigation of Konrads Kalejs and other participants in Nazi-sponsored crimes committed during World War II

18.02.2000.

Upon the initiative of the General Prosecutor's Office of Latvia, the meeting of the representatives from Australia, Canada, Germany Great Britain, Israel, and the United States, was organized on February 16 - 17 in order to co-operate in the investigation of Nazi-sponsored crimes committed on Latvian territory during World War II, including the case of Konrads Kalejs.

During the meeting, the Prosecutor General of Latvia, Mr. Janis Skrastins, expressed Latvia's readiness and commitment to actively, carefully and consistently investigate Nazi-sponsored crimes committed on Latvian territory during World War II and to prosecute persons having committed these crimes. The Office of Prosecutor General of Latvia assumed a leading role in this process. As a result, the Office of Prosecutor General of Latvia has made a decision to increase the staff of the Division for Crimes of Totalitarian Regimes and resources allocated to the investigation.

During the meeting, the Prosecutor General of Latvia provided information about the law of the Republic of Latvia regarding war crimes, crimes against humanity and criminal procedure. The participants of the meeting suggested an action plan, and agreed to support the General Prosecutor's Office of Latvia. Latvia has undertaken to update all parties on the progress of its investigations within three months, and the other parties agreed to undertake certain support during that time.

The participants in the meeting discussed their legal and judicial experience in the investigation of war crimes and prosecution of war criminals both on the international and national level. The parties agreed that joining the efforts of experts in law and history is crucial to the investigation of war crimes. The Prosecutor General of Latvia decided to involve Prof. H. Strods, a member of the Latvian Commission of Historians, as well as the Latvian Documentation Centre of Totalitarian Regimes, in these investigations.

The representatives of Latvia and Australia agreed on negotiating an extradition relationship as a matter of priority.

Latvia and Great Britain agreed to organize a visit of Latvian investigators to Scotland Yard in the near future to review the relevant material.

Australia, Canada, Germany and the United States offered the benefit of their expertise, relevant legal materials, technical assistance, and any new relevant information or assistance which they can provide in the prosecution of similar cases.

Israel offered its assistance in obtaining relevant materials regarding war crimes committed on Latvian territory from non-governmental organizations and individuals in Israel.

The two-day meeting proceeded in a constructive and open atmosphere under the strong leadership of the Prosecutor General, Mr. Skrastins. All participants look forward to the fulfillment of the agreed objectives.

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002. report	Re: [Latvian politics] (2 pages)	02/18/2000	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
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OA/Box Number: 2630

FOLDER TITLE:

Latvia [3]

2011-1037-F
ke2190

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

UNCLASSIFIED
NSC/RMO PROFILE

RECORD ID: 9909100
RECEIVED: 16 DEC 99 16

TO: PRESIDENT

FROM: BERGER
BRAIN, C

DOC DATE: 24 JAN 00
SOURCE REF:

KEYWORDS: LATVIA
CONGRESSIONAL
LEGAL ISSUES

FISHING
TREATIES

PERSONS:

SUBJECT: TRANSMISSION TO CONGRESS OF AGREEMENT EXTENDING GOVERNING OF INTL
FISHERY AGREEMENT W/ REPUBLIC OF LATVIA

ACTION: PRESIDENT SGD PER WH EXEC CLERK DUE DATE: 22 DEC 99 STATUS: C

STAFF OFFICER: NORLAND

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

BLINKEN

FICKLIN

NORLAND

NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSDMK

CLOSED BY: NSDMK

DOC 3 OF 3

UNCLASSIFIED

UNCLASSIFIED
ACTION DATA SUMMARY REPORT

RECORD ID: 9909100

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 NORLAND	Z 99121616 PREPARE MEMO FOR BERGER
002 BERGER	Z 00011317 FWD TO PRESIDENT FOR SIGNATURE
002 BRAIN, C	Z 00011713 FOR SIGNATURE
003 PRESIDENT	Z 00012411 FOR SIGNATURE
003	X 00020214 PRESIDENT SGD PER WH EXEC CLERK

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

003	000124	VICE PRESIDENT
003	000124	PODESTA, J

UNCLASSIFIED

NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

PROOFED BY: T LOG # 9100
 URGENT NOT PROOFED: _____ SYSTEM ERS INT ARS
 BYPASSED WW DESK: _____ DOCLOG T A/O _____

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
GIRE	_____	_____	_____
JACOBSON	_____	_____	_____
POWELL	_____	_____	_____
SARGEANT	<u>1</u>	<u>8/1/15</u>	_____
BRADTKE	_____	_____	_____
RUDMAN	<u>2</u>	<u>ma 1/15</u>	_____
STEINBERG	_____	_____	_____
BERGER	_____	_____	_____
SITUATION ROOM	_____	_____	_____
WEST WING DESK	<u>3</u>	<u>AD 1/17</u>	<u>ACMB</u>
RECORDS MGMT.	_____	_____	_____
_____	_____	_____	_____

A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

20 JAN 13 3:38
 cc:

COMMENTS: Transmission to the Congress of
 the Agreement Extending the
 Governing Int'l Fishery Agreement
 w/ Republic of Latvia
 EXEC SEC OFFICE HAS DISKETTE yes

THE WHITE HOUSE

WASHINGTON

January 24, 2000

President sgd per WH
Executive Clerk

1/31

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER *and for*
CHARLES M. BRAIN *CMB*

SUBJECT: Transmission to the Congress of the Agreement
Extending the Governing International Fishery
Agreement with the Republic of Latvia

Purpose

To transmit to the Congress the Agreement extending the Governing International Fishery Agreement with the Republic of Latvia.

Background

The Agreement between the Government of the United States and the Republic of Latvia Concerning Fisheries Off the Coasts of the United States, with Annex, was signed at Washington, April 8, 1993. By an exchange of notes at Riga on June 7 and September 27, 1999, this Agreement is being extended to December 31, 2002.

The Magnuson-Stevens Fishery Conservation and Management Act provides that governing international fishery agreements such as this one shall not become effective until 120 days following Presidential transmittal of the text to the Senate and House of Representatives.

RECOMMENDATION

That you sign the transmittal letters at Tab A.

Attachments

Tab A Transmittal letters

Tab B Agreement text

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Mr. President:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on June 7 and September 27, 1999, extends the 1993 Agreement to December 31, 2002.

In light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration to this Agreement at an early date.

Sincerely,

The Honorable Albert Gore, Jr.
President of the Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear Mr. Speaker:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on June 7 and September 27, 1999, extends the 1993 Agreement to December 31, 2002.

In light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration to this Agreement at an early date.

Sincerely,

The Honorable J. Dennis Hastert
Speaker of the
House of Representatives
Washington, D.C. 20515

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Latvia and has the honor to refer to the Agreement between the Government of the United States of America and the Government of the Republic of Latvia concerning fisheries off the coasts of the United States, with annex, signed at Washington April 8, 1993, as extended (the Agreement).

The Embassy proposes on behalf of the Government of the United States of America, that the Agreement, which is currently scheduled to expire on December 31, 1999, be extended for an additional three-year period, until December 31, 2002. If this proposal is acceptable to the Government of the Republic of Latvia, the Embassy proposes that this note and the Government of the Republic of Latvia's favorable note in reply shall constitute an agreement between the two Governments, which shall enter into force on a date to be determined in a subsequent exchange of diplomatic notes following the completion of all necessary internal procedures of both parties.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Latvia the assurances of its highest consideration.

Embassy of the United States of America,

Riga, June 7, 1999.





MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF LATVIA

No. 41/795-6567

The Ministry of Foreign Affairs of the Republic of Latvia presents its compliments to the Embassy of the United States of America and has the honour to refer to its Note No.33, dated 7 June 1999, and the Note No.41/540 - 4071 of the Ministry of Foreign Affairs of the Republic of Latvia, dated 11 June 1999, concerning the Agreement between the Government of the Republic of Latvia and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States, signed in Washington on 8 April 1993.

The Republic of Latvia agrees on proposed extension of the aforementioned Agreement until 31 December 2002 and informs that the legal requirements necessary for the entry into force of extension of the said Agreement have been fulfilled.

The Ministry of Foreign Affairs of the Republic of Latvia avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Riga, 27 September 1999



To the Embassy of
the United States of America
RIGA

AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE REPUBLIC OF LATVIA
CONCERNING FISHERIES OFF THE COASTS
OF THE UNITED STATES

The Government of the United States of America and the Government of the Republic of Latvia (hereafter referred to as "the United States" and "Latvia", respectively, or "the Parties"),

Considering their common concern for the rational management, conservation and achievement of optimum yield of fish stocks off the coasts of the United States;

Recognizing that the United States has established by Presidential Proclamation of March 10, 1983 an exclusive economic zone within 200 nautical miles of its coasts within which the United States has sovereign rights to explore, exploit, conserve and manage all fish and that the United States also has such rights over the living resources of the continental shelf appertaining to the United States and anadromous species of fish of United States origin; and

Desirous of establishing reasonable terms and conditions pertaining to fisheries of mutual concern over which the United States has sovereign rights to explore, exploit, conserve and manage;

Have agreed as follows:

ARTICLE I

The purpose of this Agreement is to promote effective conservation, rational management and the achievement of optimum yield in the fisheries of mutual interest off the coasts of the United States, to facilitate the rapid and full development of the United States fishing industry and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of Latvia for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage.

ARTICLE II

As used in this Agreement, the term

1. "living resources over which the United States has sovereign rights to explore, exploit, conserve and manage" means all fish within the exclusive economic zone of the United States, all anadromous species of fish that spawn in the fresh or estuarine waters of the United States and migrate to ocean waters while present in the United States exclusive economic zone and in areas beyond national fisheries jurisdictions recognized by the United States and all living resources of the continental shelf appertaining to the United States;

2. "fish" means all finfish, mollusks, crustaceans, and other forms of marine animal and plant life, other than marine mammals and birds;

3. "fishery" means

- a. one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, recreational and economic characteristics; and
- b. any fishing for such stocks;

4. "exclusive economic zone" means a zone contiguous to the territorial sea of the United States, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States is measured;

5. "fishing" means

- a. the catching, taking or harvesting of fish;
- b. the attempted catching, taking or harvesting of fish;
- c. any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish;
- d. any operations at sea, including processing, directly in support of, or in preparation for, any activity described in subparagraphs a. through c. above, provided that such term does not include other legitimate uses of the high seas, including any scientific research activity;

6. "fishing vessel" means any vessel, boat, ship, or other craft that is used for, equipped to be used for, or of a

type that is normally used for

- a. fishing; or
- b. aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing; and

7. "marine mammal" means any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Finnipedia, and Cetacea, or primarily inhabits the marine environment such as polar bears.

ARTICLE III

1. The United States is willing to allow access for fishing vessels of Latvia to harvest, in accordance with terms and conditions to be established in permits issued under Article VII, that portion of the total allowable catch for a specific fishery that will not be harvested by United States fishing vessels and is determined to be available to fishing vessels of Latvia in accordance with United States law.

2. The United States shall determine each year, subject to such adjustments as may be appropriate and in accordance with United States law:

- a. the total allowable catch for each fishery based on optimum yield, taking into account the best available scientific evidence, and social, economic and other relevant factors;

- b. the harvesting capacity of United States fishing vessels in respect of each fishery;
- c. the portion of the total allowable catch for a specific fishery to which access will be provided, on a periodic basis each year, to foreign fishing vessels; and
- d. the allocation of such portion that may be made available to Latvia.

3. The United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery in accordance with United States law. Such measures may include, inter alia:

- a. designated areas where, and periods when, fishing shall be permitted, limited, or conducted only by specified types of fishing vessels or with specified types and quantities of fishing gear;
- b. limitations on the catch of fish based on area, species, size, number, weight, sex, incidental catch, total biomass or other factors;
- c. limitations on the number and types of fishing vessels that may engage in fishing and/or on the number of days each vessel of the total fleet may engage in a designated area for a specified fishery;

- d. requirements as to the types of gear that may, or may not, be employed; and
- e. requirements designed to facilitate enforcement of such conditions and restrictions, including the maintenance of appropriate position-fixing and identification equipment.

4. The United States shall notify Latvia of the determinations provided for by this Article on a timely basis.

ARTICLE IV

In determining the portion of the surplus that may be made available to Latvia and to other countries, the United States will decide on the basis of the factors identified in United States law, including:

1. whether, and to what extent, such nation imposes tariff barriers or nontariff barriers on the importation, or otherwise restricts the market access, of both United States fish and fishery products, particularly fish and fishery products for which the foreign nation has requested an allocation;

2. whether, and to what extent, such nation is cooperating with the United States in both the advancement of existing and new opportunities for fisheries exports from the United States through the purchase of fishery products from United States processors and the advancement of fisheries trade through purchase of fish and fishery products from United States

fishermen, particularly fish and fishery products for which the foreign nation has requested an allocation;

3. whether, and to what extent, such nation and the fishing fleets of such nation have cooperated with the United States in the enforcement of United States fishing regulations;

4. whether, and to what extent, such nation requires the fish harvested from the exclusive economic zone for its domestic consumption;

5. whether, and to what extent, such nation otherwise contributes to, or fosters the growth of, a sound and economic United States fishing industry, including minimizing gear conflicts with fishing operations of United States fishermen, and transferring harvesting or processing technology which will benefit the United States fishing industry;

6. whether, and to what extent, the fishing vessels of such nation have traditionally engaged in fishing in such fishery;

7. whether, and to what extent, such nation is cooperating with the United States in, and making substantial contributions to, fishery research and the identification of fishery resources;

8. whether, and to what extent, such nation is cooperating with the United States in matters pertaining to

- a. the implementation of United Nations General Assembly Resolution 46/215 of December, 1991 on Large-scale Pelagic Driftnet Fishing;

- b. the conservation and management of anadromous species; and
- c. the conservation of the pollock resource in the central Bering Sea; and

9. such other matters as the United States deems appropriate.

ARTICLE V

Latvia shall cooperate with and assist the United States in the development of the United States fishing industry and the increase of United States fishery exports by taking such measures as facilitating the importation and sale of United States fishery products, providing information concerning technical and administrative requirements for access of United States fishery products into Latvia, providing economic data, sharing expertise, facilitating the transfer of harvesting or processing technology to the United States fishing industry, facilitating appropriate joint venture and other arrangements, informing its industry of trade and joint venture opportunities with the United States, and taking other actions as may be appropriate.

ARTICLE VI

Latvia shall take all necessary measures to ensure:

- 1. that nationals and vessels of Latvia refrain from fishing for living resources over which the United

States has sovereign rights to explore, exploit, conserve and manage except as authorized pursuant to this Agreement;

2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States; and

3. that the total allocation referred to in Article III, paragraph 2.d. of this Agreement is not exceeded for any fishery.

ARTICLE VII

Latvia may submit an application to the United States for a permit for each fishing vessel of Latvia that wishes to engage in fishing in the exclusive economic zone pursuant to this Agreement. Such application shall be prepared and processed in accordance with the Annex, which constitutes an integral part of this Agreement. The United States may require the payment of fees for such permits and for fishing in the exclusive economic zone. While such fees shall be applied without discrimination, the fee level may vary depending upon, inter alia, whether, in the judgement of the United States, vessels or nationals of Latvia are harvesting United States origin anadromous species at unacceptable levels, or whether Latvia is failing to take sufficient action to benefit the conservation and development of United States fisheries. Latvia undertakes to keep the number of applications to the minimum required, in order to aid in the efficient administration of the permit program.

ARTICLE VIII

Latvia shall ensure that nationals and vessels of Latvia refrain from harassing, hunting/capturing or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the exclusive economic zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a party, or in accordance with specific authorization for and controls on incidental taking of marine mammals established by the United States.

ARTICLE IX

Latvia shall ensure that in the conduct of the fisheries under this Agreement:

1. the authorizing permit for each vessel of Latvia is prominently displayed in the wheel house of such vessel;
2. appropriate position-fixing and identification equipment, as determined by the United States, is installed and maintained in working order on each vessel;
3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be accorded the courtesies and accommodations provided to ship's officers while aboard such vessel, and owners, operators and crews of such vessel shall cooperate with observers in the conduct of their official duties, and, further, the United

States shall be reimbursed for the costs incurred in the utilization of observers;

4. agents are appointed and maintained within the United States possessing the authority to receive and respond to any legal process issued in the United States with respect to an owner or operator of a vessel of Latvia for any cause arising out of the conduct of fishing activities for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage; and

5. all necessary measures are taken to minimize fishing gear conflicts and to ensure the prompt and adequate compensation of United States citizens for any loss, or damage to, their fishing vessels, fishing gear or catch, and resultant economic loss, that is caused by any fishing vessel of Latvia as determined by applicable United States procedures.

ARTICLE X

Latvia shall take all appropriate measures to assist the United States in the enforcement of its laws pertaining to fishing in the exclusive economic zone and to ensure that each vessel of Latvia that engages in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage shall allow and assist the boarding and inspection of such vessel by any duly authorized enforcement officer of the United States and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

ARTICLE XI

1. The United States will impose appropriate penalties, in accordance with the laws of the United States, on vessels of Latvia or their owners, operators, or crews that violate the requirements of this Agreement or of any permit issued hereunder.

2. Arrested vessels and their crews shall be promptly released, subject to such reasonable bond or other security as may be determined by the court.

3. In any case arising out of fishing activities under this Agreement, the penalty for violation of fishery regulations shall not include imprisonment except in the case of enforcement related offenses such as assault on an enforcement officer or refusal to permit boarding and inspection.

4. In cases of seizure and arrest of a vessel of Latvia by the authorities of the United States, notification shall be given promptly through diplomatic channels informing Latvia of the action taken and of any penalties subsequently imposed.

ARTICLE XII

1. The United States and Latvia shall cooperate in the conduct of scientific research required for the purpose of managing and conserving living resources over which the United States has sovereign rights to explore, exploit, conserve and manage, including the compilation of the best available

scientific information for management and conservation of stocks of mutual interest.

2. The Parties shall cooperate in the development of a periodic research plan on stocks of mutual concern through correspondence or meetings as appropriate, and may modify it from time to time by agreement. The agreed research plans may include, but are not limited to, the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and jointly conducted research projects.

3. The conduct of agreed research during regular commercial fishing operations on board a fishing vessel of Latvia in the exclusive economic zone shall not be deemed to change the character of the vessel's activities from fishing to scientific research. Therefore, it will still be necessary to obtain a permit for the vessel in accordance with Article VII.

4. Latvia shall cooperate with the United States in the implementation of procedures for collecting and reporting biostatistical information and fisheries data, including catch and effort statistics, in accordance with procedures which will be stipulated by the United States. Latvia shall similarly provide such economic data as may be requested by the United States.

5. Latvia shall cooperate with the United States in matters pertaining to the implementation of United Nations General Assembly Resolution 46/215 of December, 1991 on Large-scale Pelagic Driftnet Fishing, the conservation and management of anadromous species, and the conservation of the pollock resource in the central Bering Sea.

ARTICLE XIII

1. The United States and Latvia shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including cooperation within the framework of appropriate multilateral organizations for the collection and analysis of scientific data respecting such fisheries.

2. At the request of either Party any dispute concerning the interpretation or application of this Agreement shall be the subject of consultations between them.

ARTICLE XIV

The United States undertakes to authorize fishing vessels of Latvia allowed to fish pursuant to this Agreement to enter ports in accordance with United States laws for the purpose of purchasing bait, supplies, or outfits, or effecting repairs, changing crews, or for such other purposes as may be authorized.

ARTICLE XV

Should the United States indicate to Latvia that nationals and vessels of the United States wish to engage in fishing in areas within the fisheries jurisdiction of Latvia, Latvia shall allow such fishing on terms not more restrictive than those established in accordance with this Agreement.

ARTICLE XVI

Nothing contained in the present Agreement shall prejudice:

1. the views of either Party with respect to the existing territorial or other jurisdiction of the coastal State for all purposes other than the conservation and management of fisheries; or,
2. any other international rights and obligations of either Party.

ARTICLE XVII

The Agreement shall apply to the territories of Latvia, and to the United States, its territories and its possessions.

ARTICLE XVIII

1. This Agreement shall enter into force on a date to be agreed upon by exchange of notes, following the completion of

internal procedures of both Parties, and shall remain in force until June 1, 1995 unless extended by exchange of notes between the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement after giving written notice of such termination to the other Party six months in advance.

2. At the request of either Party, this Agreement shall be subject to review by the two Parties two years after its entry into force.

IN WITNESS WHEREOF, the undersigned, being duly authorized for this purpose, have signed this Agreement.

DONE at Washington, in duplicate, this eighth day of April, 1993 in the English and Latvian languages, each text being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE
REPUBLIC OF LATVIA:

A handwritten signature in dark ink, appearing to read "David Albion". The signature is fluid and cursive, with the first name "David" being more prominent.A handwritten signature in dark ink, appearing to read "A. Stedreys". The signature is highly stylized and cursive, with a large, sweeping flourish at the end.

ANNEX

Application and Permit Procedures

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of Latvia to engage in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage:

1. Latvia may submit an application to the competent authorities of the United States for each fishing vessel of Latvia that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the United States for that purpose.

2. Any such application shall specify

- a. the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner and operator thereof;
- b. the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear, and such other information relating to the fishing characteristics of the vessel may be requested;
- c. a specification of each fishery in which each vessel wishes to fish;

- d. the amount of fish or tonnage of catch by species contemplated for each vessel during the time such permit is in force;
- e. the ocean area in which, and the season or period during which, such fishing would be conducted; and
- f. such other relevant information as may be requested, including desired transshipping areas.

3. The United States shall review each application, shall determine what conditions and restrictions may be needed, and what fee will be required, and shall inform Latvia of such determinations. The United States reserves the right not to approve applications. If permit applications are disapproved, the United States authorities will inform Latvia of the reasons for such disapproval.

4. Latvia shall thereupon notify the United States of its acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of its objections thereto.

5. Upon acceptance of the conditions and restrictions by Latvia and the payment of any fees, the United States shall approve the application and issue a permit for each fishing vessel of Latvia, which fishing vessel shall thereupon be authorized to fish in accordance with this Agreement and the terms and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.

6. In the event Latvia notifies the United States of its objections to specific conditions and restrictions, the Parties may consult with respect thereto and Latvia may thereupon submit a revised application.

7. The procedures in this Annex may be amended by agreement through an exchange of notes between the Parties.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

9100

January 13, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ANTONY BLINKEN (AJB)

FROM: RICHARD NORLAND

SUBJECT: Transmission to the Congress of the Agreement
Extending the Governing International Fishery
Agreement with the Republic of Latvia

Attached at Tab I is your memorandum to the President forwarding to the Congress the letters of transmittal for the Agreement extending the Governing International Fishery Agreement with the Republic of Latvia. Attached at Tab B is the text of the Agreement.

The NSC received the incoming correspondence on December 16, 1999.

Concurrences by: Daniel Shapiro and Charles Allen } AL

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

Tab A Transmittal letters

Tab B Agreement text

Tab II Incoming from State

Norland, Richard B. (EUR)

From: Norland, Richard B. (EUR)
Sent: Monday, January 31, 2000 9:00 PM
To: Hilliard, Brenda I. (EXSEC)
Cc: @AFRICA - African Affairs; @BLINKEN
Subject: RE: foreign leaders at prayer breakfast [UNCLASSIFIED]

Brenda, here are cleared cards for **Latvia** and Norway:



-----Original Message-----

From: Hilliard, Brenda I. (EXSEC)
Sent: Monday, January 31, 2000 8:56 PM
To: @INTERAM - Inter-American; @ASIA - Asian Affairs; @AFRICA - African Affairs; @EUROPE - European Affairs; @RUSSIA - Russia/Ukraine
Cc: @EXECSEC - Executive Secretary
Subject: FW: foreign leaders at prayer breakfast [UNCLASSIFIED]

This is a reminder that your 4x6 card for the President's use at the Prayer Breakfast is due in Execsec by noon, tomorrow, Feb 1.

@AFRICA: Thanks for sending your cards today.

-----Original Message-----

From: Hilliard, Brenda I. (EXSEC)
Sent: Friday, January 28, 2000 7:00 PM
To: @INTERAM - Inter-American; @ASIA - Asian Affairs; @AFRICA - African Affairs; @EUROPE - European Affairs; @RUSSIA - Russia/Ukraine
Cc: @EXECSEC - Executive Secretary
Subject: RE: foreign leaders at prayer breakfast [UNCLASSIFIED]

Following is a list of foreign leaders who will be in a small group setting with the President following the Prayer Breakfast Thursday, Feb 3.

President Rene Preval of Haiti with Mrs. Preval
Mrs. Kim Dae Jung, First Lady of South Korea
Prime Minister Navinchandra Ramgoolam of Mauritius
President Leo Falcam of Micronesia
Mrs. Seraphine Bizimungu of Rwanda
Guntis Ulmanis, Former President of Latvia
Armen Darbinian, Former Prime Minister of Armenia
Norwegian Minister of the Interior (sorry; please find out his name; unknown by the Prayer Group at this time.)

Please provide a few brief, **unclassified**, talking points to be used by the President when he greets each of these leaders, following the attached sample card. Cards should be sent by E-Mail to @execsec no later than noon, Tuesday, February 1. . << File: SAMPLE PRAYER BREAKFAST CARD.doc >>

Thanks.

-----Original Message-----

From: Bradtke, Robert A. (EXSEC)
Sent: Monday, January 24, 2000 3:38 PM
To: @ALLNSC - NSC Staff
Subject: foreign leaders at prayer breakfast [UNCLASSIFIED]

appropriate senior directors and directors are asked to review the following list of foreign leaders, who at this stage may be in a group meeting with the president at the february 3 congressional prayer breakfast and may have brief contact with him. the titles are as provided by the prayer breakfast organization. this is in addition to those heads of state/government in my previous email, who will be in a separate meeting. i would like replies even if you perceive no problems in the president having contact with these individuals. (@asia and @nesa: there are one tawainese and several near and south asia types that need your particular scrutiny.) keep in mind that the host organization does not see us as having a veto over who gets invited to their function. however, we would like to avoid putting the president into a potentially embarrassing situation.

albania: skender Gjinushi, speaker of parliament

armenia armen darbinian, former minister
bangladesh, kazi zafarullah, cabinet minister
bermuda, pamela gordon, former premier
bosnia, milorad dodik, prime minister (sic)
bosnia, zoran kovac, dodik interpreter
bosnia, safet orucevic, mayor of mostar
cambodia, sok an, chairman, council of ministers
fiji, sitiveni rabuka, former prime minister
india, margaret alva, mp
india, p.a. sangma, former speaker
iran, ayatollah majdoddin mahallati, religious leader
iran, amir mahallati, interpreter for the ayatollah
italy, umberto giovine, mp
latvia, guntis ulmanis, former president
macedonia, jordan boskov, mp
morocco, slimane slimani, businessman
pakistan, benizir bhutto, former pm
peru, alberto carmona, mayor of lima
saudi arabia, prince salman bin sultan, prince (sic)
saudi arabia, ahmad kattan, minister
serbia, zoran djindjic, chairman of the democratic party
taiwan, shuih-teh hsu, head of delegation
turkey, huesnue dogan, former member of parliament

POINTS TO BE MADE AT PRAYER BREAKFAST GROUP MEETING
FORMER PRESIDENT GUNTIS ULMANIS [OOL-~~MA~~-NIS]
LATVIA

- CONGRATULATIONS ON INVITATION TO START EU ACCESSION TALKS.
- U.S. COMMITTED TO HELPING LATVIA BECOME FULL MEMBER OF ALL EUROPEAN AND TRANSATLANTIC INSTITUTIONS.
- WE'RE IMPRESSED BY NEW LANGUAGE LAW AND OTHER PROGRESS IN INTEGRATING RUSSIAN-SPEAKERS.
- HOPE YOU WILL CONTINUE TO PLAY IMPORTANT ROLE IN LATVIA'S FUTURE.

POINTS TO BE MADE AT PRAYER BREAKFAST GROUP MEETING
MINISTER FOR INTERNATIONAL DEVELOPMENT AND HUMAN RIGHTS HILDE
FRAFJORD JOHNSON
NORWAY

- THANK YOU FOR A WONDERFUL VISIT TO OSLO.
- PLEASE ACCEPT CONDOLENCES ON STRING OF RECENT TRAGEDIES - FERRY AND TRAIN DISASTERS, AVALANCHE.
- UNDERSTAND YOU AND PRIME MINISTER BONDEVIK WILL VISIT NIGERIA SOON - PLEASE CONVEY OUR MESSAGE OF SUPPORT FOR PROCESS OF DEMOCRATIZATION THERE.

Latvia

Norland, Richard B. (EUR)

From: WHSR
Sent: Thursday, January 27, 2000 10:51 AM
To: Black, Steven K. (VP); Bolan, Christopher J. (VP); Brody, Richard J. (VP); Brzezinski, Mark F. (RUE); Cables; Davidson, Leslie K. (VP); Elkind, Jonathan H. (RUE); Medish, Mark C. (RUE); Norland, Richard B. (EUR); Tedstrom, John E. (RUE); Weiss, Andrew S. (RUE); Yee, Hoyt B. (EUR)
Subject: LATVIA IN POLITICS #33, JANUARY 10-23, 2000
ActionAddres: RUEHC/SECSTATE WASHDC 4508
Classification: UNCLASSIFIED
DateTime: 271540Z JAN 00
Distribution: SIT: BLACK BOLAN BRODY BRZEZINSKI NSC DAVIDSON ELKIND MEDISH NORLAND
TEDSTROM WEISS YEE
PRT: JACOBSON
Identifier: M4263755
InfoAddres: RUCNNEI/NORTHERN EUROPEAN INITIATIVE COLLECTIVE
RUEHNO/USMISSION USNATO 1616
RUEHVEN/USMISSION USOSCE VIENNA 0339
RUEHBS/USEU BRUSSELS
RHEHAAA/THE WHITE HOUSE WASHDC
Line1: RAAUZYUW RUEHRAA0367 0271540-UUUU--RHEHAAA.
Line2: ZNR UUUUU ZZH
Line3: R 271540Z JAN 00
Line4: FM AMEMBASSY RIGA
Originator: AMEMBASSY RIGA
Precedence: ROUTINE
Profiles: BLACKS
BOLANC
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BRZEZINM
CABLES
DAVIDSOL
ELKINDJ
MEDISHM
NORLANDR
TEDSTROJ
WEISSA
YEEH
StationRoutingIndicator: RUEHRA
StationSerialNumber: 0367
TimeOfReceipt: 01/27/2000 10:50:56 ET

UNCLAS SECTION 01 OF 03 RIGA 000367

STATE FOR EUR/DAS ASMUS, EUR/NB, S/NIS
THE WHITE HOUSE FOR NSC NORLAND

E.O. 12958: N/A
TAGS: PGOV, PHUM, PREL, LG
SUBJECT: LATVIA IN POLITICS #33, JANUARY 10-23, 2000

REF: RIGA 4173

SUMMARY

1. THE PREVIOUS TWO WEEKS SAW A FURTHER DETERIORATION OF LATVIAN-RUSSIAN RELATIONS. THE RUSSIAN FOREIGN MINISTRY STRONGLY CRITICIZED THE SAEIMA STATEMENT AND PRIME MINISTER SKELE'S REMARKS ON CHECHNYA, DENOUNCED THE CONVICTION OF THE RED PARTISAN, VASILY KONONOV, AND CONTINUED TO ATTACK LATVIA'S NEW LANGUAGE LAW. IN DOMESTIC POLITICS, THE NATIONALIST "FATHERLAND AND FREEDOM" PARTY ACCUSED ITS SENIOR RULING COALITION

PARTNER, "THE PEOPLE'S PARTY," OF CONDUCTING SECRET TALKS WITH THE OPPOSITION TO SEEK A NEW COALITION. ON THE BRIGHTER SIDE, PRESIDENT VAIRA VIKI-FREIBERGA APPOINTED MFA'S UNDERSECRETARY AIVIS RONIS AS LATVIA'S NEW AMBASSADOR TO THE U.S. DESPITE OPPOSITION FROM THE SAEIMA FOREIGN AFFAIRS COMMITTEE. END SUMMARY.

RUSSIA CONDEMNS LATVIAN STANCE ON CHECHNYA

2. HOPES OF AN IMPROVEMENT IN LATVIAN-RUSSIAN RELATIONS SUFFERED ANOTHER SETBACK AS BOTH PRIME MINISTER ANDRIS SKELE AND THE SAEIMA ANGERED MOSCOW BY MAKING PRONOUNCEMENTS ON RUSSIA'S MILITARY CAMPAIGN IN CHECHNYA. IN A TELEVISED PRESS CONFERENCE JANUARY 13, SKELE REMARKED THAT RUSSIA'S DECISION NOT TO ALLOW MEN AGED FROM TEN TO SIXTY TO PASS THROUGH THE CHECKPOINTS ON THE CHECHEN BORDER AMOUNTED TO "STARK GENOCIDE." THIS STATEMENT PROVOKED IMMEDIATE BACKLASH FROM MOSCOW. THE RUSSIAN FOREIGN MINISTRY ANNOUNCED THAT IT VIEWED SKELE'S REMARKS AS AN "ATTEMPT TO DISTORT THE FACTS AND TO JUSTIFY CHECHEN TERRORISTS." THE RUSSIAN STATEMENT WARNED THAT "LATVIA'S EFFORTS TO BUILD RELATIONS WITH RUSSIA ON THE BASIS OF SUCH PRONOUNCEMENTS ARE UNPRODUCTIVE." SKELE RESPONDED BY SAYING THAT THE "SEPARATION OF TEN-YEAR-OLD BOYS FROM THEIR MOTHERS" COULD NOT BE CALLED OTHER THAN GENOCIDE BUT EXPRESSED SATISFACTION THAT RUSSIA HAD LIFTED ITS BAN ON CHECHEN MEN TO CROSS THE BORDER.

3. AFTER MANY WEEKS OF LINGERING THE SAEIMA FINALLY ADOPTED A STATEMENT JANUARY 20 URGING RUSSIA TO HALT ITS MILITARY CAMPAIGN IN CHECHNYA AND TO SEEK A PEACEFUL SETTLEMENT OF THE CONFLICT "RESPECTING THE HUMAN RIGHTS AND THE SELF-DETERMINATION RIGHTS OF PEOPLES." AS EXPECTED, THE RUSSIAN REACTION TO THE SAEIMA STATEMENT WAS ONE OF CONDEMNATION. A FOREIGN MINISTRY SPOKESMAN IN MOSCOW STATED THAT RUSSIA "CANNOT HOLD TALKS WITH TERRORISTS AT WHOSE HANDS THOUSANDS OF CIVILIANS ARE DYING" AND THAT IN THE CURRENT CIRCUMSTANCES THE POSITION OF THE LATVIAN LEGISLATORS WAS NOTHING BUT "DIRECT SUPPORT FOR TERRORISTS AND SEPARATISTS." MARIS RIEKSTINS, STATE SECRETARY OF THE LATVIAN FOREIGN MINISTRY, SAID RUSSIA HAD EITHER MISUNDERSTOOD THE STATEMENT OR DELIBERATELY DISTORTED THE LATVIAN POSITION. AIVARS GROZA, PRIME MINISTER SKELE'S FOREIGN AFFAIRS ADVISOR, EXPLAINED THAT THE SAEIMA DID NOT QUESTION RUSSIA'S TERRITORIAL INTEGRITY BUT THAT IT HAD JUST EXPRESSED ITS CONCERN OVER THE HUMANITARIAN SITUATION IN THE REGION. (COMMENT: THE WORDING OF THE SAEIMA STATEMENT WAS NOT MUCH DIFFERENT FROM WHAT OTHER COUNTRIES, INCLUDING LATVIA'S BALTIC NEIGHBORS, AND INTERNATIONAL ORGANIZATIONS HAVE SAID ABOUT THE CONFLICT. RUSSIA'S HARSH REACTION TO IT SUGGESTS THAT MOSCOW'S SENSITIVITY TO ANY PRONOUNCEMENTS FROM RIGA REMAINS HEIGHTENED. END COMMENT.)

RED PARTISAN CONVICTED TO SIX-YEAR JAIL TERM

4. ON JANUARY 21, THE RIGA REGIONAL COURT FOUND A FORMER SOVIET PARTISAN, VASILY KONONOV, GUILTY OF WAR CRIMES AND SENTENCED HIM TO A SIX-YEAR IMPRISONMENT. KONONOV WAS ACCUSED OF MURDERING NINE CIVILIANS IN AN EASTERN LATVIAN VILLAGE DURING THE WAR. ACCORDING TO THE COURT, A GROUP OF EIGHTEEN RED PARTISANS CLAD IN GERMAN UNIFORMS AND LED BY KONONOV HAD RAIDED THE VILLAGE OF MAZIE BATI ON THE EVENING OF MAY 27, 1944, KILLING OR BURNING ALIVE NINE

CIVILIANS, INCLUDING A WOMAN WHO WAS NINE MONTHS PREGNANT. THE PROSECUTION BASED THE CONVICTION ON EYEWITNESSES' ACCOUNTS, SOVIET ERA ARCHIVES AND DOCUMENTS, AND MEMOIRS OF FORMER RED PARTISANS. KONONOV UNCLAS SECTION 02 OF 03 RIGA 000367

STATE FOR EUR/DAS ASMUS, EUR/NB, S/NIS
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E.O. 12958: N/A
TAGS: PGOV, PHUM, PREL, LG
SUBJECT: LATVIA IN POLITICS #33, JANUARY 10-23, 2000

PLEADED NOT GUILTY, AND HIS LAWYER HAS ALREADY APPEALED TO THE SUPREME COURT AGAINST THE SENTENCE. A FEW DOZEN SUPPORTERS OF KONONOV, MAINLY ELDERLY RUSSIANS AND SEVERAL YOUTHS OF THE "NATIONAL BOLSHEVIK PARTY," LISTENED TO THE VERDICT AND AFTERWARDS CHANTED "DEATH TO THE COURT" AND "DEATH TO THE FASCISTS." KONONOV BECAME THE FIRST PERSON IN INDEPENDENT LATVIA CONVICTED OF WAR CRIMES; TWO PREVIOUS VERDICTS HANDED DOWN TO ALFONS NOVIKS AND MIKHAIL FARBTUKH WERE FOR GENOCIDE AGAINST THE PEOPLE OF LATVIA. NOT SURPRISINGLY, THE CONVICTION OF VASILY KONONOV PROVOKED IMMEDIATE CONDEMNATION FROM RUSSIA WHICH EMPHASIZED THE FACT THAT KONONOV'S PROSECUTION TOOK PLACE AGAINST THE BACKGROUND OF LATVIA'S "RELUCTANCE" TO TRY THE LATVIAN-BORN SUSPECTED NAZI WAR CRIMINAL, KONRADS KALEJS.

RUSSIAN FOREIGN MINISTRY BLASTS LATVIA'S LANGUAGE LAW

5. THE RUSSIAN FOREIGN MINISTRY HAS ISSUED AN OFFICIAL "COMMENTARY" ON LATVIA'S LANGUAGE LAW ADOPTED BY THE SAEIMA LAST DECEMBER. ALTHOUGH THE LAW HAD PASSED MUSTER WITH THE OSCE AND THE EU, THE RUSSIAN FOREIGN MINISTRY MAINTAINS THAT IT VIOLATES SEVERAL INTERNATIONAL CONVENTIONS AND IS DISCRIMINATORY TOWARDS NON-LATVIANS. THE RUSSIAN MFA DOCUMENT CONTAINS NUMEROUS REFERENCES TO INTERNATIONAL LAWS, CONVENTIONS AND AGREEMENTS WHICH THE LAW SUPPOSEDLY CONTRADICTS. IN PARTICULAR, THE COMMENTARY STRESSES THAT THE LANGUAGE LAW LIMITS THE RIGHTS OF MINORITIES TO DEVELOP THEIR OWN CULTURE AND LANGUAGE AND HAS AN EXPLICIT ASSIMILATORY CHARACTER. ALSO, THE COMMENTARY DENOUNCES THE NORM WHICH DECARES ALL LANGUAGES, EXCEPT LATVIAN AND LIV (THE TONGUE OF AN INDIGENOUS FINNO-UGRIC PEOPLE BARELYSPOKEN ANYMORE), AS FOREIGN LANGUAGES, INCLUDING RUSSIAN. (COMMENT: IT APPEARS THAT THE PURPOSE OF THE COMMENTARY WAS TO SUBSTANTIATE MOSCOW'S OBJECTIONS TO LATVIA'S LANGUAGE LAW AFTER THE INITIAL HIGHLY RHETORICAL STATEMENT IN DECEMBER (REFTEL. RUSSIA IS UNLIKELY EVER TO RECONCILE ITSELF TO THE FACT THAT RUSSIAN, BEING THE NATIVE TONGUE OF ALMOST 40 PERCENT OF THE POPULATION IN LATVIA, IS LEGALLY A FOREIGN LANGUAGE HERE. END COMMENT.)

COALITION PARTIES SQUABBLE OVER TALKS WITH OPPOSITION

6. THE RECENT CONSULTATIONS BETWEEN PRIME MINISTER ANDRIS SKELIS AND LEADERS OF THE OPPOSITION "FOR HUMAN RIGHTS IN A UNITED LATVIA" PARLIAMENTARY FACTION HAVE PROMPTED FRESH SPECULATION ABOUT THE RULING COALITION'S STABILITY. ON JANUARY 21, MEMBERS OF THE "FATHERLAND AND FREEDOM" PARTY CALLED A SPECIAL PRESS CONFERENCE IN WHICH THEY ACCUSED THE "PEOPLE'S PARTY," A SENIOR COALITION PARTNER, OF CONDUCTING CLANDESTINE MEETINGS WITH THE OPPOSITION WITH THE INTENTION OF FORMING A NEW

GOVERNMENT. "FATHERLAND" WAS PARTICULARLY OUTRAGED THAT SKELE TALKED WITH THE PRO-MOSCOW "HUMAN RIGHTS" FACTION. THE PRIME MINISTER AND HIS "PEOPLE'S PARTY" REJECTED "FATHERLAND'S" ACCUSATIONS AS UNFOUNDED SAYING THAT THEY ARE TALKING WITH ALL OPPOSITION PARTIES, INCLUDING THEIR IDEOLOGICAL OPPONENTS. DESPITE THE DISAGREEMENT WITH "FATHERLAND," SKELE REITERATED HIS EARLIER POSITION THAT HIS GOVERNMENT'S STABILITY IS NOT IN JEOPARDY. "FATHERLAND'S" LEADERS WERE LESS OPTIMISTIC BUT THEY NEVERTHELESS STATED THAT THE CURRENT CENTER-RIGHT COALITION WAS THE BEST IN THE PRESENT SITUATION AND THAT THEY WOULD NOT ATTEMPT TO TOPPLE IT. (COMMENT: ALTHOUGH THE SKELE GOVERNMENT LOOKS STRONG NOW, THERE IS POTENTIAL FOR INSTABILITY IN THE COMING MONTHS. THE "PEOPLE'S PARTY" AND "FATHERLAND" ARE LIKELY TO LOCK HORNS OVER SUCH ISSUES AS THE PRIVATIZATION OF THE ENERGY CONCERN "LATVENERGO" AND OVER WHO SHOULD LEAD THE PRIVATIZATION AGENCY WHEN ITS CURRENT DIRECTOR JANIS NAGLIS LEAVES HIS POST IN THE SPRING. WITH THAT IN VIEW, IT IS POSSIBLE THAT THE "PEOPLE'S PARTY" HAS BEGUN TESTING THE WATERS FOR A NEW COALITION ARRANGEMENT WITHOUT "FATHERLAND AND FREEDOM." END COMMENT.)

PRESIDENT APPOINTS RONIS AS AMBASSADOR TO THE U.S.

7. ON JANUARY 17, PRESIDENT VAIRA VIKI-FREIBERGA APPOINTED MFA'S UNDERSECRETARY OF STATE AIVIS RONIS AS LATVIA'S AMBASSADOR TO THE U.S. DESPITE OPPOSITION FROM THE SAEIMA FOREIGN AFFAIRS COMMITTEE. ALTHOUGH THE UNCLAS SECTION 03 OF 03 RIGA 000367

STATE FOR EUR/DAS ASMUS, EUR/NB, S/NIS
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E.O. 12958: N/A
TAGS: PGOV, PHUM, PREL, LG
SUBJECT: LATVIA IN POLITICS #33, JANUARY 10-23, 2000

COMMITTEE'S VOTE IS ONLY ADVISORY, THIS WAS THE FIRST TIME A NOMINEE FOR AMBASSADORSHIP DID NOT WIN ITS SUPPORT -- THE VOTE ON RONIS SPLIT 4-4. THE OPPOSITION "SOCIAL DEMOCRATIC" AND "HUMAN RIGHTS IN A UNITED LATVIA" FACTIONS JOINED HANDS WITH "FATHERLAND AND FREEDOM" TO OPPOSE RONIS' APPOINTMENT ON THE GROUNDS OF HIS "YOUTH AND INEXPERIENCE." COMMITTEE CHAIRMAN GUNTARS KRASTS WARNED THAT RONIS' CONFIRMATION COULD COMPLICATE RELATIONS BETWEEN THE COMMITTEE AND THE FOREIGN MINISTRY.

8. AIVIS RONIS, 31, HAS BEEN WORKING IN THE FOREIGN MINISTRY SINCE 1991. HE HAS SERVED AS THE FIRST SECRETARY IN THE LATVIAN EMBASSY IN STOCKHOLM, AND IN 1999 WAS APPOINTED AS THE NON-RESIDENT AMBASSADOR TO TURKEY. RONIS HOLDS A BACHELOR'S DEGREE IN PHILOSOPHY. FOREIGN MINISTER INDULIS BERZINS AND FORMER LATVIAN AMBASSADOR TO THE U.S. OJARS KALNINS HAVE BOTH DESCRIBED RONIS AS AN EXPERIENCED AND TALENTED DIPLOMAT.

QUOTES

9. "IF HE WAS SO INNOCENT, HE WOULD NOT BE TRAVELING AROUND THE WORLD BUT WOULD BE SPENDING HIS OLD AGE IN A QUIET AUSTRALIAN SUBURB," SAID LATVIAN PRESIDENT VAIRA VIKI-FREIBERGA ABOUT THE ALLEGED NAZI WAR CRIMINAL, 86-YEAR-OLD KONRADS KALEJS.

10. "AMERICA IS TOO BIG A COUNTRY TO SEND A ROOKIE

THERE. IF THIS HAPPENS, RELATIONS WITH THE U.S. WILL NOT
WORSEN BUT OUR EMBASSY THERE WILL BECOME IMPOTENT,"
PREDICTED JANIS JURKANS, LEADER OF THE PRO-MOSCOW "HUMAN
RIGHTS IN A UNITED LATVIA" PARLIAMENTARY FACTION,
SPEAKING AGAINST THE NOMINATION OF AIVIS RONIS AS
AMBASSADOR TO THE U.S.
HOLMES

Norland, Richard B. (EUR)

From: WHSR
Sent: Friday, January 21, 2000 9:56 AM
To: Blinken, Antony J. (EUR); Norland, Richard B. (EUR)
Subject: LATVIAN COURT CONVICTS RED PARTISAN OF WAR CRIMES

Classification: UNCLASSIFIED
Distribution: SIT: Blinken Norland
Identifier: R886f240
Originator: Reuters
Precedence: RUSH
TimeOfReceipt: 01/21/2000 09:55:01 ET

a1432

^BC-CRIME-LATVIA-KONONOV

^Latvian court convicts Red partisan of war crimes
RIGA, Jan 21 (Reuters) - A Riga district court on Friday convicted Vasili Kononov for his role in the killing of nine people in 1944 while he was commander of a World War Two communist guerrilla group in Latvia.

In the country's first war crimes conviction since it regained independence from Moscow in 1991, the trial judge sentenced the 77-year-old to six years in prison.

Kononov has denied the charges saying he fought as a Red partisan against the enemy according to the laws of the time. His lawyer, Aleksander Ogurcovs, told Reuters outside the courtroom that he would appeal the ruling.

Three more former Soviet security officials are currently under investigation for crimes against humanity and genocide for their role during Soviet crackdowns in 1949.

Latvia and fellow Baltic states Estonia and Lithuania are still dealing with the legacy of a 50-year-long Soviet occupation when thousands of people were jailed, deported or killed in Moscow-backed repressions.

RB-- 01/21/00 09:37:24

Norland, Richard B. (EUR)

From: WHSR
Sent: Thursday, January 20, 2000 11:24 AM
To: Bolan, Christopher J. (VP); Cables; Davidson, Leslie K. (VP); Norland, Richard B. (EUR); Yee, Hoyt B. (EUR)
Subject: KONRADS KALEJS: LATVIA TO INVITE PROSECUTORS TO RIGA

ActionAddrees: RUEHC/SECSTATE WASHDC IMMEDIATE 4472
RUEHBY/AMEMBASSY CANBERRA IMMEDIATE 0028
RUEHLO/AMEMBASSY LONDON IMMEDIATE 0050
RUEHRL/AMEMBASSY BERLIN IMMEDIATE 0052
RUEHTV/AMEMBASSY TEL AVIV IMMEDIATE 0193
RUEHTC/AMEMBASSY THE HAGUE IMMEDIATE 0128
RUEHOT/AMEMBASSY OTTAWA IMMEDIATE 0145
RUEAWJB/DEPT OF JUSTICE WASHDC IMMEDIATE

Classification: UNCLASSIFIED
DateTime: 201612Z JAN 00
Distribution: SIT: BOLAN NSC DAVIDSON NORLAND YEE
PRT: JACOBSON

Identifier: M4253596
InfoAddrees: RUCNNEI/NORTHERN EUROPEAN INITIATIVE COLLECTIVE
RHEHAAA/THE WHITE HOUSE WASHDC
OAAUZYUW RUEHRAA0250 0201612-UUUU--RHEHAAA.

Line1: ZNR UUUUU ZZH
Line2: O 201612Z JAN 00
Line3: FM AMEMBASSY RIGA
Line4: AMEMBASSY RIGA
Originator: IMMEDIATE
Precedence: BOLANC
Profiles: CABLES
DAVIDSOL
NORLANDR
YEEH

StationRoutingIndicator: RUEHRA
StationSerialNumber: 0250
TimeOfReceipt: 01/20/2000 11:23:35 ET

UNCLAS RIGA 000250

DEPARTMENT FOR D, EUR/DAS ASMUS, EUR/NB, S/WCI, S/NIS

JUSTICE FOR OSI ROSENBAUM AND MCQUEEN

THE WHITE HOUSE FOR NSC NORLAND

E.O. 12958: N/A

TAGS: KJUS, KCRM, GM, AS, LG

SUBJECT: KONRADS KALEJS: LATVIA TO INVITE
PROSECUTORS TO RIGA

REFS: (A) STATE 11322; (B) RIGA 223; (C) CANBERRA 196
(D) RIGA 119 AND PREVIOUS

1. AS ANTICIPATED, THE LATVIAN GOVERNMENT HAS CONFIRMED THE PROPOSAL OF THE GOL'S PROSECUTOR GENERAL TO INVITE PROSECUTORS FROM AUSTRALIA, CANADA, GERMANY, THE UK, ISRAEL, AND THE UNITED STATES TO RIGA FOR A FULL-SCALE REVIEW OF THE CASE AGAINST SUSPECTED NAZI WAR CRIMINAL KONRADS KALEJS AND OTHER ALLEGED COLLABORATORS IN NAZI WAR CRIMES. PRESIDENT VIKI-FREIBERGA ANNOUNCED THE DECISION IN A PRESS STATEMENT AFTER A LATE NIGHT MEETING OF THE LATVIAN NATIONAL SECURITY COUNCIL, JANUARY 19. (TEXT FAXED TO EUR/NB.) THE PRESIDENT USED THE OCCASION ALSO TO CONDEMN NAZI CRIMES DURING THE HOLOCAUST AND TO REITERATE LATVIA'S VIEW THAT THERE IS NO STATUTE OF LIMITATIONS ON SUCH

*CRIMES.

2. ACCORDING TO PRESIDENTIAL FOREIGN AFFAIRS ADVISER ANDRIS RAZANS, THE PROSECUTOR GENERAL WILL ISSUE FORMAL INVITATIONS TO THE INTERNATIONAL PROSECUTORS BY THE END OF THE WEEK. NO SPECIFIC DATE FOR THE MEETING HAS BEEN SET, BUT THE NATIONAL SECURITY COUNCIL INSTRUCTED THE PROSECUTOR GENERAL TO HOLD IT WITHIN THE NEXT SIXTY DAYS. THE MEMBERS OF THE COUNCIL ALSO DESIGNATED DEPUTY PROSECUTOR GENERAL OLGERTS SHARBANSKIS AS COORDINATOR OF THE KALEJS CASE.

3. IN A SEPARATE DISCUSSION JANUARY 20, ANDRIS PILDEGOVICS, THE MFA'S POINT PERSON ON HOLOCAUST ISSUES, SAID THAT THE COUNCIL HAS ALSO TASKED PRIME MINISTER SKELE WITH ISSUING A STATEMENT ON JANUARY 21 CONDEMNING THE DEEDS OF THE INFAMOUS "ARAJ'S COMMANDO," THE LATVIAN EXECUTION SQUAD IMPLICATED IN THE KILLINGS OF SOME THIRTY THOUSAND LATVIAN JEWS. IN ADDITION, ON THE EVE OF HER JANUARY 25 DEPARTURE FOR THE STOCKHOLM HOLOCAUST CONFERENCE, VIKE-FREIBERGA WILL MAKE A PUBLIC STATEMENT ANNOUNCING THAT MATERIALS RELATING TO LATVIA'S REHABILITATION OF ALLEGED SOVIET AND NAZI COLLABORATORS DURING THE EARLY 1990'S WILL BE OPENED TO PUBLIC SCRUTINY. (SUCH A MOVE, PILDEGOVICS DECLARED, OPENS THESE CASES TO PUBLIC CHALLENGE AND CAN TRIGGER A REEVALUATION OF THE INITIAL DECISION.)

4. DRAWING ON POINTS PROVIDED, DCM RAISED REF A REQUESTS FOR THE LATVIAN WAR CRIMES STATUTES AND INFORMATION ON POTENTIAL EYEWITNESSES WITH PILDEGOVICS. PILDEGOVICS FORESAW NO DIFFICULTY IN SUPPLYING THE MATERIAL. HE ADDED THAT HE UNDERSTOOD THE NEED TO PROCEED EXPEDITIOUSLY WITH THE REQUEST.

5. COMMENT: THE NATIONAL SECURITY COUNCIL'S DECISIONS MARK A SIGNIFICANT STEP FORWARD IN LATVIA'S TREATMENT OF THE HOLOCAUST. CONTRARY TO A LONGSTANDING TENDENCY TO DOWNPLAY LATVIA'S ROLE IN THESE ATROCITIES, THE PRESIDENT'S STATEMENT IS ANOTHER RECENT EXAMPLE OF HER WILLINGNESS TO ADDRESS LATVIAN CRIMES AGAINST THE JEWS WITHOUT DRAWING OF PARALLELS WITH SOVIET CRIMES AGAINST LATVIANS. WHILE WE HAVE NOT SEEN THE STATEMENT, THE FACT THAT THE PRIME MINISTER IS PREPARED TO SINGLE OUT

THE "ARAJ'S COMMANDO" -- A LATVIAN, NOT A GERMAN, KILLING UNIT -- FOR CONDEMNATION IS ANOTHER EXAMPLE OF LATVIA'S RECENT WILLINGNESS TO TARGET THEIR OWN, NOT OUTSIDERS EXCLUSIVELY, FOR WAR CRIMES. MORE IMPORTANTLY, THE DECISION TO INVITE PROSECUTORS FROM ABROAD TO REVIEW THE KALEJS CASE ILLUSTRATES A GROWING RECOGNITION WITHIN GOVERNMENT CIRCLES THAT GOL DECISIONS ON THESE SENSITIVE ISSUES MUST BE TAKEN WITH MAXIMUM OPENNESS AND TRANSPARENCY. ITS DECISION TO APPOINT SHARBANSKIS, A SENIOR-LEVEL PROSECUTOR, TO COORDINATE THE MEETING IS PARTICULARLY IMPORTANT: THE PROSECUTOR GENERAL'S OFFICE HAS LONG BEEN SUBJECT TO CRITICISM FOR HEEL-DRAGGING, EVEN OBSTRUCTION, IN CONTROVERSIAL CASES; PUTTING ONE OF THEIR MOST EXPERIENCED OFFICIALS IN CHARGE IS A SIGN OF THE SERIOUSNESS WITH WHICH THE LATVIANS ARE TAKING THIS REVIEW. END COMMENT.

HOLMES

eFax Cover Sheet

Sent Via
 eFax.com

To : "
Company : NSC
Fax # : 1-202-456-9150
From : fax
Date : 01/19/00
Re : Fax from

Number of pages (Including cover sheet): 2

Memo: none



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PRESS RELEASE

January 19, 2000

LATVIA CALLS FOR INTERNATIONAL MEETING TO FACILITATE PROSECUTION OF NAZI CRIMINALS

President of Latvia, Mrs. Vaira VIKE-FREIBERGA today called upon Latvia's foreign partners to hold an international meeting on investigating Nazi war criminals and crimes against humanity.

A meeting of the National Security Council, chaired by President Vike-Freiberga, today decided to lend more support to Latvian law enforcement agencies in investigating cases related to war crimes, genocide and other crimes against humanity.

Latvian Prosecutor-General's Office proposed a meeting of the prosecutors and investigators from Australia, Canada, Germany, Great Britain, Israel, and the United States to join efforts in resolving the case of the Australian citizen Mr. Konrads Kalejs who is suspected of committing war crimes during Nazi occupation in Latvia.

President Vike-Freiberga strongly condemned war crimes, crimes against humanity and genocide of the Jewish people during the World War II. The President condemned all the persons, including Latvians, who committed these crimes during the Nazi occupation.

"If there is evidence about participation of specific individuals in these crimes and these individuals have not been prosecuted then Latvian law enforcement authorities must bring these individuals to justice", the President stated.

The President stressed once again that there is no statute of limitations in respect of crimes against humanity.

[end]

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

9100

January 13, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ANTONY BLINKEN (133)
FROM: RICHARD NORLAND
SUBJECT: Transmission to the Congress of the Agreement
Extending the Governing International Fishery
Agreement with the Republic of Latvia

Attached at Tab I is your memorandum to the President forwarding to the Congress the letters of transmittal for the Agreement extending the Governing International Fishery Agreement with the Republic of Latvia. Attached at Tab B is the text of the Agreement.

The NSC received the incoming correspondence on December 16, 1999.

Concurrences by: Daniel Shapiro and Charles Allen 3/4

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President
Tab A Transmittal letters
Tab B Agreement text
Tab II Incoming from State

THE WHITE HOUSE

WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK

FROM: SAMUEL BERGER
CHARLES M. BRAINSUBJECT: Transmission to the Congress of the Agreement
Extending the Governing International Fishery
Agreement with the Republic of LatviaPurpose

To transmit to the Congress the Agreement extending the Governing International Fishery Agreement with the Republic of Latvia.

Background

The Agreement between the Government of the United States and the Republic of Latvia Concerning Fisheries Off the Coasts of the United States, with Annex, was signed at Washington, April 8, 1993. By an exchange of notes at Riga on June 7 and September 27, 1999, this Agreement is being extended to December 31, 2002.

The Magnuson-Stevens Fishery Conservation and Management Act provides that governing international fishery agreements such as this one shall not become effective until 120 days following Presidential transmittal of the text to the Senate and House of Representatives.

RECOMMENDATION

That you sign the transmittal letters at Tab A.

Attachments

Tab A Transmittal letters

Tab B Agreement text

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Mr. President:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on June 7 and September 27, 1999, extends the 1993 Agreement to December 31, 2002.

In light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration to this Agreement at an early date.

Sincerely,

The Honorable Albert Gore, Jr.
President of the Senate
Washington, D.C. 20510

THE WHITE HOUSE

WASHINGTON

Dear Mr. Speaker:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the Government of the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on June 7 and September 27, 1999, extends the 1993 Agreement to December 31, 2002.

In light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration to this Agreement at an early date.

Sincerely,

The Honorable J. Dennis Hastert
Speaker of the
House of Representatives
Washington, D.C. 20515

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Latvia and has the honor to refer to the Agreement between the Government of the United States of America and the Government of the Republic of Latvia concerning fisheries off the coasts of the United States, with annex, signed at Washington April 8, 1993, as extended (the Agreement).

The Embassy proposes on behalf of the Government of the United States of America, that the Agreement, which is currently scheduled to expire on December 31, 1999, be extended for an additional three-year period, until December 31, 2002. If this proposal is acceptable to the Government of the Republic of Latvia, the Embassy proposes that this note and the Government of the Republic of Latvia's favorable note in reply shall constitute an agreement between the two Governments, which shall enter into force on a date to be determined in a subsequent exchange of diplomatic notes following the completion of all necessary internal procedures of both parties.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Latvia the assurances of its highest consideration.

Embassy of the United States of America,

Riga, June 7, 1999.





MINISTRY OF FOREIGN AFFAIRS
REPUBLIC OF LATVIA

No. 41/795-6567

The Ministry of Foreign Affairs of the Republic of Latvia presents its compliments to the Embassy of the United States of America and has the honour to refer to its Note No.33, dated 7 June 1999, and the Note No.41/540 - 4071 of the Ministry of Foreign Affairs of the Republic of Latvia, dated 11 June 1999, concerning the Agreement between the Government of the Republic of Latvia and the Government of the United States of America Concerning Fisheries Off the Coasts of the United States, signed in Washington on 8 April 1993.

The Republic of Latvia agrees on proposed extension of the aforementioned Agreement until 31 December 2002 and informs that the legal requirements necessary for the entry into force of extension of the said Agreement have been fulfilled.

The Ministry of Foreign Affairs of the Republic of Latvia avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

Riga, 27 September 1999



To the Embassy of
the United States of America
RIGA

AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND THE GOVERNMENT OF THE REPUBLIC OF LATVIA
CONCERNING FISHERIES OFF THE COASTS
OF THE UNITED STATES

The Government of the United States of America and the Government of the Republic of Latvia (hereafter referred to as "the United States" and "Latvia", respectively, or "the Parties"),

Considering their common concern for the rational management, conservation and achievement of optimum yield of fish stocks off the coasts of the United States;

Recognizing that the United States has established by Presidential Proclamation of March 10, 1983 an exclusive economic zone within 200 nautical miles of its coasts within which the United States has sovereign rights to explore, exploit, conserve and manage all fish and that the United States also has such rights over the living resources of the continental shelf appertaining to the United States and anadromous species of fish of United States origin; and

Desirous of establishing reasonable terms and conditions pertaining to fisheries of mutual concern over which the United States has sovereign rights to explore, exploit, conserve and manage;

Have agreed as follows:

ARTICLE I

The purpose of this Agreement is to promote effective conservation, rational management and the achievement of optimum yield in the fisheries of mutual interest off the coasts of the United States, to facilitate the rapid and full development of the United States fishing industry and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of Latvia for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage.

ARTICLE II

As used in this Agreement, the term

1. "living resources over which the United States has sovereign rights to explore, exploit, conserve and manage" means all fish within the exclusive economic zone of the United States, all anadromous species of fish that spawn in the fresh or estuarine waters of the United States and migrate to ocean waters while present in the United States exclusive economic zone and in areas beyond national fisheries jurisdictions recognized by the United States and all living resources of the continental shelf appertaining to the United States;

2. "fish" means all finfish, mollusks, crustaceans, and other forms of marine animal and plant life, other than marine mammals and birds;

3. "fishery" means

- a. one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, recreational and economic characteristics; and
- b. any fishing for such stocks;

4. "exclusive economic zone" means a zone contiguous to the territorial sea of the United States, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States is measured;

5. "fishing" means

- a. the catching, taking or harvesting of fish;
- b. the attempted catching, taking or harvesting of fish;
- c. any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish;
- d. any operations at sea, including processing, directly in support of, or in preparation for, any activity described in subparagraphs a. through c. above, provided that such term does not include other legitimate uses of the high seas, including any scientific research activity;

6. "fishing vessel" means any vessel, boat, ship, or other craft that is used for, equipped to be used for, or of a

type that is normally used for

- a. fishing; or
- b. aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing; and

7. "marine mammal" means any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Finnipedia, and Cetacea, or primarily inhabits the marine environment such as polar bears.

ARTICLE III

1. The United States is willing to allow access for fishing vessels of Latvia to harvest, in accordance with terms and conditions to be established in permits issued under Article VII, that portion of the total allowable catch for a specific fishery that will not be harvested by United States fishing vessels and is determined to be available to fishing vessels of Latvia in accordance with United States law.

2. The United States shall determine each year, subject to such adjustments as may be appropriate and in accordance with United States law:

- a. the total allowable catch for each fishery based on optimum yield, taking into account the best available scientific evidence, and social, economic and other relevant factors;

- b. the harvesting capacity of United States fishing vessels in respect of each fishery;
- c. the portion of the total allowable catch for a specific fishery to which access will be provided, on a periodic basis each year, to foreign fishing vessels; and
- d. the allocation of such portion that may be made available to Latvia.

3. The United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery in accordance with United States law. Such measures may include, inter alia:

- a. designated areas where, and periods when, fishing shall be permitted, limited, or conducted only by specified types of fishing vessels or with specified types and quantities of fishing gear;
- b. limitations on the catch of fish based on area, species, size, number, weight, sex, incidental catch, total biomass or other factors;
- c. limitations on the number and types of fishing vessels that may engage in fishing and/or on the number of days each vessel of the total fleet may engage in a designated area for a specified fishery;

- d. requirements as to the types of gear that may, or may not, be employed; and
- e. requirements designed to facilitate enforcement of such conditions and restrictions, including the maintenance of appropriate position-fixing and identification equipment.

4. The United States shall notify Latvia of the determinations provided for by this Article on a timely basis.

ARTICLE IV

In determining the portion of the surplus that may be made available to Latvia and to other countries, the United States will decide on the basis of the factors identified in United States law, including:

1. whether, and to what extent, such nation imposes tariff barriers or nontariff barriers on the importation, or otherwise restricts the market access, of both United States fish and fishery products, particularly fish and fishery products for which the foreign nation has requested an allocation;

2. whether, and to what extent, such nation is cooperating with the United States in both the advancement of existing and new opportunities for fisheries exports from the United States through the purchase of fishery products from United States processors and the advancement of fisheries trade through purchase of fish and fishery products from United States

fishermen, particularly fish and fishery products for which the foreign nation has requested an allocation;

3. whether, and to what extent, such nation and the fishing fleets of such nation have cooperated with the United States in the enforcement of United States fishing regulations;

4. whether, and to what extent, such nation requires the fish harvested from the exclusive economic zone for its domestic consumption;

5. whether, and to what extent, such nation otherwise contributes to, or fosters the growth of, a sound and economic United States fishing industry, including minimizing gear conflicts with fishing operations of United States fishermen, and transferring harvesting or processing technology which will benefit the United States fishing industry;

6. whether, and to what extent, the fishing vessels of such nation have traditionally engaged in fishing in such fishery;

7. whether, and to what extent, such nation is cooperating with the United States in, and making substantial contributions to, fishery research and the identification of fishery resources;

8. whether, and to what extent, such nation is cooperating with the United States in matters pertaining to

- a. the implementation of United Nations General Assembly Resolution 46/215 of December, 1991 on Large-scale Pelagic Driftnet Fishing;

- b. the conservation and management of anadromous species; and
- c. the conservation of the pollock resource in the central Bering Sea; and

9. such other matters as the United States deems appropriate.

ARTICLE V

Latvia shall cooperate with and assist the United States in the development of the United States fishing industry and the increase of United States fishery exports by taking such measures as facilitating the importation and sale of United States fishery products, providing information concerning technical and administrative requirements for access of United States fishery products into Latvia, providing economic data, sharing expertise, facilitating the transfer of harvesting or processing technology to the United States fishing industry, facilitating appropriate joint venture and other arrangements, informing its industry of trade and joint venture opportunities with the United States, and taking other actions as may be appropriate.

ARTICLE VI

Latvia shall take all necessary measures to ensure:

- 1. that nationals and vessels of Latvia refrain from fishing for living resources over which the United

States has sovereign rights to explore, exploit, conserve and manage except as authorized pursuant to this Agreement;

2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States; and

3. that the total allocation referred to in Article III, paragraph 2.d. of this Agreement is not exceeded for any fishery.

ARTICLE VII

Latvia may submit an application to the United States for a permit for each fishing vessel of Latvia that wishes to engage in fishing in the exclusive economic zone pursuant to this Agreement. Such application shall be prepared and processed in accordance with the Annex, which constitutes an integral part of this Agreement. The United States may require the payment of fees for such permits and for fishing in the exclusive economic zone. While such fees shall be applied without discrimination, the fee level may vary depending upon, inter alia, whether, in the judgement of the United States, vessels or nationals of Latvia are harvesting United States origin anadromous species at unacceptable levels, or whether Latvia is failing to take sufficient action to benefit the conservation and development of United States fisheries. Latvia undertakes to keep the number of applications to the minimum required, in order to aid in the efficient administration of the permit program.

ARTICLE VIII

Latvia shall ensure that nationals and vessels of Latvia refrain from harassing, hunting/capturing or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the exclusive economic zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a party, or in accordance with specific authorization for and controls on incidental taking of marine mammals established by the United States.

ARTICLE IX

Latvia shall ensure that in the conduct of the fisheries under this Agreement:

1. the authorizing permit for each vessel of Latvia is prominently displayed in the wheel house of such vessel;
2. appropriate position-fixing and identification equipment, as determined by the United States, is installed and maintained in working order on each vessel;
3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be accorded the courtesies and accommodations provided to ship's officers while aboard such vessel, and owners, operators and crews of such vessel shall cooperate with observers in the conduct of their official duties, and, further, the United

States shall be reimbursed for the costs incurred in the utilization of observers;

4. agents are appointed and maintained within the United States possessing the authority to receive and respond to any legal process issued in the United States with respect to an owner or operator of a vessel of Latvia for any cause arising out of the conduct of fishing activities for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage; and

5. all necessary measures are taken to minimize fishing gear conflicts and to ensure the prompt and adequate compensation of United States citizens for any loss, or damage to, their fishing vessels, fishing gear or catch, and resultant economic loss, that is caused by any fishing vessel of Latvia as determined by applicable United States procedures.

ARTICLE X

Latvia shall take all appropriate measures to assist the United States in the enforcement of its laws pertaining to fishing in the exclusive economic zone and to ensure that each vessel of Latvia that engages in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage shall allow and assist the boarding and inspection of such vessel by any duly authorized enforcement officer of the United States and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

ARTICLE XI

1. The United States will impose appropriate penalties, in accordance with the laws of the United States, on vessels of Latvia or their owners, operators, or crews that violate the requirements of this Agreement or of any permit issued hereunder.

2. Arrested vessels and their crews shall be promptly released, subject to such reasonable bond or other security as may be determined by the court.

3. In any case arising out of fishing activities under this Agreement, the penalty for violation of fishery regulations shall not include imprisonment except in the case of enforcement related offenses such as assault on an enforcement officer or refusal to permit boarding and inspection.

4. In cases of seizure and arrest of a vessel of Latvia by the authorities of the United States, notification shall be given promptly through diplomatic channels informing Latvia of the action taken and of any penalties subsequently imposed.

ARTICLE XII

1. The United States and Latvia shall cooperate in the conduct of scientific research required for the purpose of managing and conserving living resources over which the United States has sovereign rights to explore, exploit, conserve and manage, including the compilation of the best available

scientific information for management and conservation of stocks of mutual interest.

2. The Parties shall cooperate in the development of a periodic research plan on stocks of mutual concern through correspondence or meetings as appropriate, and may modify it from time to time by agreement. The agreed research plans may include, but are not limited to, the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and jointly conducted research projects.

3. The conduct of agreed research during regular commercial fishing operations on board a fishing vessel of Latvia in the exclusive economic zone shall not be deemed to change the character of the vessel's activities from fishing to scientific research. Therefore, it will still be necessary to obtain a permit for the vessel in accordance with Article VII.

4. Latvia shall cooperate with the United States in the implementation of procedures for collecting and reporting biostatistical information and fisheries data, including catch and effort statistics, in accordance with procedures which will be stipulated by the United States. Latvia shall similarly provide such economic data as may be requested by the United States.

5. Latvia shall cooperate with the United States in matters pertaining to the implementation of United Nations General Assembly Resolution 46/215 of December, 1991 on Large-scale Pelagic Driftnet Fishing, the conservation and management of anadromous species, and the conservation of the pollock resource in the central Bering Sea.

ARTICLE XIII

1.. The United States and Latvia shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including cooperation within the framework of appropriate multilateral organizations for the collection and analysis of scientific data respecting such fisheries.

2. At the request of either Party any dispute concerning the interpretation or application of this Agreement shall be the subject of consultations between them.

ARTICLE XIV

The United States undertakes to authorize fishing vessels of Latvia allowed to fish pursuant to this Agreement to enter ports in accordance with United States laws for the purpose of purchasing bait, supplies, or outfits, or effecting repairs, changing crews, or for such other purposes as may be authorized.

ARTICLE XV

Should the United States indicate to Latvia that nationals and vessels of the United States wish to engage in fishing in areas within the fisheries jurisdiction of Latvia, Latvia shall allow such fishing on terms not more restrictive than those established in accordance with this Agreement.

ARTICLE XVI

Nothing contained in the present Agreement shall prejudice:

1. the views of either Party with respect to the existing territorial or other jurisdiction of the coastal State for all purposes other than the conservation and management of fisheries; or,
2. any other international rights and obligations of either Party.

ARTICLE XVII

The Agreement shall apply to the territories of Latvia, and to the United States, its territories and its possessions.

ARTICLE XVIII

1. This Agreement shall enter into force on a date to be agreed upon by exchange of notes, following the completion of

internal procedures of both Parties, and shall remain in force until June 1, 1995 unless extended by exchange of notes between the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement after giving written notice of such termination to the other Party six months in advance.

2. At the request of either Party, this Agreement shall be subject to review by the two Parties two years after its entry into force.

IN WITNESS WHEREOF, the undersigned, being duly authorized for this purpose, have signed this Agreement.

DONE at Washington, in duplicate, this eighth day of April, 1993 in the English and Latvian languages, each text being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

A handwritten signature in dark ink, appearing to read "David Albright", written in a cursive style.

FOR THE GOVERNMENT OF THE
REPUBLIC OF LATVIA:

A handwritten signature in dark ink, appearing to read "A. Stedre", written in a cursive style.

ANNEX

Application and Permit Procedures

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of Latvia to engage in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage:

1. Latvia may submit an application to the competent authorities of the United States for each fishing vessel of Latvia that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the United States for that purpose.

2. Any such application shall specify

- a. the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner and operator thereof;
- b. the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear, and such other information relating to the fishing characteristics of the vessel may be requested;
- c. a specification of each fishery in which each vessel wishes to fish;

- d. the amount of fish or tonnage of catch by species contemplated for each vessel during the time such permit is in force;
- e. the ocean area in which, and the season or period during which, such fishing would be conducted; and
- f. such other relevant information as may be requested, including desired transshipping areas.

3. The United States shall review each application, shall determine what conditions and restrictions may be needed, and what fee will be required, and shall inform Latvia of such determinations. The United States reserves the right not to approve applications. If permit applications are disapproved, the United States authorities will inform Latvia of the reasons for such disapproval.

4. Latvia shall thereupon notify the United States of its acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of its objections thereto.

5. Upon acceptance of the conditions and restrictions by Latvia and the payment of any fees, the United States shall approve the application and issue a permit for each fishing vessel of Latvia, which fishing vessel shall thereupon be authorized to fish in accordance with this Agreement and the terms and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.

6. In the event Latvia notifies the United States of its objections to specific conditions and restrictions, the Parties may consult with respect thereto and Latvia may thereupon submit a revised application.

7. The procedures in this Annex may be amended by agreement through an exchange of notes between the Parties.



United States Department of State

Washington, D.C. 20520

December 16, 1999

UNCLASSIFIED

MEMORANDUM FOR ROBERT A. BRADTKE
EXECUTIVE SECRETARY
NATIONAL SECURITY COUNCIL

Subject: Transmission to the Congress of the Agreement
Extending the Governing International Fishery
Agreement with the Republic of Latvia

Attached for signature by the President are letters to the President of the Senate and the Speaker of the House of Representatives, transmitting the Agreement extending the 1993 Agreement between the Government of the United States of America and the Government of the Republic of Latvia Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The Agreement was effected by an exchange of notes at Riga June 7, 1999, and September 27, 1999. This exchange of notes together with the 1993 Agreement constitute a governing international fishery agreement (GIFA) within the requirements of Section 201(c) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA (16 USC 1801 et seq.)). This agreement extends the 1993 Agreement to December 31, 2002.

This agreement will further the objectives of the MSFCMA by permitting the United States and Latvia to maintain their longstanding cooperative fishery arrangements.

Section 203(a) of the MSFCMA provides as follows with respect to transmission to the Congress:

(a) IN GENERAL - No governing international fishery agreement, bycatch reduction agreement, or Pacific Insular Area fishery agreement shall become effective with respect to the United States before the close of the first 120 days (excluding any days in a period for which the Congress is adjourned sine die) after the date of which the President transmits to the

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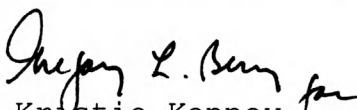
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House of Representatives and to the Senate a document setting forth the text of such governing international fishery agreement, bycatch reduction agreement or Pacific Insular Area fishery agreement. A copy of the document shall be delivered to the Clerk of the House of Representatives, if the House is not in session, and to the Secretary of the Senate, if the Senate is not in session.

The 1993 Agreement will lapse on December 31, 1999. In order to extend the Agreement to ensure continued cooperation by the Republic of Latvia on bilateral and multilateral issues, we request prompt transmittal of the Agreement to the House of Representatives and to the Senate.


Kristie Kenney
Executive Secretary

Attachments:

1. Draft letters for the House and Senate
2. Diplomatic Notes of June 7, 1999, and September 27, 1999
3. Agreement of April 8, 1993

UNCLASSIFIED

TO THE UNITED STATES SENATE:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on June 7, 1999, and September 27, 1999, extends the 1993 Agreement to December 31, 2002.

It light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration of this Agreement at an early date.

THE WHITE HOUSE,

TO THE UNITED STATES HOUSE OF REPRESENTATIVES:

In accordance with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), I transmit herewith an Agreement between the United States of America and the Government of the Republic of Latvia extending the Agreement of April 8, 1993, Concerning Fisheries Off the Coasts of the United States, with annex, as extended (the 1993 Agreement). The present Agreement, which was effected by an exchange of notes at Riga on June 7, 1999, and September 27, 1999, extends the 1993 Agreement to December 31, 2002.

It light of the importance of our fisheries relationship with the Republic of Latvia, I urge that the Congress give favorable consideration of this Agreement at an early date.

THE WHITE HOUSE,