AGREEMENT
BETWEEN
THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF THE INTERIOR OF THE REPUBLIC OF LATVIA
FOR
COOPERATION IN THE PREVENTION OF ILLICIT TRAFFICKING IN NUCLEAR AND OTHER RADIOACTIVE MATERIAL

The Department of Energy of the United States of America (DOE) and the Ministry of the Interior of the Republic of Latvia (MOI), hereinafter referred to jointly as the "Parties";

Desiring to implement the Agreement between the Government of the United States of America and the Government of the Republic of Latvia Concerning Cooperation in the Area of the Prevention of Proliferation of Weapons of Mass Destruction of December 11, 2001, as amended (hereinafter referred to as the Counterproliferation Agreement), as it pertains to countering the proliferation of weapons of mass destruction, and technology, materials, and expertise related to such weapons;

Desiring to cooperate to prevent the illicit trafficking in nuclear and other radioactive material through technical and methodological cooperation, including the improvement of systems for the detection and identification of these materials at those state border crossing places of the Republic of Latvia (hereinafter Latvia) as the Parties jointly determine; and

Having regard to the obligations of Latvia deriving from its membership in the European Community and the European Atomic Energy Community;

Have agreed as follows:

ARTICLE I

For purposes of this Agreement:

1. "Special nuclear material" means plutonium, and uranium enriched to levels of 20% or higher in the isotope U-235.

2. "Other radioactive materials" include, but are not limited to, radioactive sources suitable for use in radiological dispersal devices.

ARTICLE II

1. In accordance with the terms of this Agreement, the DOE, through its National Nuclear Security Administration, may provide the MOI, assistance at no cost in the form of equipment, materials, training and services for MOI's use at those state border crossing places of Latvia as the Parties jointly determine, for the purpose of detecting and interdicting illicit trafficking in special nuclear material and other radioactive materials which are entering or exiting the territory of Latvia.

2. The MOI or its designated implementing agents shall use all materials (including supplies, equipment and instruments), training and services provided in accordance with this Agreement exclusively for the purpose of detecting and interdicting illicit trafficking in special nuclear material and other radioactive materials which are entering or exiting the territory of Latvia.

3. This Agreement and all activities undertaken in accordance with this Agreement shall be subject to the provisions of the Counterproliferation Agreement. In the event of any discrepancies between this Agreement and the Counterproliferation Agreement, the provisions of the Counterproliferation Agreement shall prevail.

ARTICLE III

1. Each Party to this Agreement shall have the right, following written notification to the other Party, to delegate responsibilities for the implementation of this Agreement to other agencies, departments or units of its respective Government.

2. Each Party to this Agreement shall have the right, following written notification to the other Party, to designate technical liaison representatives for equipment, materials, training and services provided pursuant to this Agreement.

ARTICLE IV

1. Within the framework of this Agreement, DOE's technical assistance may include:

   a. Delivery and installation at those state border crossing places of Latvia as the Parties jointly determine of equipment adapted as appropriate for customs control conditions (including testing, setup and demonstration of the equipment);

   b. Delivery of spare parts kits, test equipment and other maintenance equipment to maintain the DOE-supplied equipment;

   c. Training of MOI personnel and other appropriate personnel in detection of special nuclear material and other radioactive materials, and in the proper use and maintenance of the equipment provided by DOE;

   d. Support for maintenance of the equipment provided by DOE, as set forth in a maintenance and sustainability plan jointly agreed by the Parties; and

   e. Additional areas of cooperation as may be agreed by the Parties in writing.

2. By mutual agreement of the Parties, technical workshops, consultations, site surveys and acceptance testing of materials and installed equipment may be conducted. By mutual agreement of the Parties, joint working groups of technical experts may be formed to exchange technical information and to make proposals on technical and training matters related to the effective implementation of this Agreement.

3. Conditions of assistance provided under this Agreement shall be defined by separate contracts or arrangements between DOE and MOI or their designated implementing agents. In case of any inconsistency between these contracts or arrangements and this Agreement, the provisions of this Agreement shall prevail.

4. Pursuant to the terms of this Agreement, DOE may, at its discretion, provide the MOI and its designated implementing agents with other types of assistance subject to the written agreement of both Parties.

ARTICLE V

1. The MOI and its designated implementing agents shall assist the DOE and its designated implementing agents during implementation of the Agreement.

2. The MOI and its designated implementing agents shall coordinate with other appropriate Latvian ministries, agencies and organizations to ensure that materials, including supplies, equipment and instruments, provided to the MOI under this Agreement are afforded priority processing to allow prompt engineering approvals and equipment and materials deliveries to their ultimate destination within Latvia.

3. The MOI and its designated implementing agents shall coordinate with the appropriate Latvian ministries, agencies, and organizations to ensure that appropriate security measures are provided for United States government personnel, contractors and materials, including supplies, equipment and instruments, at those facilities associated with work under this Agreement.

4. The MOI and its designated implementing agents shall facilitate the examination by the appropriate Latvian ministries, agencies and organizations of all materials, including supplies, equipment and instruments, received under this Agreement, and provide confirmation to the DOE of their acceptability within ten days of receipt of the results of such examinations. The terms and conditions for repair or replacement of non-complying materials, including supplies, equipment and instruments, will be set forth in the contract(s) under which the materials, including supplies, equipment and instruments, are provided under this Agreement.

ARTICLE VI

In addition to the audit and examination rights set forth in Article XII of the Counterproliferation Agreement, DOE representatives shall have the right to monitor the implementation of terms of contracts and the progress of work under this Agreement, at facilities on the territory of Latvia.

ARTICLE VII

The MOI shall furnish the U. S. Customs and Border Protection with data on any detections or seizures of unauthorized special nuclear material and other radioactive materials that are in breach of customs legislation, in accordance with the provisions of the Agreement between the European Community and the United States of America on Customs Cooperation and Mutual Assistance in Customs Matters of May 28, 1977, as amended.

ARTICLE VIII

As appropriate, the Parties may enter into implementing arrangements to carry out the provisions of this Agreement. In case of any inconsistency between this Agreement and any such arrangements, the provisions of this Agreement shall prevail.

ARTICLE IX

This Agreement shall enter into force upon signature and remain in force for the duration of the Counterproliferation Agreement. The Agreement may be amended by written agreement of the Parties and may be terminated by either Party upon at least 90 days' prior written notification to the other Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Riga this 3rd day of December 2007, in duplicate in the English and Latvian languages, both texts being equally authentic.

FOR THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF AMERICA:	FOR THE MINISTRY OF THE INTERIOR OF THE REPUBLIC OF LATVIA:
Ambassador Charles Baily	