Republic of Latvia

Cabinet
Regulation No. 108
Adopted 23 February 2016

Procedures, by which Foreign Warships shall Enter and Stay in the Territorial Sea, Inland Waters, and Ports of the Republic of Latvia and Leave Them

Issued pursuant to Section 11, Paragraph three of the Law On the State Border of the Republic of Latvia

I. General Provisions

1. This Regulation prescribes the procedures, by which foreign warships shall enter and stay in the territorial sea, inland waters, and ports of the Republic of Latvia, as well as leave the territorial sea, inland waters, and ports.

2. Foreign warships shall enter and stay in the territorial sea, inland waters, and ports of the Republic of Latvia with a raised flag of the relevant country.

3. The Ministry of Foreign Affairs shall issue a permit for foreign warships to enter the territorial sea, inland waters and ports of the Republic of Latvia.

4. The Ministry of Defence shall issue a permit for foreign warships with nuclear propulsion and nuclear weapons to enter the territorial sea, inland waters, and ports of the Republic of Latvia, upon prior co-ordination thereof with the Ministry of Environmental Protection and Regional Development in writing, and inform the Ministry of Foreign Affairs thereof in writing.

II. Entering of Foreign Warships

5. The embassy of the country represented by foreign warships or the Ministry of Foreign Affairs shall, by diplomatic channels, request a permit for entering not later than 30 days prior to the planned entering in the territorial sea, inland waters, and ports of the Republic of Latvia by foreign warships, if other procedures have not been specified in international agreements. The following shall be indicated in a request of a permit for entering:

5.1. the nationality of each foreign warship, the number and type of foreign warships;
5.2. the nature and purpose of the visit (official visit, unofficial visit, business visit);
5.3. the time and place of the visit (including planned disembarkment from the foreign warship of the crew and passengers of the foreign warship);
5.4. the name of each foreign warship and the most important information thereon (dimensions, draught, call signs);
5.5. the service rank and surname of the commanding officer of a foreign warship unit and of the commanding officer of each foreign warship;
5.6. the total number of officers, petty officers, and privates of each foreign warship (also the number of passengers);
5.7. the frequency of reciprocal radio communications and the transmitter power.

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6. If the Head of State or a member of the government is on board a foreign warship as an official person, a permit for entering in accordance with the procedures provided for in Paragraph 5 of this Regulation shall be requested not later than seven days prior to entering of the foreign warship.

7. The Ministry of Foreign Affairs shall send the requests of a permit for entering received in accordance with the procedures provided for in this Regulation to the Commander of the National Armed Forces or his authorised person. If a permit for entering has been requested by the embassy or Ministry of Foreign Affairs of such foreign country, which is not a Member Country of the North Atlantic Treaty Organization (hereinafter – NATO) or a Member State of the European Union, the Ministry of Foreign Affairs shall send the request of a permit for entering to the Ministry of Defence.

8. The institutions referred to in Paragraph 7 of this Regulation shall, according to their competence, assess the request of a permit for entering and not later than seven working days prior to the planned voyage of a foreign warship or in the case referred to in Paragraph 6 of this Regulation – not later than two days prior to the planned voyage of a foreign warship, provide an opinion to the Ministry of Foreign Affairs. The Ministry of Foreign Affairs shall take a decision to issue a permit for entering or to refuse to issue a permit for entering.

9. The Ministry of Foreign Affairs shall, by diplomatic channels, inform in writing the requester of the permit for entering and the Commander of the National Armed Forces or his authorised person, regarding the decision taken. If there are passengers on a foreign warship, the Commander of the National Armed Forces or his authorised person shall inform the State Border Guard regarding the planned time and place of entering of the warship.

10. Upon crossing the State border, the persons who are on board a foreign warship and are not crew members shall comply with the procedures laid down in the laws and regulations of the Republic of Latvia governing entering, staying, leaving, or travelling in transit of persons.

III. Staying of Foreign Warships

11. Upon staying in the territorial sea, inland waters, and ports of the Republic of Latvia, a foreign warship shall comply with laws and regulations of the Republic of Latvia.

12. If the requirements laid down in this Regulation or other laws and regulations are not complied with, as well as in emergency cases the Ministry of Defence is entitled to request that a foreign warship leaves the port, inland waters, or territorial sea without delay.

13. If a foreign warship has been requested to leave the port, inland waters, or territorial sea, the Ministry of Defence shall inform the Ministry of Foreign Affairs thereof without delay.

14. The National Armed Forces shall organise the welcoming of a foreign warship and the necessary provision (guarding of the berth, liaison officer, assistance in co-operation with the local government) during staying, by co-ordinating the relevant measures beforehand with the manager of such territory, in which staying of the foreign warship is intended, and shall inform the State Border Guard regarding the planned staying of the warship in the port territory.

15. A foreign warship in an external roadstead of a port or another previously co-ordinated place shall be welcomed by a warship of the National Armed Forces (except the case if the foreign warship is performing an innocent passage), having a liaison officer on board.
16. If necessary, the liaison officer and interpreter shall arrive in addition to the pilot on an external roadstead of the port of the foreign warship.

17. The commanding officer of a foreign warship or the commanding officer of a foreign warship unit shall inform the liaison officer regarding any changes in the information indicated in the request of a permit for entering.

18. After receipt of a request of permit for entering of a foreign warship the Commander of the National Armed Forces or his authorised person and the commanding officer of a foreign warship or the commanding officer of a foreign warship unit shall draw up and co-ordinate the event programme of the visit.

19. If a mutual oral or written agreement regarding maintaining of radio communications has been entered into between the National Armed Forces and the commanding officer of a foreign warship or the commanding officer of a foreign warship unit, the foreign warship, which is located in the territorial sea, inland waters, and port of the Republic of Latvia, shall be allowed to use their radio stations in specified frequencies.

20. The Commander of the National Armed Forces or his authorised person shall determine the anchorage area of a foreign warship after prior co-ordination with the captain of the relevant port and shall determine the berth after co-ordination with the captain of the relevant port and lessee of the relevant port, but if none – with the possessor. The liaison officer shall indicate the anchorage area or berth of a foreign warship to the commanding officer of the foreign warship or the commanding officer of a foreign warship unit.

21. Foreign warships and their crews staying in ports of the Republic of Latvia shall not be subjected to the border check, unless other procedures have been laid down in international agreements.

22. If passengers of a foreign warship are planning to disembark, the Commander of the National Armed Forces or his authorised person shall inform the State Border Guard regarding the necessity of a border check, upon passengers disembarking and embarking the foreign warship, and co-ordinate the time and place of the border check.

23. The Commander of the National Armed Forces or his authorised person shall co-ordinate the conditions for disembarkment of the crew and passengers of a foreign warship with the commanding officer of the foreign warship or the commanding officer of a foreign warship unit, complying with the requirements laid down in laws and regulations of the Republic of Latvia.

24. If the event programme of the visit of a foreign warship provides for the participation in parades or funeral ceremonies, the personnel shall be allowed to carry weapons during these events. In other cases weapons shall be carried ashore, complying with the procedures laid down in laws and regulations of the Republic of Latvia.

25. The crew of a foreign warship shall be allowed to use the boats and motorboats of its foreign warship only after co-ordination with the captain of the port. Co-ordination with the captain of the port shall be ensured by the liaison officer of the National Armed Forces.

26. While staying in inland waters and ports of the Republic of Latvia, foreign warships are prohibited:
26.1. to use radiolocation stations and hydroacoustic stations, except cases if their use is related to training (with individual operations), entering or leaving of the port by foreign warships, as well as in conditions of limited visibility and if a permit of the Commander of the National Armed Forces or his authorised person has been received beforehand;

26.2. to change the standing-place without the permit of the captain of the port, as well as to arbitrarily use the infrastructure of the port;

26.3. to perform underwater work, except repair of the hull of the foreign warship, for performance of which a written consent of the Commander of the National Armed Forces or his authorised person and a permit of the captain of the port is necessary.

IV. Entering of NATO Warships

27. A permit for entering the territorial sea, inland waters, and ports of the Republic of Latvia shall not be required for:

27.1. warships of the Standing NATO Mine Countermeasures Group;
27.2. warships of the Standing NATO Maritime Group;
27.3. warships of the NATO Response Force;
27.4. warships of NATO member countries, which enter the territorial sea, inland waters, and ports of the Republic of Latvia in order to participate in joint military training of units of the National Armed Forces and units of foreign armed forces in the territory of the Republic of Latvia;
27.5. a visit of NATO warships, the purpose of which is transportation of the personnel, arms, or supply elements for training aid;
27.6. warships of a NATO member country, which enter the territorial sea, inland waters, and ports of the Republic of Latvia in order to strengthen national security and defence capabilities of the Republic of Latvia in peace time.

28. Prior to the operations referred to in Paragraph 27 of this Regulation the National Armed Forces shall co-ordinate all the necessary information with the commanding officer of the warship or the commanding officer of a group of warships or his authorised representative regarding entry of a particular foreign warship, as well as agree on host nation’s support conditions.

29. If there are persons on board a NATO warship when it enters or leaves of a port of the Republic of Latvia, who do not belong to the personnel of the NATO armed forces, and it is necessary to perform a border check of such persons, the National Armed Forces of the Republic of Latvia shall inform the State Border Guard thereof and co-ordinate the place and time of the border check.

V. Entering of Foreign Warships Due to Emergency Reasons

30. If an accident of a foreign warship or natural disaster, need for medical assistance, or other emergency reasons have occurred, the commanding officer of the foreign warship shall notify the Maritime Search and Rescue Co-ordination Centre thereof, indicating:

30.1. the belonging and type of the foreign warship;
30.2. the total number of the personnel of the foreign warship;
30.3. the surname of the commanding officer of the foreign warship;
30.4. the reason for entering;
30.5. the necessary assistance.

31. The Chief of the Coast Guard Service of the Naval Flotilla of the National Armed Forces shall determine further action of the foreign warship.
32. After elimination of the emergency reasons or in case if the emergency reasons, due to which a foreign warship was forced to enter the territorial sea, inland waters, or port of the Republic of Latvia, do not affect the warship anymore, the Chief of the Coast Guard Service of the Naval Flotilla of the National Armed Forces having evaluated the circumstances shall issue an order for the foreign warship to change the place of staying or to leave the inland waters and territorial sea of the Republic of Latvia.

VI. Closing Provision


Prime Minister
Māris Kučinskis

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Raimonds Bergmanis