The Saeima\textsuperscript{1} has adopted and the President has proclaimed the following Law:


Section 1.

This Law hereby adopts and approves the Agreement of the Government of the Republic of Latvia and the Government of the Republic of Belarus on the State Border Regime of Latvia-Belarus signed on 10 April 2013 (hereinafter - the Agreement).

Section 2.

The fulfilment of the commitments provided for in the Agreement shall be coordinated by the Ministry of the Interior.

Section 3.

The Agreement shall come into effect in accordance with the time frame and procedures laid down in Section 46 thereof, and the Ministry of Foreign Affairs shall notify thereon in the official publication *Latvijas Vēstnesis* [the official gazette of the government of the Republic of Latvia].

Section 4.

This Law shall come into force on the day following the proclamation thereof. The Agreement in the Latvian and Russian languages shall be proclaimed along with the law.

The Law was adopted by the Saeima on 31 October 2013.

President A. Bērziņš

Riga, 21 November 2013

\textsuperscript{1} The Parliament of the Republic of Latvia

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AGREEMENT
between the Government of the Republic of Latvia and the Government of the Republic of Belarus
on the State Border Regime of Latvia-Belarus

The government of the Republic of Latvia and the government of the Republic of Belarus (hereinafter – Parties),

guided by the principles of sovereignty of the countries, territorial integrity, inviolability of the State border and peaceful settlement of the issues related to the State border,

implementing the principles and objectives of the Agreement on Determining the State Border Between the Republic of Latvia and the Republic of Belarus of 21 February 1994,

willing to establish the measures for the maintenance of the State border regime of Latvia - Belarus and addressing the issues related to borderland in the spirit of cooperation an reciprocal assistance,

have agreed on the following:

Chapter I
GENERAL PROVISIONS

Section 1

The terms used in this Agreement shall have the following meaning:

1) the State border of Latvia-Belarus (hereinafter – State border) – an uninterrupted line and the vertical surface corresponding to this line which separates the land, water, sub-terrain and air space between two sovereign countries – the Republic of Latvia and the Republic of Belarus;

2) demarcation documents – the State border demarcation map, protocols on border signs, the description of the State border and other documents which have been recognised by both Parties in accordance with the laid down procedures and which determine the location of the State border;

3) demarcation point – a place in bordering waters where the State border changes its direction, its coordinates being specified in the demarcation documents;

4) competent State administrative institutions – institutions which in accordance with the laws and regulations of the countries of the Parties are entitled to review the issues related to the application of this Agreement;

5) trespassers of the State border – persons, motor vehicles, vessels and aircraft, other waterborne vessels and aircraft, other technical aids which have crossed or have attempted to cross the State border, thus infringing the laid down procedures;

6) bordering waters – sections of watercourse and bodies of water where the State border runs;

7) border incident – an event on the State border associated with infringement of the State border regime which concerns the sovereign interests of both Parties;

8) State border securing zone – an area on the terrain in the width of five metres in either direction of the State border, which is designed for marking and maintenance thereof;

9) border pass – a pass issued by an authorised border representative of one Party, entitling to cross the State border and to move in the territory of the other Party as far as
necessary for doing work or carrying out joint activities, while complying with the provisions of this Agreement;

10) border guard services of the countries of the Parties (hereinafter – Border Guard Services) – the State Border Guard of the Republic of Latvia and structural units of the Border Guard Service of the Republic of Belarus;

11) authorised representatives of the border of the countries of the Parties (hereinafter – Border Commissioners) – officials appointed by the Parties in order to promptly address the issues related to the ensuring of the State border regime and handle border incidents;

12) border area – territory of the Republic of Latvia laid down by the Cabinet of the Republic of Latvia adjacent to the State border and not exceeding two kilometres in width counting from the State border, and also the territory belonging to the Braslav, Verhnedvinsk and Myori region village councils of the Republic of Belarus that adjoin the State border;

13) State border crossing point – a designated territory within a railway station or a river port, or another place on the sections of motorways and waterways where border checks, customs control and any other required controls are carried out in respect to persons, motor vehicles crossing the State border, and also goods to be moved across the State border;

14) investigation of a border incident – a comprehensive examination of the circumstances by Border Commissioners concerning the origination and nature of the border incident in order to find out the persons guilty in committing it, and also to handle the relevant border incident;

15) daytime – the time between sunrise and sunset;

16) Joint Commission – a joint Latvian-Belarusian commission in the State border matters that is established by the Parties in order to apply the provisions of Chapter II and VI of this Agreement;

17) night-time – the time between sunset and sunrise;

18) exploitation – the use for the intended purpose, maintenance and repairs.

Section 2

The State border regime shall determine the procedures for:

1) the maintaining the State border;

2) the crossing the State border by persons and vehicles, and moving cargoes, goods and animals (hereinafter - goods) across the State border, and permitting movement thereof across the State border;

3) the entering of vessels in the bordering waters of the countries of the Parties and staying therein;

4) the crossing the State border by aircraft;

5) the carrying out economic and other activities on the State border or in border area;

6) border incidents shall be handled.

Chapter II

PROCEDURES FOR THE MAINTAINING THE STATE BORDER

Section 3

The State border which is laid down by the Agreement on Determining the State Border Between the Republic of Latvia and the Republic of Belarus of 21 February 1994 has been marked on site in accordance with:

1) demarcation documents on the border sign "Neverica" which has been erected on the point of intersection of the State borders of the Republic of Latvia, Republic of Belarus and the Russian Federation, and which is the start point of the State border of Latvia-Belarus;
2) demarcation documents issued by the Mixed Demarcation Commission which was established in accordance with the Agreement on Determining the State Border Between the Republic of Latvia and the Republic of Belarus of 21 February 1994;

3) demarcation documents on the border sign "Lužnivkova" which has been erected on the point of intersection of the State borders of the Republic of Latvia, the Republic of Belarus and the Republic of Lithuania, and which is the end point of the State border of Latvia-Belarus;

4) annexes and supplements to the State border demarcation documents which may be drawn up during the term of validity of this Agreement.

Section 4

1. In the case of land borders and in places where the State border crosses bordering waters, it shall run in a straight line from one border sign to the next.

2. In the case of bordering waters, the State border shall be a straight, broken or curved line running from one border sign to the next right in the middle of the bordering waters (in the middle of the main bed).

3. Where the State border runs in the middle of bordering waters, bays and gulfs shall be disregarded, and the middle of bordering waters is deemed a straightened out line which is at equal distance from straightened out coastline of both coasts. At places where exact coastline is impossible to establish, the middle of bordering waters is deemed the middle of water surface at the average water level.

4. In the case of the State border running along bordering waters, its place shall not change with the altering configuration of the coastline or the fluctuations of the water level, or when the main bed deviates in one direction or another.

5. The islands in the bordering waters shall belong to the territory of one Party or the other, depending on the position of the island relative to the State border, and shall be numbered separately for each of the bodies of water.

6. At transit points where the State border changes from land border section to bordering waters or from one body of water to another, it shall change its direction at the demarcation point.

7. As to bridges and other structures across bordering waters, the State border shall run in the middle of these structures or their technological axis, irrespective of the place of the State border in the bordering waters.

Section 5

1. The State border shall be marked on site with the following border signs:

   1.1. a principal border sign – shall be installed on land; it consists of two border posts of the countries of the Parties that are equal in height and face each other, usually at an equal distance from the State border, and one central (polygonometric) post erected on the State border;

   1.2. a border sign in a river – shall be erected on the banks of bordering waters; it consists of two border posts of the countries of the Parties that are equal in height and face each other, and are erected on both banks of the bordering waters, or on the bank of a country
of the Party belonging to one party and on the island belonging to the other Party, or on
opposite islands on both sides of the State border;

1.3. a transitional border sign – to be erected at places where the State borders change:
   1.3.1. from land to water body; it consists of three border posts and central
   (polygonometric) post, moreover two border posts of the countries of the Parties and
   the central (polygonometric) post between them shall be installed analogous to the
   principal border sign, on one bank of the water body, whereas the third border post,
   which is called the string post of the country of that Party in the territory of which it is
   installed, shall be installed on the opposite bank of the water body on an imagined
   extension of the last straight section of the State border running through the
demarcation point;

   1.3.2. from one water body to another it consists of three border posts,
   moreover two border posts of the Parties' States shall be installed facing each other on
   the banks of one water body, whereas the third border post, which is called the string
   post of the country of that Party in the territory of which it is installed, shall be
   installed on the opposite bank of another water body on an imagined extension of the
   borderline running through the demarcation point;

1.4. a border sign in a lake – shall be installed in bordering waters and it is a buoy or
   buoys;

1.5. an intermediate border sign – shall be installed on the State border between
   principal border signs at the places of obstructed visibility; it consists of one border post
   with its side planes, including on the pyramid-shaped top, painted in monotone yellow, and
   the front planes shall have a design identical to that of the border posts of the countries of the
   Parties. Furthermore, the front plane with official State symbols of the Republic of Latvia
   shall face the Republic of Belarus, while the front plane with official State symbols of the
   Republic of Belarus shall face the Republic of Latvia;

1.6. a special border sign – shall be installed on the State border at places where, due
   to specific natural features, it is impossible to mark it with any other type of border sign, or
   for the purpose to preserve historical or other monuments, and it consists of:

   1.6.1. one border post, with its side planes, including on the pyramid-shaped
   top, painted in monotone red, and the front planes have a design identical to that of
   the border posts of the countries of the Parties. Furthermore, the front plane with official
   State symbols of the Republic of Latvia shall face the Republic of Belarus, while the
   front plane with official State symbols of the Republic of Belarus shall face the
   Republic of Latvia;

   1.6.2. natural landmarks and other facilities located on the State border.

2. The colouring, boards featuring the coat of arms of the State, and the shape and size of the
   numbers on the border posts shall be determined by the Parties independently and
   communicated to the other Party via diplomatic channels.

3. Where required, the Joint Commission shall modify the shape and size of border posts.

4. On motorways and bridges, the State border shall be marked with a 0.2 m thick white line.

5. Following a decision of the Joint Commission, other types of border signs or structures
   may be used for marking the State border.

6. In the border junction between of the Republic of Latvia, the Republic of Belarus and the
   Russian Federation, as well as in the border junction between the Republic of Latvia, the
   Republic of Belarus and the Republic of Lithuania, tripoint border signs shall be erected, the
   design of which is to be determined by separate international agreements.
Section 6

1. The Parties agree to maintain the border signs in the condition so that their location, appearance and shape complies with the requirements of this Agreement and demarcation documents.

2. The responsibility for the maintenance of the border signs shall be split as follows:
   2.1. The Republic of Belarus shall be responsible for the border posts in the territory of the Republic of Belarus, border signs in lakes, special border signs (except for the official symbols of the Republic of Latvia and border sign No. 295/1) and front planes of intermediate border signs with the official symbols of the Republic of Belarus;
   2.2. the Republic of Latvia shall be responsible for the border posts in the territory of the Republic of Latvia, front planes of intermediate border signs with the official symbols of the Republic of Latvia, official symbols of the Republic of Latvia on special border signs and special border sign No. 295/1;
   2.3. in respect of central (polygonometric) posts and side planes of intermediate border signs:
      2.3.1. the Republic of Belarus shall be responsible for border signs No. 065 to No. 164 and for border signs No. 302 to the border junction between the Republic of Latvia, the Republic of Belarus and the Republic of Lithuania;
      2.3.2. the Republic of Latvia shall be responsible for the border signs from the border junction between the Republic of Latvia, the Republic of Belarus and the Russian Federation to border sign No. 064 and from border sign No. 182 to border sign No. 301.

3. The procedure for maintenance of the border signs marking the border junction between the Republic of Latvia, the Republic of Belarus and the Russian Federation, and also the border junction between the Republic of Latvia, the Republic of Belarus and the Republic of Lithuania shall be determined by separate international agreements.

Section 7

1. The Parties shall undertake the necessary measures in order to retain border signs intact and to prevent border signs or elements thereof from being moved, damaged or lost.

2. The Border Guard, having detected that a border sign or elements thereof has been moved, damaged or lost, the maintenance of which, according to the provisions of Section 6 of this Agreement, being the responsibility of the other Party, shall notify the State Border Guard Service of the country of this Party.

3. In the case of a moved, damaged or lost border sign or elements thereof, the reinstatement or repairs shall be promptly done by the State Border Guard Service of the country of that Party which is responsible for its maintenance. The Border Commissioner of the country of the Party which is performing the indicated works shall be obliged to notify the Border Commissioner of the other Party in writing no later than ten days prior to the commencement thereof.

If a border sign or elements thereof, the maintenance of which is the responsibility of the other Party, has been damaged or destroyed by inhabitants of the country of other Party or persons temporarily staying in the territory of the country of other Party, the Party shall compensate for the damage.
4. A border sign or elements thereof shall be reinstated according to the demarcation documents in the presence of the members of the Joint Commission.

5. Based on the decision of the Joint Commission, when border signs or elements thereof are being reinstated, it is permissible to change their previous location, without altering the location of the State border, and to erect the border signs and elements thereof in new places which would secure their preservation.

6. Where a border sign or elements thereof has been reinstated or installed in a new place, the Joint Commission shall draw up a statement in two counterparts in the Latvian and Russian languages. Within a month the Joint Commission shall draw up the required demarcation documents on each border sign or elements thereof which has been erected in a new place.

7. Where required, based on the decision of the Joint Commission and without altering location of the State border, additional border signs may be erected, by drawing up documents in accordance with the procedures laid down in Paragraph 6 of this Section.

Section 8

1. The Parties shall undertake to maintain the State border visible all along its length. For this purpose, the State border securing zone shall be kept free of trees, bushes and other vegetation. As to the banks of bordering waters, the cleaning from trees, bushes and other vegetation shall be done only for the sake of visibility between the border posts of the countries of the Parties of the same border sign.

2. It is forbidden to build any structures in the State border securing zone except for those required for monitoring the State border, unless the Border Guard Services have agreed otherwise.

3. Each Party shall clean the State border securing zone in its own territory. The Border Commissioners shall notify each other on the maintenance works of the State border no later than three days prior to the commencement of the works.

Section 9

1. In order to secure that the beds of the bordering waters remain in a permanent condition, the Parties shall implement measures for natural flow of bordering waters and fortification of the banks.

2. If any alterations in the beds of bordering waters have been detected which have been caused by natural phenomena, the Joint Commission shall assess the possibility and the usefulness of reinstating the previous bed.

3. Where the reinstatement of the bed to its previous condition is not possible or useful, the Joint Commission shall develop recommendations on changing the location of the State border, and, where required, on reciprocal compensation for the land plots which have separated from the territory of the country of the Parties as a result of natural changes in the bed of bordering waters.

4. The documents fixing the alterations of the State border resulting from natural phenomena shall be drawn up as demarcation documents and shall come into effect on the date when
notes have been exchanged as to the completion of the internal co-ordination procedures which are necessary for the documents to come into effect. Furthermore, the abovementioned documents shall replace part of the State border demarcation documents recording its previous location.

5. If, after on site inspection of the State border, it is discovered that the survey data in the demarcation documents are not identical to those jointly done on site, and it is established that the condition of border signs has not changed, on site survey data shall prevail.

Section 10

1. Once every five years starting from the date of coming into effect of this Agreement the Border Commissioners shall arrange joint inspections of border signs and the State border securing zone.

2. Where required, the Border Commissioners may arrange additional joint inspections. Additional joint inspection shall be carried out no later than after ten days starting from the date when the Border Commissioner of the country of one Party has been proposed such inspection by the Border Commissioner of the country of other Party.

3. The Border Commissioners shall draw up a statement on the results of joint inspection results in two counterparts, in the Latvian and Russian languages, and submit it to the Joint Commission.

Section 11

1. The Joint Commission, with a frequency of no less than once in every fifteen years starting from the date of coming into effect of the Agreement, unless agreed otherwise by the Parties, shall check the physical location of the State border.

2. The Parties shall agree in advance via diplomatic channels on the start date of the checking of the physical location of the State border, in order for each Party to perform the necessary preparatory works.

Section 12

The works related to checking of the physical location of the State border, the reinstatement of the bordering water beds which have been altered as a result of natural phenomena, and the drawing up of demarcation documents shall be split equally between the Parties. Each Party shall independently pay for own part of works. The topic of equating the costs of the works shall not be discussed.

Section 13

While checking of the physical location of the State border, performing the joint inspections of the State border securing zone and border signs, repairing, reinstating or erecting in a new place a border sign or elements thereof, any materials, tools and equipment required for performing the works shall be moved across the State border in accordance with the national laws and regulations of the countries of the Parties.
Chapter III
PROCEDURES FOR CROSSING THE STATE BORDER AND FOR STAYING IN BORDERING WATERS

Section 14

1. Persons and motor vehicles shall cross the State border by motorways and railways as well as by waterways at the State border crossing points determined by international agreements of the Parties and in accordance with the procedures laid down in the national laws and regulations of the countries of the Parties.

2. Where required, a Party may temporarily arrest or restrict the traffic across the State border crossing points in accordance with the procedures laid down in the international agreements of the countries of the Parties.

Section 15.

1. Aircraft shall cross the State border within the defined airways or outside them in compliance with the requirements of international agreements and the requirements of the national laws and regulations of the countries of the Parties.

2. In the case of threats to flight security, the life and health of the aircraft passengers and crew, it is permitted to cross the State border outside the defined airways, by promptly notifying the competent authorities of the countries of the Parties thereof.

Section 16.

A forced crossing of the State border outside the specified State border crossing points, waterways and airways by persons, motor vehicles, aircraft and vessels in a situation of catastrophes, natural disasters and other emergency situations shall not be interpreted as a failure to follow the State border crossing procedures.

Section 17.

Persons who have crossed the State border at the State border crossing points from the territory of a country of the Party, however, have not been admitted by the Border Guard Services of other Party, shall be promptly readmitted by the Border Guard Service of that Party which has permitted the persons to cross the State border, provided that they have returned no later than after forty-eight hours.

Section 18.

1. It is permitted to cross the State border at any place coordinated between the Border Commissioners, provided that the person has a border pass and a national passport or an identification card of the Border Guard Service, and the person, in accordance with the laid down procedures, carries out:
   1.1. construction or exploitation of bridges, hydro technical structures, communication lines or other facilities crossing the State border;
   1.2. maintenance works in respect of the State border, border signs and State border securing area;
   1.3. checking of the physical location of the State border or joint inspection of border signs and State border securing zone.
2. The Border Commissioners shall, no later than ten days in advance, coordinate each single border crossing instance to be done by the persons abovementioned in Paragraph 1 of this Section, by specifying the date, time and place.

Section 19

1. Border Commissioners, their deputies, assistants and secretaries, while performing their duties and holding the identification cards referred to in Section 31 of this Agreement, may cross the State border at any place coordinated between the Border Commissioners.

2. Interpreters and experts who have been engaged for enabling the functioning the Border Commissioners' institution, may cross the State border with a border pass and national passport or with an identification card of the Border Guard Service.

3. The Border Commissioners shall coordinate each crossing of the State border that is to be done by the persons abovementioned in Paragraphs 1 and 2 of this Section, by specifying the date, time and place. In such cases the Border Guard Service of the country of the accepting Party shall send out a welcomer.

Section 20

1. Sea craft is allowed in the bordering waters of the countries of the Parties at daytime and only up to the State border. At night-time, sea craft shall be moored at a berth or be at anchor in the bordering waters of own State. This procedure shall not apply to sea craft carrying out border guarding at the State border.

2. Regular passenger traffic in the bordering waters shall take place on the basis of the international agreements signed between the Parties.

Chapter IV

PROCEDURES FOR CARRYING OUT ECONOMIC AND OTHER TYPE OF ACTIVITIES ON THE STATE BORDER AND IN THE BORDER AREA

Section 21

1. Any economic and other type of activities in the border area of the countries of the Parties shall be carried out in a manner to prevent any alterations to the location of the State border on site.

2. Any economic and other type of activities in the border area of the countries of the Parties shall be carried out in a manner to prevent incurring damage to the country of other Party.

Section 22

1. The Parties shall maintain in running order the sections of motorways and railways, waterways, bridges, other devices on roads, communication and other facilities that are open for traffic across the State border in locations where they are crossing the State border.

2. The exploitation of the facilities abovementioned in Paragraph 1 of this Section shall be at each Party's own expense up to the State border, unless international agreements provide for another procedure.
3. The competent authorities of the countries of the Parties shall coordinate the time schedule and scope of the works related to the exploitation of the facilities. The Parties shall coordinate the time and procedures for carrying out the works with the own Party's Border Commissioner no later than five days prior to the commencement thereof.

Section 23

Exploitation of common facilities on the State border shall be carried out in accordance with international agreements between the competent authorities of the countries of the Parties.

Section 24

The construction of facilities crossing the State border shall be done based on international agreements between the Parties.

Section 25

If, as a result of natural phenomena or forest felling, the trees growing in the territory of the country of one Party have fallen down in the territory of the country of other Party, the Border Commissioners shall arrange the measures necessary for delivering the trees to the territory of the country of that Party where they belong. No customs duties or other payments, taxes, fees and deductions shall be levied on such trees.

Section 26

1. The Parties shall cooperate in the area of environmental protection and efficient use of natural resources with the purpose to ensure mutual ecological safety.

2. Based on international agreements, the competent authorities of the countries of the Parties shall implement joint measures for setting up the required infrastructure on the State border for prevention of ecological catastrophes and natural disasters and to enable disaster recovery.

Section 27

1. Where required, the competent authorities of the countries of the Parties shall coordinate the issues related to protection of flora and fauna, including single hunting and fishing prohibition periods in the border area of the countries of the Parties.

2. Cross-border shooting or chasing of animals and birds in the territory of the country of other Party is prohibited.

Section 28

The Party on the territory of which a fire has broken out or in another emergency situation shall take measures to prevent it from spreading across the State border, or, where there is a danger of spreading across the State border, to promptly notify the other Party thereof.
Section 29

1. Each Party shall take measures to prevent mass-scale spread of infection or pests that comprise human health hazards and environmental threats; should these be detected in the border area of the territory of own country, the Party shall notify the competent authorities of the country of other Party thereof.

2. Competent authorities of the countries of the Parties shall notify each other on the time when infection and pest control measures will be implemented, as well as on the types of products to be used.

Chapter V

BORDER GUARD SERVICES AND HANDLING OF STATE BORDER REGIME MATTERS

Section 30

1. The cooperation of the Border Guard Services shall be based on this Agreement and other international agreements of the Republic of Latvia and the Republic of Belarus on cooperation in the matters related to the enforcement of the State border regime and the State border control.

2. The Border Guard Services, based on the national laws and regulations of the Parties, shall cooperate on the following matters:
   2.1. developing and implementation of coordinated measures to combat illegal immigration, terrorism, contraband, drug trafficking and other types of cross-border crime;
   2.2. coordinating the activities when performing check-ups at the State border crossing points;
   2.3. the functioning of the State border crossing points;
   2.4. reciprocal exchange of information free of charge on the situation on the State border and the border area of the countries of the Parties;
   2.5. sharing the experience in the field of detection of counterfeit documents, forgery technologies and tools;
   2.6. organising the cooperation and exchange of experience in various directions of operational and investigation activities;
   2.7. the developments in the use of service dogs, employing of aviation and vessels in border supervision of the State border;
   2.8. organising working visits of the specialists of the Border Guard Services;
   2.9. in the interests of State border control, placing orders with the companies of the countries of the Parties for repairs and manufacturing of material and technical resources for the Border Guard Services;
   2.10. providing of communication channels between the Border Guard Services;
   2.11. other directions within their competence.

3. For the purpose of ensuring the control of the State border, Border Guard Services shall organise meetings and develop and implement cooperation plans.

Section 31

1. To promptly address the issues related to the enforcement of the State border regime and handling of border incidents, the Parties shall establish an institution for Border Commissioners, for each country of the Parties to be comprised of:
1. a Border Commissioner;
2. deputies to the Border Commissioner;
3. assistants to the Border Commissioner;
4. secretaries to the Border Commissioner.

2. Each Party shall appoint a Border Commissioner and his or her deputies.

3. Managers of the Border Guard Services shall appoint assistants and secretaries to the Border Commissioners.

4. The Parties shall notify each other on the names of the Border Commissioners and their deputies via diplomatic channels.

5. Managers of the Border Guard Services shall issue identification cards to Border Commissioners and their deputies.

6. Border Commissioners shall issue identification cards to their assistants and secretaries.

7. Border Guard Services shall exchange the specimen identification cards abovementioned in Paragraphs 5 and 6 of this Section.

8. To ensure the functioning of the institution of the Border Commissioner, Border Commissioners are entitled to engage experts and interpreters.

9. The Border Commissioner of the country of one Party shall issue border passes to the persons abovementioned in Section 18 and in Paragraph 2 of Section 19 of this Agreement, on the condition that a written approval has been received from the Border Commissioner of the other Party's State.

10. The working language of the institution of the Border Commissioner shall be Russian.

11. Border Commissioners shall have own stamps, the imprints to be exchanged.

Section 32

1. Deputies to the Border Commissioners, while fulfilling their responsibilities, shall have rights equal to those of the Border Commissioners.

2. The responsibilities of assistants and secretaries to the Border Commissioners, as well as the procedures for their fulfilment, shall be determined by the Border Commissioners by mutual agreement.

Section 33

The responsibilities of the Border Commissioners shall be as follows:
1) to ensure the fulfilment of this Agreement and other international agreements between the Republic of Latvia and the Republic of Belarus concerning the enforcement of the State border regime;
2) to study and analyse the situation on the State border, to harmonise and coordinate the work of structural units of the Border Guard Services in controlling the State border, and the cooperation in combating organised crime, international terrorism, illegal immigration,
illicit trafficking of drugs, arms, ammunition and explosives across the State border and movement thereof in bordering areas;

3) to jointly analyse the status of the State border regime and to address the issues related to enforcement thereof;

4) to address the issues related to the operation of the State border crossing points, to make coordinated decisions about the functioning of the State border crossing points;

5) to organize unilateral or joint investigation and, within own competence, to address and handle the issues related to border incidents, unless they require settlement by diplomatic procedure;

6) to forward, for settlement by diplomatic procedure, the issues which are outside the competence of the Border Commissioners or on which no agreement has been reached after joint activities; the Border Commissioner of the country of other Party shall be notified thereof;

7) to notify promptly the Border Commissioner of the country of other Party on the following:

a) signs of preparations for illegal crossing of the State border, or illegal crossing of the State border;

b) cancelling or restricting traffic at State border crossing points or announcing quarantine due to epidemics or other justified reasons, and also on the approximate time when one can expect that traffic at the State border crossing points will be resumed;

c) border signs or elements thereof being moved, damaged or lost;

d) pollution of bordering waters, imminent danger of ecological catastrophes or natural disasters spreading across the State border, as well as on the potential crossing of the State border by persons seeking refuge from the abovementioned hazards;

8) to arrange for returning the persons to the territory of the country of their own Party in the cases abovementioned in Paragraph 7, Sub-paragraph d) of this Section;

9) to notify the Border Commissioner of the country of other Party on the following:

a) the results of unilateral investigation of border incidents;

b) no later than twenty-four hours prior to their commencement, on large-scale public events, hunting or field shooting exercise, and also on blasting works in the vicinity of the State border;

c) aircraft flights of the Border Guard Services in the vicinity of the State border;

10) upon the request by the Border Commissioner of the country of other Party, to ensure the crossing of the State border by emergency response teams and rescue teams in order to provide assistance in disaster recovery after catastrophes, natural disasters and other emergency situations in accordance with international agreements;

11) to arrange for the acceptance and delivery of the State border trespassing footprint;

12) to arrange for the acceptance and delivery of the trespassers of the State border;

13) to arrange for the acceptance and delivery of domestic animals and poultry when they have crossed the State border;

14) to specify the venues for the working visits and places for the acceptance and delivery of official correspondence;

15) to develop and harmonise sample documents required for the joint action of the Border Commissioners.

Section 34

1. Border Commissioners, their deputies and assistants shall work jointly during working visits.
2. The venue of the working visits, as a rule, shall be chosen alternately in the territories of the countries of Parties. An invitation to the working visit shall be sent no later than ten days prior to its start date. A response to the invitation shall be sent within two days following its receipt.

3. The Border Commissioner shall attend in person the working visits organised by the Border Commissioner of the country of other Party. If this is not possible, the working visit shall be attended by the deputy Border Commissioner, of which the Border Commissioner of the country of the inviting Party shall be notified in a timely manner.

4. Interpreters and experts may attend the working visits.

5. Some individual issues can be resolved via correspondence between the Border Commissioners or in an alternative way, provided that neither insists on reviewing the issue in question during a working visit.

Section 35

1. Working visits of the Border Commissioners shall be held no less than four times a year. A working visit shall be headed by the hosting Party's State Border Commissioner.

2. Working visits shall be recorded in minutes. The minutes shall outline the proceedings of the working visit, the decisions taken and the due dates for their implementation, as well as, where required, they shall record the differing opinions of the Border Commissioners on the issues where no agreement was reached. The minutes shall be drawn up in two counterparts in the Latvian and Russian languages. The decisions taken during the working visits shall come into effect on the date of signing the minutes, unless it is provided otherwise therein.

3. The assistants to the Boarder Commissioners shall work jointly as instructed by the Border Commissioners. Any issues on which the assistants to the Boarder Commissioners have failed to agree upon shall be reviewed by the Border Commissioners.

4. The organising costs of the working visits shall be covered by the hosting Party.

Section 36

The officials abovementioned in Section 31 of this Agreement may wear a uniform while performing their official duties in the territory of the country of other Party. In the territory of the other Party's State, these persons shall be guaranteed personal immunity as well as immunity for the motor vehicles, official documents and property they need for fulfilling their duties.

Section 37

1. Border Commissioners shall, either independently or jointly, investigate the circumstances of border incidents and draw up the investigation results in the form of a statement, and, where required, append schemes, photos and other documents thereto. Where required, they shall take measures to preserve the factual evidence.

2. Joint investigation of border incidents shall be carried out by the Border Commissioners or their deputies. A statement in two counterparts in the Latvian and Russian languages shall be drawn up on the investigation results, to be appended to the minutes of the working visit. Joint
investigation of border incident is not an action carried out within the framework of administrative procedure or criminal procedure.

Section 38

1. If dead bodies or remains of humans, remains of domestic animals or unidentified items have been found in the bordering waters of the country of one Party or on the bank belonging to this country, the competent authorities of this country shall perform the activities in order to identify the origin thereof.

2. Where required, the identification of the discovered dead bodies or remains of humans shall be done jointly by the representatives of competent authorities of the countries of the Parties in the presence of Border Commissioners or their deputies.

Section 39

1. The delivery and acceptance of the trespassers of the State border and their belongings they were carrying at the moment of detention shall be performed by the Border Commissioners, their deputies or assistants at the State border crossing points.

2. The delivery of the State border trespassers shall be based on the decision by an authorised official of the Border Guard Service of the country of the detaining Party.

3. The acceptance of the State border trespassers shall be subject to existing evidence on the person's arrival from the territory of the country of the accepting Party.

4. Acceptance of the State border trespassers shall take place no later than after twelve hours counting from the moment when information on delivery of persons was received from the Border Commissioner of the country of the Party where the person was detained.

Section 40

1. Trespassers of the State border shall not be delivered to the other Party where:
   1.1. they are residents of the country of that Party whose Border Guard Service detained them;
   1.2. their delivery contradicts international agreements or the national laws and regulations the country of that Party who detained them.

2. The Border Commissioner of the country of that Party whose competent authorities took a decision not to deliver the State border trespassers, shall communicate the decision to the Border Commissioner of the country of that Party from where they arrived.

Section 41

Delivery of domestic animals and poultry shall be done close to the place where they crossed the State border and in accordance with the procedures laid down by the competent authorities of the countries of the Parties.
Chapter VI
LATVIA-BELARUS JOINT COMMISSION IN THE STATE BORDER MATTERS

Section 42

1. The Parties shall establish a Joint Commission within six months from the date of coming into effect of this Agreement.

2. The Joint Commission shall be guided by this Agreement in its activities, and also by demarcation documents abovementioned in Section 3 of this Agreement.

3. Joint Commission shall be composed of the Latvian panel and the Belarusian panel. There shall be five representatives of the countries of the Parties in each panel. Each panel shall be chaired by a chairman, or, in his or her absence, by a deputy chairman.

4. The Parties shall notify each other on the staff of the Joint Commission panels and changes thereof via diplomatic channels.

5. Where required, the Latvian and Belarusian panels of the Joint Commission are entitled to engage experts and technical staff and to set up joint and unilateral task forces for performing the tasks within their competence.

6. Each panel of the Joint Commission shall have own seal, the imprints shall be exchanged between the Parties via diplomatic channels.

Section 43

The main tasks of the Joint Commission shall be as follows:
1) monitoring of the State border maintenance;
2) arranging for the check-ups on the physical location of the State border;
3) coordination of the activities of the competent authorities of the countries of the Parties on the issues related to location of the State border, its marking on site and maintenance.

Section 44

The functions of the Joint Commission shall be as follows:
1) to analyse the information on the physical location of the State border and the condition of border signs and securing zone;
2) to oversee the joint inspections of border signs and securing zones, and due presentation of the results thereof;
3) to coordinate the time schedule, procedures and technical requirements for the check-ups of the State border physical location;
4) during the check-ups of the State border physical location, to arrange for and implement the topographic, geodetic, cartographic and other works;
5) to arrange for the works related to reinstatement or erection in a new place, or erection of additional border signs and the drawing up of the required demarcation documents;
6) where necessary, to develop recommendations on altering the location of the State border and to submit them for approval in accordance with the procedures laid down in the national laws and regulations of the countries of the Parties;
7) present the results of the check-ups on physical location of the State border;
8) to develop document templates required for the presentation of the Joint Commission's work results; where necessary, to create new forms for annexes and supplements to demarcation documents;

9) to develop recommendations for international agreements on the procedures for exploitation of cross-border facilities, and also to address other tasks related to physical location of the State border, its marking on the terrain and maintenance.

Section 45

1. Joint Commission shall work by conducting meetings and working visits, their venue to be alternately in the territories of the countries of the Parties. The meetings and working visits shall be headed by the chairman of the hosting Party's panel of the Joint Commission.

2. The meetings of the Joint Commission shall take place when necessary, however, at least once a year. An invitation to the meeting shall be sent no later than thirty days prior to its start date. A response to the invitation shall be sent within ten days following its receipt.

3. During the breaks between meetings and working visits, chairmen, their deputies and other members of the Joint Commission may directly contact each other on the issues within their competence.

4. The working language of the Joint Commission shall be Russian.

5. The minutes in two counterparts in the Latvian and Russian languages shall be drawn up on the results of each meeting and working visit, shall be signed by attending members of the Joint Commission.

6. The organising costs of the meetings and working visits of the Joint Commission shall be met by the hosting Party.

Chapter VI
CLOSING PROVISIONS

Section 46

1. The Agreement requires a ratification.

2. This Agreement is entered into for an indefinite period of time and shall come into effect on the date of receipt of the last written notification regarding the completion of internal procedures which are necessary for the Agreement to come into effect.

3. This Agreement may be amended or supplemented upon mutual agreement between the Parties.

4. Either Party may terminate the Agreement by a written notification thereon to the other Party. In this case, the Agreement shall be terminated after six months from the date when the other Party has received the abovementioned notification.
Section 47

1. Within six months following the date when the Agreement comes into effect, the Parties shall exchange information regarding the competent State administrative institutions of each of the country through diplomatic channels.

2. The Parties shall, through diplomatic channels, communicate to each other any changes concerning the competent State administrative institutions.

Section 48

Any disputes related to the interpretation and application of this Agreement shall be settled through negotiations or consultations between the competent State administrative institutions of the countries of the Parties.

Section 49

A sample of the border pass is appended in the Annex to this Agreement and is an integral part thereof.

Section 50


Signed in Vitebsk on 10 April 2013 in two counterparts, each in the Latvian, Byelorussian and Russian languages, all texts being authentic.

In case of dispute related to the interpretation of the provisions of this Agreement, the text in the Russian language shall prevail.

For the Government of the Republic of Latvia
Chief of the State Border Guard
Normunds Garbars

For the Government of the Republic of Belarus
Chief of the State Border Guard Committee
Aleksandr Boyechko

Sample

BORDER PASS

Issued to ____________________________
(given name, surname, patronymic)

Name of the personal identification document ____________________________

series _____ No.______________, issued on ____ _______ 20___

(name of the issuing authority)

In accordance with the provisions of the Agreement of the Government of the Republic of Latvia and the Government of the Republic of Belarus on the State Border Regime of Latvia-Belarus the border pass entitles to cross the State border in the section between border signs No. ________ - ________ and to move in the territory of the other Party as far as necessary for carrying out the following activities and organising joint events:

________________________________________

Vehicle ____________________________
(type, registration number)

valid from _____ _________ 20___ till _____ _______________ 20____

Border Commissioner for ____________________________
(name of the country)

________________________________________
(signature) (given name, surname, patronymic)

Place for a seal

Coordinated with the

Border Commissioner for ____________________________
(name of the country)

No. ____________________________
(date)