

Law of the Republic of Latvia "On the Border of the Republic of Latvia"

PART 1 **General Conditions**

Paragraph 1. **The boundary of the Republic of Latvia**

The boundary of the Republic of Latvia is the line and the vertical surface coincident with this line, which divides the territory of the Republic of Latvia on dry land and on the waters, the underground and airspace of this land from the neighbouring countries and from the neutral waters in the Baltic Sea.

Paragraph 2. **The determination of the boundary of the Republic of Latvia, and its guarding and security.**

The State boundary of the Republic of Latvia is determined by the international treaties the Republic of Latvia entered into and ratified by 16 June 1940, and later by the bilateral treaties entered into with neighbouring countries on the renewal of the boundary.

The Government of the Republic of Latvia, within its legal powers, shall take steps to guard and secure the State borders and territories.

Paragraph 3. **The marking of the border of the Republic of Latvia.**

The State border of the Republic of Latvia, if other provisions have not been made in the international treaties entered into by the Republic of Latvia, shall be marked:

- (1) On dry land - according to characteristic contours and clearly visible landmarks and reference points;
- (2) In the Baltic sea - along the outer edge of the territorial waters of the Republic of Latvia;
- (3) In the Irbe Strait and in the Gulf of Riga - in accordance with bilateral agreements with the Republic of Estonia;
- (4) Along navigable rivers - along the middle of the main river shipping channel; along non-navigable rivers (streams) - along their middle or along the middle of the main side branch of the river; in lakes and other still bodies of water - along a straight line, which joins two points, where the border of the Republic of Latvia exits the banks of this lake or other body of water.

The State border of the Republic of Latvia which goes along a river, stream, lake or other body of water shall not be moved if there is a change in the configuration of the coastline, or in the river or stream bed;

- (5) On bridges and other structures, which span the boundary as it has been marked on water - along the middle of these bridges or other structures, or along their technological axes.

Paragraph 4. **The territorial waters of the Republic of Latvia.**

Among the territorial waters of the Republic of Latvia shall be regarded the waters of the Baltic Sea to the width of 12 sea miles, counting from the maximum low tide line from the Latvian coast.

Paragraph 5.
The inland waters of the Republic of Latvia.

The inland waters of the Republic of Latvia are the following:

- (1) Harbour waters, which are marked by a straight line, which join concrete hydrotechnical or other structural points on opposite sides of the harbour, which are located the furthest towards the sea.
- (2) In the Irbe Strait and in the Gulf of Riga - the waters from the middle of the base, which go between the southern part of the cliff of the Horn of Loade, the Horn of Ovisi and the end point of the border on dry land on the Republic of Latvia on the eastern coast of the Gulf of Riga. The configuration of the boundary line in the waters of the Gulf of Riga shall be determined by international treaty.
- (3) The waters of those gulfs and bays, the coasts of which fully belong to the Republic of Latvia.
- (4) The waters of those rivers, lakes and other bodies of water, the coasts and banks of which fully belong to the Republic of Latvia.

CHAPTER II
The Regime of the State Border of the Republic of Latvia
and its Border Areas

Paragraph 6.
The regime of the State border of the Republic of Latvia.

The regime of the State border of the Republic of Latvia determines how the border will be maintained, how its security will be maintained, and also the procedure for crossing the border, the procedure for entering, staying and working in the border area, in the Latvian part on the boundary rivers, boundary lakes and other bodies of water; it also provides for the necessary control, to ensure that this procedure will be observed. The regime of the State border of the Republic of Latvia is to be regulated by this law, by other legislation of the Republic of Latvia and by international treaties.

Paragraph 7.
The State border area of the Republic of Latvia.

In order to ensure the necessary order on the State border of the Republic of Latvia, along the border shall be fixed a border area. The border area is part of the State border, and the regime of the State border of the Republic of Latvia shall apply to it as well. The border area, in accordance with international treaties, shall be defined by the Government of the Republic of Latvia.

Paragraph 8.
The border zone.

In the interests of security of the Republic of Latvia and its State border, the Government of the Republic of Latvia will fix a border zone in the counties in the border area which is not to be narrower than 15 kilometres along the State border and the coastline of the Baltic Sea.

Paragraph 9.
The regime in the border zone.

The regime in the border zone determines the procedure for entering, staying and working in the border zone of the State border of the Republic of Latvia, and on its territorial and those inland waters, which are contiguous to the border.

The regime of the border zone is set by this law, by other legislation of the Republic of Latvia, as well as by international treaties.

Paragraph 10.
Crossing the State border of the Republic of Latvia.

Railroad, automobile, sea, river, air and other traffic across the border of the Republic of Latvia shall take place at the border-crossing points determined by the Government of the Republic of Latvia - in accordance with the laws of the Republic of Latvia and the international treaties entered into by the Republic of Latvia. At the border crossing points there shall be installed border-guard control points.

Sea and river ships, warships and other floating objects shall cross the State border of the Republic of Latvia in accordance with this law and other legislative acts and regulations of the Republic of Latvia, which are to be published according to specified procedure.

Aeroplanes and other aircraft engaged in air traffic shall cross the State border of the Republic of Latvia along air traffic corridors specified for border crossings in accordance with legislative acts and regulations of the Republic of Latvia, which are to be published according to specified procedure.

Paragraph 11.
The departure and arrival of aircraft engaged in air traffic in the Republic of Latvia.

The departure of airplanes and other aircraft engaged in air traffic from the Republic of Latvia and their arrival after entering the Republic of Latvia shall take place only at airfields which have been designated for international flights and at airfields where there are border-guard control points and customs offices.

The procedure of arrival and departure of airplanes and other aircraft engaged in air traffic shall be determined - or changed - by the Government of the Republic of Latvia and its subordinate agencies.

Paragraph 12.
Procedure according to which foreign ships and other floating objects shall arrive in the territorial waters and the inland waters and harbours of the Republic of Latvia.

Foreign ships and other floating objects shall arrive and remain in the territorial waters of the Republic of Latvia according to procedure specified in acts of legislation of the Republic of Latvia and international treaties recognized by the Republic of Latvia.

Foreign warships shall arrive in the territorial waters of the Republic of Latvia according to procedure specified by the Government of the Republic of Latvia.

Foreign submarines may remain in the territorial waters of the Republic of Latvia only above water, and with raised flag that shows the country to which it belongs.

The procedure for the arrival and stay of foreign ships and other floating objects in the inland waters, roadsteads and harbours of the Republic of Latvia shall be specified by laws and regulations of the Republic of Latvia, which are to be published according to specified procedure.

Foreign warships, if other procedures have not been foreseen, shall enter the inland waters, roadsteads and harbours of the Republic of Latvia with the permission of the Government of the Republic of Latvia, which must be obtained beforehand.

Foreign ships and other floating objects, if they are compelled to enter the territorial and inland waters of the Republic of Latvia without having observed procedures specified by the Republic of Latvia, must notify of the situation the nearest harbour administration of the Republic of Latvia.

Paragraph 13.
Controls for crossing the State border of the Republic of Latvia.

Persons, as well as traffic vehicles, cargoes and other goods which cross the State border of the Republic of Latvia are to be subject to border and customs controls in accordance with this law as well as other relevant legislation.

If it should prove to be necessary, they shall be subject to quarantine, veterinary and phytosanitary control, as well as control of

export of objects of cultural value, and also other controls.

The border is to be crossed, and the border-crossing control shall be organized and applied according to procedure, which has been specified in legislative acts of the Republic of Latvia.

Paragraph 14.

Procedure for economic activity on the State border of the Republic of Latvia.

Shipping, the floating of timber and other forms of utilization of the waterways, the erection of hydro-structures and other works in the Latvian part of boundary rivers, lakes and other bodies of water; the exploitation of land, its underground resources, forests and fauna; geological surveys and other economic activity in the border zone of the State border of the Republic of Latvia may take place in accordance with the laws of the Republic of Latvia, and international treaties.

Paragraph 15.

The temporary closing of the State border of the Republic of Latvia to traffic, if there is danger of the spread of infectious disease. Quarantine.

If in the territory of Latvia or a neighbouring State there exists a threat of a spread of particularly infectious diseases, in the affected areas by a decision of the Government of the Republic of Latvia the traffic across the border may be state of quarantine for humans, animals, cargoes, seed materials, planting materials or materials for other animal or plant production.

Paragraph 16.

Violators of the State border of the Republic of Latvia.

The violators of the State border of the Republic of Latvia are the following:

(1) Persons who have crossed or tried to cross the State border of the Republic of Latvia in any way outside of the places designated for this purpose, or ignoring the required procedure.

(2) Foreign ships and other floating objects, which have entered the territorial waters of the Republic of Latvia or the inland waters along border zones, or the Latvian side of border rivers, lakes or other bodies of water, or which remain therein, in violation of existing regulations.

(3) Aeroplanes and other aircraft engaged in air traffic, which have crossed the State border of the Republic of Latvia without the proper permits, or which have otherwise violated regulations concerning flying across the State border of the Republic of Latvia.

Paragraph 17.

Accredited representatives of the State border of the Republic of Latvia.

In order to solve problems which are tied to the maintaining of the regime of the State border of the Republic of Latvia, as well as to deal with border incidents, the Government of the Republic of Latvia shall select accredited State border representatives. The questions which have not been dealt with by the accredited State border representatives shall be solved through diplomatic negotiations.

Paragraph 18.

Responsibility for violations of border legislation of the Republic of Latvia.

Persons who have violated, or have tried to violate the regime of the State border or its border areas, are to be called to account in accordance with legislation then in force.

CHAPTER III

The Guarding and Securing of the State Border of the Republic of Latvia

Paragraph 19.

The duties and functions of guarding and securing the border.

For the purpose of guarding and securing the territory of the Republic of Latvia, and to strengthen the regime of the State

border and its customs control, there shall be organized a system for guarding the State border of the Republic of Latvia on land, water and in the air.

Paragraph 20.
The border guard.

The guarding of the State border of the Republic of Latvia is the province of the Department of the Border Guard created for this purpose, and its subordinate units, thus making up the system of the Border Guard Service.

Paragraph 21.
The regulation of the duties of border guard.

The duties of the Border Guard Service are regulated by this law, other legislative acts of the Republic of Latvia and international treaties, as well as normative acts issued by the competent institutions of the Republic of Latvia.

Paragraph 22.
The main duties of the border guard.

The main duties of the border guard of the Republic of Latvia are:

- (1) To guard the border, the boundary markers which have been placed there and other border structures, to foil any and all illegal attempts to change the placement of the State border of the Republic of Latvia;
- (2) To prevent that persons or vehicles, cargoes and other goods cross the State border of the Republic of Latvia outside of the (designated) border crossing points or in any other illegal manner, (and) to discover and to detain those violating the State border of the Republic of Latvia;
- (3) To maintain specified order at the border crossing points, to organize the work at the border crossing points and allow to cross the State border of the Republic of Latvia persons, as well as vehicles, cargoes and other goods, if the documents necessary for crossing the border have been obtained and are in order;
- (4) In accordance with proper procedure, independently or together with the customs services and consulting specialists, to prevent the illegal transfer of explosives, radioactive and narcotic materials, weapons, ammunition and other prohibited objects and contraband across the State border of the Republic of Latvia;
- (5) Together with the police (militia) to ensure that the (prescribed) regime of the border areas will be observed;
- (6) To ensure that the international treaties which the Republic of Latvia has entered into as regards having to do with the State border will be fulfilled;
- (7) To control that ships and other floating objects will observe the specified procedure as to movement and staying within the territorial waters and the inland waters of the Republic of Latvia in border areas, as well as in the Latvian part of border rivers, lakes and other bodies of water;
- (8) To provide to specially accredited institutions of the Republic of Latvia all necessary help to ensure that regulations for the preserving of natural resources, and for the regulation of economic activity, for the protection of the environment against pollution, for the fighting of fires, and for the liquidation of the consequences of natural disasters in the border areas are being observed.

Paragraph 23.
The basic rights of the border guard.

Fulfilling the functions of the State border guard of the Republic of Latvia, the employees of the border guard along the State border, in the territory of the border zone, in the territorial and inland waters of the Republic of Latvia which are contiguous to the border and in the Latvian part of border rivers, lakes and other bodies of water have the following rights:

- (1) To place border-guard posts; fulfilling official duties, to move along all areas of the border zone; to check documents; to examine vehicles and their cargoes, and in case of necessity to escort vehicles;

(2) To make inquiries in matters of violations of the State border of the Republic of Latvia; to make the necessary relevant investigations, examinations, searches and interrogations in accordance with the legislation on criminal procedures of the Republic of Latvia then in effect, and to detain the violators until such time when the inquiry materials shall have been taken over by investigatory agencies, but no longer than 24 hours, notifying of it the (nearest) city (or regional) prosecutor. These guidelines apply also to citizens of other countries and to stateless persons;

(3) To make use of State communications equipment and vehicles, as well as those belonging to social organizations, corporations, enterprises, physical persons, in order to be able to follow and detain border violators;

(4) In fulfilling official duties, to carry a service weapon, and to use it in accordance with procedures prescribed by law;

(5) The rights of the employees of the border guard in relation to floating objects - foreign, and those of the Republic of Latvia - is regulated by separate law;

Paragraph 24.
The participation of the State agencies, social organizations
and the citizens of the Republic of Latvia
in the guarding of the State border of the Republic of Latvia.

The duty of State agencies, social organizations and their functionaries is to provide maximum assistance to the border guard for the guarding of the State border of the Republic of Latvia.

The inhabitants of the border zone are to provide assistance to the employees of the border guard in guarding the State border of the Republic of Latvia on a voluntary basis.