Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

8 April 2021 [shall come into force on 13 April 2021].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

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. Warships of the North Atlantic Treaty Organization (hereinafter – NATO) and the European Union Member States (hereinafter – the EU Member State) shall not require a permit of the Ministry of Foreign Affairs to enter the territorial sea, inland waters, and ports of the Republic of Latvia.

[*8 April 2021*]

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 and Leaving of Foreign Warships, Except for Warships of NATO and EU Member States**

[*8 April 2021*]

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.

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 requests for a permit for entering that have been received in accordance with the procedures referred to in this Regulation shall be sent by the Ministry of Foreign Affairs to the Ministry of Defence.

[*8 April 2021*]

8. The Ministry of Defence shall, according to its competence, assess the request for 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 a statement 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.

[*8 April 2021*]

9. The Ministry of Foreign Affairs shall, by diplomatic channels, inform in writing the requester of the permit for entering and the National Armed Forces of the decision taken.

[*8 April 2021*]

10. If the crew or passengers of a foreign warship are planning to disembark or embark the foreign warship, the National Armed Forces shall inform the State Border Guard of the foreseeable time of arrival of the foreign warship in the port and the time of leaving the port, and also of the berth at which it is planned to stop or from which it is planned to leave the port, and shall coordinate the place and time of border check.

[*8 April 2021*]

**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 coordinated place, if necessary, 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.

[*8 April 2021*]

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. [8 April 2021]

22. [8 April 2021]

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 and Leaving of Warships of NATO and EU Member States**

[*8 April 2021*]

27. The commanding officer of a warship or the commanding officer of a group of warships of NATO and the EU Member State, or an authorised representative thereof shall, not later than 48 hours prior to the voyage of the ship, submit electronically the information referred to in the Annex to this Regulation to the National Armed Forces on the entering of the warship of NATO and the EU Member State in the territorial sea, inland waters, and port of the Republic of Latvia and leaving the territorial sea, inland waters, and port of the Republic of Latvia and of the necessary support of the host state.

[*8 April 2021*]

28. If urgent action is required, the time for the provision of the information referred to in Paragraph 27 of this Regulation may be reduced to the time whereof the commanding officer of a warship or the commanding officer of a group of warships of NATO and the EU Member State, or an authorised representative thereof has agreed upon with the National Armed Forces.

[*8 April 2021*]

29. The National Armed Forces shall inform the State Border Guard of a warship of NATO and the EU Member State entering the port of the Republic of Latvia or leaving it.

[*8 April 2021*]

29.1 If passengers or persons who do not belong to the personnel of the armed forces of NATO and the EU Member State are on board a warship of NATO and the EU Member State and if the abovementioned persons are planning to disembark the warship in the port of the Republic of Latvia, the commanding officer of the relevant warship shall prepare the list of such persons and submit it to the liaison officer of the National Armed Forces. The officer shall hand it over to the competent representative of the State Border Guard. The given name, surname, data of birth, the type and number of the travel document, the nationality of the relevant person, and also information on the number and term of validity of a document certifying the right of residence (for example, a visa), if the relevant document is necessary in accordance with the requirements of laws and regulations, shall be indicated in the list of passengers and the persons not belonging to the personnel of the armed forces of NATO and the EU Member State.

[*8 April 2021*]

29.2 If the personnel of a warship of NATO and the EU Member State is planning to disembark the warship of NATO and the EU Member State in the port of the Republic of Latvia, the commanding officer of the relevant warship of NATO and the EU Member State may prepare a list of the abovementioned personnel and submit it to the liaison officer of the National Armed Forces. The officer shall hand it over to the competent representative of the State Border Guard. The given name, surname, and service rank of the relevant person shall be indicated in the list of the personnel.

[*8 April 2021*]

29.3 If the commanding officer of a warship of NATO and the EU Member State does not submit the list referred to in Paragraph 29.2 of this Regulation, the liaison officer of the National Armed Forces shall inform the competent representative of the State Border Guard of the place and time when the personnel of the warship of NATO and the EU Member State is planning to disembark the warship of NATO and the EU Member State in the port of the Republic of Latvia.

[*8 April 2021*]

**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**

33. Cabinet Regulation No. 759 of 10 August 2010, 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 (*Latvijas Vēstnesis*, 2010, No. 130; 2011, No. 178), is repealed.

Prime Minister Māris Kučinskis

Minister for Defence Raimonds Bergmanis

**Annex**

Cabinet Regulation No. 108

23 February 2016

[*8 April 2021*]

**Information on the Entering of Warships of NATO and EU Member States in the Territorial Sea, Inland Waters, and Ports of the Republic of Latvia and Leaving Them**

**Send to**

**LVA.MOC@mil.lv; NAFCP@mil.lv**

|  |  |  |  |
| --- | --- | --- | --- |
| Applicant |  | Date\* |  |
|  |  |  | (dd.mm.yyyy) |
|  |  |  |  |

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| --- | --- | --- |
| 1. | Nationality of each warship, number and type of warships |  |
| 2. | Purpose of entering of each warship in the territorial sea of Latvia |  |
| 3. | Port of destination of each warship in Latvia and duration of stay |  |
| 4. | Type of visit (formal/informal/routine) |  |
| 5. | Time of entering of each warship in the territorial sea of Latvia (date and time (GMT)), position of the entry point |  |
| 6. | Name, hull number, and international call sign of each warship |  |
| 7. | Characteristics of each warship: length, draught, width (m), displacement (t) |  |
| 8. | Service rank, given name, surname of the commanding officer of a group of warships and the commanding officer of each warship, the number of officers, the number of personnel on board the ship and the number of such persons who are not representatives of the EU or NATO states |  |
| 9. | Last port before entering the territorial sea of Latvia |  |
| 10. | Next port after leaving the territorial sea of Latvia |  |
| 11. | Planned time of leaving for each warship from the territorial sea of Latvia and the position of the leaving point |  |
| 12. | Radio communications frequencies, electromagnetic emission capacity of each warship and the plan for their use |  |
| 13. | The service rank, given name, surname, telephone number, e-mail address of the contact person |  |
| 14. | The servicing ship’s agent of each warship in Latvia |  |
| 15. | Additional information |  |

Signature\* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Place for a seal\*

Note. \* The details of the document “Date”, “Signature”, and “Place for a seal” shall not be completed if the electronic document has been prepared in accordance with the laws and regulations regarding the drawing up of electronic documents.