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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

Instruction No. 5

Adopted 5 May 2010

**Procedures by Which State Administration Institutions Co-operate in Matters of State Border Security**

*Issued pursuant to*

*Section 32 of the Law on the State Border of the Republic of Latvia*

**I. General Provisions**

1. The Instruction prescribes the procedures by which State administration institutions co-operate in matters of the security of the State border of the Republic of Latvia.

2. State administration institutions, i.e. the State Border Guard, the State Police, the State Revenue Service, the Food and Veterinary Service, and the State Environmental Service (hereinafter – the institutions), shall co-operate in the following matters of the security of the State border of the Republic of Latvia:

2.1. in combating cross-border crime – shall prevent and detect:

2.1.1. illegal entry, exit or travel in transit of persons, and also illegal stay of foreigners in the country;

2.1.2. trafficking in human beings;

2.1.3. illegal movement of narcotic substances, psychotropic substances, precursors, weapons, ammunition, explosives, and other prohibited goods and items across the State border;

2.1.4. illegal movement of vehicles across the State border;

2.1.5. violations of customs rules;

2.1.6. violations of the regulations for the movement across the State border of the products and live animals subject to the veterinary, phytosanitary control, control of food safety and of safety of non-food products;

2.2. in ensuring the State border regime and border guarding system;

2.3. in detaining wanted persons;

2.4. in preventing and detecting illegal activities of officials of institutions;

2.5. in preventing the violations established during radiometric control and in detecting undeclared sources of ionising radiation.

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**II. Organisation of Co-operation**

3. The institutions shall organise co-operation on the basis of the results of the analysis of the likelihood of the security threats (hereinafter – the risk) to the State border of the Republic of Latvia.

4. The risk shall be analysed and co-operation shall be organised by:

4.1. the State Border Guard – regarding the matters referred to in Sub-paragraphs 2.1.1 and 2.2 of this Instruction and also, within the limits of its competence, regarding the matter referred to in Sub-paragraph 2.4;

4.2. the State Police – regarding the matters referred to in Sub-paragraphs 2.1.2, 2.1.3, 2.1.4, 2.3, and 2.4 of this Instruction;

4.3. the State Revenue Service – regarding the matters referred to in Sub-paragraph 2.1.5 of this Instruction and also, within the limits of its competence, regarding the issue referred to in Sub-paragraph 2.4;

4.4. the Food and Veterinary Service – regarding the matters referred to in Sub-paragraph 2.1.6 of this Instruction;

4.5. the State Environmental Service – regarding the matters referred to in Sub-paragraph 2.5 of this Instruction.

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5. The results of risk analysis shall be updated at least once a year.

**III. Implementation of Co-operation**

6. The institutions shall implement co-operation by:

6.1. exchanging information in the field of:

6.1.1. operational information;

6.1.2. statistical information;

6.1.3. alleged violations;

6.2. analysing risk and jointly using the results of the analysis, and also providing the performers or risk analysis of the institutions with the necessary information;

6.3. implementing joint measures and investigative actions;

6.4. organising joint trainings for the officials of the institutions;

6.5. informing of the plans for the development of the material and technical base of the institutions and providing mutual support with special technical means and devices;

6.6. ensuring the control of shipments (deliveries) to be controlled;

6.7. designating joint representatives for the representation of several institutions in international co-operation;

6.8. maintaining and updating electronic databases and also ensuring, upon mutual agreement, the required access to these databases.

7. The institutions shall conclude an interdepartmental agreement to ensure co-operation.

**IV. Ensuring of Co-operation**

8. The following shall be established to ensure the planning, co-ordination, and implementation of co-operation:

8.1. co-operation management group;

8.2. regional co-operation groups.

9. The co-operation management group shall be comprised of the heads of institutions or their deputies. The co-operation management group shall coordinate and plan the co-operation between institutions and also determine the procedures for implementing co-operation measures of institutions and exchange of information between them.

10. Meetings of the co-operation management group shall be held upon proposal from the institution, but at least once a quarter. The State Border Guard shall be responsible for the organisation, chairing and taking of the minutes of the meeting. The institution which proposes the convening of the meeting shall inform the State Border Guard of the matters to be examined at the meeting.

11. The regional co-operation groups shall be established according to the areas of responsibility of the territorial administrations of the State Border Guard, and they shall be comprised of the heads of the territorial administrations of the State Border Guard, chiefs of the regional units of the State Police, heads of the units of the State Revenue Service, or officials authorised thereby, and also the officials authorised by the Food and Veterinary Service and the State Environmental Service.

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12. The regional co-operation groups shall plan and ensure co-operation in the relevant areas of responsibility.

13. Meetings of regional co-operation groups shall be held upon proposal from the institution, but at least once a quarter. The territorial administration of the State Border Guard shall be responsible for the organisation, chairing and taking of the minutes of the meeting.

14. The co-operation management group and regional co-operation groups may establish working groups comprising specialists of the institutions in the relevant field in order to ensure:

14.1. the implementation of co-operation;

14.2. the coordination and implementation of individual measures;

14.3. co-operation in the territory of the country and at border crossing points.

15. The co-operation management group and regional co-operation groups shall take decisions unanimously, and they shall be of a recommendatory nature.

16. Upon proposal from the institution, the State administration institutions which are not referred to in Paragraph 2 of this Instruction may be invited to participate in the co-operation management group and a regional co-operation group.

Prime Minister V. Dombrovskis

Minister for the Interior, Acting for the Minister for Health L. Mūrniece