

No. 30894

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**ESTONIA
and
LATVIA**

**Treaty concerning the restoration of the state border (with
annex). Signed at Valga on 20 March 1992**

Authentic texts: Estonian and Latvian.

Registered by Estonia on 18 April 1994.

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**ESTONIE
et
LETONIE**

**Traité relatif au rétablissement de la frontière d'état (avec
annexe). Signé à Valga le 20 mars 1992**

Textes authentiques : estonien et lettonien.

Enregistré par l'Estonie le 18 avril 1994.

[TRANSLATION — TRADUCTION]

TREATY¹ CONCERNING THE RESTORATION OF THE STATE BORDER BETWEEN THE REPUBLIC OF ESTONIA AND THE REPUBLIC OF LATVIA

Whereas until 16 June 1940 there existed between the Republic of Estonia and the Republic of Latvia an internationally recognized state border that has been established by the Convention of 19 October 1920² and demarcated (naturalized) in the years 1921-1922, the Republic of Estonia and the Republic of Latvia (hereafter referred to as the two Parties), taking into account the will of the peoples of the Republic of Estonia and the Republic of Latvia and wishing to affirm their political and state sovereignty and international legal recognition and to maintain friendly relations with each other as well as with nations of the Baltic region and the entire world, have agreed as follows:

Article I

To restore, together with its consequences, the state border that existed between the Republic of Estonia and the Republic of Latvia until 16 June 1940. To base this restoration on treaties and other legal agreements concluded between the Republic of Estonia and the Republic of Latvia in the 1920s and 1930s.

Article II

The goals of restoring the state border between the Republic of Estonia and the Republic of Latvia are the maintenance and development of good-neighbourly relations and independent economic, cultural, and scientific development.

Article III

To establish, at a time to be determined by the Governments of the two Parties, border control and customs stations along highways that intersect the state border between the Republic of Estonia and the Republic of Latvia, as well as at the Valga and Mõisaküla railway stations.

The Governments of the Republics of Estonia and Latvia may decide to establish new border control and customs stations in order to expedite traffic between the two countries.

Article IV

The customs and border control services of the two Parties may execute joint inspections, at border control and customs stations as well as in passenger trains, of persons and vehicles crossing the state border between the Republic of Estonia and the Republic of Latvia. The two Parties will determine separately the protocol for carrying out such inspections.

¹ Came into force on 13 September 1993 by the exchange of the instruments of ratification, which took place at Tallinn, in accordance with article XV.

² League of Nations, *Treaty Series*, vol. 17, p. 189.

Article V

Citizens and permanent residents of the Republic of Estonia and the Republic of Latvia have the right to cross the border between the two countries without a visa, freely to transport goods and other valuables of a material nature through border control and customs stations in quantities and according to regulations to be determined by the two Governments, and to remain on the other Party's territory for the length of time permitted by that Party's laws.

Note. The protocol for crossing of the state border between the Republic of Estonia and the Republic of Latvia by citizens of the Republic of Lithuania shall be established in a treaty to be concluded among the three States.

Article VI

Nationals of other countries, stateless persons, and vehicles shall cross the state border between the Republic of Estonia and the Republic of Latvia in accordance with generally accepted international regulations unless the two Parties implement some other arrangement.

Article VII

In connection with the changes that have occurred in the use of the land comprising the border zone between the Republic of Estonia and the Republic of Latvia, identification and redemarcation of the state border shall be carried out in a manner specified in special agreements to be concluded by the Governments of the Republic of Estonia and the Republic of Latvia, and in adherence to deadlines specified in such agreements.

Article VIII

The Parties shall establish a Mixed Commission consisting of three representatives of each Party to identify and redemarcate the state border on the ground and to change and update the border maps and the survey record (description of the border). This Commission shall resolve any questions that may arise during the tracing of the border line in places where for some reason the borders of land use have changed and the state border has shifted.

To trace the state border on the ground by means of clearly visible markers, by joint agreement.

Annex. Instructions to the mixed commission overseeing the redemarcation and the establishment on the ground of the state border between the Republic of Estonia and the Republic of Latvia.

Article IX

A map of the border (scale 1:10,000) shall be prepared in duplicate and signed by all the members of the Mixed Commission. The survey record shall constitute an annex to the map.

The border shall be considered completely restored after the Governments of the two Parties have ratified the border map and the detailed description accompanying it. All land users in both countries are obligated, within one year from the date when the Governments of the two Parties ratify the map and detailed description of the state border, to change the registration of property falling within sections where the border has been altered.

Article X

For the purpose of tracing the state border on the ground, the border line from the sea to the border of the Russian Federation shall be divided into two parts. The Latvian side shall be responsible for restoring the border from the sea (the Gulf of Riga) to Lugaži, and the Estonian side shall be responsible for restoring the border from Lugaži to the border of the Russian Federation.

The cost of redemarcating the state border and establishing it on the ground shall be borne by the State conducting the work in a particular section. No steps shall be taken to divide equally the expenditure incurred by the two Parties.

Article XI

The two Parties agree to maintain the border and border markers and installations in good condition, to arrange a joint inspection of the border markers and installations at least once every three years, and, if necessary, to repair or restore the border markers and installations.

Article XII

A neutral zone 2 metres in width shall be established on each side of the border line. The protocol governing the state border shall be determined in a special agreement between the two Parties.

Article XIII

The maritime portion of the state border between the Republic of Estonia and the Republic of Latvia shall be determined in a special treaty.

Article XIV

The present Treaty shall remain in force indefinitely until such time as one of the Parties may call for it to be revised or revoked.

Article XV

This Treaty shall be ratified in Tallinn, and the exchange of the instruments of ratification shall take place in Tallinn.

The Treaty shall enter into force on the date on which the instruments of ratification are exchanged.

DONE in duplicate in Valga on 20 March 1992 in the Estonian and Latvian languages, both texts being authentic.

The Treaty was signed by:

For the Republic
of Estonia:

The Minister of State
of the Republic of Estonia,
U. VEERING

For the Republic
of Latvia:

The Minister of State
of the Republic of Latvia,
J. DINÉVICS

ANNEX TO THE TREATY OF 20 MARCH 1992 CONCERNING THE RESTORATION OF THE STATE BORDER BETWEEN THE REPUBLIC OF ESTONIA AND THE REPUBLIC OF LATVIA

INSTRUCTIONS TO THE MIXED COMMISSION OVERSEEING THE REDEMARCATON AND THE ESTABLISHMENT ON THE GROUND OF THE STATE BORDER BETWEEN THE REPUBLIC OF ESTONIA AND THE REPUBLIC OF LATVIA

1. The Mixed Redemarcation Commission (hereinafter referred to as the Commission) shall be formed in accordance with the treaty of 20 March 1992 and shall include three representatives of each Party.

The two delegations shall alternately preside over the meetings of the Commission. The proceedings of each meeting shall be recorded. The minutes shall be signed by all attending representatives of each Party.

2. The Commission shall oversee the redemarcation process and monitor the quality of the work. The Commission's work shall be guided by this Treaty and by existing agreements of historical and legal significance (treaties, protocols, conventions, etc.) concluded between the Republics of Estonia and Latvia and other States in the years 1920-1940.

3. The Commission shall oversee the following:

3.1. Retrieval and examination of historical and legal documents relating to the demarcation of the state border between the Republic of Estonia and the Republic of Latvia;

3.2. Gathering, verification, and examination of topographical and geodetic data in comparison with the ground in question;

3.3. Resolution of all practical matters relating to implementation of the state border restoration treaty and redemarcation of the state border;

3.4. Exchange of land parcels on the basis of compensation in cases where the border line shifts;

3.5. Tracing of the border on the ground, taking into account current land use and the ownership of roads, soil improvement (drainage) systems, and other technical installations;

3.6. Formation of task forces for the purpose of redemarcating the border and the compilation of instructions for such task forces;

3.7. Establishment of regulations governing the use of public and private roads, technical installations, and bodies of water (rivers, streams, canals, ditches) adjoining the border;

3.8. Investigation and resolution of all petitions and grievances relating to the redemarcation of the border;

3.9. Joint development and ratification of regulations governing the characteristics and placement of border markers;

3.10. Planning and execution of the practical work of redemarcating the border and tracing it on the ground;

3.11. Straightening of the border through the creation, where possible, of long, straight sections.

4. The task force shall be responsible for:

4.1. Identifying the present border line and marking it with temporary markers in accordance with existing topographical and geodetic documents and historical and legal documents;

4.2. Positioning (erecting) border markers, compiling a preliminary map showing their positions, transferring these positions onto a base map (scale 1:10,000), comparing the map

with the ground within a state border zone extending 250 metres to each side of the border line, and compiling a detailed survey record;

4.3. Clearing paths, digging ditches, and placing cairns around border markers (posts).

5. Primary border markers (posts) shall be erected:

5.1. Generally at points at which the state border turns and at points at which main roads intersect the border;

5.2. Along straight sections within sight of each other, and no more than 1 kilometre apart;

Note. Existing border markers (posts) must be preserved and rebuilt.

5.3. Along straight border sections, secondary markers shall be erected as necessary between primary border markers, and on each secondary marker shall be indicated its distance in metres from the preceding primary marker. For example: 101 + 250, with 101 indicating the number of the primary border marker and 250(m) the distance of secondary marker from the primary marker;

5.4. Border markers (posts) shall be erected on both banks of bodies of water (rivers, streams, canals, ditches) adjoining the border. These pairs of markers shall bear sequential numbers and shall be indicated on the base border map. The survey record shall indicate their distance (along a perpendicular) from the border line.

6. A border marker (variant) shall consist of a concrete base measuring $30 \times 30 \times 30$ cm and bearing a metal plate. The marker shall be buried 1 metre below the surface of the ground and reinforced with stones. A border marker (post) 3,504 mm in height and 200 mm in diameter shall be placed in the center of the plate so that the center of the marker is aligned with the center of the plate. The marker shall be reinforced with a mixture of stones and concrete. Around the marker a ditch shall be dug and a round cairn erected that is 1 metre high. The diameter of the cairn shall be 4 metres at its lowest part and 2 metres at its highest part. A ring of concrete 0.5 m in diameter shall be poured on top of the cairn, around the marker (post). Both the ring and the marker shall be painted white. The emblems of the Republic of Estonia and the Republic of Latvia as well as the number of the border marker shall be affixed to the marker by means of screws (bolts) or painted onto it.

The dimensions of the emblems and the inscriptions shall be worked out by artists so that they are in a suitable proportion to the border markers, and these dimensions shall be approved at a joint meeting of the Mixed Commission.

Note. The Mixed Commission is responsible for determining the material of which the border markers (posts) are to be made and overseeing their manufacture.

7. A secondary border marker shall consist of a post 2 m in height and 10 cm in diameter. The post shall be embedded in the ground to a depth of 1 m and around it shall be erected a cairn similar to that surrounding a primary marker. The diameter of the cairn shall be 3 m at its lowest part and 1 m at its highest part. A ring of concrete 0.5 m in diameter shall be poured on top of the cairn and painted white. Secondary border markers shall bear no state emblems.

8. The state border shall follow a straight line wherever possible and shall be indicated on the ground by a border ditch 1 m deep, with a width of 0.3 m at the bottom and 2.3 m at the top, and with a slope of 1:1.

9. When the state border traverses a body of water, it shall be traced along the axis of the body of water (along the main channel) with the aid of a base map showing land use. When the border traverses forested land, a path 6 m wide shall be cleared on each side of the border line.

10. The topographical and geodetic work of redemarcating the state border shall be performed in two stages:

10.1. During the first stage the geodetic coordinates of the border markers shall not be determined. The task force shall enter sections of the state border onto a base map (photographic record) (scale 1:10,000), using the combined method. This map (photographic record) shall be compared to the ground within an area extending 250 metres to each side of the border line. Based on the comparison of the base map (photographic record) with the ground, a survey record showing the exact location of the state border on the ground shall be prepared in quadruplicate—two copies in the Estonian language and two copies in the Latvian language;

10.2. During the second stage the geodetic and geographical coordinates of points on the state border shall be determined, and a border map (scale 1:5,000) showing the area of land extending 250 metres on each side of the border line shall be prepared in quadruplicate. The map shall be signed by all the members of the Commission. The entries on the map shall be worded in the Estonian and Latvian languages.

11. When a border section has been redemarcated and has been marked by means of primary and secondary border markets, the Mixed Commission shall inspect the site and approve the border section. The border maps (planchettes) shall be compared with the actual border. Any doubts arising from comparison of the map and the border shall be resolved on the spot. A final record of the inspection of the border section and the entire border shall be prepared in quadruplicate, signed by all the members of the Mixed Commission, and appended to the survey record.

12. Each State shall bear the full material cost of redemarcating the border within that State's border sections.

13. The border service shall be charged with protecting the border markers until such time as the final record concerning the redemarcation shall have been ratified under the direction of the Mixed Commission. Until the final record has been ratified, the cost of maintaining and operating the border markers and border installations shall be borne in equal parts by the two States unless their governments implement some other arrangement.

For the Republic
of Estonia:

The Minister of State
of the Republic of Estonia,
U. VEERING

For the Republic
of Latvia:

The Minister of State
of the Republic of Latvia,
I. DINÉVICS