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**Latvia, Estonia
and
Lithuania**

Agreement on the consular assistance and co-operation between the Government of the Republic of Latvia, the Government of the Republic of Estonia and the Government of the Republic of Lithuania. Vilnius, 5 February 1999

Entry into force: *23 September 1999, in accordance with article 15*

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**Lettonie, Estonie
et
Lituanie**

Accord sur l'aide consulaire et la coopération entre le Gouvernement de la République de Lettonie, le Gouvernement de la République d'Estonie et le Gouvernement de la République de Lituanie. Vilnius, 5 février 1999

Entrée en vigueur : *23 septembre 1999, conformément à l'article 15*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

on the consular assistance and co-operation between the Government of the Republic of Latvia, the Government of the Republic of Estonia and the Government of the Republic of Lithuania

The Government of the Republic of Latvia, the Government of the Republic of Estonia and the Government of the Republic of Lithuania (hereinafter referred to as "the Contracting Parties"):

Desiring to promote the consular co-operation between themselves;

Taking into account the developments on the field of consular co-operation within the framework of the Baltic Committee of Ministers;

Taking note of the fact that consular relations, privileges and immunities are dealt with in the Vienna Convention on Consular Relations signed on 24th April 1963, and recalling the Article 8 of the Convention which provides that a consular post of the sending State may, unless the receiving State objects, exercise consular functions in the receiving State on behalf of a third State;

Bearing in mind the best interests of their citizens;

have agreed as follows:

Article 1 Definitions

For the purposes of the present agreement:

1. "The assisting State" means the Contracting Party whose permanent diplomatic mission or consular post provides the consular protection for the citizens of the other Contracting Party in third countries.

2. "The assisted State" means the Contracting Party whose citizens may seek the consular protection in the third countries from the permanent diplomatic mission or consular post of an assisting State.

Article 2 **General principles**

1. A Citizen of the assisted State in need of consular protection in States where the assisted State has no permanent diplomatic mission or consular post, may seek the consular assistance from the permanent diplomatic mission or consular post of the assisting State.

2. Such assistance should be provided in conformity with the rules and regulations in force both in assisting State and in assisted State.

Article 3 **Scope of assistance**

The consular protection of citizens of the assisted State will include following consular functions:

- a) assistance in cases of death;
- b) assistance in cases of serious accident or illness;
- c) assistance in cases of arrest, detention or imprisonment;
- d) assistance to victims of a violent crime;
- e) relief and repatriation of distressed nationals;
- f) issuance of the certificates of return;
- g) acting as notary in similar capacities and performing certain functions of an administrative nature, in conformity with the laws and regulations of the receiving State.

Article 4 **Evidence of citizenship**

1. Consular officer of the assisting State may take measures to clarify whether the applicant is a citizen of the assisted State.

2. Such measures include:

- a) asking the applicant to submit a valid citizen's passport;
- b) asking the applicant to submit any other certificate of citizenship;

- c) in case of doubt the consular officer of the assisting State should refer to the Ministry of Foreign Affairs or the nearest diplomatic mission of the assisted State for confirmation of applicant's citizenship.
- d) any other means that does not contradict the international law and internal law of the Contracting Parties.

Article 5 **Assistance in cases of death**

When the death of the citizen of the assisted State is reported to a diplomatic mission or consular post of the assisting State, the consular officer:

- a) inform immediately the Ministry of Foreign Affairs or the nearest diplomatic mission of the assisted State;
- b) may, in accordance with local rules and regulations, having established the wishes of the next-of-kin, assist through appropriate channels for the body to be buried, cremated or repatriated to the home country;
- c) enables the next-of-kin of the deceased person to obtain a certificate of death;
- d) may provide any other kind of assistance that does not contradict the interests of the assisted individual, the Contracting Parties and principles of international law.

Article 6 **Assistance in cases of serious accident or illness**

1. A citizen of the assisted State who is seriously ill or who is a victim of a serious accident should receive, by whatever means appropriate, all possible assistance.
2. Such assistance may include:
 - a) notification to the Ministry of Foreign Affairs or the nearest mission of the assisted State;
 - b) visits of a consular officer;
 - c) advice on provision of suitable medical treatment;
 - d) any other kind of assistance that does not contradict the interests of the assisted individual, the Contracting Parties and principles of international law.

Article 7

Assistance in cases of arrest, detention or imprisonment

1. Taking into account the standards settled in the international law, the detained should receive by appropriate means all possible assistance.
2. Such assistance may include, in conformity with the international law, internal law of the Contracting Parties and local rules and regulations:
 - a) visits of consular officer;
 - b) petitions for pardons;
 - c) legal aid (including legal representation);
 - d) payment of fines as settled in Article 11 of the present Agreement;
 - e) co-operation in cases of transfer of prisoners;
 - f) any other kind of assistance that does not contradict the interests of detained, the Contracting Parties and principles of international law.
3. Mission of an assisting State shall inform the Ministry of Foreign Affairs or the nearest mission of the assisted State of arrest, detention or imprisonment of its citizen.

Article 8

Assistance to victims of violent crime

1. A citizen of the assisted State who is the victim of a violent crime, should receive, by whatever means appropriate, all possible assistance.
2. Such assistance may include:
 - a) support to obtain medical treatment and legal advice;
 - b) report of the crime without delay to the appropriate police authorities;
 - c) any other kind of assistance that does not contradict the interests of the assisted individual, the Contracting Parties and principles of international law.
3. The Ministry of Foreign Affairs or the nearest mission of assisted State whose citizenship the victim possesses, should be informed of such incidents in full details.

Article 9
Assistance in cases of distression

1. Consular assistance to the distressed nationals of assisted State may include:
 - a) guidance on helping themselves;
 - b) guidance to obtain financial support from private sources;
 - c) financial assistance as provided for in Article 11.

Article 10
Repatriation

1. If possible, the opportunity to repatriate should be facilitated for the distressed citizens of the assisted State.
2. Such repatriation includes following procedures:
 - a) submission of an application for repatriation by distressed citizen of the assisted State;
 - b) the confirmation that the applicant is eligible for assistance from the Ministry of Foreign Affairs of the assisted State should be obtained;
 - c) promotion with financial assistance (including the purchase of a travel ticket) as specified in the Article 11 of the present Agreement.

Article 11
Undertaking to repay

1. No financial assistance may be given or expenditure incurred on behalf of a distressed citizen of the assisted State without the approval of the Ministry of Foreign Affairs of the assisted State.
2. In all cases, if it is possible and reasonable, the citizen of an assisted State who received financial assistance by assisting State, should obtain the undertaking to repay, which includes:
 - a) value of financial assistance provided;
 - b) where applicable, consular fee for the assisting State.
3. The undertaking to repay obliges the person who received the financial assistance from the assisting State to repay all the costs as specified in the paragraph 2 of the present article to the Government of the assisted State.

4. The Government of the assisted State will reimburse such costs to the Government of the assisting State.

5. The Contracting Parties shall endeavour not to provide financial assistance to the citizen of the assisted State before an equivalent sum of money to the financial assistance required by the distressed person has been forwarded to the Ministry of Foreign Affairs of the assisted State.

Article 12 **Certificate of return**

1. If the travel document of a repatriating citizen of the assisted State has been lost or cannot be used for any other reasons, the consular officer of the assisting State should issue to the person a certificate of return.

2. Issuance of a certificate of return should be confirmed by the Ministry of Foreign Affairs of the assisted State.

3. If a residing non-citizen of the assisted State, who bears the travel document that has been issued by the authorities of the assisted State, loses or cannot use this travel document for any other reasons, the consular officer of the assisting State should issue to the person a certificate of return.

Article 13 **Co-operation**

1. The Contracting parties shall develop consular co-operation within the framework of the appropriate body at the Baltic Committee of Ministers.

2. Such co-operation shall include:

- a) facilitation and monitoring of the implementation of the present Agreement;
- b) elaboration of general and specific consular, administrative, financial and any other instructions, where appropriate concerning the implementation of the present Agreement;
- c) exchange of relevant consular information;
- d) analysis of different types of consular cases to harmonize practices between the Contracting Parties;

- e) specification of the permanent diplomatic missions and consular posts providing the consular assistance.

3. All disputes arising from the implementation of the present Agreement shall be settled through the diplomatic channels, preferably within the framework of the appropriate body mentioned in the paragraph 1. of the present article.

Article 14 **Language**

Communication between the Contracting Parties concerning the application of the present Agreement shall be conveyed in English.

Article 15 **Final provisions**

The present Agreement shall enter into force thirty days after the date when Contracting Parties notified each other in writing through the diplomatic channels that the necessary constitutional procedure for the entry into force have been completed.

Done in VILNIUS on February 5, 1999, in triplicate in English.

For the Government of
the Republic of Latvia



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For the Government of
the Republic of Estonia



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Gediminas Vagnorius