

AGREEMENT ON CONSULAR ASSISTANCE AND CO-OPERATION
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA,
THE GOVERNMENT OF THE REPUBLIC OF ESTONIA
AND
THE GOVERNMENT OF THE REPUBLIC OF LATVIA

The Government of the Republic of Lithuania, the Government of the Republic of Estonia and the Government of the Republic of Latvia (hereinafter referred to as „the Contracting Parties“);

Desiring to promote mutual consular assistance and co-operation;

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

Having regard of the Vienna Convention on Consular Relations adopted by the United Nations on 24 April 1963, and recalling that Article 8 of the Convention provides that upon appropriate notification to the receiving State, 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 citizens of the States of Contracting Parties and taking into account the Council Directive (EU) 2015/637 of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and repealing Decision 95/553/EC

Have agreed as follows:

Article 1
Definitions

For the purposes of the present Agreement:

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

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

3. “The third country” means any country, including Member State of the European Union, that is not a Contracting Party of this Agreement.

Article 2

General principles

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

2. Such assistance shall be provided in conformity with the rules and regulations in force in the assisting State and, where appropriate, the assisted State, the international law and local rules and regulations.

Article 3

Scope of assistance

Consular protection of citizens of the assisted State shall include the 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 EU Emergency Travel Document or national certificate of return.

Article 4

Evidence of citizenship

1. The 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 shall refer to the Ministry of Foreign Affairs or the nearest permanent diplomatic mission or consular post of the assisted State for confirmation of the applicant's citizenship;
- d) any other means that does not contradict the rules and regulations in force in the States of the relevant Contracting Parties and international law.

Article 5

Assistance in cases of death

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

- a) shall inform immediately the Ministry of Foreign Affairs or the nearest permanent diplomatic mission or consular post 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) shall enable 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 shall receive, by whatever means appropriate, all possible assistance.

2. Such assistance may include:

- a) notification to the Ministry of Foreign Affairs or the nearest permanent diplomatic mission or consular post of the assisted State;
- b) visits of a consular officer;
- c) support to obtain 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 case of arrest, detention or imprisonment

1. Taking into account the standards settled in the international law, the detained shall receive by appropriate means all possible assistance.

2. Such assistance may include:

- a) visits of consular officer;
- b) petitions for pardons;
- c) support to obtain legal advice;
- d) co-operation in cases of transfer of prisoners;
- e) any other kind of assistance that does not contradict the interests of the detained, the Contracting Parties and principles of international law.

3. A permanent diplomatic mission or consular post of an assisting State shall inform the Ministry of Foreign Affairs or the nearest permanent diplomatic mission or consular post 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, shall 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 law enforcement 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 permanent diplomatic mission or consular post of the assisted State whose citizenship the victim possesses, shall be informed of such incidents in full details.

Article 9

Assistance in case of distress

Consular assistance to the distressed citizens of the 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 return to the permanent place of residence (repatriation) shall be facilitated for the distressed citizens of the assisted State.

2. Such repatriation includes the following procedures:

a) submission of an application for repatriation by the 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 shall be obtained;

c) promotion with financial assistance (including the purchase of a travel ticket) as specified in 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 from the assisting State, shall obtain the undertaking to repay, which includes:

a) value of financial assistance provided;

b) where applicable, the consular fee for the assisting State.

3. The undertaking to repay obliges the person who received financial assistance from the assisting State to repay all the costs as specified in paragraph 2 of the present Article to the assisted State.

4. The assisted State shall reimburse such costs to 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

EU Emergency Travel Document and national 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 shall issue to the person the EU Emergency Travel Document according to the procedure set forth in the respective legal acts of the European Union.

2. If a residing non-citizen of the assisted State, who holds 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 shall issue to the person a certificate of return or an EU Emergency Travel Document. The type of issued document is chosen by the assisting State in conformity with the rules and regulations in force in the assisting State. Issuance of a certificate of return should be previously confirmed by the Ministry of Foreign Affairs of the assisted State.

Article 13

Co-operation

1. The Contracting Parties shall develop consular co-operation, which 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.

2. The present Agreement does not preclude the Contracting Parties to cooperate on an *ad hoc* basis in cases not specified in the present Agreement.

Article 14

Language of communication

All communication concerning the application of the present Agreement shall be conveyed in English.

Article 15

Settlement of disputes

All disputes arising from the implementation or interpretation of the present Agreement shall be settled by negotiation between the Contracting Parties.

Article 16

Depositary

The Government of the Republic of Latvia shall act as the Depositary for the present Agreement. The Depositary shall inform the Contracting Parties of the date of entry into force of the present Agreement under Article 17(1); communications received under Article 17(2); denunciations under Article 17(3).

Article 17

Final provisions

1. The present Agreement is concluded for an unlimited period of time. The present Agreement shall enter into force after thirty (30) days from the receipt by the Depositary of

the last written notification by the Contracting Parties through diplomatic channels confirming that the national legal procedures for the entry into force of the present Agreement have been completed.

2. The present Agreement may be amended by mutual written consent of the Contracting Parties in the form of separate protocols which shall constitute integral parts of the present Agreement. Each of the Contracting Parties may initiate amendments to the present Agreement at any time. Agreed amendments shall enter into force under the conditions laid down in paragraph 1 of this Article.

3. Each of the Contracting Parties can denounce the present Agreement by giving a written notification thereof to the Depository through diplomatic channels. The present Agreement shall cease to be in force for that specific Contracting Party six (6) months after the date of the receipt by the Depository of such notification. After one of the Contracting Parties denounces the present Agreement, it shall remain in force for the other two Contracting Parties.

4. Upon the entry into force of the present Agreement, the Agreement on the Consular Assistance and Co-operation between the Government of the Republic of Lithuania, the Government of the Republic of Estonia and the Government of the Republic of Latvia, signed in Vilnius on 5 February 1999, shall be terminated.

Signed in Riga on 6 December 2019, in three copies, in the Lithuanian, English, Estonian and Latvian languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

**For the Government of
the Republic of Lithuania**

**For the Government of
the Republic of Estonia**

**For the Government of
the Republic of Latvia**

**Saulius Skvernelis
Prime Minister**

**Jüri Ratas
Prime Minister**

**Arturs Krišjānis Kariņš
Prime Minister**