**Agreement**

**between the Government of the Republic of Latvia and the Government of the Republic of Estonia on Co-operation in the Combating the Effects of Marine Pollution Incidents**

The Government of the Republic of Latvia and the Government of the Republic of Estonia, hereinafter the Parties,

HAVING REGARD to the general principle of the United Nations Convention on the Law of the Sea, 1982 in regard to the obligation for States to co-operate for the protection and preservation of the marine environment, as well to the principle of International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC 1990), specifically expressed in Article 10 on promotion of bilateral and multilateral co-operation in preparedness and response;

DESIRING to develop and extend bilateral co-operation in the disposal of the effects of marine pollution incidents based on the Convention on the Protection of the Marine Environment of the Baltic Sea Area 1992, hereinafter - Helsinki Convention, and in particular its Annex VII on combating marine pollution, and corresponding co-operation in order to enhance the preparedness to respond to oil pollution incidents,

HAVE AGREED as follows.

**Article 1**

**Definitions**

For the purpose of this Agreement:

1) ”Oil” means petroleum in any form including crude oil, fuel oil, sludge, oil refuse and refined products.

2) ”Pollution incident” means an occurrence or series of occurrences having the same origin, which results or may result in a discharge of oil and which poses or may pose a threat to the marine environment or to the coastline or related interests of either Party, and which requires emergency action or other immediate response.

3) ”Response region” means regions in the Baltic Sea, defined by Article 1 of Helsinki Convention in which Parties are obliged to carry out pollution incident response activities whenever a significant spillage of oil or any pollution incidents causing or likely to cause pollution have occurred or are likely to occur.

**Article 2**

**General provisions**

(1) The Parties undertake to maintain ability to respond to pollution incidents on the sea. This ability shall include adequate equipment, ships and manpower prepared for operations in coastal waters as well as on the high sea.

(2) The Parties shall within their response regions conduct surveillance and monitoringto spot and monitor pollution incidents and take necessary measures.

(3) The Parties agree to assist each other to respond to pollution incidents within the response region of either Party.

**Article 3**

**Competent Authorities**

(1) For the purposes of this Agreement "Competent authorities" shall mean:

a) For the Latvian Party - National Armed Forces Naval Forces Flotilla;

b) For the Estonian Party – Police and Border Guard Board.

(2) The competent authorities may co-operate directly in matters related to this Agreement.

(3) The competent authorities shall co-operate in developing combating equipment and methods as well as in training of combating personnel.

**Article 4**

**Notification of an incident**

The Parties shall notify without delay those pollution incidents occurring within its response region, which affect or are likely to affect the interests of the other Party.

**Article 5**

**Assistance**

Assistance shall be provided on the basis of a request presented by the competent authority of one Party to the competent authority of the other Party. The Party having received a request shall, within its ability, provide the assistance requested as soon as possible.

**Article 6**

**Termination of assistance**

(1) The assisting Party may cease the assistance completely or partly, if the circumstances so require. The Competent authority of the requesting Party shall be informed of the termination of the assistance.

The assisting units and equipment of the assisting Party shall then be relieved promptly.

(2) The requesting Party may cancel the request for assistance when the need for assistance ceases.

**Article 7**

**Reimbursement of costs of assistance**

The requesting Party shall reimburse to the assisting Party the costs of the assistance provided.

If the request of assistance was cancelled by the requesting Party, it shall bear the costs already incurred or committed by the assisting Party. The Parties may in individual case agree otherwise on the reimbursement of the costs.

**Article 8**

**Command of combating pollution incident operations**

Combating pollution incident operations shall be commanded by the competent authority of the Party, within the response region of whom the operation is conducted, unless otherwise agreed by the competent authorities in an individual case.

**Article 9**

**Facilitation of Access**

(1) The requesting Party having requested assistance shall indicate to the assisting Party those areas within the response region where assisting Party’s combating units and equipment have been granted access to.

(2) In this case the requesting Party shall take care of an undelayed passage for the combating units and equipment of the other Party to these areas with minimum formalities. The competent authority of the assisting Party shall without delay be informed of these formalities.

**Article 10**

**Maintenance of Assisting Units and Equipment**

The requesting Party shall support the activities of assisting units and provide them the maintenance and supplies needed to carry out the operation.

**Article 11**

**Settlements of Disputes**

Any disputes concerned interpretation or application of this Agreement which cannot be settled by negotiations between the competent authorities, shall be solved through diplomatic channels*.*

**Article 12**

**Relation to other International Agreements**

Nothing in this Agreement shall in any way affect the rights and obligations of the Parties under any other international agreement.

**Article 13**

**Entering into Force, Amending and Termination**

(1) This Agreement will come into effect on the date of its signature and shall remain effective for an indefinite period.

(2) This Agreement may be amended at any time by mutual written consent of the Participants in compliance with national laws and regulations. Such amendments come into effect on the date of signature and are an integral part of this Agreement.

(3)This Agreement may be terminated at any time by mutual written consent of the Parties. Each Party may terminate this Agreement by providing six (6) months written notification to the other Party.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments for that purpose, have signed this Agreement.

Signed in \_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_ in two (2) originals in the Latvian, Estonian and English language. In case of difference in interpretation, the English version will prevail.

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| On behalf of the Government of the Republic of  Latvia | On behalf of the Government of the Republic of Estonia |
|  |  |
| Minister of Defence  of the Republic of Latvia | Minister of the Interior  of the Republic of Estonia |

Aizsardzības ministrs R.Vējonis

Vīza: valsts sekretārs J.Sārts

19.02.2014 13:57

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Jūras spēku flotiles Krasta apsardzes

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