**AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF LATVIA**

**AND THE GOVERNMENT OF THE REPUBLIC OF ESTONIA**

**ON THE EXCHANGE OF DATA FROM THE POPULATION REGISTER**

The Government of the Republic of Latvia and the Government of the Republic of Estonia, hereinafter referred to as the “Contracting Parties”,

willing to establish the exchange of personal data between their population registers in cases when persons move for a longer residence from Latvia to Estonia and vice versa to:

strengthen and develop good co-operation between the Republic of Latvia and the Republic of Estonia in the field of free movement of persons;

improve the effectiveness of discharge of the duties of the national authorities;

maintain and analyse statistical data regarding persons moving for residence from Latvia to Estonia and vice versa and receive the residence right in the relevant state;

 in reliance upon the Republic of Latvia and the Republic of Estonia ensure proper protection of personal data regarding natural persons in accordance with binding international legal acts,

have agreed as follows:

**Article 1**

**Definitions**

For the purposes of this Agreement:

1. “competent authority of the population register” – state institution of the Contracting Party responsible for the maintenance of the population register – the Office of Citizenship and Migration Affairs of the Republic of Latvia and the Ministry of the Interior of the Republic of Estonia;
2. “population register” – a system of population registration, in which include personal data for the purpose of state population registration, including – the person’s given name, the surname, the date of birth, address of the place of residence, marital status;
3. “person of interest” – citizen, alien, stateless person (with alien’s or stateless person’s travel documents) of the one Contracting Party, whose personal data on any ground for the purpose of population registration are registered in the population register of the other Contracting Party assigning identification number;
4. “state of departure” – the state of the Contracting Party from which the person of interest moves from and as a result personal data of the person of interest are included in the population register of the other Contracting Party;
5. “state of arrival” – the state of the Contracting Party to which the person of interest moves to and personal data of the person of interest are included in the population register of this Contracting Party;

**Article 2**

**Data to be delivered**

1. Competent authorities of the population register shall exchange the data that have been recorded in the population register concerning:

1. person of interest;
2. person’s of interest personal identification document and document certifying residence rights which were issued by the state of arrival;
3. place of residence of the person of interest;
4. person’s of interest marriage that is registered, dissolved or recognised as invalid outside the state of departure;
5. person’s of interest spouse to whom Subparagraph 1 of this Paragraph does not apply;
6. person’s of interest child to whom Subparagraph 1 of this Paragraph does not apply.

2. The detailed data that shall be delivered are listed in the Annex, which is an integral part of this Agreement.

**Article 3**

**Person’s of interest data delivery**

1. The competent authority of the population register of the state of arrival shall deliver the data (including data changes) listed in the Annex of this Agreement that have been recorded in the population register within each calendar month regarding the person of interest to the competent authority of the population register of the state of departure once a month, but no later than on the 15th day of the next month.

2. If it is not possible to identify the person of interest using the data listed in the Annex of this Agreement, the competent authority of the population register delivering the data shall deliver also the mother’s or father’s name of the person of interest. Mother’s or father’s name shall be used only for the identification of the person of interest.

3. The competent authorities of the population registers will agree on practical procedures and technical solutions related to delivering of the data listed in this Agreement. The competent authorities of the population registers shall inform each other of contacts for practical procedures and technical solutions.

**Article 4**

**Use of data**

1. The competent authorities of the population registers process the data listed in this Agreement to perform their legal duties.

2. All processing of the personal data received under this Agreement shall be based upon the relevant norms of national and international law relating to the population register and the protection of personal data.

**Article 5**

**Security of data processing**

1. The competent authorities of the population registers shall take measures to ensure secure processing of the data listed in this Agreement and to exclude accidental or unauthorized deletion, loss and illegal access to the data listed in this Agreement.
2. The competent authorities of the population registers shall be responsible for the accuracy of the data delivered.
3. The competent authority of the population register delivering the data shall notify the competent authority of the population register receiving the data on the inaccuracies in the data delivered in order to be able to correct the data.
4. If the data delivered is false or delivering of such data was not allowed then the competent authority of the population register receiving the data shall notify the competent authority of the population register delivering the data. In such case the competent authority of the population register delivering the data shall correct this data and resend it to the competent authority of the population register of the state of departure.
5. The authorities of the population registers shall ensure that personnel involved in personal data processing in the population registers are introduced to the content of this Agreement.

**Article 6**

**Other obligations**

1. The Contracting Parties shall inform each other in writing through diplomatic channels if the duties of the competent authority of the population register are transferred to other institution that is not mentioned in Paragraph 1 of Article 1.

**Article 7**

**Costs related to delivering the data**

The costs related to delivering the personal data shall be covered by the state of the delivering Contracting Party.

**Article 8**

**Validity, amendments and denunciation of the Agreement**

1. This Agreement shall remain in force for an indefinite period.
2. The Contracting Parties may amend this Agreement by drawing up a Protocol, which becomes an integral part of this Agreement and enters into force according to Article 10 of this Agreement.
3. Either Contracting Party may at any time denounce this Agreement by a written notification to the other Contracting Party. Such denunciation shall enter into force six months after the date of the notification.
4. Either Contracting Party may at any time suspend the operation of this Agreement by a written notification to the other Contracting Party, if it has grounds to suspect that the privacy of the personal data or the security of the data processing is endangered. The suspension shall take effect on the date of receipt of the notification. The suspending Contracting Party may at any time restore the application of the Agreement by a written notification to the other Contracting Party. The application of the Agreement will be restored from the date of receipt of such notification.
5. In case of denunciation or suspension all the data received will remain at the disposal of the Contracting Party that received the data.

**Article 9**

**Disputes**

1. Any disputes concerning the interpretation, application or violation of this Agreement shall be settled by direct negotiations between the competent authorities of the population registers.
2. If agreement is not reached by direct negotiations specified above, the dispute shall be settled according to diplomatic procedures.

**Article 10**

**Entry into force**

1. The Contracting Parties shall notify each other in writing, through diplomatic channels, when the national legal procedures necessary for the entry into force of this Agreement have been completed. The Agreement shall enter into force on the 30th day from the date of receipt of the later notification.
2. The competent authority of the population register of the state of arrival not later than six months after this Agreement comes into force shall deliver the data listed in this Agreement to the competent authority of the population register of the state of departure if the data at the time of entry into force of this Agreement is current.
3. Done at \_\_\_\_\_\_\_\_\_\_ on \_\_\_\_\_\_\_\_\_\_\_\_\_ in duplicate in the Latvian, Estonian and English languages, one for each Contracting Party, all texts being equally authentic. In case of divergence of interpretations, the English text shall prevail.

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**ANNEX** **TO THE AGREEMENT BETWEEN THE REPUBLIC OF LATVIA**

**AND THE REPUBLIC OF ESTONIA**

**ON THE EXCHANGE OF DATA FROM THE POPULATION REGISTERS**

According to Article 2 of this Agreement the competent authorities of the population registers shall exchange the following data:

**On person of interest**

1. Surname
2. First name
3. Personal identification code assigned by the Republic of Estonia
4. Personal identification code assigned by the Republic of Latvia
5. Gender
6. Date of birth
7. Nationality and its kind
8. Marital status
9. Date and time of death
10. State code of the place of death
11. State name of the place of death
12. Name of the place of death
13. Date of the registration of death
14. Authority and state that registered the death
15. Number, date of issue and issuing authority of the death certificate
16. Number of the entry in the death register
17. Information regarding person’s prohibition or permission to use his or her body, tissues and organs after his or her death

**On person’s of interest personal identification document and document certifying residence rights which were issued by the state of arrival**

1. Type of document
2. Number, date of issue and date of expiry of the document
3. Issuing authority of the document
4. Note regarding the residence right – temporary or long-term residence right
5. Term of the residence right
6. Date of the document annulment

**On place of residence of the person of interest**

1. State code of the place of residence,
2. State name of the place of residence
3. Address of the place of residence
4. Registration date of the place of residence
5. Annulment date of the place of residence

**On person’s of interest marriage that is registered, dissolved or recognised as invalid outside the state of departure**

1. State code where the marriage is registered,dissolved or recognised as invalid
2. State name where the marriage is registered,dissolved or recognised as invalid
3. Place name where the marriage is registered,dissolved or recognised as invalid
4. Date when the marriage is registered,dissolved or recognised as invalid
5. Name of the authority which registered marriage,dissolved marriage or recognised marriage as invalid
6. Number, date and issuing authority’s name of the certifying document of marriage registration, dissolution of marriage or recognition of marriage as invalid
7. Number of entry in the marriage register
8. Spouse’s with whom the marriage is registered, dissolved or recognised as invalid first name, surname (prior to and after the marriage is registered, dissolved or recognised as invalid), date of birth, as well as spouse’s personal identification code assigned by the Republic of Estonia and personal identification code assigned by the Republic of Latvia

**On person’s of interest spouse who is not person of interest**

1. Surname (prior to and after the marriage registration)
2. First name
3. Personal identification code assigned by the state of arrival
4. Gender
5. Date of birth
6. Date of death

**On person’s of interest child who is not person of interest**

1. Surname
2. First name
3. Personal identification code assigned by the state of arrival
4. Gender
5. Date of birth
6. Number and issuing authority of the birth certificate
7. Date of death
8. Number and issuing authority of the death certificate

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