

RULES OF PROCEDURE

**FOR JOINT SESSIONS OF THE ESTONIAN–LATVIAN AND LATVIAN–
ESTONIAN INTERGOVERNMENTAL COMMISSIONS FOR CROSS-BORDER
COOPERATION**

Chapter I **General provisions**

1. The Estonian-Latvian Governmental Commission for improving the efficiency of cross-border cooperation between the Republic of Estonia and the Republic of Latvia was established by Government of the Republic Order № 156-k of 15 March 2004 (last amended by Government of the Republic Order № 193 of 26 July 2018).
 - (a) The Estonian-Latvian Governmental Commission is chaired by the Estonian Minister of Public Administration.
2. The Latvian-Estonian Governmental Commission for improving the efficiency of cross-border Cooperation between Republic of Latvia and the Republic of Estonia was established by Government of the Republic Order № 289 of 28 May 2002 (last amended by Government of the Republic Order № 488 of 9 October 2018):
 - (a) The Latvian-Estonian Governmental Commission is chaired by the Latvian Minister of Environmental Protection and Regional Development.

Chapter II **Aim and scope of activities**

1. The task of the Joint Session is to agree on the joint measures and activities, which helps to ensure the free movement of labour, goods, services and capital in the Estonian-Latvian border regions by amending or supplementing the relevant legislative acts and/or by concluding agreements between the countries.
2. With an aim to develop Cooperation between regional and local authorities in the Republic of Estonia and the Republic of Latvia, the Joint Session, within its competence:
 - (a) discusses and analyses the identified common cross-border obstacles of legal or administrative nature in the border region, agrees on a common vision for the joint development of the border area, decides on feasible solutions and facilitates joint actions, which provide coherent and efficient response to detected obstacles.
 - (b) promotes entrepreneurial lifestyle and socio-economic development in border regions (including joint development of mainland and maritime cross-border transport connection links and networks, creation of entrepreneurial friendly environment, etc.);
 - (c) contributes to the joint development and exchange of cross-border services and Valga-Valka twin-city in the areas of healthcare, education, rescue services etc.
 - (d) resolves actual individual matters of border regions.

Chapter III **Organisation of work**

1. The Joint Session shall be held as the need arises, but at least once a year upon the agreement of both sides on an annual rotating basis in the territory of the Republic of Estonia and the Republic of Latvia.
2. The Minister of the country where the meeting is taking place shall be the Chairman of the meeting; the Minister of the other country shall be the Co-Chairman.

3. The Chairman shall inform the Co-Chairman about the date of the Joint Session at least 40 working days in advance.
4. The Joint Session shall comprise the members of the Estonian and Latvian Governmental Commissions referred to in Chapter I. Both Chairmen shall inform each other of changes in the Commission's membership, when the change occurs.
5. If necessary, the Chairman shall have the right to invite a previously agreed number of thematic experts relevant for the scope of agenda items to participate to the Joint Session in an advisory capacity.
6. The Chairman shall inform the members of the Commissions about the date of the Joint Session at least 30 working days in advance. The agenda of the session has to be agreed upon beforehand by the other party.
7. The agenda of the Joint Session meeting shall always contain the following agenda items:
 - (a) reports by the representatives of the Governmental Commissions and the Chairmen of the Working Groups of the countries on the progress of the activities agreed in the preceding period.
 - (a) the introduction of problems and cross-border obstacles defined by the Governmental Commissions of the countries, which need to be solved to ensure cross-border Cooperation, and the identification of the joint interest necessary for solving the problems;
 - (b) the approval or review of implementation of the plan of activity of the Joint Session for the next period.
8. The Joint Session shall be in quorum, when at least half of the members of the Governmental Commissions of every country, including the Chairman and the Co-Chairman of the Joint Session, attend the meeting. Decisions by the Joint Session are made on the basis of consensus and enter into force upon signature.
9. On behalf of the Chairman, the Secretariat of the hosting country shall send the minutes of the Joint Session to the members of the Joint Session for comments within 20 working days following the meeting. The Minutes will be signed by Chairman, Co-Chairman and the minutes-secretary.
10. Decisions of the Joint Session, which after the proposal by one country require approval by the competent institutions in the Republic of Estonia and/or the Republic of Latvia shall enter into force upon receipt of written consent by the relevant institution.
11. Decisions of the Joint Session may also be taken via written procedure initiated by the Chairman upon request of delegations of the Joint Session or upon justification of the need for a quick decision. Chairman shall send the draft decision to all members of the Joint Session via the Secretariat by an e-mail message.
12. Delegations of the Joint Session shall have 30 days from the date that the proposal was sent to respond in writing via e-mail.
13. If a written objection to the procedure or to the draft decision is raised, the matter shall be clarified and consensus among the delegations sought for. If the decision is not taken within two months from the start of the written procedure, the matter shall be decided via a separate decision making procedure.
14. Delegations of the Joint Session can withdraw their objection at any time. If no written objection to the procedure or to the draft decision has been received by the specified time, the decision is deemed to be taken by the Joint Session.

15. The working language of the Joint Session shall be English. The party organising the meeting of the Joint Session shall provide translation in case the necessity has been ascertained before the meeting.
16. The official documents and minutes of the Joint Session shall be prepared in English.

Chapter IV **Working groups**

1. The Joint Session may form, re-organize and/or disband Working Groups in order to solve problems and cross-border obstacles obstructing cross-border cooperation, identified on the basis of joint interest.
2. The Working Group is chaired by assigned Chairman and assisted by the Co-Chairman from the other country. The Chairman is responsible for the functioning of the Working Group.
3. Each country shall appoint the representatives of the Working Group and their deputies and provide the Secretariat with the names and contact details of the representatives. Any change of representatives shall be notified to the Secretariat as it occurs but not later than the day prior to the meeting of the Working Group. Representatives of the relevant ministries, agencies and border areas of both countries have to be involved in the Working Group on equal basis.
4. Working Groups act in accordance with and on behalf of the Joint Session's decisions and are obligated to inform the Chairmen of the Commission of the respective countries about their activity.
5. Once a year (at least 40 working days prior the Joint Session), the Chairman of the Working Group is obligated to present a report on the fulfilment of the tasks assigned to the Working Group chaired by him/her, together with the Working Group's proposals to amend or harmonise the legislation of the countries or to conclude agreements between the countries in the work area, to the Chairmen of the Joint Session.

Chapter V **Coordination of activities in periods between joint sessions**

1. The organisational and technical issues of the Commissions, Joint Sessions and the Working Groups for improving the Estonian and Latvian cross-border cooperation referred to in Chapter I are co-ordinated by the Secretariat.
2. On the Estonian side, the tasks of the Secretariat shall be fulfilled by the Ministry of Finance and on the Latvian side, by the Ministry of Environmental Protection and Regional Development.
3. The tasks of the Secretariat are as follows:
 - (a) the organisation of the work of and the provision of technical services to the Governemental Commissions for improving the efficiency of the Estonian and Latvian cross-border cooperation referred to in Chapter I;
 - (b) the technical preparation of Joint Session meetings, documentation and disclosure of the activities of the Joint Session;
 - (c) initiation of the submission of the Cross-Border Obstacle Identification Form (CBOF) (template with minimum requirements is annexed to the current Rules - Annex1) for

identification of the new cross-border obstacles of legal or administrative nature on national level in each country separately. For that purposes the CBOF may be translated into national languages;

- (d) evaluation of the submitted issues involving the relevant national institutions and formulation of the proposal for feasible solution to the detected cross-border obstacles for exchange and introduction to the Secretariat of the other side;
- (e) the coordination of the work of the Working Groups in periods between the Joint Sessions, including handling the newly identified cross-border obstacles and running written procedures.

Chapter VI

Expenses

- 1. The organising (hosting) country shall cover all costs related to the organisation of the Joint Session meetings and costs related to the meetings of the Working Groups.
- 2. All travelling costs, including accommodation and mission expenses shall be covered by the institutions, which send their representatives.

Chapter VII

Final provisions

- 1. Once a year at least 20 working days prior the Joint Session, the Chairmen of the Joint Session are obligated to present a report on the fulfilment of the tasks assigned to the Joint Session of the Estonian-Latvian and Latvian-Estonian Governmental Commissions for Cross-border Cooperation, which may also include the Joint Session's proposals to amend or harmonise the legislation of the countries or to conclude agreements between the countries in the work area, to the Government of the Republic of Estonia and Government of the Republic of Latvia.
- 2. Rules of Procedure shall enter into force upon signature.
- 3. After their adoption, the Rules of Procedure may be amended by consensus.

Adopted at Tallinn on 10th of October 2018 in two equally binding copies, each in English.

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of the Republic of Estonia

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