

On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Federal Republic of Germany on the visa exemptions for diplomatic passport holders

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated March 10, 2010 No. 193

Unofficial translation

The Government of the Republic of Kazakhstan **hereby RESOLVED as follows:**

1. To approve the Agreement between the Government of the Republic of Kazakhstan and the Government of the Federal Republic of Germany on the visa exemptions for diplomatic passport holders, done in Berlin on December 10, 2009.

2. This resolution shall be enforced from the date of its signing.

Prime Minister of the Republic of Kazakhstan

K.Massimov

Agreement

between the Government of the Republic of Kazakhstan and the Government of the Federal Republic of Germany on the visa exemptions for diplomatic passport holders

The Government of the Republic of Kazakhstan and the Government of the Federal Republic of Germany, hereinafter referred to as the "Parties,"

desiring to strengthen their bilateral relations, taking into account their interest in strengthening existing friendly relations and with a view to facilitating the travel of citizens of the state of one Party to the territory of the state of the other Party,

hereby agreed as follows:

Article 1

Citizens of the state of one Party having valid diplomatic passports issued by the Party to this Agreement not accredited in the territory of the state of the other Party shall be exempted from the need to obtain visas for entry, transit, stay and departure from the territory of the state of the other Party for a period of up to 90 (ninety) days (one or more times) within 6 (six) months from the date of entry (for citizens of the Republic of Kazakhstan, on the day of the first entry into the Schengen area). According to the national legislation of the states of the Parties, paid activities, requiring work permits, shall not be permitted.

Article 2

(1) This Agreement shall not exempt members of diplomatic missions, consular offices, as well as representatives of international organizations located in the territory of the state of the other Party, holding valid diplomatic passports, as well as members of their families, from the need to obtain a visa for accreditation of the receiving Party prior to their arrival.

(2) Such persons may, after accreditation, enter, transit, stay and leave the territory of the receiving state without a visa during the period of their appointment.

(3) Nothing in this Agreement shall be contrary to the rights and obligations contained in the Vienna Convention on Diplomatic Relations dated April 18, 1961 or the Vienna Convention on Consular Relations dated April 2, 1963.

Article 3

Persons holding diplomatic passports referred to in Articles 1 and 2 of this Agreement may enter and leave the territories of states of both Parties through all border crossings open to international traffic.

Article 4

The persons referred to in Articles 1 and 2 of this Agreement shall comply with the national legislation of the enacting state, except as provided in paragraph 3 of Article 2 of this Agreement.

Article 5

This Agreement shall retain the right of the competent authorities of each of the Parties to refuse entry or stay of these persons referred to in this Agreement, whose stay is recognized as undesirable in the territory of the state of one of the Parties or in case of failure to comply with the conditions of entry and residence in accordance with national, supranational and international law.

Article 6

(1) Each Party shall reserve the right to suspend this Agreement in whole or in part for the purpose of national security or public order.

(2) The other Party shall be notified of the suspension of this Agreement through diplomatic channels not later than (72) seventy-two hours prior to the entry into force of such decision.

(3) The suspension of this Agreement shall not affect the rights of persons referred to in Articles 1 and 2 of this Agreement, already staying in the territory of the receiving state.

Article 7

(1) The Parties shall exchange through diplomatic channels samples of valid diplomatic passports not later than 30 (thirty) days before the entry into force of this Agreement.

(2) In case of introduction of new diplomatic passports or change of existing passports, the Parties shall exchange through diplomatic channels samples of such passports, not later than 30 (thirty) days from the date of entry into force of such innovations or changes. Parties should use machine-readable travel documents recommended by International Civil Aviation Organization (ICAO) standards.

(3) The Parties shall inform each other through diplomatic channels of changes in their national legislation regarding diplomatic passports not later than 30 (thirty) days prior to the implementation of the named changes.

(4) In case of loss, theft or recognition as invalid of diplomatic passport, the Parties shall notify each other without delay.

Article 8

This Agreement may, by mutual consent of the Parties, be introduced with amendments and additions as an integral part of this Agreement and executed by separate protocols or by exchange of notes.

Article 9

Any disagreements or disputes in the interpretation of the provisions of this Agreement shall be resolved through diplomatic channels through consultations and negotiations between the Parties.

Article 10

This Agreement shall enter into force on the thirtieth day from the date of receipt through diplomatic channels of the second written notification of the implementation by the Parties of the domestic procedures necessary for its entry into force. This Agreement shall remain in force upon the expiry of 3 (three) months from the date of receipt by one of the Parties through diplomatic channels of written notification to the other Party of its intention to terminate it. This notification shall not require a legal basis.

Done in Berlin on December 10, 2009 in two original copies, each in Kazakh, German and English, all texts having the same legal force.

In case of disagreement in the interpretation of this Agreement, the Parties shall refer to the English text.

For the Government of the Republic of Kazakhstan

For the Government of Federal Republic of Germany

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