

On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Slovak Republic about the military graves

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated May 17, 2011 No. 529

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The Government of the Republic of Kazakhstan **RESOLVES**:

1. To approve the Agreement between the Government of the Republic of Kazakhstan and the Government of the Slovak Republic about the military graves, signed in Astana on 30 March 2010.

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

Prime Minister Of the Republic of Kazakhstan

K. Massimov

Agreement

between the Government of the Republic of Kazakhstan and the Government of the Slovak Republic about the military graves

The Government of the Republic of Kazakhstan and the Government of the Slovak Republic, hereinafter referred to as the Parties,

Guided by the desire to develop and strengthen their cooperation through the further development of bilateral relations and strengthening mutual understanding,

proceeding from the need to ensure the right to eternal resting soldiers and civilians killed in the fighting during the First or Second World Wars, in captivity or have died as a result of their effects, including in the post-war period;

in accordance with universally recognized principles and norms of international humanitarian law and, in particular, provisions Geneva Conventions on the Protection of Victims of War of 12 August 1949 and the Additional Protocols of 8 June 1977,

We have agreed as follows:

Article 1

Definition of Terms

Definitions used in this Agreement, the following meanings:

1. "Kazakh victims of war":

1) persons who had Kazakh origin, born or resident in the territory of the modern Republic of Kazakhstan, which were part of the armed forces of the Russian Empire or the Union of Soviet Socialist Republics, who died during the first or second world wars or died as a result of its effects, buried in what is now the Slovak Republic;

2) prisoners of war or civilians who had Kazakh origin, born or resident in the territory of the modern Republic of Kazakhstan, who died during the First and Second World Wars, or died as a result of their consequences, and buried in what is now the Slovak Republic.

2. "Slovak war victims":

1) persons who were part of the Austro-Hungarian armed forces, citizens of Austria-Hungary with a permanent residence in the territory of modern Slovak Republic, who died during the First World War or died as a result of its effects, buried in what is now the Republic of Kazakhstan;

2) persons who were part of the armed forces of the Czechoslovak Republic, citizens of the Czechoslovak Republic with permanent residence in what is now the Slovak Republic and persons who were part of the armed forces of the Slovak State or the Slovak Republic, who were citizens of the Slovak State or the Slovak Republic with permanent residence in what is now the Slovak Republic, who died during the second world war or died as a result of its effects, buried on the territory of present-day Yemen Republic of Kazakhstan;

3) prisoners of war or civilians, citizens of these countries in the subparagraphs 1) and 2) of this paragraph with a permanent residence in the territory of modern Slovak Republic, who died during the First and Second World Wars, or died as a result of their consequences, buried in what is now the Republic of Kazakhstan.

3. "War Graves" - a place of burial of the remains of Kazakhstan and / or Slovak war victims, including individual and mass graves, tombstones, monuments, buildings or other memorial sites that resemble military event.

4. "Construction of military graves" - marking the boundaries of the burial grounds and installing memorial signs, tombstones, monuments or other memorial structures, as well as carry out the necessary repairs.

5. "identify the state of military graves" - a state of war graves that indicates that this is the tomb of the military, in particular, due to the available data (name, surname, date of birth, date of death (death), the place of death (death) and citizenship person), whose remains are buried.

6. "The content of the military graves" - preservation of war graves in the proper order and knowable state.

Article 2

The competent authorities of

1. The authorized bodies of the Parties for the implementation of this Agreement are:
from the Kazakhstan Party - the Ministry of Defense of the Republic of Kazakhstan, local executive bodies, defined by the Kazakh side in order notice through diplomatic channels;
with the Slovak Party - the Ministry of Internal Affairs of the Slovak Republic.

In case of changing names or functions authorized bodies sides immediately notify each other through diplomatic channels.

2. The competent authorities of the Parties in order to implement this Agreement may enter into implementing protocols.

3. The competent authorities of the Parties in order to implement this Agreement may authorize a third party to perform work under this Agreement.

Article 3

Forms of Cooperation

1. The Parties shall facilitate the identification, registration and provide construction and maintenance of war graves located in the territories of their States, as well as address issues related to the reburial of the remains of victims of war and respectful treatment.

2. The competent authorities of the Parties to submit information about the presence, location and status of war graves, exchange data on Kazakh and Slovak war victims buried in the territories of the Parties.

3. The Parties shall ensure the construction and maintenance of war graves located on the territories of the States, in accordance with national legislation of their states, taking into account national and religious traditions of the peoples of the States Parties.

4. Each Party shall, in accordance with the national legislation of its State shall accord to the other Party access to war graves situated in the territory of its State.

5. The Parties shall immediately inform each other about the serious injuries of war graves and all became known to them cases of illegal actions against war graves of the state of the other Party, take measures to bring them into the proper order.

Article 4

Placing of war graves and land use

1. The Parties shall ensure that the principle of reciprocity gratuitous use of plots of land on which there are military graves of the other Party in the manner determined by national law of the State Party in whose territory the war graves.

2. If a piece of land granted in accordance with paragraph 1 of this Article shall be required for other purposes, the relevant Party shall ensure that the donation of the other part, and shall bear all costs associated with the transfer of war graves of state necessity reasons.

3. Select a new piece of land, its arrangement and holding reinterments made with the consent of the other Party in accordance with the national law of the State Party in whose territory the war graves.

4. Creation of new war graves is performed at locations of the remains of victims of war or other places determined by mutual agreement of the Parties.

5. The Parties undertake that in the immediate vicinity of military graves will not be placed buildings or structures that are incompatible with the manifestation of respect for the burial sites.

Article 5

The exhumation, transportation and reburial of the remains of victims of war

1. The exhumation of the remains of victims of war and their transport with a view to their reburial in the state of one of the Parties, made at the written request of the Party concerned and with the consent of and in the manner determined by national law of the State Party in whose territory remains.

2. If there is an agreement on the transfer of the remains of victims of war, provided paragraph 1 of this Article, the Parties shall, through their authorized bodies agree on the procedures related to the exhumation, transportation, or transfer of the reburial of the remains of victims of war. In carrying out exhumation and reburial can be attended by representatives of the Parties.

3. Each reburial of the remains of victims of war formalized protocol containing information on the previous and the new place of burial and personal data on the victims of war.

Article 6

Expenses

1. The parties shall bear their own costs of maintenance and care of war graves in the territory of their states.

2. Each Party shall, on the basis of mutual agreements can carry out at its own expense works on development and maintenance of war graves in the territory of the other Party, including the creation of new military graves.

3. The costs of the exhumation, transportation and reburial of the remains of victims of war, as well as the arrangement of military graves takes on the parties to which the proposal of the work produced.

Article 7

Customs matters

Materials of any kind, imported by one Party to the territory of the other Party in order to perform work under this Agreement, drawn up by the customs authorities of the State of that other Party and in accordance with the legislation in force in its territory.

Article 8

Settlement of Disputes

In case of disputes and disagreements as to the interpretation or application of this Agreement, the Parties shall settle them through consultations and negotiations.

Article 9

Amendments to

By mutual consent of the Parties to this Agreement are subject to additions and changes are an integral part, separate protocols and shall enter into force in accordance with paragraph 1 Article 10 of this Agreement.

Article 10

Final Provisions

1. This Agreement is concluded for an indefinite period and shall enter into force on the thirtieth (30th) day from the date of receipt through diplomatic channels of the last written notification about the fulfillment by the Parties of internal procedures necessary for its entry into force.

2. Each Party shall be entitled to partially or fully suspend the execution of this Agreement, in the event of a breach or a threat to the sovereignty, national security or public order of its State. The adoption or repeal such measures the Parties shall immediately inform each other through diplomatic channels. Suspension of implementation of this Agreement shall enter into force on the date specified in the written notice, but no earlier than the date of receipt of the notification.

3. This Agreement shall terminate upon the expiration of six months from the date of receipt by one Party, through diplomatic channels, by giving notice to the other Party of its intention to terminate it.

Done in Astana on March 30, 2010, in two original copies, each in the Kazakh, Slovak, Russian and English languages, all texts being equally authentic. In case of divergence in the interpretation of the provisions of this Agreement, the English text shall prevail.

For the Government of the Republic of Kazakhstan

For the Government of Slovak Republic