

On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Kingdom of Saudi Arabia on cooperation in the fight against terrorism , organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated May 19, 2011 No. 542

Unofficial translation

The Government of the Republic of Kazakhstan hereby **DECREES AS FOLLOWS:**

1. Approve the attached Agreement between the Government of the Republic of Kazakhstan and the Government of the Kingdom of Saudi Arabia on cooperation in the fight against terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors, made in Jeddah on September 28, 2010.

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

The Prime Minister of the Republic of Kazakhstan

K. Massimov

Agreement between the Government of the Republic of Kazakhstan and the Government of the Kingdom of Saudi Arabia on cooperation in the fight against terrorism, organized crime, illicit trafficking in narcotic drugs, psychotropic substances and their precursors

The Government of the Republic of Kazakhstan and the Government of the Kingdom of Saudi Arabia (hereinafter referred to as the Parties), maintaining existing relations and intending to establish cooperation in the fight against terrorism, organized crime, economic and corruption crimes, illicit trafficking in narcotic drugs, psychotropic substances and their precursors and their smuggling into both the Parties or through their territory, being convinced that cooperation in these areas will bring mutual benefit, have agreed as follows:

Cooperation in the fight against terrorism,

organized crime

Article 1

Each of the Parties shall take effective measures to prevent the preparation of terrorist acts against the security of the state of other Party and its citizens. To this end, Parties shall exchange information on such actions.

Article 2

The Parties shall oppose terrorist organizations that may operate in the territory of the state of any of the Parties against the state of other Party. The parties shall exchange information about their actions and how to deal with them.

Article 3

The Parties shall exchange information and research on improving security measures related to air, land and sea transport; airports, railway stations, seaports, industrial facilities, energy sources and other objects that may be a target for terrorist aggression.

Article 4

In order to combat all forms of organized crime, the Parties shall, through their competent authorities, exchange information and data regarding persons and criminal organizations that infringe on the interests of the state of any of the Parties, and also exchange plans and a course of action used against such organizations.

Article 5

The Parties through their competent authorities shall exchange information, data and experience in the fight against economic and corruption crimes.

II. Cooperation against illicit trafficking in narcotic drugs, psychotropic substances and their precursors

Article 6

Narcotic drugs and psychotropic substances - natural or synthetic substances listed in the 1961 Single Convention on Narcotic Drugs as amended by the 1972 Protocol, the 1971 Convention on Psychotropic Substances and the 1988 United Nations Convention against illicit trafficking in narcotic drugs and psychotropic substances, and what followed or will follow within the United Nations.

Article 7

The Parties shall cooperate in the fight against illicit trafficking of narcotic drugs, psychotropic substances and their precursors, which shall be directly aimed against the state of the other Party, or shall be carried out through its territory.

Article 8

The Parties, through the competent authorities of their states shall take measures to strengthen the control necessary to prevent the illicit trafficking of narcotic drugs, psychotropic substances and their precursors between two states. The parties shall exchange information and opinions on this issue, including about persons involved in such crimes, their methods and suspicious actions.

Article 9

The Parties shall cooperate in investigations and inquiries, as well as to ensure and facilitate the adoption of legal actions regarding crimes related to narcotic drugs, psychotropic substances and their precursors.

Article 10

The Parties shall exchange reports and results of chemical analyzes of narcotic drugs and psychotropic substances seized in the territory of the state of one of the Parties, if the crime is related to one or more persons in the territory of the state of the other Party, also data and information associated with the prohibited laboratories for production of narcotic drugs and psychotropic substances, their technical characteristics and any information related to this issue.

Article 11

The parties shall exchange research results, newsletters, photographs and films on the fight against illicit trafficking in narcotic drugs, psychotropic substances and their precursors.

Article 12

The Parties shall facilitate “controlled delivery” between two states or through their territories, with the aim of arresting the recipients of narcotic drugs and psychotropic substances and any other persons associated with the crime, provided that the competent authorities of the states of the Parties shall be notified in advance of such actions in writing form.

Article 13

Subject to the mandatory conditions of Article 5 of the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and without prejudice to the rights of third parties, the Parties shall take the necessary measures to return the property or its equivalent in value when it was disposed of, and proceeds from the illicit trade in narcotic drugs and psychotropic substances, the Party in whose territory the crime was committed, and contribute to their receipt through the diplomat channels.

III. General Provisions

Article 14

If a citizen of a state of one of the Parties on the territory of the state of other Party commits the crime specified in this Agreement, the Party in the territory of the state of which the crime is committed shall notify the other Party of the charge.

Article 15

The competent authorities responsible for implementation of this Agreement shall be:

On the part of the Republic of Kazakhstan:

Ministry of Internal Affairs of the Republic of Kazakhstan;

Prosecutor General's Office of the Republic of Kazakhstan;

National Security Committee of the Republic of Kazakhstan;

Agency of the Republic of Kazakhstan for Fighting Economic and Corruption Crimes (Financial Police);

Customs Control Committee of the Ministry of Finance of the Republic of Kazakhstan;

Ministry of Defense of the Republic of Kazakhstan;
Security Service of the President of the Republic of Kazakhstan.

On the part of the Kingdom of Saudi Arabia - Ministry of Internal Affairs of the Kingdom of Saudi Arabia.

The competent authorities in order to facilitate cooperation under this Agreement shall determine the contact details and means of communication for direct bilateral contact in writing form.

Article 16

The Parties, in accordance with the national legislation of their states, independently shall bear all the costs associated with the execution of this Agreement, unless otherwise specified in each case.

Article 17

The Parties, if necessary, will create a joint commission consisting of representatives of both Parties whose task is to monitor the implementation of the provisions of this Agreement and make proposals for its improvement. Commission meetings shall be held as necessary, alternately in the territories of two states.

Article 18

The Parties shall cooperate in the areas covered by this Agreement within the Laws of the state of each Party. This Agreement shall not affect the rights and obligations arising from any bilateral or multilateral agreements to which the state of any of the Parties shall be a Party

This Agreement shall not affect the provision of legal assistance in criminal matters and extradition of persons.

Article 19

Any of the Parties may partially or fully refuse to cooperate under this Agreement in the following cases:

- a) if cooperation threatens the sovereignty and security of its state;
- b) if cooperation is contrary to national law or the provisions of its state;
- c) if cooperation endangers the course of investigation or related activities;
- d) if cooperation is contrary to judicial procedures in the territory of its State.

Article 20

The Parties shall ensure the confidentiality of information received as a result of the exchange under this Agreement. Information obtained as a result of the exchange should be used only for the purposes for which it was requested. None of the Parties transfers such information to a third party without the written consent of the Party that provided it.

The transfer of classified information shall be carried out in accordance with the national legislation of the states of the Parties.

Article 21

This Agreement shall take effect on the day of receipt of the last written notice on completion by the Parties of domestic procedures necessary for its shall take effect.

This Agreement shall be concluded for an indefinite period and will expire after six months from the date of receipt by one of the Parties through diplomatic channels of the corresponding written notification of the other Party.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed this Agreement.

Done in Jeddah on September 28, 2010, (which corresponds to the 19th Shawwal of the 1431 Hijrah) in two copies, each in the Kazakh, Arabic, Russian and English languages, all texts being equally authentic.

In case of differences of interpretation, the Parties will refer to the text in English.

For	the	Government	For	the	Government
of	the	of	of	the	of
the	Republic	Kazakhstan	the	Kingdom	Saudi
Republic	of	Baimaganbetov	Kingdom	of	Arabia
of	Internal	Affairs	Naif	bin	Abdel
Minister	of	Internal	Second	Deputy	Prime
Minister	of	Affairs	Minister	of	Internal
					Affairs