

On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the People's Republic of China on transboundary rivers water quality protection

Unofficial translation

Resolution of the Government Republic of Kazakhstan on September 30, 2011 № 1114.

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

1. To approve the Agreement between the Government of the Republic of Kazakhstan and the Government of the People's Republic of China on the protection of water quality of transboundary rivers, perfect in Beijing February 22, 2011.

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 People's Republic of China
on transboundary rivers water quality protection**

The Government of the Republic of Kazakhstan and the Government of the People's Republic of China (hereinafter referred to as the "Parties"),

in order to further develop and strengthen the relations of strategic partnership and cooperation between the two countries,

Guided by the generally accepted principles and norms of international law and non-interference in the internal affairs of each other, equality and peaceful coexistence,

Conscious of their responsibility to present and future generations for the preservation of the aquatic environment, the protection of trans-boundary rivers from pollution and protection of water quality of transboundary rivers,

Wishing to promote the establishment of long-term cooperation in the field of water quality of transboundary rivers between Kazakhstan and China, and the peaceful resolution of issues

We have agreed as follows:

Article 1

This Agreement governs the activities of the Parties to the protection of water quality of transboundary rivers in the framework of their cooperation in the areas specified in Article 3 of this Agreement.

Article 2

Basic concepts and definitions used in this Agreement:

- 1) "transboundary rivers" - river, crossing the line of the state border or located on the state border between the Republic of Kazakhstan and the People's Republic of China;
- 2) "transboundary impact" - harmful effects on the territory of one Party resulting from deterioration due to human activities of transboundary rivers of water, that the source of contamination is completely or partly located in the territory of the other Party.

Article 3

The Parties shall cooperate in the following areas:

- 1) carrying out joint research activities to identify and agree acceptable to both states standards of water quality of transboundary rivers, monitoring, rules and methods of analysis;
- 2) monitoring, analyzing and evaluating the quality of cross-border water rivers;
- 3) development and adoption of each of the Parties to the necessary measures for the prevention of pollution of transboundary rivers, application of effort to eliminate it in order to reduce cross-border impact to the lowest level;
- 4) exchange of the Parties agreed the following information:
the results of monitoring, analyzing and evaluating the quality of cross-border water rivers
;
the event of major emergencies on transboundary rivers, capable of causing transboundary effects;
occurrence of pollution of transboundary rivers, capable of causing transboundary effects;
measures taken to prevent pollution of transboundary rivers.
- 5) The establishment of the working mechanism of the Parties and on the basis of mutual support in emergency situations on transboundary rivers, transboundary impacts, taking appropriate operations to eliminate or reduce transboundary impact;
- 6) scientific conferences and seminars for the exchange of research results in the field of monitoring the water quality of transboundary rivers and pollution control, research quality trends of transboundary rivers and other areas;
- 7) Promoting the application of new technologies in the field of water quality of transboundary rivers;
- 8) to promote cooperation of research organizations and public associations in the field of water quality of transboundary rivers;
- 9) carrying out each of the Parties to the necessary research to determine the sources of pollution that may have a significant transboundary impact on the water quality of transboundary rivers, the adoption of measures to prevent, control and reduce transboundary impact;
- 10) information in accordance with the laws of the States Parties to the public on the state of water quality in the transboundary rivers, as well as measures for their protection;
- 11) other areas of cooperation agreed upon by the Parties.

Article 4

1. The competent authorities of the Parties for the implementation of this Agreement are:
Kazakh side - Ministry of Environmental Protection of the Republic of Kazakhstan,
the Chinese side - Ministry of Environmental Protection of the People's Republic of China

2. In case of change of name and functions of the competent authority should promptly notify the other Party through diplomatic channels.

Article 5

1. For the purpose of coordination and implementation of this Agreement, the Parties shall establish the Kazakh-Chinese Commission in the field of Environmental Cooperation (hereinafter - the Commission).

The Commission develops regulations on their activities. The Commission shall meet once a year.

2. As part of the Commission to establish a working group on monitoring, analysis and evaluation of water quality of transboundary rivers and the Working Group on the rapid response to emergencies and the prevention of pollution. If necessary, create other working groups. The working groups annually in accordance with its schedule carried out at least one meeting.

The above meetings are held alternately in the two countries. The receiving side provides a place of meeting and vehicles. Parties shall bear the financial costs associated with sending and accommodation. The working languages of the Commission shall be Russian and Chinese.

Article 6

This Agreement shall not affect the rights and obligations of the Parties arising from other international treaties to which the parties are States Parties.

Article 7

1. Each Party undertakes not to transfer to a third party information received by it in the framework of this Agreement by the other Party, unless the Parties agree otherwise.

2. In implementing this Agreement, each Party may not transfer to the other Party information relating to state secrets.

Article 8

Parties shall bear the financial costs associated with the implementation of this Agreement within the funds provided by the national laws of the States Parties.

Article 9

By mutual consent of the Parties to this Agreement may be amended and supplemented, which separate protocols and are integral parts of this Agreement.

Article 10

In case of disputes on the interpretation and application of the provisions of this Agreement, the Parties shall settle them through consultations and negotiations.

Article 11

1. This Agreement shall enter into force on 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. This Agreement is concluded for five years and be automatically renewed for successive five-year periods, unless one of the Parties not less than six months before the expiration of the period, the other Party through diplomatic channels, written notice of its intention to terminate it.

Done in Beijing February 22, 2011 in two copies, each in the Kazakh, Chinese and Russian languages, all texts being equally authentic.

In case of disagreement in the interpretation of the provisions of this Agreement, the Parties shall be guided by the texts in Russian and Chinese.

For the Government of the Republic of Kazakhstan

For the Government of China People's Republic