



**On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the United Arab Emirates on cooperation in fight against organized crime, terrorism, illicit trafficking in narcotic drugs, psychotropic substances and their precursors and analogs, and other types of crime**

*Unofficial translation*

Resolution of the Government Republic of Kazakhstan on october 3, 2011 № 1130

*Unofficial translation*

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

1. To approve the attached Agreement between the Government of the Republic of Kazakhstan and the Government of the United Arab Emirates on cooperation in fight against organized crime, terrorism, illicit trafficking in narcotic drugs, psychotropic substances and their precursors and analogs, and other types of crime committed in the city of Astana on May 13, 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 United Arab Emirates on cooperation in fight against organized crime, terrorism, illicit trafficking in narcotic drugs and psychotropic substances, their analogues and precursors, and other types of crime**

The Government of the Republic of Kazakhstan and the Government of the United Arab Emirates (hereinafter referred to as "the Parties"),

Expressing a common interest in bilateral cooperation in the fight against organized crime , and in particular, crime related to drugs and terrorism;

Convinced of the threat posed by organized crime, crimes related to drugs and terrorism, the need to expand cooperation in this field between all law enforcement agencies in order to face the threats and dangers posed by organized crime,

We have agreed as follows:

**Article 1**

1. The Parties shall cooperate in accordance with the provisions of this Agreement, in the fight against:

- 1) organized crime;
- 2) illicit narcotics, psychotropic substances, their precursors and analogs;

- 3) terrorism, as criminal offenses of an extremist nature, affecting the security of the States Parties, as well as their financing;
  - 4) crimes against property;
  - 5) The smuggling of toxic, radioactive, explosive substances, as well as nuclear, chemical and biological weapons;
  - 6) illicit trafficking in firearms, ammunition and explosives;
  - 7) illegal border crossings;
  - 8) trafficking in human beings;
  - 9) crimes involving prostitutes;
  - 10) forgery of banknotes, forms and official documents;
  - 11) illegal financial operations, legalization of proceeds derived from criminal activities, including money laundering and other economic crimes, and corruption;
  - 12) offenses in the sphere of high technologies;
  - 13) theft and smuggling of objects of cultural and historical value;
  - 14) environmental crime;
  - 15) the transport of stolen and smuggled goods.
2. With the consent of the Parties to the co-operation can be extended to the fight against other types of crime.

## **Article 2**

In order to implement the provisions of this Agreement, cooperation between the Parties shall be the competent authorities of the following:

On the part of the Government of the Republic of Kazakhstan:

- Ministry of Internal Affairs;
- General Prosecutor's Office;
- National Security Committee;
- Ministry of Defence;
- Agency for Combating Economic and Corruption Crimes (Financial Police);
- Customs Control Committee of the Ministry of Finance;
- Security Service of the President of the Republic of Kazakhstan;

On the part of the Government of the United Arab Emirates:

- Ministry of Interior, General Directorate of Criminal Security;
- State Security Department.

If you change referred to in this article, the competent authorities of the Parties shall be notified in a timely manner through diplomatic channels.

## **Article 3**

In accordance with the national legislation of their States and their international obligations, the Parties shall exchange information and experience in the field of preventing and combating offenses set forth in article 1 present agreement.

## **Article 4**

The Parties shall exchange information and experience in the use, development and modernization of training systems in the fight against the crimes referred to in article 1 of this Agreement, training of staff of the competent authorities, publication of printed products and the promotion of the study and the study of organized crime, evaluating the effectiveness of measures taken to prevent and combat organized crime.

#### **Article 5**

The Parties shall assist in the conduct of training courses, workshops and scientific conferences in the field of preventing and combating offenses set forth in article 1 present agreement.

#### **Article 6**

The Parties shall cooperate in the detection and prosecution of criminal groups to prevent the commission of offenses set forth in article 1 of this Agreement.

#### **Article 7**

The Parties shall exchange information on methods of upgrading security systems using the latest technologies in order to maintain the role of such systems in the prevention and control of the offenses set forth in article 1 present agreement.

#### **Article 8**

The Parties shall exchange experiences with regional and international organizations in the field of preventing and combating offenses set forth in article 1 present agreement.

#### **Article 9**

The Parties shall exchange information in respect of the disclosure of the methods and techniques of illegal transport across state borders of narcotics Parties, psychotropic substances and their precursors and analogs of information on new narcotic drugs, psychotropic substances and substances used in their manufacture, are disclosed or identified methods used in this case.

#### **Article 10**

The Parties shall cooperate in the return of stolen and smuggled exported cultural and historical values found on the territory of the Parties.

#### **Article 11**

1. Cooperation under this Agreement shall be conducted at the request of the competent authorities.

2. The request specified in paragraph 1, it is written directly or diplomatic competent authorities of the requested parties or sent by mail, by fax or in any other manner consistent competent authorities.

3. The request shall contain the necessary information for its implementation, as well as copies of documents relevant to the case, to be signed and sealed by the competent authority of the requesting Party.

4. In the case of urgency, such a request can be made orally and subject to immediate written confirmation within forty-eight (48) hours. If necessary, additional information is requested for the execution of the request.

5. If the execution of the request does not refer to the powers of the competent authority requested Party specified in this Agreement, the requested Party transmits a request body authorized to execute it. The competent authority of the requesting Party shall be informed about this procedure.

#### **Article 12**

1. The competent authorities of the requested Party may fully or partly refuse to comply with the request if the execution of such a request could jeopardize the sovereignty, security or other interests of the requested Party, or if the execution of the request is contrary to the national law of the requested Party or obligations under international treaties, to which the State of the requested Party.

2. In addition, the permissible delay of execution of the request if its implementation makes it difficult to conduct an investigation or other legal procedures of the requested Party.

3. If the execution of the request requires the fulfillment of specific conditions must be undertaken joint consultations of the Parties.

4. The competent authorities of the requested Party shall promptly inform the competent authorities of the requesting Party on the causes of failure or partial fulfillment of the request.

#### **Article 13**

Parties in accordance with their national legislation shall bear their own expenses that will arise during the execution of this Agreement.

#### **Article 14**

This agreement does not affect the question of legal assistance in criminal matters or extradition.

#### **Article 15**

The lingua franca of the Parties shall be English.

#### **Article 16**

1. The Parties shall, in accordance with the national laws of the States Parties to ensure the confidentiality of information received.

2. Documentation, information and technical equipment received by the Parties under this Agreement may not be transferred to a third party without the prior consent of the competent authorities of the transferring Party.

3. The procedure for the exchange of information contained in relevant national laws of the States Parties to state secrets, and its protection is established by a separate international treaty.

#### **Article 17**

In the case of Parties to the need to hold joint meetings to discuss issues arising during the implementation of the provisions of this Agreement.

## **Article 18**

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

## **Article 19**

All disputes arising during the execution or interpretation of this Agreement shall be resolved through negotiations and consultations through diplomatic channels.

## **Article 20**

In this Agreement by mutual consent of the Parties may be amended and supplemented, which are an integral part of and executed by appropriate protocols enter into force in accordance with the conditions laid down in Article 21 of this Agreement.

## **Article 21**

This Agreement shall enter into force after 30 days from the date of receipt of the last written notification of the completion of the internal procedures necessary for the entry into force of this Agreement.

## **Article 22**

This Agreement is concluded for an indefinite period. The Parties shall notify each other of the termination of this Agreement by written notification through diplomatic channels. This Agreement shall cease to have effect after the expiration of six months from the date of receipt by one Party of written notice of the other Party. Termination of this Agreement will not affect the performance of procedures agreed upon during its validity, until their completion.

Done in Astana 13 May 2010 in two copies, each in the Kazakh, Arabic, Russian and English languages, all texts being equally authentic. In case of disagreement in the interpretation of the provisions of this Agreement, the Parties shall refer to the text in English.

*For the Government of the Republic of Kazakhstan*

*For the Government of the United Arab Emirates*