



On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Russian Federation on establishment of the Altay cross-border nature reserve

Unofficial translation

Decree of the Government of the Republic of Kazakhstan No. 1730 dated December 30, 2011

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

1. Approve the Agreement between the Government of the Republic of Kazakhstan and the Government of the Russian Federation on establishment of the Altay cross-border nature reserve, done in Astrakhan on September 15, 2011.

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

The Prime Minister of the Republic of Kazakhstan

K. Massimov

Approved

by the Decree of the Government
of the Republic of Kazakhstan

No. 1730 dated December 30, 2011

Agreement

between the Government of the Republic of Kazakhstan and the Government of the Russian Federation on establishment of the Altay cross-border nature reserve

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

guided by generally recognized principles and norms of international law,

attaching great importance to the implementation of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Russian Federation on cooperation in the field of environmental protection dated December 22, 2004,

taking into account the uniqueness of biological diversity and ecological systems of the Altay mountainous part, its ecological, aesthetic, scientific and cultural significance,

recognizing that the Parties have a common interest in preserving the landscapes and biological diversity of the Altay mountains for the benefit of present and future generations,

noting the long-standing traditions of cooperation between the Parties in the field of scientific research, the conservation of biological diversity and sustainable nature management, as well as the presence of specially protected natural areas adjacent to the state border,

concerned that the biological diversity of the Altay mountainous part shall be subject to negative processes of anthropogenic impact,

proceeding from the fact that natural complexes can be preserved only by joint efforts, and that their conservation shall not be only national but also global significance, convinced that establishment of the Kazakhtan-Russia cross-border nature reserve meets the requirements for preserving the landscape of the Altay mountainous part in its unchanged form, ensures ecological balance, protection and augmentation of natural resources, which meets the national interests of the Republic of Kazakhstan and the Russian Federation and the interests of the international community as a whole, have agreed as follows:

Article 1

1. The Parties shall establish the Altay cross-border nature reserve in the border areas of the Republic of Kazakhstan and the Russian Federation, which includes the Katon-Karagay State National Natural Park (Republic of Kazakhstan), hereinafter referred to as the National Park and the Katunskiy State Natural Biosphere Reserve (Russian Federation), hereinafter referred to as the Reserve.

The Parties shall independently determine and change the boundaries of the National Park and Reserve within the territory of their states, including their cartographic consolidation in an agreed coordinate system, of which the Parties shall notify each other in writing by diplomatic channels.

2. Measures in the field of protection of natural complexes and objects, scientific research and environmental monitoring of the environment in the Altay cross-border nature reserve shall be carried out in accordance with this Agreement and the laws of the Parties.

Article 2

The Altay cross-border nature reserve shall be established with the aim of:
conservation of biological and landscape diversity of the Altay mountainous part;
promoting bilateral cooperation in the field of environmental protection and rational use of natural resources, taking into account environmental, social and cultural aspects;
environmental monitoring and study of natural complexes and objects;
development of environmental education of population and ecological tourism.

Article 3

1. The authorities of the Parties responsible for implementation of this Agreement (hereinafter referred to as the competent authorities) shall be:

from part of the Kazakhstan - the Ministry of Agriculture of the Republic of Kazakhstan,
from part of the Russian, the Ministry of Natural Resources and Ecology of the Russian Federation.

2. During implementation of this Agreement, the authorities of the Parties shall interact directly with each other. The parties can also determine the organizations responsible for the specially protected natural territories included in the Altay cross-border nature reserve for direct contacts between them, about which they inform each other by diplomatic channels.

Article 4

1. In order to coordinate activities for implementation of this Agreement and resolve issues related to its implementation, the Parties shall create the Joint Kazakhstan-Russia Commission (hereinafter referred to as the Joint Commission), which, by agreement of the competent authorities, shall hold its meetings in each of the states of the Parties. The first meeting of the Joint Commission shall be convened within one year after the entry into force of this Agreement.

2. The Parties shall form the national parts of the Joint Commission on a parity basis with a representation of authorities and organizations responsible for implementation of this Agreement.

3. The Joint Commission shall act on the basis of the Regulations adopted at its first meeting, approve the program and plan of cooperation, including plans for joint activities.

Article 5

1. The competent authorities in accordance with this Agreement shall cooperate in protection, study and monitoring of natural complexes and objects of the Altay cross-border nature reserve, and conduct coordinated joint activities in these areas.

2. The competent authorities shall carry out cooperation in the following areas:

protection of natural complexes and objects, including rare and endangered animals and flora, within the boundaries of the Altay cross-border nature reserve;

prevention and suppression of environmental offenses;

organization of mutual information on environmental pollution, environmental offenses, the spread of epizootics, forest fires and measures to prevent and eliminate them, about other natural phenomena that can lead to ecosystem transformation, loss of animal and plant populations on the territory of the Altay cross-border nature reserve, and also about plans for implementation of business projects that may affect the ecosystems of the Altay cross-border nature reserve;

providing conditions for unhindered migration of wild animals in the territory of the Altay cross-border nature reserve.

3. The competent authorities shall carry out cooperation in the following forms:

joint monitoring of state of environment, natural complexes and objects on the territory of the Altay cross-border nature reserve, including groups of rare and endangered wildlife that live and migrate across the territories of the states of the Parties;

organization of joint scientific research on topics approved by the Joint Commission, that shall be created in accordance with Article 4 of this Agreement;

exchange of experience in the field of protection and study of natural complexes and objects, scientific research, environmental monitoring and environmental education;

preparation and publication of joint publications of a scientific and popular scientific nature;

conducting joint scientific and scientific-practical seminars and conferences, as well as advanced training courses for specialists of the corresponding profile;

conducting joint environmental and educational events, including youth environmental camps and expeditions;

creation and maintenance of a joint website for the Altay cross-border nature reserve.

4. The competent authorities shall develop and implement other forms of cooperation agreed upon by the Parties.

Article 6

1. When carrying out joint activities provided by this Agreement, within the state border of the states of the Parties, the competent authorities shall carry out activities in compliance with the state border regime in agreement and in cooperation with the authorities of the states of the Parties responsible for protecting the state border.

2. The crossing of the Kazakhstan-Russia state border by specialists of the Parties using the necessary vehicles, equipment and materials shall be carried out in the manner prescribed by the laws of the States of the Parties and international treaties.

Article 7

1. The Parties shall exchange information in accordance with the provisions of this Agreement and the laws of the States of the Parties.

Under this Agreement, no information shall be exchanged constituting a state secret of the Republic of Kazakhstan or the Russian Federation.

Nothing in this Agreement shall be considered as an obligation of a Party to transmit information under this Agreement if its transfer shall be contrary to the security interests of the state of that Party.

Information transmitted in accordance with this Agreement, in respect of which the transferring Party has determined the need for confidentiality, shall be clearly defined and designated as such. Responsibility for such designation lies with the transferring Party and its authorized authority. In accordance with the legislation of the Republic of Kazakhstan, such information shall be treated as information marked as "For official use". In accordance with

the legislation of the Russian Federation, such information shall be treated as information marked as “For official use”. Such information shall not be disclosed or transmitted to third parties or parties without the prior written consent of the transferring Party.

2. Cartographic, geodesic and aerial photography on the part of the Altay cross-border nature reserve located on the border territory of the state of one Party shall be carried out after written notification to the authorities of the other Party, and if necessary, crossing the Kazakhstan-Russia state border - after obtaining permission from the border authorities of the states of the Parties.

3. The competent authorities shall agree on the use of single short-wave and ultra-short-wave radio frequencies within the territory of the Altay cross-border nature reserve .

Article 8

Each Party shall independently bear the costs associated with the implementation of this Agreement, within the part of the Altay cross-border nature reserve, which is located on the territory of its state.

When sending representatives of the Parties to participate in meetings of the Joint Commission, all costs shall be borne by the sending Party.

The Host Party shall bear the costs associated with the organization and conduct of meetings of the Joint Commission.

Activities related to the functioning of the Altay cross-border nature reserve may also be financed from extrabudgetary sources not prohibited by the laws of the states of the Parties.

Article 9

In the absence of a special agreement between the Parties, the results obtained as a result of joint activities under this Agreement shall not be transferred to a third party.

Article 10

All disputes arising between the Parties in connection with the interpretation and application of the provisions of this Agreement shall be resolved by negotiations.

Article 11

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

Article 12

This Agreement shall enter into force on the date of the last written notice on completion by the Parties of the domestic procedures necessary for its entry into force.

This Agreement shall be concluded for 5 years. Subsequently, this Agreement will automatically be extended for subsequent 5-year periods if none of the Parties notifies the other Party in writing by diplomatic channels no later than 6 months before the expiration of the current period on termination of this Agreement.

Done in _____ on " __ " _____ 20 __, in two copies, each in the Kazakh and Russian languages, both texts being equally authentic.

FOR THE GOVERNMENT

OF THE REPUBLIC OF KAZAKHSTAN

FOR THE GOVERNMENT

OF THE RUSSIAN FEDERATION