

On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of Poland on cooperation in the field of defence

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated April 16, 2013 No. 360

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

1. That the attached Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of Poland on cooperation in the field of defence, executed in the city of Astana on July 11, 2012 shall be approved.

2. This resolution shall become effective from the date of signing.

Prime Minister

of the Republic of Kazakhstan

S. Akhmetov

AGREEMENT

**between the Government of the Republic of Kazakhstan
and the Government of the Republic of Poland
on cooperation in the field of defence**

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

intending to develop relations based on mutual respect and in the interests of the Republic of Kazakhstan and the Republic of Poland,

having regard to the provisions of the Agreement between the states parties to the North Atlantic Treaty and other states participating in the Partnership for Peace Program regarding the status of their Armed Forces and its Additional Protocol, signed in Brussels on June 19, 1995,

have agreed as follows:

Article 1

General Provisions

1. This Agreement contains - general provisions regarding cooperation in the field of defence between the Parties, based on the principles of equality, partnership and reciprocity.

2. The authorized bodies for the implementation of this Agreement shall be:

from the Kazakhstani side - the Ministry of Defence;

from the Polish side – the Minister of National Defence.

Article 2

Definitions

For the purposes of this Agreement, the following definitions are used:

- 1) “military personnel” - military personnel of the armed forces of the Republic of Kazakhstan and the Republic of Poland;
- 2) “civilian personnel” - employees of the armed forces and ministries authorized for defence of the Republic of Kazakhstan and the Republic of Poland;
- 3) “sending Party” - a Party sending military and / or civilian personnel in accordance with the provisions of this Agreement;
- 4) “host Party” - the Party that receives the military and / or civilian personnel of the sending Party in accordance with the provisions of this Agreement.

Article 3

Sphere of cooperation

Cooperation between the Parties shall include the following spheres:

- 1) defence policy;
- 2) training of military personnel;
- 3) conducting joint military exercises;
- 4) peacekeeping operations;
- 5) military science, including military history;
- 6) rear support of the armed forces of the Republic of Kazakhstan and the Republic of Poland;
- 7) military-technical activities, taking into account the national legislation of the Republic of Kazakhstan and the Republic of Poland;
- 8) military medicine and military medical support;
- 9) legal and economic issues in the field of defence ;
- 10) military use of information and communication technologies;
- 11) the organization of sports, cultural and leisure activities for military and civilian personnel;
- 12) other spheres by agreement of the Parties.

Article 4

Forms of cooperation

Cooperation between the Parties shall be carried out in the following forms:

- 1) official visits and working meetings;
- 2) participation in conferences, consultations and seminars on various issues;
- 3) military education activities;
- 4) participation of military and civilian personnel in joint military exercises;
- 5) the exchange of information, documentation and training materials;
- 6) participation of military and civilian personnel in sports, cultural and leisure activities;
- 7) other forms of cooperation as agreed by the Parties.

Article 5

Cooperation plans

1. Cooperation plans shall be drawn up for a certain period by the bodies referred to in paragraph 2 of Article 1 of this Agreement, and signed by authorized representatives in the prescribed manner.

2. By mutual agreement of the authorized bodies of the Parties, the cooperation plans referred to in paragraph 1 of this article may be amended in writing.

Article 6

Status of military and civilian personnel

For the purposes of participating in the events provided for in this Agreement, the status of military and civilian personnel during their stay on the territory of the Republic of Kazakhstan or the Republic of Poland shall be determined in accordance with the provisions of the Agreement between the states-parties to the North Atlantic Treaty and other states participating in the Partnership for Peace Program”, regarding the status of their Armed Forces and its Additional Protocol, signed in Brussels on June 19, 1995.

Article 7

Financial issues

1. Financing of activities under this Agreement shall be carried out in accordance with the following principles:

1) the sending Party fully pays to its military and civilian personnel expenses for:

a) travel to and from the territory of the Republic of Kazakhstan or the Republic of Poland

;

b) accommodation and meals;

c) insurance for the provision of necessary medical care;

d) execution of relevant documents for entry and exit

to / from the territory of the Republic of Kazakhstan or the Republic of Poland;

2) the receiving Party fully pays the military and civilian personnel of the sending Party for:

a) movement within the territory of its state;

b) conducting cultural programs.

2. Financial issues related to the areas of cooperation referred to in paragraphs 2-4 and 11 of Article 3 of this Agreement shall be provided for in separate agreements.

3. In case of emergency, the receiving Party shall provide the military and civilian personnel of the sending Party with medical and dental care. The costs associated with such assistance shall be reimbursed to the host Party by the sending Party within 30 days from the date of receipt of the respective written notification by the receiving Party.

Article 8

Mutual protection of classified information

Mutual protection of classified information exchanged by the Parties under this Agreement shall be based on a separate international treaty.

Article 9

Dispute resolution

Disagreements between the Parties regarding the interpretation and application of this Agreement shall be resolved through consultation and negotiation.

Article 10

Amendment

By the written consent of the Parties, this Agreement may be amended as an integral part hereof and drawn up in separate protocols.

Article 11

Entry into force and termination

1. This Agreement shall enter into force 30 days after the date of receipt of the last written notification through diplomatic channels of the completion by the Parties of the domestic procedures necessary for its entry into force.

2. This Agreement shall be concluded for an indefinite period.

3. This Agreement shall terminate upon 180 days from the date of receipt by diplomatic channels of one Party of a written notification of the other Party of its intention to terminate this Agreement.

The Agreement is executed in Astana on July 11, 2012 in two copies, each in Kazakh, Polish and Russian, all texts are being equally authentic. In case of disagreement in the interpretation of the provisions of this Agreement, the Parties shall refer to the text in Russian

On behalf of the Government of the Republic of Kazakhstan On behalf of the Government of the Republic of Poland