



On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of India on defense and military-technical cooperation

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated December 24, 2015 No. 1052

Unofficial translation

The Government of the Republic of Kazakhstan HEREBY DECREES:

1. To approve the attached Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of India on defense and military-technical cooperation, made in Astana on July 8, 2015.

2. This decree shall take effect from the date of signing.

*Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Approved
by the decree of the Government
of the Republic of Kazakhstan
dated December 24, 2015 no.1052

AGREEMENT between the Government of the Republic of Kazakhstan and the Government of the Republic of India on defense and military-technical cooperation

**Entered into force from January 7, 2016 -
Bulletin of International Treaties of the Republic of Kazakhstan 2016, no.2 art. 32**

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

confirming their adherence to the goals and principles of the Charter of the United Nations,

considering the provisions of the Declaration on the basic principles and directions of interstate relations between the Republic of Kazakhstan and the Republic of India of February 22, 1992,

expressing the striving for cooperation on the basis of mutual respect and trust, the principles of equality and reciprocity,

have agreed as follows:

Article 1

1. The Parties within the framework of national legislations and in accordance with their international obligations shall carry out cooperation in the following spheres:

1) defense policy and security;

- 2) supplies of weapons and military equipment;
 - 3) repair and maintenance of weapons and military equipment;
 - 4) development, production and modernization of weapons and military equipment;
 - 5) consultations on the issues of participation in peacekeeping operations and humanitarian assistance;
 - 6) conducting military maneuvers;
 - 7) combat service support;
 - 8) military education and training;
 - 9) Military medicine;
 - 10) military science activities and military history;
 - 11) cultural and sports work in military forces;
 - 12) other spheres of cooperation mutually agreed by the Parties.
2. In order to implement specific areas of cooperation, the authorized bodies of the Parties may conclude separate treaties.

Article 2

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

- 1) official visits of representatives of the Parties;
- 2) working meetings of delegations of the Parties;
- 3) conclusion of contracts and contracts;
- 4) development of military-technical programs;
- 5) exchange of experience and consultation;
- 6) participation in training projects, internships, refresher courses;
- 7) participation in military exercises;
- 8) participation in conferences and seminars;
- 9) the creation of joint ventures in the field of development, production, repair and modernization of weapons and military equipment;
- 10) exchange of documentation and scientific papers;
- 11) exhibitions and other cultural events;
- 12) other forms of cooperation mutually agreed by the Parties.

Article 3

1. The authorized bodies on implementation of the present Agreement shall be:
on behalf of the Kazakhstani Party – Ministry of Defense of the Republic of Kazakhstan;
on behalf of the Indian Party – Ministry of Defense of the Republic of India.

2. In case of change in the name or functions of the authorized bodies, the Parties shall immediately notify each other through diplomatic channels.

Article 4

1. Within the framework of the present Agreement, the authorized bodies of the Parties shall create the Kazakhstani-Indian Joint Working Group (JWG) on defense cooperation,

authorized to determine and coordinate activities, specified in article 2 of the present Agreement.

2. JWG shall meet on an annual basis upon agreement of the authorized bodies of the Parties in turn in the territories of the States of the Parties. Agenda, organizational and administrative issues related to meetings shall be decided based on the mutual consent.

3. Decisions made during such meetings will be formalized by agreed protocols.

Article 5

1. On the basis of the present Agreement, the Parties shall develop an annual plan of bilateral defense cooperation.

2. The Parties by November 15 of the current year shall share their proposals for their inclusion to a draft annual year for the next year.

3. The annual plan shall include names of activities, forms of their implementation, terms and places of conducting, number of members of delegations and other information related to organization and conducting the activities.

Article 6

1. The exchange of classified information shall be carried out on the basis of a separate international treaty on the mutual protection of classified information.

2. The Parties undertake to protect the information received in the course of cooperation under the present Agreement in accordance with the national laws of their states.

3. The Parties undertake not to use the information obtained in the course of cooperation under the present Agreement, to the detriment of the Party that provided this information.

4. The Parties undertake not to transfer to the third party information, weapons and military equipment obtained in the course of cooperation without the written consent of the Party that provided them.

Article 7

The parties shall independently bear the costs of the implementation of the present Agreement, unless otherwise specified in each case.

Article 8

The provisions of the present Agreement shall not affect the rights and obligations of the Parties arising from other international treaties to which their states are parties.

Article 9

In the event of disputes regarding the interpretation or application of the present Agreement, the Parties shall resolve them through mutual negotiations and / or consultations.

Article 10

By mutual agreement of the Parties, the present Agreement may be amended and supplemented as integral parts of the present Agreement and executed in separate protocols.

Article 11

The present Agreement shall enter into force on the date of receipt by diplomatic channels of the last written notice on the completion by the Parties of the domestic procedures necessary for its entry into force.

The present Agreement is concluded for a period of five years, after which it will be automatically renewed for subsequent five-year periods if none of the Parties notifies the other Party in writing through diplomatic channels no later than six months before the expiration of the current five-year period of its intention to terminate it.

Termination of the present Agreement shall not affect the implementation of programs and projects initiated earlier under the present Agreement, unless otherwise agreed between the Parties.

The present Agreement from the effective date shall substitute the Memorandum between the Government of the Republic of Kazakhstan and the Government of the Republic of India on military-technical cooperation dated July 3, 2002.

Made in the city of Astana on July 8, 2015 in two copies each in Kazakh, Hindi, English and Russian, and all texts are equally authentic. In the event of differences in the interpretation of the provisions of the present Agreement, the English text will prevail.

For the Government For the Government
of the Republic of Kazakhstan of the Republic of India