

On approval of the Rules for preparations for peacekeeping operations

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated June 10, 2016 No. 345.

Unofficial translation

In accordance with subparagraph 8) of article 8 of the Law of the Republic of Kazakhstan dated June 15, 2015 "On peacekeeping activities of the Republic of Kazakhstan" the Government of the Republic of Kazakhstan HEREBY DECREES:

1. To approve the attached Rules for preparations for peacekeeping operations (hereinafter referred to as the Rules).

2. The central state bodies and state bodies directly subordinated and accountable to the President of the Republic of Kazakhstan (as agreed), shall ensure the selection of the national contingent from among the citizens who voluntarily expressed their desire to participate in the peacekeeping operation, and second them to the Ministry of Defense of the Republic of Kazakhstan for peacekeeping training.

3. This decree shall come into force upon expiry of ten calendar days from the date of its first official publication.

*Prime Minister
of the Republic of Kazakhstan*

K. Massimov

Approved by decree of the Government of
the Republic of Kazakhstan
dated June 10, 2016 no. 345

Rules for preparations for peacekeeping operations

1. General provisions

1. These Rules for preparations for peacekeeping operations (hereinafter referred to as the Rules) разработаны in accordance with subparagraph 8) of article 8 of the Law of the Republic of Kazakhstan dated June 15, 2015 "On peacekeeping activities of the Republic of Kazakhstan" and shall determine the procedure of preparations for peacekeeping operations.

2. Planning of preparations for peacekeeping operations

2. Planning of preparations for peacekeeping operations (hereinafter referred to as the peacekeeping training) shall start from submission to the President of the Republic of Kazakhstan and to the Government of the Republic of Kazakhstan by the authorized body in the sphere of foreign policy, proposals on the foreign policy expediency of the participation of the national contingent in the peacekeeping operation.

3. The state body, planning the assignment of the national contingent, jointly with the competent state bodies shall conduct, if possible, reconnaissance of the region (zone) of

participation in a peacekeeping operation and shall submit to the Government of the Republic of Kazakhstan the following information:

1) infrastructure of the region, district (zone) of participation in a peacekeeping operation and proposals on material, technical and other types of support for the national contingent;

2) main tasks, type and composition of weapons, property, number and composition of the national contingent, subordination, period of stay, replacement procedure, conditions for withdrawal, transportation to and from the place of the peacekeeping operation, as well as other information depending on the specific peacekeeping operation;

3) proposal for the allocation of additional funds for the participation of the national contingent in the peacekeeping operation, indicating the sources of its financing.

4. The authorized body in the sphere of foreign policy shall conduct negotiations, interact with international organizations and state-partners on the issues of peacekeeping activities.

3. Training of the national contingent

5. The training of personnel of the national contingent in the basics of preparing and conducting peacekeeping operations, the fundamentals of international law, the provisions of the regulatory legal framework for peacekeeping, the tasks of the national contingent and how to implement them shall be carried out on the basis of the Ministry of Defense of the Republic of Kazakhstan according to a plan approved by the Minister of Defense of the Republic of Kazakhstan.

6. During peacekeeping training with the civil personnel, classes shall be held on the legal basis of peacekeeping activities, theoretical provisions on the main subjects of training, field classes shall be held, on which issues related to the implementation of peacekeeping tasks as part of the national contingent shall be practically worked out. Payment of labor, payment of travel expenses in the course of participation in the training shall be carried out by the state body, in the staff of which the student is a member.

7. Military training, special preparation for peacekeeping operations, training before departure for a peacekeeping mission, staff training, as well as peacekeeping maneuver shall be carried out in the course of peacekeeping preparation with military personnel.

8. For the purposes of provision of peacekeeping preparation and gaining knowledge and practical skills by the national contingent required for performance of tasks, stipulated by the mandate for performance of peacekeeping operation, exercises, courses, seminars, trainings and other events may be held with the involvement of civilian specialists and units of the armed forces of foreign states.

9. Peacekeeping training shall be conducted in the territory and beyond the Republic of Kazakhstan within the framework of cooperation with international organizations and (or) states-partners.

At peacekeeping training, at the invitation of the state body conducting the exercises, civilian personnel may be involved as specialists in their industry.

10. The Ministry of Defense of the Republic of Kazakhstan shall determine the military unit (institution), on the basis of which peacekeeping training of military and / or civilian personnel will be carried out.

11. The composition, structure and the number of military and/or civil personnel shall be determined on the basis of the mandate for performance of peacekeeping operation, adopted by the international organization in accordance with the Charter of the United Nations (hereinafter referred to as the UN).

12. The general requirements for participating in a peacekeeping operation shall be: knowledge of the language, the medical commission certificate on the suitability of service in adverse climatic conditions, taking into account individual psychological characteristics, the professional level and qualifications for completing the tasks in a peacekeeping operation according to the UN request.

13. The Ministry of Defense of the Republic of Kazakhstan before sending the national contingent to the peacekeeping operation within ten days after undergoing peacekeeping training, shall inform the Government of the Republic of Kazakhstan about the readiness of the national contingent for the peacekeeping operation.

4. Establishment of the Operation Headquarters

14. When engaging the military and civil personnel from different state bodies (organizations) to the composition of the national contingent, the Government of the Republic of Kazakhstan shall make decision on establishment of the Operation Headquarters.

15. The Operation Headquarters shall be established for the period of participation of the national contingent in the peacekeeping operation to resolve problems on provision of functioning of the national contingent beyond the Republic of Kazakhstan and timely resolution of emerging problems. The composition of the Operation Headquarters shall include the representatives of concerned central state bodies. The first head of the state body, sending the military personnel shall be appointed as the head of the Operation Headquarters.

5. Other issues of peacekeeping preparation

16. The inventory and logistics management of the national contingent shall be carried out within the framework of article 14 of the Law of the Republic of Kazakhstan dated June 15, 2015 "On peacekeeping activities of the Republic of Kazakhstan".

17. The state body (organization), the national contingent of which is planned to be sent to participate in the peacekeeping operation, shall apply:

1) to the authorized body in the field of healthcare, which in the framework of the guaranteed volume of free medical care organizes and ensures the preventive vaccination of the national contingent before their departure and within the period of participation in the peacekeeping operation as well as rehabilitation activities upon returning from a peacekeeping operation;

2) to the authorized body in the field of communications and transport, which assists in providing available types of communications and transportation of the national contingent and cargoes to the zone (area) of the peacekeeping operation and back.

Annex
to the Rules of preparation for
peacekeeping operations

Model contract on participation in the peacekeeping operation

(name of the authorized state body, its location)

represented by

(surname, name, patronymic (if any) and position of an official

of the authorized state body (organization)
and the person

(surname, name, patronymic of a person participating in the peacekeeping operation

(hereinafter referred to as the Citizen)

(name, number and date of issue of the identity document)

(individual identification number)

have made the present contract on participation in the peacekeeping operation
for the period of _____

under conditions established by the laws and the present contract.

1. The Citizen, participating in the peacekeeping operation on a voluntary basis, shall be appointed to the position of _____, has been familiarized with the terms, stipulated by the Labour Code of the Republic of Kazakhstan, the Law of the Republic of Kazakhstan dated June 15, 2015 "On peacekeeping activities of the Republic of Kazakhstan", and has been warned about harmful and dangerous conditions of the peacekeeping operation, as well as about restrictions of the rights associated with execution of obligations.

2. The Citizen, participating in the peacekeeping operation, shall be obliged:

1) to comply with the Constitution and other normative legal acts of the Republic of Kazakhstan;

2) to accept restrictions established by the Law of the Republic of Kazakhstan dated June 15, 2015 "On peacekeeping activities of the Republic of Kazakhstan";

3) to fulfill conscientiously duties during participation in a peacekeeping operation during the contract period;

4) to comply with labor discipline and rules of professional ethics;

5) to prevent damage to state property in the course of the performance of official duties;

6) not to disclose information constituting state secrets, including after the termination of participation in the peacekeeping operation, during the time established by the legislation of the Republic of Kazakhstan;

7) to carry out orders and instructions of commanders (chiefs) and other officials given by them within the limits of the authority.

3. The Citizen participating in the peacekeeping operation shall have the right:

1) to enjoy rights and freedoms, which are guaranteed by the Constitution and laws of the Republic of Kazakhstan;

2) to provide at the expense of the state monetary, clothing and other types of allowances according to the norms and in the manner prescribed by the laws of the Republic of Kazakhstan;

3) to conclude, to extend and to terminate a contract with the authorized state body on the conditions provided for by labor legislation of the Republic of Kazakhstan;

4) for the compensation of damage caused to life and health or personal property in the performance of duties in the course of peacekeeping, in the manner prescribed by the laws of the Republic of Kazakhstan;

5) to observe his rights and the rights of his family members related to peacekeeping, including the receipt of benefits, guarantees and compensations established by the laws of the Republic of Kazakhstan.

4. _____

(name of the authorized body (organization))

Accepting the Citizen

(surname, name, patronymic)

For participation in the peacekeeping operation, shall be obliged:

1) timely and in full to pay the Citizen wages and other payments provided for by the regulatory legal acts of the Republic of Kazakhstan, labor, collective agreements, acts of the employer;

2) when concluding this contract, to acquaint the Citizen with the duties and conditions of peacekeeping defined by the laws of the Republic of Kazakhstan;

3) to provide compensation to the Citizen for harm caused to life and health or personal property in the performance of duties in the course of peacekeeping, in the manner and under the conditions provided for by the laws of the Republic of Kazakhstan;

4) to warn a person participating in a peacekeeping operation about the harmful and dangerous conditions of peacekeeping and the possibility of an occupational disease, as well as restrictions on the rights associated with the performance of duties during peacekeeping activities;

5) issue an order on secondment of the Citizen to participate in a peacekeeping operation.

5. An official of an authorized state body shall have the right:

1) to conclude, to extend and to terminate the contract with the Citizen on conditions, established by the Law of the Republic of Kazakhstan dated June 15, 2015 "On peacekeeping activities of the Republic of Kazakhstan";

2) when concluding a contract, to demand from a person participating in a peacekeeping operation to submit documents stipulated by the Labour Code of the Republic of Kazakhstan;

3) to encourage and to impose disciplinary sanctions in the manner prescribed by the Labor Code of the Republic of Kazakhstan.

6. This contract shall come into force from the day the order on the secondment of the Citizen to participate in the peacekeeping operation is issued and shall terminate upon the expiration of the period for which it has been concluded or in connection with its termination.

7. The terms of the contract shall be compulsory for the parties, disputes of the parties shall be resolved in accordance with the procedure, established by the laws of the Republic of Kazakhstan.

8. The contract is made in _____ copies, in Kazakh and Russian languages, one copy of which is transferred to the person, participating in the peacekeeping operation.

9. Additional conditions _____

(surname, name, patronymic of the person, (surname, name, patronymic of the official

Participating in the peacekeeping operation) of the state body (organization)

(personal signature) (personal signature)

Seal

" ___ " _____ 20__ " ___ " _____ 20__

Termination of the contract _____

(date and grounds for termination)

Seal

Head of the state body (organization)

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