



On approval of the Agreement on information interaction of the CIS member states in the field of transport security

Unofficial translation

Resolution of the Government of the Republic of Kazakhstan dated October 10, 2018 No. 630

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The Government of the Republic of Kazakhstan RESOLVES:

1. To approve the attached Agreement on information interaction of the CIS member states in the field of transport security provision, signed in Minsk on May 30, 2014.
2. Determine the competent authorities of the Republic of Kazakhstan in accordance with the Agreement, the Ministry of Investment and Development of the Republic of Kazakhstan, the Ministry of Internal Affairs of the Republic of Kazakhstan.
3. The Ministry of Foreign Affairs of the Republic of Kazakhstan shall notify the Executive Committee of the Commonwealth of Independent States of the decision.
4. This resolution comes into effect from the date of its signing.

*Prime Minister of the
Republic of Kazakhstan*

B. Sagintayev

Approved
by Resolution No. 630 of
the Government of the
Republic of Kazakhstan
dated October 10, 2018

AGREEMENT

on information interaction of the CIS member states in the field of transport security

Governments of States Parties to the Commonwealth of Independent States, hereinafter referred to as the Parties,

in order to implement:

Declaration on transport security in member states of the Commonwealth of Independent States, adopted by a decision of the Council of the Heads of Government of the CIS of September 18, 2003,

priority areas of cooperation of the CIS member states in the field of transport for the period up to 2020, approved by the decision of the Council of CIS Heads of Government of November 14, 2008,

Agreement on the coordinated development of international transport corridors passing through the territory of the CIS member states of November 20, 2009,

Recognizing the need to harmonize legislation on transport security, including in order to create favorable conditions for the efficient operation and development of sections of international transport corridors passing through the territories of the CIS member states,

willing to develop international cooperation on the implementation of practical measures aimed at preventing acts of illegal interference that threaten the sustainable and safe functioning of the transport complex, endangering the interests of the individual, society and the state,

realizing the mutual benefits of joining the efforts of the Parties in the field of transport security and noting the usefulness of bilateral and multilateral agreements on the exchange of information in this field,

agreed on the following:

Article 1

The following terms shall be used for the purposes of this Agreement:

act of unlawful interference - unlawful action (inaction), including an act of terrorism that threatens the safe operation of the transport complex, resulting in harm to people's lives and health, material damage, or the threat of such consequences;

categorization of transport infrastructure and vehicles - classifying them in certain categories, taking into account the degree of threat of an act of unlawful interference and its possible consequences;

competent authorities of the Parties - authorities appointed by the Parties for organization and implementation of information interaction under this Agreement;

facilities of transport infrastructure - technological complex, including: railway, bus depot and stations; tunnels, overpasses, bridges; sea terminals, water areas of seaports; ports that are located on inland waterways and where passengers are picked up (dropped off) and/or where hazardous cargo is transshipped on the basis of special permissions, navigable hydraulic structures; airfields, airports, objects of communication systems, navigation and vehicles traffic control; sections of roads, railways and inland waterways, heliports, landing sites, as well as other buildings, structures, devices and equipment ensuring the functioning of the transport complex;

vulnerability assessment of transport infrastructure and vehicles - determining the degree of protection of transport infrastructure facilities and vehicles against the threat of unlawful interference;

carrier - a legal entity or an individual entrepreneur who took on a duty to deliver a passenger, cargo, baggage, cargo luggage entrusted to him by the sender from the point of departure to the point of destination, and also to exhaust cargo, baggage, cargo luggage to the person (recipient) authorized to receive it;

transport security forces - entities responsible for ensuring transport security in the subject of transport infrastructure, on the facilities of transport infrastructure, vehicle, including personnel of the entities of transport infrastructure or transport security units directly related to ensuring transport security of transport infrastructure facilities or vehicles;

transport infrastructure entities - legal entities and individuals who are owners of transport infrastructure facilities and / or vehicles or use them on other legal basis;

transport security - state of security of transport infrastructure facilities and vehicles against acts of unlawful interference;

vehicles - equipment intended for the transport of individuals, goods, baggage, carry-on baggage, personal belongings, animals or equipment installed on these vehicles, including:

motor vehicles used for the regular carriage of passengers and baggage or the carriage of passengers and baggage on request or used for transportation of hazardous cargo for which a special permission is required;

commercial civil aircrafts;

general aviation aircraft;

vessels used for the purpose of merchant shipping (seagoing ships), with the exception of recreational vessels, sport sailing vessels;

vessels used on inland waterways for the carriage of passengers, with the exception of recreational craft, sport sailing vessels, and (or) for transportation of hazardous cargo allowed for carriage by special permission;

railway rolling stock transporting passengers and / or hazardous cargo allowed for carriage by special permission;

vehicles of urban land electric transport.

Article 2

The subject of this Agreement is to determine the general principles of organizing information interaction between the Parties in order to:

harmonize the approaches to the development of state policy and legal regulation in the field of transport security;

inform of the threats of committing and committing acts of unlawful interference in transport infrastructure facilities and vehicles in the implementation of international transportation in the territories of the States Parties to this Agreement.

Article 3

The Parties shall determine information interaction on the subject of this Agreement as a basic component of a sustainable international transit communication and creating mutually beneficial conditions for the unrestricted transportation of passengers, cargo, baggage and cargo luggage across the territory of the States Parties to this Agreement.

Article 4

In the framework of the implementation of this Agreement, the Parties shall organize information interaction in the following areas:

identifying threats of acts of unlawful interference with the activities of transport infrastructure facilities and vehicles;

assessing the vulnerability of transport infrastructure and vehicles;

categorization of transport infrastructure and vehicles;

development and implementation of transport safety requirements;

planning and implementation of measures to ensure transport security;

training and certification of transport security forces;

implementation of state control (supervision) in the field of transport security;

informational, logistical and scientific and technical support of transport security;

formation of a coordinated position on the protection of transport infrastructure and vehicles against acts of unlawful interference in the framework of the participation of the States Parties to this Agreement in the activities of international organizations.

Article 5

1. The Parties shall organize information interaction in order to immediately inform about the threats of committing and commission of acts of unlawful interference with the activities of transport infrastructure facilities located in the territories of the States Parties to this Agreement, and (or) vehicles used for international transportation to the states, from the states and (or) through the territory of the states parties to this Agreement.

2. Immediate reporting measures are carried out by the Party that has information about threats of committing and commission of acts of unlawful interference with the activities of transport infrastructure facilities and/or vehicles specified in the first part of this article.

3. Information on threats of committing and commission of acts of unlawful interference with the activities of transport infrastructure facilities and (or) vehicles shall be transferred by the Party that possesses this information to the other Party in the manner agreed by the competent authorities of the Parties, if any:

information on threats of committing and commission of acts of unlawful interference with the activities of a transport infrastructure facility located in the territory of another State Party to this Agreement;

information on threats of committing and commission of acts of unlawful interference with the activities of a transport infrastructure facility located in the territory of a State Party to this Agreement that possesses this information and used for international transportation to another state, from another state and (or) through the territory of another State Party to this Agreement;

information on threats to committing and commission of acts of unlawful interference with the activities of a vehicle used for international transportation to another state, from another state and (or) through the territory of another State Party to this Agreement.

Article 6

1. For the implementation of information interaction on the subject of this Agreement, each of the Parties shall determine the competent authority authorized:

to send to the competent authorities of the Parties the information on the content of normative legal acts adopted in the State Party to this Agreement for the purpose of state regulation in the field of transport security, including timely information about changes in legislation in this area;

to provide the competent authorities of the Parties with explanations on the application of regulatory legal acts adopted in the State Party to this Agreement for the purposes of state regulation in the field of transport security;

to consider the proposals of the competent authorities of the Parties on the development and implementation of public policy and legal regulation in the field of transport security;

to inform the competent authorities of the Parties about the threats of committing and commission of acts of unlawful interference at transport infrastructure facilities and vehicles in accordance with article 5 of this Agreement.

2. Parties determine the list of their competent authorities and inform the depositary of this upon delivery of the notification of the completion of the internal procedures necessary for this Agreement to come into effect.

Each of the Parties shall notify the depositary in writing of the change in the list of competent authorities within one month from the date of the adoption of such a decision.

3. The competent authorities of the Parties establish direct contacts, organize interaction and exchange information in order to implement this Agreement.

Article 7

In order to ensure the practical implementation of this Agreement, the competent authorities of the Parties may establish joint working groups of experts.

The main task of the working groups of experts is to develop proposals related to the implementation by the Parties of information interaction, proposals on the organization of continuous monitoring of the implementation by the Parties of this Agreement and, if necessary, its revision.

Article 8

Each Party shall provide the other Party with the information necessary to implement this Agreement.

The exchange of information under this Agreement is free of charge.

Each Party does not transmit to third parties the information obtained under this Agreement from the other Party without its written consent.

Article 9

This Agreement does not affect the rights and obligations of each Party arising for it from other international treaties to which its state is a party.

Article 10

By agreement of the Parties, this Agreement may be amended and supplemented, being an integral part thereof, which is documented in the appropriate protocol.

Article 11

Disputes between the Parties arising from the application and interpretation of this Agreement shall be resolved through consultation and negotiation of the Parties concerned or through another procedure agreed upon by the Parties concerned.

Article 12

This Agreement shall enter into force from the date of receipt by the depositary of the third notification on the implementation by the signatories of the Parties of the internal procedures necessary for its entry into force.

For Parties that have completed domestic procedures later, this Agreement shall enter into force from the date the depositary receives the relevant documents.

Article 13

This Agreement, after its entry into force, is open for accession by any state by transferring to the depositary a document of accession.

CIS States Parties to this Agreement shall enter into force after 30 days from the date of receipt by the depositary of a document of accession.

For a non-member state of the CIS, this Agreement enters into force 30 days after the date of receipt by the depositary of the last notification of the consent to such accession, of the signatory or acceding States.

Article 14

This Agreement is concluded for an indefinite period..

Each Party shall have the right to withdraw from this Agreement by sending a written notification to the depositary of such its intention no later than six months before the withdrawal and settling the obligations that arose during the term of the Agreement.

Signed in Minsk on May 30, 2014 in one authentic copy in Russian language.

The original copy is kept in the Executive Committee of the Commonwealth of Independent States, which will send to each signatory to this Agreement its certified copy.

On behalf of the Government of the Republic of Azerbaijan

On behalf of the Government of the Russian Federation

On behalf of the Government of the Republic of Armenia

On behalf of the Government of the Republic of Tajikistan

On behalf of the Government of the Republic of Belarus

On behalf of the Government of Turkmenistan

On behalf of the Government of the Republic of Kazakhstan

On behalf of the Government of the Republic of Uzbekistan

On behalf of the Government of the Kyrgyz Republic

On behalf of the Government Of Ukraine

On behalf of the Government of the Republic of Moldova