

**No. 50571**

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**Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization  
and  
Kazakhstan**

**Agreement between the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Government of the Republic of Kazakhstan on the conduct of activities, including post-certification activities, relating to international monitoring facilities for the Comprehensive Nuclear-Test-Ban Treaty (with appendix). Vienna, 9 September 2004**

**Entry into force:** *5 December 2008 by notification, in accordance with article 22*

**Authentic texts:** *English, Kazakh and Russian*

**Registration with the Secretariat of the United Nations:** *Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, 4 March 2013*

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**Commission préparatoire de l'Organisation du Traité  
d'interdiction complète des essais nucléaires  
et  
Kazakhstan**

**Accord entre la Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires et le Gouvernement de la République du Kazakhstan sur la conduite des activités relatives aux installations de surveillance internationale, y compris les activités postérieures à la certification (avec appendice). Vienne, 9 septembre 2004**

**Entrée en vigueur :** *5 décembre 2008 par notification, conformément à l'article 22*

**Textes authentiques :** *anglais, kazakh et russe*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Commission préparatoire de l'Organisation du Traité d'interdiction complète des essais nucléaires, 4 mars 2013*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN  
THE PREPARATORY COMMISSION FOR THE  
COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION  
AND THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN  
ON THE CONDUCT OF ACTIVITIES,  
INCLUDING POST-CERTIFICATION ACTIVITIES,  
RELATING TO  
INTERNATIONAL MONITORING FACILITIES  
FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY**

In accordance with paragraph 12(b) of the Text on the Establishment of a Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, as annexed to the Resolution establishing the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (hereinafter “the Commission”), adopted by the meeting of States Signatories of the Comprehensive Nuclear-Test-Ban Treaty (hereinafter “the CTBT”) on 19 November 1996 at New York, the Commission and the Government of the Republic of Kazakhstan (hereinafter “the Government”), hereinafter “the Parties”, with the goal of facilitating the activities of the Commission in: (a) conducting an inventory of existing monitoring facilities; (b) conducting a site survey; (c) upgrading or establishing monitoring facilities; and/or (d) certifying facilities (hereinafter referred to as “facilities”) to International Monitoring System (hereinafter “the IMS”) standards, and with the goal of facilitating the continued testing, provisional operation, as necessary, and maintenance of the IMS in pursuit of the goal of an effective Treaty, have agreed, pursuant to the provisions of the CTBT, in particular Articles I to IV and Part I of the Protocol, as follows:

**Article 1**

The Government and the Commission shall cooperate with the goal of facilitating the implementation of the provisions of this Agreement. The activities to be carried out by the Commission or on behalf of the Commission on the territory of the Republic of Kazakhstan are set forth in Appendix I to this Agreement.

## **Article 2**

The activities to be carried out by the Commission or on behalf of the Commission pursuant to the provisions of this Agreement shall be performed according to the terms and conditions of a contract or contracts awarded by the Commission in accordance with the provisions of the Financial Regulations of the Commission.

## **Article 3**

Where activities pursuant to the provisions of this Agreement are to be carried out by the Commission, the activities shall be conducted by the Commission Team, which shall consist of the personnel that shall, after consultations with the Government, be designated by the Commission. The Government shall be entitled to refuse particular Commission Team members on the understanding that the Commission will be entitled to propose new team members to replace them. For each activity carried out by the Commission, the Commission shall designate a Team Leader and the Government shall designate an Executive Agent to be the points of contact between the Commission and the Government

## **Article 4**

No less than 14 days in advance of the proposed arrival of the Commission Team at the point of entry, the Commission Team Leader and the Executive Agent shall consult for the purpose of facilitating the conduct of the activities that will be undertaken, including consultations regarding the equipment to be brought into the Republic of Kazakhstan by the Commission Team for carrying out the activities undertaken in accordance with the provisions of this Agreement. For post-certification activities, such equipment should be in accordance with the relevant IMS Operational Manuals adopted by the Commission without prejudice to Article II, paragraph 26(h), of the CTBT. In the course of these consultations, the Government shall inform the Commission of the points of entry

and exit through which the Commission Team and equipment will enter and exit the territory of the Republic of Kazakhstan.

### **Article 5**

During the consultations noted in Article 4 of this Agreement, the Executive Agent shall apprise the Commission of information required for the Republic of Kazakhstan to issue documents to enable the Commission Team to enter and remain on the territory of the Republic of Kazakhstan for the purpose of carrying out activities consistent with the relevant IMS Operational Manuals adopted by the Commission without prejudice to Article II, paragraph 26(h), of the CTBT and set forth in Appendix I to this Agreement. The Commission shall provide that information to the Government as soon as possible after the conclusion of those consultations. In accordance with the national legislation of the Republic of Kazakhstan, the Commission Team shall be entitled to enter the territory of the Republic of Kazakhstan and remain there for the period of time necessary to carry out such activities. The Government shall grant or renew as quickly as possible appropriate visas where required for members of the Commission Team.

### **Article 6**

The activities of the Commission Team pursuant to the provisions of this Agreement shall be arranged in cooperation with the Government so as to ensure, to the greatest degree possible, the timely and effective discharge of its functions, and the least possible inconvenience to the Republic of Kazakhstan and disturbance to any facility or area at which the Commission Team will carry out its activities. In particular, the activities of the Commission shall not put at risk the ecology and/or environment of the sites of the IMS facilities.

#### **Article 7**

The Government shall ensure the safety of members of the Commission Team present on the territory of the Republic of Kazakhstan and provide necessary conditions for its normal work. The provisions of the Convention on the Privileges and Immunities of the United Nations signed on 13 February 1946 at New York shall apply, *mutatis mutandis*, to the activities of the Commission, its officials and experts in implementing the provisions of this Agreement.

#### **Article 8**

The Government shall make all reasonable efforts to ensure that relevant entities cooperate with the Commission Team. The Commission shall take all reasonable steps necessary to ensure that the Executive Agent is kept informed in a timely manner of all work carried out pursuant to this Agreement.

#### **Article 9**

The Government and the Commission, during the consultations noted in Article 4 above, shall prepare a list of equipment to be brought into the Republic of Kazakhstan by the Commission Team. The Government shall have the right to conduct an inspection of equipment brought into the Republic of Kazakhstan by the Commission Team, in order to ensure that such equipment is necessary and appropriate for carrying out the activities to be performed by the Commission Team. The Government shall have the right to conduct such an inspection without the presence of the Commission Team Leader, unless the Commission Team Leader decides that his or her presence is necessary. Items of equipment that require special handling or storage for safety purposes shall be so designated by the Commission Team Leader and communicated to the Executive Agent prior to the arrival of the Commission Team at the point of entry. The Government shall ensure that the Commission Team can store its equipment in a securable workspace. In order to prevent undue delays in transporting equipment, the Government shall assist the Commission Team in meeting the