

Search



[on cooperation in the fight against illegal migration](#)

[Article 1](#)

[Article 2](#)

[Article 3](#)

[Article 4](#)

[Article 5](#)

[Article 6](#)

[Article 7](#)

[Article 8](#)

[Article 9](#)

[Article 10](#)

[Article 11](#)

[Article 12](#)

[Article 13](#)

[Article 14](#)

[Article 15](#)

Agreement between the Government of the Republic of Uzbekistan and the Government of the Republic of Kazakhstan

Date of entry

22.05.2020

Additional information

Sharing

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF UZBEKISTAN AND THE GOVERNMENT
OF THE REPUBLIC OF KAZAKHSTAN
A DEAL

ON COOPERATION IN THE FIGHT AGAINST ILLEGAL MIGRATION

April 15, 2019, Tashkent

LexUZ comment

This Agreement was approved by the decision of the President of the Republic of Uzbekistan dated October 14, 2019 No. PK-4491 "On approval of the international agreement".

(For the Republic of Uzbekistan, it will enter into force on May 22, 2020)

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

The Agreement on cooperation between the member states of the Commonwealth of Independent States in the fight against illegal migration dated March 6, 1998, the Agreement on the exchange of information in the fight against crime dated May 22, 2009 and the provisions of the Agreement between the Government of the Republic of Uzbekistan and the Government of the Republic of Kazakhstan on cooperation in the fight against crime signed on October 30, 1998 relying on

Taking into account the provisions of the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime of November 15, 2000,

Realizing that illegal migration poses a serious threat to national security and economic stability and leads to the aggravation of the criminal situation in the territories of the Parties,

Recognizing that cooperation in the fight against illegal migration is one of the most important directions of regulating migration processes in the territory of the Parties,

Expressing the intention to implement joint measures to combat illegal migration, based on the generally recognized principles and norms of international law and the legislation of the Parties,

striving to create a legal basis for bilateral cooperation of the Parties in the fight against illegal migration,

agreed on the following:

Article 1

Within the framework of this Agreement, the Parties cooperate in the fight against illegal migration in accordance with the legislation of their countries and international obligations.

Article 2

1. The parties will cooperate in the following main areas within the framework of this Agreement:

1) exchange of statistical, scientific-methodical and other information of mutual interest, including the following:

Identified illegal migration channels;

legal and natural persons involved in the organization and implementation of illegal migration, operating in the territories of the Parties;

sending and receiving points, routes, carriers and vehicles used in the organization and implementation of illegal migration;

methods of obtaining entry visas and other documents and using them for illegal migration purposes;

the procedure for granting citizenship and organizing the fight against illegal migration;

operations and measures aimed at preventing illegal migration;

methods of regulating external migration;

identity documents of citizens of the Contracting States that are invalid or issued in violation of the established procedure;

Persons who have obtained the citizenship of the Contracting States, as well as the affiliation of persons to the citizenship of the Contracting States;

Legislation of the Contracting States in the field of migration, including regulating migration processes, organizing the fight against illegal migration, as well as changes in the legislation of the Contracting States in these areas;

international agreements concluded with third countries on migration issues;

Citizens of other Contracting States performing labor activities in the territory of another Contracting State;

samples of documents certifying a person and granting the right to cross the state border, changes in their forms, as well as requirements for documents allowing entry, stay and exit from the territories of the Parties;

The existence and grounds of restrictions on entering the territory of the Contracting States (or leaving their territory), as well as persons who are expelled from the territory of the Contracting States;

2) in case there are written applications of the citizens of the Parties to consent to cross-border transfer of their personal data, approved by the official and sealed by the authorized body, to confirm that the passports of the former Union of Soviet Socialist Republics of 1974 have been issued;

3) Identification and accounting of persons illegally crossing the borders of the states of the parties and staying illegally in their territories;

4) to send directly to the diplomatic office and/or consular office of the Parties countries the documents confirming the person found or removed in connection with the death of a citizen of one Party state in the territory of the other Party state;

5) providing information on the migration account or registration of citizens of third countries, stateless persons and citizens of the Parties' countries on the place of residence (place of residence);

6) to return the documents certifying the person to the diplomatic office and/or consular institution of the Party whose citizenship is terminated, along with a dated notification about the fact of registration of citizenship in the territory of another Party.

2. This Agreement does not prevent the Parties from establishing and developing other mutually acceptable directions of cooperation in compliance with the conditions set forth in Article 1 of this Agreement.

Article 3

The parties cooperate in the following forms within the framework of this Agreement:

- 1) exchange of information specified in Article 2 of this Agreement;
- 2) exchange of experience in preventing and eliminating illegal migration;
- 3) training and improving the skills of employees of the authorized bodies of the parties dealing with migration issues, including organizing seminars and internships in this field;
- 4) carrying out scientific research in the field of combating illegal migration;
- 5) Organization of joint rapid prevention measures to combat illegal migration on the territory of the partner countries.

Article 4

1. Cooperation within the framework of this Agreement is carried out on the basis of questionnaires (hereinafter referred to as questionnaires) of the interested Party. Each Party may send the other Party the information it has on migration issues, provided that such information is of interest to the other Party, even without a request.

2. The questionnaire is sent in written form in the Russian language, including using the technical means of text transmission.

If there is any doubt about the validity or content of the questionnaire, additional confirmation may be required.

3. The questionnaire should contain the following:

- the name of the requesting and requested body;
- statement of the nature of the survey, its purpose and grounds;
- any other information that may be used to properly complete the survey.

4. The questionnaire shall be completed on an official office form and signed by an official of the authorized body of the requesting State.

The parties will exchange the list of officials of the authorized bodies of their countries authorized to sign questionnaires and samples of office forms within forty-five (45) days after the signing of this Agreement.

5. If the list of officials authorized to sign questionnaires specified in paragraph 4 of this article or the forms change, the Parties shall immediately notify each other.

Article 5

1. The requested Party shall take all necessary measures to ensure that the questionnaire is completed quickly and completely within thirty (30) calendar days.

on cooperation in the fight against illegal migration

Article 1

Article 2

Article 3

Article 4

Article 5

Article 6

Article 7

Article 8

Article 9

Article 10

Article 11

Article 12

Article 13

Article 14

Article 15

The Requested Party shall immediately inform the Requesting Party of the circumstances that hinder the completion of the survey or significantly delay its completion.

2. The Requested Party has the right to request additional information deemed necessary to fulfill the request to the required extent.

3. The survey is carried out in accordance with the legislation of the requested Party.

4. If the requested Party considers that the execution of the request may lead to criminal prosecution or criminal proceedings being carried out in its state, it may postpone the execution of the request or make it subject to compliance with the conditions deemed necessary after consultation with the requesting Party. If the requesting Party agrees to the execution of the survey under such conditions, it must comply with them.

5. The requested Party immediately informs the requesting Party about the results of the survey.

Article 6

1. If the requested Party considers that the implementation of the questionnaire may harm its state sovereignty, security, public order, violate human rights and freedoms, or is contrary to the legislation of its state or international obligations, it may reject the questionnaire in whole or in part.

2. The Requesting Party shall be notified in writing of the complete or partial rejection of the request, indicating the reasons for the rejection.

Article 7

The following are the authorized bodies for the implementation of this Agreement:

From Kazakhstan - Ministry of Internal Affairs of the Republic of Kazakhstan;

On the part of Uzbekistan - the Ministry of Internal Affairs of the Republic of Uzbekistan, the Ministry of Employment and Labor Relations of the Republic of Uzbekistan and the State Security Service of the Republic of Uzbekistan.

If the names and duties of the authorized bodies change, the Parties shall immediately inform each other through diplomatic channels.

The parties also cooperate within the framework of international and regional organizations in which their countries are participants.

Article 8

1. At the request of the requested Party, the Requested Party shall take necessary measures to ensure the confidentiality of the fact of receipt of the request, its contents and the documents attached to it, as well as the fact of the assistance provided within the framework of this Agreement.

If it is not possible to carry out the survey in a confidential manner, the requested Party will inform the requesting Party about this, and the requesting Party will decide whether or not to carry out the survey under such conditions.

2. The results of the questionnaires may not be used for purposes other than those requested and presented without the consent of the Party that submitted them.

3. According to this Agreement, the prior consent of the other Party that provided such information is required to provide the information received by one Party to a third party.

4. The Parties shall ensure the protection of personal data exchanged on the basis of this Agreement, as well as in accordance with the laws of the Parties and the international treaties to which they are parties. The parties also provide protection against accidental loss, unauthorized use, alteration or distribution of personal data.

5. In the event of the termination of this Agreement, the provisions of this article on taking necessary measures to ensure the confidentiality of the fact of receipt of the questionnaire, its contents and the documents attached to it, as well as the fact of the assistance being provided, will continue to apply to the Parties.

Article 9

1. By mutual agreement, the parties will hold consultations based on this Agreement in order to coordinate cooperation in the field of migration and increase its effectiveness.

2. The parties may establish joint working groups and hold expert meetings in order to ensure more effective implementation of the provisions of this Agreement.

Article 10

The Parties shall independently cover the costs incurred during the implementation of this Agreement, unless otherwise agreed in each individual case, in accordance with the legislation of the Parties' states.

Article 11

The provisions of this Agreement do not affect the rights and obligations arising from other international agreements to which the States of the Parties are parties.

Article 12

on cooperation in the fight against illegal migration

Article 1

Article 2

Article 3

Article 4

Article 5

Article 6

Article 7

Article 8

Article 9

Article 10

Article 11

Article 12

Article 13

Article 14

Article 15

The parties use the Russian language in the implementation of cooperation within the framework of this Agreement.

Article 13

All conflicting issues arising in the relations between the parties and related to the implementation or interpretation of this Agreement shall be resolved through consultations and negotiations.

Article 14

With the mutual consent of the parties, amendments and additions may be made to this Agreement, which are an integral part of it and which are formalized by separate statements that come into force in accordance with the procedure established in Article 15, Clause 1 of this Agreement.

Article 15

1. This Agreement shall be concluded for an indefinite period and shall enter into force thirty (30) days from the date of receipt of the last written notification through diplomatic channels that the Parties have completed the internal state procedures necessary for its entry into force.

2. Each of the parties has the right to terminate the validity of this Agreement by sending a written notification of the intention to terminate its validity to the other Party through diplomatic channels. In this case, this Agreement will be terminated after ninety (90) calendar days from the date of receipt of such notification.

Done in Tashkent on April 15, 2019 in two copies, each in the Uzbek, Kazakh and Russian languages, in which all texts are equally valid. In the event of differences in the interpretation of the provisions of this Agreement, the text in Russian shall prevail.

(signatures)

on cooperation in the fight against
illegal migration

Article 1

Article 2

Article 3

Article 4

Article 5

Article 6

Article 7

Article 8

Article 9

Article 10

Article 11

Article 12

Article 13

Article 14

Article 15