

No. 33648

MULTILATERAL

Treaty on cooperation in protection of the borders of States participating in the Commonwealth of Independent States with countries not forming part of the Commonwealth. Concluded at Minsk on 26 May 1995

Authentic text: Russian.

Registered by Belarus on 1 April 1997.

Participation by Kazakhstan under article 19

MULTILATÉRAL

Traité concernant la coopération pour la protection des frontières des États membres de la Communauté des États indépendants avec des États non membres de la Communauté. Conclu à Minsk le 26 mai 1995

Texte authentique : russe.

Enregistré par le Bélarus le 1^{er} avril 1997.

Participation du Kazakhstan en vertu de l'article 19

[TRANSLATION]

TREATY¹ ON COOPERATION IN PROTECTION OF THE BORDERS OF STATES PARTICIPATING IN THE COMMONWEALTH OF INDEPENDENT STATES WITH COUNTRIES NOT FORMING PART OF THE COMMONWEALTH

The States participating in the Commonwealth of Independent States which have signed the present Treaty, hereinafter referred to as the Parties,

Guided by the universally accepted principles and norms of international law and by the desire to develop friendly, good-neighbourly relations and facilitating the mutual maintenance of security on the border of the States participating in the Commonwealth,

Acknowledging the need for cooperation in the protection of the border of the States participating in the Commonwealth of Independent States with States not forming part of the Commonwealth,

Confirming their adherence to the provisions of the Charter of the United Nations, the principles of the Organization for Security and Cooperation in Europe, and the provisions of the Helsinki Final Act,² the Charter of the Commonwealth of Independent States³ and other instruments on border issues adopted by the Parties and having the force of law for them,

Have agreed as follows:

Article 1

For the purposes of the present Agreement:

- “Borders” shall mean the sections of the State borders of the States participating in the Commonwealth of Independent States that border on States not forming part of the Commonwealth;
- “Council of Commanders” shall mean the Council of Commanders of the border troops;
- “Border troops” shall mean the border troops of the Parties.

Article 2

The purposes of cooperation between the Parties in protection of the Borders are:

¹ Came into force on 10 July 1996, in accordance with article 19:

<i>Participant</i>	<i>Date of deposit of the notification</i>
Armenia	12 February 1996
Belarus*	10 July 1996
Russian Federation	11 June 1996

* For the text of the reservations, see p. 80 of this volume.

² *International Legal Materials*, vol. XIV (1975), p. 1292 (American Society of International Law).

³ United Nations, *Official Records of the General Assembly, Forty-fifth Session*, document A/45/859.

To ensure protection of the Borders taking into account the interest of the Parties;

To ensure the effective combating of international and domestic terrorism, any manifestation of separatism and nationalism, narcotics trafficking, illegal migration, and unlawful transportation of weapons, munitions, radioactive, toxic and psychotropic substances and other items and cargoes whose import and export is prohibited by the national legislation of the Parties and by international agreements;

Development of the basis in the law of treaties for cooperation among and harmonization of the legislation of the Parties on border issues.

Article 3

The Parties shall establish and develop equitable relationships of partnership with one another, aimed at effectively resolving the problems of strengthening peace on the Borders.

The Parties bear mutual responsibility for ensuring protection of their section of the Border taking into account the security interests of the Parties.

The Parties acknowledge the priority that attaches to decisions (adopted on a consensus basis) of the supreme organs of the Commonwealth on issues of ensuring security of the Borders.

Article 4

The Parties shall conduct the protection of the Borders, in accordance with national legislation, through agreed or joint efforts taking into account the interests of the Parties on terms which shall be determined by the respective bilateral or multilateral agreements and understandings.

In the event of a threat to the security of the Borders arising, the Parties shall immediately conduct mutual consultations in order to take appropriate measures to remove the threat that has arisen.

Article 5

The Parties shall be entitled to take measures, on the basis of international agreements, to ensure the protection of their Borders using the contingent from another State participating in the Commonwealth of Independent States necessary for that purpose.

Article 6

The Parties may, taking national legislation into account, establish regional joint commands (operational groups, joint staffs or coordination councils) to coordinate joint efforts for the protection of the Borders and conduct border policy.

Article 7

The Parties shall cooperate in the conduct of scientific projects, including the establishment of joint programmes and the design, manufacture and introduction of new equipment for protecting the Borders.

Article 8

The Parties shall cooperate in the upgrading of the equipment provided to the border troops.

The procedure and conditions for concessional deliveries to border troops of special border troop equipment and material resources shall be established by a separate agreement.

Article 9

In the interests of protecting the Borders, the Parties shall where necessary conclude bilateral or multilateral agreements regulating the use by border troops of sectors of territory, airspace, terrestrial and aquatic space, airports, airfields, ports, moorings, branch railway lines and access roads, as well as the acquisition of the necessary meteorological information for flights by Border air forces and navigational and hydrographic information for vessels of the border troops.

Article 10

For purposes of timely adoption of decisions on protection of the Borders, the Parties shall ensure the continuous operation of a process of compilation and processing of information and forecasting of the situation at the Borders, the constant mutual exchange of information and the preparation of proposals on preventive measures employed in international practice.

The Parties shall keep the existing special communications channels of the Border troops and other competent services in working order, and at the same time take joint measures to establish new communications and information channels (systems) within the framework of programmes drawn up by States participating in the Commonwealth.

Article 11

The Parties shall not communicate to anyone materials and information of an official or secret nature obtained from one another without the written consent of the Party from which the said materials and information were obtained.

Article 12

The Parties shall cooperate in matters relating to the conduct of investigations to ensure protection of the Borders by the organs of the border troops authorized to do so in accordance with the legislation of each of the Parties.

Article 13

The Parties shall harmonize (coordinate) their border policy in relations with neighbouring countries that are not States participating in the Commonwealth.

The present Treaty does not affect the rights and obligations of the Parties under other bilateral and multilateral treaties and agreements in force, and is not directed against third countries.

Article 14

The Parties shall take measures to harmonize their legislation and other regulations governing issues of protection of the Borders and the regime relating to them.

For purposes of creating the most favourable and equitable conditions for ensuring the activity of the border troops, the Parties shall exchange information on the adoption of new national legislation affecting matters of protection of the Borders and the regime relating to them.