APPENDIX A

Key Normative Documents of the Shanghai Cooperation Organization

Declaration on the Establishment of the Shanghai Cooperation Organization – June 15, 2001

The Shanghai Convention on Combating Terrorism, Separatism and Extremism – June 15, 2001

Agreement Between the Member States of the Shanghai Cooperation Organization on the Regional Anti-Terrorist Structure – June 7, 2002

Protocol on Amendments to the Agreement Between Member States of the Shanghai Cooperation Organization on the Regional Anti-Terrorist Structure – August 16, 2007

Charter of the Shanghai Cooperation Organization – June 7, 2002

The Regulations on Observer Status at the Shanghai Cooperation Organisation – April 24, 2004

Agreement on the Database of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization – June 28, 2004

Concept of Cooperation Between SCO Member States in Combating Terrorism, Separatism, and Extremism – June 5, 2005

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Declaration on the Establishment of the Shanghai Cooperation Organization

The heads of state of the Republic of Kazakhstan, the People’s Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan, highly appraise the positive role played by the “Shanghai Five”, in the five years since its founding, in promoting and deepening mutual trust, relations of friendship and good-neighborliness among the member states, consolidating regional security and stability and facilitating common development;

Unanimously recognize that the founding and development of the “Shanghai Five” have conformed to the post cold-war historic trend that mankind aspires to peace and development, shown the great potentiality of peaceful and friendly coexistence, unity and cooperation realized through mutual respect and confidence by countries with different civilization backgrounds and traditional cultures;

Point out, in particular, that the two agreements signed by the five heads of state of the Republic of Kazakhstan, the People’s Republic of China, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan respectively in Shanghai in 1996 and in Moscow in 1997, on confidence-building in the military sphere in border areas and on mutual reduction of military forces in the border areas, and the summary documents signed during their meetings in Alma-Ata (1998), Bishkek (1999), Dushanbe (2000), have made important contributions to preserving regional and world peace, security and stability, greatly enriched contemporary diplomatic and regional cooperation practices and exerted extensive and positive influence in the international society;

Firmly believe that against a background of the rapid development of the process of political multipolarization and information globalization in the 21st century, it is conducive to the member states more effectively jointly making use of the opportunities and replying to the new challenges and threats;

And hereby solemnly declare:

1. The Republic of Kazakhstan, the People’s Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan have founded the Shanghai Cooperation Organization (SCO).

2. The purposes of the SCO are: strengthening mutual trust and good-neighborly friendship among the member states; encouraging effective cooperation among the member states in political, economic and trade, scientific and technological, cultural, educational, energy, communications, environment and other fields; devoting themselves jointly to preserving and safeguarding regional peace, security and stability; and establishing a democratic, fair and rational new international political and economic order.

3. The SCO shall hold a formal meeting of heads of state of the member states a year, hold meetings of heads of government regularly; the meetings shall be held in rotation among the member states. With a view to expanding and strengthening cooperation in all fields, in addition to the established meeting mechanisms for the leaders of the relevant departments, new meeting mechanisms may be set up in accordance with circumstances, and permanent
and temporary experts’ groups may be formed to study work plans and proposals for further developing cooperation.

4. The “Shanghai Spirit” formed during the “Shanghai Five” process, with “mutual trust, mutual benefit, equality, consultation, respect for multicivilizations, striving for common development” as its basic contents, has been precious treasure accumulated in the cooperation among the countries of the region in recent years. This spirit should be carried forward so that it will become the norm governing relations among the SCO member states in the new century.

5. The SCO member states shall abide by strictly the purposes and principles of the Charter of the United Nations, mutually respect independence, sovereignty and territorial integrity, not interfere in each other’s internal affairs, not use or threaten to use force against each other, adhere to equality and mutual benefit, resolve all problems through mutual consultations and not seek unilateral military superiority in contiguous regions.

6. The SCO has been evolved on the basis of the two agreements signed respectively in 1996 in Shanghai and in 1997 in Moscow on confidence-building in the military sphere in the border areas and on mutual reduction of military forces in border areas. Its cooperation has been expanded to political, economic and trade, cultural, scientific and technological, and other areas. The principles embodied in the above-mentioned agreements have determined the basis of the mutual relations among the SCO member states.

7. The SCO adheres to the principle of non-alignment, does not target any other country or region, and is open to the outside. It is ready to develop various forms of dialogue, exchanges and cooperation with other countries, international and regional organizations. On the basis of consensus, it shall admit as its new members those countries which recognize the cooperation purposes and tasks within the framework of the organization, the principles expounded in Article 6 of the this declaration and other articles, and whose joining will facilitate the realization of cooperation.

8. The SCO sets special store by and makes all necessary efforts to ensure regional security. The member states will cooperate closely to implement the Shanghai Convention on Combating Terrorism, Separatism and Extremism, including setting up an Anti-terrorist Center of the SCO in Bishkek. Moreover, relevant multilateral cooperation documents will be formulated to restrain illegal weapons and narcotics smuggling, illegal immigration and other criminal activities.

9. The SCO will make use of the huge potential and extensive opportunities in the mutually beneficial cooperation in economic and trade fields among its member states, strive to enhance further development of both bilateral and multilateral cooperation among the member states and plurality of this cooperation. For this purpose, a negotiating process on trade and investment facilitation will be initiated within the framework of the SCO to formulate an outline of long-term, multilateral economic and trade cooperation and relevant documents will be signed.

10. The SCO member states will strengthen their consultations and coordination of activities in regional and international affairs, support and cooperate with each other closely on major international and regional issues, and jointly promote and consolidate peace and stability of the region and the world. In the current international situation, it is of particular significance to
preserve global strategic balance and stability.

11. To coordinate the cooperation of the departments in charge of the SCO member states and organize their mutual collaboration, a State Coordinators’ Council of the SCO member states is hereby set up and foreign ministers of the SCO member states will approve the council’s temporary rules to regulate its activities.

The heads of state instruct the State Coordinators’ Council, on the basis of this declaration and the documents signed by the heads of state of the “Shanghai Five”, to start drafting the Charter of the Shanghai Cooperation Organization which, among other things, shall clearly enunciate the purposes, goals and tasks of future cooperation of the SCO, the principle and procedures for the admission of new members, legal effect of the decisions made and the way to conduct mutual coordination with other international organizations. The document will be signed at the 2002 meeting of heads of state.

Summarizing the past and looking forward into the future, the heads of state firmly believe that the founding of the SCO marks the entry into a brand new development phase for the cooperation of the member states. This is in conformity with the trend of the times, the realities of this region and the fundamental interests of the peoples of the member states.

President of the Republic of Kazakhstan N. Nazarbayev (signed)
President of the People’s Republic of China Jiang Zemin (signed)
President of the Kyrgyz Republic A. Akayev (signed)
President of the Russian Federation V. Putin (signed)
President of the Republic of Tajikistan I. Rakhmonov (signed)
President of the Republic of Uzbekistan I. Karimov (signed)
The Shanghai Convention on Combating Terrorism, Separatism and Extremism

The Republic of Kazakhstan, the Peoples' Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan, and the Republic of Uzbekistan (hereinafter referred to as “the Parties”),

guided by the purposes and principles of the Charter of the United Nations concerning primarily the maintenance of international peace and security and the promotion of friendly relations and cooperation among States;

aware of the fact that terrorism, separatism and extremism constitute a threat to international peace and security, the promotion of friendly relations among States as well as to the enjoyment of fundamental human rights and freedoms;

recognizing that these phenomena seriously threaten territorial integrity and security of the Parties as well as their political, economic and social stability;


firmly believing that terrorism, separatism and extremism, as defined in this Convention, regardless their motives, cannot be justified under any circumstances, and that the perpetrators of such acts should be prosecuted under the law;

believing that joint efforts by the Parties within the framework of this Convention are an effective form of combating terrorism, separatism and extremism,

have agreed as follows:

Article 1

1. For the purposes of this Convention, the terms used in it shall have the following meaning:

1) “terrorism” means:

a) any act recognized as an offence in one of the treaties listed in the Annex to this Convention (hereinafter referred to as “the Annex”) and as defined in this Treaty;

b) any other act intended to cause death or serious bodily injury to a civilian, or any other person not taking an active part in the hostilities in a situation of armed conflict or to cause major damage to any material facility, as well as to organize, plan, aid and abet such act, when the purpose of such act, by its nature or context, is to intimidate a population,
 violate public security or to compel public authorities or an international organization to do or to abstain from doing any act, and prosecuted in accordance with the national laws of the Parties;

2) “separatism” means any act intended to violate territorial integrity of a State including by annexation of any part of its territory or to disintegrate a State, committed in a violent manner, as well as planning and preparing, and abetting such act, and subject to criminal prosecuting in accordance with the national laws of the Parties;

3) “Extremism” is an act aimed at seizing or keeping power through the use of violence or changing violently the constitutional regime of a State, as well as a violent encroachment upon public security, including organization, for the above purposes, of illegal armed formations and participation in them, criminally prosecuted in conformity with the national laws of the Parties.

2. This Article shall not affect any international treaty or any national law of the Parties, provides or may provide for a broader application of the terms used in this Article.

Article 2

1. The Parties, in accordance with this Convention and other international obligations and with due regard for their national legislations, shall cooperate in the area of prevention, identification and suppression of acts referred to in Article 1 (1) of this Convention.

2. In their mutual relations, the Parties shall consider acts referred to in Article 1 (1) of this Convention as extraditable offences.

3. In the course of implementation of this Convention with regard to issues concerning extradition and legal assistance in criminal cases, the Parties shall cooperate in conformity with international treaties to which they are parties and national laws of the Parties.

Article 3

The Parties shall take such measures as can prove necessary, including, as appropriate, in the field of their domestic legislation, in order to ensure that in no circumstances acts referred to in Article 1 (1) of this Convention should be subject to acquittal based upon exclusively political, philosophical, ideological, racial, ethnic, religious or any other similar considerations and that they should entail punishment proportionate to their gravity.

Article 4

1. Within 60 days after the Depositary has been notified about the completion of internal procedures necessary for the entry into force of this Convention, a Party shall provide to the Depositary, through diplomatic channels, in writing a list of its central competent authorities responsible for the implementation of this Convention, and the Depositary shall transmit the above list to other Parties.
2. Central competent authorities of the Parties in charge of issues relating to implementation of the provisions of this Convention shall directly communicate and interact with each other.

3. In case of any amendments to the list of central competent authorities of a Party, that Party shall send an appropriate notification to the Depositary who shall inform the other Parties accordingly.

**Article 5**

Upon mutual consent, the Parties can hold consultations, exchange views and coordinate their positions on issues of combating acts referred to in Article 1 (1) of this Convention, including within international organizations and at international fora.

**Article 6**

In accordance with this Convention, the central competent authorities of the Parties shall cooperate and assist each other through:

1) exchange of information;

2) execution of requests concerning operational search actions;

3) development and implementation of agreed measures to prevent, identify and suppress acts referred to in Article 1 (1) of this Convention, as well as mutual information on the results of their implementation;

4) implementation of measures to prevent, identify and suppress, in their territories, acts referred to in Article 1 (1) of this Convention, that are aimed against other Parties;

5) implementation of measures to prevent, identify and suppress financing, supplies of weapons and ammunition or any other forms of assistance to any person and/or organization for the purpose of committing acts referred to in Article 1 (1) of this Convention;

6) implementation of measures to prevent, identify, suppress, prohibit or put an end to the activities aimed at training individuals for the purpose of committing acts referred to in Article 1 (1) of this Convention;

7) exchange of regulatory legal acts and information concerning practical implementation thereof;

8) exchange of experience in the field of prevention, identification or suppression of acts referred to in Article 1 (1) of this Convention;

9) various forms of training, retraining or upgrading of their experts;

10) conclusion, upon mutual consent of the Parties, of agreements on other forms of cooperation, including, as appropriate, practical assistance in suppressing acts...
referred to in Article 1 (1) of this Convention and mitigating consequences thereof. Such agreements shall be formalized in appropriate protocols that shall form an integral part of this Convention.

Article 7

The central competent authorities of the Parties shall exchange information of mutual interest, \textit{inter alia}, on:

1) planned and committed acts referred to in Article 1 (1) of this Convention, as well as identified and suppressed attempts to commit them;

2) preparations to commit acts referred to in Article 1 (1) of this Convention, aimed against heads of state or other statesmen, personnel of diplomatic missions, consular services and international organizations, as well as other persons under international protection and participants in governmental visits, international and governmental political, sports and other events;

3) organizations, groups and individuals preparing and/or committing acts referred to in Article 1 (1) of this Convention or otherwise participating in those acts, including their purposes, objectives, ties and other information;

4) illicit manufacturing, procurement, storage, transfer, movement, sales or use of strong toxic, and poisonous substances, explosives, radioactive materials, weapons, explosive devices, firearms, ammunition, nuclear, chemical, biological or other types of weapons of mass destruction, as well as materials and equipment which can be used for their production, for the purpose of committing acts referred to in Article 1 (1) of this Convention;

5) identified or suspected sources of financing of acts indicated in Article 1 (1) of this Convention;

6) forms, methods and means of committing acts indicated in Article 1 (1) of this Convention.

Article 8

1. Cooperation among central competent authorities of the Parties within the framework of this Convention shall be carried out in a bilateral or multilateral format on the basis of a request for assistance as well as by way of providing information upon the initiative of the central competent authority of a Party.

2. Requests or information shall be forwarded in writing. In case of urgency, the requests or information can be transmitted orally but within 72 hours thereafter they should be confirmed in writing and with the use of technical means of text transmission, as necessary. If there are any doubts about the authenticity of a request or information or the contents thereof additional confirmation or clarification of the above documents can be requested.
3. A request should contain the following:
   a) the name of the requesting and requested central competent authorities;
   b) purposes of and grounds for the request;
   c) description of the contents of the assistance required;
   d) any other information which could be useful for a timely and appropriate execution of the request;
   e) degree of confidentiality, as necessary.

4. Requests or information transmitted in writing shall be signed by the head of the requesting central competent authority or his or her deputies or shall be certified by the official seal of that central competent authority.

5. Requests and documents transmitted therein, as well as information shall be provided by the central competent authority in one of the working languages mentioned in Article 15 of this Convention.

**Article 9**

1. The requested central competent authority shall take all necessary measures to ensure a prompt and most complete execution of the request and, within the shortest possible time, shall provide information on the results of its consideration.

2. The requesting central competent authority shall be notified, without delay, about the circumstances that prevent or significantly hamper the execution of a request.

3. If the execution of a request is outside the competence of the requested central competent authority that authority shall transmit the request to another central competent authority of its State, which has the competence to execute it and shall without delay notify the requesting central competent authority accordingly.

4. The requested central competent authority can request additional information which it considers necessary for the execution of the request.

5. Requests shall be executed on the basis of the legislation of the requested Party. Upon request by the requesting central competent authority, the legislation of the requesting Party may be applied if this does not contradict fundamental legal principles or international obligations of the requested Party.

6. Execution of a request can be postponed or denied completely or in part in case the requested central competent authority considers that its execution could prejudice the sovereignty, security, public order or other substantial interests of its State or that it contradicts the legislation or international obligations of the requested Party.

7. Execution of a request can be denied if the act in connection with which the request was made does not constitute an offence under the legislation of the requested Party.
8. If, in accordance with paragraph 6 or 7 of this Article, the execution of a request is denied in full or in part or if it is postponed, the requesting central competent authority shall be notified accordingly in writing.

**Article 10**

The Parties will conclude a separate agreement and will adopt other necessary documents in order to establish and provide for functioning of a Parties' Regional Counter-terrorism Structure with the headquarters in Bishkek, the purpose of which would be to effectively combat the acts referred to in Article 1 (1) of this Convention.

**Article 11**

1. For the purposes of implementation of this Convention, central competent authorities of the Parties may establish emergency lines of communication and hold regular and extraordinary meetings.

2. For the purposes of implementation of the provisions of this Convention, the Parties may, as necessary, provide technical and material assistance to each other.

3. Materials, special means, facilities and technical equipment received by a Party on the basis of this Convention from another Party shall not be subject to transfer without a prior written consent of the providing Party.

4. Information about methods of conducting operational search activities, specifications of special forces and means and supporting materials used by central competent authorities of the Parties in order to provide assistance within the framework of this Convention, shall not be subject to disclosure.

**Article 12**

The central competent authorities of the Parties may conclude specific agreements among them governing modalities for the implementation of this Convention.

**Article 13**

1. Each Party shall assure the confidential nature of the information and documents received if they are sensitive or if the providing Party considers their disclosure undesirable. The degree of sensitiveness of such information and documents shall be determined by the providing Party.

2. Without a written consent of the providing Party, the information or response to the request received pursuant to this Convention, may not be used for purposes other than those for which they were requested or provided.

3. The information and documents received by a Party pursuant to this Convention from another Party shall not be transmitted without a prior written consent of the providing Party.
Article 14

Each Party shall bear independently the costs of the implementation of this Convention, unless otherwise agreed.

Article 15

The working languages to be used by the central competent authorities of the Parties in their cooperation within the framework of this Convention shall be Chinese and Russian.

Article 16

This Convention shall not limit the right of the Parties to conclude other international treaties on matters that constitute the subject of this Convention and do not contradict its purposes and object, nor shall it affect the rights and obligations of the Parties under other international treaties to which they are Parties.

Article 17

Any disputes, concerning interpretation or application of this Convention shall be settled through consultation and negotiation between the interested Parties.

Article 18

1. This Convention shall be deposited with the People’s Republic of China. Official copies of this Convention shall be sent by the Depositary to other Parties in the course of 15 days after its signing.

2. This Convention shall enter into force on the thirtieth day following the receipt by the Depositary the last notification in writing from the Republic of Kazakhstan, the People’s Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan, or the Republic of Uzbekistan informing it of the completion of national procedures necessary for this Convention to enter into force.

Article 19

1. Following the entry into force of this Convention other States may, subject to the consent of all the Parties, accede to it.

   This Convention shall enter into force for each acceding State on the thirtieth day following the receipt by the Depositary of a notification in writing informing it of the completion of national procedures necessary for this Convention to enter into force. On this date, the acceding State shall become Party to this Convention.

Article 20

1. Amendments and additions may, subject to the consent of all Parties, be made to the text of this Convention, which shall be effected by Protocols being an integral part of this Convention.
2. Any Party may withdraw from this Convention by notifying in writing the Depositary of the decision 12 months prior to the date of anticipated withdrawal. The Depositary shall inform the other Parties of this intention within a 30-day period following the receipt of the notification of withdrawal.

**Article 21**

1. When forwarding to the Depositary its notification of the completion of internal procedures necessary for this Convention to enter into force, a Party which does not participate in one of the treaties enumerated in the Annex may declare that this Convention shall be applied to the Party with that treaty regarded as not included in the Annex. Such declaration shall cease to be effective after notifying the Depositary of the entry of that treaty into force for the Party.

2. When one of the treaties listed in the Annex ceases to be effective for a Party, the latter shall make a declaration as provided for in paragraph 1 of this Article.

3. The Annex may be supplemented by treaties that meet the following conditions:
   1) they are open for signature to all States;
   2) they entered into force; and
   3) they were ratified, accepted, approved or acceded to by at least three Parties to this Convention.

4. After the entry into force of this Convention, any Party may propose an amendment to the Annex. The proposal for amending the Annex shall be forwarded to the Depositary in written form. The Depositary shall notify all the proposals that meet the requirements of paragraph 3 of this Article to the other Parties and seek their views on whether the proposed amendment should be adopted.

5. The proposed amendment shall be considered adopted and shall come into force for all the Parties 180 days after the Depositary has circulated the proposed amendment, except when one-third of the Parties to this Convention inform in writing the Depositary of their objections to it.
Agreement Between the Member States of the Shanghai Cooperation Organization on the Regional Anti-Terrorist Structure

The member states of the Shanghai Cooperation Organization, being members of the Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001 (hereinafter Parties), guided by the goals and principles of the United Nations concerning the maintenance of international peace, security, and the promotion of good-neighborly and friendly relations and cooperation between states,

recognizing that terrorism, separatism, and extremism constitute a threat to international peace and security, to the development of friendly relations between states, and the enjoyment of fundamental human rights and freedoms,

being convinced of the necessity of mutually agreeable actions in the interests of ensuring the territorial integrity, security, and stability of the Parties, including through the strengthening of cooperation in combating terrorism, separatism, and extremism,

proceeding from the Declaration on the Establishment of the Shanghai Cooperation Organization of 15 June 2001, the Shanghai Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001 (hereinafter the Convention), and the Charter of the Shanghai Cooperation Organization of 7 June 2002,

have agreed as follows:

Article 1

For the purposes of the present Agreement the following concepts shall mean:

official – an individual sent by a Party to work at the Executive Committee of RATS and appointed to a corresponding position by the Director;

representative – an individual whom the sending Party has entrusted with the duty to act in this capacity at the Council of RATS;

associate – an individual sent by a Party to perform functions connected with the activities of the representative;

premises – the buildings or portions of buildings regardless of their owner and form of ownership, and including the parcel of land or portion thereof ancillary thereto;

host state – a Party on whose territory the headquarters or a division of RATS is located.
Article 2
The Parties shall found the Regional Anti-Terrorist Structure (hereinafter RATS) of the Shanghai Cooperation Organization (hereinafter SCO). The headquarters of RATS shall be located in the city of Bishkek in the Kyrgyz Republic.

Upon necessity the Council of Heads of Member States of the SCO may establish divisions of RATS on the territories of the Parties.

The status of a division of RATS and the individuals working in it shall be determined by an agreement between the SCO and the government of the host state.

Article 3
RATS shall be a permanent body of the SCO and is intended to assist in the coordination and collaboration of the Parties’ competent agencies in combating terrorism, separatism, and extremism, as these activities are defined in the Convention.

Article 4
RATS shall have the status of a juridical person, and in this capacity has right, in particular:

- to conclude agreements;
- to acquire and dispose of real and movable property;
- to open and operate bank accounts in any currency;
- to initiate complaints in courts and participate in court proceedings.

The rights provided by the present Article shall be implemented in the name of RATS by the Director of the Executive Committee of RATS (hereinafter Director).

Article 5
The activity of RATS shall be funded from the budgetary resources of the SCO. The procedure for funding RATS shall be determined by documents that regulate issues of the SCO’s budget.

Article 6
The fundamental objectives and functions of RATS shall be:

1. developing of proposals and recommendations concerning the development of cooperation in combating terrorism, separatism, and extremism for the relevant SCO structures, including at the request of the Parties;
2. assistance to the competent agencies of the Parties at the request of one of the Parties in combating terrorism, separatism, and extremism, including in accordance with the provisions of the Convention;  

3. collection and analysis of information received by RATS from the Parties regarding issues of combating terrorism, separatism, and extremism;  

4. formation of the RATS database, specifically regarding:  
   - international terrorist, separatist, and other extremist organizations, their structure, leaders, and members, other individuals associate with these organizations, as well as the financing sources and channels of these organizations;  
   - status, dynamics, and trends in the spread of terrorism, separatism, and extremism that affect the interests of the Parties;  
   - non-governmental organizations and individuals providing support for terrorism, separatism, and extremism;  

5. providing information upon requests by the competent agencies of the Parties;  

6. assistance in preparing and executing anti-terrorist command and staff exercises and operational and tactical exercises upon request by the Parties concerned;  

7. assistance in the preparation and execution of operational search and other actions in combating terrorism, separatism, and extremism upon the request of the Parties;  

8. assistance in conducting international searches for individuals alleged to have committed activities set forth in Article 1(1) of the Convention in order to criminally prosecute them;  

9. participation in preparing international legal documents affecting issues of combating terrorism, separatism, and extremism;  

10. assistance in training specialists and instructors for anti-terrorist subdivisions;  

11. participation in preparing and conducting research and practice conferences and seminars, and assistance in exchanging experience regarding issues of combating terrorism, separatism, and extremism;  

12. establishment and support of working contacts with international organizations engaged in issues of combating terrorism, separatism, and extremism.  

**Article 7**  
RATS shall be guided in its activities by documents and resolutions concerning combating terrorism, separatism, and extremism adopted within the framework of the SCO.  

RATS shall collaborate with the competent authorities of the Parties, including exchanging information, and shall prepare relevant materials upon the request of other SCO agencies.
The procedure for the creation and functioning of the RATS database, as well as issues concerning the provision, exchange, use, and protection of the relevant information shall be regulated by separate agreements.

**Article 8**

The Parties shall determine a list of their competent agencies that shall collaborate with RATS.

The Parties shall provide written notice of this to the Depositary within 30 days after the internal procedures necessary for the entry into force of this Agreement have been completed.

In case of any amendments to a Party’s list of central competent authorities, that Party shall send written notification to the Depositary.

**Article 9**

The authorities of RATS are the Council of RATS (hereinafter Council) and the Executive Committee established by the present Agreement. The Council may create the necessary auxiliary authorities.

**Article 10**

The Council shall consist of the Parties to the present Agreement.

The Council shall be organized to function on a standing basis. For this purpose each party must always (continually) be represented where RATS is located.

The Council shall meet periodically for sessions at which each Party may, at its discretion, be represented either by the leader of the relevant competent authority or by another specially-appointed representative.

The Council shall determine the manner in which the fundamental objectives and functions of RATS set forth in Article 6 of the present Agreement shall be carried out.

In accordance with the powers of RATS stated in the present Agreement, the Council shall adopt resolutions of a mandatory nature on all matters of substance, including financial issues.

The Council shall provide annual reports on the activities of RATS to the Council of Heads of State of the SCO.

A resolution in the Council on any issue shall be considered adopted if none of the Parties have objected to it.

The Council shall establish its procedural rules, including the order of selecting its chairperson.
Article 11

The Executive Committee shall consist of the Director and such personnel as may be required to ensure the normal functioning of RATS.

The Director shall be the chief administrative officer of the Executive Committee and shall act in that capacity at all sessions of the Council, as well as fulfilling other functions entrusted to him by this authority.

The Director and his deputy (deputies) shall be appointed by the Council of Heads of State of the SCO upon the recommendation of the Council.

The procedure for replacing the Director and his deputy (deputies) shall be established by the Council.

The Director has the right to bring to the attention of the Council any issues within the framework of the competence of RATS that in his opinion require examination by that authority.

The Director with the consent of the Council shall appoint the officials of the Executive Committee from among the citizens of the Parties, taking into consideration the contributions of the respective Parties to the budget of the SCO and/or shall hire them by contract from among the citizens of the Parties.

The structure of the Executive Committee, as well as its staffing structure, shall be confirmed by the Council of Heads of State of the SCO on the basis of the Director’s proposals approved by the Council.

In fulfilling his obligations, the Director, his deputy (deputies), and the officials of the Executive Committee must not request or accept instructions from the government agencies or officials of the Parties, nor from organizations or private individuals outside the SCO.

The Parties are obligated to respect the international nature of the Director’s obligations and those of his deputy (or deputies) and of the officials of the Executive Committee, and not to exert influence on them during the performance of their official duties.

Article 12

The Executive Committee of RATS shall be composed of individuals sent by the Parties to work at the Executive Committee of RATS in accordance with the procedure provided for by their domestic legislation.

Labor relations between administrative and technical personnel and the Executive Committee of RATS shall be regulated by the legislation of the relevant host state of RATS.

Article 13

The property and assets of RATS shall enjoy immunity from any form of administrative or judicial interference.
The premises and transportation conveyances of RATS, as well as its archives and documents, including official correspondence, regardless of location, are not subject to search, requisition, confiscation, or any other form of interference that would impede its normal activity.

The chairpersons of the relevant government agencies and the administration of the host state may not enter the premises of RATS other than with the consent of the Director or an individual replacing him and upon conditions approved by him.

The performance of other acts by decision of the relevant government agencies and the administration of the host state may occur on the premises of RATS only with the consent of the Director or an individual replacing him.

The host state shall take appropriate measures to protect the premises of RATS from any incursion or damage.

The premises of RATS may not provide asylum for individuals pursued according to the laws of any of the Parties or subject to extradition to any of the Parties or to a third state.

The inviolability of the premises of RATS does not provide the right to use them for purposes incompatible with the functions or objectives of the SCO.

RATS has the right to use ciphers, couriers, and other means of communication ensuring the confidentiality of information transmission. RATS has the right to receive and to send correspondence using couriers or bags, which shall enjoy the same immunities and privileges as diplomatic couriers and bags.

All items comprising official correspondence must have visible external markings indicating their nature and may contain only official documents and objects intended for official use.

A courier must be provided with an official document indicating his status and the number of items comprising the official correspondence.

Article 14

RATS shall be free from all direct taxes, duties, customs, and other payments imposed on the territory of the host state with the exception of those that are payments for concrete types of support (services).

The property and objects intended for the official use of RATS shall be free on the territories of the Parties from the assessment of customs duties, taxes, and the duties and payments connected with them, with the exception of duties for transportation, storage, or customs processing outside the place designated for these or outside the working hours of the relevant customs agencies or a similar service in the manner provided for international organizations.

Article 15

The Council of Heads of States of SCO may waive in the name of the SCO the privileges and immunities provided to RATS in a clearly expressed form.
Article 16

1. The Director, his deputy (deputies), representatives, associates, as well as the members of their families dwelling with them shall enjoy the privileges and immunities envisioned by the 1961 Vienna Convention on Diplomatic Relations, to the corresponding extent and manner, except as otherwise established by the present Agreement.

2. Officials and their family members dwelling with them shall have equivalent status to diplomatic personnel and to family members of diplomatic personnel of the Party’s embassy whose citizens they are or where they permanently reside.

3. The Director, with the consent of the Council, may waive the immunity of an official in situations when in his opinion immunity will impede the administration of justice and a waiver of immunity will not harm the goals in connection with which it was granted.

   A decision regarding the waiver of immunity of the Director or his deputy (or deputies) shall be taken by the Council.

   A waiver of immunity must be explicitly stated.

4. Provisions 1, 2, and 3 of the present Article shall be effective until the date a separate agreement enters into force regulating issues of privileges and immunities of the SCO and its authorities and which will specify the privileges and immunities of RATS, the Director, his deputy (deputies), officials, representatives, and associates, as well as their family members dwelling with them.

Article 17

Upon completion of their work at RATS, the Director, his deputy (deputies), and officials shall be assigned at the direction of the Party agencies that sent them.

Article 18

All individuals enjoying privileges and immunities in accordance with the present Agreement shall be obligated to respect the legislation of the state of residence without harm to their privileges and immunities. They are also obligated not to interfere in that state’s internal affairs.

Article 19

The Parties shall recognize the official documents, seals, and stamps of RATS.

Article 20

Credit for labor in length of service years, the pension security of the Director, his deputy (deputies), an official, representative, and associate, as well as that of their family members dwelling with them shall occur in the manner and upon the conditions specified by the legislation of the sending Party.
The procedure for medical and health resort service for the director, his deputy (deputies), an official, representative, and associate, as well as their family members dwelling with them shall be determined by an agreement between the SCO and the government of the host state.

The Director, his deputy (deputies), an official, representative, and associate, as well as the members of their families dwelling with them shall enjoy the corresponding rights of citizens of the host state on issues of payment for communal and household, residential, medical, hotel, transportation, and other types of service.

**Article 21**

The official languages of RATS shall be Russian and Chinese, and the working language shall be Russian.

**Article 22**

With the consent of all the Parties, amendments and additions may be made to the text of the present Agreement in the form of Protocols which shall constitute an integral part of this Agreement.

**Article 23**

The present Agreement shall not limit the right of the Parties to conclude other international treaties on matters that constitute the subject of this Convention and do not run counter to its purposes and object, nor shall it affect the rights and obligations of the Parties arising from any other international treaties of which they are members.

**Article 24**

Any disputes concerning the interpretation or application of the present Agreement shall be resolved through consultation and negotiation between the Parties concerned.

**Article 25**

The Depositary for the present Agreement shall be the People's Republic of China. Official copies of the present Agreement shall be distributed by the Depositary to the other Parties within 15 days of the date it is signed.

**Article 26**

The present Agreement is subject to ratification and shall enter into force on the thirtieth day from the date the fourth instrument of ratification is deposited.

The present Agreement shall be open for accession by states that are members of the Convention.
For each acceding State this Agreement shall enter into force on the thirtieth day from the date the Depositary receives the instrument of accession.

Any of the Parties may withdraw from this Agreement by notifying the Depositary in writing 12 months prior to the date of anticipated withdrawal. The Depositary shall notify the other Parties of said intention within 30 days from the date it receives notification of the withdrawal. Done in the city of St. Petersburg on 7 June 2002 in one original copy in the Russian and Chinese languages, both texts having equal validity.
Protocol on Amendments to the Agreement Between Member States of the Shanghai Cooperation Organization on the Regional Anti-Terrorist Structure

The member states of the Shanghai Cooperation Organization have concluded the present Protocol regarding the following:

**Article 1**

To make the following amendments to the Agreement Between Member States of the Shanghai Cooperation Organization on the Regional Terrorist Structure:

Paragraph 3 of Article 11 of the Agreement shall read as follows:

“The Director shall be appointed by the Council of Heads of State of the SCO upon the recommendation of the Council. The Director’s deputies shall be appointed and removed from their positions by the Council upon the proposal of the Parties to which said positions pertain.”;

Article 21 of the Agreement shall read as follows: “The official and working languages of RATS shall be Russian and Chinese.”

**Article 2**

The present Protocol shall take effect in the manner provided for in Article 26 of the Agreement.

The present Protocol shall be provisionally adopted from the date of its signing.

Done in the city of Bishkek on 16 August 2007 in one original copy in the Russian and Chinese languages, both texts having equal validity.
Charter of the Shanghai Cooperation Organization

The People’s Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan being the founding states of the Shanghai Cooperation Organization (hereinafter SCO or the Organization),

Based on historically established ties between their peoples;

Striving for further enhancement of comprehensive cooperation;

Desiring to jointly contribute to the strengthening of peace and ensuring of security and stability in the region in the environment of developing political multipolarity and economic and information globalization;

Being convinced that the establishment of SCO will facilitate more efficient common use of opening possibilities and counteracting new challenges and threats;

Considering that interaction within SCO will promote the realization of a huge potential of good neighborliness, unity and cooperation between States and their peoples;

Proceeding from the spirit of mutual trust, mutual advantage, equality, mutual consultations, respect for cultural variety and aspiration for joint development that was clearly established at the meeting of heads of six States in 2001 in Shanghai;

Noting that the compliance with the principles set out in the Agreement between the People’s Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan on Strengthening Confidence in the Military Field in the Border Area of 26 April, 1996, and in the Agreement between the People’s Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan on Mutual Reductions of Armed Forces in the Border Area of 24 April, 1997, as well as in the documents signed at summits of heads of the People’s Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan in the period from 1998 to 2001, has made an important contribution to the maintenance of peace, security and stability in the region and in the world;

Reaffirming our adherence to the goals and principles of the Charter of the United Nations, other commonly acknowledged principles and rules of international law related to the maintenance of international peace, security and the development of good neighborly and friendly relations, as well as the cooperation between States;

Guided by the provisions of the Declaration on the Creation of the Shanghai Cooperation Organization of 15 June, 2001,

Have agreed as follows:
Article 1

Goals and Tasks

The main goals and tasks of SCO are:

to strengthen mutual trust, friendship and good neighborliness between the member States;

to consolidate multidisciplinary cooperation in the maintenance and strengthening of peace, security and stability in the region and promotion of a new democratic, fair and rational political and economic international order;

to jointly counteract terrorism, separatism and extremism in all their manifestations, to fight against illicit narcotics and arms trafficking and other types of criminal activity of a transnational character, and also illegal migration;

to encourage the efficient regional cooperation in such spheres as politics, trade and economy, defense, law enforcement, environment protection, culture, science and technology, education, energy, transport, credit and finance, and also other spheres of common interest;

to facilitate comprehensive and balanced economic growth, social and cultural development in the region through joint action on the basis of equal partnership for the purpose of a steady increase of living standards and improvement of living conditions of the peoples of the member States;

to coordinate approaches to integration into the global economy;

to promote human rights and fundamental freedoms in accordance with the international obligations of the member States and their national legislation;

to maintain and develop relations with other States and international organizations;

to cooperate in the prevention of international conflicts and in their peaceful settlement;

to jointly search for solutions to the problems that would arise in the 21st century.

Article 2

Principles

The member States of SCO shall adhere to the following principles:

mutual respect of sovereignty, independence, territorial integrity of States and inviolability of State borders, non-aggression, non-interference in internal affairs, non-use of force or threat of its use in international relations, seeking no unilateral military superiority in adjacent areas;

equality of all member States, search of common positions on the basis of mutual understanding and respect for opinions of each of them;

gradual implementation of joint activities in the spheres of mutual interest;

peaceful settlement of disputes between the member States;
SCO being not directed against other States and international organizations;

prevention of any illegitimate acts directed against the SCO interests;

implementation of obligations arising out of the present Charter and other documents adopted within the framework of SCO, in good faith.

Article 3

Areas of Cooperation

The main areas of cooperation within SCO shall be the following:

maintenance of peace and enhancing security and confidence in the region;

search of common positions on foreign policy issues of mutual interest, including issues arising within international organizations and international fora;

development and implementation of measures aimed at jointly counteracting terrorism, separatism and extremism, illicit narcotics and arms trafficking and other types of criminal activity of a transnational character, and also illegal migration;

coordination of efforts in the field of disarmament and arms control;

support for, and promotion of regional economic cooperation in various forms, fostering favorable environment for trade and investments with a view to gradually achieving free flow of goods, capitals, services and technologies;

effective use of available transportation and communication infrastructure, improvement of transit capabilities of member States and development of energy systems;

sound environmental management, including water resources management in the region, and implementation of particular joint environmental programs and projects;

mutual assistance in preventing natural and man-made disasters and elimination of their implications;

exchange of legal information in the interests of development of cooperation within SCO;

development of interaction in such spheres as science and technology, education, health care, culture, sports and tourism.

The SCO member States may expand the spheres of cooperation by mutual agreement.

Article 4

Bodies

1. For the implementation of goals and objectives of the present Charter the following bodies shall operate within the Organization:
The Council of Heads of State;
The Council of Heads of Government (Prime Ministers);
The Council of Ministers of Foreign Affairs;
Meetings of Heads of Ministries and/or Agencies;
The Council of National Coordinators;
The Regional Counter-terrorist Structure;
Secretariat.

2. The functions and working procedures for the SCO bodies, other than the Regional Counter-terrorist Structure, shall be governed by appropriate provisions adopted by the Council of Heads of State.

3. The Council of Heads of State may decide to establish other SCO bodies. New bodies shall be established by the adoption of additional protocols to the present Charter which enter into force in the procedure, set forth in Article 21 of this Charter.

Article 5

The Council of Heads of State

The Council of Heads of State shall be the supreme SCO body. It shall determine priorities and define major areas of activities of the Organization, decide upon the fundamental issues of its internal arrangement and functioning and its interaction with other States and international organizations, as well as consider the most topical international issues.

The Council shall hold its regular meetings once a year. A meeting of the Council of Heads of State shall be chaired by the head of State organizing this regular meeting. The venue of a regular meeting of the Council shall generally be determined in the Russian alphabetic order of names of the SCO member States.

Article 6

The Council of Heads of Government (Prime Ministers)

The Council of Heads of Government (Prime Ministers) shall approve the budget of the Organization, consider and decide upon major issues related to particular, especially economic, spheres of interaction within the Organization.

The Council shall hold its regular meetings once a year. A meeting of the Council shall be chaired by the head of Government (Prime Minister) of the State on whose territory the meeting takes place.

The venue of a regular meeting of the Council shall be determined by prior agreement among heads of Government (Prime Ministers) of the member States.
Article 7
The Council of Ministers of Foreign Affairs

The Council of Ministers of Foreign Affairs shall consider issues related to day-to-day activities of the Organization, preparation of meetings of the Council of Heads of State and holding of consultations on international problems within the Organization. The Council may, as appropriate, make statements on behalf of SCO.

The Council shall generally meet one month prior to a meeting of the Council of Heads of State. Extraordinary meetings of the Council of Ministers of Foreign Affairs shall be convened on the initiative of at least two member States and upon consent of ministers of foreign affairs of all other member States. The venue of a regular or extraordinary meeting of the Council shall be determined by mutual agreement.

The Council shall be chaired by the minister of foreign affairs of the member State on whose territory the regular meeting of the Council of Heads of State takes place, during the period starting from the date of the last ordinary meeting of the Council of Heads of State to the date of the next ordinary meeting of the Council of Heads of State.

The Chairman of the Council of Ministers of Foreign Affairs shall represent the Organization in its external contacts, in accordance with the Rules of Procedure of the Council.

Article 8
Meetings of Heads of Ministries and/or Agencies

According to decisions of the Council of Heads of State and the Council of Heads of Government (Prime Ministers) heads of branch ministries and/or agencies of the member States shall hold, on a regular basis, meetings for consideration of particular issues of interaction in respective fields within SCO.

A meeting shall be chaired by the head of a respective ministry and/or agency of the State organizing the meeting. The venue and date of a meeting shall be agreed upon in advance.

For the preparation and holding meetings the member States may, upon prior agreement, establish permanent or ad hoc working groups of experts which carry out their activities in accordance with the regulations adopted by the meetings of heads of ministries and/or agencies. These groups shall consist of representatives of ministries and/or agencies of the member States.

Article 9
The Council of National Coordinators

The Council of National Coordinators shall be a SCO body that coordinates and directs day-to-day activities of the Organization. It shall make the necessary preparation for the meetings of the Council of Heads of State, the Council of Heads of Government (Prime Ministers) and the Council of Ministers of Foreign Affairs. National coordinators shall be appointed by each member State in accordance with its internal rules and procedures.
The Council shall hold its meetings at least three times a year. A meeting of the Council shall be chaired by the national coordinator of the member State on whose territory the regular meeting of the Council of Heads of State takes place, from the date of the last ordinary meeting of the Council of Heads of State to the date of the next ordinary meeting of the Council of Heads of State.

The Chairman of the Council of National Coordinators may on the instruction of the Chairman of the Council of Ministers of Foreign Affairs represent the Organization in its external contacts, in accordance with the Rules of Procedure of the Council of National Coordinators.

Article 10
Regional Counter-Terrorist Structure

The Regional Counter-terrorist Structure established by the member States of the Shanghai Convention to combat terrorism, separatism and extremism of 15 June, 2001, located in Bishkek, the Kyrgyz Republic, shall be a standing SCO body.

Its main objectives and functions, principles of its constitution and financing, as well as its rules of procedure shall be governed by a separate international treaty concluded by the member States, and other necessary instruments adopted by them.

Article 11
Secretariat

Secretariat shall be a standing SCO administrative body. It shall provide organizational and technical support to the activities carried out in the framework of SCO and prepare proposals on the annual budget of the Organization.

The Secretariat shall be headed by the Executive Secretary to be appointed by the Council of Heads of State on nomination by the Council of Ministers of Foreign Affairs.

The Executive Secretary shall be appointed from among the nationals of member States on a rotational basis in the Russian alphabetic order of the member States’ names for a period of three years without a right to be reappointed for another period.

The Executive Secretary deputies shall be appointed by the Council of Ministers of Foreign Affairs on nomination by the Council of National Coordinators. They cannot be representatives of the State from which the Executive Secretary has been appointed.

The Secretariat officials shall be recruited from among nationals of the member States on a quota basis.

The Executive Secretary, his deputies and other Secretariat officials in fulfilling their official duties should not request or receive instructions from any member State and/or government, organization or physical persons. They should refrain from any actions that might affect their status as international officials reporting to SCO only.

The member States shall undertake to respect the international character of the duties of the Executive Secretary, his deputies and Secretariat staff and not to exert any influence upon them as they perform their official functions.
The SCO Secretariat shall be located at Beijing (the People's Republic of China).

Article 12
Financing

SCO shall have its own budget drawn up and executed in accordance with a special agreement between member States. This agreement shall also determine the amount of contributions paid annually by member States to the budget of the Organization on the basis of a cost-sharing principle.

Budgetary resources shall be used to finance standing SCO bodies in accordance with the above agreement. The member States shall cover themselves the expenses related to the participation of their representatives and experts in the activities of the Organization.

Article 13
Membership

The SCO membership shall be open for other States in the region that undertake to respect the objectives and principles of this Charter and to comply with the provisions of other international treaties and instruments adopted in the framework of SCO.

The admission of new members to SCO shall be decided upon by the Council of Heads of State on the basis of a representation made by the Council of Ministers of Foreign Affairs in response to an official request from the State concerned addressed to the acting Chairman of the Council of Ministers of Foreign Affairs.

SCO membership of a member State violating the provisions of this Charter and/or systematically failing to meet its obligations under international treaties and instruments, concluded in the framework of SCO, may be suspended by a decision of the Council of Heads of State adopted on the basis of a representation made by the Council of Ministers of Foreign Affairs. If this State goes on violating its obligations, the Council of Heads of State may take a decision to expel it from SCO as of the date fixed by the Council itself.

Any member State shall be entitled to withdraw from SCO by transmitting to the Depositary an official notification of its withdrawal from this Charter no later than twelve months before the date of withdrawal. The obligations arising from participation in this Charter and other instruments adopted within the framework of SCO shall be binding for the corresponding States until they are completely fulfilled.

Article 14
Relationship with Other States and International Organizations

SCO may interact and maintain dialogue, in particular in certain areas of cooperation, with other States and international organizations.
SCO may grant to the State or international organization concerned the status of a dialogue partner or observer. The rules and procedures for granting such a status shall be established by a special agreement of member States.

This Charter shall not affect the rights and obligations of the member States under other international treaties in which they participate.

**Article 15**

**Legal Capacity**

As a subject of international law, SCO shall have international legal capacity. It shall have such a legal capacity in the territory of each member State, which is required to achieve its goals and objectives.

SCO shall enjoy the rights of a legal person and may in particular:
- conclude treaties;
- acquire movable and immovable property and dispose of it;
- appear in court as litigant;
- open accounts and have monetary transactions made.

**Article 16**

**Decisions-Taking Procedure**

The SCO bodies shall take decisions by agreement without vote and their decisions shall be considered adopted if no member State has raised objections during the vote (consensus), except for the decisions on suspension of membership or expulsion from the Organization that shall be taken by "consensus minus one vote of the member State concerned".

Any member State may expose its opinion on particular aspects and/or concrete issues of the decisions taken which shall not be an obstacle to taking the decision as a whole. This opinion shall be placed on record.

Should one or several member States be not interested in implementing particular cooperation projects of interest to other member States, nonparticipation of the above said member States in these projects shall not prevent the implementation of such cooperation projects by the member States concerned and, at the same time, shall not prevent the said member States from joining such projects at a later stage.

**Article 17**

**Implementation of Decisions**

The decisions taken by the SCO bodies shall be implemented by the member States in accordance with the procedures set out in their national legislation.
Control of the compliance with obligations of the member States to implement this Charter, other agreements and decisions adopted within SCO shall be exercised by the SCO bodies within their competence.

**Article 18**

**Permanent Representatives**

In accordance with their domestic rules and procedures, the member States shall appoint their permanent representatives to the SCO Secretariat, which will be members of the diplomatic staff of the embassies of the member States in Beijing.

**Article 19**

**Privileges and Immunities**

SCO and its officials shall enjoy in the territories of all member States the privileges and immunities which are necessary for fulfilling functions and achieving goals of the Organization.

The volume of privileges and immunities of SCO and its officials shall be determined by a separate international treaty.

**Article 20**

**Languages**

The official and working languages of SCO shall be Russian and Chinese.

**Article 21**

**Duration and Entry into Force**

This Charter shall be of indefinite duration.

This Charter shall be subject to ratification by signatory States and shall enter into force on the thirtieth day following the date of the deposit of the fourth instrument of ratification.

For a State which signed this Charter and ratified it thereafter it shall enter into force on the date of the deposit of its instrument of ratification with the Depositary.

Upon its entering into force this Charter shall be open for accession by any State.

For each acceding State this Charter shall enter into force on the thirtieth day following the date of receiving by the Depositary of appropriate instruments of accession.
Article 22

Settlement of Disputes

In case of disputes or controversies arising out of interpretation or application of this Charter member States shall settle them through consultations and negotiations.

Article 23

Amendments and Additions

By mutual agreement of member States this Charter can be amended and supplemented. Decisions by the Council of Heads of State concerning amendments and additions shall be formalized by separate protocols which shall be its integral part and enter into force in accordance with the procedure provided for by Article 21 of this Charter.

Article 24

Reservations

No reservations can be made to this Charter which contradict the principles, goals and objectives of the Organization and could prevent any SCO body from performing its functions. If at least two thirds of member States have objections the reservations must be considered as contradicting the principles, goals and objectives of the Organization or preventing any body from performing its functions and being null and void.

Article 25

Depositary

The People's Republic of China shall be the Depositary of this Charter.

Article 26

Registration

Pursuant to Article 102 of the Charter of the United Nations, this Charter is subject to registration with the Secretariat of the United Nations.

Done at Saint-Petersburg the seventh day of June 2002 in a single original in the Chinese and Russian languages, both texts being equally authoritative.

The original copy of this Charter shall be deposited with the Depositary who will circulate its certified copies to all signatory State.
The Regulations on Observer Status at the Shanghai Cooperation Organisation

The present Regulations on Observer Status at the Shanghai Cooperation Organisation (hereinafter referred to as the SCO or the Organisation) in accordance with Article 14 of the Shanghai Cooperation Organisation Charter signed on June 7, 2002 (hereinafter referred to as the Charter), determine the order of granting observer status at the SCO to an interested state or an intergovernmental international organisation (forum) (hereinafter referred to as a state or an organisation respectively).

1. A state or an organisation, wishing to receive observer status at the SCO (hereinafter referred to as observer status), proceeding from respect for the sovereignty, territorial integrity and equal rights of the member states, recognition of the main objectives, principles and actions of the Organisation, forwards a letter, signed by a head of state or a head of organisation respectively, through the Secretary-General to the Council of Heads of SCO Member States (hereinafter referred to as the Heads of State Council – HSC).

2. The SCO Secretary-General notifies the Council of National Coordinators of SCO Member States (hereinafter referred to as the CNC) of receiving the letter from a state or an organisation containing a request to obtain observer status. If necessary, the SCO Secretary-General has the right to ask them for additional information. The CNC submits the issue with relevant proposals to the Council of Foreign Ministers of SCO Member States (hereinafter referred to as the MFA Council) for consideration.

3. While considering the application for observer status, official representatives of the relevant state or the organisation can be invited to attend the MFA Council meeting.

4. The decision to grant (to annul) observer status is adopted by the HSC on the recommendation of the MFA Council.

5. The decision of the HSC on granting observer status is within a week forwarded by the SCO Secretary-General to the relevant state or the organisation, which within a month sends the SCO Secretary-General a written notification of receiving the decision.

6. A state or an organisation with observer status can be invited to attend open meetings of the HSC and/or the Council of Heads of Government (Prime Ministers) of SCO Member States.

7. A state or an organisation with observer status has the following rights:

   1) to attend open meetings of the MFA Council and Conferences of Heads of Ministries and/or Departments of SCO Member States;

   2) to participate in discussions over issues lying within the competence of the SCO institutions without the right to vote and with advance consent of the chairperson, to circulate through the SCO Secretary-General statements, written in the working languages of the SCO, on issues of their concern lying within the competence of the SCO;
3) to gain access to documents and decisions of the SCO institutions, mentioned in Article 4 of the Charter, if the relevant institutions of the SCO do not impose restrictions on their dissemination.

8. Observer status does not give the right to participate in preparation and signing of documents of the Organisation. Observers do not participate in formulating decisions of the SCO institutions and do not bear responsibility for such decisions as well.

9. A state or an organisation with observer status informs the SCO Secretariat of its intention to participate, deliver a speech and/or circulate written statements at meetings of the SCO institutions not later than 10 working days before the start of the meeting.

The level of representation of observers must correspond to the level of representation of SCO member states.

The SCO Secretary-General gives participants of meetings advance notification of observers’ attendance. As a rule, observers who participate in meetings sit at a separate table with a sign bearing the name of the relevant state or the organisation.

10. If necessary and with the consent of the SCO Secretariat, observers translate documents and statements from and into the working languages of the SCO on their own.

11. Observers bear all expenses with regard to their participation in meetings of the SCO institutions.

12. If a state or an organisation with observer status commits actions or makes statements targeted against the Organisation, the decisions of the SCO institutions or the principles, set out in the Charter, such a state or an organisation can be stripped of its observer status in accordance with Paragraph 4 of the present Regulations. The respective decision is within a week forwarded by the SCO Secretary-General to the relevant state or the organisation.

13. A state or an organisation, wishing to give up the granted observer status, forwards respective notification to the SCO Secretary-General, who informs the MFA Council and the HSC about it through the CNC. Observer status becomes invalid on the day of the notification, if the latter does not contain another intention.

14. If changes are made to the form of ties (legal relations) of the SCO with other states and organisations, provided by the Charter, their observer status automatically loses validity.

15. Diplomatic representatives of states with observer status, as well as delegations of international organisations with the same status, accredited to the People’s Republic of China, can maintain regular contacts with the SCO Secretariat over issues related to observer status.

16. Changes and/or additions can be made to the present Regulations in accordance with the decision of the HSC. Respective decisions are issued in the form of protocols and take effect on the day of their signing.

17. The present Regulations take effect on the day of their approval by the HSC.
DECREE of 24 July 2004 #310 On Signing the Agreement on the Database of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization

The government of the Russian Federation decrees:

The draft “Agreement on the Database of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization” (appended), which was presented by the Ministry of Foreign Affairs of the Russian Federation, agreed upon by the General Procuracy of the Russian Federation and the interested federal executive agencies, and preliminarily developed with the Parties Kazakhstan, Kyrgyzstan, China, Tajikistan, and Uzbekistan, is approved.

The Ministry of Foreign Affairs of the Russian Federation is ordered to sign the present Agreement in the name of the Russian Federation, non-essential changes to the appended project having been made.

M. Fradkov
Chairman of the Government of the Russian Federation

Agreement on the Database of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization

The member states of the Shanghai Cooperation Organization that are members of the Shanghai Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001, hereinafter Parties, guided by the Agreement Between Member States of the Shanghai Cooperation Organization on the Regional Anti-Terrorist Structure of 7 June 2002, aspiring to ensure appropriate conditions for the effective activity of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization (hereinafter Regional Anti-Terrorist Structure), have agreed as follows:

Article 1

The parties in the interests of ensuring and increasing information collaboration by the Parties’ competent agencies, as well as providing information to the Parties on issues related to the competence of the Regional Anti-Terrorist Structure, shall create the database of the Regional Anti-Terrorist Structure (hereinafter database) within the Executive Committee of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization (hereinafter Executive Committee) and utilize the information contained within it.

The database shall function on the basis of an automated information system with the use of computer technology and by accumulating materials in hard paper form and other media.

Article 2

The Parties shall designate the competent agencies that shall collaborate on issues of the database’s functioning and shall inform the Executive Committee of it within 60 days after the
The database shall be formed on the basis of information related to the competence of the Regional Anti-Terrorist Structure and that is received from the competent agencies of the Parties, from the agencies of the Shanghai Cooperation Organization, and from other sources, among which shall be the mass media (including print publications), telecommunications systems, and the Internet.

The database shall contain information on:

- international terrorist, separatist, and extremist organizations, their structures, forms, and methods of action, their leaders, members, and other individuals affiliated with these organizations, as well as on the funding sources and channels of these organizations, including illegal trafficking in narcotic substances, psychotropic substances, and their precursors;
- the status, dynamics, and trends in the spread of terrorism, separatism, and extremism;
- organizations and individuals providing support to terrorist, separatist, and extremist organizations;
- countermeasures to terrorism, separatism, and extremism;
- the legislation of each of the Parties, including that regulating the activity of the competent agencies that collaborate with the Regional Anti-Terrorist Structure;
- terrorist acts committed, and their forms and methods of commission;
- the use of explosive devices (components of explosive devices), weapons, ammunition, and poisonous and other substances in the commission of terrorist acts.
Article 4

For the purpose of obtaining information for the database, the Executive Committee may send requests to one or several competent agencies, both upon the initiative of any of them and upon its own initiative.

Upon corresponding requests by competent agencies, the Executive Committee shall provide the necessary information contained in the database within 30 days.

The Executive Committee shall send a register of data and materials contained in the database to the competent agencies on a quarterly basis.

The procedure for fulfilling requests for information by the Executive Committee shall be regulated by the legislation of the responding Party. Requests shall be fulfilled within 30 days.

Requests for information shall be made in the languages specified by Article 7 of the present Agreement.

The competent agencies shall submit information to the database as it is received, ensuring the information’s maximum possible completeness and reliability. The information provided shall be utilized by the competent agencies without harm to the interests of the Parties and of the Regional Anti-Terrorist Structure.

Article 5

The Executive Committee shall provide organizational and technical support for the functioning of the database, including:

- the administration and use of the database;
- the development and execution of instructions on the procedure for access to the database, its use, the handling of storage media for the database, and the protection of information, which shall be approved by the Council of the Regional Anti-Terrorist Structure;
- the protection of information and monitoring of information exchange within the framework of the database.

Article 6

Expenses connected with the creation, operating support, and development of the database and with the implementation of measures to protect the information contained within it shall be covered by funds allocated from the budget of the Shanghai Cooperation Organization for the operation of the Regional Anti-Terrorist Structure.

Article 7

The database may be formed in the Russian and Chinese languages.
Article 8

With the consent of the Parties, amendments may be made to the present Agreement in the form of Protocols, which shall constitute an integral part of this Agreement and shall enter into force according to the procedure established by Article 10 of the present Agreement.

Article 9

Any disputes concerning the interpretation or application of the present Agreement shall be settled through consultation and negotiation between the Parties concerned.

Article 10

The present Agreement shall be concluded for an indefinite period and shall enter into force on the thirtieth day from the date the Depositary receives the fourth written notification informing it of the completion of internal procedures necessary for the present Agreement to enter into force.

The Depositary for the present Agreement shall be the Secretariat of the Shanghai Cooperation Organization.

The present Agreement is open for accession by states that are members of the Shanghai Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001. For an acceding state, the present Agreement shall enter into force on the thirtieth day from the receipt by the Depositary of a document regarding its accession.

Any of the Parties may withdraw from this Agreement by notifying the Depositary in writing 12 months prior to the date of anticipated withdrawal. The Depositary shall inform the Parties of this intention within 30 days from the date it receives the notification of withdrawal.

Done at _________ on ___ _______ 200_ in one original copy in the Russian and Chinese languages, both texts having equal validity.

For the Republic of Kazakhstan
For the Kyrgyz Republic
For the People’s Republic of China
For the Russian Federation
For the Republic of Tajikistan
For the Republic of Uzbekistan

Moscow
28 June 2004
N 1020
Concept of Cooperation Between SCO Member States in Combating
Terrorism, Separatism, and Extremism

Adopted by Resolution No. 1
of 5 June 2005
of the Council of Heads
of SCO Member States

The member states of the Shanghai Cooperation Organization (hereafter SCO member states) shall accept the Concept of Cooperation Between Member States of the Shanghai Cooperation Organization in Combating Terrorism, Separatism, and Extremism (hereinafter Concept), which is fundamental for the development of a joint strategy and system of measures for combating terrorism, separatism, and extremism as they are defined by the Shanghai Convention on Combating Terrorism, Separatism and Extremism of 15 June 2001, within the framework of the Shanghai Cooperation Organization (hereinafter SCO).

The present Concept shall determine the fundamental goals, objectives, principles, avenues, and forms of cooperation between SCO member states in combating terrorism, separatism, and extremism, as well as the mechanism of its implementation.

I. General Provisions

The SCO member states proceed on the basis that terrorism, separatism, and extremism:

- constitute a threat to international peace and security and impede the development of friendly relations between states and the enjoyment of fundamental human rights and freedoms;
- threaten the territorial integrity and security of SCO member states and their political, economic, and social stability;
- cannot be justified under any circumstances, regardless of their motives, and the perpetrators of such acts must be prosecuted under the law.

The SCO member states are convinced that the UN is the main center for the regulation of international relations and for developing cooperation in the realm of ensuring international security.

The SCO member states emphasize their adherence to the goals and principles of the United Nations and to other generally-recognized principles and norms of international law concerning the maintenance of international peace, security, and the promotion of good-neighborly and friendly relations and cooperation between states.
The SCO member states intend to actively participate in anti-terrorist actions conducted both under the aegis of the UN and within the framework of regional organizations. The necessity and degree of participation shall be in proportion to their national interests and international obligations.

The SCO member states intend to take all possible measures in combating terrorism, separatism, and extremism within SCO territory and shall not provide asylum to individuals accused or suspected of committing such acts.

The SCO member states view combating terrorism, separatism, and extremism within the framework of the SCO as a foreign policy objective of the greatest importance and consider that the development of additional mechanisms of international cooperation in this area must become an appropriate step in increasing and modernizing the capacity for swift anti-crisis reaction and must facilitate the effective joint use of opening possibilities and the countering of new challenges and threats.

SCO member states proceed on the basis that combating terrorism, separatism, and extremism on SCO territory using their own forces has a priority significance.

II. Fundamental Goals, Objectives, and Principles of Cooperation

1. The fundamental goals of cooperation shall be:
   - protecting SCO member states, their citizens, and other individuals on their territories from the threats of terrorism, separatism, and extremism;
   - developing the anti-terrorist capacity of SCO member states.

2. The fundamental objectives of cooperation are:
   - developing common approaches of SCO member states toward combating terrorism, separatism, and extremism;
   - improving the legal bases of cooperation, as well as developing and harmonizing the legislation of SCO member states in the realm of combating terrorism, separatism, and extremism;
   - uncovering and eliminating the reasons and conditions that promote terrorism, separatism, and extremism, and mitigating their consequences on SCO member territories;
   - preventing and halting terrorism, separatism, and extremism on SCO member territories;
   - counteracting the financing of terrorism, separatism, and extremism in any form;
   - increasing the effectiveness of the collaboration between the competent agencies of SCO member states in preventing, uncovering, halting, and investigating terrorism, separatism, and extremism, and in uncovering and halting the activities of organizations and individuals associated with them;
3. The SCO member states are guided by the following principles in accomplishing the fundamental goals and resolving the fundamental objectives of cooperation in combating terrorism, separatism, and extremism:

- the observation of generally-recognized principles and norms of international law;
- mutual trust;
- mutual respect for sovereignty, equality, and territorial integrity;
- the impermissibility of applying double standards in international efforts to combat terrorism, separatism, and extremism;
- reciprocal recognition of a terrorist, separatist, or extremist act regardless of whether the legislation of SCO member states includes a corresponding act in the same category of crimes or whether the act is described using the very same terms;
- the uncompromising nature of combating and the inescapability of punishment of individuals and organizations for terrorism, separatism, and extremism;
- complex approach to combating terrorism, separatism, and extremism using preventative, legal, political, social and economic, propagandistic, and other measures;
- the impermissibility of attributing combating terrorism to confessional and other overtones;
- non-provision of support in any form to organizations and individuals associated with terrorist, separatist, and extremist activity;
- non-provision of asylum to individuals associated with terrorist, separatist, and extremist activity;
- unity of approach to the opportunity for taking adequate measures should threats arise from terrorism, separatism, and extremism to the security of SCO member states;
- mutual protection of confidential information received in the process of cooperation;
- acknowledgment of the priority of joint decisions on issues of combating terrorism, separatism, and extremism.

III. Fundamental Avenues of Cooperation

The fundamental avenues of cooperation shall be:

1. The formation of a single policy by SCO member states in the realm of combating terrorism,
separatism, and extremism and the effectuation of inter-state coordination of this activity.

2. The development of unified approaches to stopping the activity of terrorist, separatist, and extremist organizations prohibited in SCO member states, including the creation of a unified list of such organizations with subsequent confiscation of their property and financial resources.

3. The development and implementation of the anti-terrorist capacity of SCO member states.

4. The inevitability of punishment for terrorism, separatism, and extremism.

5. Creating and maintaining a single search registry of individuals wanted internationally for committing crimes of a terrorist nature or who are suspected of committing crimes of a terrorist nature.

6. Improving the legal basis of cooperation in combating terrorism, separatism, and extremism.

7. Developing and implementing a multinational system of measures for combating terrorism, separatism, and extremism.

8. Developing legal, organizational, and other measures aimed at strengthening border and customs control with the goal of preventing terrorists, separatists, and extremists from penetrating SCO territory, and halting the illegal transport across the borders of SCO member states of resources used to commit terrorism, separatism, and extremism.

9. Research and technological, informational, and analytical support for combating terrorism, separatism, and extremism.

10. Providing assistance in mitigating consequences and in rehabilitating individuals injured by terrorism, separatism, and extremism.

11. Prohibiting access by terrorists, separatists, and extremists to weapons of mass destruction and to the means of acquiring them, and to radioactive, toxic, and other dangerous substances, materials and the technologies for producing them.

12. Counteracting all forms of financing terrorism, separatism, and extremism.

13. Combating terrorism at facilities of national importance, vital facilities, critical infrastructure, and on all forms of transportation.

14. Preventing the use or threatened use of local and global computer networks for purposes of terrorism (combating cyberterrorism).

15. Collaboration with civil society and the mass media for purposes of counteracting terrorism, separatism, and extremism.

16. Alignment of positions for participation in international organizations and forums regarding issues of combating terrorism, separatism, and extremism.
17. Participating in uniting the forces of the world community in formulating a global strategy for counteracting terrorism, separatism, and extremism.

18. Assisting third countries in combating terrorism, separatism, and extremism.

19. Improving the material and technical basis for combating terrorism, separatism, and extremism, including the development of special items, technology, and equipment for supplying special anti-terrorist units.

20. Compiling and circulating experiences on joint combating of terrorism, separatism, and extremism.

21. Training, retraining, and further specialized training of personnel for competent agencies of SCO member states.

22. Shaping public consciousness of the necessity of uncompromising struggle with terrorism, separatism, and extremism.

### IV. Fundamental Forms of Cooperation

The fundamental forms of cooperation are:

1. Conducting concerted preventive activities.

2. Conducting concerted operational search and investigative actions.

3. Conducting joint anti-terrorist activities.

4. Exchanging operational search, informational, and forensic information, including information on acts of terrorism, separatism, and extremism in the course of preparation or that have been committed, the individuals and organizations associated with them, and the creation of specialized databases and communication systems, including a confidential one.

5. Providing legal assistance.

6. Organizing and conducting joint anti-terrorist exercises, personnel development, exchanging work experience and methodical literature on issues of combating separatism, and extremism, and carrying out joint academic research in said field.

### V. Mechanism for Implementing the Concept

SCO member states shall develop international treaties, joint programs and plans of action within the framework of the SCO, and other documents for the purposes of implementing the provisions of the present Concept.
The Executive Committee of the Regional Anti-Terrorist Structure of the SCO shall carry out operational coordination, international legal activity, and information analysis in implementing the concerted decisions concerning the cooperation of SCO member states in combating terrorism, separatism, and extremism, and shall prepare proposals and recommendations to the Council of the SCO Regional Anti-Terrorist Structure for report to the Council of Heads of State and to the Council of Heads of Government of SCO Member States.

Individual provisions of the present Concept may be amended and supplemented taking into account the further development of integrated processes and the strengthening of cooperation between SCO member states.
The Contact Group between the Shanghai Cooperation Organisation (hereinafter the SCO) and the Islamic Republic of Afghanistan (hereinafter Afghanistan) is established with the purpose of elaborating proposals and recommendations on realisation of cooperation between the SCO and Afghanistan on issues of mutual interest.

The Contact Group consists of Permanent representatives of member states to the SCO Secretariat, Secretariat officers and senior diplomats of the Embassy of the Islamic Republic of Afghanistan to the People’s Republic of China.

If necessary, meetings of the Contact Group can involve representatives of other SCO bodies, as well as experts of SCO member states and the Islamic Republic of Afghanistan.

The Contact Group conducts its activity in the form of consultations, which are held by mutual agreement on the premises of the SCO Secretariat and/or the Embassy of Afghanistan to the People’s Republic of China. By mutual agreement, meetings can be held in other places.

Coordination is carried out:

- on the part of the SCO – by an SCO Secretariat officer;
- on the part of Afghanistan – by an authorised senior diplomat of the Embassy of Afghanistan to the People’s Republic of China.

If necessary, under mutual coordination, Contact Group members can travel to Afghanistan for consultations with competent Afghan institutions. Dispatching parties cover the expenses, related to trips by the Contact Group members to Afghanistan.

The working languages of the Contact Group are Chinese, Russian and English.

The Contact Group stops its activity by mutual agreement.

By mutual agreement, amendments and supplements can be made to the document. They are then formalised by separate protocols, which come into force from the date of their signature.

Signed in Beijing 2005, November 4 in two copies in the Chinese, Russian and English languages, all texts being equally authentic. This Protocol comes into force from the date of its signature.
Treaty on Long-Term Good-Neighborliness, Friendship and Cooperation Between the Member States of the Shanghai Cooperation Organization

Member States of the Shanghai Cooperation Organization (hereinafter referred to as “the SCO”, or “Organization”): the Republic of Kazakhstan, the People's Republic of China, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan, the Republic of Uzbekistan, hereinafter referred to as “the Contracting Parties”;

Bound by historical ties of good-neighborliness, friendship and cooperation;

Guided by the goals and principles of the Charter of the United Nations, universally recognized principles and norms of international law, as well as by the Charter of the Shanghai Cooperation Organization of 7 June 2002;

Convinced that strengthening and deepening relations of good-neighborliness, friendship and cooperation between the Member States of the Organization corresponds to the fundamental interests of their peoples and contributes to peace and development in the SCO space and in the whole world;

Recognizing that globalization processes increase interdependence of States, as a result of which their security and prosperity are becoming inextricably intertwined;

Believing that contemporary challenges and threats to security have a global nature and can only be effectively met through joint efforts and adherence to the agreed principles and interaction mechanisms;

Mindful of the need to respect cultural and civilizational variety of the contemporary world;

Reaffirming their readiness to expand mutually beneficial cooperation between them and with all interested States and international organizations to promote a just and rational world order creating favorable conditions for a sustainable development of the Organization's Member States;

Reaffirming further that this Treaty shall not be directed against any States or organizations, and that the Contracting Parties shall follow the principle of openness to the other countries of the world;

Seeking to make the SCO space a region of peace, cooperation, prosperity and harmony;

Guided by the intention to contribute to more democratic international relations and to the establishment of a new architecture of global security on the basis of equality, mutual respect, mutual trust and benefit, as well as abrogation of a bloc-based and ideological division;

Determined to strengthen friendly relations between the Organization's Member States so that friendship between their peoples is handed down from generation to generation;
Have agreed as follows:

Article 1

The Contracting Parties shall develop long-term relations of good-neighborliness, friendship and cooperation in the areas of mutual interest for the Contracting Parties in accordance with universally recognized principles and norms of international law.

Article 2

The Contracting Parties shall settle differences between them peacefully, using, as a guidance, the Charter of the United Nations and universally recognized principles and norms of international law, as well as the Charter of the Shanghai Cooperation Organization of 7 June 2002.

Article 3

The Contracting Parties shall respect each other’s right to choose ways of political, economic, social and cultural development, taking into account the historical background and national peculiarities of each State.

Article 4

The Contracting Parties, respecting principles of state sovereignty and territorial integrity, shall take measures to prevent on their territories any activity incompatible with these principles.

The Contracting Parties shall not participate in alliances or organizations directed against other Contracting Parties and shall not support any actions hostile to other Contracting Parties.

Article 5

The Contracting Parties shall respect the principle of inviolability of borders and make active efforts to build confidence in border regions in the military sphere, determined to make the borders with each other borders of eternal peace and friendship.

Article 6

In case of a situation threatening its security, a Contracting Party may hold consultations within the Organization with other Contracting Parties to provide an adequate response to the situation that emerged.
Article 7
The Contracting Parties shall make efforts within the framework of the SCO to maintain and strengthen international peace and security, and shall promote coordination and cooperation in such areas as safeguarding and strengthening the role of the United Nations, maintaining global and regional stability, advancing international arms control process, preventing the proliferation of weapons of mass destruction and their delivery means; they shall also hold regular consultations on those issues.

Article 8
The Contracting Parties, in accordance with their national legislations and on the basis of observing generally recognized principles and norms of international law, international treaties, to which they are parties, shall actively develop cooperation to counteract terrorism, separatism and extremism; illegal trafficking in drugs, psychotropic substances and their precursors and arms; other forms of transnational criminal activity; as well as illegal migration.

The Contracting Parties, in accordance with their national legislations and on the basis of international treaties, to which they are parties, shall build up their interaction in searching, apprehending, extraditing and transferring persons suspected of, charged with or sentenced for committing crimes related to terrorist, separatist, extremist activities or other crimes.

The Contracting Parties shall develop cooperation in the field of state border security and customs control, regulation of labor migration, and provision of financial and information security.

Article 9
The Contracting Parties shall promote contacts and cooperation between law enforcement and judicial authorities of the Contracting Parties.

Article 10
The Contracting Parties shall develop various forms of cooperation between their Defense Ministries.

Article 11
The Contracting Parties shall develop cooperation in such fields as promoting the implementation of human rights and fundamental freedoms in accordance with their international obligations and national legislations.

The Contracting Parties in accordance with their international obligations as well as national legislations, shall guarantee in their territories the observance of legitimate rights and interests of citizens of the other Contracting Parties residing in their territories, and shall facilitate the provision of necessary mutual legal assistance.
| Article 12 |
The Contracting Parties shall recognize and protect each other's legitimate rights and interests relative to the property possessed by a Contracting Party in the territory of another Contracting Party.

| Article 13 |
The Contracting Parties shall strengthen economic cooperation on the basis of equality and mutual benefit and shall create favorable conditions for developing trade, encouraging investments and exchanging technologies within the framework of the SCO.

The Contracting Parties shall facilitate economic activities including the provision of legal conditions for activities, in their territories, of natural and legal persons of other Contracting Parties, who are engaged in a legal economic activity, as well as the protection in their territory of legitimate rights and interests of such natural and legal persons.

| Article 14 |
The Contracting Parties shall develop cooperation in international financial institutions, economic organizations and fora, of which they are members, and shall facilitate membership of other Contracting Parties in those organizations in accordance with the statutory provisions of such institutions, organizations and fora.

| Article 15 |
The Contracting Parties shall develop cooperation in the sphere of industry, agriculture, finance, energy, transport, science and technology, innovation, information, telecommunications, air space, and other spheres of mutual interest to them and shall encourage various forms of regional projects.

| Article 16 |
The Contracting Parties shall take all possible measures to promote cooperation in the legal sphere; hold regular exchanges of information on the legislation under development, adopted or in force; and cooperate in the development of international legal instruments.

The Contracting Parties shall encourage contacts and cooperation between their legislative authorities and their representatives.

| Article 17 |
The Contracting Parties shall develop cooperation in providing environmental protection, ecological security and sound environmental management and shall take necessary measures to develop and implement special programs and projects in these fields.
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<tr>
<th>Article 18</th>
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<tr>
<td>The Contracting Parties shall render mutual support and assistance in preventing natural and technogenic emergencies and mitigating consequences thereof.</td>
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<th>Article 19</th>
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<tr>
<td>The Contracting Parties shall develop mutual exchanges and cooperation in the fields of culture, art, education, science, technologies, health, tourism, sport and other social and humanitarian spheres.</td>
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<tr>
<th>Article 19</th>
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<tr>
<td>The Contracting Parties shall mutually promote and support direct links between cultural, educational, scientific and research institutions; joint scientific and research programs and projects; as well as cooperation in training, exchange of students, scientists and specialists.</td>
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<tr>
<th>Article 19</th>
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<tr>
<td>The Contracting Parties shall actively contribute to creating favorable conditions for studying the languages and cultures of other Contracting Parties.</td>
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<tr>
<th>Article 20</th>
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<tr>
<td>This Treaty shall not affect the rights and obligations of the Contracting Parties under other international treaties to which they are parties.</td>
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<th>Article 21</th>
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<tr>
<td>To implement this Treaty, the Contracting Parties may conclude international agreements in specific fields of mutual interest.</td>
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<th>Article 22</th>
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<tr>
<td>Disputes related to the interpretation or implementation of the provisions of this Treaty shall be settled through consultations and negotiations between the Contracting Parties.</td>
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<th>Article 23</th>
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<td>This Treaty shall be subject to ratification by the Contracting Parties-Signatories to it.</td>
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<th>Article 23</th>
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<tr>
<td>This Treaty shall be indefinite and shall enter into force from the date of deposit of the last instrument of ratification to the Depositary.</td>
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<th>Article 23</th>
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<tbody>
<tr>
<td>This Treaty shall remain in force for any Contracting Party while it is a Member State of the Organization. Participation of a Contracting Party in this Treaty shall cease automatically from the date of the termination of its membership in the SCO.</td>
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</table>
Upon entry into force of this Treaty, it shall be open for accession by any State that has become a member of the Organization. For the accessing State this Treaty shall enter into force on the thirtieth day from the date of deposit of the relevant instrument of accession to the Depositary.

**Article 24**

This Treaty may be amended and supplemented by separate protocols as agreed upon by all the Contracting Parties.

**Article 25**

The original copy of this Treaty shall be deposited with the Depositary. The Secretariat of the Shanghai Cooperation Organization shall be the Depositary of this Treaty and shall transmit to the Contracting Parties certified copies thereof within fifteen days from the date of its signature.

**Article 26**

This Treaty shall be subject to registration with the United Nations Secretariat in accordance with Article 102 of the UN Charter.

Done in the city of Bishkek on 16 August 2007 in one copy in the Russian and Chinese languages, both texts being equally authentic.
Regulations on the Status of Dialogue Partner of the Shanghai Cooperation Organisation

The present Regulations on the status of dialogue partner of the Shanghai Cooperation Organisation (hereinafter referred to as the SCO or the Organisation) in accordance with Article 14 of the SCO Charter of 7 June 2002 (hereinafter referred to as the Charter) determine the legal status of dialogue partner (hereinafter referred to as the Partner), as well as the order and procedure of its granting to an interested state or an international intergovernmental organisation (hereinafter referred to as a state or an organisation).

I. General provisions

1.1. The status of Partner is granted to a state or an organisation who shares the goals and principles of the SCO and wishes to establish relations of equal mutually beneficial partnership with the Organisation.

1.2. The status of Partner is granted to a state or an organisation who cooperates with the SCO in specific areas of activity envisaged by the Charter and other treaty documents in the framework of the Organisation.

II. Legal status of Partner

2.1. The procedure of granting the status.

2.1.1. A state or an organisation who wishes to obtain the status of Partner forwards a letter addressed to the SCO Secretary-General which contains a request to be granted such status and is signed by the minister of foreign affairs or the head of the executive body of an organisation.

The letter outlines areas in which a state or an organisation intends to interact with the SCO.

2.1.2. The SCO Secretary-General notifies the Council of national coordinators of the SCO member states (hereinafter referred to as the CNC) of receiving such letter. The CNC submits the issue with relative proposals to the Council of ministers of foreign affairs of the SCO member states (hereinafter referred to as the CMFA) for consideration.

2.1.3. The letter containing the request to be granted the status of Partner is considered at a CFMA meeting. If necessary, official representatives of a respective state or an organisation can be invited to attend the meeting.
2.1.4. A decision to grant the status of Partner is taken by the Council of heads of member states of the SCO (hereinafter referred to as the CHS) on the recommendation of the CFMA.

2.1.5. Granting of the status of Partner is finalised in the form of a Memorandum between the SCO and a state or an organisation on conferring the status of Partner on a state or an organisation (hereinafter referred to as the Memorandum). The Memorandum outlines areas in which a state or an organisation will interact with the SCO.

2.2. The rights of Partner.

2.2.1. The Partner is entitled to participate in:

a) Meetings of heads of ministries and/or departments of the SCO member states responsible for areas of cooperation outlined in the Memorandum;

b) Meetings of working groups, commissions of senior officials and other mechanisms set up by the SCO member states with the aim of conducting cooperation in areas being the subject of partnership;

c) Scientific and expert meetings (forums, conferences, workshops), days of culture, festivals, exhibitions, contests, sports competitions and other activities related to areas being the subject of partnership.

2.2.2. During the activities envisaged by Paragraph 2.2.1. of the present Regulations the Partner is entitled to make statements on issues being the subject of partnership, to receive documents and materials circulated among participants of the activities (provided these documents and materials are not for limited circulation), to circulate their materials and documents with the consent of the SCO member states.

2.2.3. At the Partner’s request and with the consent of the member states of the Organisation the text of a statement of its official representative or documents envisaged by Paragraph 2.2.2. of the present Regulations can be posted on the website of the SCO Secretariat, the SCO Regional Economic Cooperation website and/or the website of the Regional Antiterrorist Structure of the SCO (hereinafter referred to as the RATS) together with other materials of a relevant activity.

2.3. The order of interaction with the Partner.

2.3.1. Upon mutual agreement of the SCO member states and the Partner(s) meetings can be held in the format “SCO member states + Partner(s)” at the level of ministers or plenipotentiary representatives.

Upon completion of meetings a Protocol is adopted which is signed by relevant representatives of the SCO member states and the Partner(s).

2.3.2. The SCO Secretariat and/or the Executive Committee of the SCO RATS sends the Partner on a regular basis copies of open documents of the activities.
mentioned in Paragraph 2.2.1. of the present Regulations. A relevant decision takes effect on the day of its signing.

The Partner has a right to request the SCO Secretariat to be given documents and decisions of the SCO bodies mentioned in Article 4 of the Charter, provided they are not for limited circulation.

2.3.3. The status of Partner does not give the right to participate in preparation and signing of documents of the Organisation. The Partner does not participate in formulation of decisions of the SCO bodies and does not bear responsibility for such decisions. During the activities envisaged by Paragraph 2.2.1. of the present Regulations the Partner is entitled to an advisory vote on issues of cooperation enlisted in the Memorandum.

2.3.4. The Partner can maintain regular contacts with the SCO Secretariat and/or the Executive Committee of the SCO RATS through official correspondence.

III. Financial issues

3.1. The Partner bears all expenses with regard to its participation in activities in the SCO framework.

3.2. Issues of financial involvement of the Partner in staging exhibitions, days of culture, festivals, contests, sports competitions and other activities of this kind are regulated by the Memorandum.

3.3. Expenses related to conducting an expert assessment of joint multilateral projects in the SCO framework with the Partner’s involvement as well as for other purposes agreed by the parties are covered in accordance with the Memorandum.

3.4. Allocation for partnership purposes of the funds of non-governmental institutions operating in the SCO framework is conducted in accordance with basic documents of such institutions.

3.5. Financial involvement of the Partner in the implementation of joint economic projects in the SCO framework is regulated by respective documents which are concluded separately in each particular case.

IV. Termination of the status of Partner

4.1. A state or an organisation who intends to abandon the status of Partner forwards respective notification to the SCO Secretary-General. The status of Partner becomes invalid on the day of receiving the mentioned notification by the SCO Secretary-General.

4.2. If a state or an organisation with the status of Partner commits actions targeted against the Organisation as well as contradicting decisions of the SCO bodies or the principles set out in the Charter, such a state or an organisation can be stripped of its status of
Partner in accordance with the decision of the CHS, the Memorandum can be terminated by the SCO unilaterally.

The SCO Secretary-General notifies a state or an organisation of a relevant decision.

V. Final provisions

5.1. The present Regulations take effect on the day of their approval by the CHS.

5.2. Changes and/or additions can be made to the present Regulations in accordance with the decision of the CHS. A respective decision takes effect on the day of its signing.
Agreement on the Procedure for Organizing and Conducting Joint Anti-Terrorist Exercises by Member States of the Shanghai Cooperation Organization

The member states of the Shanghai Cooperation Organization, hereinafter Parties,

guided by the Charter of the Shanghai Cooperation Organization of 7 June 2002, the Shanghai Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001, the Agreement Between Member States of the Shanghai Cooperation Organization on the Regional Terrorist Structure of 7 June 2002, and the Concept of Cooperation Between Member States of the Shanghai Cooperation Organization in Combating Terrorism, Separatism, and Extremism of 5 July 2005,

guided by their national legislation, by generally-recognized principles, and by norms of international law,

aspiring to create a legal basis for conducting joint anti-terrorist exercises on the Parties’ territories,

have agreed as follows:

Article 1

For the purposes of the present Agreement the concepts employed in it shall mean:

1) exercises – joint anti-terrorist exercises conducted by competent agencies of the Parties on the territory of one or several Parties;

2) exercise participants – the personnel of detachments of special anti-terrorist units, individuals included in the personnel of a command authority for exercises, and other individuals engaged in conducting exercises;

3) special anti-terrorist units – groups of specialists formed by each Party in accordance with its national legislation to conduct exercises;

4) special items and supplies – arms and military technology, weapons and ammunition, equipment, means of communication, munitions for special anti-terrorist units; technical, transport, and other special items and materials used during the course of conducting anti-terrorist exercises;

5) receiving Party – the Party receiving the exercise participants and the special items and supplies of the sending Parties on its territory for the period the exercises are conducted;

6) sending Party – the Party sending the exercise participants and the special items and supplies to the territory of the receiving Party for the conducting of exercises;
7) transit Party – the Party through whose territory the exercise participants and the special items and supplies of the sending Party are transported to the territory of the receiving Party and back;

8) third party – a state that is not a sending Party, a receiving Party, or a transit Party, its natural and/or legal persons, and international inter-governmental organizations;

9) performing official duties by exercise participants – presence at deployment sites and other places upon agreement with the receiving Party, proceeding (transit) to these regions (places) and back, including through the territory of a transit Party, and actions performed in the exercise area in fulfilling objectives related to the exercises, with the exception of:

- unauthorized departure from deployment sites or exercise areas,
- voluntary intoxication by narcotics, alcohol, or toxic substances;

10) damage – physical, moral, material, and other forms of damage, the responsibility for causing which is provided for by the national legislation of each of the Parties;

11) exercise area – local areas within the borders of the receiving Party’s territory designated for the conducting of exercises;

12) deployment site – territory designated by the receiving Party for accommodating the exercise participants of the Parties;

13) Council of SCO RATS – the Council of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization;

14) Executive Committee of SCO RATS – the Executive Committee of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization;

15) competent agency – a state body of a Party that combats terrorism in accordance with the Party’s legislation.

**Article 2**

The goal of conducting exercises is the preparation of special anti-terrorist units for joint activities of the Parties upon the commission or arising of a threat of commission of a terrorist act on their territories.

**Article 3**

The fundamental objectives of the exercises are:

1) increasing the level of cohesiveness of government agencies within the leadership by the use of special anti-terrorist units;

2) improving the practical capabilities of exercise participants and producing effective forms and
methods of conducting joint anti-terrorist activities;
3) practical development of issues of coordinating the actions of special anti-terrorist units;
4) development of new approaches and methods, and exchanging experience in conducting anti-terrorist activities.

Article 4

A resolution on conducting exercises shall be adopted by the Council of SCO RATS. The duration of conducting exercises shall be determined by the Council of SCO RATS, taking into account the opinion of the Parties whose participation in the forthcoming exercises is anticipated.

After adoption of a resolution on conducting exercises, the coordination of issues connected with their preparation shall take place in the course of consultations of the Parties. The results of the consultations shall be formulated as a protocol.

The Parties shall organize and conduct exercises on their territories according to the order of their names in the Russian alphabet.

The Executive Committee of SCO RATS shall assist in their collaboration in preparing and conducting exercises at the request of the SCO member states concerned.

Each Party has the right to submit a request to the Council of SCO RATS that exercises be conducted on its territory out of sequence.

In the event a Party cannot or will not participate in exercises, the Party shall inform the Executive Committee of SCO RATS of this in written form no later than two months before the exercises begin with an explanation of the reasons preventing participation in the exercises.

Article 5

An exercise commander and his deputies shall be appointed for the preparation and conducting of the exercises and a command authority for exercises shall be created.

The exercise commander shall be appointed from the leaders (representatives) of the receiving Party's competent agencies. His deputies shall be appointed from the representatives of the sending Party's competent agencies.

The staff and structure of the command authority for exercises and the procedure for conducting exercises shall be determined by agreement of the receiving Party and the sending Party.

Article 6

The Parties, upon the agreement of the command authority for exercises, shall determine the degree of their participation, their staff, and the number of exercise participants.
With the consent of the Parties, representatives of third parties may be invited by the Executive Committee of SCO RATS to the exercises as observers.

**Article 7**

The receiving Party shall designate the exercise area and shall create the conditions for:

1) producing the plan of exercises, which shall be coordinated with the sending Party through the Executive Committee of SCO RATS and confirmed by agreement of the Parties;
2) preparation of summarizing documents and other documents connected with the exercises;
3) providing access to its territory and to that territory’s use in accordance with its national legislation;
4) the entrance, movement, and exit of exercise participants, their accommodations at the deployment site, the transport of special items and supplies through its territory, and the crossing of state borders (including clearing customs and border procedures);
5) taking necessary measures for the guarding and protection of the exercise participants and the special items and supplies, and for arranging the cordonning of the exercise area;
6) freeing the sending Party from payment of tax, customs, and insurance fees, and other obligatory payments.

**Article 8**

The sending Party:

1) shall respect the sovereignty and customs of the receiving Party and/or the transit Party;
2) shall observe the legislation of the receiving Party and/or the transit Party;
3) shall not interfere in the internal affairs of the receiving Party and/or the transit Party;
4) shall not participate in political activities on the territory of the receiving Party and/or the transit Party;
5) shall follow the border and customs procedures of the receiving Party and/or the transit Party;
6) shall follow the routes agreed upon with the receiving Party and/or transit Party for moving exercise participants and transporting special items and supplies;
7) shall assist the receiving Party and/or the transit Party in adopting necessary measures to protect and defend the exercise participants and the special items and supplies;
8) shall ensure the safety of the property utilized, the natural resources, and the cultural, historical, and other facilities of the receiving Party and/or the transit Party;

9) shall observe environmental safety standards on the territory of the receiving Party and/or transit Party.

**Article 9**

The transit Party:

1) shall grant permission and assist the entrance, travel, and exit of exercise participants, as well as the import, transport, and export of special items and supplies by the sending Party through its territory;

2) shall free the sending Party from payment of tax, customs, insurance fees, and other obligatory payments.

**Article 10**

No later than two months before exercises begin, the sending Party shall notify the receiving Party of the real property necessary for accommodating the exercise participants at the deployment site and of the necessary special items and supplies.

The receiving Party shall provide the sending Party’s exercise participants with real property, water, and electricity, and shall ensure medical service and create living conditions and daily life to the extent necessary for them to fulfill their assigned objectives. When necessary special items and supplies shall be provided by the receiving Party upon mutual agreement.

Transportation and other services shall be provided upon agreement between the Parties’ competent agencies.

**Article 11**

The receiving Party and/or the transit Party shall recognize as valid the national driver’s license of the sending Party’s exercise participants.

**Article 12**

Exercise participants shall cross the state border at crossing points agreed upon by the Parties in a visa-free procedure according to nominal rolls upon producing documents that verify their identity.

The form and procedure for compiling the nominal roll of the sending Party’s exercise participants and the list of special items and supplies shall be determined upon the agreement of the Parties.

The nominal roll of exercise participants must include information about the individuals and must indicate last names, first names, patronymic, gender, date of birth, the series and number of the
document verifying identity, the purpose of the entrance, and the period of time that will be spent on the territory of the receiving Party.

The list of special items and supplies must include the name, number, and make of special items and supplies.

The nominal roll of exercise participants and the list of special items and supplies shall be issued by the sending Party in the Chinese and Russian languages and shall be presented to the receiving Party and the transit Party no later than 30 days before the planned date of border crossing by the receiving Party and/or the transit Party.

**Article 13**

Items for personal use by individuals included in the personnel of the sending Party’s exercise participants, as well as currency valuables, shall be transported across the Parties’ borders in accordance with the legislation of the receiving Party and/or the transit Party.

The Parties shall effectuate customs processing and customs control over special items and materials transported across the customs borders of the Parties in accordance with the present Agreement, in a simplified procedure.

Each Party’s customs agency shall have the right, in the manner and under the conditions established by their national legislation, to conduct a personal examination and examination of the exercise participants’ luggage and to confiscate objects that are prohibited or whose import and export is restricted in accordance with their national legislation, with the exception of special items and supplies of the Parties that have been included in the relevant list.

The Parties’ packed official documents provided with appropriate means of identification are inviolable and not subject to customs inspection, opening, or detainment.

**Article 14**

The receiving Party, in accordance with its national legislation and upon agreement with the sending Party, shall have the right to arrange quarantine measures on its territory in regard to the sending Party’s exercise participants, their personal things, special items, and supplies.

**Article 15**

Transportation by air of exercise participants and their special items and supplies shall be conducted upon the agreement with the corresponding agencies of the parties that are responsible for issues of organizing international air transport.

Air traffic shall be conducted on routes and in zones (regions) established by the receiving Party and/or the transit Party. The navigational and airport technical support and the security of aircraft participating in exercises or transporting participants shall be conducted at military and civilian airports by agreement of the Parties.
Air traffic control on international lines shall be conducted by the air traffic control agencies of the Parties in accordance with flight information zones established by the Parties.

The security of aircraft flights performing international transportation for the purposes of implementing the present Agreement shall be effectuated in accordance with international treaties of which the Parties are members and the national legislation of the Party in whose airspace the flights are being conducted.

The Parties shall use joint groups (commissions) to monitor compliance with flight safety requirements and to investigate aviation accidents and incidents involving the aircraft of SCO member states in solving problems connected with the implementation of the present Agreement that involve the aviation personnel of several Parties. The procedure for creating joint groups (commissions) shall be determined by the command authority for exercises upon agreement of the Parties during the period of exercise preparation. The leader of the joint group (commission) shall be appointed from the representatives of the receiving Party.

In the event of emergency (natural disaster, weather conditions unfavorable to flight, malfunction aboard an aircraft), the air traffic control agencies of the Parties shall provide assistance to aircraft engaged in transport of exercise participants, including providing an alternate airfield for a forced landing.

Search and rescue support for aircraft flights shall be organized by the forces and facilities of the Parties on a gratuitous basis.

**Article 16**

The entry of the sending Party’s military (police) ships and auxiliary vessels into the territorial sea, internal sea waters, and inland waterways of the receiving Party shall be conducted in accordance with the national legislation of the receiving Party and the international treaties of which the Parties are members.

The provision by the receiving Party of pilotage, tugboats, and port services to the military (police) ships and auxiliary vessels of the sending Parties shall be conducted according to a separate agreement between the Parties.

**Article 17**

The legislation of the receiving Party that regulates registration and migration control and the presence and movement of foreign citizens shall not extend to the exercise participants.

The sending Party’s exercise participants shall not possess the right to permanent residence on the territory of the receiving Party.

**Article 18**

During the period exercises are conducted exercise participants must bear distinguishing marks agreed upon between the Parties.
During the period of exercises, military and other technology of the Parties’ special anti-terrorist units must have clearly visible registration numbers and distinguishing marks.

**Article 19**

During their presence in the exercise area, the sending Party’s exercise participants shall have the right to keep, bear, employ, and use on the territory of the receiving Party, at the deployment site, and in other places upon agreement with the receiving Party, special items and supplies for the fulfillment of objectives envisioned by the exercise plan, for protective functions.

The use of special items and supplies while exercises are being conducted shall occur in accordance with the legislation of the receiving Party.

**Article 20**

The sending Party must inform the receiving Party and the transit Party without delay of the loss of special items and supplies and of the absence of exercise participants from the deployment site.

Where necessary at the request of the receiving Party each of the Parties shall provide the necessary assistance in searching for lost special items and supplies and in ascertaining the location of exercise participants.

A Party that finds lost special items and supplies or that ascertains the location of missing exercise participants shall take measures for their transfer to the corresponding Party.

**Article 21**

The Parties shall bear expenses connected with the fulfillment of the present Agreement independently in the absence of another agreed-upon procedure for each specific case.

The sending Party shall reimburse expenses connected with the use of all special items and supplies provided to the sending Party at its request on the basis of mutual agreement.

**Article 22**

Public disclosure regarding the progress and results of the exercises shall be made by the Parties and the Executive Committee of SCO RATS in an agreed form and extent.

**Article 23**

Dissemination of information is prohibited:

1) regarding exercise participants;

2) that reveals special technical approaches, tactics, and methods of conducting exercises;
3) regarding the characteristics of special items and supplies used in conducting exercises;

4) which is prohibited for dissemination upon agreement of the Parties.

Measures to protect the information referred to in the present article and the responsibility for its unauthorized dissemination shall be determined in accordance with the international agreements of which the Parties are members and the national legislation of each Party.

**Article 24**

The receiving Party shall send informational and analytical materials about the exercises conducted to the Parties and the Executive Committee of SCO RATS.

**Article 25**

The special items and supplies of each of the Parties are their own and may not be detained and/or alienated in any form.

Unused special items and supplies shall be removed from the territory of the receiving Party by the sending Party after the conclusion of the exercises.

If special circumstances make it impossible to remove the special items and supplies, the decision about their use or destruction shall be made on the basis of agreement between the sending Party and the receiving Party.

**Article 26**

The Parties shall be guided by the following principles regarding issues of jurisdiction with regard to the sending Party’s exercise participants:

1) In the event exercise participants from among the citizens of the sending Party commit offenses against their sending Party or against the exercise participants from among the citizens of their Party, or in the event they commit offenses while performing official duties, the jurisdiction of the sending Party shall be exercised;

2) in the event exercise participants commit offenses not classified as offenses referred to in paragraph 2 of this article, the jurisdiction of the receiving Party or the transit Party shall be exercised.

The sending Party may conduct a preliminary investigation in the event offenses are committed against the sending Party or the sending Party’s exercise participants by undetermined individuals at the deployment sites of the exercise participants. When the individual that has committed the offense has been ascertained, the procedure specified by the present Agreement shall be followed.

The competent agencies of the Parties that are empowered to conduct procedural actions shall collaborate among themselves directly and shall provide each other with assistance in conducting investigations, in collecting and providing evidence connected with the offenses, in ascertaining
location (search), and in detaining and arresting (holding under guard) exercise participants suspected or charged with committing offenses.

The Parties’ exercise commanders also have the right to communicate directly within the limits of their competence.

The sending Party shall inform the receiving Party without delay of the detention of the receiving Party’s exercise participants and other individuals.

The receiving Party shall inform the sending Party without delay of the detention of the sending Party’s exercise participants.

The Parties shall be guided by the international treaties of which they are members and by national legislation upon the detention, arrest (taking under guard), and conducting of other procedural actions, and upon the transfer of exercise participants suspected of committing offenses, or upon the provision of legal assistance.

In each event when in relation to exercise participants the sending Party shall effect criminal investigation of/by the receiving Party, the sending Party has the right to the presence of its representative at the criminal and the investigated person has the right:

1) to prompt and speedy conducting of investigation and trial;
2) from the beginning of the criminal investigation to receive information regarding the specific charge against him;
3) to confront the witnesses of the government and the other participants of the criminal proceedings;
4) to call defense witnesses if they are within the jurisdiction of the receiving Party;
5) to the assistance of an attorney of his choice or to the assistance of an attorney without cost;
6) to the services of an interpreter;
7) to maintain communication with a representative of the sending Party.

The Parties may request each other to transfer or to accept jurisdiction over criminal cases concerning offenses committed by exercise participants. These requests shall be reviewed without delay.

The competent agencies of the Parties that are empowered to conduct procedural actions, in accordance with the international treaties of whom the Parties are members and with national legislation, shall apprise one another of the results of investigation and trial in all criminal matters in relation to which the Parties have competing jurisdiction.

Article 27

The Parties shall refrain from presenting claims concerning damage inflicted by exercise participants to other exercise participants during their performance of their official duties.
The procedure for compensating damage inflicted by exercise participants upon other exercise participants other than during their performance of their official duties shall be determined by separate agreements between the competent agencies of the relevant Parties. If an issue regarding compensation for damage is not resolved by agreement, the receiving Party has the right for it to be considered in accordance with its national legislation.

In the event the relevant parties bear responsibility in regard to the damage provided for by Paragraph 2 and Paragraph 3 of this Article, and the degree of responsibility cannot be determined, the Parties shall provide compensation for the damage in equal shares.

Damage inflicted by exercise participants upon a third party shall be compensated in accordance with the following provisions:

The legislation of the receiving Party shall be applied. A decision that has entered into legal force regarding the payment of compensation or the refusal of such compensation and that has been issued by a court of competent jurisdiction of the receiving Party shall be final; the receiving Party may organize consultations with the participation of the parties concerned for the settlement of claims by a third party.

Payments for compensation of damage shall be made in the currency of the receiving Party.

The Parties shall cooperate for the purposes of receiving proof and arranging an impartial review of claims in accordance with this article. Upon the decision of the Parties a commission may be formed to investigate incidents that have given rise to the infliction of damage upon a third party.

**Article 28**

Benefits, guarantees, and compensation established by the sending Party’s national legislation shall be preserved to the full extent for exercise participants of the sending Party and their family members. This procedure shall be applied in the event the damage was inflicted during the period the sending Party’s exercise participants were present on the territory of the receiving Party, or during transit through the territory of another Party.

**Article 29**

The Parties shall determine the competent agencies responsible for implementing the present Agreement in accordance with their national legislation and shall inform the Depositary of it simultaneously with the notice that the internal procedures necessary for the entry into force of the present Agreement have been completed, and when there has been a change of the competent agencies and/or their names.

The Depositary shall inform the other Parties of this within 15 days from the date it receives the notification from a Party of the specific agency it has designated.
Article 30
The Parties shall resolve disputes that may arise between them in connection with the interpretation or application of the provisions of the present Agreement through consultations and negotiations.

Article 31
The present Agreement shall not affect the rights and obligations of the Parties arising under other international treaties of which they are members.

Article 32
In cooperating within the framework of the present Agreement the official and working languages shall be Chinese and Russian.

Article 33
With the consent of the Parties amendments and additions may be made to the present Agreement in the form of separate protocols.

Article 34
The present Agreement shall enter into force on the thirtieth day from the date the Depositary receives the fourth written notification informing it of the completion of internal procedures necessary for the present Agreement to enter into force. For parties completing internal procedures at a later time, it shall enter into force on the date they submit written notification to the Depositary.

The present Agreement shall be concluded for an indefinite period.

The Depositary of the present Agreement shall be the Secretariat of the Shanghai Cooperation Organization, who shall transmit to the Parties certified copies of the present Agreement within fifteen days from the date of its signing.

The present Agreement shall be open for accession by states that are members of the Shanghai Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001. For an acceding state this Agreement shall enter into force on the thirtieth day from the date the Depositary receives the instrument of accession.

The present Agreement shall cease to be in force for any of the Parties if that Party ceases to be a member state of the Shanghai Cooperation Organization.
Article 35

Any of the Parties may withdraw from this Agreement by notifying the Depositary in writing 12 months prior to the date of anticipated withdrawal. The Depositary shall inform the other Parties of this intention within 30 days from the date it receives the notification of withdrawal.

Done in the city of Dushanbe on 28 August 2008 in one original copy in the Russian and Chinese languages, both texts having equal validity.

For the Republic of Kazakhstan
For the People’s Republic of China
For the Kyrgyz Republic
For the Russian Federation
For the Republic of Tajikistan
For the Republic of Uzbekistan
The Convention on Counter-Terrorism of the Shanghai Cooperation Organization

The member states of the Shanghai Cooperation Organization,

Deeply concerned by the escalation of terrorism, which threatens international peace and security, the territorial integrity of states, the development of friendly relations between states, as well as fundamental human rights and freedoms,

Reaffirming the objectives and principles of the United Nations Charter and the Charter of the Shanghai Cooperation Organization of 7 June 2002,

Pursuant to the provisions of the Shanghai Convention on Combating Terrorism, Separatism, and Extremism of 15 June 2001 and the Concept of Cooperation Between SCO Member States on Combating Terrorism, Separatism, and Extremism of 5 July 2005,

Convinced that there can be no justification for crimes covered by this Convention, and that individuals and legal entities perpetrating and (or) complicit in such acts must not escape persecution and punishment,

Taking into account the evolving scope and nature of terrorist acts, and the importance of revitalizing cooperation in this regard,

Understanding the need for ever-expanding efforts in counter-terrorism, and reaffirming that all such efforts must abide by the rule of law, democratic values, fundamental human rights and freedoms, as well as the precepts of international law,

Convinced that the battle against terrorism will be won only through joint efforts,

Have agreed upon the following:

Article 1

The chief aim of this Convention is to promote effective cooperation between contracting states in a common struggle against terrorism.

Article 2

1. For the purposes of this Convention the terms used herein are defined as follows:

1) *Party* - a signatory to this Convention;

2) *terrorism* - an ideology of violence, and the practice of exerting influence on the decision-making of governments or international organizations by threatening or committing violent and (or) other criminal acts, connected with intimidating the population and aimed at causing injury to private individuals, society or the state;
3) terrorist act - any act connected with intimidating the population, endangering human life and well-being, and intended to cause significant property damage, ecological disaster or other grave consequences in order to achieve political, religious, ideological or other ends by exerting influence on the decision-making of governments or international organizations, or the threat of committing such acts;

4) terrorist organization:
   a) a criminal organization, illegal armed group, gang or criminal society formed with the intent to commit and (or) committing criminal acts covered by this Convention;
   b) a legal entity in the name of which, at the behest of which, or on behalf of which any one of the criminal acts covered by this Convention is planned, organized, facilitated or perpetrated;

5) legal entity - an organization incorporated and operating in accordance with the legal provisions of contracting states.

2. This Article is without prejudice to any international instrument or national law which does or may contain provisions of wider application of terms used herein.

Article 3

This Convention shall apply in cases where detection, prevention, and investigation of offenses covered herein implicate the jurisdiction of more than one Party.

Article 4

The Parties shall exercise their rights and obligations under this Convention in a manner consistent with the principles of sovereign equality, territorial integrity of states, and non-intervention in the internal affairs of other Parties.

Article 5

1. Each Party shall take the necessary measures to establish its jurisdiction over the offenses covered by this Convention in the following cases:
   1) when the offense has been committed in the territory of that Party;
   2) when the offense has been committed on board a vessel flying the flag of that Party or an aircraft registered under the laws of that Party;
   3) when the offence has been committed by a national of that Party.

2. Each Party may also establish its jurisdiction over offenses covered by this Convention in the following cases:
1) when the offense was aimed at or resulted in the commission of a terrorist act inside the territory or against a national of that Party;

2) when the offense was aimed at or has been committed against a Party’s facility abroad, including its diplomatic missions or consular premises;

3) when the offense was aimed at or resulted in the commission of a terrorist act for the purpose of compelling that Party to do or abstain from doing any act;

4) when the offense has been committed by a stateless person with habitual residence in the territory of that Party;

5) when the offense has been committed on board a vessel operated by that Party.

3. Each Party shall take such measures as may be necessary to establish its jurisdiction over the offenses covered by this Convention in cases where the alleged offender is present in its territory and it does not extradite that person to any of the Parties.

4. This Convention does not exclude the exercise of any criminal jurisdiction established by a Party in accordance with its domestic laws.

5. When more than one Party claims jurisdiction over an alleged offense covered by this Convention, the Parties involved shall, where appropriate, consult with a view to determine the most appropriate jurisdiction.

**Article 6**

1. The cooperation provided for in this Convention shall be facilitated by competent agencies designated by each Party.

2. On depositing its instruments of ratification or accession to this Convention, each Party shall furnish the Depositary with a register of competent agencies charged with implementing this Convention, which the Depositary shall distribute to other Parties. A Party shall immediately notify the Depositary of any changes to its list of agencies, of which the Depositary shall subsequently notify all other Parties.

3. Competent agencies exercising authority over matters provided for in this Convention shall cooperate directly, within the framework of their respective powers. Regional or other subsidiaries of such agencies may enter into direct contact for the purpose of implementing this Convention in a manner dictated by their respective authorities.

4. Cooperation between respective competent agencies shall be conducted in bilateral and multilateral formats on the basis of a request for assistance or as exchange of intelligence at the initiative of a particular agency.

5. Diplomatic channels, channels of the International Criminal Police Organization or of the Executive Committee of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization may be used for purposes of cooperation.
1. The Parties encourage interreligious and intercultural dialogue, involving, where necessary, nongovernmental organizations and other civil society institutions, subject to national law, aimed at defusing tensions that may lead to the commission of offenses covered by this Convention.

2. Each Party shall develop and implement counter-terrorism policies at the national level, in accordance with the fundamental principles of its legal framework, which may include:

   1) scheduled reviews of laws governing counter-terrorism measures, as well as of their efficacy;

   2) cooperation with appropriate international and regional organizations in developing and implementing counter-terrorism measures, including exercises to suppress terrorist acts;

   3) the creation of a central authority coordinating the counter-terrorism activities of competent agencies;

   4) offering professional training of law enforcement forces or other bodies engaged in counter-terrorism activities, and providing appropriate financial, material, and other support for such activities;

   5) payment of due compensation to individuals that provide assistance to state agencies in the prevention and suppression of offenses covered by this Convention, and the discovery of individuals who have committed or are plotting to commit such offenses;

   6) legislative definition of restrictions that may be put into place with a view of preventing terrorist acts;

   7) improving the protection of individuals and facilities, notably by promoting effective cooperation between law enforcement agencies and relevant legal entities, as well as by implementing standards aimed at enhancing security of individuals and facilities;

   8) protection for victims, witnesses, and other participants in criminal proceedings, as well as, where necessary, for other relevant persons;

   9) evolving and implementing criteria for identifying individuals or legal entities complicit in the commission of offenses covered by this Convention;

   10) providing legal entities with sufficient opportunities to assist the state in preventing or detecting offenses covered by this Convention, or plots to commit such offenses, at their facilities;

   11) assisting non-governmental organizations, groups, and private individuals in countering terrorism and promoting non-acceptance of terrorism in society;

   12) educating the public regarding the dangers and negative effects of terrorism, as well as the legal consequences of offenses covered by this Convention;
13) providing the public with the means of notifying state agencies, anonymously where appropriate, of any activity that may qualify as an offense covered by this Convention.

3. Parties may adopt stricter measures than those provided for by this Convention.

Article 8

Each Party shall adopt the necessary legislative or other measures, in accordance with its domestic legal principles, to counter the financing of terrorism which include, inter alia:

1) collecting and maintaining records on clients and financial transactions;
2) reporting to the competent authorities all suspicious or unreasonable transactions;
3) freezing suspicious or unreasonable financial transactions at the behest of law enforcement or other agencies designated by the Party;
4) furnishing records and information at the request of a court, a prosecutor’s office, investigative or other authorized agencies.

Article 9

1. Each Party shall adopt the necessary legislative measures to establish as criminally punishable offenses the following intentional acts:

1) terrorist acts;
2) any act recognized as a crime by any international counter-terrorism treaty to which all the Parties are signatories;
3) forming and operating a legal entity for the purpose of planning, organizing, facilitating, or committing, any one of the offenses covered by subsections 1, 2, 4-10 of this section, or forming a criminal organization, an illegal armed group or gang, or entering into a conspiracy for the same purpose;
4) public calls to terrorism or public justification of terrorism; i.e., the dissemination of any appeal to the public for the purpose of inciting the commission of any one of the offenses covered by subsections 1-3, 5-10 of this section, or public declarations calling for the support and emulation of terrorism;
5) recruitment or other means of soliciting another person to participate in the planning or commission of any one of the offenses covered by subsections 1-4, 6-10 of this section;
6) training another person to commit or assist in the commission of any one of the offenses covered by subsections 1-5, 7-10 of this section;
7) participation in a terrorist organization;
8) financing terrorism; i.e. either collecting or providing funds or financial services with the intention or in the knowledge that they are to be used for planning, organizing, facilitating or committing any one of the offenses covered by subsections 1-7, 9, 10 of this section, or supporting the activities of a terrorist organization;

9) furnishing another person with weapons, explosive substances, or other means of committing offenses covered by subsections 1-8, 10 of this section;

10) sheltering, providing financial assistance, or assistance in fleeing justice to individuals suspected of or charged with committing any of the offenses covered by subsections 1-9 of this section, or giving false testimony on their behalf.

2. A Party may also establish as criminal offenses, in accordance with its domestic legal principles, the acts of knowingly harboring, transporting, purchasing or brokering the purchase of property belonging to individuals suspected of or charged with committing any of the offenses covered by section 1 of this article.

3. Acts covered by subsections 3-10 of section 1 of this article are considered offenses regardless of whether a terrorist act was actually committed or whether the person recruited and (or) trained was aware of the terrorist nature of his actions.

4. The Parties are likewise obligated to adopt the necessary legislative measures to establish as criminal offenses any and all acts of assisting in, planning or attempting to commit any of the offenses covered by section 1 of this Article.

### Article 10

1. Each Party shall adopt the necessary legislative or other measures, in accordance with its domestic legal principles, to prevent the complicity in any one offense covered by this Convention of any legal entity located in their territory.

2. Each Party shall adopt such measures as may be necessary to establish the liability of a legal entity in cases where it is complicit in any one of the offenses covered by this Convention.

3. Legal entities may bear criminal, civil or administrative liability, in accordance with a Party’s domestic legal principles.

4. Establishing the liability of a legal entity does not exclude criminal liability of persons participating in its activities, who have committed offenses covered by this Convention.

5. Each Party shall ensure the following measures may be exercised with respect to legal entities complicit in offenses covered by this Convention:

   1) warning;
   2) fine;
   3) confiscation of property of a legal entity;
4) suspension of activities of a legal entity;

5) prohibiting specific types of activities of a legal entity;

6) liquidation of a legal entity.

6. Each Party shall adopt legislative measures allowing for the designation of a legal entity as a terrorist organization and its liquidation by order of a court or of another agency authorized by domestic law, in cases where the legal entity engages in planning, organizing, facilitating or committing actions that constitute any one of the offenses covered by this Convention. These same measures may be applied in cases where planning, organization, facilitation or commission of offenses covered by this Convention is carried out by an individual responsible for administering a legal entity with respect to its rights and obligations.

7. Provisions of this Article extend to cases where subsidiaries (representative offices or branches) of foreign legal entities, operating in the territory of a Party, are found to be complicit in offenses covered by this Convention.

**Article 11**

1. The offenses covered by this Convention shall be deemed by the Parties to be extraditable offenses, subject to the transfer of sentenced persons and provision of legal assistance.

2. The offenses described in this Convention shall be deemed to be included as extraditable offenses in any extradition treaty existing between any of the Parties. The Parties undertake to include such offenses as extraditable offenses in every extradition treaty to be subsequently concluded between them.

3. When a Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another Party with which it has no extradition treaty, the requested Party shall consider this Convention, in accordance with its domestic legal principles, as a legal basis for extradition in respect of the offenses covered by this Convention.

4. Parties which do not make extradition conditional on the existence of a treaty shall recognize offenses covered by this Convention as extraditable offenses, subject to the conditions provided by the law of the requested Party.

5. In cases where the principle of dual criminality must be observed with respect to extradition or legal assistance, this principle shall be deemed observed regardless of whether the laws of the requested Party place the relevant act in the same category of offenses or describes it in the same terms as the requesting Party, if the act in question is deemed to be criminally punishable in accordance with the laws of the Parties.

6. For the purposes of extradition, offenses covered by this Convention shall be treated as if they had been committed in the territory of the Parties that have established jurisdiction in accordance with Article 5 of this Convention, regardless of where the offenses actually occurred.
7. The definition of offenses covered by this Convention and the legal basis establishing liability of legal entities complicit in commission thereof shall be within the scope of the national law of the Parties.

8. A person convicted of any one of the offenses covered by this Convention, may be handed over, with that person’s consent, for the serving of his sentence, to the Party of which that person is a national, in accordance with an existing treaty or mutual accord, at the request of the prosecuting Party or the Party of which that person is a national.

9. The Party in the territory of which the individual who has committed any one of the offenses covered by this Convention is present, if it does not extradite that person solely on the grounds that that person is its national, is obliged to submit the case to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that Party.

### Article 12

1. The competent agencies of the Parties, upon request or on their own initiative, shall exchange information (documents, materials, or other information) regarding issues covered by this Convention for the purpose of preventing or combating terrorism.

2. All information indicated in section 1 of this Article shall be furnished upon request from a competent agency of the requesting Party on condition that it will not be transmitted to anyone without the prior written consent from a competent agency of the requested Party.

3. The Parties' competent agencies shall not disclose information concerning a request or its contents, and shall use it solely for the purpose of complying with the request, if agreed to by the competent agencies of the requesting Party, and shall also maintain the confidentiality of the information provided by the requested Party and use it only to the extent necessary for investigation, court proceedings, or to carry out procedures provided for by the request.

### Article 13

1. A request shall be fulfilled in accordance with this Convention and the laws of the requested Party.

2. When a request is fulfilled the laws of the requesting Party may be applied, at that Party’s request, except as dictated otherwise by the laws of the requested Party. The application of the laws of the requesting Party must not impair the sovereignty and national security of the requested Party.

### Article 14

1. The request shall be in writing and must list:

   1) the competent agencies of the requesting and requested Parties;
2) the subject of and the grounds for the request;

3) the substance of the case, including such facts (time, place and circumstances of commission) in connection with which search operations, investigation, or court proceedings are being conducted;

4) statements of the laws or, where not possible, summaries of their provisions, as well as a statement that the requested measure or any other measure leading to analogous results may be undertaken in the territory of the requesting Party in accordance with its laws;

5) an indication of the degree of restricted access, if necessary.

2. A request to impose sanctions on a legal entity must contain, in addition to items indicated in section 1 of this Article, the following:

1) name of legal entity, information concerning its location, legal address, and its management;

2) list of the sanctions;

3) statement of concrete actions requested by the requesting Party;

4) information on property subject to seizure or confiscation (its location, connection to the offense in question, as well as any available information on the claims of other persons to that property);

5) a certified copy of the decision of a court or another competent agency of the requesting Party and a summary of the grounds for that decision;

6) a summary of the facts upon which a request is being made, which facts must be sufficient for the requested Party to make its decision, in accordance with its laws.

3. In cases where a request is made to question persons suspected or accused of a crime, it must be accompanied by certified copies of the necessary documents related to the case in question.

4. The requested Party shall inform the requesting Party no later than 30 days from the date a request is received, unless otherwise agreed in each specific instance:

1) of any actions undertaken with respect to the request and their outcome;

2) of any circumstances that prevent or will substantially delay the fulfillment of the request.

5. The requesting Party shall immediately inform the requested Party:

1) of a reversed decision or any other circumstances in consequence of which the decision to impose sanctions upon a legal entity is partially or wholly voided;

2) of any changes which render any action dictated by this Convention unwarranted.
6. A Party petitioning for sanctions against a legal entity from several Parties on the basis of the same decision shall inform all Parties interested in the fulfillment of this decision.

<table>
<thead>
<tr>
<th>Article 15</th>
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<tr>
<td>1. The competent agencies of each Party shall fulfill a request:</td>
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<tr>
<td>1) to extradite a person to stand trial or serve a sentence imposed by a court;</td>
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<td>2) to locate and detain a person;</td>
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<td>3) to carry out specific procedural acts, inter alia:</td>
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<td>a) soliciting expert reports;</td>
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<td>b) questioning persons suspected or accused of crimes, witnesses, victims, or other persons;</td>
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<td>c) conducting searches or seizures;</td>
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<td>d) transmitting material evidence;</td>
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<td>e) seizure of property;</td>
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<td>f) serving or forwarding of documents;</td>
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<td>g) other actions within the scope of their competency;</td>
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<td>4) furnishing evidence;</td>
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<td>5) imposing sanctions against legal entities;</td>
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<tr>
<td>6) locating persons suspected of committing any one of the offenses covered by this Convention;</td>
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<tr>
<td>7) locating property subject to confiscation;</td>
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<tr>
<td>8) taking action with respect to any other circumstances and issues within the purview this Convention.</td>
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<table>
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<tr>
<th>Article 16</th>
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<tr>
<td>1. A request shall be signed by the head of a competent agency of the requesting Party or by a surrogate, and (or) must carry the seal of that agency.</td>
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<tr>
<td>2. Urgent requests may be transmitted orally, but any such request and the necessary documents must be transmitted in writing no later than 72 hours thereafter, by electronic means where necessary.</td>
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3. In cases where the authenticity of a request or its contents is in doubt, confirmation or clarification may be requested.

4. In cases where multiple requests concerning the same matter are received in accordance with the provisions of this Convention, the requested Party shall determine which request is to be given priority.

5. In cases where the requested Party’s competent agency is not authorized to fulfill a request, it shall without delay submit the request to another agency within its government, and without delay notify the competent agency of the requesting Party.

6. The competent agency of the requested Party may request additional information that it considers necessary to fulfill the request.

**Article 17**

1. A competent agency of the requested Party may postpone action on a request if such action may impede its search efforts, investigation or court proceedings.

2. A competent agency of the requested Party may refuse a request if it threatens the sovereignty or national security of the requested Party or contravenes its laws.

3. Before postponing action or refusing a request, a competent agency of the requested Party shall consult, where necessary, with the competent agency of the requesting Party which had filed the request.

4. In cases where a request is postponed or refused, a competent agency of the requested Party shall without delay inform the initiator of the request, stating its reasons for the decision.

**Article 18**

1. A Party conducting a criminal investigation of persons suspected of or charged in connection with offenses covered by this Convention, if it ascertains that such persons are present in the territory of another Party may, upon receiving permission from that Party’s competent agencies, dispatch its agents to the territory of the requested Party to assist in search efforts or investigation.

2. Agents of the requesting Party may assist in search efforts or investigation on the territory of the requested Party in accordance with the laws of the requested Party and the international treaties to which the Parties are signatories.

3. The requested Party shall establish the procedures for granting permission to agents of the requesting Party to assist in search efforts or investigation as per request filed in accordance with Articles 14-18 of this Convention.

4. In cases where agents of competent agencies are dispatched to assist in search efforts or investigation, a request for their participation must be accompanied by the following:
1) the agents’ personal information;

2) purpose of travel, a list of search and investigative actions, a statement of the time frame and manner in which they are to be conducted;

3) in cases where vehicles are used: types of vehicle used, number of vehicles and registration information for each vehicle;

4) any other information as necessary.

5. The competent agency of the requested Party shall make a decision within five days from the date a request is received and inform the requesting Party without delay. Any decision may include conditions imposed by the requested Party’s competent agency.

6. In cases where a request for permission does not confirm to requirements indicated in section 4 of this Article, or is in some way incomplete, the competent agency of the requested Party may request additional information.

7. Agents of the requesting Party’s competent agencies deployed in the territory of the requested Party in accordance with established procedures shall abide by the laws of the host Party and by any other conditions governing their mission.

8. Agents of the requesting Party’s competent agencies assisting in search efforts or investigation in the territory of the requested Party conducted by agents of the requested Party’s competent agencies are obligated:

1) to comply with the laws of the Party in whose territory they are present and to abide by the legal requirements of the host Party’s agencies;

2) to furnish the requested Party with any information they receive.

9. Participation in search efforts or investigation shall be terminated without delay on the request of the competent agency of the party in whose territory they are being conducted.

10. Parties may conclude separate agreements concerning any provisions stated in this Article.

### Article 19

Evidence collected by the requested Party’s competent agencies in the course of fulfilling a request in accordance with its laws shall carry the same evidentiary force in the territory of the requesting Party.

### Article 20

1. When executing a decision on the confiscation of property of private persons or legal entities complicit in the commission of offenses covered by this Convention, the requested Party shall recognize any and all legal decisions rendered by the requesting Party concerning the rights of a third party.
2. Such recognition may be refused in one of the following instances:

1) if the third party was not given sufficient opportunity to provide notification of its rights;

2) if the third party provides unambiguous and reasonable notification of their rights;

3) if the decision contradicts a decision already rendered by the requested Party on the same issue;

4) if the decision contravenes the laws of the requested Party;

5) if the decision was rendered contrary to provisions concerning exclusive jurisdiction provided for by the laws of the Requested Party.

Article 21

1. Documents submitted in accordance with this Convention shall be exempt from all certification formalities.

2. Documents issued in the territory of one of the Parties or certified by a competent agency or by a specially authorized person in due form and within the scope of his competence and bearing a seal shall be recognized by all other Parties without any special certification.

3. Documents recognized as official by one of the Parties possess the evidentiary force of official documents in the territories of other Parties.

Article 22

1. Agencies competent in matters covered by this Convention, may direct official documents concerning any person or legal entity, located in the territory of another Party, through diplomatic channels or other means, as well as through the competent agencies of another Party.

2. Agencies competent in matters covered by this Convention, shall provide mutual assistance in serving official documents on persons or legal entities.

Article 23

The Parties shall take the necessary measures to prevent the granting of refugee status and corresponding documents to persons complicit in offenses covered by this Convention.

Article 24

1. A Party shall take the necessary measures at the request of another Party to ensure the liability of a legal entity complicit in offenses covered by this Convention, inter alia:
1) seizing property that may subsequently be subject to confiscation;

2) suspending (freezing) financial transactions;

3) suspending certain kinds of activities of a legal entity (radio and television broadcasts, print or online publications).

2. All measures covered by section 1 of this Article shall be carried out in accordance with the laws of the requested Party and this Convention.

3. Before abolishing any measure provided for by this Convention, the requested Party shall furnish the requesting Party with the opportunity to voice its arguments in support of that measure.

**Article 25**

1. A Party receiving a request connected with the imposition of sanctions on a legal entity (or its subsidiary) complicit in the commission of any one of the offenses covered by this Convention, which is located, possesses property, or conducts activity in its territory:

   1) shall either execute the decision of a court or another competent agency of the requesting Party concerning requested sanctions;

   2) or initiate an inquiry in accordance with its laws concerning the imposition of such sanctions on the basis of facts and conclusions provided in the requesting Party’s decision.

2. Sanctions against a legal entity shall be imposed in accordance with the laws of the requested Party.

**Article 26**

With regard to confiscation, the Parties shall adopt the necessary measures, in accordance with their domestic legal principles:

1) to seize funds, securities, valuables, weapons and their component (spare) parts, ammunition, explosive substances or any other property intended for use (or used) as a weapon to commit offenses or for the financing of any one of the offenses covered by this Convention;

2) to seize funds in proportion to the estimated value of property, if such property as covered by this Article may not be seized.

**Article 27**

1. A request for seizure of property of persons or legal entities, submitted in accordance with this Convention, shall not impinge on the right of the requested Party to put into action its
own decision concerning the confiscation of the property of said persons or legal entities.

2. The total value of confiscated property may not exceed the amount indicated in the confiscation decision. If either Party believes that this may be the case, the Parties shall consult with a view to avoid such an outcome.

3. Any property of a legal entity, liquidated in accordance with the provisions of this Convention, remaining after creditors have been satisfied, is also subject to confiscation.

4. Each Party in possession of confiscated property shall ensure the safety of any such property and dispose of it in accordance with its national legal principles.

5. Confiscated property or funds of equal value may be transferred in part or in full to the requested Party with the consent of Parties concerned.

**Article 28**

Each Party shall bear all expenses connected with its fulfillment of this Convention, unless otherwise agreed.

**Article 29**

1. In cases where a Party brings a suit for reparation of damages, stemming from wrongful action or inaction in connection with cooperation in accordance with this Convention, the Parties shall consider the possibility of consultation with a view to distribute the amount to be paid as reparation.

2. A Party against which a suit for reparations is brought, shall notify all interested Parties.

**Article 30**

The provisions of this Convention shall not limit the right of any Party to conclude other international treaties on issues addressed by this Convention, which do not contravene its objectives, nor impinge on the rights and obligations of any Party dictated by any other international treaty to which it is a signatory.

**Article 31**

1. This Convention is concluded for an indefinite term.

2. This Convention is subject to ratification by its signatory states. The instruments of ratification shall be deposited with the Depositary. This Convention shall enter into force on the thirtieth day following the date of the deposit of the fourth instrument of ratification.

3. For each Party ratifying this Convention after the deposit of the fourth instrument of ratification, the Convention shall enter into force on the thirtieth day after the deposit by such
Party of its instrument of ratification.

4. The Depositary for this Convention shall be the Secretariat of the Shanghai Cooperation Organization.

Article 32

1. With the consent of all SCO member states, this Convention shall be open for accession by any state that supports its provisions through notifying the Depositary of its accession.

2. For each acceding state this Convention shall enter into force on the thirtieth day after the Depositary receives notification of accession.

Article 33

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations.

Article 34

This Convention may be modified or extended, which changes, filed as separate documents, shall constitute an integral part thereof. Any Party may propose amendments or additions by communicating such a proposal to the Depositary, who shall without delay submit it to all Parties for consideration.

Article 35

Any Party may withdraw from this Convention by notifying the Depositary in writing six months prior to the date of anticipated withdrawal. The Depositary shall notify all Parties of this intention within 30 days from the date it receives notification of withdrawal.

Article 36

Any dispute which may arise between the Parties concerning the interpretation or application of the provisions of this Convention shall be settled through consultation and negotiation between Parties concerned.

Article 37

1. For purposes of cooperation within the framework of this Convention the official and working languages shall be Chinese and Russian.

2. The original copy of this Convention shall be deposited with the Depositary, who shall forward certified copies thereof to all signatory Parties.
Done in Yekaterinburg, this sixteenth day of June 2009, in Chinese and Russian, both texts being equally authoritative, in a single original copy.

For the Republic of Kazakhstan

For the People’s Republic of China

For the Kyrgyz Republic

For the Russian Federation

For the Republic of Tajikistan

For the Republic of Uzbekistan