

**Agreement  
on Cooperation in Combating Crime between the Governments of the  
Member States of the Shanghai Cooperation Organization**

The Governments of the Member States of the Shanghai Cooperation Organization (hereinafter referred to as “the Parties”),

Expressing concern over the extent and trends of crime growth, especially of its organized forms,

On the basis of mutual interest in the adoption of effective measures to provide protection against encroachment on human lives and health, rights and freedoms, honor and dignity, interests of society and the state,

Attaching great importance to international cooperation in the area of compliance with universally recognized human rights and freedoms,

Guided by the principles and norms of international law, the Charter of the Shanghai Cooperation Organization of June 7, 2002, the Shanghai Convention on Combating Terrorism, Separatism and Extremism of June 15, 2001, the Agreement on Cooperation in Combating Illicit Traffic of Narcotic Drugs, Psychotropic Substances and Precursors between the Member States of the Shanghai Cooperation Organization of June 17, 2004, the Convention of the Shanghai Cooperation Organization Against Terrorism of June 16, 2009, the Agreement on Cooperation in Combating Illicit Trafficking in Arms, Ammunition and Explosives between the Governments of the Member States of the Shanghai Cooperation Organization of August 28, 2008, and by the national legislation of the Parties,

Have agreed as follows:

**Article 1  
Scope of Cooperation**

1. The Parties shall cooperate in preventing, combating, detecting and solving of crimes, including those committed by organized groups in the following areas:

crimes against human life, health, freedom, honor and dignity;

terrorist, separatist and extremist activity;

crimes against property;

corruption;

economic crimes, including the legalization of proceeds from criminal activity, and financing of terrorism;

manufacture and sale of counterfeit banknotes, documents, securities, and credit or payment cards and other payment instruments;

crimes related to violation of intellectual property rights;

crimes related to trafficking in persons, especially women and children;

illicit production and trafficking of arms, ammunition, explosive devices, explosive, toxic and radioactive substances and nuclear materials;

illicit production and trafficking in narcotic drugs, psychotropic substances and their precursors; smuggling;

crime in transport;  
cybercrime;  
crimes related to illegal immigration.

The Parties shall also cooperate in combating other forms of crime whose prevention, suppression, detection and disclosure require the cooperation of the competent authorities of the Parties.

2. This Agreement does not affect the matters of legal assistance in criminal cases and extradition. The Parties shall cooperate on these issues in accordance with the international treaties they are parties to and taking into account the legislation of the Parties.

## **Article 2**

### **Competent Authorities**

1. Through the competent authorities of their states, the Parties shall cooperate in combating crime, especially its organized forms, in accordance with the provisions of this Agreement and in compliance with international obligations and laws of the Parties.

2. The Parties shall provide to the Depositary their lists of competent authorities at the time of submitting their notifications of the completion of the internal procedures necessary for the entry of this Agreement into force.

Amendments to the list of competent authorities shall be notified through diplomatic channels in writing to the Depositary by each Party within 30 days and the Depositary shall inform the Parties accordingly within 7 days of the receipt of the notification.

## **Article 3**

### **Forms of Cooperation**

1. In order to implement this Agreement, the competent authorities of the Parties shall cooperate in the following ways:

1) exchanging information on the planned and committed crimes listed in Article 1 of this Agreement, and persons involved in them, including crimes committed by citizens of one of the Parties or in respect of them in the territory of the other Parties;

2) searching fugitives escaping prosecution or execution of sentence, as well as missing persons;

3) executing requests for investigation;

4) identifying unidentified corpses and those individuals who cannot report their identity due to health or age reasons;

5) sharing legislative and other normative legal acts;

6) sharing experience, including through meetings, conferences and seminars;

7) assisting in personnel training, retraining and advanced training;

8) exchanging scientific and technical literature and information.

2. In order to implement the provisions of this Agreement, in accordance with national legislation of their States and based on mutual agreement, the Parties shall use the controlled delivery method.

3. The competent authorities of the Parties may cooperate in other forms that are consistent with the objectives of this Agreement.

#### **Article 4 Consultations**

In order to improve cooperation under this Agreement, the competent authorities of the Parties shall consult, as appropriate and by mutual agreement.

The issue of having consultation between the competent authorities of the Parties shall be coordinated through the Secretariat or the Executive Committee of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization.

#### **Article 5 Sending Request or Information**

1. The Parties shall cooperate between themselves based on the request for the assistance by the competent authority of the Party concerned, as well as on the provision of information on the initiative of the competent authority of one of the Parties.

2. The request or information shall be forwarded in writing. In urgent cases, the request or information can be transmitted orally, but not later than in 72 hours, it must be confirmed in writing, using technical means of text transmitting, as appropriate.

3. In case of doubt about the authenticity of the request or information, or their content additional confirmation or clarification can be requested.

4. The request shall contain:  
name of the requesting and requested the competent authorities of the Parties;  
indication of the purpose and justification;  
description of the requested assistance;  
presentation of the case merits, as well as other information that may be useful for the timely and proper execution of the request;  
indication of confidentiality, if necessary.

5. The request or information submitted in writing shall be signed by the head of the requesting competent authority of the Party or his (her) deputy and/or certified by the official stamp of this competent authority.

#### **Article 6 Executing Request for Assistance**

1. The requested competent authority of one Party shall take all necessary measures to ensure expeditious and fullest possible execution of the request. The request shall be executed, as a rule, within a period not exceeding 30 days from the date of its receipt.

2. The competent authority of the requesting Party shall be immediately notified about the circumstances preventing or delaying the execution of the request.

3. If the execution of the request is outside the competence of the competent

authority of the requested Party, then this authority shall pass the request to another state authority competent to execute it, and promptly notify the requesting competent authority of the other Party accordingly.

4. The requested competent authority of one Party may request additional information necessary, in its opinion, for the execution of the request.

5. The request shall be executed in accordance with the law of the requested Party.

6. The requested competent authority of one Party may permit representatives of the requesting competent authority of the other Party to be present during the execution of the request in the territory of its state unless it is contrary to the law of the requested Party.

7. The execution of the request may be delayed, or refused in whole or in part, if the requested competent authority of one of the Parties believes that its execution is likely to prejudice the sovereignty, security, public order or other essential interests of that State or contrary to its laws or the international obligations of the requested Party.

8. The request may be refused if the act that prompted it is not a crime under the law of the requested Party.

9. If in accordance with paragraphs 7 and 8 of this Article the request is refused in whole or in part or delayed, the requesting competent authority of the Party shall be notified accordingly in writing together with the reason preventing its execution.

## **Article 7**

### **Limitations on Use of Obtained Information and Documents**

1. Each Party shall ensure the confidentiality of information and documents obtained, if they are restricted or the providing Party considers their disclosure undesirable. The degree of confidentiality of information and documents shall be determined by the transmitting Party.

2. Without the prior written consent of the providing competent authority, the information or the results of the execution of the request obtained under this Agreement cannot be used for purposes other than those for which they were requested or provided.

3. The information and documents obtained by the Parties under this Agreement may not be transferred to a third party without the prior written consent of the competent authority that transmitted it.

## **Article 8**

### **Expenses**

The Parties shall bear their own costs associated with the implementation of this Agreement within their own states, unless agreed otherwise in each specific case.

**Article 9**  
**Dispute Resolution**

The Parties shall resolve disputes arising from the interpretation or application of this Agreement through consultations and negotiations.

**Article 10**  
**Relationship with Other International Treaties**

This Agreement shall not affect the rights and obligations of the Parties under other international treaties they are parties to.

**Article 11**  
**Working Languages**

In implementing cooperation under this Agreement, the Parties shall use Russian and Chinese as the working languages.

**Article 12**  
**Entry into Force, Duration, and Amendments**

1. This Agreement is concluded for an indefinite duration and shall enter into force on the date of the receipt by the Depositary of the fourth notification of the completion by the signatory Parties of their internal procedures necessary for its entry into force.

2. In respect of the Parties signatories to this Agreement that completed the necessary procedures later, this Agreement shall enter into force on the date of the receipt by the Depositary of their respective notifications.

3. By mutual consent of the Parties, this Agreement may be amended through separate protocols.

**Article 13**  
**Accession and Withdrawal**

1. Following its entry into force, this Agreement shall be open to accession by the states that have become members of the Shanghai Cooperation Organization. For the acceding State, this Agreement shall enter into force on the date of the receipt by the Depositary of its instrument of accession.

2. Each Party may withdraw from this Agreement by giving a written notification to this effect to the Depositary not later than six months before the intended date of withdrawal. The Depositary shall notify the other Parties of this intention within 30 days of the receipt of this notification of withdrawal.

3. Termination of this Agreement shall not affect ongoing activities there under, initiated but not completed before its termination, unless the Parties agree otherwise.

**Article 14**  
**Depositary**

The Secretariat of the Shanghai Cooperation Organization shall be the Depositary of this Agreement that within 7 days from the date of signing this Agreement shall send certified copies thereof to the Parties.

Done at Tashkent, on June 11, 2010, in a single original, in the Russian and Chinese languages, both texts being equally authentic.

*signatures*