

**Agreement  
on Cooperation in Combating Illicit Trafficking in Arms, Ammunition and  
Explosives 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 expanded illicit trafficking in arms, ammunition and explosives,

Aware that illicit trafficking in arms, ammunition and explosives poses a serious threat to the security of the Parties,

On the basis of mutual interest in adopting effective measures aimed at combating illicit trafficking in weapons, ammunitions and explosives,

Taking into account the provisions of the Charter of the Shanghai Cooperation Organization of June 7, 2002 and the Shanghai Convention on Combating Terrorism, Separatism and Extremism of June 15, 2001,

Guided by national legislation, universally recognized principles and norms of international law,

Have agreed as follows:

**Article 1**

For the purposes of this Agreement:

“Arms” refers to objects and devices designed to mechanically destruct the target at a distance by a shell receiving directed motion due to the gases produced by burning propellant charge in the barrel, as well as their main components;

“Ammunition” refers to armaments and propelled equipment designed to hit a target, and containing bursting, propellant, pyrotechnic, or lifting charge or a combination thereof;

“Explosives” refers to condensed chemical substances or a mixture thereof under certain conditions and influenced by external forces capable of instantaneous self-propagating chemical conversion releasing large amount of heat and gaseous products;

“Illicit trafficking in arms, ammunition and explosives” (hereinafter – “illicit trafficking in arms”) refers to production or repair, sale, transfer, acquisition, storage, carrying, transportation of arms, ammunition and explosives in violation of the laws of the Parties.

**Article 2**

1. In accordance with this Agreement and in compliance with their national legislation and international treaties they are parties to, the Parties shall cooperate through their competent authorities in preventing detecting, suppressing and

solving crimes related to illicit arms trafficking.

2. The list of competent authorities shall be compiled by each Party and transmitted to the Depositary at the time of depositing the notification of the completion of the internal procedures necessary for the entry of this Agreement into force.

Each Party shall notify the Depositary in writing of amendments to list of competent authorities within thirty days.

### **Article 3**

The Parties shall cooperate in the following areas:

improving the legal framework of cooperation of the Parties and harmonizing legislation of the Parties in the field of combating illicit arms trafficking;

analyzing the state and dynamics of crime associated with illicit trafficking in arms, and the results of combating it;

developing coherent strategy and joint measures to combat illicit arms trafficking;

coordinating and improving the mechanisms of interaction between the competent authorities of the Parties in the field of combating illicit arms trafficking;

coordinating positions in the framework of participation in international organizations and international fora on combating illicit trafficking in arms.

### **Article 4**

1. The competent authorities of the Parties shall cooperate in the following ways:

1) Exchanging information on:

imminent or committed crimes related to illicit trafficking in arms and involved individuals and organizations;

locations of illegal manufacture of arms, ammunition and explosives;

identified new illegal ways to remake arms and ammunition to increase their destructive properties;

identified violations that may contribute to arms trafficking crimes;

new methods of preventing, detecting, suppressing and disclosing cases of illegal arms trafficking;

other information of mutual interest;

2) Forwarding to the databank of the Regional Anti-Terrorist Structure of the Shanghai Cooperation Organization information on arms, ammunition and explosives that were used in terrorist acts;

3) executing requests for investigation;

4) planning and implementation of coordinated measures of investigation and prevention;

5) exchanging experience, holding working meetings, consultations, meetings, conferences and workshops;

6) assisting in training and skills development;

- 7) conducting joint research on issues of mutual interest;
- 8) exchanging legislative and other normative legal acts, research results and methodological recommendations.

2. This Agreement shall not affect the matters of extradition and legal assistance in criminal matters.

### **Article 5**

This Agreement shall not prevent the Parties from identifying and developing other mutually acceptable avenues and forms of cooperation.

### **Article 6**

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

2. The request or information shall be presented in writing. In urgent cases, the request or information can be transmitted orally, but not later than in seventy-two hours, it should be duplicated in writing, by technical means of text transmission, as appropriate.

3. In case of doubt about the authenticity of the request or information, or their content additional confirmation or clarification in respect of these documents may be sought.

4. The request shall contain:

name of the requesting and requested competent authorities of the Parties;

purpose and justification of the request;

description of the requested assistance;

other information useful for the timely and proper execution of the request;

indication of confidentiality, as appropriate.

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

### **Article 7**

1. The requested competent authority of one Party shall take all necessary measures to ensure expeditious and fullest possible execution of the request, and within a period not exceeding thirty days from the date of its receipt inform the requesting competent authority of the other Party of the results of its review.

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

3. If the execution of the request is outside the competence of the competent authority of the requested Party, then this authority passes the request to another state authority competent to execute it, and promptly notify the requesting competent authority of the other Party.

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

5. The law of the requested Party shall apply to the execution of the request.

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 the Party believes that it is likely to prejudice the sovereignty, security, public order or other essential interests of its state or contrary to its laws or international obligations of the requested Party.

8. The request may also be refused if the offense that prompted it is not considered as crime under the law of the requested Party.

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

#### **Article 8**

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

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

3. The information and documents obtained by one Party under this Agreement for the other Party shall not be transferable to a third party without the prior written consent of the providing Party.

#### **Article 9**

The Parties shall bear their own costs envisaged by the national legislation and associated with the implementation of this Agreement within their own states, unless agreed otherwise in each particular case.

#### **Article 10**

In order to analyze and evaluate the results of cooperation under this Agreement, as well as develop ways for improvement, the Parties may hold consultations and meetings.

## **Article 11**

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

## **Article 12**

This Agreement shall not affect the rights and obligations of the Parties arising from other international agreements they are parties to.

## **Article 13**

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

## **Article 14**

By mutual consent of the Parties, this Agreement may be changed and amended by issuing separate protocols.

## **Article 15**

1. This Agreement is concluded for an indefinite period 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.

For Parties completing these necessary procedures later, the Agreement shall enter into force on the date of the deposit of the relevant documents with the Depositary.

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

3. This Agreement shall be open for accession by States that have become Member States 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.

Done at Dushanbe, on August 28, 2008, in a single original, in the Russian and Chinese languages, both texts being equally authentic.

*signatures*

**Reservation of the Republic of Uzbekistan  
to the Articles 3 and 4 of 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  
(made during signing)**

Interaction under this Agreement shall be carried out in order not contrary to the national legislation.

*signature*