



**SECRETARIAT OF THE CONFERENCE ON INTERACTION
AND CONFIDENCE BUILDING MEASURES IN ASIA**

**СЕКРЕТАРИАТ СОВЕЩАНИЯ ПО ВЗАИМОДЕЙСТВИЮ
И МЕРАМ ДОВЕРИЯ В АЗИИ**

No. NCT/CT/513

*Enclosure:
on 8 p.*

The Secretariat of the Conference on Interaction and Confidence Building Measures in Asia (CICA) presents its compliments to the CICA Member States and, with reference to the Decision of the CICA Senior Officials Committee №SOC/2024/DEC/4 of 12 April 2024, has the honour to forward for consideration and comments a draft Memorandum of Understanding between the Secretariat of the Conference on Interaction and Confidence Building Measures in Asia and the United Nations Office of Counter-Terrorism (attached).

The Secretariat requests to send comments, if any, on the draft to the Secretariat no later than 9 May 2024. Should there be no objection received by the above deadline, the draft will be submitted to the United Nations Office of Counter-Terrorism for further approval.

The Secretariat avails itself of this opportunity to renew to the CICA Member States the assurances of its highest consideration.

Astana, 18 April 2024



**MEMBER STATES
OF THE CONFERENCE ON INTERACTION
AND CONFIDENCE BUILDING MEASURES
IN ASIA**



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№NCT/CT/513

*Приложение:
на 8 л.*

Секретариат Совещания по взаимодействию и мерам доверия в Азии (СВМДА) свидетельствует свое уважение государствам-членам СВМДА и, ссылаясь на Решение Комитета старших должностных лиц СВМДА №SOC/2024/DEC/4 от 12 апреля 2024 года, имеет честь направить для рассмотрения и комментариев проект Меморандума о взаимопонимании между Секретариатом Совещания по взаимодействию и мерам доверия в Азии и Контртеррористическим управлением Организации Объединенных Наций (прилагается).

Секретариат просит, в случае наличия комментариев к проекту, направить их в адрес Секретариата не позднее 9 мая 2024 года. В случае отсутствия возражений до указанной даты проект будет передан в Контртеррористическое управление Организации Объединенных наций для дальнейшего согласования.

Секретариат СВМДА пользуется случаем, чтобы возобновить государствам-членам СВМДА уверения в своем весьма высоком уважении.

город Астана, 18 апреля 2024 года



**ГОСУДАРСТВА-ЧЛЕНЫ
СОВЕЩАНИЯ ПО ВЗАИМОДЕЙСТВИЮ
И МЕРАМ ДОВЕРИЯ В АЗИИ**

Қосымша:
8 п.

Азиядағы өзара іс-қимыл және сенім шаралары кеңесінің (Азия Кеңесінің) Хатшылығы Азия Кеңесіне мүше мемлекеттерге өзінің зор ілтипатын білдіреді және 2024 жылғы 12 сәуірдегі №SOC/2024/DEC/4 Азия Кеңесінің Жоғары лауазымды тұлғалар комитетінің Шешіміне сілтеме жасай отырып, Азиядағы өзара іс-қимыл және сенім шаралары кеңесінің Хатшылығы мен Біріккен Ұлттар Ұйымының Терроризмге қарсы басқармасы арасындағы өзара түсіністік туралы меморандум жобасын (қоса берілген) қарау және түсініктеме беру үшін жіберуді өзіне мәртебе санайды.

Хатшылық жобаға түсініктемелер болған жағдайда оларды 2024 жылғы 9 мамырдан кешіктірмей Хатшылыққа жіберуді сұрайды. Көрсетілген мерзімге дейін қарсылықтар түспеген жағдайда жоба одан әрі келісу үшін Біріккен Ұлттар Ұйымының Терроризмге қарсы басқармасына жіберіледі.

Хатшылық осы мүмкіндікті пайдалана отырып, Азия Кеңесіне мүше мемлекеттерге өзінің зор ілтипатын тағы да растайды.

Астана қаласы, 2024 жылғы 18 сәуір

**АЗИЯДАҒЫ ӨЗАРА ІС-ҚИМЫЛ ЖӘНЕ
СЕНІМ ШАРАЛАРЫ КЕҢЕСІНЕ
МҮШЕ МЕМЛЕКЕТТЕР**

**DRAFT
MEMORANDUM OF UNDERSTANDING
between
THE UNITED NATIONS OFFICE
OF COUNTER-TERRORISM (UNOCT)**

And

**THE SECRETARIAT OF THE CONFERENCE ON INTERACTION AND
CONFIDENCE BUILDING MEASURES IN ASIA (CICA SECRETARIAT)**

THIS MEMORANDUM OF UNDERSTANDING (“MoU”) IS ENTERED INTO BETWEEN THE UNITED NATIONS OFFICE OF COUNTER-TERRORISM (hereinafter referred to as “UNOCT”), part of the United Nations Secretariat, which is an international intergovernmental organization established pursuant to the Charter of the United Nations, signed in San Francisco on 26 June 1945, and located at United Nations Headquarters, New York, NY 10017, the United States of America;

and

THE SECRETARIAT OF THE CONFERENCE ON INTERACTION AND CONFIDENCE BUILDING MEASURES IN ASIA (hereinafter referred to as “CICA SECRETARIAT”), which is a permanent body established pursuant to the Statute of the CICA Secretariat, signed in Almaty on 17 June 2006, and located at 55/20, Mangilik Yel Ave., Astana, the Republic of Kazakhstan;

hereinafter collectively referred to as the “*Participants*” and individually as a “*Participant*”,

WHEREAS the United Nations General Assembly adopted, by consensus, resolution 60/288 on the United Nations Global Counter-Terrorism Strategy (UNGCTS), which consists of four pillars - measures to address the conditions conducive to the spread of terrorism; measures to prevent and combat terrorism; measures to build States’ capacity to prevent and combat terrorism and to strengthen the role of the United Nations system in that regard; and measures to ensure respect for human rights for all and the rule of law as the fundamental basis for the fight against terrorism;

WHEREAS the United Nations General Assembly, through its resolution 71/291, established UNOCT as an office of the United Nations Secretariat to strengthen the capability of the United Nations system to assist Member States towards a balanced implementation of the UNGCTS, including by ensuring that due priority is given to counter-terrorism across the United Nations system;

WHEREAS UNOCT chairs the Coordination Committee of the United Nations Global Counter-Terrorism Coordination Compact, which is aimed to strengthen a common action approach to coordination and coherence in the counter-terrorism work of the United Nations system;

WHEREAS the United Nations Counter-Terrorism Centre (UNCCT), located within UNOCT, was established to assist in meeting the capacity-building needs of Member States upon request, while strengthening the United Nations' counter-terrorism expertise, to support the implementation of all four pillars of the UNGCTS;

WHEREAS the main objective and thrust of CICA, established pursuant to Almaty Act signed on 4 June 2002 and the Declaration of the Principles Guiding Relations between the CICA Member States of 14 September 1999, which is an integral part of the Almaty Act, as a forum for dialogue, consultations and adoption of decisions and measures on the basis of consensus on security issues in Asia, is to enhance co-operation through elaborating multilateral approaches towards promoting peace, security and stability in Asia;

WHEREAS the CICA Member States, reaffirming their commitment to the Charter of the United Nations as the basis for their cooperation, declared their determination to form in Asia a common indivisible area of security where all States peacefully co-exist, and their peoples live in conditions of peace, freedom and prosperity;

WHEREAS the CICA Member States, having agreed that the diversity in Asia underscores the importance of confidence building measures in military-political, economic, environmental, human dimensions, as well as in the area of new challenges and threats, have adopted and continuously update the CICA Catalogue of Confidence Building Measures, in which “Combating terrorism” is one of priority areas;

WHEREAS the CICA Member States, emphasizing the central role of the United Nations in the fight against international terrorism and reaffirming commitment to the UNGCTS, and calling to step up their efforts to implement all 4 pillars of the Strategy in an integrated and balanced manner in all its aspects, have adopted the CICA Plan of Action on the Implementation of the UNGCTS at the Sixth CICA Summit on 13 October 2022;

CONSIDERING that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism in a decisive, unified, coordinated, inclusive and transparent manner;

CONSIDERING that the CICA Member States' commitments with regard to implementation of the UN General Assembly and the UN Security Council resolutions relating to international terrorism;

CONSIDERING that the adoption of the General Assembly Resolution A/RES/75/291 on the seventh review of the UNGCTS which, inter alia, encourages the development of national, subregional and regional plans to support the implementation of the Strategy;

CONSIDERING that CICA is well placed to play a role in coordinating efforts for national, regional and international counter-terrorism initiatives;

CONSIDERING that the CICA Plan of Action on the Implementation of the UNGCTS is aimed at implementation, on a voluntary basis, of the UNGCTS in a comprehensive manner within the CICA region, and that this Plan may be reviewed as required;

CONSIDERING that the establishment of relations between the Participants through the conclusion of this MoU will support the Participants' efforts to enhance peace, security and economic development in Asia and contribute to their common endeavors and objectives in the area of combating terrorism;

NOW, THEREFORE, the Participants express their intention to cooperate as follows:

1: Purpose and Objectives of the MoU

- 1.1 The purpose of this MoU is to provide a non-legally binding framework, which sets out the scope and modalities of the cooperation between UNOCT and the CICA Secretariat.
- 1.2 The Participants will pursue the following main objectives:
 - i. To strengthen, within their respective mandates, cooperation and capacities to prevent and counter terrorism within a framework based on the rule of law and human rights,
 - ii. To promote a comprehensive and balanced implementation of the UNGCTS and other relevant UN General Assembly and Security Council resolutions in the CICA region,
 - iii. To mutually support and strengthen each other's capability to assist the UN Member States which are CICA Members in the implementation of the UNGCTS,
 - iv. To complement each other's efforts to ensure that due priority is given to counter-terrorism across the United Nations system and the CICA region.

2: Areas of Cooperation

- 2.1 On the basis of the aforementioned objectives, the Participants will cooperate in the following areas:
 - i. Addressing challenges and threats in preventing and countering terrorism, including in preventing and countering violent extremism conducive to terrorism, suppressing the financing of terrorism, countering terrorist travel, eliminating the supply of weapons and their ammunitions to terrorists, bringing terrorists to justice, preparing and responding to terrorist attacks, promoting and protecting human rights and the rule of law while countering terrorism, and upholding the rights and needs of victims of terrorism;
 - ii. Addressing the possible linkages between terrorism and transnational organized crime, including cybercrime, the illicit trafficking of arms, persons, drugs, cultural

- property, and illicit trade in natural resources, as well as kidnapping for ransoms and other crimes;
- iii. Implementing national and international standards on countering money laundering, the financing of terrorism and proliferation of weapons of mass destruction, as well as to enhance cooperation in these areas with the relevant regional and international bodies, including FATF, when applicable and if the state is party to them, in identifying and addressing challenges arising out of the usage of cryptocurrencies for financing terrorism and transnational organized crime; organizing training programmes, workshops and seminars for the relevant agencies;
 - iv. Sharing and exchange of information and best practices among law enforcement agencies through multilateral legal mechanisms in accordance with respective obligations under international law to support effective criminal investigation and prosecution of any person who supports, facilitates, participates or attempts to participate in the financing, planning, preparation, perpetration of terrorist acts or provides safe havens,
 - v. Strengthening the capacity of the national criminal justice systems to properly investigate, prosecute and adjudicate terrorist offences.
- 2.2 The Participants will endeavour to consult each other and to increase mutual sharing of information, including on their respective capacity-building initiatives to strengthen responses to countering terrorism, at the global, regional and national levels.
- 2.3 The Participants may invite one another, as appropriate, to attend meetings, conferences and other events that they organize, which are relevant to the subject matter of this MoU.
- 2.4 The Participants will, where necessary and appropriate, collaborate in identifying, collecting and disseminating good practices, lessons learnt and research findings, and will explore opportunities for joint research activities on topics of mutual interest.
- 2.5 The Participants will explore opportunities to jointly convene, where appropriate, workshops, conferences or other meetings on topics and issues to be mutually agreed upon, bringing together relevant stakeholders at the global, regional or national levels, in accordance with procedures to be agreed upon in each specific case.
- 2.6 The Participants may, where necessary and appropriate, explore cooperation in the provision of capacity-building assistance (including the sharing of experience and tools for monitoring and evaluation of programmes and projects), set out in a written agreement, and in accordance with procedures to be decided upon in each specific case;
- 2.7 The Participants' cooperation under this MoU, and any subsequent or related arrangement or agreement concluded pursuant to paragraph 4, will be subject to and consistent with each Participant's respective mandate and constituent instruments, and compliant with each Participant's regulations, rules, policies and procedures, and the decisions of their respective governing bodies. To this end, the Participants will consult with each other concerning the manner and form of such cooperation.

3: General principles of cooperation

- 3.1 To encourage mutual understanding of cooperation and collaboration between the Participants in the implementation of this MoU and, where applicable, of any subsequent or related arrangements and agreements, the Participants will:
- a. inform each other of any difficulties they may encounter in the performance of this MoU and/or any subsequent or related arrangements and agreements;
 - b. observe the highest ethical standards and administrative transparency in all actions and activities related to this MoU.
- 3.2 The Participants acknowledge that they are familiar with each other's mandate and objectives, and recognize that the names and emblems of the United Nations, including UNOCT, CICA, and the CICA Secretariat, may not be associated with any political or sectarian cause or otherwise used in a manner inconsistent with the status, reputation and neutrality of the United Nations and CICA.

4: Subsequent or related arrangements and agreements

- 4.1 Where the Participants agree to jointly undertake, develop and/or implement specific activities under the framework of this MoU, the Participants will, where necessary and appropriate, consider entering into specific separate written agreements or arrangements, setting out the terms and conditions of their cooperation on such specific activities.
- 4.2 Subsequent or related agreements or arrangements referred to in sub-paragraph 4.1 may address, as appropriate, any financial, legal and any other relevant matters specific to the implementation of that specific agreement or arrangement. Any such specific agreement or arrangement entered into will be guided by the terms of this MoU.

5: Financial aspects

- 5.1 Nothing in this MoU will create any financial obligations or commitment of resources, financial or otherwise, on the part of either Participant. Unless expressly agreed in writing by the Participants, they will cover their own expenses arising from any activity carried out under this MoU and detailed in the specific or related agreements or arrangements, as set out in paragraph 4 of this MoU.
- 5.2 The Participants further acknowledge that none of the Participants will engage in fundraising activities using the name and/or logo of the other Participant for any project implemented pursuant to this MoU, and that the Participants will not jointly engage in fundraising activities for such joint projects.

6: Relationship between the Participants

- 6.1 The Participants acknowledge that the cooperation between them under this MoU is on a non-exclusive basis. Nothing in this MoU will be construed to create or imply any partnership, association, agency relationship or joint venture between the Participants.

- 6.2 The Participants further acknowledge and confirm that CICA is an entity separate and distinct from the United Nations and its Member States and that it will not be considered, for any purposes whatsoever, as having a legal status connected with or dependent upon the United Nations.
- 6.3 The personnel, agents or contractors of CICA will not be considered, in any respect or for any purposes whatsoever, as being the employees or agents of the United Nations, nor will any personnel, representatives or other affiliates of the United Nations be considered, for any purposes whatsoever, as being employees or agents of CICA.

7: Use of the Participants' Names, Emblems or Logos, and Publicity

- 7.1 Neither Participant will use the name, including any abbreviation thereof, emblem, official seal or trademarks of the other Participant, its subsidiaries and/or affiliates, in connection with its business or otherwise, without the prior express written approval of the other Participant in each instance. In no event will authorization to use the name, emblem or logo of the United Nations, including UNOCT, or CICA be granted for commercial purposes.
- 7.2 The Participants will recognize and acknowledge their cooperation under this MoU, as appropriate and in a manner consistent with their respective regulations, rules, policies, and procedures. To this end, the Participants will consult with each other concerning the manner and form of such recognition and acknowledgement.
- 7.3 Any public statement regarding the activities carried out thereunder will be decided upon by the Participants prior to its publication or dissemination.

8: Intellectual Property

- 8.1 Nothing in this MoU will be construed as granting or implying rights to, or interest in, intellectual property of one Participant to the other Participant. Each Participant will retain all rights, title, and interest in and to any materials developed by or on behalf of such Participant, or otherwise acquired by such Participant, either prior to the effective date of this MoU or in furtherance of the objectives of this MoU during its term, and any modifications thereto.
- 8.2 Each Participant may, upon written request, with the prior written consent of the other Participant, use such materials to carry out the activities described in paragraph 2 above, subject to compliance with intellectual property rights.
- 8.3 In the event that the Participants foresee that intellectual property that can be protected will be created in relation to any project, programme or activity to be carried out under this MoU, the Participants will negotiate and agree on terms of its ownership and use in a separate written agreement or arrangement by the Participants as referred to in paragraph 4 of this MoU.

9: Contact and Liaison

- 9.1 Following the signing of this MoU, the Participants will designate focal points for the implementation and monitoring of this MoU.
- 9.2 The focal points for the implementation of this MoU will be responsible for:
- a. Coordinating the implementation of this MoU (it being understood that such focal points may differ from one project to another and that they will then be responsible for the implementation of project and the specific agreement or arrangement), monitoring progress, and meeting when necessary to evaluate and identify new opportunities for cooperation;
 - b. In accordance with paragraph 5 above, cooperating to develop joint information tools, such as publication of appropriate printed and online materials, as necessary and appropriate, in order to increase access to information and level of awareness on matters of mutual interest; and
 - c. In accordance with paragraphs 1 and 2 conceptualizing and making recommendations for joint activities on issues of mutual interest, consistent with the purposes and objectives identified in this MoU.
- 9.3 All correspondence related to this MoU will be done through the designated focal points.
- 9.4 Any change to the focal points will be notified in writing to the other Participant in a timely manner.

10: Term, Amendment and Termination

- 10.1 This MoU will come into effect on the date of the last signature by the duly authorized representatives of the Participants.
- 10.2 This MoU will remain in effect for five (5) years. It may be renewed by mutual consent of the Participants in writing.
- 10.3 This MoU may be amended at any time by mutual consent of the Participants in writing.
- 10.4 This MoU may be terminated or suspended by either Participant at any time by giving the other Participant sixty (60) days prior written notice. Where notice of termination is given, the Participants will take immediate steps to bring all activities under this MoU to a close in a prompt and orderly manner. Unless the Participants agree otherwise in writing, the termination of this MoU will not have any effect on (a) the necessary steps for the orderly completion of any ongoing collaborative activity involving either Participant under this Paragraph; (b) any separate agreements or arrangements concluded pursuant to Paragraph 4 of this MoU.

11: Dispute resolution

Any dispute or disagreement between the Participants concerning the interpretation, implementation or application of this MoU will be amicably settled between the Participants without resort to legal proceedings.

12: Privileges and Immunities

Nothing in or relating to this MoU will be deemed a waiver, express or implied, of any of the privileges and immunities, exemptions and facilities enjoyed, or which may be enjoyed by the United Nations, UNOCT or CICA, including their subsidiary organs and staff.

IN WITNESS WHEREOF, the undersigned, being duly authorized representatives of the **United Nations Office of Counter-Terrorism** and the **CICA Secretariat** have signed this MoU, in two originals copies, on the date and at the place indicated below, in the English language.

<i>For the United Nations Office of Counter-Terrorism:</i> H.E. Mr. Vladimir Voronkov Under-Secretary-General for Counter-Terrorism, Office of Counter-Terrorism, United Nations	<i>For the Secretariat of the Conference on Interaction and Confidence Building Measures in Asia:</i> H.E. Mr. Kairat Sarybay Secretary General of the Conference on Interaction and Confidence Building Measures in Asia
Signature	Signature
Date	Date