



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

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

No. NCT/CT/569

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 its note No. NCT/CT/513 of 18 April 2024, has the honour to forward, for your consideration, the 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 (enclosed), finalized based on the proposals by Member States.

The Secretariat kindly requests that any comments on the draft be submitted to the Secretariat by no later than 27 May 2024. If no objections are received by that date, the draft will be forwarded to the United Nations Office of Counter-Terrorism for further approval.

With regard to the divergent proposals received for paragraph 2.1, subparagraph iii. of the draft, the Secretariat would like to note that the language of this subparagraph has been aligned with the CICA Plan of Action on the Implementation of the United Nations Global Counter-Terrorism Strategy (Pillar II, paragraph 3) approved by the Sixth CICA Summit meeting. This wording is the result of a long process of coordination and has been approved at the highest level.

The same considerations can be applied to the language of paragraph 2.1, subparagraph iv. of the draft, which reflects

*Enclosure:
as stated,
on 9 p.*

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



the language of Pillar III, paragraph 2 of the above CICA Plan of Action.

The Secretariat also wishes to emphasize to the CICA Member States that the 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, if signed, would not constitute an international treaty and would not require any procedures for its entry into force.

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

Astana, 13 May 2024



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

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

№ NCT/CT/569

Секретариат Совещания по взаимодействию и мерам доверия в Азии (СВМДА) свидетельствует свое уважение государствам-членам СВМДА и, со ссылкой на свою ноту №NCT/CT/513 от 18 апреля 2024 года, имеет честь направить для рассмотрения доработанный с учетом предложений государств-членов 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 27 мая 2024 года. В случае отсутствия возражений до указанной даты проект будет передан в Контртеррористическое управление Организации Объединенных Наций для дальнейшего согласования.

В отношении поступивших разнонаправленных предложений к подпункту iii. Пункта 2.1 проекта Секретариат хотел бы отметить, что формулировка данного подпункта приведена в соответствии с утвержденным Шестым заседанием Саммита СВМДА Планом действий СВМДА по реализации Глобальной контртеррористической стратегии Организации Объединенных Наций (пункт 3 Компонента II). Данная формулировка является плодом длительного процесса согласования и одобрена на высшем уровне.

*Приложение:
упомянутое,
на 9 л.*

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



Те же самые соображения могут быть отнесены к формулировке подпункта iv. Пункта 2.1 проекта, которая повторяет формулировку пункта 2 Компонента III вышеуказанного Плана действий СВМДА.

Секретариат также обращает внимание государств – членов СВМДА, что Меморандум о взаимопонимании между Секретариатом Совещания по взаимодействию и мерам доверия в Азии и Контртеррористическим управлением Организации Объединенных Наций, в случае его подписания, не будет являться международным договором и не требует каких-либо процедур для его вступления в силу.

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

город Астана, 13 мая 2024 года

Азиядағы өзара іс-қимыл және сенім шаралары кеңесінің (Азия Кеңесінің) Хатшылығы Азия Кеңесіне мүше мемлекеттерге өзінің зор ілтипатын білдіреді және 2024 жылғы 18 сәуірдегі №NCT/CT/513 нотасына сілтеме жасай отырып, мүше мемлекеттердің ұсыныстарын ескере отырып пысықталған Азиядағы өзара іс-қимыл және сенім шаралары кеңесінің Хатшылығы мен Біріккен Ұлттар Ұйымының Терроризмге қарсы басқармасы арасындағы өзара түсіністік туралы меморандум жобасын (қоса беріледі) қарау үшін жолдауды өзіне мәртебе санайды.

Хатшылық жобаға түсініктемелер болған жағдайда оларды 2024 жылғы 27 мамырдан кешіктірмей Хатшылыққа жіберуді сұрайды. Көрсетілген мерзімге дейін қарсылықтар болмаған жағдайда жоба одан әрі келісу үшін Біріккен Ұлттар Ұйымының Терроризмге қарсы басқармасына жолданатын болады.

Жобаның 2.1-тармағының III. тармақшасына келіп түскен қарама-қайшы ұсыныстарға қатысты Хатшылық осы тармақшаның тұжырымы Азия Кеңесі Саммитінің алтыншы отырысында бекітілген Біріккен Ұлттар Ұйымының терроризмге қарсы жаһандық стратегиясын іске асыру жөніндегі Азия Кеңесінің іс-қимыл жоспарына (II компоненттің 3-тармағы) сәйкес келтірілгенін атап өтеді. Бұл тұжырым үйлестірудің ұзақ процесінің нәтижесі болып табылады және жоғары деңгейде бекітілді.

Дәл осылай жоғарыда аталған Азия Кеңесі іс-қимыл жоспары III компоненті 2-тармағының тұжырымын

Қосымша:
аталған,
9 п.

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

қайталайтын жобаның 2.1-тармағы iv. тармақшасының тұжырымын түсіндіруге болады.

Сондай-ақ Хатшылық Азия Кеңесіне мүше мемлекеттердің назарын Азиядағы өзара іс-қимыл және сенім шаралары кеңесінің Хатшылығы мен Біріккен Ұлттар Ұйымының Терроризмге қарсы басқармасы арасындағы өзара түсіністік туралы меморандум, оған қол қойылған жағдайда, халықаралық шарт болып табылмайтынына және оның күшіне енуі үшін қандай да бір рәсімдерді талап етпейтініне аударады.

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

Астана қаласы, 2024 жылғы 13 мамыр

**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 in all its forms and manifestations;

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 all four pillars of the UNGCTS, including by strengthening the delivery of United Nations counter-terrorism capacity- building assistance to Member States upon request, and 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, its principles and purposes 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 in all its forms and manifestations, and reaffirming commitment to the UNGCTS, and calling to step up their efforts for the even implementation of all 4 pillars of the UNGCTS 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;

REAFFIRMING the Participants' strong desire and commitment to upholding the principles of sovereignty and sovereign equality of all States, respect their territorial integrity, mutual respect, non-intervention and non-interference in the internal affairs of other States, and the peaceful settlement of disputes, and call for states to refrain from any acts of infringement on the sovereignty of other states.

CONSIDERING that the CICA Member States' commitments with regard to implementation of the UN resolutions relating to international terrorism;

CONSIDERING that the adoption of the consecutive General Assembly Resolutions on the UNGCTS ending to A/RES/77/298 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 which are in line with international law and the principles of the Charter of the United Nations;

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 and security in Asia and contribute to their common endeavors and objectives in the area of combating terrorism;

NOW, THEREFORE, the Participants, while reaffirming respect for the sovereignty, territorial integrity, independence and unity of all States in accordance with the principles of UN Charter, 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 all pillars of the UNGCTS and other relevant UN resolutions relating to terrorism 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 addressing conditions conducive to terrorism in line with the GCTS; in

preventing and countering violent extremism conducive to terrorism, suppressing the financing of terrorism, countering travel of foreign terrorist fighters, eliminating the supply of weapons and ammunitions to terrorists, bringing terrorists to justice, preventing terrorist attacks, strengthening capacity building, countering terrorist propaganda, incitement and recruitment, including through Internet and other ICT, respecting human rights and the rule of law while countering terrorism, and protecting the rights of victims of terrorism;

- ii. Identifying, analysing and countering any existing, growing or potential links, in some cases, between the financing of terrorism and transnational organized crime. Illicit drug-related activities, money-laundering, kidnapping and hostage-taking with the aim of raising funds, including by demands for ransom, and extortion, to prevent and tackle financial and logistical support to terrorism in all its form and manifestations and prevent terrorists from acquiring weapons, in compliance with obligations under applicable international law;
 - (ii) (bis) Take appropriate initiatives and measures, in line with GCTS, to address the new and emerging threats posed by the rise in terrorist attacks on the basis of xenophobia, racism, and other form of intolerance, or in the name of religion or belief, through investigation, information exchange and cooperation;
 - 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, as appropriate and where possible, 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, upon the request of Member states.
- 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 counter 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 may, 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 may explore opportunities to jointly convene, where appropriate, workshops, conferences or other meetings on topics and issues to be mutually agreed upon within the scope of this MoU, 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 and fully comply with

obligations under international law, including the UN Charter, and relevant international conventions and protocols.

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 |
|--|---|

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|-----------|-----------|
| | |
| Signature | Signature |
| Date | Date |