

## **Agreement between the People's Republic of China and Turkmenistan on Cooperation in Combating Terrorism, Secessionism and Extremism**

The People's Republic of China and Turkmenistan (hereinafter referred to as "the parties" ),

On the basis of mutual respect for sovereignty, equality and mutual benefit,

For the purpose of facilitating effective cooperation in combating against terrorism, secessionism and extremism,

Have resolved to conclude the present Agreement and agreed as follows:

### *Article 1*

1. For the purpose of this Agreement,

(a) "Terrorism" means:

(i) any act criminalized as an offence by any treaty listed in the Annex to this Agreement;

(ii) any act causing death of or severe bodily injuries to civilians or any persons who are not actively involving in military actions during an armed conflict, or causing severe damage to physical

objects, as well as organizing, planning, abetting or conspiring for the above mentioned act, that can be regarded, by its nature or by its circumstances, as intimidating citizens, undermining the public security or coercing government agencies or international organizations into action or inaction, which is subject to a criminal punishment according to the domestic law of the Parties.

(b) “Secessionism” means any act aimed at undermining the integrity of national territory including separating a part from the national territory or dismembering the state by violence, as well as planning, preparing, abetting or conspiring for the above mentioned act, which is subject to a criminal punishment according to the domestic law of the Parties.

(c) “Extremism” means any act aimed at seizing and controlling the state power or changing its constitutional system by violence, endangering the public security by violence, as well as organizing or becoming a member of an unlawful armed group for the above-mentioned objectives, which is subject to a criminal punishment according to the domestic law of the Parties.

2. The Parties shall take necessary measures including enacting national laws to ensure that acts set forth in paragraph 1 of Article 1 be duly punished in light of their nature.

## *Article 2*

The acts set forth in paragraph 1 of Article 1 shall include acts of organizing, leading, or becoming a member of a terrorist, secessionist or extremist organization.

### *Article 3*

The acts set forth in paragraph 1 of Article 1 shall include financing, training of, and providing technology and weapons for any terrorist, secessionist or extremist activity.

### *Article 4*

The acts set forth in paragraph 1 of Article 1 shall include the following acts, which are committed to shield or conceal the origin and nature of the property by a person knowing such property is unlawful proceeds or profits from those acts set forth in paragraph 1 of Article 1:

- (a) providing bank accounts;
- (b) assisting in realizing a property into cash or financial instruments;
- (c) assisting in transferring funds by account transfer or other means of clearing;
- (d) assisting in remitting funds overseas; or
- (f) shielding or concealing the origin and nature of the above mentioned unlawful proceeds and profits by other means.

### *Article 5*

“Violence” mentioned in paragraph 1 of Article 1 shall include the use of poisonous and radioactive materials and pathogens of infectious diseases, etc..

### *Article 6*

The acts set forth in paragraph 1 of Article 1 shall include the attempts of such acts.

### *Article 7*

1. For the purpose of extradition and judicial assistance, acts set forth in paragraph 1 of Article 1 shall not be considered as political offences. Extradition of a person who is charged for commission of such acts shall not be refused on the basis of political offence, nor shall any judicial assistance arising from a case which relates to such acts be refused on that basis.

2. One Party shall not grant asylum to a person charged by the other Party for commission of acts set forth in paragraph 1 of Article 1.

### *Article 8*

1. For the purpose of this Agreement, each Party shall designate a Central Authority for the implementation of this Agreement and inform the other of such designation through diplomatic channels. In case of a change of the above-mentioned designation, the Party concerned shall notify the other Party of such a change.

2. The Central Authorities referred to in paragraph 1 of this article are, for the People's Republic of China, Ministry of Public Security and, for Turkmenistan, Ministry of National Security.

3. The Central Authorities of the Parties shall communicate directly and coordinate for the implementation of this Agreement.

4. The Central Authorities of the Parties shall inform each other of the ways of communication, including the office in charge of day-to-day contacts, its telephone and fax numbers, and e-mail address. In case of a change in the way of communication, the Party concerned shall promptly notify the other Party of such a change.

#### *Article 9*

1. The Central Authorities of the Parties shall set up a mechanism for regular meetings and consultations between the counterpart departments and experts, for the purpose of sharing information, comparing notes and coordinating policies on combating the acts set forth in paragraph 1 of Article 1.

2. Upon a request of the Central Authority of one Party, the Central Authorities of both Parties shall hold special meetings and consultations on matters concerning the implementation of this Agreement.

#### *Article 10*

The Central Authorities of the Parties shall exchange information of mutual interest such as:

(a) Information about any terrorist, secessionist and extremist organizations and their members, if available, including names, structure and main activities of such organizations, and their members' names, nationalities, domiciles or residences, physical features, photos, fingerprints and other data which may help to locate and identify those members;

(b) Information about planning and training of any terrorist, secessionist and extremist organizations for committing the acts set forth in paragraph 1 of Article 1 in the territory of either Party and the training bases of those organizations;

(c) Information about any terrorist, secessionist and extremist organizations using a third country to prepare for and commit the acts set forth in paragraph 1 of Article 1 against either Party;

(d) Information about illegal manufacture, acquisition, storage, transfer, transport, sale, use or threat to use of poisonous, radioactive, infectious materials and explosives and igniters, guns and ammunitions, nuclear weapons, chemical weapons, biological weapons and other weapons of massive destruction, and materials and equipments for manufacturing the above-mentioned weapons committed by any terrorist, secessionist and extremist organizations as well as their members;

(e) Information about terrorist attacks or threat to launch terrorist attacks by any terrorist, secessionist and extremist organizations on the head of state, other state leaders, diplomatic missions, consular agencies, staff members of international organizations, delegations and essential facilities of either Party;

(f) Information about illegal production and distribution of propaganda materials on terrorism, secessionism and extremism (including presswork and audio-video products) by any terrorist, secessionist and extremist organizations;

(g) Information about the financial sources and funding channels of any terrorist, secessionist and extremist organizations;

(h) Information about the nature, operational patterns, methods and means of the activities of any terrorist, secessionist and extremist organizations;

(i) Intelligence, information and data regarding the experience of preventing, discovering and suppressing activities of any terrorist, secessionist and extremist organizations;

(j) Information regarding one Party's national who is suspected involving in the commission of acts set forth in paragraph 1 of Article 1 in the territory of the other Party, such as that person's physical features, identity document, domicile or residence, photo, etc.;

(k) Information about organizations or individuals who provide funds, technology, weapons, training for terrorist, secessionist and extremist activities.

#### *Article 11*

One Party shall ban any organization which is carrying out acts set forth in paragraph 1 of Article 1 in its territory against the other Party.

#### *Article 12*

The Parties may, to the extent permitted by their domestic law and bilateral treaty between them on extradition, simplify the extradition and transfer procedures through consultation.

### *Article 13*

With respect to judicial assistance, the Requested Party shall, to the extent permitted by its domestic law and upon the request of the Requesting Party, provide the following assistance:

(a) allow the representative of the Central Authority or the diplomatic or consular mission of the Requesting Party to be present at the trial of a case related to the acts set forth in paragraph 1 of article 1 that is against the Requesting Party;

(b) allow the representative of the Central Authority or the diplomatic or consular mission of the Requesting Party to be present and put questions to the suspect or the accused during the interrogation, or the witness, the victim or the expert during the inquiry, directly or through the official of the Requested Party;

(c) cooperate with, or provide assistance to the competent authority of the Requesting Party in the investigation of a case related to the acts set forth in paragraph 1 of article 1. With the agreement of the other Party, the Requesting Party may send a working group to provide assistance in the territory of the other Party. Persons taking part in the action shall abide by relevant international conventions, bilateral agreements and the domestic law of the other Party.

### *Article 14*

1. For the purpose of the implementation of this Agreement, the Parties shall promote cooperation in the fields of police scientific research, technological exchanges, development and improvement of

police technologies, etc., including mutual provision of necessary technological and material assistance.

2. One Party shall not transfer to a third party the data, special equipment, materials and apparatus received from the other Party, unless the other Party give a written consent in advance.

3. The Parties shall not transfer to a third party ,or make public the information on, the detective methods, professional staff, special equipment and functions of logistic materials applied in mutual assistance in accordance with this Agreement, unless a written consent has been given in advance.

4. The content of the regular meetings, exchange of information and case cooperation between the Central Authorities of the Parties shall be strictly kept confidential. It shall not be disclosed to any third Party without prior consent of the Parties.

#### *Article 15*

Each Party shall bear its own costs incurred in the implementation of this Agreement, unless otherwise agreed on.

#### *Article 16*

The Central Authorities of the Parties shall use Chinese and Turkmen as working languages in the cooperation within this Agreement.

#### *Article 17*

This Agreement shall not limit the Parties' rights to conclude other international treaties on the content of this Agreement as well as

matters not in conflict with the aims and purposes of this Agreement, nor shall this Agreement affect any rights enjoyed or any obligations undertaken by the Parties under other international treaties.

*Article 18*

Any dispute arising from the interpretation or implementation of this Agreement shall be settled by consultation through diplomatic channels.

*Article 19*

Each Party shall notify the other Party the completion of its national legislative procedure on the entry into force of this Agreement through diplomatic channels. This Agreement shall enter into force on the thirtieth day after the date of delivery of the later notification.

*Article 20*

1. This Agreement shall remain valid infinitely.
2. Either Party may terminate this Agreement by a written notification to the other Party through diplomatic channels. Termination shall come into effect after twelve months from the date of delivery of such notification.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE in duplicate in on 2006, in the Chinese, Turkmen and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail

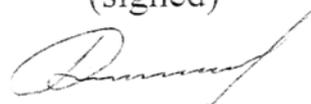
For the People's Republic of  
China

For Turkmenistan

(signed)

Handwritten signature in Chinese characters, appearing to be '戴秉国' (Dai Bingguo).

(signed)

Handwritten signature in Latin script, appearing to be 'Dumanov'.

Annex:

1. Convention on Offences and Certain Other Acts Committed on Board Aircraft signed at Tokyo on Sept. 14, 1963
2. Convention for the Suppression of Unlawful Seizure of Aircraft signed in Hague on Dec. 16, 1970;
3. Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation signed in Montreal on Sept. 23, 1971;
4. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents Adopted by the United Nations Assembly on Dec. 14, 1973;
5. Convention Against the Taking of Hostages Adopted by the United Nations Assembly on Dec. 17, 1979;
6. Convention on the Physical Protection of Nuclear Material Adopted in Vienna on Mar. 3, 1980;
7. Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation signed in Montreal on Feb. 24, 1988, supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation;
8. Convention for the Suppression on Unlawful Acts against the Safety of Maritime Navigation signed in Rome on Mar. 10,

1988;

9. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation signed in Rome on Mar. 10, 1988;
10. International Convention for the Suppression of Terrorist Bombings Adopted by the United Nations Assembly on Dec. 15, 1997.