

## **AGREEMENT ON THE EURASIAN GROUP ON COMBATING MONEY LAUNDERING AND FINANCING OF TERRORISM**

The Government of the Republic of Belarus, the Government of the People's Republic of China, the Government of the Kyrgyz Republic, the Government of the Russian Federation, the Government of the Republic of Tajikistan, the Government of Turkmenistan and the Government of the Republic of Uzbekistan, hereafter collectively referred to the Agreement as the Parties or member-states,

taking into account the provisions of the October 6<sup>th</sup> 2004 Declaration on the Establishment of the Eurasian Group on combating money laundering and financing of terrorism and the October 6<sup>th</sup> 2004 Terms of Reference of the Eurasian Group on combating money laundering and financing of terrorism,

based on a history of strategic partnership and cooperation among them, realizing the danger of money laundering and financing of terrorism, reaffirming their commitment to maintaining economic security in the region and their interest in protecting national financial systems from abuse by criminals,

acknowledging the importance of broad international cooperation in the area of combating money laundering and financing of terrorism,

and expressing interest in creating an effective system for combating money laundering and financing of terrorism on the basis of the Financial Action Task Force (hereafter - FATF) Recommendations and taking into account the regional peculiarities,

agree as follows:

### **Article 1**

#### **Establishment of the international organization**

The Parties to the Agreement hereby establish a regional intergovernmental organization entitled the Eurasian Group on combating money laundering and financing of terrorism (hereafter EAG).

### **Article 2**

#### **Goals and tasks**

The primary goal of EAG is to ensure effective interaction and cooperation at the regional level and integration of EAG member states (hereafter – member-states) into the international system of anti-money laundering and combating financing of terrorism in accordance with the Recommendations of the FATF and the anti-money laundering and combating financing of terrorism standards of other international organizations, to which EAG member-states are party.

The main tasks of EAG shall be:

- assisting member states in implementing the 40 FATF anti-money laundering Recommendations and the 9 Special FATF Recommendations on combating terrorist financing (FATF 40+9 Recommendations);
- developing and conducting joint activities aimed at combating money laundering and terrorist financing;
- implementing a program of mutual evaluations of member states based on the FATF 40+9 Recommendations, including assessment of the effectiveness of legislative and other measures adopted in the sphere of AML/CFT efforts;
- coordinating international cooperation and technical assistance programs with specialized international organizations, bodies, and interested states;
- analyzing money laundering and terrorist financing trends (typologies) and exchanging best practices of combating such crimes taking into account regional specifics.

### **Article 3 Bodies**

For purposes of goals and tasks set forth in this Agreement, the following bodies shall operate within EAG:

- EAG Plenary meeting (hereafter – Plenary meeting);
- EAG Secretariat (hereafter – Secretariat).

### **Article 4 EAG Plenary meeting**

The highest governing body of EAG is the Plenary meeting, which shall normally convene twice a year, but not less than once a year. Member-states' delegations participate in the work of the Plenary meeting.

The Plenary considers the fundamental issues related to the common interests of EAG member-states, defines the strategy, direction and makes decisions of a recommendatory nature, aimed at implementing the goals and objectives of the EAG.

The Plenary meeting, in accordance with the Procedural Rules, decides on the functioning of the EAG provided in this Agreement.

The Plenary may decide to create Working Groups in charge of separate aspects of EAG activity. The Working Groups shall present reports to the Plenary on issues within their respective terms of reference. The order of formation and the competency of the Working groups is defined by the Plenary meeting.

Decisions of the Plenary shall be taken by member-states by consensus.



## **Article 5 Chairmanship**

The EAG Chairman (hereafter - Chairman) is appointed for a two-year period by the decision of the Plenary meeting. Candidates for the chairmanship are nominated by the delegations of member-states, it is possible to nominate one or several candidates.

The Chairman leads the work of the Plenary meetings and represents EAG in external relations. At the start of each chairmanship term, the Chairman shall propose an Action Plan to be adopted by the Plenary. The Action Plan shall outline the goals and working plans of EAG for the duration of each chairmanship.

The EAG Deputy Chairman (hereafter – Deputy Chairman) is appointed by the Plenary decision and replaces the Chairman in his absence as well as performs other duties imposed by the Chairman. The Deputy Chairman will be approved for each period of chairmanship on a rotating basis according to the Russian alphabet of names of member-states.

Representatives of the same EAG member state may not simultaneously serve as the Chairman and Deputy Chairman.

## **Article 6 EAG Secretariat**

The Secretariat is a permanent body tasked with administrative and technical functions aimed at fulfilling decisions of the Plenary and instructions of the Chairman.

The Secretariat is headed by the Executive Secretary appointed by the decision of the Plenary Meeting.

The way of forming, objectives, functions, rights and responsibilities of the Secretariat, and his staff are set by the Regulation on the Secretariat of the Eurasian Group on combating money laundering and financing of terrorism that is approved by the Plenary meeting.

The Secretariat shall be manned by citizens of EAG member-states. Upon performing their official duties, the Executive Secretary and Secretariat personnel shall not request or receive any instructions from any Party to the Agreement. Activities of the Secretariat staff must not conflict with the legislation of EAG member-states.

The Parties to the Agreement shall respect the international nature of the duties of the Executive Secretary and Secretariat personnel and shall not attempt to influence them as they perform their official duties. The Secretariat will be located in Moscow, Russian Federation. The conditions of the Secretariat residence on the territory of the Russian Federation are regulated on the basis of a relevant international treaty.

## **Article 7 Membership**

The state becomes an EAG member from the date of receipt by the depositary of the notification on the completion of domestic procedures to join this Agreement.

EAG membership is open to other countries of the Eurasian region which:

- are taking active steps to develop and enforce AML/CFT laws consistent with the FATF 40+9 Recommendations;
- are willing to assume the obligation to participate in EAG mutual evaluation programs;
- are willing to assume the obligations of this agreement.

A state that wishes to receive the status of an EAG member-state must make an appropriate application through the Secretariat to the Plenary meeting that makes a decision on admission of the state to the EAG.

Countries that obtain membership status have the right to vote on Plenary meetings, and assume the obligations of annual membership fees to the budget of the EAG.

The Plenary may decide to suspend participation of a Party to this Agreement in the work of EAG bodies if such a Party is in violation of this Agreement and/or agreements in force within EAG. In this case, this Party is deprived of the right to vote when the issue of suspension of its membership status is discussed. Where such a Party to the Agreement continues to violate its obligations, the Plenary may decide to expel it from EAG from the date to be determined at the Plenary's discretion.

## **Article 8 Observers**

A state or organization seeking EAG observer status (hereafter – observer status) shall submit a relevant application to the Plenary via the Secretariat.

The Secretariat shall forward this application to EAG member states that shall review the application by the state or organization seeking observer status. If necessary, EAG member states may request additional documents that are not confidential. The decision to grant (suspend, revoke) observer status shall be made by the Plenary after the application has been duly reviewed.

Representatives of the state or organization that submitted the relevant application may be invited to attend the Plenary that will consider the application for observer status. The decision to grant observer status is made unanimously. The decision shall be sent by the Secretariat to the relevant state or organization within a week's time.

Holders of observer status shall not have the right to vote on decisions at the Plenary or the right to sign EAG documents.

The state or organization with observer status may:

- participate at the Working Groups meeting and the Plenary;



- circulate via the Secretariat written statements in the working languages of EAG on matters of interest that fall within EAG competence;
- receive public documents and decisions of EAG as may be necessary from time to time.

The state or organization with observer status shall submit non-confidential documents relating to their participation in EAG in observer capacity at the request of the Secretariat.

The state or organization with observer status shall present annual reports on their anti-money laundering and combating financing of terrorism efforts and contributions to EAG, including joint efforts with member states.

The state or organization with observer status shall notify the Secretariat about their intention to take part in Working Group meetings or the Plenary no later than 10 business days before the start of the meeting.

The state or organization with observer status shall refrain from actions or statements aimed against the interests of EAG in fulfilling its goals and tasks pursuant to article 2 of this Agreement or its member states in fulfilling their obligations pursuant to article 7 of this Agreement.

Where the state or organization with observer status has committed acts or made statements aimed against the interests of EAG in fulfilling its goals and tasks pursuant to this Agreement, member states may raise the issue of suspending or revoking their observer status at the next Plenary. If the State or organization that has received observer status, does not participate in the EAG activities for two years, member-states may raise the issue of suspending or revoking its observer status at the next Plenary meeting.

The state or organization with observer status may submit to the Secretariat a statement expressing a wish to give up their observer status, based on which the next Plenary will make the relevant decision.

Diplomatic missions of observer states and representative offices of international organizations may maintain permanent contacts with the Secretariat in matters relating to their participation in EAG activity in observer capacity.

States and organizations with EAG observer status having informed the Secretariat beforehand may provide member states with both assistance in staff training, exchange of experience and specialists, logistical support, and financial aid needed to accomplish EAG goals.

## **Article 9**

### **Funding**

The EAG has its own budget that is formed and carried out in accordance with the Regulation on the procedure for forming and implementing the budget of the EAG, which is an annex of the current Agreement and serves as an integral part of it. The order of determining the annual EAG member-states' fees to the EAG budget on the principles of the shared participation is defined by the named Regulation.

**Article 10**  
**Working language**

Russian, English and Chinese shall be the working languages of the EAG.

**Article 11**  
**Settlement of disputes**

In case of disputes related to interpretation and application of this Agreement, the Parties shall settle them through consultations and negotiations.

**Article 12**  
**Effective term and coming into force**

This Agreement is made for an indefinite period of time. This Agreement shall come into force in 30 days from the date when the third notification about the Parties completion of intra-state procedures needed to bring it into force is provided to the depositary that shall be the Secretariat.

For the party of this Agreement, which signed it, but has failed to complete intra-state procedures prior to the entry of this Agreement into force, it shall enter into force starting from the date of the receipt of the notification of the completion of the intra-state procedures required for the entry of the Agreement into force by the depositary.

**Article 13**  
**Amendments and supplements**

This Agreement may be amended and supplemented by way of a separate protocol. made out to the Agreement. The order of signing and coming into force of the protocols is similar to the order of coming into force of the Article 12 of the Agreement.

**Article 14**  
**Procedure of withdrawal**

Any Party to the Agreement may withdraw from EAG after performing all of its obligations to EAG and its member states, by submitting to the Secretariat an official notice of withdrawal from this Agreement at least 12 months before the expected date of withdrawal.

Executed in the City of Moscow on June 16, 2011 in a single copy in Russian, English and Chinese, all versions having equal legal force.



The original of the Agreement shall be kept by the depository, which shall send its certified copy to each Party to the Agreement.

For the Government of the Republic of Belarus




---

For the Government of the People's Republic of China



---

For the Government of the Kyrgyz Republic



---

For the Government of the Russian Federation



---

For the Government of the Republic of Tajikistan



---

For the Government of Turkmenistan



---

For the Government of the Republic of Uzbekistan



---

On behalf of the Government of the Republic of Kazakhstan  
signed on July 4, 2011 in Moscow

For the Government of the Republic of Kazakhstan

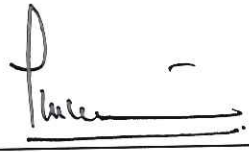
*Mr. Zmey*

---



On behalf of the Government of the Republic of India  
signed on November 24, 2011 in Xiamen

For the Government of the Republic of India



A handwritten signature in black ink, consisting of a stylized initial 'P' followed by a series of horizontal strokes, positioned above a solid horizontal line.