

**AMENDMENT TO THE AGREEMENT
BETWEEN
THE MINISTRY OF ENERGY AND MINERAL RESOURCES
OF THE REPUBLIC OF KAZAKHSTAN
AND
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
CONCERNING
THE ELIMINATION OF INFRASTRUCTURE FOR WEAPONS OF
MASS DESTRUCTION**

Pursuant to Article VII, Paragraph 2 of the Agreement between the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan and the Department of Defense of the United States of America Concerning the Elimination of Infrastructure for Weapons of Mass Destruction, dated October 3, 1995, as amended June 10, 1996, September 9, 1998, December 17, 1999, July 29, 2000, May 31, 2002, April 2, 2003 and June 28, 2004 (hereinafter referred to as "the Agreement"), the Ministry of Energy and Mineral Resources of the Republic of Kazakhstan and the Department of Defense of the United States of America have agreed to amend the Agreement as follows:

1. To amend Article III, Paragraph 1 by replacing the words "sixty six million six thousand U.S. dollars" with the words "one hundred million U.S. dollars".
2. To amend Article III, Paragraph 2 by adding the words "or its implementing agents" after the word "MEMR."
3. To amend Article III, Paragraph 2 by renumbering existing Subparagraph 2e as Subparagraph 2g, deleting the word "and" at the end of Subparagraph 2d, and adding new Subparagraphs 2e and 2f as follows:

"e. construction of a modern diagnostic laboratory at the Aikimbayev Kazakh Science Center for Quarantine and Zoonotic Diseases, Ministry of Health of the Republic of Kazakhstan, and modernization of diagnostic laboratories at the Scientific Research Agricultural Institute and the National Center for Monitoring, Reference, Laboratory Diagnostics, and Veterinary Methodology. Upon the completion of construction, all sites shall become property of the Government of Kazakhstan;



f. provision of diagnostic or scientific materials including but not limited to monoclonal antibodies, diagnostic reagents, and genetic sequences derived from pathogen strains transferred to the DoD; and”

4. To amend Article III by renumbering existing Paragraphs 3 and 4 as to read Paragraphs 7 and 8 and adding new Paragraphs 3, 4, 5 and 6 as follows:

“3. In the framework of cooperative biological research and epidemiological monitoring, MEMR or its designated implementing agents shall facilitate the transfer of requested pathogen strains to DoD and exchange information about epidemiological conditions in Central Asia. MEMR or its designated implementing agents are responsible for ensuring that this is accomplished consistent with laws of the Republic of Kazakhstan. Details of such cooperation shall be further defined in the annual joint plans developed in accordance with paragraph 6 of Article III.

4. MEMR or its designated implementing agents, with assistance from DoD, shall consolidate and store all dangerous pathogens at the following secure centralized laboratories: human and animal pathogens at the Aikimbayev Kazakh Science Center for Quarantine and Zoonotic Diseases, Ministry of Health of the Republic of Kazakhstan; animal pathogens at the Scientific Research Agricultural Institute, Ministry of Education and Science of the Republic of Kazakhstan; or at other secure centralized laboratories by agreement of the Parties. DoD may provide molecular diagnostics capabilities, improved electronic communications, and equipment for the safe and timely transport of field pathogen samples to the secure centralized laboratory facilities.

5. Dangerous pathogens placed in centralized laboratories shall remain in those laboratories for the duration of the Agreement between the United States of America and the Republic of Kazakhstan Concerning the Destruction of Silo Launchers of Intercontinental Ballistic Missiles, Emergency Response, and the Prevention of Proliferation of Nuclear Weapons, dated December 13, 1993 and extended December 5, 2000.

6. MEMR or its designated executive agent shall cooperate with DoD annually to develop a plan describing the underlying assumptions, requirements and responsibilities, including the functions of Kazakhstani contractors, for each project being undertaken pursuant to the Agreement, and MEMR or its

designated implementing agent, in coordination with involved ministries and agencies, shall certify each such plan as accurate.”

This Amendment shall enter into force upon signature and shall remain in force for the duration of the Agreement. Notwithstanding termination of the Agreement, Paragraph 5 of Article III shall continue to apply as between the Parties for the duration of the Agreement between the United States of America and the Republic of Kazakhstan Concerning the Destruction of Silo Launchers of Intercontinental Ballistic Missiles, Emergency Response, and the Prevention of Proliferation of Nuclear Weapons, dated December 13, 1993 and extended December 5, 2000.

In witness whereof, the undersigned, being duly authorized by their respective governments, have signed this Amendment.

Done at Washington, this 7th day of December, 2004, and at Astana, this 29 day of November, 2004, in duplicate, each in the Russian and English languages, both texts being equally authentic.

For the Ministry of
Energy and Mineral Resources of
the Republic of Kazakhstan



For the Department of
Defense of the
United States of America

