

AMENDMENT TO THE
AGREEMENT
BETWEEN
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
AND
THE MINISTRY OF SCIENCE-ACADEMY OF SCIENCE
OF THE REPUBLIC OF KAZAKHSTAN
CONCERNING
THE ELIMINATION OF INFRASTRUCTURE OF
WEAPONS OF MASS DESTRUCTION

The Department of Defense of the United States of America and the Ministry of Energy, Industry, and Trade of the Republic of Kazakhstan, successor to the Ministry of Science-Academy of Science of the Republic of Kazakhstan for Cooperative Threat Reduction Projects in Kazakhstan, hereinafter referred to as the Parties,

Desiring to facilitate biological material protection, control and accountability in order to conserve, characterize, and protect strain collections of microorganisms and to prevent the proliferation of biological material that could contribute to the proliferation of weapons of mass destruction;

In accordance with paragraph 1 of Article II and paragraph 2 of Article VII, have agreed to amend the Agreement Between the Department of Defense of the United States of America and the Ministry of Science-Academy of Science of the Republic of Kazakhstan Concerning the Elimination of Infrastructure of Weapons of Mass Destruction of October 3, 1995, and as amended June 10, 1996 and September 9, 1998, as follows:

1. Replace "Ministry of Science - Academy of Science of the Republic of Kazakhstan" with "Ministry of Energy, Industry, and Trade of the Republic of Kazakhstan" in the title, the preamble, and in paragraph 1, Article I;
2. Replace the abbreviation "MSAS" with the abbreviation "MEIT" throughout the document;
3. Replace "twenty-two million five hundred thousand U.S. dollars" in paragraph 1 of Article III with "twenty-six million five hundred thousand U.S. dollars"; and
4. Annex A shall be added to the Agreement and be considered to be an integral part thereof, pursuant to paragraph 1 of Article II and paragraph 2 of Article VII.

This Amendment shall enter into force upon signature and shall remain in force for the duration of the Agreement.

Done at Washington this 17th day of December, 1999, in duplicate in the English language, which shall be the authentic text. A translation of the Amendment into the Kazakh and Russian languages shall be prepared by the Republic of Kazakhstan, which shall be considered equally authentic upon an exchange of letters between the Parties confirming their conformity with the English language text.

FOR THE DEPARTMENT OF
DEFENSE OF THE
UNITED STATES OF AMERICA



FOR THE MINISTRY OF ENERGY,
INDUSTRY, AND TRADE OF THE
REPUBLIC OF KAZAKHSTAN:



ANNEX A
TO THE
AGREEMENT
BETWEEN
THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA
AND
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Article I

1. Pursuant to the terms of this Annex, the Department of Defense of the United States of America may assist the Republic of Kazakhstan in biological material protection, control and accountability to conserve, characterize and protect strain collections of microorganisms and to prevent the proliferation of biological material that could contribute to the proliferation of weapons of mass destruction.
2. This Annex is an integral part of the Agreement Between the Department of Defense of the United States of America, hereinafter referred to as the DOD, and the Ministry of Energy, Industry, and Trade of the Republic of Kazakhstan, hereinafter referred to as the MEIT, Concerning the Elimination of the Infrastructure of Weapons of Mass Destruction, hereinafter referred to as the WMDIE Agreement, of October 3, 1995, and all activities undertaken in accordance with this Annex shall be subject to the Agreement Concerning the Destruction of Silo Launchers of Intercontinental Ballistic Missiles, Emergency Response, and the Prevention of the Proliferation of Nuclear Weapons (CTR Umbrella Agreement) of December 13, 1993 and the availability of funds.
3. In the event of any discrepancy between the provisions of this Annex and the provisions of administrative agreements hereto, the provisions of this Annex shall prevail.

Article II

1. The DOD shall be the Executive Agent of the United States of America responsible for the implementation of this Annex. The Anti-Plague Institute of the Health Affairs Agency of the Republic of Kazakhstan, hereinafter referred to as HAA Anti-Plague, shall be the Executive Agent for the Republic of Kazakhstan for the implementation of this Annex.
2. Either Party may, consistent with its laws and regulations, delegate responsibility for the implementation of this Annex to other agencies, departments, or units of its respective government upon thirty days written notification to the other Party. The DOD shall have the right of prior approval of the designation of any agent or subcontractor that will receive DOD assistance, either directly or indirectly, to implement the provisions of this Annex.

Article III

Project agreements, as appropriate, shall encourage the effective protection and allocation of rights to any intellectual property created or transferred under this Agreement.

- End of Annex A -

Done at Washington this 17th day of December, 1999, in duplicate in the English language, which shall be the authentic text. A translation of the Amendment into the Kazakh and Russian languages shall be prepared by the Republic of Kazakhstan, which shall be considered equally authentic upon an exchange of letters between the Parties confirming their conformity with the English language text.

FOR THE MINISTRY OF ENERGY,
INDUSTRY, AND TRADE OF THE
REPUBLIC OF KAZAKHSTAN:



FOR THE DEPARTMENT OF
DEFENSE OF THE
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