

No. 53511*

Multilateral

Agreement on the Eurasian Group on combating money laundering and financing of terrorism (with regulation). Moscow, 16 June 2011

Entry into force: 28 March 2012, in accordance with article 12

Authentic texts: Chinese, English and Russian

Registration with the Secretariat of the United Nations: Eurasian Group on combating money laundering and financing of terrorism (EAG), 1 March 2016

Note: See also annex A, No. 53511.

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Multilatéral

Accord relatif au Groupe Eurasie pour la lutte contre le blanchiment de capitaux et le financement du terrorisme (avec règlement). Moscou, 16 juin 2011

Entrée en vigueur : 28 mars 2012, conformément à l'article 12

Textes authentiques : chinois, anglais et russe

Enregistrement auprès du Secrétariat des Nations Unies : Groupe Eurasie de lutte contre le blanchiment de capitaux et le financement du terrorisme (GEA), 1^{er} mars 2016

Note : Voir aussi annexe A, No. 53511.

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Participant	Ratification and Notification (n)		
Belarus	24 Jan	2012	
India	20 Mar	2012	n
Tajikistan	6 Mar	2012	
Turkmenistan	27 Feb	2012	
Uzbekistan	23 Jan	2012	

Note: The texts of the declarations and reservations are published after the list of Parties -- Les textes des déclarations et réserves sont reproduits après la liste des Parties.

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 6th 2004 Declaration on the Establishment of the Eurasian Group on combating money laundering and financing of terrorism and the October 6th 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 – Depty 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.

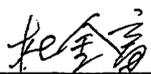
Executed in the City of Moscow on June 16, 2011 in a single copy in Russian, English and Chinese, all versions having equal legal force.

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



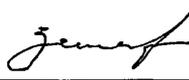
For the Government of the Republic of Tajikistan



For the Government of Turkmenistan



For the Government of the Republic of Uzbekistan



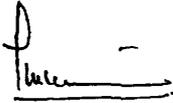
On behalf of the Government of the Republic of Kazakhstan
signed on July 4, 2011 in Moscow

For the Government of the Republic of Kazakhstan



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 large, stylized initial 'P' followed by several horizontal strokes, positioned above a solid horizontal line.

**REGULATION
ON THE PROCEDURE FOR FORMING AND IMPLEMENTING THE
BUDGET OF THE EURASIAN GROUP ON COMBATING MONEY
LAUNDERING AND FINANCING OF TERRORISM**

I. General

1. The following main terms shall be used for the purposes of this Regulation:

a) **EAG** – Eurasian Group on Combating Money Laundering and Financing of Terrorism (hereafter – EAG);

b) **Budget (regular budget)**—a form of consolidating and using funds intended for financing the functions of EAG and accomplishment of its objectives;

c) **Financial year**—the period from January 1 to December 31 of calendar year inclusive;

d) **Share contributions** – amounts specified for EAG member states to fund expenses related to EAG activities within specific financial year;

e) **Internal audit**—a method of controlling spending, detecting deviations from planned indicators and targets, analyzing causes of deviations, finding reserves for financial and economic activity, and supplying the EAG Executive Secretary (hereafter the “Executive Secretary”) with the requisite information;

f) **External audit**—an audit of the financial and economic performance of EAG conducted by a person(s) or institution appointed by the Plenary;

g) **Commitment**—entry into contractual relations or other types of deals that involve financial obligations for EAG, which have been duly approved;

h) **Proceeds**—funds contributed to the EAG budget in the form of determined (accrued) share contributions and other proceeds, i.e. targeted voluntary contributions and cash gifts (including grants);

i) **Financial control**—monitoring and control, both internal and external, of the process of drawing up, discussing, and implementing the budget and the process of collecting, distributing and using budget funds;

j) **Common fund**—an account opened for recording proceeds and expenses under the EAG regular budget;

k) **Reserve fund**—an account opened for recording the movement of funds intended for financing unforeseen and exigency expenses associated with EAG activities.

II. The EAG Budget

2. The EAG budget shall be formed out of share contributions of member states and any other contributions, i.e. targeted voluntary contributions and cash gifts (including grants).

3. The EAG budget shall be drawn up for a period of one calendar year, which is also the financial year, and approved by the Plenary.

4. The EAG budget covers all expected proceeds and planned expenses for the financial year to which they relate and is formed in Russian rubles. Annual contributions are calculated and paid in Russian rubles. Annual contributions of EAG member states may be paid in US dollars at the rate of Moscow Interbank Currency Exchange (MICEX) as of the date of payment.

III. Contributions

5. Member states shall make share contributions to the EAG budget in compliance with Annex, which shall be an integral part hereof.

6. The sizes of share contributions may be changed by the Plenary meeting's decision at the proposal of one or several member states and with the consent of the remaining member states.

7. Upon the withdrawal of a member state from EAG or accession of a new state as an EAG member, the Plenary shall approve the changed sizes of share contributions.

8. The amounts payable as (accrued) share contributions shall be transferred to the bank determined by the Executive Secretary and approved by the Plenary.

9. Accrued contributions shall be payable in their entirety within thirty days from the receipt of the Executive Secretary's notice about contributions due or during the first month of the calendar year.

10. If a member state is unable to make the share contribution due in its entirety within the said timeframe, it may transfer it in phases by giving the Executive Secretary advance notice.

11. If the EAG budget is not approved by the start of the financial year, the member states shall transfer contributions in the amount of 1/12 of the regular budget for the previous budget year on a monthly basis until the EAG budget is approved.

IV. Forming and Implementing of the Budget

12. The Executive Secretary shall draft the budget for the next financial year based on EAG member-states' proposals, present the draft budget to all member states no later than eight months before the start of another financial year and submit it for the approval of the Plenary.

13. Following the approval or revision of the EAG budget by the Plenary, the Executive Secretary shall inform member states about the share contributions payable.

14. The Executive Secretary shall periodically inform the member states on the amount of proceeds from share contributions.

15. The Executive Secretary shall draw up draft regulations and guidelines that regulate specific issues of funding of the EAG activities based on the

Regulation, and if necessary, draft amendments thereof. Draft financial regulations and guidelines, as well as draft amendments to effective financial regulations and guidelines, shall be presented by the Executive Secretary for the approval of the Plenary.

16. The annual report on the performance of the EAG budget shall be prepared by the Executive Secretary and, with the approval of the member-states, submitted for the approval of the Plenary.

17. Within 12 months after the end of the financial year, the Executive Secretary shall fully cover the obligations relating to goods and services provided during the said financial year as well as other financial obligations.

18. If the Plenary fails to approve the budget before the start of the financial year, the Executive Secretary may assume obligations and make payments on a monthly basis to the extent of the one-twelfth of the amount of the previous regular budget until the budget for the current financial year is approved.

V. Funds

19. The Common Fund shall be established to record proceeds and expenses as part of the budget. The source of Common Fund proceeds are share contributions payable by member states during the current financial year and other proceeds.

20. A reserve fund may be formed to cover unforeseen and exigency expenses associated with EAG operations. The decision to establish the Reserve Fund and determine the amount of cash in the fund and the procedure for using the fund shall be made by the Plenary as advised by the Executive Secretary.

21. Voluntary contributions to the EAG budget, cash gifts for the EAG budget may be accepted by the Executive Secretary with the approval of the Plenary provided the purpose of such funds does not contravene the objectives and tasks of EAG.

22. The Executive Secretary may approve targeted funds and special accounts with approval of the Plenary meeting as part of the reserve fund.

23. The abovementioned funds and accounts shall be managed according to the financial regulations and guidelines mentioned in paragraph 15 hereof.

VI. Control and Audit

24. The Executive Secretary, who is the principal administrative officer of EAG, shall be responsible for all financial aspects of EAG activities and report to the Plenary on due and effective management of EAG financial resources in keeping with this Regulation.

25. EAG shall provide the requisite financial control mechanism, including internal and external audit. External audit shall be conducted by EAG member states.

VII. Miscellaneous

26. Amounts of accrued annual share contributions unpaid by the member state shall constitute the member state's debt to EAG to be repaid on a mandatory basis.

27. Since October 1 of the current financial year, member states that failed to make share contributions related to the current financial year in full shall pay interest of 0.1% on the overdue amount per month until its full redemption, unless the Plenary meeting decides otherwise.

28. Where a member state's debts exceed the amount of contributions for the previous budget year, a decision to suspend this member state's membership of EAG may be made under the procedure stipulated in Article 7 of the Agreement on the Eurasian Group on Combating Money Laundering and Financing of Terrorism.

29. The financial obligations of a member state to EAG shall be fully performed regardless of the termination or suspension of membership.

30. The procedure for resolving specific issues relating to the implementation of this section shall be determined in the financial regulations and guidelines mentioned in paragraph 15 hereof.

31. Where EAG activity is terminated, the procedure for resolving the resulting financial and property issues, including issues of sale of EAG property, shall be determined by the Plenary taking into account the requirements of this Regulation.

32. Cash proceeds from the sale of movable and immovable property, once the obligations have been discharged, shall be distributed among the member states proportionately to the sizes of their contributions approved for the current budget year.

33. If the funds prove insufficient to fulfill the obligations upon the termination of EAG, the shortage shall be covered by the funds transferred by the member states in the amounts commensurate to the sizes of their respective share contributions approved for the current budget year.

34. Upon a member state's withdrawal or expulsion from EAG, if this state has overdue contributions, the amount of the refund shall be reduced by the amount of overdue contributions. Overdue contributions shall be paid out of fund of this member state.

**FORMULA
FOR ANNUAL CONTRIBUTIONS BY MEMBER STATES
OF THE EURASIAN GROUP ON COMBATING MONEY LAUNDERING
AND FINANCING OF TERRORISM
TO THE EAG BUDGET**

The following formula shall apply:

$$\begin{aligned} \text{share_of_the_member-state's_payment} = & \frac{\text{state's_GDP}}{\sum \text{GDP_of_all_members}} * \text{budget_of_EAG} * 0,275 + \\ & + \frac{\text{GDP_per_capita}}{\sum \text{GDP_per_capita_of_all_members}} * \text{budget_of_EAG} * 0,725 \end{aligned}$$

The following terms shall be used:

Share of the member-state's payment - the amount of contributions made by Member States to the EAG budget.

Member State's GDP - the average GDP of the Member State for the past 5 years, calculated in accordance with the statistics of UN.

GDP of all members - the total gross domestic product of all EAG Member States.

Total budget - funds for the financial support of objectives and functions of the EAG.

GDP per capita - the average GDP per capita over the past 5 years, calculated in accordance with the statistics of UN.

GDP per capita of all members - the total gross domestic product per capita of all EAG Member States.