

On approval of the Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of Azerbaijan on cooperation in the field of cooperation in the field of copyright and related rights

Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated June 7, 2017 No. 337.

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The Government of the Republic of Kazakhstan HEREBY DECREES:

1. To approve the attached Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of Azerbaijan on cooperation in the field of copyright and related rights, made in Baky City, on April 3, 2017.

2. This decree shall enter into force from the date of signing.

Prime Minister

of the Republic of Kazakhstan

B. Sagintayev

Approved by the decree of the
Government

of the Republic of Kazakhstan
dated June 7, 2017 no. 337

Agreement between the Government of the Republic of Kazakhstan and the Government of the Republic of Azerbaijan on cooperation in the field of cooperation in the field of copyright and related rights

(enforced from July 12, 2017 -Bulletin of International treaties of the Republic of Kazakhstan, 2017, no.4, art.53)

The Government of the Republic of Kazakhstan and the Government of the Republic of Azerbaijan, hereinafter referred to as the "Parties",

given the need to develop historical, cultural ties between the two states,

taking into account the importance of copyright and related rights in the formation of national and cultural potential, its exchange, as well as in the development of bilateral trade, economic, scientific and technical relations,

recognizing the importance of creating mutually beneficial conditions for the protection of copyright and related rights,

taking into account the provisions of the Berne Convention for the Protection of Literary and Artistic Works dated September 9, 1886 and the Agreement on Cooperation in the Field of Protection of Copyright and Related Rights dated September 24, 1993, to which the states of the Parties are parties,

have agreed as follows:

Article 1

Each Party recognizes the copyright and related rights of the other Party to the objects of copyright and related rights owned by individuals and legal entities and their successors of the state of the other Party, notwithstanding the place of their first publication.

The Parties shall ensure the protection of proprietary and personal non-proprietary rights in accordance with the national legislation of their states.

Article 2

The Parties shall cooperate in the field of protection and use of the rights to works of science, literature and art on the basis of mutual benefit and equality in accordance with this Agreement and other international treaties to which they are parties.

Article 3

Each of the Parties shall provide the authors, performers, producers of phonograms, broadcasting and cable broadcasting organizations with the protection of the rights to the objects of copyright and related rights of the other Party in accordance with the national legislation of the States of the Parties.

Article 4

Cooperation between the Parties shall be aimed at:

settlement of issues related to the protection and use of rights to the objects of copyright and related rights;

exchange of information, regulatory and other documents, as well as work experience in the field of copyright and related rights.

Article 5

Each of the Parties shall take measures to prevent violations of copyright and related rights of authors and other copyright owners of the state of the other Party when using the objects of copyright and (or) related rights.

In case of violations in the territory of its state, each Party shall take appropriate measures in accordance with the requirements of the national legislation of its state and international treaties to which the states of the Parties are parties.

Article 6

This Agreement shall apply to the objects of copyright and related rights whose protection has not expired by the date this Agreement enters into force.

Article 7

Within the framework of this Agreement, the competent authorities of the Parties shall be:

On behalf of the Government of the Republic of Kazakhstan - the Ministry of Justice of the Republic of Kazakhstan;

On behalf of the Government of the Republic of Azerbaijan - the Copyright Agency of the Republic of Azerbaijan.

In the event of a change in the name or functions of the competent authorities, the Parties shall notify each other immediately through diplomatic channels.

Article 8

Disputes between the Parties arising from the application and interpretation of this Agreement shall be resolved through consultations and negotiations between the Parties or through another procedure agreed by the Parties.

Article 9

For the implementation of cooperation under this Agreement, the working language shall be Russian.

Article 10

This Agreement shall not affect the rights and obligations of each of the Parties arising from other international treaties to which they are parties.

Article 11

By mutual agreement of the Parties, this Agreement may be amended and supplemented. Such amendments and additions, being an integral part of this Agreement, shall be drawn up in the form of protocols and enter into force in accordance with the procedure provided for in Article 12 of this Agreement.

Article 12

This Agreement shall enter into force on the date of receipt of the last written notification through diplomatic channels on the implementation by the Parties of the domestic procedures necessary for its entry into force.

This Agreement is concluded for a five-year period and shall be automatically extended for subsequent five-year periods if neither Party notifies the other Party in writing through diplomatic channels six months before the expiration of this Agreement of its intention to terminate it.

Made in Baku City on April 3, 2017 in two original copies, each in the Kazakh, Azerbaijani and Russian languages, all texts being equally authentic.

For the purposes of interpreting the provisions of this Agreement, the Parties shall use the text in Russian.

*On behalf of the Government
of the Republic of Kazakhstan*

*On behalf of the Government
of the Republic of Azerbaijan*