



## **On some issues of the Security Council of the Republic of Kazakhstan**

### *Unofficial translation*

Decree of the President of the Republic of Kazakhstan dated February 12, 2019 No. 838

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In accordance with subparagraph 20) of Article 44 of the Constitution of the Republic of Kazakhstan, the constitutional laws of the Republic of Kazakhstan "On the President of the Republic of Kazakhstan", "On the First President of the Republic of Kazakhstan - Elbay" and the Law of the Republic of Kazakhstan "On the Security Council of the Republic of Kazakhstan", **I HEREBY ORDER:**

1. To approve the Regulation on the Security Council of the Republic of Kazakhstan (Appendix 1).
2. The Administration of the President of the Republic of Kazakhstan, together with the Government of the Republic of Kazakhstan, within two months to take measures to implement this Decree.
3. To recognize as invalid some acts of the President of the Republic of Kazakhstan in accordance with Appendix 2 to this Decree.
4. To amend some acts of the President of the Republic of Kazakhstan in accordance with Appendix 3 to this Decree.
5. The Administration of the President of the Republic of Kazakhstan shall be authorized to control execution of this Decree.
6. This Decree comes into force from the date of signing.

*President of the Republic of Kazakhstan*

*N. Nazarbyev*

#### APPENDIX 1

to the Decree of the President of the  
Republic of Kazakhstan  
dated February 12, 2019 № 838

## **REGULATIONS on the Security Council of the Republic of Kazakhstan**

### **1. General provisions**

1. The Security Council of the Republic of Kazakhstan (hereinafter - the Security Council ) is a constitutional body formed by the President of the Republic of Kazakhstan and coordinating the implementation of a unified state policy in the field of ensuring the national security and defense capability of the Republic of Kazakhstan in order to maintain internal political stability, protect the constitutional order, state independence, territorial integrity and national interests of Kazakhstan in the international arena.

2. The Security Council is headed by the First President of the Republic of Kazakhstan - Elbasy, who, due to his historical mission as the founder of Independent Kazakhstan, has the right to head the Security Council as Chairman for life.

3. The legal basis for the activities of the Security Council is the Constitution of the Republic of Kazakhstan, the Law of the Republic of Kazakhstan "On the Security Council of the Republic of Kazakhstan", other regulatory legal acts of the Republic of Kazakhstan and international treaties of the Republic of Kazakhstan, as well as this Regulation.

## **2. Tasks and functions of the Security Council**

4. The main tasks of the Security Council are:

1) making proposals and recommendations to the President on implementation of the main directions of state policy in the field of ensuring national security, strengthening the country's defense capability, ensuring law and order, coordinating the activities of state bodies and organizations in these areas;

2) development of draft decisions for the President on:

introduction, extension, cancellation of martial law;

introduction, prolongation, cancellation of the state of emergency;

the use of the Armed Forces of the Republic of Kazakhstan to fulfill international obligations to maintain peace and security;

3) other tasks in accordance with the legislation of the Republic of Kazakhstan and decisions of the Chairman of the Security Council.

5. The functions of the Security Council are:

1) coordination of the activities of law enforcement and special state bodies in order to ensure national security and implement the decisions of the Security Council;

2) monitoring and assessing the state of implementation of strategic documents of the state in the most important areas of the country's development;

3) a comprehensive analysis and assessment of government programs, bills, important foreign policy and other state-significant initiatives, as well as the development of the situation in the country, world and regional trends, forecasting internal and external threats to national security, developing proposals and determining measures to prevent and neutralize them;

4) hearing the annual report of the Government of the Republic of Kazakhstan on the results and main directions of activities in the field of ensuring national security, the country's defense capability, law and order;

5) hearing of the first heads of state bodies on the implementation of state policy in the field of ensuring the national security and defense of the country;

6) discussion of candidates recommended for appointment by the President to the posts of first heads of central and local executive bodies of regions, cities of republican significance and the capital, as well as state bodies directly subordinate and accountable to the President;

7) analysis, monitoring, inspection of the activities of law enforcement agencies, the Armed Forces, other troops and military formations, coordination of the activities of state bodies and organizations for the implementation of measures in the field of ensuring the national security and international positions of the country, the defense capability of the state, law and order;

8) development of proposals to ensure the protection of the constitutional order, state sovereignty and territorial integrity of the Republic of Kazakhstan, preparation of draft decisions of the President on the issues of ensuring the security of the individual, society and the state;

9) analysis of the results of control over the targeted use of funds from the republican budget allocated for defense, public order and security;

10) analysis of draft laws on national security issues, submission of recommendations to the President;

11) approval of draft orders of the President on the introduction of martial law, state of emergency, appeals of the President to the Parliament of the Republic of Kazakhstan on the use of the Armed Forces to fulfill international obligations to maintain peace and security;

12) other functions in accordance with the legislation of the Republic of Kazakhstan.

### **3. Composition of the Security Council**

6. Members of the Security Council by ex-officio are: President of the Republic of Kazakhstan, Chairman of the Senate of the Parliament of the Republic of Kazakhstan, Chairman of the Majilis of the Parliament of the Republic of Kazakhstan, Prime Minister of the Republic of Kazakhstan, Head of the Presidential Administration of the Republic of Kazakhstan, Assistant to the President - Secretary of the Security Council of the Republic of Kazakhstan (hereinafter - Secretary of the Security Council), Prosecutor General of the Republic of Kazakhstan, Chairman of the National Security Committee of the Republic of Kazakhstan, Head of the State Security Service of the Republic of Kazakhstan, Minister of Foreign Affairs of the Republic of Kazakhstan, Minister of Defense of the Republic of Kazakhstan, Minister of Internal Affairs of the Republic of Kazakhstan.

If necessary, by agreement with the Chairman of the Security Council, the President may additionally appoint other persons as members of the Security Council.

**Footnote. Paragraph 6 as amended by the orders of the President of the Republic of Kazakhstan dated 01.06.2019 No. 57; dated 18.09.2019 No. 163.**

7. Membership in the Security Council determines the high status of its officials.

8. In the service cards of officials who are members of the Security Council, in front of the inscription on the position held, an entry is made: “Member of the Security Council of the Republic of Kazakhstan”.

#### **4. Powers of the Chairman of the Security Council**

9. The Chairman of the Security Council:

- 1) manages the Security Council;
- 2) coordinates the unified state policy in the field of ensuring the national security and defense capability of the Republic of Kazakhstan;
- 3) appeals to the people of Kazakhstan, state bodies and officials with initiatives on the most important issues of state building, domestic and foreign policy and the country's security ;
- 4) convenes meetings and, if necessary, operational meetings of the Security Council;
- 5) approves decisions of the Security Council and operational meetings of the Security Council;
- 6) approves the Regulations on the Security Council, make changes and additions to it;
- 7) determines the organizational and legal status of the Security Council Office ( hereinafter - the Office) and approves its structure;
- 8) issues acts, including those of a regulatory legal nature, related to the activities of the Security Council;
- 9) approves the work plans of the Security Council, the agenda of meetings and operational meetings of the Security Council, determines the time, composition, place and procedure for their holding;
- 10) makes decisions on the creation, tasks, functions and the official composition of the interdepartmental commissions of the Security Council, the Expert Council under the Security Council;
- 11) exercises other powers provided for by the legislation of the Republic of Kazakhstan.

#### **5. Powers of members of the Security Council**

10. Members of the Security Council:

- 1) participate in meetings and operational meetings of the Security Council, in discussions and voting when the Security Council makes decisions on the issues on the agenda;
- 2) within the limits of their competence, ensure, coordinate and control the implementation of decisions of the Security Council and operational meetings of the Security Council;
- 3) make proposals on the work plans of the Security Council, the agenda of its meetings and operational meetings, the procedure for discussing issues;

4) exercise other powers in accordance with these Regulations, decisions of the Security Council and instructions of the Chairman of the Security Council.

## **6. Procedure for organizing the activities of the Security Council**

11. The main organizational form of the Security Council is a meeting. Meetings of the Security Council are held under the chairmanship of the First President of the Republic of Kazakhstan - Elbasy or by his authorization under the chairmanship of one of the members of the Security Council. The frequency of meetings of the Security Council is determined by the Chairman of the Security Council.

12. Meetings of the Security Council are competent if at least two thirds of its members are present. The presence of members of the Security Council at the meetings is mandatory; they are not allowed to delegate their powers to other officials.

13. By the decision of the Chairman of the Security Council, operational meetings of the Security Council may be held with the participation of individual members of the Security Council.

14. The heads of state bodies and organizations, as well as other persons directly related to the issues under discussion, may be invited to meetings and operational meetings of the Security Council.

## **7. Decisions of the Security Council**

15. The results of meetings and operational meetings of the Security Council are drawn up in the form of a Decision of the Security Council and a Decision of an operational meeting of the Security Council, respectively, in the standard form.

16. Decisions of the Security Council and operational meetings of the Security Council are taken by a simple majority of votes of the total number of members of the Security Council present. In case of equality of votes, the vote of the chairman is decisive.

17. Decisions of the Security Council and operational meetings of the Security Council come into force after their approval by the Chairman of the Security Council, if necessary, they are implemented by the acts of the President.

18. Decisions of the Security Council, as well as operational meetings of the Security Council are mandatory and are subject to strict implementation by state bodies, organizations and officials of the Republic of Kazakhstan.

## **8. Advisory bodies of the Security Council and under the Security Council**

19. Within the framework of organizing the activities of the Security Council, interdepartmental commissions of the Security Council, an Expert Council, inspection and working groups, as well as other consultative and advisory bodies under the Security Council

may be established. The issue of their establishment, tasks, functions and official composition is decided by the Chairman of the Security Council at the recommendation of the Secretary of the Security Council.

20. Interdepartmental commissions of the Security Council, the Expert Council, inspection and working groups, as well as other consultative and advisory bodies under the Security Council:

1) participate in the preparation of materials for meetings and operational meetings of the Security Council;

2) carry out analytical and research work at the instruction of the Security Council, the President, the Chairman of the Security Council;

3) develop proposals and recommendations to the Security Council on the main directions of state policy in the field of ensuring the national security and defense of the country;

4) perform other functions in accordance with the decisions of the Security Council and instructions of the President, the Chairman of the Security Council.

21. The Secretary of the Security Council coordinates the activities of the consultative and advisory bodies of the Security Council and under the Security Council.

22. Informational, analytical and organizational and technical support for the activities of the interdepartmental commissions of the Security Council, the Expert Council, inspection and working groups, other consultative and advisory bodies under the Security Council is carried out by state bodies and organizations whose representatives participate in the work of these bodies, as well as the Office.

## **9. The Office**

23. Informational, analytical and organizational support for the activities of the Security Council is carried out by the Office, which is a state body directly subordinate and accountable to the Chairman of the Security Council.

24. The Office is headed by the Secretary of the Security Council, who is an official appointed and dismissed by the President in agreement with the Chairman of the Security Council, to whom he is directly subordinate and accountable.

25. In order to ensure the activities of the Chairman of the Security Council, the Security Council, unconditional and comprehensive implementation of their decisions, the Secretary of the Security Council organizes control over their implementation.

APPENDIX 2  
to the Decree of the President of the  
Republic of Kazakhstan  
dated February 12, 2019 № 838

**LIST of some acts of the President of the Republic of Kazakhstan that have become invalid**

1. Decree of the President of the Republic of Kazakhstan dated December 26, 1995 No. 2728 "On the Security Council of the Republic of Kazakhstan".
2. Decree of the President of the Republic of Kazakhstan dated November 14, 1997 No. 3758 "On amendments to the Decree of the President of the Republic of Kazakhstan dated November 22, 1996 No. 3237 "On the Security Council of the Republic of Kazakhstan".
3. Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88 "On the Security Council of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2002, No. 32, article 339).
4. Decree of the President of the Republic of Kazakhstan dated November 11, 1999 No. 263 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88 "On the Security Council of the Republic of Kazakhstan".
5. Decree of the President of the Republic of Kazakhstan dated February 10, 2000 No. 333 "On changes in the composition of the Security Council of the Republic of Kazakhstan".
6. Decree of the President of the Republic of Kazakhstan dated May 15, 2000 No. 393 "On changes in the composition of the Security Council of the Republic of Kazakhstan".
7. Decree of the President of the Republic of Kazakhstan dated May 12, 2001 No. 607 "On some issues of the Security Council of the Republic of Kazakhstan".
8. Decree of the President of the Republic of Kazakhstan dated February 7, 2002 No. 802 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88".
9. Decree of the President of the Republic of Kazakhstan dated September 24, 2002 No. 951 "On amendments and additions to certain decrees of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2002, No. 32, Art. 339).
10. Decree of the President of the Republic of Kazakhstan dated August 6, 2003 No. 1160 "On amendments to the composition of the Security Council of the Republic of Kazakhstan".
11. Decree of the President of the Republic of Kazakhstan dated October 15, 2003 No. 1205 "On changes in the composition of the Security Council of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2003, No. 40, art. 417).
12. Decree of the President of the Republic of Kazakhstan dated March 25, 2004 No. 1319 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88".
13. Decree of the President of the Republic of Kazakhstan dated November 29, 2004 No. 1475 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88".
14. Decree of the President of the Republic of Kazakhstan dated December 15, 2004 No. 1501 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88".

15. Decree of the President of the Republic of Kazakhstan dated June 6, 2006 No. 131 "On amendments and additions to certain decrees of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2006, No. 23, art. 229).

16. Subparagraph 5) of paragraph 1 of the Decree of the President of the Republic of Kazakhstan dated April 24, 2008 No. 576 "On amendments and additions to certain acts of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2008, No. 20, art. 182).

17. Decree of the President of the Republic of Kazakhstan dated January 21, 2009 No. 728 "On amendments and additions to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2009, No. 3-4, art. 7).

18. Decree of the President of the Republic of Kazakhstan dated December 29, 2009 No. 911 "On amendments and additions to certain acts of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2010, No. 2, art. 12).

19. Decree of the President of the Republic of Kazakhstan dated June 4, 2010 No. 993 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2010, No. 37, art. 309).

20. Subparagraph 1) of paragraph 1 of the Decree of the President of the Republic of Kazakhstan dated July 22, 2011 No. 124 "On amendments and additions to certain acts of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2011, No. 48, art. 646).

21. Decree of the President of the Republic of Kazakhstan dated July 13, 2012 No. 355 "On amendments and additions to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88 "On the Security Council of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2012, No. 62, Article 848).

22. Decree of the President of the Republic of Kazakhstan dated February 19, 2014 No. 755 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88 "On the Security Council of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2014, No. 5, art. 44).

23. Decree of the President of the Republic of Kazakhstan dated April 15, 2014 No. 797 "On amendments to the Decree of the President of the Republic of Kazakhstan dated March 20, 1999 No. 88 "On the Security Council of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2014, No. 28, art. 227).

24. Paragraph 3 Amendments and additions to certain decrees of the President of the Republic of Kazakhstan, approved by the Decree of the President of the Republic of Kazakhstan dated August 29, 2014 No. 900 "On some issues of the public service and anti-corruption Agency of the Republic of Kazakhstan and amendments and additions to certain decrees of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2014, No. 54, article 532).

25. Subparagraphs 1) and 3) of paragraph 1 of the Decree of the President of the Republic of Kazakhstan dated June 18, 2015 No. 40 "On amendments and additions to certain acts of the President of the Republic of Kazakhstan".

26. Paragraph 3 Amendments and additions that are made to certain acts of the President of the Republic of Kazakhstan approved by the Decree of the President of the Republic of Kazakhstan dated December 29, 2015 No. 158 "On amendments and additions to certain acts of the President of the Republic of Kazakhstan and invalidation of certain decrees of the President of the Republic of Kazakhstan" (Collected Acts of the President and the Government of the Republic of Kazakhstan, 2015, No. 77-78-79, art. 575).

APPENDIX 3  
to the Decree of the President of the  
Republic of Kazakhstan  
dated February 12, 2019 № 838

## **AMENDMENTS, made to certain acts of the President of the Republic of Kazakhstan**

1. In the Decree of the President of the Republic of Kazakhstan dated February 11, 2008 No. 533 "On the staffing and structure of the Administration of the President of the Republic of Kazakhstan":

in the structure of the Administration of the President of the Republic of Kazakhstan, approved by the above-mentioned Decree, line twenty-two shall be stated as follows:

"Law Enforcement Division of the Security Council".

2. In the Decree of the President of the Republic of Kazakhstan dated April 3, 2013 No. 537 "On some issues of personnel policy in law enforcement agencies of the Republic of K a z a k h s t a n " :

1) paragraph 19 of the Regulations on the Commission under the President of the Republic of Kazakhstan on personnel policy in law enforcement agencies of the Republic of Kazakhstan, approved by the above-mentioned Decree, shall be stated as follows:

"19. The working body of the Commission is the Law Enforcement Division of the Security Council of the Republic of Kazakhstan.";

2) as part of the Commission under the President of the Republic of Kazakhstan on personnel policy in law enforcement agencies of the Republic of Kazakhstan, approved by the above Decree:

the line:

"Head of the Law Enforcement Department of the Administration of the President of the Republic of Kazakhstan, the Secretary"

to read as follows:

"Head of the Law Enforcement Department of the Security Council of the Republic of Kazakhstan, the Secretary".