

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 5065
2. COW Alliance # (if applicable): N/A
3. Signature date(s) (may vary for members in multilateral alliances):
May 24, 2005
4. Members of alliance (use COW country codes):
373 Azerbaijan
705 Kazakhstan
5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)
No.
6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select "treaty" if the agreement requires ratification.)
Treaty.
7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.
Public.
8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.
No.
9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?
No.
10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.
Yes. The treaty is concluded for an indefinite period (Art. 26).
11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.
Yes. This Agreement shall terminate upon the expiry of six months from the date of receipt by one High Contracting Party of the written notification of the other High Contracting Party of its intention to terminate it (Art. 26)
12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.
No.
13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
Zero.
14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
Still in effect as of May 6, 2018 according to the MFA website of Kazakhstan
(<http://www.mfa.kz/en/content-view/sotrudnichestvo-respubliki-kazakhstan-s-azerbajdzhanskoj-respublikoj>)
15. Describe what caused the alliance to terminate.
N/A

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)
Nonaggression pact
Consultation pact

17. Type of alliance as coded in COW data (if applicable): N/A

18. Describe the obligations of the alliance partners.

“The High Contracting Parties affirm their obligations to refrain from the use of force or threat by force of interstate relations, undertake not to enter into military alliances or take part in any groupings of states, as well as in actions directed against another High Contracting Party.” (Art. 2) [Nonaggression]

“In the event of a situation that, in the opinion of one and the High Contracting Parties, constitutes a threat of armed attack by third States, the High Contracting Parties shall promptly hold appropriate consultations with each other, both bilaterally and within the framework of the international organizations of which they are members, with a view to adopting measures conducive to its peaceful settlement.” (Art. 2) [Consultation]

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply)

Yes, location.

20. Describe the nature of the limits to obligations listed in #19.

Consultation is limited to a threat of armed attack against one of the parties.

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

Yes.

“High Contracting Parties undertake not to allow the use of its territory, communications systems and other infrastructure by third States for preparing or carrying out armed aggression or other hostile activity against the other High Contracting Party.” (Art. 2)

“High Contracting Parties shall afford one another the full support and mutual assistance in [preventing] threats to their independence, sovereignty and territorial integrity.” (Art. 3)

“Each High Contracting Party shall ... refrain from actions that destabilize the economic situation of the other High Contracting Party.” (Art. 6)

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

No.

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

No.

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

Yes.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

No.

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.

No.

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

Yes. “The High Contracting Parties... undertake not to enter into military alliances... directed against the other High Contracting Party.” (Art. 2)

28. Additional coder comments regarding treaty obligations:

“Each High Contracting Party shall inform the other High Contracting Party on economic decisions that may affect its rights and interests...” (Art. 6)

“Each High Contracting Party shall ... refrain from actions that destabilize the economic situation of the other High Contracting Party.” (Art. 6)

“The High Contracting Parties shall ... refrain from taking measures aimed at creating unfavorable conditions for cooperation in these areas (transit operations).” (Art. 9)

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes.

“Disputes and disagreements that may arise in the implementation of the provisions of this Treaty, the High Contracting Parties shall settle by negotiation and consultation.” (Art. 23)

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.
No.

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)
No.

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.
No.

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.
No.

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.
No.

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.
No.

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.
No.

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.
No.

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.
No.

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.
No.

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.
No.

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.
No.

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.
Yes.

Both of the parties emphasize the strengthening of collective security mechanisms (Art. 4).

“The High Contracting Parties shall cooperate in matters of national security and military fields, facilitate contacts between the relevant departments of the two countries on the basis of individual agreements and cooperate in the military-technical field.” (Art. 12)

43. Additional coder comments regarding references to alliance institutionalization:

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

Yes. The present treaty replaces the Treaty on Basic Relations between Kazakhstan and Azerbaijan signed on September 16, 1996.

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

No.

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

No.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes – UN and OSCE as a framework for peace and security cooperation including their role in peacekeeping operations (Preamble and Art. 4)

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

Yes. OSCE-see #47.

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.

No.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe.

Yes.

Cooperation for the protection of the rights and culture of citizens living in the territory of the other party (Art. 5, 14)

Cooperation in economic and trade relations; cooperation in the fields of science, culture, education, healthcare, technology, ecology;

cooperation in the fields of industry, environmental protection, agriculture, transport, tourism, communication, and energy (Art. 7)

Cooperation in the fields of energy systems, transport, information and communications (Art. 8)

Cooperation in transit operations (Art. 9)

Cooperation in creating favorable conditions for investment and business activities (Art. 10)

Cooperation in the protection of property rights of persons living in the territory of the other party (Art. 11)

Cooperation in the fields of culture and education (Art. 13)

Cooperation in the fields of science and technology (Art. 15)

Cooperation in public health (Art. 16)

Cooperation in environmental protection (Art. 17)

Interparliamentary and intergovernmental cooperation (Art. 18)

Cooperation in the fight against organized crime, terrorism and drug trafficking (Art. 19)

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.

No.

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.

No.

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.

Yes.

Agreement on the protection of the rights of citizens living in the territory of the other party (Art. 5)

Agreement on cooperation in the field of science and technology (Art. 15)

Agreement on the implementation of the provisions of the present treaty (Art. 22)

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.

No.

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.

Yes. MFN. Article 6 provides for granting MFN to each other.

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.

Yes. "Reaffirming its commitment to comprehensively strengthen bilateral relations based on mutual respect for their state sovereignty and independence, territorial integrity, inviolability of borders, non-interference in each other's affairs (...)" (Preamble)

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:

The original language of this treaty is Russian and the text is translated by using the Google Chrome browser.

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.):

Treaty: Treaty on Strategic Partnership and Allied Relations between Kazakhstan and Azerbaijan

59. Treaty citation: Kazakhstan Ministry of Justice: <http://adilet.zan.kz/rus/docs/Z060000153> (Accessed on May 6, 2018)

60. Date of last revision of this coding sheet: June 21, 2018

61. Coder: Jaewook Chung, Jae-eon Lee, Jessica Edry, Ashley Leeds