

**Letter to all member States of the  
Council of Europe and Contracting  
non-member States to the Convention.**

Strasbourg, 6 December 2024

Ref.: JJ73/2024 AG/gd

Dear Ambassador,

By a letter dated 24 January 2024, received and registered at the Secretariat General on 7 February 2024, H.E. Mr Murat NURTLEU, Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Kazakhstan, expressed to the Secretary General of the Council of Europe the interest of the Government of Kazakhstan to be invited to accede to the *Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism* (CETS No. 198). Please find attached a copy.

According to Article 50, paragraph 1, of the Convention and following the practice of the Council of Europe, all member States of the Council of Europe and Contracting non-member States to the Convention are consulted on the request for accession.

Article 50, paragraph 1, of the Convention reads as follows:

*“After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Parties to the Convention, may invite any State not a member of the Council and not having participated in its elaboration to accede to this Convention, by a decision taken by the majority provided for in Article 20.d. of the Statute of the Council of Europe and by the unanimous vote of the representatives of the Parties entitled to sit on the Committee.”*

Consequently, I would be grateful if you could inform the Treaty Office ([treaty.office@coe.int](mailto:treaty.office@coe.int)) by **7 February 2025** whether your authorities would object to the accession of the Republic of Kazakhstan to the above-mentioned Convention, if such a request was formally submitted to the Committee of Ministers.

In addition, according to the decision of the Committee of Ministers taken at the 1438th meeting of the Ministers' Deputies on 30 June 2022, the Conference of the Parties to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198) has also been consulted on this request. Please find enclosed, for your information, an Opinion prepared by the said Conference of the Parties.

Yours sincerely,



**Ana GOMEZ**  
Head of the Public International Law Division  
And Treaty Office

Encl.

**COPY (\*)**

Annex to letter JJ73/2024  
dated 6 December 2024

**DEPUTY PRIME MINISTER  
MINISTER OF FOREIGN AFFAIRS  
REPUBLIC OF KAZAKHSTAN**

*Astana*  
24/01/2024

**Madam Secretary General,**

I am writing to you in your capacity of Depositary of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (*CETS No. 198*), done at Warsaw on 16 May 2005, to express the interest of the Government of the Republic of Kazakhstan in acceding to this Convention.

In accordance with the relevant provisions of the said Convention, I hereby officially request that you convey our interest by carrying out the necessary consultations with the member States of the Council of Europe and the non-member States Parties to the Convention for the accession of the Republic of Kazakhstan to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (*CETS No. 198*).

Sincerely,

*(signature)*

**Murat NURTLEU**

**H.E. Ms. Marija Pejčinović Burić  
Secretary General of the Council of Europe**

**Strasbourg**

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**(\*) Letter registered at the Secretariat General on 7 February 2024 – Or. Engl.**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 6 November 2024

C198-COP(2024)19

## **CONFERENCE OF THE PARTIES**

**Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198)**

**Opinion regarding the possible accession of Kazakhstan to  
CETS No. 198**



1. In November 2021, in view of the increasing interest from non-member States to accede to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198), the Conference of the Parties (hereinafter referred as "the COP") to CETS No. 198 invited the Council of Europe (CoE) Committee of Ministers to take a decision to consult the COP whenever a Council of Europe non-member State asks to be invited to accede to CETS No. 198. Article 50(1) of CETS No.198 sets the basis for this initiative.
2. In response to this request, the Committee of Ministers, at its 1438th meeting of 30 June 2022, decided to consult the COP whenever a non-member State requests to be invited to accede to CETS No. 198. (CM/Del/Dec(2022)1438/10.1).
3. On 25 January 2024, in a letter addressed to the Secretary General of the Council of Europe, the Government of the Republic of Kazakhstan expressed interest to accede to CETS No. 198 and requested carrying out the necessary consultations with the member States of the Council of Europe and the non-member States parties to the Convention for the accession of the Republic of Kazakhstan to CETS No. 198.
4. The COP discussed and took note of the Policy paper regarding accession of non-member States to CETS No. 198 (Policy paper) on its 16<sup>th</sup> Plenary meeting on 17 and 18 October 2024. This document establishes a procedure and defines criteria for the COP to take into account when considering whether a request for accession by a non-member State raises any concerns, with a view to providing an opinion to the Committee of Ministers.
5. The representative of the Directorate of Legal Advice and Public International Law (DLAPIL) informed COP on the key points of procedure of inviting non-member States to accede CoE treaties.
6. At the same meeting, the COP examined the application by Kazakhstan to accede CETS No. 198. The COP notably took into account information regarding the respect of human rights and rule of law standards, based on a compilation of the relevant information prepared by the Secretariat, derived from reliable sources enumerated in the Policy paper. Such information included a list of relevant international standards/conventions to which the Republic of Kazakhstan is a party to and relevant issues pertaining to possible violations of the European Convention on Human Rights. Additionally, evaluation findings on anti-money laundering and counter-terrorism financing were used to assess Kazakhstan's legal framework in these areas, including its capabilities for searching, seizing, and confiscating criminal proceeds, as well as prosecuting related offenses and managing criminal assets.
7. The COP took note of information provided by its delegations regarding their past experiences of co-operation with the Republic of Kazakhstan, particularly in the areas covered by CETS no. 198, bearing in mind that the Republic of Kazakhstan is already party to the Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (CETS no. 141).
8. In the light of this examination and its discussions, the COP' agreed unanimously to support Kazakhstan's request and decided to convey its opinion to the Committee of Ministers on this matter, in line with the Committee of Ministers decision 1438/10.
9. The COP is therefore in favour of extending an invitation to the Republic of Kazakhstan to accede to CETS no.198.