

MOU

AGREEMENT FOR MUTUAL COOPERATION
BETWEEN
THE GOVERNMENT OF PEOPLE'S REPUBLIC OF BANGLADESH
AND
THE GOVERNMENT OF THE REPUBLIC OF INDIA
FOR
PREVENTING ILLICIT TRAFFICKING IN NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES AND RELATED MATTERS

The Government of the People's Republic of Bangladesh and the Government of the Republic of India (hereinafter referred to as the contracting parties): -

Considering that the Single Convention on Narcotic Drugs of 1954, as amended by the 1972 protocol, the Convention on Psychotropic Substances of 1971, and the UN Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, 1988 form the basis for national and international drug control;

Reaffirming their joint determination to fight against drug abuse and illicit trafficking in strict conformity with international law, and respect for the sovereignty and territorial integrity of States and for the principle of non-interference in the internal affairs of States;

Taking into consideration due Constitutional, Legal and Administrative systems existing in either country;

Have agreed as follows:-

ARTICLE -- I

The contracting parties shall use their best efforts, consistent with their national laws and narcotics control situations, taking appropriate action, where applicable, to cooperate with each other using following measures:

- a) Exchange of information of operational, technical and general nature between the nodal enforcement agencies of India and of the People's Republic of Bangladesh;
- b) Assisting one another, upon request, in operational matters, including employing such investigative techniques as may be necessary for interdicting all types of narcotic and synthetic drugs;
- c) Identifying and destroying illegal drug processing sites and laboratories and to identify and eradicate illicit cultivation of cannabis and opium poppy wherever found;
- d) Regulating and monitoring the production, importation, exportation, storage, distribution and sale of precursors, essential chemicals and solvents which may be used in illicit manufacturing and production of narcotic drugs;
- e) Reducing demand through prevention, treatment and public awareness activities.

ARTICLE - II

The Contracting Parties, recognizing that medicinal drugs like phensedyl, morphine, pethidine, tidigesic injection (Buprenorphine) and preparations of psychotropic substances are being abused by the drug addicts, attach due importance to the control of such medicinal drugs and shall take appropriate action and extend cooperation in the following areas:

- a) Assessment of the nature and extent of the abuse of medicinal drugs;
- b) Exchange of information on trafficking routes, seizures, arrests, origins and sources of medicinal drugs recovered from illegal possessions;
- c) Regulate and monitor the production, importation, exportation, storage, distribution, sale, possession and use of medicinal drugs under the existing legal and administrative systems;
- d) Arrange, whenever felt necessary by the contracting parties, joint inspection of the whole gamut of activities relating to production and dispensation of medicinal drugs with a view to determine the level of licit and illicit supply of such drugs;

- e) Assist one another, upon request, in operational matters including undertaking such investigative measures as may be necessary for eradication of the sources of illicit supply of medicinal drugs;
- f) Hold meetings between the two nodal agencies of the two contracting parties to review the prevalence of medicinal drugs for abuse and addiction from time to time; and
- g) Harmonize, where applicable and feasible, the control provisions of national laws in respect of medicinal drugs and their ingredients.

ARTICLE - III

For the purpose of this agreement, drugs shall be understood to be the substances that are scheduled or described in the Single Convention on Narcotic Drugs, 1961, as amended by the Protocol of 1972, and Convention on Psychotropic Substances 1971 and precursors, essential chemicals and solvents are those substances included in the Tables appended to Article 12 of the UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 or any other substances as mutually agreed upon as such substance.

ARTICLE - IV

In furtherance of the objectives of this Agreement, subject to their national laws, the Contracting Parties shall;

- a) Exchange literature on existing laws, rules, procedures etc. concerning drug abuse control and on amendments which may take place in the existing laws in future;
- b) Combat drug trafficking, prevent money laundering and cooperate in tracing, identification, freezing, seizure and forfeiture of properties derived from or used in illicit traffic, following exchange of information.

ARTICLE - V

The contracting parties shall designate agencies and officers through whom regular exchanges of information may be effected. In respect of the Republic of India, the nodal agency would be the Narcotics Control Bureau and in respect of the People's Republic of Bangladesh, the Nodal Agency would be the Department of Narcotics Control. A list of postal address, telephone telex/fax numbers of the Nodal Agencies and the contact officers is appended to this agreement as Appendix-I.

The Nodal Agencies of the contracting parties shall have periodical meetings on mutually convenient places and dates as may be decided due to operational reasons. The two sides may include field level officers in their respective teams to facilitate and promote field level contact and cooperation.

ARTICLE - VI

The exchange of any type of information under this Agreement shall be channelised through the Nodal Agencies specified above. The nature of intelligence/information which may be exchanged between the nodal agencies of the contracting Parties would be of two types:-

- a) Operational intelligence which may be communicated through the fastest means of communication, viz. telephone and telex/fax;
- b) Information of a detailed nature which will be communicated through correspondence in order to build up dossiers in respect of smugglers, suspects, financiers, organizers, etc.

On the issue of exchange of information on drug traffickers operating between the two countries, the normal exchange may take place in the formats as at Appendices II and III. While the normal mode of exchange of information and operational intelligence on

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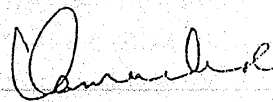
matters relating to drug trafficking will be in the prescribed format, any other information of significance may be exchanged on any other format on 'as and when necessary' basis.

This Agreement shall enter into force upon signature and shall remain in force until terminated by either party by giving at least three months' notice in writing.

In witness whereof the undersigned being duly authorized by their respective Governments have signed this Agreement.

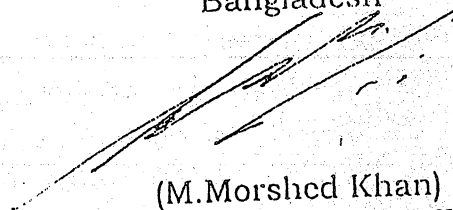
Done at New Delhi on the Twentyfirst day of March Year Two thousand and six (21st of March 2006) in two originals each in Hindi, Bangla and English languages, all texts being equally authentic. In case of doubt, however, the English text shall prevail.

On behalf of the Government of
the Republic of India



(Kamal Nath)
Minister of Commerce and
Industry

On behalf of the Government of
the People's Republic of
Bangladesh



(M. Morshed Khan)
Minister for Foreign Affairs