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MUTUAL CO-OPERATION
AGREEMENT
BETWEEN
GOVERNMENT OF INDIA
AND
GOVERNMENT OF UNITED STATES OF
AMERICA
FOR REDUCING DEMAND, PREVENTING ILLICIT USE OF AND TRAFFIC IN
DRUGS, AND FOR MATTERS RELATING TO LICIT TRADE IN OPIATES, ETC.

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- THE Government of India and the Government of the United States of America (hereinafter referred to as the Contracting Parties);
- considering that the Single Convention on Narcotic Drugs, 1953, as amended by the 1954 Protocol, the Convention on Psychotropic Substances of 1971 form the basis for national and international drug control;
- affirming their commitment to the Declaration adopted by the International Conference on Drug Abuse and Illicit Trafficking as an expression of the political will of the nations to combat the drug menace;
- sharing a deep concern over the illicit cultivation, production, processing and trafficking in illicit drugs in some parts of the world affecting the communities of both countries;
- reaffirming their joint determination to combat the drug menace;
- taking note of the existing mutual arrangements between both the countries under the Indo-U.S. Working Group on Narcotics, particularly consequent upon the new initiatives in the area of drugs control identified by the Prime Minister of India and the U.S. President in the course of their October, 1987 meeting and in furtherance thereof;
- recognizing that the achievement of a balance between demand and supply of opiate raw materials in the world is an

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important component of international drug abuse control strategy;

- recalling the ECOSOC Resolutions on achieving a balance between demand and supply of opiate raw materials and the need for supporting the traditional supplier countries of such raw materials;

- taking into due consideration their constitutional, legal and administrative systems and with respect for the national sovereignty of their respective states;

have agreed as follows:

ARTICLE I

THE Contracting Parties commit themselves to continue undertaking joint efforts and executing specific programmes for combating illicit traffic, reducing demand for illicit use of drugs, and co-operating in improving treatment, rehabilitation facilities, etc., for drug addicts. The co-operation which will be carried out, according to this Agreement, may include the following package of initiatives:

- (1) training of drug enforcement officers of both countries on a long-term basis.

- (2) establishment of adequate infrastructure and laboratory facilities for testing of samples of seized drugs.

- (3) training of technical personnel in the field of testing of drugs.

- (4) purchase of equipment for field use by enforcement agencies.

- (5) assistance for training of personnel in counselling and deaddiction.

- (6) acquisition of informational and educational materials for drug abuse prevention developed in the United States.

- (7) establishment of a model rehabilitation centre for drug addicts by using the U.S. - India Fund.

ARTICLE II

THE Contracting Parties
reaffirm their commitment to continue their
efforts in achieving a balance between demand
and supply of opiate raw materials. The
Government of India shall make maximum efforts
to ensure control of licit opium production and
to prevent leakage from such production. The
Government of United States of America shall
continue to support the concept of traditional
suppliers and make maximum efforts to ensure
imports of at least 80 per cent of their opiate
raw material requirements from the traditional
supplier countries, like India.

ARTICLE III

THE Contracting Parties agree to use their best efforts, consistent with their internal laws and narcotics control situations, to take appropriate action, where applicable, to co-operate in programmes/measures:

- (a) for exchange of information of an operational, technical and general nature between the nodal enforcement agencies of the Contracting Governments, viz., Narcotics Control Bureau, as respects for India, and Drug Enforcement Agency as respects for the U.S.A.;
- (b) to assist each other in operational matters including employing investigative techniques of controlled delivery;
- (c) to identify and destroy illegal drug processing sites and laboratories; and to identify and eradicate illicit cultivation of cannabis and opium poppy, wherever found;
- (d) to regulate the production, importation, exportation, storage, distribution and sale of precursors, chemical products and solvents that may be used illicitly in the production and manufacture of drugs;
- (e) to the extent the Contracting Parties may deem it advisable, develop new or utilize existing legal instruments, such as extradition treaties and mutual legal assistance treaties to eliminate narcotics trafficking, money laundering and in tracing, identification, freezing, seizure and forfeiture of properties derived from or used in illicit traffic; and
- (f) to reduce demand through prevention, treatment and public awareness activities.

ARTICLE IV

THE Government of India designates,
as Co-ordinator, the Narcotics Control Bureau,
and the Government of the United States of
America designates as Co-ordinator of the
participation of the Government of the United
States in the execution of this Agreement, the
Bureau of International Narcotics Matters (INM)
of the Department of State.

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A R T I C L E V

IN order to facilitate execution of this Agreement, the Contracting Parties may designate an official to serve as a permanent liaison between the respective government agencies specialised in drug matters.

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ARTICLE VI

IN order to attain the objectives contained in this Agreement, the Contracting Parties, through representatives of the two governments, will meet at least once in a year to:

- (a) evaluate the effectiveness of such programmes of action;
- (b) recommend to the respective governments annual programmes with specific objectives, to be developed within the framework of this Agreement and to be implemented through bilateral co-operation;
- (c) examine any questions regarding execution of this Agreement;
- (d) present to their respective governments the recommendations considered pertinent to the better execution of this Agreement.

A R T I C L E V I I

F O R the purposes of this Agreement, drugs are understood to be the substances that are enumerated and described in the Single Convention on Narcotic Drugs, 1961, as amended by the Protocol of 1972, and in the Convention on Psychotropic Substances of 1971 and any other drug or substance which on the basis of its deleterious effect or abusive potentiality may be notified as a "controlled substance" or "narcotic drug" or "psychotropic substance" under the laws of the Contracting Governments.

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ARTICLE VIII

THE Agreement shall
be implemented with due regard to the
constitutional, legal and administra-
tive systems of the Contracting
Parties.

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ARTICLE IX

THIS Agreement
will enter into force upon signature and
will remain in force until terminated by
either party by giving at least three
months' notice in writing. The termina-
tion of this Agreement will not affect the
validity of any other obligations contracted
prior to the termination.

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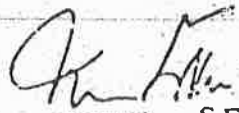
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THIS Protocol has been signed
in English and Hindi languages, both texts being equally
authentic. In case of doubt, however, the English text
shall prevail.

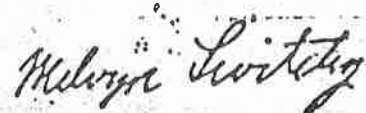
SIGNED IN NEW DELHI.

ON 29TH DAY OF MARCH, 1990.

ON BEHALF OF GOVERNMENT OF
REPUBLIC OF INDIA


(MAN MOHAN SETHI)
ADDITIONAL SECRETARY TO THE
GOVERNMENT OF INDIA
MINISTRY OF FINANCE.

ON BEHALF OF GOVERNMENT OF THE
UNITED STATES OF AMERICA


(MELVIN LEVITSKY)
ASSISTANT SECRETARY OF STATE
BUREAU OF INTERNATIONAL
NARCOTICS MATTERS (INM) OF
DEPARTMENT OF STATE.