

AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF INDIA  
AND  
THE GOVERNMENT OF THE STATE OF KUWAIT  
ON  
DRUG DEMAND REDUCTION AND PREVENTION OF ILLICIT  
TRAFFICKING IN NARCOTIC DRUGS,  
PSYCHOTROPIC SUBSTANCES AND PRECURSOR CHEMICALS  
AND RELATED MATTERS.

The Government of the Republic of India and the Government of the State of Kuwait (hereinafter referred to as "Parties").

Considering that the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 form the basis for national and international drug control;

Affirming their commitment to the Declaration adopted by the Special Session of the UN General Assembly in June 1998 on Drug Abuse and Illicit Trafficking as an expression of the political will of nations to combat the drug menace;

Sharing a deep concern over the illicit cultivation, production, processing and trafficking in illicit drugs;

Recognizing that the medical use of narcotic drugs and psychotropic substances continues to be indispensable for the relief of pain and suffering and that adequate provision must be made to ensure the availability of narcotic drugs and psychotropic substances for such purposes;

Reaffirming their joint determination to combat the drug menace;

Taking into due consideration their constitutional, legal and administrative systems and respect for the national sovereignty of their respective State;

Have agreed as follows:-

ARTICLE-I

In furtherance of the objectives of this Agreement, subject to their domestic laws, the Parties agree to:

- (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, identifying, freezing, seizing and forfeiting of properties derived from or used in illicit traffic;
- (c) facilitate each other to carry out the export and import operations related to legitimate trade in narcotic drugs, psychotropic substances and precursor chemicals.
- (d) assist each other to prevent diversion to illicit channel from the legitimate international trade in narcotic drugs, psychotropic substances and precursor chemicals;
- (e) provide, in accordance with their domestic laws, mutual legal assistance where necessary, including, but not limited to, service of summons and other judicial documents, taking testimony of witnesses, exchange of records, articles of evidence;
- (f) allow and assist each other in the appropriate use of controlled delivery on case-by-case basis with a view to identifying persons involved in the illicit trafficking of drugs including diversion of precursor, essential chemicals and solvents.

ARTICLE-II

The Parties agree to use their best efforts, consistent with their domestic laws, to take appropriate action in their territories to cooperate in measures:-

- (a) for exchange of information of operational, technical and general nature between the Competent Authorities of the Parties;
- (b) to assist one another as mutually agreed in operational matters including employing such investigative technique as may be necessary;
- (c) to detect and destroy illegal narcotic drugs processing sites and laboratories and to detect and eradicate illicit cultivation of cannabis and opium poppy wherever found;
- (d) to strengthen the channels of cooperation between the two Parties in addressing matters relating to supply and demand reduction of narcotic drugs and psychotropic substances;
- (e) to regulate and monitor the production, importation, exportation, storage, distribution and sale of precursors, essential chemicals and solvents which may be used in the illicit manufacture and production of drugs;

SECRET

- (f) to exchange information on the production, demand and utilization of narcotic raw material for legitimate purposes so as to help maintain a balance between the global demand and supply of narcotic drugs;
- (g) to exchange information and collaborate in reducing the demand for drugs through prevention, awareness education and community based programmes, treatment and rehabilitation;
- (h) to share resources for training Drug Law Enforcement Officers;
- (i) to promptly exchange information about the arrest of the citizens of one Party in the territory of the other and to provide further information on investigations, prosecutions and related matters.

### ARTICLE-III

The nature of intelligence/information which may be exchanged between the Parties under this Agreement shall be:

- (a) Operational intelligence which may be communicated through the fastest means of communication, viz., telephone, telex/fax and e-mail.
  - (b) Information of a detailed nature which may be communicated through correspondence in order to build up dossiers in respect of narcotic drugs traffickers, smugglers, suspects, financiers, organizers, etc.
2. The information shall normally be exchanged in the formats at Appendices I & II relating to cases of illicit traffic and persons involved in trafficking respectively. Any other information of significance may be exchanged in any other format as and when necessary as mutually agreed.
3. Information between the Parties under this Agreement will be conveyed in English.

### ARTICLE-IV

Except with the consent of the Party providing the information, the Parties shall not use information received from the other Party, for any purpose other than that for which the information was requested and provided, and shall not disclose such information to any third Party or to any other entity without the consent of the Party which had provided the information.

### ARTICLE-V

This Agreement shall not affect the rights and obligations arising from other international agreements signed by the Parties.

### ARTICLE-VI

For effective operation of this Agreement, the Parties may hold meetings alternatively in Kuwait and India at least once in two years, by mutual consent between experts whenever considered necessary by mutual consent.

### ARTICLE-VII

The Competent organs of the Parties shall cooperate in working out and in introduction of new methods to control illegal transactions in narcotic drugs, psychotropic substances and precursors and the treatment and social rehabilitation of addicts.

### ARTICLE-VIII

The Parties through their competent organs shall cooperate in training and re-training of personnel, exchange specialists and experts in the field and exchange national lists of narcotic drugs, psychotropic substances and precursors and inform each other of any changes included in them.

### ARTICLE-IX

The Parties will carry out export-import operations connected with narcotic drugs, psychotropic substances and precursors for legal purposes within the scope of the international conventions.

### ARTICLE-X

For the implementation of this Agreement and exchange of any information, the Competent Authorities shall be:-

- (1) For the Republic of India  
As given in Appendix III
- (2) For the State of Kuwait :-  
As given in Appendix IV.

### ARTICLE-XI

For this purpose of this Agreement, Narcotic Drugs and Psychotropic Substances are understood to be the substances that are scheduled or described in the Single Convention on Narcotic Drugs, 1953 as amended by the Protocol of 1972 and Convention on Psychotropic Substances, 1971. Precursors, essential chemicals and solvents are those substances included in the Tables referred to in Article 12 of the UN

Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988  
or any other substances as may be mutually agreed upon.

ARTICLE-XII

Any amendment to or revision of this Agreement shall be in writing and shall enter into force in accordance with the procedures stipulated for entry into force of this Agreement.

ARTICLE-XIII

Any dispute arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultations or negotiations between the Parties through diplomatic channels.

ARTICLE-XIV

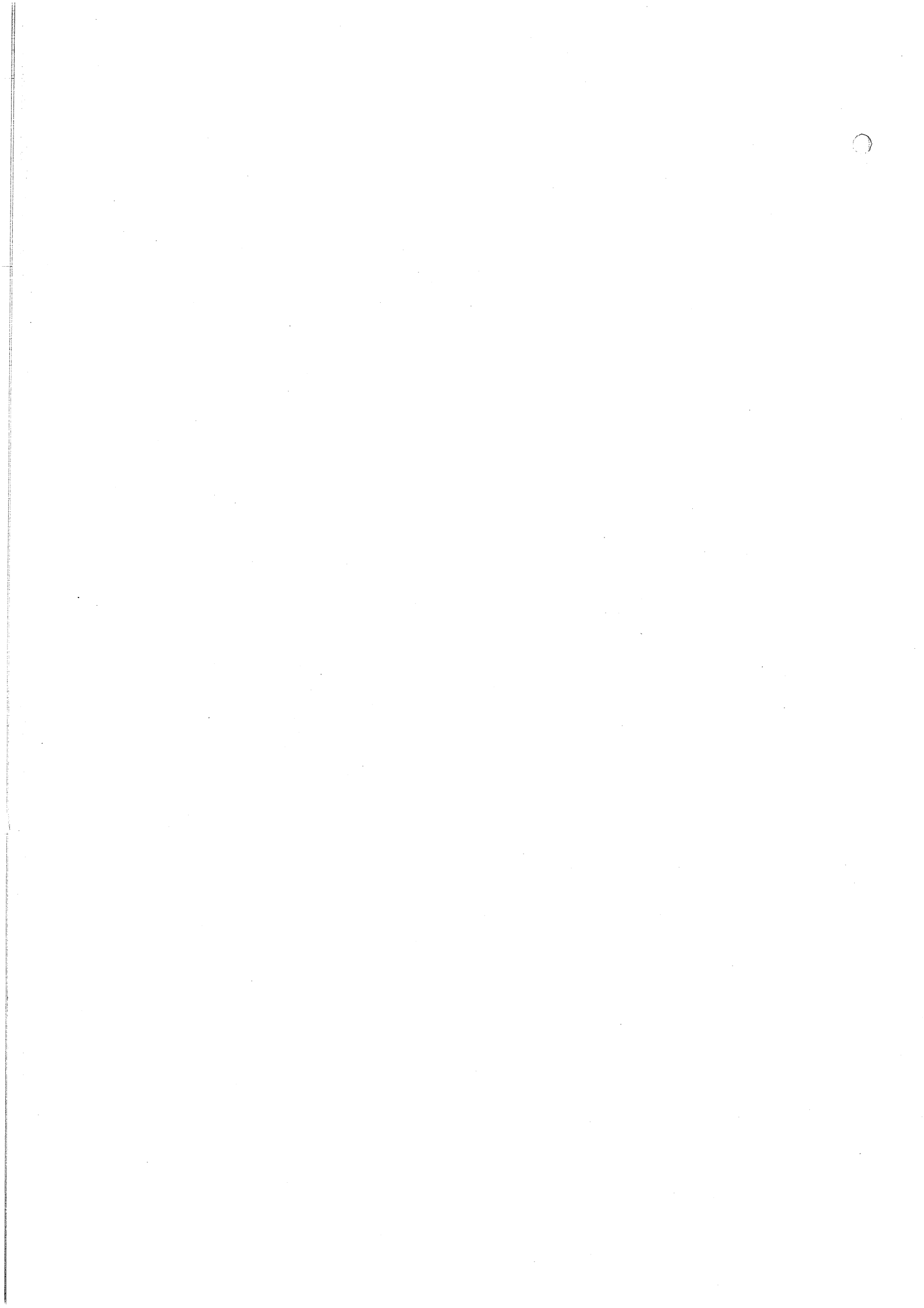
1. This agreement shall come into force from the last notification in which each party notifies the other of its fulfillments of all procedures stated in its national legislation.
2. This agreement is valid for a period of five years, renewed automatically for same period or periods, unless any party informs the other in writing of its intention to denounce the Agreement through the diplomatic channels, three months before its expiry date.

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

Done at New Delhi on 15<sup>th</sup> Day of June in the year two thousand six corresponding to 19 Jamad Al Awal, 1427 H. in two originals each in Hindi, English and Arabic languages, all texts being equally authentic. However, in the event of a divergent interpretation, the English text shall prevail.

(SHIVRAJ PATIL)  
Home Minister  
For the Government of the  
Republic of India

(SHEIKH (MR.) MOHAMMAD SABAL  
AL-SALEM AL-SABAH)  
Deputy Prime Minister and Minister of  
Foreign Affairs  
For the Government of the  
State of Kuwait



SECRET

APPENDIX-I

8

CASES OF ILLICIT TRAFFIC IN DRUGS

Reference:

Sender :

Date :

1. Name of the seizing agency
2. Type of drug seized
3. Quantity
4. Chemical analysis report
5. Place of seizure
6. Date of seizure
7. Packing, labeling and trade marks
8. Particulars of conveyance used
9. Name and nationality of the custodian/  
Owner of the conveyance
10. Name of company, air-line, ship
11. Mode of concealment
12. Route
13. Place of production/processing
14. Place where drug contraband/obtained
15. Origin/sources
16. Destination
17. Any equipment/accessories seized
18. Any other information.

SECRET  
APPENDIX-II

(2)

PROFORMA FOR REPORTING ON PERSON(S) INVOLVED IN  
NARCOTICS TRAFFICKING/SMUGGLING

(In cases implicating more than one person, please use separate form for each)

- 1. Name and aliases used :
- 2. Father's name :
- 3. Sex :
- 4. Age :
- 5. Date and place of birth :
- 6. Nationality :
- 7. Passport No. :
- 8. Place/date of issue :
- 9. Occupation :
- 10. Address :
- 11. Extent of involvement :
- 12. Previous involvements :
- 13. Associates :
- 14. Arrested/Detained :
- 15. Place of arrest :
- 16. Judicial or administrative measures taken :
- 17. Attach photocopy of the first page of passport :

SUMMARY OF THE CASE

(Please indicate details of the case necessary for furtherance of investigation)



SECRET

APPENDIX III

6

(Article X of the Agreement)

COMPETENT AUTHORITIES FOR THE REPUBLIC OF INDIA  
(As mentioned in Article X of the Agreement)

- 1) Joint Secretary (Revenue)  
Department of Revenue  
Ministry of Finance  
North Block, Central Secretariat,  
New Delhi.  
Telefax - 23094595  
  
(National Laws, Rules, Procedures concerning Drug Administration)
- (2) Joint Secretary (Security)  
Ministry of Home Affairs  
Lok Nayak Bhawan,  
New Delhi.  
Telefax - 24619536
- (3) Joint Secretary (P.P.)  
Ministry of Home Affairs  
1<sup>st</sup> Floor, Lok Nayak Bhawan,  
New Delhi.  
Telefax- 24633828  
  
(Policy issues relating to illicit trafficking matters with which NCB is concerned).
- (4) Joint Secretary (Social Defence Division)  
Ministry of Social Justice & Empowerment  
6<sup>th</sup> Floor, A Wing, Shastri Bhawan,  
New Delhi.  
Tel.No.23381643  
Fax - 23384918  
  
(Drug demand reduction & drug abuse matters)
- (5) Director General  
Narcotics Control Bureau  
1<sup>st</sup> Floor, West Block No.1, Wing No.5,  
R.K. Puram, New Delhi-110066.  
Tel.No.91-11-26172089  
Telex No.91-11-23162755  
Fax No.91-11-26185240

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(All operational matters relating to illicit trafficking in narcotic drugs, psychotropic substances and precursor chemicals including coordination with other field agencies.)

- (6) Narcotics Commissioner  
Central Bureau of Narcotics  
19, The Mall, Morar  
Gwalior-474006 (Madhya Pradesh)  
Tel.No.2368121  
Fax No.2368111

(Licit manufacture/international trade in narcotic drugs, psychotropic substances and precursor chemicals and diversion thereof)

No. VI 72149-2/K-2  
Government of India  
Ministry of Finance  
Deptt. of Revenue  
Narcotics Control Division

ANNEX-II  
[paragraph 3(b) of the Note]

63

SECRET

APPENDIX IV

④

(Article X of the Agreement)

COMPETENT AUTHORITIES FOR KUWAIT

(as mentioned in Article X of the Agreement)

“Department Fighting Narcotic Drugs, Psychotropic Substances and Liquor.”

P.O. Box No.38303, Dahiya 72254, Kuwait  
Telephone (00965) 5650514-5632131  
Fax: (00965) 5656423-5628012  
E mail: [ipkuwait@moi.gov.kw](mailto:ipkuwait@moi.gov.kw)

699

