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**AGREEMENT FOR MUTUAL COOPERATION
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDIA
AND
THE GOVERNMENT OF THE REPUBLIC OF
TAJIKISTAN
FOR
DRUG DEMAND REDUCTION AND PREVENTION
OF ILLICIT TRAFFICKING IN NARCOTIC DRUGS,
PRECURSORS AND PSYCHOTROPIC SUBSTANCES
AND RELATED MATTERS**

The Government of the Republic of India and the Government of the Republic of Tajikistan (hereinafter referred to as the Contracting 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 the nations to combat the drug menace;

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

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 states;

Have agreed as follows:

ARTICLE – I

In furtherance of the objectives of this Agreement, subject to their national laws, the Contracting 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 tracking, identification, freezing, seizure and forfeiture of properties derived from or used in illicit traffic;
- (c) Provide for extradition of any offender who has committed in the territory of one of the contracting parties any one or more of the offences enumerated in Article 3 of the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances which is also an offence in accordance with the domestic law of the country which requests extradition, and found in the territory of the other Contracting Party. The extradition would be subject to the conditions provided for by the law of the requested Party;
- (d) 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, transfer of witnesses or persons who may assist in investigations;
- (e) 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 trafficking including diversion of precursors, essential chemicals and solvents.

ARTICLE – II

The Contracting Parties agree to use their best efforts, consistent with their national laws to take appropriate action, where applicable, to cooperate in measures:-

- (a) for exchange of information of operational, technical and general nature between the Competent Authorities of the Republic of India and of the Republic of Tajikistan;
- (b) to assist one another in operational matters including employing such investigative technique as may be necessary:-

- (c) to identify and destroy illegal narcotic drugs processing sites and laboratories and to identify and eradicate illicit cultivation of cannabis and opium poppy wherever found;
- (d) 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 manufacturing and production of drugs;
- (e) to reduce demand through prevention, treatment and public awareness activities.
- (f) To share the resources for training Drug Law Enforcement Officers.
- (g) To promptly exchange information about the arrest of the citizens of the contracting parties and provide details of the investigations and prosecutions thereof;

ARTICLE - III

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

- (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 may be communicated through correspondence in order to build up dossiers in respect of narcotic drugs traffickers, smugglers, suspects, financiers, organizers, etc.

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.

For exchange of information the contracting parties will use English language.

ARTICLE-IV

Except with the consent of the party providing the information, the Contracting Parties shall not use information received from the other party, for any purpose other than that for which it 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 Contracting Parties.

ARTICLE - VI

For effective operation of this Agreement the Contracting Parties may hold meetings between experts whenever considered necessary by mutual consent.

ARTICLE - VII

The Competent organs of the contracting parties shall cooperate in working out and in the introduction of new methods of control over legal transactions on narcotic drugs, psychotropic substances and precursors and the treatment and social rehabilitation of addicts.

ARTICLE - VIII

The contracting parties through their competent organs shall cooperate in training and re-training of personnel, exchange specialists and experts in the field of control over narcotics 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 in the field of control over narcotics.

ARTICLE - X

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

1. For the Republic of Tajikistan

- Agency on Drugs Control under the President of the Republic of Tajikistan (Chief Coordinator);
- Ministry of Foreign Affairs of the Republic of Tajikistan;
- Ministry of Internal Affairs of the Republic of Tajikistan;
- Ministry of Security of the Republic of Tajikistan;
- Ministry of Health of the Republic of Tajikistan;
- Customs Committee under the Government of the Republic of Tajikistan;
- Committee on State Border Protection under the Government of the Republic of Tajikistan.

2. For the Republic of India

- The Director-General,
Narcotics Control Bureau,
1st Floor, Wing No.5,
West Block-1,
R.K. Puram,
New Delhi-110 066.
Tel.No. 91-11-6181090
Telex No. 91-11-3162755
Fax No. 91-11-6185240

- The Narcotics Commissioner of India,
Central Bureau of Narcotics,
19, The Mall,
Morar,
Gwalior-474 006
Madhya Pradesh.
Tel.No. 91-0751-368121
91-0751-369437
Fax No. 91-0751-368111

ARTICLE - XI

For the 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

This agreement will come into force on expiry of 30 days after getting the second written notification on implementation by the contracting parties of the procedures necessary for its coming into force and shall remain valid till the revocation of this agreement by one of the contracting parties by at least three month's advance written notification.

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

Done at ²⁰⁰¹ NEW DELHI on this 16th May in two originals each in the Hindi, English and Tajik languages, all texts being equally authentic. In case of doubt, however, the English text shall prevail.

For the Government of the
Republic of India

For the Government of the
Republic of Tajikistan