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MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NARCOTICS CONTROL BUREAU
GOVERNMENT OF THE REPUBLIC OF INDIA
AND
THE AUSTRALIAN FEDERAL POLICE
ON
COMBATING NARCOTICS TRAFFICKING
AND DEVELOPING POLICE COOPERATION

The Narcotics Control Bureau (NCB), Government of the Republic of India and the Australian Federal Police (AFP) (hereinafter referred to as "the Parties"):

1. Basis

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 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;

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 reached the following understandings:

2. Objective and Purpose

2.1 In furtherance of the objectives of this Memorandum of Understanding (MoU), subject to their national laws, the Parties determine:

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(a) The priority criminal issues for the parties under this MOU are:

- (i) Illicit trade in narcotics drugs & Psychotropic substances;
- (ii) Diversion of precursor chemicals for use in/extraction of psychotropic substances or narcotic drugs;
- (iii) Asset forfeiture; and
- (iv) Drug Money Laundering.

(b) To conduct coordinated operations.

- (i) The Parties recognise the importance and value of cooperation and coordination in law enforcement operations. Coordinated operations will provide opportunities for law enforcement agencies to disrupt and dismantle transnational narcotic related threats common to both countries.
- (ii) The Parties will develop strategies and procedures for conducting operations through existing networks and liaison arrangements.
- (iii) The Parties will ensure that guidance is provided to coordinated operations and evaluate the resource implications of such operations.

2.2 This MoU represents the understanding of the Parties and is not intended to have a legal or binding effect.

3. Strategies

3.1 The Parties will 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;
- (b) to identify and destroy narcotic drugs processing sites and laboratories and to identify and eradicate illicit production, importation, exportation, storage, distribution and sale of narcotics and precursors and essential chemicals and solvents which may be used in the illicit manufacture and production of drugs and other controlled substance.

3.2 Cooperation in operational matters of mutual interest.

4. Intelligence/Information Exchange

4.1 The nature of intelligence/information which may be exchanged between the two countries under this MoU will be:

- (a) Operational intelligence which may be communicated through the fastest, appropriate means of communication with due consideration being applied to operational security; and;

(b) The parties recognise the importance of developing sound law enforcement intelligence capabilities. These capabilities will enable opportunities for the sharing of information, including intelligence, related to transnational narcotics trafficking.

4.2 The information will be exchanged via methods and format as jointly determined by the Parties.

4.3 Information exchanged between the Parties under this MOU will be conveyed in English.

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

5. **Reciprocal Obligations**

5.1 This MoU will not affect the rights and obligations arising from international Agreements signed by the parties.

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

5.3 The Parties will cooperate in developing methods to control illegal transactions in narcotic drugs, psychotropic substances and precursors.

6. **Capacity Building**

6.1 The Parties will cooperate in training of personnel, exchange specialists and experts in the field of control over narcotics.

6.2 The parties will strengthen cooperative assistance in the fields of capacity building and professional development, including but not limited to:

(a) The exchange of personnel for study purposes;

(b) Training programs;

(c) Attending seminars, conferences, etc; and

(d) The provision of equipment and resources.

7. **Media Announcements**

(i) Both individual and Joint Media releases relating to the MoU will be coordinated by Parties to ensure that the interests of both parties are protected.

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- (ii) Media releases should be intended to promote the capabilities of law enforcement agencies and to frustrate the activities of transnational criminals.

8. Implementation, Supplementation and Amendments

- 8.1 In order for this MoU to be implemented in the appropriate manner, either Party may request assistance from the other Party to fund coordinated operations and to improve institutional capabilities.
- 8.2 Any amendment to, or revision of, this MoU will be in writing and will come into effect in accordance with the procedures stipulated for the coming into effect of this MoU.

9. Dispute Resolution

- 9.1 Any dispute as to the interpretation or implementation of this MoU will be resolved by both Parties through negotiation or consultation.

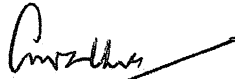
10. Duration

This MoU will come into effect on expiry of thirty (30) days after signature and will remain valid till the revocation of this MoU by one of the Parties with at least three months advance notice.

Signed at Canberra on this 18th day of November in the year Two Thousand and Fourteen in two originals, each in Hindi and English languages, all texts being equally authentic. In case of any divergence of interpretation, English version will prevail.

Signed for and on behalf of the
Narcotics Control Bureau:

Signed for and on behalf of the
Australian Federal Police:



Anil Wadhwa
Secretary (East), Ministry of External Affairs



Michael Keenan
Minister for Justice

स्वापकों की अवैध तस्करी का निवारण करने
और
पुलिस सहयोग को बढ़ावा देने के संबंध में
स्वापक नियंत्रण ब्यूरो, भारत गणराज्य की सरकार
और
ऑस्ट्रेलियाई संघ पुलिस के
मध्य समझौता।

स्वापक नियंत्रण ब्यूरो (एन0सी0बी0), भारत गणराज्य की सरकार और ऑस्ट्रेलियाई संघ पुलिस (ए0एफ0पी0), (इसके बाद "पक्षों" के रूप में संदर्भित):

1. आधार

यह विचार करते हुए कि स्वापक भेषजों पर एकल अभिसमय, 1961, 1972 के प्रोटोकॉल द्वारा यथासंशोधित, मनःप्रभावी पदार्थों के संबंध में 1971 का अभिसमय और स्वापक भेषजों और मनःप्रभावी पदार्थों के अवैध व्यापार के विरुद्ध अभिसमय 1988, राष्ट्रीय एवं अन्तर्राष्ट्रीय भेषज नियंत्रण का मुख्य आधार है;

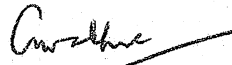
भेषज संकट के निवारण के लिए जून 1998 में यू0एन0 जनरल असेम्बली के विशेष सत्र द्वारा भेषज दुरुपयोग और अवैध तस्करी पर राष्ट्रों की राजनैतिक इच्छा की अभिव्यक्ति के रूप में अपनाई गई घोषणा पर उनकी वचनबद्धता को स्वीकार करते हुए;

अवैध भेषजों की अवैध कृषि, उत्पादन, प्रसंस्करण और तस्करी पर गहरी चिन्ता व्यक्त करते हुए; भेषज संकट के निवारण में उनके संयुक्त संकल्प को पुनः स्वीकार करते हुए; उनकी संवैधानिक, विधिक और प्रशासनिक प्रणालियों तथा संबंधित राज्य की राष्ट्रीय संप्रभुता हेतु सम्मान पर उपयुक्त रूप से विचार करते हुए;

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कैनबरा में 18 नवम्बर, 2014 को अंग्रेजी और हिंदी दोनों भाषाओं की मूल प्रतियों पर हस्ताक्षर किए गए, सभी पाठ समान रूप से प्रमाणिक हैं। व्याख्या में भेद की स्थिति में अंग्रेजी पाठ मान्य होगा।

स्वापक नियंत्रण ब्यूरो
की ओर से हस्ताक्षरित



~~अनिल वाधवा~~

सचिव (पूर्व), विदेश मंत्रालय

ऑस्ट्रेलियाई संघ पुलिस
की ओर से हस्ताक्षरित



माइकल कीनन
न्याय मंत्री