

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE NARCOTICS CONTROL BUREAU OF
THE REPUBLIC OF INDIA
AND
THE NATIONAL NARCOTICS BOARD OF THE REPUBLIC OF
INDONESIA
ON COMBATING ILLICIT TRAFFICKING IN NARCOTIC
DRUGS, PSYCHOTROPIC SUBSTANCES AND ITS
PRECURSORS

The Narcotics Control Bureau of The Republic of India and the National Narcotics Board of the Republic of Indonesia hereinafter referred to individually as "*the Party*" and collectively referred to as "*the Parties*".

Recognizing that illicit trafficking and abuse of illicit drugs pose a serious threat to the health, security and welfare of human beings, and adversely affect the economic, social, cultural, and political foundations of the society;

Realizing that illicit trafficking in narcotic drugs, psychotropic substances and its precursors pose a real danger to the stability and security of the Nations and the peoples of the two countries;

Being conscious of the mutual benefit and the importance of coordination and cooperation in combating illicit trafficking in narcotic drugs, psychotropic substances and its precursors;

Desiring to enhance further and strengthen closer cooperation in combating the above mentioned menaces;

Guided by the provisions of the International Drug Control Conventions;

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Recognizing the importance of the principle of sovereignty, equality and territorial integrity;

Acting in the spirit of partnership and cooperation;
Pursuant to the treaty between Indonesia and India on Mutual Legal Assistance in criminal matters;

Pursuant to the prevailing laws and regulations of the respective countries;

Have agreed as follows;

Article 1 Definitions

1. Information refers to any information necessary in a law enforcement investigation in narcotic drugs, psychotropic substances and its precursors.
2. Bilateral Working Group refers to the working group established by the delegations of the Parties, and is responsible for agreed upon cooperation.

Article 2 Objective

This Memorandum of Understanding is to facilitate and enhance the cooperation in combating illicit trafficking of narcotic drugs, psychotropic substances and its precursors (hereinafter referred to as

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"drugs") as defined by the United Nations International Drug Control Conventions.

Article 3 Areas of Cooperation

The main areas of cooperation between the Parties in the field of law enforcement of illicit drugs are as follows:

(a) Information Exchange.

1) Information exchange will be conducted by:

- i) appointment of liaison officers (LO);
- ii) direct communication of the parties or designated officers;
- iii) communication technology, such as telephone, fax and e-mail.

2) Information Exchange will cover the following:

- i) suspect identity and telephone numbers;
- ii) suspect networks;
- iii) suspects asset as described in the UN Convention against illicit traffic on Narcotic Drugs and Psychotropic Substances, 1988;
- iv) modus operandi used by traffickers;
- v) type of drugs and its precursors;
- vi) crime record of suspects;
- vii) suspect trafficking activities and routes movements for rapid arrest and seizure of assets;
- viii) suspects' location;
- ix) detection and development of *intelligence of* clandestine laboratories including precursor and chemicals used in the manufacture of drugs;

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- x) trade in second-hand machinery for the manufacture of drugs;
 - xi) other important information according to the development of the investigation.

(b) Taking coordinated measures:

Taking coordinated measures for investigation to eliminate illegal supply sources by:

- 1) preparing plans for investigation;
- 2) preparing and determining joint investigation targets;
- 3) managing the flow of information and security;
- 4) formulation and application of Standard Operating Procedure (SOP);
- 5) evaluation of the implementation of joint measures for further development of drug cases.

(c) Collaborating on suppression of illegal trafficking:

Collaborating on suppression of illegal trafficking as well as fruitful cooperation in regional and international area will be conducted by:

- 1) identifying national, regional, and international syndicates and their networks in order to support and assist with their investigations;
- 2) identifying chemists for clandestine manufacture and their movements and establishing a watch-list of suspected chemists;
- 3) back tracking investigation of precursors to determine source and destination countries and discuss at regional and international level for solving the problems;
- 4) identifying operational needs for successful results in combating the syndicates.

(d) Exchange of experiences on the methods of search and seizure of concealed drugs.

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(e) Exchange of information and experiences on methods of illegal manufacture of drugs and its precursors and other chemicals.

(f) Exchange of information on networks and persons involved in or suspected to be involved in or arrested for illicit drug trafficking and on new routes of illicit transportation.

(g) Cooperation and Application of new technical instruments in training courses and exchange of modern technologies in detecting illicit drugs and its precursors.

(h) Providing information on new types of drugs and its precursors.

(i) To assist in investigation and to assist in transnational controlled delivery operation by:

- 1) identifying the target for operation;
- 2) formulation of the operation plan;
- 3) establishing Task Force for respective countries;
- 4) determining the funding of the operation on case by case bases;
- 5) formulating and application of Standard Operating Procedure (SOP);
- 6) providing original certified copies of documents, record and items of evidence;
- 7) taking statement of witnesses;
- 8) interrogation of drug suspects.

(j) Assistance in money laundering:

Assistance in money laundering investigation with drug crimes as predicate crimes will be conducted by:

- 1) Identifying or tracing property of assets derived from the commission of drug crimes;

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2) tracing, recovery, freezing forfeiture and confiscation of property or assets derived from the commission of drug crimes;

(k) Human resources development:

Assistance in the development of human resources in counter-drugs operations will be done by:

- 1) exchange of personnel for study purposes covering all aspects of the drug problem;
- 2) conducting joint training for drug enforcement;
- 3) conducting workshop on illicit trafficking of drugs and other special topics as agreed by the Parties;
- 4) conducting training for laboratory personnel.

(l) Other areas of common concern in the field of illicit drugs and its precursors.

Article 4 Executing Authorities

The Executing Authorities for this Memorandum of Understanding will be:

For India : The Narcotics Control Bureau, Ministry of Home Affairs of the Republic of India

For Indonesia : The National Narcotics Board of the Republic of Indonesia

Article 5

Secrecy of information and Documents

1. The information and documents obtained in accordance with this Memorandum of Understanding shall be kept confidential and be used in compliance with the purposes, determined by the providing party.
2. The information and documents shall not be transmitted to a third party without prior written authorization from the providing party.

Article 6

Bilateral Working Group Meetings

1. In order to review periodically the situation dealing with illicit drugs and its precursors and progress made in implementation of this Memorandum of Understanding, the Parties agree to host alternatively the meeting annually. In these meetings, on going joint efforts shall be reviewed and new areas for cooperation shall be identified and developed.
2. In case of necessity, extraordinary meetings may be convened.
3. The activities of the working group will be funded by the conducting country.

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Article 7

International Norms and National Legislations

The implementation of this Memorandum of Understanding is subject to international norms and national legislations of each Party and shall not affect the rights and undertakings of the Parties, derived from international conventions.

Article 8

Amendment and Addendum

The Parties may review, add or amend any part of this Memorandum of Understanding by mutual consent in writing and such review, amendment, and addendum shall come into force on such date as determined by the Parties and shall form as an integral part of this Memorandum of Understanding

Article 9

Settlement of Dispute

Any difference or dispute arising out of the interpretation of this Memorandum of Understanding shall be settled amicably through consultations and / or negotiations.

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Article 10

Entry into force, Duration and Termination

1. This Memorandum of Understanding shall enter into force on the date of its signing.
2. This Memorandum of Understanding shall remain in force for the period of 5 (five) years and may be renewed, by written notification, for the same period. Either Party may terminate this Memorandum of Understanding at any time, by giving written notification to the latter 6 (six) months prior to its termination.

In witness, where of the undersigned being duly authorized by their respective governments, have signed this memorandum of understanding.

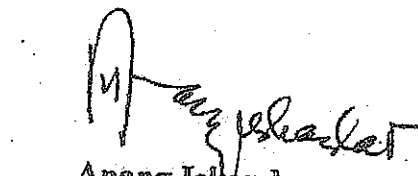
Done at Jakarta on this eleventh day of the year, two thousand and thirteen, in two originals, each in Indonesian, Hindi and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English Text shall prevail.

For the Narcotics Control
Bureau of the Republic of
India



Gurjit Singh
Ambassador of India to the
Republic of Indonesia

The National Narcotics Board
of the Republic of Indonesia



Anang Iskandar
Head

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APPENDIX-1

CASES OF ILLICIT TRAFFIC IN NARCOTICS AND SMUGGLING

Reference

Sender (Organization/agency)

1. Name of the Seizing agency
2. Type of narcotics/contraband seized
3. Quantity
4. Chemical Analysis
5. Place of seizure
6. Date of Seizure
7. Packing, Labeling & Trade Marks
8. Particulars of conveyance used
9. Name and Nationality of the custodian/ Owner of the conveyance
10. Name of the Company, Airline, Ship
11. Mode of concealment
12. Route
13. Place of production/processing
14. Place where narcotics/contraband obtained
15. Origin/source
16. Destination
17. Any equipment/accessories seized
18. Any other information

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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 Passport No.
7. Place/Date of issue
8. Occupation
9. Address
10. Extent of involvement
11. Previous involvement
12. Associates
13. Arrested/Detained
14. Place of arrest
15. Judicial or administrative measures taken
16. Attached photocopy of the first page of Passport

SUMMARY OF THE CASE

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