

MEMORANDUM OF UNDERSTANDING (MoU)
BETWEEN
THE NARCOTICS CONTROL BUREAU OF THE REPUBLIC OF INDIA
AND
THE NATIONAL DRUG LAW ENFORCEMENT AGENCY OF THE FEDERAL
REPUBLIC OF NIGERIA
ON
PREVENTION OF ILLICIT TRAFFICKING IN NARCOTIC DRUGS,
PSYCHOTROPIC SUBSTANCES AND PRECURSOR CHEMICALS AND
RELATED MATTERS

PREAMBLE

The Narcotics Control Bureau of the Republic of India and the National Drug Law Enforcement Agency of the Federal Republic of Nigeria (hereinafter jointly referred to as "the Parties" and in the singular as "the Party");

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 international and national drug control;

SHARING a deep concern over the illicit cultivation, production, processing and trafficking in illicit narcotic drugs, psychotropic substances and precursor chemicals;

REAFFIRMING their joint determination to combat the drug menace;

TAKING into the consideration of their constitutional, legal and administrative systems and respect for the national sovereignty of their respective States;

HAVE AGREED AS FOLLOWS:



ARTICLE I

DEFINITION OF TERMS

For the purpose of this Memorandum of Understanding, Narcotic Drugs and psychotropic Substances are understood to be the Substances that are scheduled or described in the Single Convention on narcotic Drugs, 1961 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 II

OBJECTIVE

In furtherance of the objectives of this Memorandum of Understanding, subject to their domestic laws, the Parties shall cooperate and assist each other:

- (a) In the prevention, suppression and investigation of illicit drug trafficking;
- (b) In tracing, identifying, seizing and confiscating proceeds of illicit drug production, trafficking and related activities;
- (c) In the exchange of literature on existing laws, rules, procedures and best practices and methods concerning abuse and trafficking in narcotic drugs, psychotropic substances and precursor chemicals;
- (d) In complying with the administrative and control mechanisms laid down by the International Narcotics Control Board (INCB) governing activities related to the legitimate international trade in narcotic drugs, psychotropic substances and precursor chemicals in order to prevent their diversion;
- (e) To provide mutual legal assistance when considered appropriate, justified and necessary by the Requested State;
- (f) In the appropriate use of controlled delivery on case-to-case basis with a view to identify persons involved in the illicit trafficking of drugs including diversion of precursor chemicals;

- (g) In combating drug trafficking through computer system or via the Internet including dark-net, encrypted messaging services and social media.

ARTICLE III

AREAS OF COOPERATION

1. The Parties shall make all possible efforts, consistent with their domestic laws, to take appropriate action in their territories to cooperate with each other in taking the following measures:-

- a) To exchange information of operational, technical and general nature between the Parties;
- b) To exchange information on the best methods and practices adopted by the Parties in the field of demand and supply reduction in respect of narcotic drugs, psychotropic substances and precursor chemicals;
- c) To share and exchange best practices and experience for training of officers in the fields of drug demand and supply reduction;
- d) To promptly exchange information about the arrest on drug charges of the citizens of country of one Party in the territory of the other and to provide further information on investigations, prosecutions and related matters falling within the scope of this Memorandum of Understanding;
- e) To cooperate in working out and in introduction of new methods to control illegal transactions in narcotic drugs, psychotropic substances, precursors and the treatment and social rehabilitation of addicts.
- f) To explore the possibility of cooperation in training of personnel, exchange specialists and experts in the field. They also agree to exchange national lists of narcotic drugs, psychotropic substances and precursor chemicals and inform each other of any changes in such lists.
- g) To communicate operational intelligence through the fastest means of communication, viz. telephone, telex/fax and e-mail and



communication of information of a detailed nature through correspondence;

- h) To exchange information normally in the formats at Appendices I & II relating to cases of illicit trafficking in drugs, psychotropic substances and precursor chemicals and persons involved therein. Any other information of significance may be exchanged in any other format as and when necessary and mutually agreed;
- i) To convey information between the Parties under this Memorandum of Understanding in English;
- j) To provide assistance to each other in carrying out comprehensive investigation of cases having mutual connection.

ARTICLE IV

CONTROLLED DELIVERY

The Parties shall, in accordance with national legislations and international obligations cooperate in the implementation of Controlled Delivery *Technique* and *other* related operational activities with a view to identify persons involved in the illicit trafficking of drugs including diversion of precursor chemicals.

ARTICLE V

SECRECY OF INFORMATION AND DOCUMENTS

The Receiving Party shall not use information received from the other Party for any purpose other than that for which information was requested and provided and the Receiving Party shall be bound not to share such information with a third party / parties without the prior written consent of the Party which provided the information.

ARTICLE VI

RIGHTS AND OBLIGATION OF THE PARTIES

This Memorandum of Understanding shall not affect the rights and obligations of the country of the Parties arising from any other bilateral or multilateral international agreements to which both India and Nigeria are parties.



ARTICLE VII

MEETINGS

- a. For effective implementation of this Memorandum of Understanding, the nominated representatives of the Competent Authorities of the Parties may meet periodically or whenever considered necessary by mutual consent.
- b. The Competent Authorities of the Parties shall cooperate in working out and in introduction of new methods to control illegal transactions in narcotic drugs, psychotropic substances, precursors and the treatment and social rehabilitation of addicts.
- c. The Parties through their Competent Authorities agree to explore the possibility of cooperation in training of personnel, exchange specialists and experts in the field. They also agree to exchange national lists of narcotic drugs, psychotropic substances and precursor chemicals and inform each other of any changes in such lists.

ARTICLE VIII

COMPETENT AUTHORITIES

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

- a) **For the Narcotics Control Bureau of the Republic of India:-**

Director General

Narcotics Control Bureau, New Delhi

- b) **For the National Drug Law Enforcement Agency of the Federal Republic of Nigeria:-**

Chairman/Chief Executive Officer

National Drug Law Enforcement Agency, Nigeria



ARTICLE IX

EXPENSES

- a. Each Party shall bear its expenses connected with the execution of this Memorandum of Understanding on the territory of its State.
- b. Each Party shall bear all travel and accommodation expenses of its representatives on the other Party's territory, unless otherwise agreed by the Parties in writing.

ARTICLE X

AMENDMENT

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

ARTICLE XI

SETTLEMENT OF DISPUTES

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

ARTICLE XII

ENTRY INTO FORCE, DURATION AND TERMINATION

1. This Memorandum of Understanding shall enter into force on the date of its signature.
2. This Memorandum of Understanding shall remain in force for the period of five (5) years and shall be automatically renewed for the same period unless either Party notifies the other in writing through diplomatic channel of its



intention to terminate this Memorandum of Understanding six (6) months prior to such termination.

3. The termination of this Memorandum of Understanding shall not affect the validity and duration of any on-going programs or activities made under this Memorandum of Understanding.

ATTESTATION

IN WITNESS WHEREOF, the undersigned being duly authorized thereto by their respective Governments, have signed and sealed this Memorandum of Understanding in two original texts, in the English and Hindi languages, both texts being equally authentic. In case of divergence in interpretation, the English text shall prevail.

DONE AT 14th Abuja ON THIS 14th DAY OF June 2023


Signed on behalf of
Director General

Chairman Chief Executive Officer

Narcotics Control Bureau

National Drug Law Enforcement Agency

SIGNATURE 

SIGNATURE 

NAME G. BALASUBRAMANIAN

NAME B. Senthil Kumar (NDA) Conv. Off

APPENDIX-I

(Article-II of the Memorandum of Understanding)

CASES OF ILLICIT TRAFFICKING IN DRUGS

Reference:

Date:

Sender:

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, labelling 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



APPENDIX-II

(Article II of the Memorandum of Understanding)
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)

