

MEMORANDUM OF UNDERSTANDING (MoU)
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF INDIA
AND
THE GOVERNMENT OF ISLAMIC REPUBLIC OF PAKISTAN
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 Islamic Republic of Pakistan (hereinafter referred to individually as a "Party" and collectively as the "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 and the SAARC Convention on Narcotic Drugs and Psychotropic Substances, 1990 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 narcotic drugs, psychotropic substances and precursor chemicals;

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 of 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 MOU, 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 reducing the demand for drugs through prevention, awareness education and community based programmes, treatment and rehabilitation;
- (c) in tracing, identifying, seizing and confiscation of proceeds of illicit drug production, trafficking and related activities;
- (d) 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;
- (e) in combating illicit cultivation of plants containing narcotic drugs and/or psychotropic substances;
- (f) 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;
- (g) to provide mutual legal assistance when considered appropriate, justified and necessary by the requested State;
- (h) in the appropriate use of controlled delivery on case-to-case basis with the view to identifying persons involved in the illicit trafficking of drugs including diversion of precursor, essential chemicals and solvents.

ARTICLE-II

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 Competent Authorities of the Parties;
- (b) to exchange information on the best methods and practices adopted by the Parties in the fields of demand and supply reduction in respect of narcotic drugs and psychotropic substances and precursor chemicals;
- (c) to share and exchange the 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 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 MOU;
- (e) to communicate operational intelligence through the fastest means of communication, viz., telephone, telex/fax and e-mail, information of a detailed nature may be communicated through correspondence;
- (f) 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 as mutually agreed.
- (g) to convey information between the Parties under this MOU in English.

2. 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-III

This Memorandum of Understanding shall not affect the rights and obligations of the Parties arising from other international agreements to which they are a party.

ARTICLE-IV

For effective implementation of this Memorandum of Understanding, the Parties may meet periodically or whenever considered necessary by mutual consent.

ARTICLE-V

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.

ARTICLE-VI

The Parties through their Competent Authorities agree to explore the possibility of co-operation 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-VII

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

- (a) For the Republic of India - As given in Appendix -III
- (b) For the Islamic Republic of Pakistan - As given in Appendix IV.

ARTICLE-VIII

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-IX

Any amendment to or revision of this MOU 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-X

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-XI

This Memorandum of Understanding shall enter into force on the expiry of 30 days after completion of the legal procedures necessary for its entry into force by both Parties and shall remain valid till the revocation of this Memorandum of Understanding by one of the Parties by at least three months' advance written notification.

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

Done at Islamabad on this thirteenth day of September in the year two thousand eleven, in two originals each in Hindi and English languages, all texts being equally authentic. However, in case of any discrepancy in the text or difference in interpretation, the English text shall prevail.



(Shri O.P.S. Malik)
Director General,
Narcotics Control Bureau
For the Government of
the Republic of India



(Major General Syed Shakeel Hussain)
Director General
Anti Narcotics Force
For the Government of
the Islamic Republic of Pakistan

APPENDIX-I
(Article II of the Memorandum of Understanding)

CASES OF ILLICIT TRAFFIC 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, 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.

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)

APPENDIX-III
(Article VII of the Memorandum of Understanding)

COMPETENT AUTHORITIES FOR THE REPUBLIC OF INDIA
(As mentioned in Article VII of the Memorandum of Understanding)

1. Joint Secretary (Revenue)
Department of Revenue
Ministry of Finance,
North Block, Central Secretariat,
New Delhi.
Telefax – 91-11-23094595
(National Laws, Rules, Procedures concerning Drug Administration)
2. Joint Secretary (Internal Security)
Ministry of Home Affairs
North Block, Central Secretariat,
New Delhi.
Telefax – 91-11-23093008
(Policy issues relating to illicit trafficking matters with which NCB is concerned).
3. Joint Secretary (Social Defence Division)
Ministry of Social Justice & Empowerment
6th Floor, A Wing, Shastri Bhawan,
New Delhi.
Tel.No.91-11-23381643
Fax – 91-11-23384918
(Drug demand reduction & drug abuse matters)
4. Director General
Narcotics Control Bureau
1st Floor, West Block No.1, Wing No.5,
R.K. Puram, New Delhi-110066.
Tel.No.91-11-26172089
Fax No.91-11-26105747
(All operational matters relating to illicit trafficking in narcotic drugs, psychotropic substances and precursor chemicals including coordination with other field agencies.)

5. Narcotics Commissioner
Central Bureau of Narcotics
19, The Mall, Morar
Gwalior-474006 (Madhya Pradesh)
Tel.No.91-751-2368121
Fax No.91-751-2368111
(Licit manufacture/international trade in narcotic drugs,
psychotropic substances and precursor chemicals and diversion
thereof)

APPENDIX-IV
(Article VII of the Memorandum of Understanding)

COMPETENT AUTHORITIES FOR PAKISTAN

(As mentioned in Article VII of the Memorandum of Understanding)

1. Secretary,
Ministry of Narcotics Control,
Government of Pakistan,
House No.30, Street No.48, Sector: F-8/4,
Islamabad
Tel. No.: 051-9260535
Fax. No.: 051-9261896
(For National Laws, Rules/Policy matters concerning narcotics related issues)
2. Drugs Controller,
Ministry of Health,
Government of Pakistan,
Islamabad
(For sorting out issues linked with licit trade in narcotic drugs and psychotropic substances between the two countries)
3. Director General,
Intelligence and Investigation,
(Customs & Excise),
G-10/4, Mauve Area,
Islamabad
Tel. No. : 051-9267401
Fax No. : 051-9267403
4. Chief (Customs Procedure)
Central Board of Revenue
Government of Pakistan,
Constitution Avenue,
Islamabad
Tel. No.: 051-9205694
Fax No.: 051-9201539
(For all licit trade, import and export of precursor chemicals)

5. Director General
Anti Narcotics Force
National Park Road, Rawalpindi
Tel. No.: 051-9270170
Fax No.: 051-9270194 & 051-9270165

E-mail: anf@anf.gov.pk
www.anf.gov.pk

(For all drug law enforcement related issues including sharing of information, Pre-Export Notification (PEN) about licit trade, movement and illicit trafficking/diversion of narcotics drugs, psychotropic substances and precursor chemicals into, out of and through Pakistan.)