

No. 17111

**UNITED STATES OF AMERICA
and
FRANCE**

Agreement relating to co-ordination of action against illicit traffic of narcotic drugs. Signed at Paris on 26 February 1971

Agreement amending the above-mentioned Agreement. Signed at Paris on 11 September 1974

Agreement extending the above-mentioned Agreement of 26 February 1971, as amended. Signed at San Francisco on 9 March 1976

Authentic texts: French and English.

Registered by the United States of America on 3 October 1978.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

Accord relatif à la coordination de l'action contre le trafic illicite des stupéfiants. Signé à Paris le 26 février 1971

Accord modifiant l'Accord susmentionné. Signé à Paris le 11 septembre 1974

Accord prorogeant l'Accord susmentionné du 26 février 1971, tel que modifié. Signé à San Francisco le 9 mars 1976

Textes authentiques : français et anglais.

Enregistrés par les États-Unis d'Amérique le 3 octobre 1978.

AGREEMENT¹ BETWEEN THE UNITED STATES BUREAU OF NARCOTICS AND DANGEROUS DRUGS AND LA DIRECTION GÉNÉRALE DE LA POLICE NATIONALE FRANÇAISE (DIRECTION CENTRALE DE LA POLICE JUDICIAIRE) SIGNED BY THE ATTORNEY GENERAL OF THE UNITED STATES OF AMERICA AND LE MINISTRE DE L'INTÉRIEUR DU GOUVERNEMENT DE LA RÉPUBLIQUE FRANÇAISE

PREAMBLE

1. (a) The Office central pour la répression du trafic illicite des stupéfiants of the Direction centrale de la Police judiciaire, is the only French service entitled by Decree of August 3, 1953, to deal with its foreign counterparts in matters relating to narcotics and dangerous drugs.

(b) On June 22, 1970, pursuant to a directive of the President of the United States, the Bureau of Narcotics and Dangerous Drugs of the Department of Justice was given an identical competence.

2. The Direction centrale de la Police judiciaire (hereinafter called "Police judiciaire") and the Bureau of Narcotics and Dangerous Drugs (hereinafter called "Bureau") have always been the promoters of a close, sincere and effective collaboration between the various national police forces.

3. They are aware of the great responsibility placed on them as a result of the danger represented by the international traffic of narcotics and dangerous drugs.

4. The Police judiciaire and the Bureau are greatly concerned by the considerable increase of this traffic and its evil consequences for the world's population.

5. Close cooperation and mutual assistance are, therefore, essential to enable the services to meet their respective obligations in combating the traffic of narcotics and dangerous drugs. This is, *inter alia*, why the competent authorities of the two countries enter into the following Agreement:

AGREEMENT

Article 1. For purposes of this Agreement, the Bureau is the only service representing the Government of the United States in narcotic and dangerous drug law enforcement.

Article 2. The Police judiciaire is the only service representing the Government of the French Republic in the same enforcement.

Article 3. Within the framework of their respective laws, the two services will exchange, at the earliest possible time, any information relative to their respective fields, particularly concerning investigations, arrests, seizures and illicit movements of drugs or suspects.

Article 4. In order to enable a quicker exchange of information, the two services will endeavor, within the framework of their respective competence, to conduct joint investigations on any matter of common interest, so that pertinent information may be placed as soon as possible at the disposal of each service.

¹ Came into force on 26 February 1971 by signature.

Article 5. In order to achieve the goals set forth in this Agreement, representatives of the Bureau are stationed in France, and representatives of the Police judiciaire are stationed in the United States.

By prior mutual consent of the appropriate officials, the assignment of representatives in the respective countries may be changed as the illicit traffic may warrant.

Article 6. These appointments are for a duration of two years, starting September 1, 1970, and are renewable by tacit agreement.

Article 7. a. The Bureau, in agreement with the Police judiciaire, has stationed in Paris, France, a Regional Director and his Deputy. This enables the Direction générale de la Police nationale in France to have immediate and direct contact with the highest representative of the Bureau in Europe. The Regional Director of the Bureau will have direct and frequent contacts with the Office central pour la répression du trafic illicite des stupéfiants for the purpose of ensuring coordination between the activities of the two services.

b. On the basis of the present needs, the Bureau has assigned three representatives to Paris, France, and three representatives to Marseille, France. The Police judiciaire accepts them insofar as they are the representatives of the Bureau. They are accredited to participate with their French colleagues in investigations of a common interest. In order that the organization of the Bureau in France be identical to the French police organization, which is highly centralized, the representatives stationed in Paris and Marseille will be subordinate to the Regional Director of the Bureau or his delegate in Paris. The Office central will thus be able to deal with a single official responsible for the entire French territory.

c. On the basis of the present needs, the Police judiciaire has assigned two representatives to New York City in the United States. The Bureau accepts them insofar as they are the representatives of the Police judiciaire. They are accredited to participate with their American colleagues in investigations of a common interest.

Article 8. The two services agree that special situations may justify the sending of representatives on a permanent or temporary mission to increase the existing manpower. In such cases, the service sending these representatives will obtain the prior agreement of the other service.

Article 9. The Police judiciaire in France, and the Bureau in the United States, will ensure the full and total direction of all cases in their respective territories.

Article 10. The activity of the assigned representatives will be conducted in accordance with the laws and regulations in effect in the host country. The representatives will be informed of these laws and regulations, particularly as they pertain to the possession, carrying and use of weapons. They will act under all circumstances in such a manner as to avoid any attack on the reputation of the service with which they have been assigned to work.

Article 11. The activity of the representatives assigned will be coordinated with that of the specialized service for the repression of narcotic traffic in whose territorial jurisdiction these representatives will carry out their functions or special mission.

Article 12. The representatives assigned will not have authority to obligate the Government or service of the host country to any contract or legal liability except with the specific assent of a qualified representative of the Government or service concerned.

Article 13. Each of the services will assume the obligation, either directly or by insurance, for all damages to persons or properties resulting from the activity of its assigned representatives in the host country.

The administration of the country to which the foreign representatives are assigned will, therefore, be kept out of any proceedings or actions connected with any liability ensuing from the activity of the foreign representatives assigned to its territory.

Article 14. Each of the two services is bound to provide its assigned representatives the statutory guarantees in force in their respective countries regarding health benefits, accidents and temporary or total disability. In this connection, they will not be considered as civil servants of the Government to whose territory they are assigned.

Article 15. Each of the two services will bear the travel expenses of its respective representatives traveling between the two countries mentioned in this Agreement.

Article 16. The Bureau will bear the travel expenses of French representatives traveling in the United States, should these travels be made upon request from the Bureau, in connection with joint cases.

Article 17. The Police judiciaire will bear the travel expenses of its representatives traveling in the United States, should it order these travels in the primary interest of the Police judiciaire.

Article 18. Each of the two services will ensure payment of salaries and indemnities to their representatives on the basis of the regulations in force.

Article 19. Each of the services will grant to the foreign representatives assigned to them all facilities necessary for the efficient performance of their missions.

Article 20. As the circumstances may warrant, the two services will place at each other's disposal sources of information that might aid in the initiation or development of narcotic and dangerous drug investigations or which might assist one or the other service in some way.

Article 21. Being aware of the importance for the Police judiciaire of the quick and complete execution in the United States of Rogatory Commissions issued by the French judiciary authorities in the matter of narcotics, the Bureau has set up a program to fulfill this important obligation effectively and expeditiously.

Article 22. Recognizing the urgent needs of the Bureau, the Police judiciaire will honor promptly all requests for judicial assistance submitted to them by that service.

Article 23. Technical assistance, such as vehicles, communication equipment, etc., can be placed at the disposal of the other by one of the two services pursuant to determined needs of common investigations.

Article 24. Each service will provide to the representatives assigned to its territory materials used for the training of specialized personnel (such as films, slides, literature and documents) and will provide access to professional training lectures. Particular instructions as to the penal provisions of both countries regarding narcotics and dangerous drugs will be included in this training program.

Article 25. Any press release pertaining to common investigations will be drawn up and coordinated by designated representatives of the two services, the main concern being not to jeopardize the final outcome of the investigation.

Article 26. This Agreement is concluded for a period of five years and is renewable from one year to the next, by tacit agreement. In case of termination by either side six months' notice must be given.

DONE in Paris (France), the twenty-sixth day of February nineteen seventy-one.
Two copies have been made, one in French, one in American, both texts being equally binding.

The Attorney General
of the United States of America:

[Signed]

JOHN MITCHELL

Le Ministre de l'intérieur du Gouverne-
ment de la République française :¹

[Signed]

RAYMOND MARCELLIN

¹ The Minister of the Interior of the Government of the French Republic.

AMENDMENT¹ TO THE AGREEMENT BETWEEN LA DIRECTION GÉNÉRALE DE LA POLICE NATIONALE FRANÇAISE (DIRECTION CENTRALE DE LA POLICE JUDICIAIRE) AND THE UNITED STATES BUREAU OF NARCOTICS AND DANGEROUS DRUGS FOR THE CO-ORDINATION OF PREVENTIVE AND REPRESSIVE ACTION AGAINST THE ILLICIT NARCOTIC AND DANGEROUS DRUG TRAFFIC²

Single article

The Drug Enforcement Administration replaces the organization known as the United States Bureau of Narcotics and Dangerous Drugs for the application of all articles of the Agreement between the Direction générale de la Police nationale française (Direction centrale de la Police judiciaire) and the United States Bureau of Narcotics and Dangerous Drugs for the co-ordination of preventive and repressive action against the illicit narcotic and dangerous drug traffic, signed the twenty-sixth day of February nineteen seventy-one.²

(La Drug Enforcement Administration est substituée à l'organisme dénommé Bureau of Narcotics and Dangerous Drugs pour l'application de tous les articles de l'Accord entre la Direction générale de la Police nationale française (Direction centrale de la Police judiciaire) et le United States Bureau of Narcotics and Dangerous Drugs pour la coordination de l'action préventive et répressive contre le trafic illicite des stupéfiants et des drogues dangereuses, signé le vingt-six février mil neuf cent soixante et onze).

DONE in Paris (France), the eleventh day of September nineteen seventy-four; two copies have been made, one in French, one in English, both texts being equally binding.

On behalf of le Ministre d'Etat, Ministre de l'intérieur du Gouvernement de la République française, on behalf of le Directeur général de la Police nationale, le Directeur central de la Police judiciaire :

[Signed]

MAURICE BOUVIER

On behalf of the Attorney General of the United States of America:

[Signed]

JOHN R. BARTELS Jr.
Administrator

Drug Enforcement Administration

¹ Came into force on 11 September 1974 by signature.

² See p. 154 of this volume.

AGREEMENT¹ BETWEEN THE DIRECTION GÉNÉRALE DE LA POLICE NATIONALE FRANÇAISE (DIRECTION CENTRALE DE LA POLICE JUDICIAIRE) AND THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION FOR THE COORDINATION OF PREVENTIVE AND REPRESSIVE ACTION AGAINST ILLICIT TRAFFICKING IN NARCOTICS AND DANGEROUS DRUGS

Single article

The Agreement for the coordination of preventive and repressive action against illicit trafficking in narcotics and dangerous drugs, signed on February 26, 1971,² between the Direction générale de la Police nationale française (Direction centrale de la Police judiciaire) and the U.S. Bureau of Narcotics and Dangerous Drugs (which has been replaced by the Drug Enforcement Administration under the amendment of September 11, 1974) is extended for a period of five years, subject to renewal on an annual basis by tacit agreement, unless abrogated with advanced notice of six months.

DONE at San Francisco, California (United States of America), on March 9, 1976, in two copies, in both French and English, each of equal validity.

Pour le³ Ministre d'Etat, Ministre de l'intérieur du Gouvernement de la République française, pour le³ Directeur général de la Police nationale, pour le³ Directeur central de la Police judiciaire, le Directeur central adjoint, M. Honoré Gevaudan :

[Signed]
HONORÉ GEVAUDAN

For the Attorney General of the United States of America, the Administrator of the Drug Enforcement:

[Signed]
PETER B. BENSINGER

¹ Came into force on 9 March 1976 by signature.

² See pp. 154 and 158 of this volume.

³ On behalf of.

FAIT à Paris (France), le vingt-six février mil neuf cent soixante et onze.
En deux exemplaires, en langues française et américaine, chacun faisant également foi.

The Attorney General
of the United States of America¹ :

[Signé]

JOHN MITCHELL

Le Ministre de l'intérieur du Gouvernement
de la République française :

[Signé]

RAYMOND MARCELLIN

¹ Le Procureur général des Etats-Unis d'Amérique.

AMENDEMENT¹ À L'ACCORD ENTRE LA DIRECTION GÉNÉRALE DE LA POLICE NATIONALE FRANÇAISE (DIRECTION CENTRALE DE LA POLICE JUDICIAIRE) ET THE UNITED STATES BUREAU OF NARCOTICS AND DANGEROUS DRUGS POUR LA COORDINATION DE L'ACTION PRÉVENTIVE ET RÉPRESSIVE CONTRE LE TRAFIC ILLICITE DES STUPÉFIANTS ET DROGUES DANGEREUSES²

Article unique

La Drug Enforcement Administration est substituée à l'organisme dénommé Bureau of Narcotics and Dangerous Drugs pour l'application de tous les articles de l'Accord entre la Direction générale de la Police nationale française (Direction centrale de la Police judiciaire) et le United States Bureau of Narcotics and Dangerous Drugs pour la coordination de l'action préventive et répressive contre le trafic illicite des stupéfiants et des drogues dangereuses, signé le vingt-six février mil neuf cent soixante et onze².

(The Drug Enforcement Administration replaces the organization known as the United States Bureau of Narcotics and Dangerous Drugs for the application of all articles of the Agreement between the Direction générale de la Police nationale française (Direction centrale de la Police judiciaire) and the United States Bureau of Narcotics and Dangerous Drugs for the co-ordination of preventive and repressive action against the illicit narcotic and dangerous drug traffic, signed the twenty-sixth day of February nineteen seventy-one).

FAIT à Paris (France), le onze septembre mil neuf cent soixante-quatorze, en deux exemplaires, en langues française et anglaise, chacun faisant également foi.

Pour le Ministre d'Etat, Ministre de l'intérieur du Gouvernement de la République française, pour le Directeur général de la Police nationale, le Directeur central de la Police judiciaire :

[Signé]

MAURICE BOUVIER

Pour l'Attorney General des Etats-Unis d'Amérique :
L'Administrateur
de la Drug Enforcement Administration,

[Signé]

JOHN R. BARTELS Jr

¹ Entré en vigueur le 11 septembre 1974 par la signature.

² Voir p. 160 du présent volume.