

No. 18840

**UNITED STATES OF AMERICA
and
FEDERAL REPUBLIC OF GERMANY**

**Exchange of notes constituting an agreement relating to
narcotic drugs. Bonn and Bonn-Bad Godesberg, 9 June
1978**

Authentic texts: German and English.

Registered by the United States of America on 30 May 1980.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Échange de notes constituant un accord relatif aux stupé-
fiants. Bonn et Bonn-Bad Godesberg, 9 juin 1978**

Textes authentiques : allemand et anglais.

Enregistré par les États-Unis d'Amérique le 30 mai 1980.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND THE
FEDERAL REPUBLIC OF GERMANY RELATING TO NAR-
COTIC DRUGS

I

[GERMAN TEXT — TEXTE ALLEMAND]

DER STAATSSEKRETÄR DES AUSWÄRTIGEN AMTS

Bonn, den 9. Juni 1978

510-511.22 USA

Herr Botschafter,

ich beeohre mich, Ihnen eine Vereinbarung über Richtlinien für die künftige Zusammenarbeit auf dem Gebiet der Bekämpfung des Drogen- und Rauschmittelmißbrauchs zwischen der Bundesrepublik Deutschland und den Vereinigten Staaten von Amerika vorzuschlagen, deren deutsche Fassung wie folgt lautet:

Das deutsch-amerikanische Programm soll die gemeinsamen Anstrengungen für die Kontrolle des Mißbrauchs von Drogen und Rauschmitteln unterstützen. Im Rahmen dieses Programms werden die beteiligten Regierungen alle gemeinsam interessierenden Fragen auf dem Gebiet der Bekämpfung des Drogen- und Rauschmittelmißbrauchs erörtern und damit zur Lösung dieses internationalen Problems beitragen. Das Programm wird in dem Bewußtsein aufgestellt, daß die Gefährdung des Einzelnen durch den Drogenmißbrauch am besten durch eine internationale Zusammenarbeit auf breiter Grundlage verringert werden kann. Dieses bilaterale Programm soll daher diejenigen internationalen Übereinkommen und Aktivitäten berücksichtigen, die im Rahmen der Zusammenarbeit auf diesem Gebiet zwischen den Mitgliedern der Europäischen Gemeinschaft erörtert und gebilligt werden.

1. Es wird eine zentrale Arbeitsgruppe geschaffen, zu deren Mitgliedern Vertreter der beteiligten Ministerien der Bundesrepublik Deutschland und für die Regierung der USA von der Amerikanischen Botschaft benannte Sachverständige, einschließlich der Mitglieder der Verwaltung für die Durchführung der Suchtstoffvorschriften der USA sowie Vertreter der Streitkräfte der USA, gehören. Die Zentrale Arbeitsgruppe wird mindestens zweimal im Jahr unter deutscher Leitung zusammentreten und wird ein allgemeines Programm mit Angaben für die Festsetzung von Prioritäten erarbeiten. Besonders zu achten ist auf:

- 1.1. Die Verbesserung der operativen Möglichkeiten für die Durchführung der internationalen Suchtstoffvorschriften bei gemeinsamen Vorhaben; und
- 1.2. die Untersuchung der Möglichkeit gemeinsamer Programme, die sich der Forschung und Technologie widmen;
- 1.3. Jede Regierung wird einen Vertreter benennen, der das deutsch-amerikanische Programm laufend koordinieren wird.

2. Die zentrale Arbeitsgruppe wird ständige Unterausschüsse für besondere Fachgebiete einsetzen, die ihre Arbeit koordinieren und sicherstellen, daß sie sich untereinander über verwandte Zuständigkeitsgebiete einigen. Sie treten auf Beschuß der zentralen

¹ Came into force on 9 June 1978, the date of the note in reply, in accordance with the provisions of the said notes.

Vereinbarung zwischen unseren beiden Regierungen bilden, die mit dem Datum Ihrer Antwortnote Wirksamkeit erlangt.

Genehmigen Sie, Herr Botschafter, die Versicherung meiner ausgezeichneten Hochachtung.

[*Signed — Signé*]

GÜNTHER VAN WELL

Seiner Exzellenz

dem Botschafter der Vereinigten Staaten von Amerika
Herrn Walter J. Stoessel, Jr.
Bonn-Bad Godesberg

[TRANSLATION¹ — TRADUCTION²]

STATE SECRETARY OF FOREIGN AFFAIRS

Bonn, June 9, 1978

510-511.22 USA

Mr. Ambassador:

I have the honor to propose to you an agreement on Guidelines for the Future Cooperation between the Federal Republic of Germany and the United States of America in the Field of Control of Drug and Narcotics Abuse which, in German, reads as follows:

[*See note II*]

I should appreciate your confirmation of this note. This note and your Excellency's note of confirmation shall then constitute an Agreement between our two Governments which shall become effective on the date of your reply.

Accept, Mr. Ambassador, the assurances of my highest consideration.

GÜNTHER VAN WELL

His Excellency Walter J. Stoessel, Jr.
Ambassador of the United States of America
Bonn-Bad Godesberg

¹ Translation supplied by the Government of the United States.

² Traduction fournie par le Gouvernement des Etats-Unis.

II

Bonn-Bad Godesberg, June 9, 1978

Mr. State Secretary:

I have the honor to acknowledge the receipt of your letter of June 9, 1978, by which you propose the agreement on Guidelines for the Future Cooperation in the Field of Control of Drug and Narcotics Abuse.

Your letter reads as follows:

II. English Version

The German-American joint program is designed to support mutual efforts to check drug and narcotics abuse. Under this program the participating Governments will consider all questions of common interest in the field of drug and narcotics abuse and thereby contribute to a solution of this international problem. The program is established in the awareness that the danger to individuals through the abuse of drugs can best be diminished through broad-based international cooperation. This bilateral program shall, therefore, take into account those international agreements and activities that are discussed and agreed upon in the framework of cooperation in this field among the members of the European Community.

1. A central Working Group will be set up, the membership of which will include representatives of participating ministries of the Federal Republic of Germany, and, for the U.S. Government, specialists named by the American Embassy, including members of the U.S. Drug Enforcement Administration and representatives of the U.S. Forces. The Central Working Group will meet at least twice a year under German chairmanship and will formulate an overall program in sufficient detail to establish priorities. Particular attention shall be given to:

- 1.1. Improving the operational possibilities of implementing international drug regulations in cooperative efforts; and
- 1.2. Investigating the possibility of joint programs devoted to research and technology;
- 1.3. Each Government will designate one representative who will continuously coordinate the German-American program.

2. The Central Working Group will establish permanent sub-committees for special subject areas which shall coordinate their work and ensure that they agree among themselves concerning related areas of responsibility. They will meet as decided by the Central Working Group and as required. Rapporteurs will be named for each sub-committee; they will arrange the administrative support required for the work of the sub-committees.

3. The work of the following permanent sub-committees will be coordinated by the Central Working Group, to which they will report.

- 3.1. Sub-committee on Prevention and Medicine, which will be concerned with all questions of treatment and post-treatment of drug effects, early diagnosis, "drug education", etc., which are of interest to both Governments. This sub-committee shall meet under the alternate chairmanship of an official of the Federal Ministry of Youth, Family Affairs and Health, and an American expert.
- 3.2. Sub-committee on Legal Questions, which will discuss all legal questions relevant to the common fight against drug and narcotics abuse. This sub-committee shall meet under the alternate chairmanship of an official of the Federal Ministry of Youth, Family Affairs and Health and an American expert.
- 3.3. Sub-committee for Police and Customs Enforcement Measures, which will be concerned with the coordination of all measures against illegal drug trafficking in

the Federal Republic of Germany in cooperation with foreign, particularly American, authorities. Without infringing on the executive powers of the competent authorities, the sub-committee will collect information and develop preventive and enforcement control measures such as the education and further training of narcotics specialists of the police, customs, and border protection agencies, technical criminal investigation methods, and the exchange of criminal police information as well as other relevant information. The responsibilities of the sub-committee will be assumed by the Permanent Working Group on Narcotics of the Bundeskriminalamt, in which the American side is permanently represented. The position and other functions of this Working Group will remain unaffected.

3.4 Sub-committee—Military, in which all matters related to drug control of significance and common interest to U.S. and German military forces will be considered. In particular troop commanders, medical officers and psychologists shall belong to the sub-committee. The sub-committee will meet under the alternate chairmanship of an (medical) officier of the Federal Ministry of Defense and of the U.S. Forces.

4. Questions of data collection, storage, and documentation, in so far as they are not the responsibility of police and customs, shall come under the jurisdiction of the appropriate agencies.

5. The costs for participants in Central Working Group and sub-committee meetings shall be assumed by the sending Government; all other costs associated with meetings and their preparation shall be borne by the Government acting as host for said meetings; the Central Working Group will consider the financing of joint activities on a case-by-case basis.

6. These guidelines, with the exception of paragraph 3.4, shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the United States of America within three months of the date of entry into force of these guidelines.

I have the honor to confirm to you that my Government agrees with the content of your Letter. Your Letter and this Letter of Confirmation thus constitute an Agreement between our two Governments, which becomes effective on the date of this reply.

Accept, Sir, the renewed assurances of my highest consideration.

Sincerely,

[Signed]

WALTER J. STOESSEL, Jr.
American Ambassador

The Honorable Guenther van Well
State Secretary of Foreign Affairs
Bonn