

No. 20563

**BRAZIL
and
UNITED STATES OF AMERICA**

Exchange of notes constituting an agreement on co-operation in the field of control of illicit traffic of drugs (with annexes). Brasília, 29 September 1981

Authentic texts: Portuguese and English.

Registered by Brazil on 10 November 1981.

**BRÉSIL
et
ÉTATS-UNIS D'AMÉRIQUE**

Échange de notes constituant un accord dans le domaine de la répression du trafic illicite des stupéfiants (avec annexes). Brasília, 29 septembre 1981

Textes authentiques : portugais et anglais.

Enregistré par le Brésil le 10 novembre 1981.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE FEDERATIVE REPUBLIC OF BRAZIL AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
ON CO-OPERATION IN THE FIELD OF CONTROL OF ILLICIT
TRAFFIC OF DRUGS

I

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

Em 29 de setembro de 1981

DAI/DNU/DCS/95/611.5(B46)(B13)

Senhor Encarregado de Negócios,

Com referência às recentes negociações entre autoridades do Governo da República Federativa do Brasil e do Governo dos Estados Unidos da América, sobre cooperação em matéria de repressão ao tráfico ilícito de drogas que produzem dependência, tenho a honra de propor a Vossa Senhoria, em nome do Governo da República Federativa do Brasil, um Acordo nos seguintes termos, em português, concordantes com o anexo texto em inglês:

ACORDO ENTRE O GOVERNO DA REPÚBLICA FEDERATIVA DO BRASIL E O GOVERNO DOS ESTADOS UNIDOS DA AMÉRICA PARA COOPERAÇÃO NO CAMPO DA REPRESSÃO AO TRÁFICO ILCÍTO DE DROGAS

O Governo da República Federativa do Brasil e

O Governo dos Estados Unidos da América,

Desejosos de colaborar em atividades de repressão ao tráfico ilícito de drogas,

Acordam o seguinte:

Artigo I. 1. As Partes Contratantes decidem prestar-se cooperação com vistas à repressão do tráfico ilícito de drogas que produzem dependência e outras substâncias estupefacientes, especialmente cocaína, que possam transitar pelo território brasileiro ou nele ser processadas.

2. A cooperação prevista poderá compreender, entre outras formas a serem acordadas pelas Partes, o fornecimento de equipamentos e materiais especializados, bem como o treinamento de pessoal pertencente aos quadros das instituições mencionadas no Artigo II.

Artigo II. O Governo brasileiro designa como entidade responsável pela implementação do presente Acordo o Departamento de Polícia Federal (DPF), do Ministério da Justiça, e o Governo dos Estados Unidos da América designa, com a mesma finalidade, o Bureau Internacional de Assuntos de Narcóticos (INM), do Departamento de Estado, através da Embaixada dos Estados Unidos da América em Brasília.

Artigo III. 1. Para a consecução dos fins do presente Acordo, o INM financiará a aquisição de bens e equipamentos, que serão doados ao DPF, destinados à repressão do tráfico de drogas, por um valor total de até US\$ 200.000,00 (duzentos mil dólares dos Estados Unidos da América), conforme descrição contida no Anexo ao presente Acordo.

¹ Came into force on 29 September 1981 by the exchange of the said notes.

[TRANSLATION — TRADUCTION]

DAI/DNU/DCS/95/611.5(B46)(B13)

29 September 1981

Sir,

With reference to the recent negotiations between officials of the Government of the Federative Republic of Brazil and of the Government of the United States of America on co-operation to prevent illicit trafficking in dependence-producing drugs, I have the honour to propose to you on behalf of the Government of the Federative Republic of Brazil, an agreement in the following terms, in Portuguese, which concurs with the attached text in English:

[See note II for the text of the Agreement]

This note and your note of today's date in the same terms shall constitute an agreement between our two Governments, which shall enter into force as of today.

Accept, Sir, etc.

[Signed]

RAMIRO SARAIVA GUERREIRO

Mr. George B. High
Chargé d'affaires a.i. of the United States
of America

II

EMBASSY OF THE UNITED STATES OF AMERICA

Brasília, September 29, 1981

No. 331

Excellency,

With reference to the recent negotiations between authorities of the Government of the United States of America and of the Government of the Federative Republic of Brazil on cooperation on matters related to the control of the illicit traffic of drugs which may produce dependence, I have the honor to propose to Your Excellency, in the name of the Government of the United States of America, an Agreement in the following terms, in English, concordant with the attached text in Portuguese:

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL ON COOPERATION IN THE FIELD OF CONTROL OF ILLICIT TRAFFIC OF DRUGS

The Government of the United States of America and
The Government of the Federative Republic of Brazil,

Wishing to collaborate in activities of control of the illicit traffic of drugs.

Agree on the following:

Article I. 1. The Contracting Parties decide to develop mutual cooperation to control the illicit traffic of drugs which produce dependence as well as other narcotic substances, especially cocaine, that may transit Brazilian territory or which may be processed in it.

2. The cooperation envisaged may, among other forms to be agreed upon by the Parties, consist of the supply of equipment and specialized material, as well as the training of personnel belonging to the institutions mentioned in Article II.

Article II. The Government of the United States of America designates the Bureau of International Narcotics Matters (INM), of the Department of State, through the Embassy of the United States of America in Brasilia, as the entity responsible for the implementation of this Agreement, and the Brazilian Government designates, for the same purpose, the Department of Federal Police (DPF) of the Ministry of Justice.

Article III. 1. For the purposes of the present Agreement, the INM will finance the acquisition of commodities and equipment which will be donated to the DPF and devoted to the control of drug trafficking in the total amount of up to US\$ 200,000 (two hundred thousand dollars), as described in the Annex to this Agreement.

2. In the case of commodities and equipment manufactured in Brazil, the DPF will take the necessary steps related to their acquisition under procedures to be adopted by mutual agreement between the INM and the DPF. The INM will be responsible for payment for these commodities and equipment, provided that they meet the specifications required by the DPF and the DPF certifies their receipt.

3. The final contribution date for goods and services procured under this Agreement will be March 31, 1983. The INM will only make contributions, under the provisions of this Agreement, up to six (6) months after this final date or any final date established subsequently, unless the Parties agree otherwise.

4. After the final date stipulated in item 3 above, the Government of the United States will only be required to provide the total or the remaining portion of the funds referred to in item 1 if funds authorized by the United States Congress for such purposes are available.

Article IV. The eventual import taxes or customs duties to which the equipment to be provided to the DPF may be subject, as result of the execution of this Agreement, will be under the exclusive responsibility of the DPF, which will take the appropriate measures to resolve the issue.

Article V. 1. For the purposes of this Agreement, the DPF will:

- a) Furnish up to US\$21,000 (twenty-one thousand dollars) to execute the activities listed in the Annex;
- b) Provide international travel costs for personnel it may send to attend training courses in the United States;
- c) Retain the personnel who have received special training in the United States under this Agreement in a narcotic enforcement assignment for a minimum period of two years after completing such training;
- d) Fund eventual expenses which may be required for the implementation of this Agreement, not previously provided for in it.

2. The DPF will utilize river patrol boats and communication equipment at previously established points of the Brazilian territory where the illicit traffic of drugs may be more intensive.

3. The DPF will also install the new radio equipment, referred to in the Annex, in the States of Amazonas, Mato Grosso and Mato Grosso do Sul, and maintain technical surveillance equipment at its headquarters in Brasília to be used in any operation of interdiction of illicit traffic of drugs.

Article VI. The commodities and equipment furnished by one of the entities referred to in Article II to the other, under the provisions of this Agreement, will be devoted exclusively to the execution of the activities provided for under the Agreement. After its termination, these commodities and equipment will be used in activities which will further the objectives sought in the Agreement.

Article VII. All activities provided for under this Agreement shall be carried out in accordance with the laws and regulations in force in the United States of America and the Federative Republic of Brazil.

Article VIII. The INM and the DPF will conduct, at least once each year, a joint evaluation of the activities carried out under this Agreement, and both Parties shall provide the appropriate personnel for this purpose.

Article IX. This Agreement may be modified, reviewed or amended by mutual agreement between the Parties. Eventual modifications or revisions will go into effect by exchange of diplomatic notes.

Article X. 1. This Agreement shall enter into force on the date of its signature, and will be in effect until March 31, 1983, unless the Contracting Parties decide to extend it. It may be denounced at any time by one of the Contracting Parties. The denunciation will take effect 30 (thirty) days after the date of receipt of the respective notification.

2. The termination date or the denunciation of this Agreement will imply the termination of all obligations of the two Parties, except for payment of non-cancellable commitments which may have been entered into with third parties.

Annex to the Agreement between the Government of the United States of America and the Government of the Federative Republic of Brazil on cooperation in the field of control of illicit traffic of drugs

I. *INM Contribution*

4 Eight meter launches, equipped with 130 h.p. diesel engines and communication equipment, for the areas of Manaus, State of Amazonas; Tabatinga, State of Amazonas; Foz do Iguaçú, State of Parana; Guajara-Mirim, Territory of Rondonia	
Each launch at November 1980 price, US \$26,454.70	US\$ 105,818.80
Communication equipment for States of Amazonas, Mato Grosso and Mato Grosso do Sul	US\$ 45,840.67
1 Nitescope, Javelin model 221 at US \$3,400—accessories for scope at US\$ 1,000	US\$ 4,400.00
1 Bird Dog (bumper beeper)	US\$ 6,000.00
2 Questar 1400mm lenses at US \$1,250 each	US\$ 2,500.00
6 Sony micro cassette recorders at US\$ 450 each	US\$ 2,700.00
Amount to be utilized for inflation purposes on above-mentioned launches with prices as of November 1980, operational support costs, and other costs	US\$ 32,740.53
	TOTAL US\$ 200,000.00

II. *DPF Contribution*

Personnel

<i>a.</i> Payment of travel and per diem for carrying out operations	US\$ 20,000.00
<i>b.</i> Travel and per diem of technicians for installation of communications equipment	US\$ 1,000.00
TOTAL	US\$ 21,000.00

2. The present note and Your Excellency's one, of the same contents and date, shall constitute an Agreement between our Governments, to enter into force today.

Accept, Excellency, the assurances of my highest consideration.

[Signed]

GEORGE B. HIGH

His Excellency Ramiro Saraiva Guerreiro
Minister of External Relations
Brasília, D.F.