

No. 32506

**BRAZIL
and
URUGUAY**

Agreement on cooperation to reduce demand, prevent abuse and combat production and illicit trafficking of narcotic drugs and psychotropic substances, [and] their precursors and essential chemicals. Signed at Brasília on 16 September 1991

Authentic texts: Portuguese and Spanish.

Registered by Brazil on 1 February 1996.

**BRÉSIL
et
URUGUAY**

Accord de coopération relatif à la réduction de la demande, à la prévention de l'abus et à la lutte contre la production et le trafic illicite des stupéfiants et des substances psychotropes et de leurs précurseurs et produits chimiques immédiats. Signé à Brasília le 16 septembre 1991

Textes authentiques : portugais et espagnol.

Enregistré par le Brésil le 1^{er} février 1996.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE EASTERN REPUBLIC OF URUGUAY ON COOPERATION TO REDUCE DEMAND, PREVENT ABUSE AND COMBAT PRODUCTION AND ILLICIT TRAFFICKING OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, [AND] THEIR PRECURSORS AND ESSENTIAL CHEMICALS

The Government of the Federative Republic of Brazil and the Government of the Eastern Republic of Uruguay (hereinafter referred to as “the Parties”);

Aware that the abuse and illicit traffic of narcotic drugs and psychotropic substances pose a serious threat to the health and well-being of their peoples and constitute a problem that affects the political, economic, social and cultural structures of their countries;

Guided by the objectives and principles of the existing treaties on the control of narcotic drugs and psychotropic substances;

Taking into account the need to combat the organization and financing of illicit activities relating to such substances and their feedstocks;

In accordance with the purposes of the 1961 Single Convention on Narcotic Drugs² as amended by the 1972 Protocol,³ the 1971 Convention on Psychotropic Substances,⁴ the 1973 South American Agreement on Narcotic Drugs and Psychotropic Substances⁵ and the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances;⁶

Inspired by the 1986 Inter-American Programme of Action of Rio de Janeiro against the Illicit Use and Production of Narcotic Drugs and Psychotropic Substances and Traffic therein, the February 1990 Political Declaration and Global Programme of Action adopted by the United Nations General Assembly at its seventeenth special session, the April 1990 London political Declaration of the World Ministerial Summit to Reduce the Demand for Drugs and to Combat the Cocaine Threat and the April 1990 Ixtapa Declaration and Programme of Action;

Convinced of the need to take additional steps to combat all criminal offences and related activities associated with the illicit consumption and trafficking of narcotic drugs and psychotropic substances, their precursors and essential chemicals;

¹ Came into force on 7 June 1995, i.e., 30 days after the date of receipt of the last of the notifications by which the Parties had informed each other of the completion of the internal legal procedures, in accordance with article VIII (1).

² United Nations, *Treaty Series*, vol. 520, p. 151; vol. 557, p. 280 (corrigendum to vol. 520); p. 570, p. 346 (Procès-verbal of rectification of the authentic Russian text), and vol. 590, p. 325 (Procès-verbal of rectification of the authentic Spanish text).

³ *Ibid.*, vol. 976, p. 3.

⁴ *Ibid.*, vol. 1019, p. 175.

⁵ *Ibid.*, vol. 1039, p. 53.

⁶ *Ibid.*, vol. 1582, No. I-27627.

Interested in establishing means for direct communication between the competent bodies of the two States and for the continuing, rapid and secure exchange of information on illicit trafficking in those substances and on related activities;

Have agreed as follows:

Article I

1. The Parties, in due observance of the provisions of the legislation and regulations in force in their respective countries, their Constitutions and their inherent sovereignty, shall harmonize their policies and carry out coordinated programmes for drug and drug abuse education and prevention, for addict rehabilitation and for combating the illicit production and trafficking of narcotic drugs and psychotropic substances, their precursors and essential chemicals.

2. The aforementioned policies and programmes shall take into account the international conventions in force for both countries.

Article II

1. To achieve the objectives set forth in the preceding article, the competent authorities of both Parties shall engage in the following activities, in due observance of their respective laws:

(a) Exchanging political and judicial information on producers, processors and traffickers of narcotic drugs and psychotropic substances and on participants in related offences;

(b) Coordinating strategies for drug abuse education, treatment and prevention, for addict rehabilitation and for combating the illicit production and trafficking of narcotic drugs and psychotropic substances, their precursors and essential chemicals;

(c) Exchanging information on national and, as the case may be, State or departmental/municipal programmes relating to those activities;

(d) Carrying out technical and scientific cooperation aimed at stepping up measures to detect, control and eradicate plantations and crops established for the purpose of producing narcotic drugs and psychotropic substances in violation of the 1961 Convention as amended;

(e) Exchanging information and experience regarding their respective laws and legal practices in the area of narcotic drugs and psychotropic substances, their precursors and essential chemicals;

(f) Exchanging information on judgements against drug traffickers and perpetrators of related offences;

(g) Providing, on the request of the other Party, the records concerning drug traffickers and perpetrators of related offences;

(h) Exchanging officials from their competent bodies to study the specialized techniques used in each country;

(i) Establishing, by mutual agreement, such mechanisms as are considered necessary for the proper fulfilment of the commitments made under this Agreement;

2. Information exchanged between the Parties under subparagraphs (a) and (f) of paragraph 1 of this article shall be recorded in official documents of the respective competent bodies and shall be confidential in nature.

Article III

1. Insofar as their respective legal systems allow, the Parties shall harmonize their criteria and procedures for extraditing those accused or convicted of illicit drug trafficking, defining recidivism and confiscating property.

2. Each Party shall inform the other of its judgements regarding offences of illicit trafficking in narcotic drugs and psychotropic substances, their precursors and essential chemicals when those judgements relate to nationals of the other Party.

Article IV

1. The Parties shall, in coordination with the Frontier Committees, establish programmes of cooperation in the areas of education, prevention, treatment and rehabilitation so as to make better use of their existing infrastructure. Such programmes shall be defined as soon as possible after this Agreement is signed.

2. The programmes referred to in this article shall cover both persons residing in the areas in question and those in transit through them.

Article V

To enable them to implement the programmes developed under this Agreement, the Parties may jointly request financial assistance from international bodies.

Article VI

With a view to achieving the objectives of this Agreement, representatives of the Parties shall meet, at the request of either Party, in order to:

(a) Recommend, within the framework of this Agreement, joint programmes of action to be carried out by the competent bodies in each country;

(b) Evaluate the performance of such programmes of action;

(c) Develop drug abuse education and prevention plans, plans for addict treatment and rehabilitation and plans for coordinated suppression of illicit traffic in narcotic drugs and psychotropic substances, their precursors and essential chemicals;

(d) Make such recommendations to their respective Governments as they may deem appropriate for improving the implementation of this Agreement.

Article VII

This Agreement may be amended, by mutual consent, by an exchange of notes. Such amendments shall enter into force in accordance with the relevant national legislation.

Article VIII

1. The Parties shall notify each other, through the diplomatic channel, of completion of the internal legal procedures needed for this Agreement to enter into force; entry into force shall take place 30 days after the second such notification has been received.

2. This Agreement may be denounced by either Party by communication of such denunciation through the diplomatic channel. In that event, the denunciation shall take effect six months after notification is received.

[The denunciation shall not impede the completion of projects which are in progress at the time of the denunciation]¹

DONE at Brasília on the sixteenth day of September 1991, in duplicate, in the Portuguese and Spanish languages, both texts being equally authentic.

For the Government
of the Federative Republic of Brazil:
FRANCISCO REZEC

For the Government
of the Eastern Republic of Uruguay:
HÉCTOR GROS SPIELL

¹ The text between brackets appears only in the authentic Spanish text.