BILATERAL

AGREEMENT BETWEEN THE PHILIPPINE DRUG ENFORCEMENT AGENCY AND THE FEDERAL SERVICE OF THE RUSSIAN FEDERATION FOR NARCOTICS TRAFFIC CONTROL ON COOPERATION IN COMBATING ILLICIT TRAF...

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The Philippine Drug Enforcement Agency and the Federal Service of the Russian Federation for Narcotics Traffic Control, hereinafter referred to as the Parties,

Expressing concern in expansion of scales of illegal circulation of narcotics and psychotropic substances (hereinafter referred to as drugs) and their abuse,

Being conscious that drugs and their precursors illicit trafficking have posed serious threat to public health and well-being of the Parties' States,

Taking into consideration provisions, stipulated in the Single Convention on Narcotic Drugs of 1961, as amended by the Protocol of 1972 on Amendments to the Single Convention on Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention on Combating Illicit Trafficking of Narcotic Drugs and Psychotropic Substances of 1988,

Considering mutual interest to take effective measures to combat illicit trafficking of drugs and their precursors,

Being guided by national legislation and international obligations of Parties' States,

Have agreed as follows:

Article 1

1. Subject of this Agreement is cooperation between the Parties with the purpose to organize effective countermeasures to drugs and their precursors illicit trafficking.
2. Pursuant to this Agreement, Parties will cooperate within their competence under national law and in compliance with their international obligations.
3. The present Agreement does not affect the existing procedures on extradition or legal assistance in criminal matters.

Article 2

1. Cooperation between the Parties under this Agreement will be realized in the following forms:
a) Exchange of information, concerning countermeasures to illicit trafficking of drugs and their precursors;
b) Search activities, related to illicit drugs and their precursors trafficking, carried out by one Party, in a framework of its competence, upon a request of the other Party;
c) Cooperation in organizing and fulfilling countermeasures to illicit drugs use and trafficking;
d) Cooperation and mutual assistance in actions carried out to combat illicit trafficking in drugs and precursors thereof, including controlled deliveries and monitoring of the licit circulation of drugs;
e) Work experience exchange, including through work meetings, conferences and workshops;

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f) Exchanging legislative and other national legal acts, materials on practices of their execution, statistic data and methodical recommendations on matters of combating illicit drugs and their precursors trafficking, including control measures over their legal circulation;
g) Staff and personnel training and re-training;
h) Material, technical and advisory assistance as well as expertise assistance;
i) Carrying out scientific research of mutual interest on problems of combating illicit drugs and their precursors' trafficking;
j) Exchanging drug samples, seized from illicit trafficking and their test results, if needed;
k) Coordinating cooperation activities, including work groups formation and exchange of the representatives of the Parties;
2.This Agreement does not prevent Parties from elaborating and developing any other mutually accepted ways of cooperation.

Article 3

Pursuant to this Agreement exchange of information shall be effective in respect to:
a) Any crime committed or being under preparation or offence related to illicit drugs trafficking on a territory of the other Party's State;
b) Individuals suspected of cross border illicit drugs trafficking;
c) Particular facts and events related to drugs illicit transportation from the State territory of one Party to the State territory of the other Party or such intention;
d) Structures, individuals, types of business, systems of management and contacts of criminal groups, involved in illicit trafficking of drugs and their precursors, whose activities are transnational in nature;
e) Contacts, which have taken place or supposed to take place between particular individuals or criminal groups, linked with illicit drugs and their precursors trafficking in the Parties States;
f) Forms and methods of criminal activities linked to illicit drugs and their precursors trafficking;
g) Activities aimed at legalizing (laundering) of an income from illicit trafficking of drugs and their precursors;
h) Forms and methods used to reveal supply sources of drugs and their precursors coming into illicit trafficking, as well as measures, aimed at suppressing such trafficking;
i) Types of drugs, technologies of their production and methods of use newly emerged in illicit trafficking;
j) Methods used to conceal and camouflage drugs and their precursors while their cultivation, production, transportation and sale, as well as methods of their detection;
k) Other issues of mutual interest.

Article 4

1. In compliance with this Agreement an assistance will be provided upon request or by initiative of one of the Parties, which believes, that such assistance is in the interest of the other Party.
The request for assistance shall be handed over in writing or transmitted using technical means of text transfer.
In urgent cases, oral phone request may be accepted, but it has to be confirmed either in writing or through technical means of text transfer within three days.
When using technical means of data transfer or wherever there is any doubt concerning authenticity or content of the request received, the requested Party may address the requesting Party for a written confirmation.
2. The request for assistance shall comprise as follows:
- Name of the requesting Party;
- Name of the requested Party;
- Brief presentation of the essence of the request and its reasoning;

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- Other data necessary to execute request.
3. The requested Party may inquire additional information to comply with the request if needed.

Article 5

1. The requested Party takes all necessary measures to ensure fast and complete execution of the request. As a rule, the request shall be executed within no more than 30 days from the date of its receipt.
2. The requested Party may allow authorized representatives of the requesting Party to be present during the requests' execution on the territory of its State, if it does not contradict the national legislation of the State of the requested Party.

Article 6

1. If not possible, or in case of request's denial, the requested Party shall notify the requesting Party immediately in written form and inform of the reasons which prevent the request from being executed.
2. The request may be denied fully or partially in case the requested Party believes that its execution could cause damage to sovereignty, security or other essential interest of its State or contradicts its national legislation.
3. If the requested Party believes that immediate execution of the request could prevent criminal prosecution or any other procedure, carried out on the territory of the requested Party State, the requested Party may postpone the request's execution or make its execution conditional on such terms, as may be determined necessary after consultations with the requesting Party. If the requesting Party accepts assistance under the determined conditions the requesting Party should observe such conditions.

Article 7

1. Both Parties shall keep confidentiality of information, containing in documents and materials on drugs and their precursors illicit trafficking, which are subject of exchange between the Parties, except for non-confidential documents and materials.
2. The requesting Party shall use provided information only for the purposes stated in the request.
3. The confidential information, including documents and materials, provided within the framework of this Agreement shall not be share with any third Party without preliminary written agreement of the Party, which provides that information.

Article 8

Both Parties cooperating within this Agreement shall use the English language.

Article 9

1. Each Party bears expenses connected with the execution of this Agreement on the territory of its State.
2. Each Party provides all travel and accommodation expenses of its representatives on the accepting Party's State territory, unless otherwise agreed by the Parties in writing.
3. All trips of the requesting Party's representatives are arranged by preliminary approval of the requested Party.

Article 10

In order to review cooperation process, covered by this Agreement and to develop guidelines for its further improvement, the Parties may organize work meetings, consultations and workshops on mutual basis. Such meetings will be conducted in turns in each of the Parties' State.

Article 11

The concrete cooperation conditions provided in Article 2, paragraph 1 g), h), i), j) of this Agreement and the

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ways of its financing are defined by separate arrangements between the Parties.

Article 12

By the decision of both Parties, amendments or supplements may be added to this Agreement. Such amendments or supplements shall be executed by separate protocols.

Article 13

Both Parties shall resolve any dispute or difference which may arise with connection with interpretation or application of the provisions of this Agreement through consultations and negotiations.

Article 14

1. The present Agreement shall enter into force on the date of the receipt of the last written notification of the completion by the Parties of their domestic procedures necessary for its entry into force.
2. The present Agreement shall remain in force for a period of five years and shall be automatically extended for the further periods of five years.
3. The present Agreement shall remain in force until expiration of six months from the date when one of the Parties receives from the other Party a written notification of its intent to terminate this Agreement.
4. The termination of this Agreement shall not prejudice the execution of requests received by one of the Parties before the date of receipt of notification of the Parties' intent to terminate this Agreement.

DONE at Manila on the _____ of August 2007 in two copies, each in Russian and English languages, all the texts being equally authentic. In case of any divergence of interpretation, the English text shall be used.

(Sgd.)

(Sgd.)

For the Philippine Drug
Enforcement Agency

For the Federal Service
of the Russian Federation
For Narcotics Traffic Control

Entry into Force: July 29, 2009

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