

No. 22328

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**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 annex). Brasília, 19 July 1983**

*Authentic texts: Portuguese and English.*

*Registered by Brazil on 30 August 1983.*

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**BRÉSIL  
et  
ÉTATS-UNIS D'AMÉRIQUE**

**Échange de notes constituant un accord relatif à la coopération dans le domaine de la répression du trafic illicite des stupéfiants (avec annexe). Brasília, 19 juillet 1983**

*Textes authentiques : portugais et anglais.*

*Enregistré par le Brésil le 30 août 1983.*

# EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF 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 19 de julho de 1983

DAI/DNU/DCS/149/611.5(B46) (D13)

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, havendo ambos os Governos concordado em colaborar em atividades de repressão ao tráfico ilícito de drogas, tenho a honra de informar Vossa Senhoria de que o Governo da República Federativa do Brasil concorda com as seguintes disposições:

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

2. A cooperação prevista poderá compreender, entre outras formas a serem acordadas pelas Partes, o fornecimento de equipamentos e contribuições financeiras para cobrir custos conforme descrito no Anexo. Esses equipamentos e contribuições serão empregados na repressão do tráfico de drogas.

*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. O INM proporcionará o financiamento de até US\$ 250,000.00 (duzentos e cinquenta mil dólares), no ano fiscal do Governo dos Estados Unidos da América de 1983, em apoio à cooperação descrita no Artigo I, e para os equipamentos específicos e contribuições para cobrir custos relacionados no Anexo ao presente Acordo.

2. As entidades responsáveis pela implementação do presente Acordo decidirão conjuntamente quanto ao número, tipo e composição dos equipamentos acima mencionados a serem fornecidos no quadro do presente Acordo.

3. Excetuado combustível, o INM providenciará a aquisição de bens e equipamentos nos termos do presente Acordo e fará sua doação ao DPF, o qual certificará seu recebimento e os empregará na repressão ao tráfico de drogas. Combustível será

<sup>1</sup> Came into force on 19 July 1983 by the exchange of the said notes, in accordance with article XI (1).

ANEXO AO ACORDO ENTRE O GOVERNO DA REPÚBLICA FEDERATIVA DO BRASIL E O GOVERNO DOS ESTADOS UNIDOS DA AMÉRICA SOBRE COOPERAÇÃO NO CAMPO DO CONTROLE DO TRÁFICO ILÍCITO DE DROGAS

I. CONTRIBUIÇÃO DO INM

Veículos com tração nas quatro rodas, equipamentos de comunicação e outros .....	US \$150,000.00
Montante a ser utilizado para apoio operacional e outros custos .....	US \$100,000.00
TOTAL	US \$250,000.00

II. CONTRIBUIÇÃO DO DPF

*Custos de pessoal*

a) Pagamento de viagens e diárias para executar operações .....	US \$ 9,500.00
b) Instalação do equipamento de comunicações .....	US \$ 500.00
TOTAL	US \$ 10,000.00

[TRANSLATION — TRADUCTION]

19 July 1983

DAI/DNU/DCS/149/611.5(B46) (D13)

Excellency,

With reference to the recent negotiations between authorities of the Government of the Federative Republic of Brazil and the Government of the United States of America on cooperation on matters related to the control of the illicit traffic of drugs which may produce dependence, both Governments having agreed to collaborate in the activities of control of the illicit traffic of drugs, I have the honour to inform Your Excellency that the Government of the Federative Republic of Brazil agrees to the following:

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

2. The cooperation envisaged may, among other forms to be agreed upon by the Parties, consist of supply of equipment and financial contributions to cover costs, as described in the Annex to this Agreement. Such equipment and contributions will be devoted to the repression of drug trafficking.

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

*Article III.* 1. The INM will provide financing of up to US\$ 250,000 (two hundred and fifty thousand dollars) in the United States Government fiscal year 1983, in support of the cooperation described in article I, and for the specific equipment and financial contributions to cover costs listed in the Annex to this Agreement.

2. The entities responsible for implementing this Agreement will jointly decide the number, type and composition of aforementioned equipment to be provided under this Agreement.

3. With the exception of fuel, the INM will procure commodities and equipment under this Agreement and will donate them to the DPF, which will certify their receipt and will devote them to the repression of drug trafficking. Fuel will be procured directly by the DPF, and payment will be made by INM in accordance with procedures to be adopted by mutual agreement between the DPF and the INM.

4. The final contribution date for goods and services procured under this Agreement will be March 31, 1985. 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.

5. After the final date stipulated in paragraph 4 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 paragraph 1 if funds authorized by the United States Congress for such purpose 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 a result of the execution of this Agreement, will be under the exclusive responsibility of the DPF, which will take the appropriate measures to resolve any difficulties which might arise.

*Article V.* For the purpose of this Agreement, the DPF will:

- a) Furnish up to US\$ 10,000 (ten thousand dollars) to execute the activities listed in the Annex;
- b) Fund eventual expenses which may be required for the implementation of this Agreement, not previously provided for in it.

*Article VI.* The equipment and financial contributions to cover costs 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 equipment and contributions 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 Federative Republic of Brazil and the United States of America.

*Article VIII.* The DPF and the INM 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.* It is hereby agreed that the Annex is an integral part of this Agreement.

*Article X.* 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 XI.* 1. This Agreement shall enter into force by this exchange of diplomatic notes and will be in effect from this date until March 31, 1985, unless both Contracting Parties agree to its extension. It may be terminated by written notification by either Government, to be effective thirty (30) days after the date of receipt of the respective notification.

2. The termination 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.

I take this opportunity, Excellency, to renew the assurances of my highest consideration.

Mr. Harry Kopp  
Chargé d'affaires a.i. of the United States  
of America

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

I. INM CONTRIBUTION

Four-wheel-drive vehicles, communications and miscellaneous equipment .....	US \$150,000.00
Amount to be utilized for operational support and other costs .....	US \$100,000.00
TOTAL	US \$250,000.00

II. DPF CONTRIBUTION

*Personnel costs*

a) Payment of travel and per diem for carrying out operations ....	US \$ 9,500.00
b) Installation of communications equipment .....	US \$ 500.00
TOTAL	US \$10,000.00

II

Brasília, July 19, 1983

No. 270

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, both Governments having agreed to collaborate in the activities of control of the illicit traffic of drugs, I have the honor to inform Your Excellency that the Government of the United States of America agrees to the following:

[See note I]

Accept, Excellency, the assurances of my highest consideration.

[Signed — Signé]<sup>1</sup>

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

[Annex as under note I]

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<sup>1</sup> Signed by Harry Kopp — Signé par Harry Kopp.