

COUNTER TERRORISM COOPERATION TREATIES

Agreement between the Government of the Republic of India and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning the Investigation and Prosecution of Crime and the Tracing, Restraint and Confiscation of the Proceeds and Instruments of Crime (Including Crimes Involving Currency Transfers) and Terrorist Funds

The Government of the Republic of India and the Government of the United Kingdom of Great Britain and Northern Ireland;

Desiring to provide the widest measure of mutual assistance in the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds and instruments of crime (including crimes involving currency transfers) and terrorist funds;

Have agreed as follows:

ARTICLE 1

Scope of Application

- (1) The Parties shall, in accordance with this Agreement, grant to each other assistance in the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds and instruments of crime (including crimes involving currency transfers), and terrorist funds.
- (2) This Agreement shall be without prejudice to other obligations between the Parties pursuant to other treaties or arrangements or otherwise, and shall not prevent the Parties or their law enforcement agencies from providing assistance to each other pursuant to other treaties or arrangements.

ARTICLE 2

Definitions

For the purpose of this Agreement:

- (a) “confiscation” means any measure resulting in the deprivation of property;
- (b) “instruments of crime” means any property which is, or is intended to be, used in connection with the commission of an offence;
- (c) proceedings are instituted:
 - (i) In the United Kingdom, when an information has been laid before a justice of the peace, or when a person is charged with an offence or when a bill of indictment is preferred, or when a petition warrant is granted

- (ii) In the Republic of India, when information relating to commission of any crime is received by any law enforcement agency empowered to investigate such crime under the law for the time being in force and laid before a court of law, or when any allegation is made orally or in writing to a court of law that a person has committed an offence or when a person is charged with an offence, or when any investigation or inquiry into the commission of any offence is directed by a court of law.
- (d) “proceeds of crime” means any property derived or realised, directly or indirectly, by any person as a result of criminal activity (including crimes involving currency transfers), or the value of any such property;
- (e) “property” includes money and all kinds of moveable or immovable and tangible or intangible property, and includes any interest in such property;
- (f) “the restraint of property” means any measure for the prevention of dealing in or transfer or disposal of property;
- (g) “terrorist funds” means any property which may be applied or used for the commission of, or in furtherance of or in connection with, acts of terrorism concerned with the affairs of Northern Ireland, or acts of terrorism of any other description except such acts connected solely with the affairs of the United Kingdom or any part of the United Kingdom other than Northern Ireland;
- (h) “acts of terrorism” means any act of terrorism done or to be done which constitutes or would constitute an offence under the law of both the United Kingdom and the Republic of India, but does not include acts connected solely with the affairs of the United Kingdom or any part of the United Kingdom other than Northern Ireland;
- (i) “terrorism” means the use of violence for political ends, and includes any use of violence for the purpose of putting the public or any section of the public in fear.

ARTICLE 3

Central Authorities

- (1) Requests for assistance under this Agreement shall be made through the central authorities of the Parties.
- (2) In the United Kingdom the central authority is the Home Office. In the Republic of India the central authority is the Ministry of Home Affairs.

ARTICLE 4

Contents of Requests

- (1) Requests shall be made in writing. In urgent circumstances, or where otherwise permitted by the Requested Party, requests may be made orally but shall be confirmed in writing thereafter.
- (2) Requests for assistance shall include a statement of:
 - (a) the name of the competent authority conducting the investigation or proceedings to which the request relates;

- (b) the matters, including the relevant facts and laws to which the investigation or proceedings relates;
 - (c) the purpose for which the request is made and the nature of the assistance sought;
 - (d) details of any particular procedure or requirement that the Requesting Party wishes to be followed;
 - (e) any time limit within which compliance with the request is desired;
 - (f) the identity, nationality and location of the person or persons who are the subject of the investigation or proceedings
- (3) If the Requested Party considers that additional information is needed to enable the request to be dealt with, that Party may request such additional information.

ARTICLE 5

Execution of Requests

- (1) A request shall be executed as permitted by and in accordance with the domestic law of the Requested Party and to the extent not incompatible with such law, in accordance with any requirements specified in the request.
- (2) The Requested Party shall promptly inform the Requesting Party of any circumstances which are likely to cause a significant delay in responding to the request.
- (3) The Requested Party shall promptly inform the Requesting Party of a decision of the Requested Party not to comply in whole or in part with a request for assistance and the reason for that decision.
- (4) The Requesting Party shall promptly inform the Requested Party of any circumstances which may affect the request or its execution or which may make it inappropriate to proceed with giving effect to it.

ARTICLE 6

Refusal of Assistance

- (1) Assistance may be refused if:
 - (a) the Requested Party is of the opinion that the request, if granted, would seriously impair its sovereignty, security, national interest or other essential interest; or
 - (b) provision of the assistance sought could prejudice an investigation or proceedings in the territory of the Requested party or would constitute a substantial risk to the physical safety of any person; or
 - (c) the action sought is contrary to the domestic law of the Requested party; or
 - (d) the request concerns restraint or confiscation of proceeds or instruments of an activity which, had it occurred within the jurisdiction of the Requested Party, would not have been an activity in respect of which a confiscation order could have been made; or

- (e) the request relates to an offence in respect of which the accused person had been finally acquitted or pardoned.
- (2) Before refusing to grant a request for assistance, the Requested party shall consider whether assistance may be granted subject to such conditions as it deems necessary. If the Requesting Party accepts assistance subject to conditions, it shall comply with them.

ARTICLE 7

Confidentiality and restricting use of evidence and information

- (1) The Requested Party shall, to any extent requested, keep confidential a request for assistance, its contents and any supporting documents, and the fact of granting such assistance except to the extent that disclosure is necessary to execute the request. If the request cannot be executed without breaching confidentiality, the Requested Party shall so inform the Requesting Party which shall then determine the extent to which it wishes the request to be executed.
- (2) The Requesting Party shall, if so requested, keep confidential any evidence and information provided by the Requested party, except to the extent that its disclosure is necessary for the investigation or proceeding described in the request.
- (3) The Requesting Party shall not use for purposes other than those stated in a request evidence or information obtained as a result of it, without the prior consent of the Requested Party.

ARTICLE 8

Information and Evidence

- (1) The Parties may make requests for information and evidence for the purpose of identifying or tracing:
 - (a) proceeds and instruments of crime (including crimes involving currency transfers), and
 - (b) terrorist funds, which may become liable to restraint or confiscation.
- (2) Assistance which may be given under this Article includes but is not limited to:
 - (a) providing information and documents or copies thereof;
 - (b) taking evidence or statements of witnesses or other persons and producing documents, records, or other material for transmission to the Requesting Party;
 - (c) searching for, seizing and delivering to the Requesting Party any relevant material, and providing such information as may be the place of seizure, the circumstances of seizure and the subsequent custody of the material seized prior to delivery.
- (3) The Requested party may postpone the delivery of material requested if such material is required for proceedings in respect of criminal or civil matters in its territory. The Requested Party shall, upon request provide certified copies of documents.

- (4) Where required by the Requested party, the Requesting Party shall return material provided under this Article when no longer needed for the purposes for which it was supplied.

ARTICLE 9

Restraint

- (1) In accordance with the provisions of this Article, a Party may request the restraint of property in order to ensure that it is available for the purpose of enforcement of a confiscation order which has been or may be made.
- (2) A request made under this Article shall include:
- (a) information establishing that proceedings have been or are to be instituted as a result of which a confiscation order has been or may be made;
 - (b) where applicable, a statement of when proceedings are to be instituted;
 - (c) either;
 - (i) a summary of the facts of the case including a description of the offence, the time and place of its commission, a reference to the relevant legal provisions, the grounds on which the suspicion is based and a copy of any relevant restraint order;
 - or
 - (ii) where a confiscation order has been made, a copy of that order;
 - (d) to the extent possible, a description of the property in respect of which restraint is sought or which is believed to be available for restraint, and its connection with the person against whom the proceedings have been or are to be instituted;
 - (e) where appropriate, a statement of the amount which it is desired to restrain and the grounds on which this amount is estimated;
 - (f) where applicable and possible a statement of the estimated time expected to elapse before the case is committed for trial and before a final judgement may be given.
- (3) The Requesting Party shall advise the Requested Party of any alteration in an estimate of time referred to in paragraph 92) (f) above and in doing so shall also give information about the stage of proceedings reached. Each Party shall advise the other promptly of any appeal or variation made in respect of restraint action requested or taken.
- (4) Where a court in the Requested Party imposes a condition limiting the duration of the restraint, the Requested Party shall notify the Requesting party promptly of any such condition, and the reason for it.

ARTICLE 10

Enforcement of Confiscation Orders

- (1) This Article applies to an order, made by a court of the Requesting Party, intended to confiscate:
 - (a) the proceeds and instruments of crime (including crimes involving currency transfers); or
 - (b) terrorist funds.
- (2) A request for assistance in enforcing such an order shall be accompanied by a copy of the order, certified by an officer of the court that made the order or by the central authority, and shall contain information indicating:
 - (a) that neither the order nor any conviction to which it relates is the subject of an appeal;
 - (b) that the order is enforceable in the territory of the Requesting Party;
 - (c) where appropriate, particulars of the property available for enforcement or the property in respect of which assistance is sought, stating the relationship between that property and the person against whom the order has been made;
 - (d) where appropriate, and where known, the interests in the property of any person other than the person against whom the order has been made;
 - (e) where appropriate, the amount which it is desired to realise as a result of such assistance.
- (3) Where the law of the Requested Party does not permit effect to be given to a request in full, the Requested party shall give effect to it in so far as it is able to do so.
- (4) If a request under this Article relates to an amount of money, that amount shall be converted into the currency of the Requested Party in accordance with its domestic law and procedures
- (5) Property obtained by the Requested Party in the enforcement of an order to which Article applies shall remain with that Party, unless otherwise agreed between the Parties.

ARTICLE 11

Mutual Legal Assistance

In addition to the assistance provided for in Articles 1 to 10 of this Agreement, each party shall, on request and to the extent permitted by its law, also offer the widest measure of mutual assistance in investigations and prosecutions in relation to criminal offences including

- (a) the service of judicial documents
- (b) the search for and seizure of evidence
- (c) the taking of evidence or statements from persons;
- (d) the transfer of persons, including persons in custody, for the purpose of assisting in investigations or giving evidence in proceedings.

ARTICLE 12

Costs

The Requested Party shall bear any costs arising within its territory as a result of action taken upon request of the Requesting Party. Extraordinary costs may be subject to special agreement between the Parties. Where the Requested Party considers that the execution of a request would impose an excessive burden on the resources of that Party, the request shall proceed only after consultation with, and with the agreement of, both parties.

ARTICLE 13

Language

Except where otherwise agreed between the Parties in a particular case, requests in accordance with Articles 8,9,10 and 11 and supporting documents shall be drawn up in the language of the Requesting Party and shall be accompanied by a translation into that of the Requested State.

ARTICLE 14

Authentication

Unless otherwise required under national law, and without prejudice to Article 10(2), documents certified by a central authority shall not require further certification, authorisation or legalisation for the purposes of this Agreement.

ARTICLE 15

Territorial Application

This agreement shall apply

- (1) in relation to the UK, in respect of requests concerning the investigation and prosecution of crime and the tracing, restraint and confiscation of the proceeds and instruments of crime (including crimes involving currency transfers),
 - (a) to England and Wales and Northern Ireland
 - (b) subject to any necessary modifications, by agreement between the Parties embodied in exchange of Notes through the diplomatic channel;
 - (c) to any territory for the international relations of which the United Kingdom is responsible and to which this Agreement shall have been extended, subject to any necessary modifications, by agreement between the Parties embodied in exchanges of Notes. Either Party may terminate such extension by giving six months' written notice to the other through the diplomatic channel;
- (2) in relation to the UK, in respect of requests concerning terrorist funds,
 - (a) to the United Kingdom; and

- (b) subject to any necessary modifications, by agreement between the Parties embodied in exchanges of Notes through the diplomatic channel, to the Channel Islands and Isle of Man;
 - (c) to any territory for the international relations of which the United Kingdom is responsible and to which this Agreement shall have been extended, subject to any necessary modifications, by agreement between the Parties embodied in exchanges of Notes. Either, party may terminate such extension by giving six months written notice to the other through the diplomatic channel;
- (3) to the Republic of India.

ARTICLE 16

Final Provisions

- (1) Each Government shall notify the other Government as soon as possible in writing through the diplomatic channel of the completion of their respective Agreement shall enter into force on the first day of the month following the expiration of one calendar month after the date of the latter of these notifications
- (2) It may be terminated by either Party by giving notice to the other Party through the diplomatic channel
- (3) The Agreement shall come to be effective six months after the date of receipt of such notice

In witness whereof the undersigned being duly authorised thereto by their respective Governments, have signed this Agreement

Done in duplicate at London this the twenty-second day of September, 1992 in the Hindi and English languages. In case of any doubt, the English text shall prevail.

For the government of The Republic of India

For the Government of The United Kingdom of Great Britain
And Northern Ireland

Moscow Declaration between India and the Russian Federation on International Terrorism

India and the Russian Federation affirm that international terrorism is a threat to peace and security, a grave violation of human rights and a crime against humanity. The struggle against international terrorism has become one of the priority tasks of the world community. This evil can be vanquished only by combining the efforts of all States.

Whatever be the motive of their perpetration - political, ideological, philosophical, racial, ethnic, religious or any other, terrorist acts are unjustifiable.

India and the Russian Federation support the adoption on the basis of international law of decisive measures against all States, individuals, and entities which render support, harbour, finance, instigate or train terrorists or promote terrorism. It is essential that all States, without exception, should pay particular attention to the prevention of access of terrorists and extremist organisations and groups to financial resources on the basis of international law.

In multi-ethnic and democratic countries such as India and the Russian Federation, violent actions being perpetrated under the slogan of self-determination, in reality represent acts of terrorism which in most cases have strong international links. In addition, all acts and methods and practices of terrorism constitute a grave violation of the purposes and the principles of the United Nations, jeopardise friendly relations amongst States and are aimed at destruction of human rights, fundamental freedoms and democratic basis of society. Multi-ethnic and democratic societies are especially vulnerable to acts of terrorism which are an attack against the values and freedoms enshrined in such societies.

Fully resolved to developing cooperation in the struggle against new challenges in international terrorism including in the nuclear, chemical, biological, space, cybernetics and other spheres, both Sides noted the presence of close nexus between terrorism and illegal trafficking in narcotics, trade in arms and organised crime and pointed to the significance of the need for close interaction at the bilateral, as also at the multilateral level in combating these challenges to international stability and security.

India and the Russian Federation are closely following the development of the situation in and around Afghanistan and emphasise the necessity to avert the spilling over of the conflict beyond the boundaries of one region, to prevent further extension of terrorism. The Sides accorded highest priority to the continuation of effective interaction on Afghanistan in the framework of the Indo- Russian Joint Working Group on Afghanistan established between the two countries in October 2000.

India and the Russian Federation reaffirmed the central role of the United Nations in the efforts of the international community in the struggle against terrorism. They agreed that such a struggle must be conducted on the basis of international law including the United Nations Charter. In this connection,

the Sides called for early completion of negotiations under U.N. auspices on the draft Comprehensive Convention on International Terrorism and the Convention for the suppression of acts of Nuclear Terrorism. Adoption of these Conventions would assist in strengthening the international legal basis for effectively combating the global menace of terrorism.

Signed on 6th November 2001 at Moscow in two originals, each in Hindi, Russian and English languages.

Prime Minister
of the
Republic of India

President
of the
Russian Federation

**Agreement between the Government of the Republic of India and
the Government of the Republic of Kazakhstan on
Setting up of a Joint Working Group for Combating International
Terrorism and other types of Crimes**

The Government of the Republic of India and the Government of the Republic of Kazakhstan (hereinafter referred to as “Parties”);

Bearing in mind the close friendly relations between the two countries;

Mindful of the dangers posed by the spread of terrorism and its harmful effects on peace, cooperation, and friendly relations between States which may also jeopardize the sovereignty and territorial integrity of States;

Recognising the need to prevent, eliminate and unequivocally condemn all acts, methods and practices of terrorism and deplore the impact of terrorism on the life, property, socio-economic development and political stability of countries and on international peace and Cooperation;

Realising that the goal of combating international terrorism can be enhanced by mutual cooperation in a spirit of reciprocity within the framework of their respective domestic laws and legislation;

Recognizing further the importance and the purpose of the UN Security Council Resolution 1373 (2002) on combating international terrorism;

Have agreed as follows:

Article 1

OBJECTIVES

The Parties shall establish a Joint Working Group on combating international terrorism, organized crime and illicit drug trafficking with a view to:

- (i) Share experience concerning international terrorism, organized crime and illicit trafficking in narcotic drugs and psychotropic substances and their linkages;
- (ii) Coordinate approaches to combat international terrorism, organized crime and illicit drug trafficking, psychotropic substances and their linkages, weapons, ammunition, explosives and poisonous substances.
- (iii) Exchange information on the activities of terrorist and organized criminal groups and their associates that may operate from or use the territories of the Parties;

- (iv) Curb activities of terrorist groups, including cover groups engaged in planning promotion or execution of acts of terrorism against India and Kazakhstan;
- (v) Establish an institutional framework for such cooperation in the stated areas.

Article 2

SCOPE

The Joint Working Group shall:

- (i) Work out the ways and means to enhance mutual cooperation in combating international terrorism including under the framework of the Security Council Resolution 1373;
- (ii) Seek to identify international linkages between groups that support terrorist activities and involved in illicit trafficking in narcotic drugs and psychotropic substances;
- (iii) Improve procedures for exchange of operational intelligence in this area;
- (iv) Suggest ways of enhancing mutual cooperation specially through:
 - a) Investigation, arrest, extradition and prosecution of terrorists and their associates;
 - b) Mutual technical assistance, inter alia, through exchange of professional expertise, training for police/security and drug law enforcement personnel involved in combating illicit drug trafficking;
 - c) Identifying, monitoring and preventing the flow of financial resources to individuals and organizations engaged in terrorist activities.
- (v) Examine ways of facilitating legal action to combat international terrorism, organized crime and trafficking in narcotic drugs and psychotropic substances;
- (vi) Share experiences in areas of hijack termination, hostage rescue and protection of VIPs;
- (vii) Joint efforts aimed at preventing easy access of terrorist organizations operating from either country from acquiring arms, explosives, radioactive and poisonous substances;
- (viii) Monitor and prevent money laundering indulged in by such organizations, individuals and groups;
- (ix) Monitor the activities of Taliban, Al Qaeda or any other terrorist or organized criminal group in Afghanistan and in Central Asia with a view to implement the relevant UN Security Council Resolutions;
- (x) Discuss ways of enhancing cooperation with the Interpol;
- (xi) Address any other matter mutually agreed upon by the parties related to fighting against identified types of crimes.

Article 3

COOPERATION IN MULTILATERAL FORA

- (i) The Joint Working Group shall work towards coordinating and extending cooperation on matters relating to global campaign against terrorism in the framework of United Nations and other specialized institutions.
- (ii) Both sides in the Joint Working Group shall also try to facilitate and assist each other in keeping the other side informed of the important developments on this subject.
- (iii) Coordinate efforts with a view to early adoption of the Comprehensive Convention on International Terrorism.

Article 4

COMPOSITION

The Ministry of External Affairs will be the nodal agency on Indian side representing the relevant agencies of the Republic of India.

The Ministry of Foreign Affairs will be the nodal agency on Kazakh side representing the relevant agencies of the Republic of Kazakhstan.

Article 5

MODALITIES

- (i) The Working Group shall meet at least once every year on mutually convenient dates. The venue of the meetings shall alternately be in the Republic of India and the Republic of Kazakhstan;
- (ii) The Joint Working Group shall observe complete confidentiality in the conduct of its work;
- (iii) Any confidential information provided by one Party pursuant to this Agreement shall not be passed on or disclosed to a third party without the express consent of the former Party.

Article 6

CHANGES AND AMENDMENTS

Under the mutual agreements of the Parties, changes will be introduced to the present Agreement, which can be made by separate Protocols to be integral parts of the present Agreement.

Article 7

DURATION

This Agreement shall come into force from the date of its signature and shall remain in force for a period of three years. Thereafter the Agreement shall be extended automatically for a similar period unless either Party gives to the other a written notice of its intention to terminate the Agreement at least six months before the expiry of its duration.

Signed at Almaty on the 3rd day of June, 2002 in two originals each in Kazak, Hindi, Russian and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

For the Government
of Republic of India

For the Government
of Republic of Kazakhstan

**Agreement Between the Government of the Republic of India and
the Government of the Republic of Tajikistan for setting up of
A Joint Working Group on combating International Terrorism**

The Government of the Republic of India and the Government of the Republic of Tajikistan, hereinafter referred to as “Parties”,

Bearing in mind the close and friendly relations between the two countries;

Mindful of the dangers posed by the spread of terrorism and its harmful effects on peace, cooperation and friendly relations between States which may also jeopardize the sovereignty and territorial integrity of States;

Recognising the need to prevent, eliminate and unequivocally condemn all acts, methods and practices of terrorism and deplore the impact of terrorism on the life, property, socio-economic development and political stability of countries and on international peace and security;

Recognising further the importance and the purpose of the UN Security Council Resolution 1373 (2001) on combating international terrorism;

Realising that the objectives of the Security Council Resolution 1373 can be achieved by mutual cooperation in a spirit of reciprocity within the framework of their respective domestic laws and regulations;

Have agreed as follows:

Article 1
Objectives

The Parties shall establish a Joint Working Group on International Terrorism with a view to:

- (i) Share experience on combating international terrorism, organized crime and illicit trafficking in narcotic drugs and psychotropic substances (hereinafter referred to as “drug trafficking”) and their linkages ;
- (ii) Coordinate approaches to combat international terrorism, organized crime and drug trafficking;
- (iii) Exchange information on the activities of terrorist and organized criminal groups and their associates that may operate from or use the territories of the Parties;
- (iv) Curb activities of terrorists and organized criminal groups and their associates, including those providing front or cover to individuals or groups engaged in the planning, promotion or execution of acts of terrorism against the Republic of India and /or the Republic of Tajikistan;
- (v) Establish an institutional framework for such cooperation.

Article 2

Scope

The Joint Working Group shall;

- (i) Consider the ways and means to enhance mutual cooperation in combating international terrorism pursuant to the Security Council Resolution 1373;
- (ii) Seek to identify international linkages between groups that support terrorist activities and illicit trafficking in narcotic drugs and psychotropic substances. It will cover both State and non State actors;
- (iii) Examine procedures for exchange of operational intelligence in this area
- (iv) Suggest ways of enhancing mutual cooperation specially through ;
 - (a) Arrest, extradition and prosecution of terrorists and their associates;
 - (b) Mutual technical assistance, inter alia, through training for police / security personnel and exchange of professional expertise ;
 - (c) Identifying, monitoring and preventing the flow of financial resources to individuals and organizations engaged in terrorist activities.
- (v) Examine ways of facilitating legal action to combat international terrorism, organized crime and trafficking in narcotic drugs and psychotropic substances;
- (vi) Share experiences in areas of hijack termination, hostage rescue and protection of VIPs;
- (vii) Join efforts aimed at preventing easy access to terrorist organizations, operating from either country of weapons of mass destruction ;
- (viii) Monitor and prevent money laundering indulged in by such individuals and groups;
- (ix) Coordinate efforts with a view to early adoption of the Comprehensive Convention on International Terrorism;
- (x) Monitor the activities of Taliban, Al Qaida or any other terrorist or organized criminal group in Afghanistan and in Central Asia with a view to implement the relevant UN Security Council Resolutions and in particular SCR 1267, 1333 and 1373;
- (xi) Discuss ways of enhancing cooperation with the Interpol;
- (xii) Address any other matter mutually agreed upon by the Parties.

Article 3

Cooperation in Multilateral Fora

- (i) The Joint Working Group shall work towards coordinating and extending cooperation on matters relating to global campaign against terrorism in the United Nations and other specialized institutions;
- (ii) Both Sides in the Joint Working Group shall also try to facilitate and assist each other in keeping the other Side informed of the important developments on this subject.

Article 4

Composition

- (i) The Ministry of External Affairs will be the nodal agency on the Indian side responsible for the implementation of this agreement.
- (ii) Similarly, The Ministry of Foreign Affairs will be the nodal agency on the Tajik side.
- (iii) The nodal agencies of the respective Parties may have representatives from their Ministry of Home Affairs and other relevant agencies involved in counter-terrorism activities as well as those dealing with prevention of drug trafficking and money laundering.

Article 5

Modalities

- (i) The Working Group shall meet at least once every year on mutually convenient dates. The venue of the meetings shall alternatively be in the Republic of India and the Republic of Tajikistan;
- (ii) The Joint Working Group shall observe complete confidentiality in the conduct of its work;
- (iii) Any confidential information provided by one Party pursuant to this Agreement shall not be passed on or disclosed to a third party without the express consent of the former Party;

Article 6

Duration

This Agreement shall come into force from the date of its signature and shall remain in force for a period of three years. Thereafter the Agreement shall be extended automatically for a similar period unless either Party gives to the other a written notice of its intention to terminate the Agreement at least six months before the expiry of its duration.

IN WITNESS WHEREOF the following representatives being duly authorized thereto by their respective Governments have signed this Agreement.

DONE at *Dushanbe on Thursday the 30th day of January 2003* in two originals each in Hindi, Tajik and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

For the Government of the
Republic of India

For the Government of the
Republic of Tajikistan

Agreement Between the Government of the Republic of India and the Government of the Republic of Uzbekistan for Setting up of A Joint Working Group on Combating International Terrorism

The Government of the Republic of India and the Government of the Republic of Uzbekistan, hereinafter referred to as “Parties”,

Bearing in mind the close and friendly relations between the two countries;

Mindful of the dangers posed by the spread of terrorism and its harmful effects on peace, cooperation and friendly relations between States which may also jeopardize the sovereignty and territorial integrity of States;

Recognising the need to prevent, eliminate and unequivocally condemn all acts, methods and practices of terrorism and deplore the impact of terrorism on the life, property, socio-economic development and political stability of countries and on international peace and security;

Recognising further the importance and the purpose of the UN Security Council Resolution 1373 (2001) on combating international terrorism;

Realising that the objectives of the Security Council Resolution 1373 can be achieved by mutual cooperation in a spirit of reciprocity within the framework of their respective domestic laws and regulations;

Have agreed as follows:

Article 1 **Objectives**

The Parties shall establish a Joint Working Group on Combating International Terrorism with a view to:

- (i) Share experience on combating international terrorism, organized crime and illicit trafficking in narcotic drugs and psychotropic substances (hereinafter referred to as “drug trafficking”) and their linkages ;
- (ii) Coordinate approaches to combat international terrorism, organized crime and drug trafficking ;
- (iii) Exchange information on the activities of terrorist and organized criminal groups and their associates that may operate from or use the territories of the Republic of India and / or the Republic of Uzbekistan;
- (iv) Curb activities of terrorists and organized criminal groups and their associates, including those providing front or cover to individuals or groups engaged in the planning, promotion or execution of acts of terrorism against the Republic of India and /or the Republic of Uzbekistan;
- (v) Establish an institutional framework for such cooperation.

Article 2

Scope

The Joint Working Group in accordance within its competence and the obligations of the Parties under other international agreements of which they are parties and the framework of the legislation of the States of the Parties shall;

- (i) Consider the ways and means to enhance mutual cooperation in combating international terrorism pursuant to the Security Council Resolution 1373;
- (ii) Seek to identify international linkages between groups that support terrorist activities and drug trafficking. It will cover both State and non State actors;
- (iii) Examine procedures for exchange of operational intelligence in this area:
 - (a) Arrest, extradition and prosecution of terrorists and their associates;
 - (b) Mutual technical assistance, inter alia, through training for police / security personnel and exchange of professional expertise ;
 - (c) Identifying, monitoring and preventing the flow of financial resources to individuals and organizations engaged in terrorist activities.
- (iv) Suggest ways of enhancing mutual cooperation specially through ;
 - (a) Arrest, extradition and prosecution of terrorists and their associates;
 - (b) Mutual technical assistance, inter alia, through training for police / security personnel and exchange of professional expertise ;
 - (c) Identifying, monitoring and preventing the flow of financial resources to individuals and organizations engaged in terrorist activities.
- (v) Examine ways of facilitating legal action to combat international terrorism, organized crime and drug trafficking.
- (vi) Share experiences in areas of hijack termination, hostage rescue and protection of VIPs; as well as providing security for airports, railroad stations, subways and other public places;
- (vii) Join efforts aimed at preventing easy access to terrorist organizations, operating from either country of weapons of mass destruction;
- (viii) Monitor and prevent money laundering indulged in by such individuals and groups;
- (ix) Coordinate efforts with a view to early adoption of the Comprehensive Convention on International Terrorism ;
- (x) Monitor the activities of Taliban, Al Qaida or any other terrorist or organized criminal group in Afghanistan and in Central Asia with a view to implement the relevant UN Security Council Resolutions and in particular SCR 1373;
- (xi) Discuss ways of enhancing cooperation with the Interpol;
- (xii) Address any other matter mutually agreed upon by the Parties.

Article 3

Cooperation in Multilateral Fora

- (i) The Joint Working Group shall work towards coordinating and extending cooperation between parties on matters relating to global campaign against terrorism in the United Nations and other specialized institutions;
- (ii) Both Sides in the Joint Working Group shall also try to facilitate and assist each other in keeping the other Side informed of the important developments on this subject.

Article 4

Composition

- (i) The Ministry of External Affairs will be the nodal agency on the Indian side responsible for the implementation of this agreement;
- (ii) The National Security Service will be the nodal agency on the Uzbek side responsible for the implementation of this Agreement.
- (iii) The delegations of the Republic of India and the Republic of Uzbekistan to the meetings of the Joint Working Group on International Terrorism will be led by the officials of the Indian Ministry of External Affairs and the Uzbek Ministry of Foreign Affairs respectively;
- (iv) The nodal agencies of the respective Parties may have representatives from their other relevant agencies involved in counter terrorism activities as well as those dealing with prevention of drug trafficking activities and money laundering.

Article 5

Modalities

- (i) The Working Group shall meet at least once every year on mutually convenient dates. The venue of the meetings shall alternatively be in the Republic of India and Republic of Uzbekistan;
- (ii) The Joint Working group shall observe complete confidentiality in the conduct of its work;
- (iii) Any confidential information provided by one Party pursuant to this Agreement shall not be passed on or disclosed to a third party without the express consent of the former Party;
- (iv) The rank of delegates, agenda and dates of meetings shall be agreed through diplomatic channels preferably 30 days before the scheduled date of the meeting.

Article 6

International Conventions/Treaties

The present Agreement shall not affect the rights and obligations of the Parties arising from other international Conventions/Treaties to which the Parties are signatories.

Article 7

Changes and amendments

- (i) This Agreement may be amended or supplemented by the mutual written consent of the Parties, through separate protocols which will be considered as its integral parts.
- (ii) The protocols shall come into force on the basis of the procedure envisaged for the coming into force of this Agreement.

Article 8

Settlement of disputes

Any dispute arising from the application or interpretation of the provisions of this agreement shall be resolved by the Parties through consultations and negotiations.

Article 9

Duration

This Agreement shall come into force from the date of its signature and shall remain in force for a period of three years. Thereafter the Agreement shall be extended automatically for a similar period unless either Party gives to the other a written notice of its intention to terminate the Agreement at least six months before the expiry of its duration.

IN WITNESS WHEREOF the following representatives being duly authorized thereto by their respective Governments have signed this Agreement.

DONE at New Delhi the 3rd day of February 2003 in two originals each in Hindi, Uzbek and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

**For the Government of the
Republic of India**

**For the Government of the
Republic of Uzbekistan**

Protocol between the Ministry of External Affairs of the Republic of India and the Ministry of Foreign Affairs of the Republic of Turkey for Setting up of A Joint Working Group on Combating Terrorism.

The Ministry of External Affairs of the Republic of India and the Ministry of Foreign Affairs of the Republic of Turkey, hereinafter referred to as “Parties”,

Bearing in mind the close friendly relations between the two countries;

Mindful of the dangers posed by the spread of terrorism and its harmful effects on peace, cooperation and friendly relations between States which may also jeopardize the sovereignty and territorial integrity of States;

Recognising the need to prevent, eliminate and unequivocally condemn all acts, methods and practices of terrorism and deplore the impact of terrorism on the life, property, socio-economic development and political stability of countries and on international peace and security;

Recognising further the importance and the purpose of the UN Security Council Resolution 1373 (2001) and all other relevant UNSC Resolutions and international conventions on terrorism;

Realising that the objectives of the Security Council Resolution 1373 and all other relevant UNSC Resolutions and international conventions on terrorism; can be achieved by mutual cooperation in a spirit of reciprocity within the framework of their respective domestic laws and regulations;

Have agreed as follows:

Article 1

Objectives

The Parties shall establish a Joint Working Group on Terrorism with a view to:

- (i) Share experience concerning terrorism, organized crime and illicit trafficking of humans, narcotic drugs and psychotropic substances as well as their linkages;
- (ii) Coordinate approaches to combat terrorism, organized crime, human and drug trafficking;
- (iii) Exchange information on the activities of terrorist and organized criminal groups and their associates that may operate from or use the territories of the Parties;
- (iv) Examine possible ways and means to curb activities of terrorists and organized criminal groups and their associates, including those providing finance, safe haven, front or cover to individuals or groups engaged in the planning, promotion or execution of acts of terrorism against the Republic of India and /or the Republic of Turkey in their respective countries;
- (v) Establish an institutional framework for such cooperation.

Article 2

Scope

The Joint Working Group shall;

- (i) Consider the ways and means to enhance mutual cooperation in combating terrorism pursuant to the Security Council Resolution 1373; and other relevant UNSC Resolution and international conventions;
- (ii) Seek to identify international linkages between groups that support terrorist activities and illicit trafficking of humans, narcotic drugs and psychotropic substances. It will cover both State and non State actors;
- (iii) Examine procedures for exchange of operational intelligence in this area;
- (iv) Suggest ways of enhancing mutual cooperation specially through
 - (a) Arrest, extradition and prosecution of terrorists and their associates;
 - (b) Mutual technical assistance, inter alia, through training for police / security personnel and exchange of professional expertise;
 - (c) Identifying, monitoring and preventing the flow of financial and other resources and assets to individuals and organizations engaged in terrorist activities.
- (v) Examine ways of facilitating legal action to combat terrorism, organized crime and trafficking in narcotic drugs and psychotropic substances;
- (vi) Share operational and practical experiences in areas of hijack termination, hostage rescue and protection of VIPs;
- (vii) Join efforts aimed at preventing easy access to terrorist organizations, operating from either country, to small arms transfers and weapons of mass destruction;
- (viii) Monitor and prevent money laundering indulged in by such individuals and groups;
- (ix) Coordinate efforts with a view to early adoption of the Comprehensive Convention on Terrorism;
- (x) Monitor the activities of terrorist or organized criminal groups in their respective regions with a view to implement the relevant UN Security Council Resolutions;
- (xi) Discuss ways of enhancing cooperation with the Interpol;
- (xii) Address any other matter mutually agreed upon by the Parties.

Article 3

Cooperation in Multilateral Fora

- (i) The Joint Working Group shall work towards coordinating and extending cooperation on matters relating to global campaign against terrorism in the United Nations and other specialized institutions ;
- (ii) Both Sides in the Joint Working Group shall also try to facilitate and assist each other in keeping the other Side informed of the important developments on this subject.

Article 4

Composition

- (i) The Ministry of External Affairs will be the nodal agency on the Indian side responsible for the implementation of this Agreement.
- (ii) Similarly, The Ministry of Foreign Affairs will be the nodal agency on the Turkish side.
- (iii) The nodal agencies of the respective Parties may have representatives from their Ministry of Home Affairs and other relevant agencies involved in counter-terrorism activities as well as those dealing with prevention of drug trafficking and money laundering.

Article 5

Modalities

- (i) The Joint Working Group shall meet at least once every year on mutually convenient dates. The venue of the meetings shall alternatively be in the Republic of India and the Republic of Turkey;
- (ii) The Joint Working Group shall observe complete confidentiality in the conduct of its work;
- (iii) Any confidential information provided by one Party pursuant to this Protocol shall not be passed on or disclosed to a third party without the express consent of the other Party.(sic)

Article 6

Duration

This Protocol shall enter into force on the first day of the subsequent month following the second notification by the Parties that they have complied with the respective domestic requirements for its entry into force and shall remain in force for a period of one year. Thereafter the Protocol shall be extended automatically for a similar period unless either Party gives to the other a written notice of its intention to terminate the Protocol at least three months before the expiry of its duration.

IN WITNESS WHEREOF the following representatives being duly authorized thereto by their respective Governments have signed this Protocol.

DONE at *Ankara* this *17th* day of *September* 2003 in two originals each in Hindi, Turkish and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

For the Government of the
Republic of India

For the Government of the
Republic of Turkey

Memorandum of Understanding between the Government of the Republic of India and the Government of the Republic of Indonesia on Combating International Terrorism

The Government of the Republic of India and the Government of the Republic of Indonesia (hereinafter referred to as “parties”),

Realizing the need to establish a framework to facilitate cooperation between the two countries to address security incidents and transnational crimes occurring within the territory of either country;

Recognizing the need to strengthen international cooperation at all levels in combating terrorism in a comprehensive manner;

Desiring to enhance counter-terrorism cooperation between the officials of security, defence, intelligence and law-enforcement agencies of the two Parties;

Have agreed on the following:

Article 1

Objective

This Memorandum of Understanding shall provide a framework for cooperation in preventing, suppressing and combating international terrorism and other related transnational organized criminal activities through the exchange and flow of information and intelligence.

Article 2

Scope and areas of cooperation

Each Party undertakes to implement this Memorandum of Understanding, in accordance with its respective domestic laws, in any or all of following activities:

- (i) Intelligence information sharing;
- (ii) Further enhancing cooperation between the two countries’ law enforcement agencies;
- (iii) Strengthening capacity building and capabilities through networking and programs of training and education; exchange of visits of high officials, analysts and field operators; seminars, conferences and joint operations, as appropriate.

Article 3

Participation

The Ministry of External Affairs shall be the focal point on the Indian side responsible for the implementation of this Memorandum of Understanding. Similarly the Ministry of Foreign Affairs shall be the concerned focal point on the Indonesian side.

Article 4

Settlement of Disputes

Any dispute arising out of the interpretation or implementation of this Memorandum of Understanding shall be settled amicably through consultations or negotiations between the two Parties through diplomatic channels.

Article 5

Joint Working Group

For effective implementation of the objectives of this Memorandum of Understanding, the Parties shall establish a Joint Working Group. The Working Group shall meet at least once a year on mutually convenient dates, alternatively in India and Indonesia, and shall report to the India-Indonesia Joint Commission.

Article 6

Amendment

This Memorandum of Understanding may be amended or revised, as deemed necessary, by mutual written consent of the two Parties.

Article 7

Confidentiality

Any confidential information provided by one Party pursuant to this Memorandum of Understanding shall not be passed on or disclosed to a third party without the expressed consent of the former Party.

Article 8

Duration

- (i) The Memorandum of Understanding shall come into force on the date of its signature and shall remain in effect for three years. Subsequently, unless otherwise indicated by either Party, the Memorandum of Understanding shall be automatically renewed for further period of three years at a time

- (ii) Either Party may at any time terminate this Memorandum of Understanding by giving three months advance written notice to the other Party.

In witness whereof, the undersigned have signed this Memorandum of Understanding.

Done at Jakarta on the second day of July in the year two thousand four, in two originals in English, both texts being equally authentic.

For the Government of
the Republic of India

K. Natwar Singh
Minister of External Affairs

For the Government of
the Republic of Indonesia

Dr. N. Hassan Wirajuda
Minister of Foreign Affairs

India-Philippines Joint Declaration for Cooperation to Combat International Terrorism

The Governments of the Republic of India and the Republic of the Philippines, hereinafter referred to collectively as “the participants”;

REAFFIRMING their commitment to counter, prevent and suppress all forms of terrorist acts in accordance with the Charter of the United Nations, international law and all the relevant United Nations resolutions, including the United Nations Global Counter Terrorism Strategy, and in particular United Nations Security Council Resolutions 1373, 1267 and 1390;

VIEWING acts of terrorism in all its forms and manifestations committed wherever, whenever and by whomsoever, as a profound threat to international peace and security, which require concerted action to protect and defend all peoples and the peace and security of the world;

REAFFIRMING their commitment to protect human rights, ensure fair treatment, uphold the rule of law and due process while countering terrorism;

REAFFIRMING also that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group;

RECOGNISING the principles of sovereign equality, territorial integrity and non-intervention in the domestic affairs of other States;

RECOGNISING the transnational nature of terrorist activities and the need to strengthen international cooperation at all levels in combating terrorism in a comprehensive manner;

DESIRING to enhance counter-terrorism cooperation between the relevant agencies of the participants’ governments;

Solemnly declare as follows:

Objectives:

1. The participants reaffirm the importance of having a framework for cooperation to prevent and combat international terrorism through the exchange and flow of information, intelligence and capacity-building.
2. The participants emphasize that the purpose of this cooperation is to enhance the efficacy of those efforts to combat terrorism.

Scope and Areas of Cooperation:

3. The participants stress their commitment to seek to implement the principles laid out in this Declaration, consistent with their national security policies, domestic laws and international law, in any or all of the following activities:
 - i. Continue and enhance information sharing between their relevant security and intelligence agencies, particularly on best practices in counter terrorism regimes that may include developments of more effective counter-terrorism mechanisms, policies and laws;

- ii. Enhance information sharing and intelligence sharing and intelligence cooperation among their relevant intelligence and security organizations from operational level to strategic level geared towards combating international terrorism, particularly terrorist financing, and in the process, additional necessary measures shall be instituted to protect the shared classified information;
- iii. Enhance liaison relationships amongst their law enforcement agencies to engender practical counter-terrorism regimes.
- iv. Strengthen capacity-building efforts through training and education; consultations between officials, analysts and field operators; and seminars, conferences and joint operations as appropriate.
- v. Provide, using best efforts, assistance on transportation, border and immigration control challenges, including document and identity fraud to stem effectively the flow of terrorist-related material, money and people.
- vi. Prevent and suppress the financing of terrorist acts
- vii. Strengthen capability and readiness, including training and technical assistance, to deal with chemical, biological, radiological, nuclear terrorism (CBRN), cyber terrorism and any new form of terrorism.
- viii. Commit to continue working together in the fight against cyber crime and terrorist misuse of cyber space, by enhancing confidence among the national Computer Security Incident Response Teams of the Philippines and India, including, when and where appropriate, providing hardware and software to prevent cyber attacks and terrorist misuse of cyber space.
- ix. Providing, where and when possible, technical assistance and capacity-building programs in developing laws, extending training (in forensics, law enforcement, legal and technical matters), and when and where appropriate, hardware and software to prevent cyber attacks and terrorist misuse of cyber space.
- x. Promote public awareness and participation in efforts to counter terrorism, as well as enhance inter-faith and intra-faith dialogue and dialogue among civilizations.
- xi. Assist in facilitating extradition and extending mutual legal assistance in cases involving terrorism related offences.
- xii. Cooperate in combating organized crimes which have linkages with terrorist acts.
- xiii. Explore on a mutual basis additional areas of cooperation.

Participation:

4. Participants are called upon to become parties to all universal instruments on counter terrorism.
5. The participants are each called upon to designate an agency to coordinate with law enforcement agencies, authorities dealing with countering terrorism financing and other concerned government agencies, and to act as the central point of contact for the purposes of implementing this Declaration.

Disclosure of Information:

6. The participants expect that no participant would disclose or distribute any confidential information, documents or data received in connection with this Declaration to any third party, at any time except to the extent agreed in writing by the participant that provided the information.

Implementation:

7. All the participants are urged to promote and implement in good faith and effectively the provisions of the present Declaration in all its aspects.

Signed in New Delhi on the Fifth Day of October, 2007 in two versions, English and Hindi, both texts being equally authentic. In case of divergence in the interpretation, English text shall prevail.

FOR THE GOVERNMENT OF
THE REPUBLIC OF INDIA

PRANAB MUKHERJEE
Minister of External Affairs

FOR THE GOVERNMENT OF
THE REPUBLIC OF
THE PHILIPPINES

ALBERTO G. ROMULO
Secretary of Foreign Affairs

India-U.S. Counterterrorism Cooperation Initiative

1. India and the United States are transforming their relationship to reflect their shared principles, approaches and global interests. As the world's two largest democracies, the two countries recognize the vital importance of politics and economic freedom, individual rights, democratic institutions and the rule of law.
2. In recent years, changes in the international security environment have challenged the two countries and the rest of the world. Terrorism and transnational crimes are threats to our two countries and the world community. India and the United States reaffirm their determination to fight terrorism and transnational crime in all their forms and manifestations and prevent the continued growth of terrorist organizations. The Governments of India and the United States seek to further enhance their cooperation in counterterrorism as an important element of their bilateral strategic partnership. In pursuit of this shared objective, the two countries intend to:
 - A. strengthen capabilities to effectively fight against terrorism, and promote exchanges regarding modernization of techniques to combat terrorism;
 - B. share best practices on issues of mutual interest such as effective use of technology and policing in mega-cities;
 - C. develop investigative skills related to sensitive site exploitation;
 - D. promote cooperation between their forensic science laboratories, and training institutions;
 - E. establish procedures to provide mutual investigative assistance and to share expertise when requested in the aftermath of terrorist incidents;
 - F. exchange best practices on mass transit and rail security;
 - G. strengthen cooperation towards enhancing capabilities to act against money laundering, counterfeit currency and financing of terrorism;
 - H. implement requests under the existing mutual legal assistance and extradition treaties in a more timely and streamlined fashion;
 - I. increase exchanges between coast guards and navies on maritime security and to promote cooperation in addressing maritime threats, including piracy and terrorism;
 - J. exchange experience and expertise on port and border security;
 - K. enhance the liaison and training between specialist counterterrorism units, including the National Security Guard (NSG) and appropriate U.S. counterparts;
 - L. share best practices and further develop capabilities to prevent weapons of mass destruction from falling into the hands of terrorist groups and other illegal networks;
 - M. expand joint research and development in the area of security technology;

- N. enhance information collection, intelligence sharing and analysis capabilities, including provision for more robust exchanges on activities of terrorist and extremist groups;
 - O. strengthen cooperation in the field of cyber security; and
 - P. exchange best practices on cooperation among security stakeholders.
3. Consistent with the goals of the Strategic Dialogue, India and the United States reaffirm their intention to promote greater mutual understanding and cooperation between their Governments to combat terrorism. The Counterterrorism Joint Working Group (CTJWG) within the Strategic Dialogue process should continue to serve as the primary mechanism to guide the India-U.S. counterterrorism relationship.

Signed at New Delhi in duplicate, July 23, 2010.

Gopal K. Pillai
Home Secretary
FOR THE GOVERNMENT OF
THE REPUBLIC OF INDIA

Timothy J. Roemer
Ambassador to India
FOR THE GOVERNMENT OF
THE UNITED STATES OF AMERICA