

OTHERS

Agreement between the Government of the Republic of India and the Government of the State of Qatar on Co-Operation in Security and Law Enforcement Matters

The Government of the Republic of India and the Government of the State of Qatar;

Desirous to enhance and strengthen the effectiveness of mutual co-operation between the two countries in combating all criminal activities;

Convinced of the Importance of international co-operation in combating criminal activities of common concern;

Recognizing the necessity to establish a framework of mutual co-operation and co-ordination in the fields of security and law enforcement;

Have agreed as follows:

Article (1)

The parties shall take all measures to prevent giving:

- (a) Shelter to those who committed criminal acts related to the security or interests of the other Party.
- (b) Access to arms or funds or training in acts of violence, sabotage or terrorism or access to any facilities thereof.

The Parties also engage themselves to combat the criminal acts and hostile activities of those who commit the criminal acts.

Article (2)

1. Subject to their national laws and regulations, the Parties shall provide assistance to combat all forms and types of crimes and especially the following crimes:
 - (a) Terrorism
 - (b) Serious crime including hijacking, taking of hostages and abduction
 - (c) Organized crime
 - (d) Falsification of documents and forgery of currencies
 - (e) Illicit acts concerning arms, ammunition and explosives.

- (f) Illicit economic activities
 - (g) Smuggling of objects of historical or cultural value, jewels, precious metals or other valuable objects
 - (h) Illicit passage of frontiers and falsification of travel documents
 - (i) The properties and revenues derived from organized crime and terrorism and their tracking, restriction and confiscation.
2. The assistance shall include but not to be limited to:
- (a) Measure to locate, restrain, forfeit or confiscate the means and resources of financing terrorism or the proceeds of the crime
 - (b) Taking of evidence and obtaining statements of persons
 - (c) Providing information, documents and other records including criminal and judicial records
 - (d) Communication information available with each Party about criminal acts either committed or being planned to be committed within the territory of the other Party
 - (e) Executing request for search and seizure
 - (f) Delivery or lending of exhibits
 - (g) Serving of documents seeking attendance of persons
 - (h) Exchanging of the names of the persons criminally convicted in serious crimes
 - (i) Locating and identifying persons and objects
 - (j) Any other assistance consistent with the objective of this Agreement.
3. For the purposes of this Agreement:
- (a) 'Proceeds of crime' means any property that is derived or realized directly or indirectly by any persons from an offence or the value of any such property.
 - (b) 'Property' includes money of all kinds of moveable or immovable, tangible or intangible, and includes any interest in such property.
 - (c) 'Confiscation' means any measure resulting in the deprivation of property by conclusive decision.

Article (3)

The Parties shall provide all necessary assistance and take all coordination measures, according to their national laws and regulations to establish measures, according to their national laws and regulations to establish effective procedures to prevent and combat criminal activities through the following:-

(a) Exchange of information:-

The Parties shall exchange all necessary information about the crimes stated in Article 1 and 2 above that identify the suspected persons, the persons searched by the security authorities in each country and those convicted by the competent authorities. The Parties shall exchange information about the new techniques and means of committing those crimes.

(b) Exchange of experience and field visits:-

The Parties shall cooperate and exchange studies and researches related to the combating of crimes stated in this Agreement, provide mutual assistance in the preparation of the training courses or exchange field's visits.

Article (4)

For the suppression of illicit trafficking in narcotic drugs, psychotropic substances and precursors, the Parties shall :-

- (a) Exchange and share information about persons involved in narcotic drug trafficking, their modus operandi as well as other relevant details of such crimes, in so far these are necessary for the prevention or suppression of crimes
- (b) Exchange the results of their criminal and criminological research on narcotic drug trafficking and abuse of narcotic drugs
- (c) Share and exchange of samples of narcotic drugs and psychotropic substances of natural or synthetic origin usable for abuse; and
- (d) Subject to their national laws and regulations and their international obligations, facilitate the controlled delivery of illicit narcotic drugs and psychotropic substances in order to render possible the arrest of the persons to whom they will be delivered as well as any persons involved in the trafficking provided that the necessary information is submitted at least 48 hours prior to the request.

Article (5)

The Parties shall take mutual measures and provided the necessary assistance as per the requirements of police investigation (i.e. all the measures taken by the police to establish evidence before presenting the accused in the competent court).

Article (6)

Assistance may be refused if it would impair the sovereignty, security and state interests of the requested Party or if the subject of assistance is contrary to the national laws and regulations of the requested Party.

Article (7)

The Parties shall maintain the secrecy of the mutually exchanged information and no third party shall be informed of it without the written approval of the Party that provided the information.

Article (8)

Each Party shall bear the special expenses resulting from the implementation of the provisions of this Agreement or any other form of expenses as may be agreed upon.

Article (9)

A Joint Committee shall be established to follow up and assure the implementation of this Agreement. The Joint Committee may hold its meeting on the request of either Party to take the appropriate decisions. The Joint Committee shall observe complete confidentiality in the conduct of its works.

Article (10)

The Joint Committee shall lay down the detailed modalities of cooperation and specify the law enforcement agencies of each side that exchange intelligence information in the fields of terrorism and drug trafficking and shall specify the office addresses of those agencies, their contact telephone numbers, faxes and other relevant details to facilitate contact on priority basis.

Similarly, it shall determine also the nodal authorities that cooperate with each other and exchange mutual assistance in various fields of crime.

Article (11)

The authorities responsible for the following up and implementation of this Agreement are-

In the Republic of India-the Ministry of Home Affairs.

In the State of Qatar- the Ministry of Interior.

Article (12)

This Agreement does not prejudice the rights and obligations of the Parties arising from any other Agreement entered into by either of the Parties. In case of there being any differences between the provisions of this Agreement and the provisions of any such other Agreement, the provisions that

realize more security cooperation, shall be applied with the consent of the Parties.

Article (13)

Any dispute arising out of the interpretation of this Agreement shall be settled through negotiations between the Parties.

Article (14)

This Agreement may be amended by the written consent of the Parties. Such amendment shall be applicable from the date of the last notice of one Party to the other Party of the completion of all the legal requirements applicable in its country.

Article (15)

This Agreement shall be ratified/approved according to the legal procedures followed in the country of each Party. This Agreement shall enter into force after one month following the exchange of the documents of its approval by the Parties through diplomatic channels. This Agreement shall remain valid for a period of five years from the date of its entry into force; it shall be renewed automatically unless either Party may give the other Party a written notification of its desire to terminate the Agreement. In such a case, the Agreement shall be terminated after three months from the date of the receipt of such notification.

In witness whereof, the undersigned, being duly authorized thereto by their respective governments have signed this Agreement.

This Agreement is written in two originals each in the Hindi, Arabic and English languages; all the texts being authentic, in case of any divergent interpretation, the English text shall prevail.

Done in the city of _____ on ____ of ____ 1429 AH, corresponding to ____ of _____ 2008 AD.

For the Government of the
Republic of India

(E. Ahamed)
Minister of State for
External Affairs

For the Government of the
State of Qatar

(Sheikh Abdullah Bin
Nasser bin Khalifa al-Thaui)
Minister of State for Internal Affairs