

October 15, 1997

**MEMORANDUM OF AGREEMENT BETWEEN THE GOVERNMENT OF
THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF
THE UNION OF MYANMAR ON NARCOTIC DRUGS AND
PSYCHOTROPIC SUBSTANCES AND ABUSES THEREOF**

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE UNION OF MYANMAR (hereinafter referred to as the "Contracting Parties¹¹");

RECOGNIZING that the illicit use and traffic of drugs constitute a serious threat to the economy and endanger the physical health of the people of both states;

DESIRING to co-operate to combat and prevent illicit cultivation, production, distribution, and abuse of narcotic drugs and psychotropic substances;

OBSERVING the obligations provided in the Single Convention of Narcotic Drugs of 1961, the Convention on Psychotropic Substances of 1971 and the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (hereinafter referred to as the "1988 Convention");

BEARING in mind the constitutional, legal, and administrative systems and in deference to the inherent rights of the national sovereignty of the respective States;

HAVE AGREED AS FOLLOWS:

**ARTICLE 1
OBLIGATIONS**

Subject to the national laws and regulations in force and available resources in their respective States, the Contracting Parties shall encourage co-operation between their competent authorities to take appropriate measures where available to prevent and control:

- (a) the illicit production, distribution and trafficking of narcotic drugs and psychotropic substances and their abuse; and
- (b) the diversion of precursors and essential chemicals that may be used in the illicit manufacture of narcotic drugs and/or psychotropic substances.

**ARTICLE 2
SCOPE OF CO-OPERATION**

The Contracting Parties shall consider ways and means to promote and enhance the co-operation within the framework of this Agreement in respect of the following matters:

- (a) exchange of information on legislative and practical measures aimed at suppression of illicit trafficking of narcotic drugs and reducing demand for them;
- (b) exchange of studies, researches and information on treatment and rehabilitation of drug abusers for the purposes of improving effectiveness of the rehabilitation programmes carried out by the Contracting Parties and assisting their re-entry into society;

- (c) prevention of drug abuse through exchange of educational and scientific information, as well as through campaigns, public information programmes, and similar undertakings;
- (d) exchange of information in relevant fields of experience and expertise including scientific analysis in combatting the abuse of illicit narcotic drugs in psychotropic substances;
- (e) exchange of visits including, where possible, visits of specialists from relevant organizations;
- (f) exchange of information concerning new drugs used in illicit trafficking, methods of their research and identification;
- (g) exchange of information on measures for purpose of confiscation or forfeiture of property or proceeds derived or obtained from illegal activities in relation to illicit trafficking of narcotic drugs;
- (h) provision of the services of experts and exchange of personnel for training purposes in relevant fields including drug law enforcement training;
- (i) measures to regulate the production, importation, exportation, storage, distribution, and sale of precursors, chemicals and solvents that may be used in the illicit manufacture of narcotic drugs and psychotropic substances; and
- (j) such other fields as may be jointly decided by the Contracting Parties from time to time.

ARTICLE 3

CONTROLLED DELIVERY

The Contracting Parties shall consider in accordance with their national legislations, the possibilities and appropriateness of jointly applying the methods of controlled delivery, as defined under the 1988 Convention.

ARTICLE 4

CONFIDENTIALITY

The Contracting Parties shall keep confidential all information and documents to be exchanged pursuant to this Agreement and to be used only subject to such terms as each Contracting Party may specify. The Contracting Parties shall not use the information for purposes other than that specified without the prior consent of the other Contracting Party.

ARTICLE 5

CONSULTATIONS

The Contracting Parties shall if necessary, hold consultations for the purpose of coordinating and enhancing the effectiveness of co-operation envisaged in this Agreement. In addition, they may recommend other fields or forms of co-operation that could be undertaken on the basis of experiences in the implementation of this Agreement. Nothing in this Agreement shall prevent either Contracting Party from adopting or encouraging other mutually beneficial forms and methods of co-operation in combatting drug abuse and illicit traffic of narcotic drugs.