

No. 47331

**Argentina
and
United States of America**

Letter of Agreement on narcotics control and law enforcement between the Government of the Argentine Republic and the Government of the United States of America (with annexes). Buenos Aires, 17 September 2004

Entry into force: *17 September 2004 by signature, in accordance with article 8*

Authentic texts: *English and Spanish*

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**Argentine
et
États-Unis d'Amérique**

Lettre d'accord sur le contrôle des stupéfiants et l'application des lois entre le Gouvernement de la République argentine et le Gouvernement des États-Unis d'Amérique (avec annexes). Buenos Aires, 17 septembre 2004

Entrée en vigueur : *17 septembre 2004 par signature, conformément à l'article 8*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Argentine, 12 avril 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

LETTER OF AGREEMENT
ON NARCOTICS CONTROL
AND LAW ENFORCEMENT
BETWEEN
THE GOVERNMENT OF THE ARGENTINE REPUBLIC
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA

I. GENERAL

The Government of the Argentine Republic and the Government of the United States of America, (hereinafter each individually a "Party" and, collectively, the "Parties") agree to establish and to support a project designed to provide assistance and cooperation in fighting drug-trafficking and related crimes, such as money-laundering, transnational organized crime and corruption.

The actions to be taken and the resources to be provided by the Government of the Argentine Republic ("USG") and the Government of the United States of America in support of this Letter of Agreement ("LOA") are set forth below and constitute firm commitments by each Party. Funds granted by the USG under the terms of this LOA will be specified in separate face sheets. Future funding for these projects by the USG is contingent upon the availability of duly authorized and appropriated funds, satisfactory progress toward project goals, and the approval by the U.S. Department of State, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs ("INL").

II. PROJECT DESCRIPTION

This project is designed to enhance the Government of the Argentine Republic capability to fight drug trafficking and related crimes such as money-laundering, transnational organized crime, and corruption. Toward that goal, the USG and the Government of the Argentine Republic shall take actions and commit resources on an annual basis as authorized by their respective legislative processes to support this LOA.

Actions to be taken include the purchasing of vehicles, equipment which shall be used in fighting drug-trafficking and to enforce anti-crime activities. The planned life of this project is three years, following which Argentine security forces and law enforcement agencies shall acquire further capabilities to perform their duties concerning this issue.

The Parties may increase, amend, or terminate projects undertaken in conjunction with this LOA as agreed to by the Parties in writing. Such projects shall be subject to the terms and conditions of this LOA.

III. PERFORMANCE GOALS AND MEASUREMENTS OF EFFECTIVENESS

The specific goal of this project is to enhance Argentine security forces and law enforcement agencies capabilities to successfully fight drug-trafficking and anti-crime activities. Progress toward achievement of the project goal will be measured in terms of the number of drug trafficker arrests and persons arrested for transnational organized crime, money laundering and corruption, the quantity of confiscated illicit drugs and the amount of proceeds seized from these crimes. Methods of verification of project achievement include observation by personnel of the Parties, and by official records of arrests and convictions of narcotics law violators and seizures and destruction of narcotics contraband, as well as the record of arrested and convicted persons for transnational organized crime, money laundering and corruption.

IV. EVALUATION PLAN

Representatives of the Government of the Argentine Republic and the Government of the United States will meet at least every twelve months to review progress towards achievement of the project goal and objectives. Progress will be evaluated in accordance with the measurements of success described above. Information to be considered in conducting these evaluations will include qualitative and quantitative indicators. A report will be prepared jointly to summarize the results of these evaluations. These evaluations are in addition to the ongoing monitoring of the programs and activities conducted by relevant personnel of both governments.

V. STANDARD PROVISIONS

1. Funds

A. Disbursement of USG funds shall be for procurement of property, equipment, supplies, material (hereinafter collectively "property") and services.

B. Funds obligated by the USG that have not been spent within twelve months following the close of the USG fiscal year in which the LOA is signed may be de-obligated by the USG. An extension of this period may be granted by INL.

C. The Government of the Argentine Republic shall contribute to the projects in the LOA by ensuring adequate funding for normal administrative and related expenses for Argentine personnel. These expenses include the payment of

rents and utilities, telephone costs, salaries and benefits (including medical and other insurance protection), per diem and travel costs within the Argentine Republic, personal equipment and uniforms, and by recruiting and retaining competent personnel.

D. The Government of the Argentine Republic shall make such reasonable efforts as are necessary to ensure that funds or other support provided under this LOA are not employed in any way in support of drug trafficking, transnational organized crime, money laundering and corruption.

2. Title

Title to all property procured with funds provided by the USG under this LOA shall be to the Government of the Argentine Republic unless otherwise specified.

3. Property and Personnel

A. Property

(1) Property furnished to the Government of the Argentine Republic through funds provided by the USG shall be used to further the object and purpose of this LOA. The Government of the Argentine Republic shall return to the USG, or reimburse the USG for the original purchase price of, any property that it obtains through funds provided by the USG that is not used in accordance with this provision. The Government of the Argentine Republic shall not authorize the re-export, transfer, loan, sale or other disposition of any property provided to it under this LOA without the prior written authorization of the USG. Funds derived from the re-export, transfer, loan, sale or other disposition of any property furnished or funded by the USG to the Government of the Argentine Republic under this LOA shall be used to further the objectives of the LOA.

(2) All property furnished or funded under this LOA shall be accounted for to the U.S. Embassy by the Argentine Republic agencies in no less rigorous manner than would be used if the property was acquired by the Government of the Argentine Republic with the Government of the Argentine Republic's funds.

B. Personnel

(1) Before scholarships, fellowships or participant training for personnel proposed by the Government of the Argentine Republic can be furnished or funded under this LOA, this Government shall notify their names to USG, annexing a certification that such members of its personnel have not been convicted of a narcotic offense and have not been involved in narcotics trafficking, nor in transnational organized crime, money laundering or

corruption within the last ten years. Individuals who are proposed recipients shall also be required to certify prior to approval that, within the last ten years, they have not been convicted of a narcotics offense, have not been engaged in drug trafficking, and have not knowingly assisted, abetted, conspired, or colluded with others in drug trafficking. (see Annex to this LOA)

2) In order to retain the maximum benefits from the investment in training, the Government of the Argentine Republic agrees to retain personnel who have received training furnished or funded under this LOA for a minimum of two years after completing such training, unless dismissed for reasons and under the conditions set out in Argentine laws and regulations. This provision may be waived by agreement of the Parties.

4. Monitoring and Evaluation

A. Each Party shall have the right: (1) to examine any property furnished or funded by that Party under this LOA to determine that such property is being used in accordance with the terms of the LOA; and (2) to inspect and audit any records and accounts with respect to funds, property or services furnished or funded by that Party under this LOA to determine that such funds, property and services are being utilized in accordance with the terms of this LOA.

B. The Parties shall monitor the progress of implementation of this LOA, including the use of funds, property and services furnished or funded under this LOA at least annually. Each Party shall assign qualified personnel to participate in the monitoring and evaluation process.

C. Each Party shall furnish the other with information necessary to evaluate the effectiveness of project operations under the terms of this LOA. At the termination of each project, a completion report shall be issued. This report shall include a summary of USG and Government of the Argentine Republic project contributions, a record of activities performed, objectives achieved and related data.

5. Applicable Laws

A. Each Party shall expend funds and support project operations in accordance with its applicable laws and regulations.

B. All property furnished or funded by the USG under this LOA shall be procured in and shipped from the United States unless otherwise provided for in this LOA, or in any project annex, or as otherwise authorized in writing by the USG.