

ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

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Memorandum of Understanding
between
the General Secretariat of
the Organization of American States
through the Inter American Drug Abuse Control Commission (Cicad)
and
the government of The French Republic

MEMORANDUM OF UNDERSTANDING

between

**THE GENERAL SECRETARIAT OF
THE ORGANIZATION OF AMERICAN STATES
THROUGH THE INTER AMERICAN DRUG ABUSE CONTROL COMMISSION
(CICAD)**

and

THE GOVERNMENT OF THE FRENCH REPUBLIC

regarding

Increased Participation by the overseas departments of the French Republic situated in the Caribbean Basin in the Meetings and other Activities of the Inter-American Drug Abuse Control Commission (CICAD)

WHEREAS, Article 112(h) of the Charter of the Organization of American States, resolution AG/RES. 57 (I-0/71) of April 23, 1971, the General Assembly of the Organization, and Article 3 (h) of the General Standards to Govern the Operations of the General Secretariat of the Organization, define the Secretariat's authority to enter into suitable arrangements with other organizations and entities that pursue goals related to those of the Organization;

AND WHEREAS, by resolution AG/RES. 50 (I-0/71) of April 23 of 1971, the General Assembly of the Organization, established the status of Permanent Observers to the Organization of American States and authorized the Permanent Council to develop measures governing their participation in the Organization;

AND WHEREAS, through resolution CP/RES 52 (61/72) of January 19, 1972 of the Permanent Council of the Organization, as amended by CP/RES 407 (573/84 of June 27, 1984, operative paragraph 7 provided that the Permanent Observers shall be understood to be accredited to all the organs, agencies and entities of the Organization and that the latter may establish regulations to govern the presence and the manner of participation of the Permanent Observers in its affairs;

AND WHEREAS, France has been a Permanent Observer of the Organization since September 1972, and has been an active participant in the meetings and activities of CICAD since the latter's establishment in 1986 by the General Assembly of the Organization as an organ of the General Secretariat through resolution AG/RES.813 (XVI-0/86);

AND WHEREAS, at the 31st regular session of CICAD held in Washington D.C. between April 29 and May 2, 2001, the Commission approved a presentation by the Secretariat on a plan of action for the participation of non-OAS territories situated in the Caribbean Basin in CICAD activities and establishment of closer working relations with the relevant institutions of

those territories (CICAD/doc.1164/02), and directed that Memoranda of Understanding to this effect should be concluded between the Commission and the Permanent Observers to the Organization.

THEREFORE the following has been agreed between the Government of the French Republic and the GS/OAS (hereinafter "the Parties"):

Article I Scope and Objectives

1. This Memorandum of Understanding (hereinafter "MOU") sets forth the terms of an increased participation of the French Republic concerning the overseas departments situated in the Caribbean region (hereinafter "the overseas departments"), namely, Guadeloupe and its dependencies, Martinique, and French Guiana, as part of the Permanent Observer Mission of France, in the meetings and activities of CICAD.
2. The Parties agree to strengthen their cooperation with respect to their mutual interest in reducing drug trafficking and related activities under their respective mandates as well as to strengthen the capacity of France in the overseas departments to deal with these problems.
3. The objectives of fostering the increased participation are to contribute to the strengthening of the drug control and related programs, policies, practices and institutions of France in the overseas departments through increased contacts with other CICAD participants, whether nations or non-autonomous territories through multilateral coordination and cooperation and thereby endeavoring to more completely blanket the Caribbean region against the drug problem in all its aspects.
4. A further dimension of these objectives is to invite the participation of representatives from the appropriate French agencies and institutions situated in the overseas departments to participate in activities sponsored or coordinated by CICAD's Executive Secretariat and through such increased contacts, to:
 - a. participate in an additional forum that contributes to strengthening the knowledge, ability and capacity of key personnel who work in areas related to the drug problem in the overseas departments, whether in government institutions, civil society or private sector organizations;
 - b. promote systems, processes and mechanisms that will allow the relevant government entities, civil society and private sector organizations of the overseas departments to gain installed capacity in aspects related to the drug problem and in the development of common approaches that address its treatment and resolution;
 - c. contribute to, promote and facilitate an on-going dialogue on subjects related to the drug problem in all its aspects within and between sectors that may currently may have little or no dialogue with one another; and

- d. share with other participants the experiences and lessons learned about the drug problem in the various OAS countries and non-autonomous territories of the Caribbean and enhance perspectives for generating novel approaches and attitudes.

Article II

Representation – Communications - Cooperation

1. For purposes of this MOU, the Government of France shall be represented by the Ambassador, Permanent Representative of France to the OAS. The GS/OAS shall be represented by the Executive Secretary of the Inter-American Drug Abuse Control Commission located in the headquarters of the Organization in Washington D.C.
2. Communications under this MOU shall, in the case of the Government of France, be directed to the Permanent Mission to the OAS and to the representative of the French Government in each overseas department. In the case of CICAD, communications shall be directed to the Executive Secretary or to the responsible official identified by him.
3. The Government of France and the GS/OAS through CICAD shall cooperate fully to ensure that the objectives referred to in Article I, above, are successfully pursued and achieved. To that effect, each Party shall furnish to the other Party all such information as may reasonably be required pertaining to their cooperation.

Article III

Obligations of the Government of France

1. Identify to the Executive Secretariat of CICAD, all relevant government agencies, civil society organizations and any private institutions in the overseas departments that perform services or carry out activities that are similar to or in harmony with the goals and objectives of CICAD and its member states.
2. Notify Executive Secretariat of CICAD Secretariat of any material changes in these bodies.
3. Provide to the Executive Secretariat of CICAD the names, addresses, telephone numbers, facsimile numbers and email addresses of the persons in charge of or responsible for the entities referred to above.
4. Notify the Executive Secretariat of CICAD about any activities of these bodies in which it considers CICAD might have an interest.

Article IV

Obligations of GS/OAS through CICAD

1. Through the Permanent Mission of France to the OAS, identify to the relevant government agencies (including the representative of the French Government in each overseas department), civil society organizations and any private institutions in the overseas departments that perform services or carry out activities that are similar to or in harmony with the goals and objectives of CICAD, of all CICAD sponsored events, activities and meetings.
2. Notify these bodies of any material changes in the composition or activities of CICAD.
3. Provide to the relevant government agencies (including the representative of the French Government in each overseas department), civil society organizations and any private institutions in the overseas departments the names, addresses, telephone numbers, facsimile numbers and email addresses of the personnel of the Executive Secretariat of CICAD and upon request, of such other persons in the General Secretariat of the Organization in whom an interest is expressed.
4. Notify the relevant French entities in the overseas departments of any events or activities of the Executive Secretariat of CICAD about which it considers that the entities might have an interest.
5. Make available to the relevant French entities in the overseas departments all of CICAD's public reports.

Article V Participation

1. This MOU sets out a framework for cooperation by the Parties and does not obligate any funds. The Parties' representatives may hold preliminary discussions and exchange correspondence on initiating projects and any associated funding or costs in separate work plans, specific cooperative agreements and/or reimbursable agreements. Specific projects once identified will be subject to the approval of both the Government of France and the GS/OAS and agreed to in accordance with their respective rules and regulations.
2. Nothing in this MOU shall obligate either of the Parties to expend appropriations or enter into any contract, agreement or other obligation except as they may mutually agree.
3. This MOU in no way restricts either of the Parties from participating in similar arrangements or agreements, including the pursuit of project funding, with other public agencies, non-profit organizations or individuals.

Article VI Dispute resolution

The Parties shall attempt to resolve amicably any disputes arising in relation to the interpretation and/or implementation of this MOU. More detailed dispute mechanisms may be provided in the specific agreements entered into between the Parties in accordance with the provisions of Article V, above.

Article VII
Entry into force, amendments and duration

1. The MOU may be amended by mutual consent of the Parties expressed in writing.
2. The MOU shall enter into force upon signature by the duly authorized representatives of the Parties.

Either Party may suspend or terminate the present MOU by giving thirty days' written notice. The Parties shall consult on the validity or duration of projects the implementation of which may be affected by the suspension or termination of this MOU.

IN WITNESS WHEREOF, the undersigned, being duly authorized, have signed this MOU in duplicate on the date and at the place indicated below.

For the Government of the French Republic

For the General Secretariat of the Organization
of American States

Her Excellency Sylvie Alvarez
Ambassador, Permanent Representative of
France to the OAS

David R. Beall
Executive Secretary
Inter-American Drug Abuse
Control Commission (CICAD)