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Tenth Meeting of Heads of National Drug Law Enforcement Agencies, Europe

Vienna, 2-5 July 2013

Item 4 of the provisional agenda**

Implementation of the recommendations adopted by the Ninth Meeting of Heads of National Drug Law Enforcement Agencies, Europe

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I. Introduction

1. The Ninth Meeting of Heads of National Drug Law Enforcement Agencies (HONLEA), Europe, held at Vienna from 28 June to 1 July 2011, adopted a set of recommendations following the consideration by working groups of the issues indicated below.
2. In accordance with established practice, the report of the Ninth Meeting was forwarded to the Governments represented at the session. A questionnaire on the implementation of the recommendations adopted at that Meeting was dispatched to Governments on 12 March 2013 together with information relating to the Tenth Meeting of HONLEA, Europe.
3. The present report was prepared on the basis of information provided to the United Nations Office on Drugs and Crime (UNODC) by Governments in reply to that questionnaire. As of 13 May 2013, replies had been received from the Governments of Armenia, Austria, Belgium, Croatia, Cyprus, Finland, Germany, Israel, Liechtenstein, Lithuania, the former Yugoslavian Republic of Macedonia (FYROM), Russian Federation, Slovakia, Spain, Switzerland and Turkey.

* English, French, Russian and Spanish are the working languages of the subsidiary body.

** UNODC/HONEURO/10/1.



II. Implementation of the recommendations adopted by the Ninth Meeting

Issue 1. Regional cooperation in combating the illicit drug trade in Europe

Recommendation (a)

4. Member States should work to strengthen institutional ties between their drug law enforcement authorities, in order to build trust and closer operational cooperation in targeting, investigating and dismantling drug trafficking groups.
5. Armenia reported that its law enforcement agencies cooperated in carrying out the national programme on the fight against illegal drug trafficking for 2009-2012.
6. Austria expressed full satisfaction with the existing cooperation between law enforcement agencies in the field of combating drugs.
7. Belgium reported that a protocol of agreement had been signed between the federal police and the customs administration. Inter-ministerial coordination in all relevant areas was in place both on the administrative and the political level. Further relevant measures included a national plan on security, a draft protocol between the federal police and the precursor control unit, cooperation between the national drug agency and the precursor control unit, as well as regular meetings between the different actors concerning the situation in Belgium and in relation to the Netherlands.
8. Croatia reported that three new cooperation agreements were signed in 2011 between its Ministry of the Interior and other drug law enforcement authorities, including: the agreement of 12 April 2011 with the Customs Administration within the Ministry of Finance relating to information exchange, international cooperation, procedure of customs officers in investigation of drugs crime; the protocol of 23 December 2011 with the Ministry of Finance relating to information exchange and cooperation; and the protocol of 29 November 2011 with the State Attorney's Office relating to cooperation in cases before investigation.
9. Cyprus reported on monthly coordination meetings and on the sharing of information on drug smuggling methods, trafficking routes and modus operandi.
10. In Finland, the police, customs and border guard (PCB) established a joint criminal Intelligence and Analysis Structure, in order to better combat organized crime including drug trafficking. The structure included the national PCB Criminal Intelligence Centre and five regional PCB Criminal Intelligence Groups, led by the police/National Bureau of Investigation with permanent members from police, customs and border guard.
11. Germany reported on regular meetings between customs and federal law enforcement authorities within the working group of national drug law enforcement representatives.
12. In Israel, joint operations involved the various law enforcement agencies such as police, customs including cooperation with specific units such as the Ministry of Health's Unit Pharmaceutical Crime Unit.

13. Liechtenstein noted the good cooperation between its justice, police and border authorities, but emphasized that the institutional ties could be further strengthened.
14. In Lithuania, the criminal police bureau acted as coordinator in the fight against illegal drug trafficking. Regular coordinating meetings were held among law enforcement authorities regarding illegal drug circulation. As a result of such meetings, relevant information was exchanged and investigative measures were coordinated and carried out by law enforcement agencies.
15. The FYROM reported that the institutional connection between its Customs Office, Ministry of Internal Affairs, the Financial Police Office and the Public Revenue Office was done, among others, by date exchange, joint border controls, technical assistance and use of mutual equipment. Cooperation, especially with the Ministry of Internal Affairs, had resulted in more joint confiscations of significant quantities of marihuana and heroin.
16. The Russian Federation noted that the effectiveness of actions to combat drug-related crime depended on well-organized cooperation both with the internal affairs agencies, customs authorities and the border Service of the Russian Federation and with the law enforcement agencies of other States.
17. Slovakia had not taken action to implement this recommendation.
18. In Spain, the Centro de Inteligencia Contra el Crimen Organizado (CICO), was the agency in charge of fostering institutional cooperation.
19. In Switzerland, police authorities at the federal as well as at the cantonal level met with their counterparts of neighbouring countries on a regular basis in order to discuss ongoing and completed investigations and share assessments of the drug situation. Switzerland was a member in several regional operational working groups on drug law enforcement matters.
20. Turkey reported that the institutional ties between all drug law enforcement authorities were strong and that these authorities exchanged information and cooperated on international issues.

Recommendation (b)

21. Governments should ensure that their drug law enforcement agencies establish standard operating procedures that support fast decision-making and closer operational cooperation with counterpart authorities in joint investigations of traffickers operating across multiple jurisdictions.
22. Armenia had signed relevant agreements within the framework of the Commonwealth of Independent Countries and the Collective Security Treaty Organization.
23. Austria reported on ongoing close cooperation with other affected countries. Since 2006, it played a leading role in implementing the EU-funded project “Drug Policing Balkan”, which aimed at containing drug trafficking along the Balkan route and at improving cooperation between the law enforcement agencies of all affected countries. Goals of the project also included investigations against drug organizations agreed by all affected countries and the implementation of “Joint Investigation Teams – JIT”.

24. Belgium encouraged the creation of joint investigation teams and reported on regular meetings between the different actors. Operational cooperation existed with countries of origin of precursors and drugs in order to address their import into and transit through the country.
25. Croatia referred to the protocol of cooperation in cases before investigation, dated 29 November 2011, between its Ministry of the Interior and its State Attorney's Office.
26. Cyprus stressed that its operating procedures were straight forward and that decision-making was fast.
27. Finland reported that its police, customs and border guard agencies had powers to enforce the law, carry out investigations and act as judicial authorities. Finland had only one national police force, which dealt with all types of crime and crime prevention. Customs investigations related to trade and smuggling, while border guard investigations related to illegal immigration and trafficking in persons. Under the Police Act (7.4.1995/493), the function of the Finnish police was to secure judicial and social order, to maintain public order and security, to prevent and investigate crimes, and to submit cases to prosecutors for decision (consideration of charges). Programme objectives and resolutions of the Government provided guidance for police activities.
28. Germany made full use of the EU instrument "Joint investigation teams".
29. Israel reported on cooperation between national law enforcement agencies both within the country and with international counterparts for joint operations and exchange of information.
30. Liechtenstein highlighted that its border guard were working 24 hours 7 days a week and that prosecutors and judges had to be on-call duty even during their free time.
31. In Lithuania, investigations of drug related crimes by law enforcement agencies were carried out pursuant to two main laws, the Criminal procedures law and the Criminal intelligence law. The General prosecutor's office issued recommendations regarding pretrial investigation. Common procedures, rules, recommendations and agreements regulating investigative measures and cooperation between agencies were also put in place.
32. In the FYROM, the cooperation between the customs office and other law enforcement agencies was undertaken in accordance with mutually signed memoranda and protocols for the implementation of those memoranda. Moreover, joint working groups had been established and several joint trainings been carried out.
33. The Russian Federation reported that standard operating procedures that support fast decision-making and closer cooperation with counterpart authorities in joint investigations of drug trafficking and the illicit trade in precursors were established in intergovernmental and inter-agency agreements, protocols on cross-border cooperation and other regulatory instruments concluded by the Russian Federation and the Federal Drug Control Service with counterpart authorities of other States.
34. Slovakia had not taken action to implement this recommendation.

35. Spain reported that its police and customs services were required to save data on objectives at the beginning of an investigation and to transmit them electronically to a central database (Sistema de Registro de Investigaciones) maintained by the national intelligence centre (CICO), where operational coincidences were detected and coordination and police cooperation was initiated.

36. Switzerland stressed its long established practice of cooperating with other states in cross-border drug law enforcement. Cooperation in cross-border cases was enabled by the Federal Office of Police's Drug Law Enforcement Coordination Unit, which was responsible for information exchange and coordination of investigations with police authorities of other countries. The centralized form of coordination enabled fast transaction of information and decision-making.

37. Turkey reported on the existence of an efficient system to exchange information between law enforcement authorities and liaison officers.

Recommendation (c)

38. In response to a developing trend of increased use of maritime containerized freight to smuggle drugs, Governments should take steps to ensure that they support close inter-agency partnerships between the law enforcement agencies responsible for border management and drug law enforcement.

39. Armenia, Lithuania, and Slovakia had not taken action to implement this recommendation.

40. Although Austria was just indirectly affected by this issue, it highlighted the close cooperation with the services responsible for border management.

41. Belgium reported that maritime containerized freight was the competence of its customs authorities. A multidisciplinary cell composed of port authorities, customs and the private sector had been set up at the port of Antwerp. Border management was in the first place addressed as an immigration issue by the police but the problem of drug trafficking was taken into consideration.

42. Croatia reported the establishment of a National Maritime Centre for gathering of information in 2011 in Zadar, for the purpose of supervising the maritime state border line. This centre was composed of different law enforcement officers. The Croatian Ministry of Health held a workshop on precursor tracking in 2010 as part of a "twinning" project with Austrian partners. Chemical companies registered in Croatia also participated in the workshop.

43. Cyprus stressed that cooperation between police and customs was excellent but that ways to strengthen this cooperation were further explored.

44. Finland noted that the initiative to deepen the cooperation between police, customs and border authorities and to set up joint criminal intelligence structures was based on the following conclusions:

(a) Authorities responsible for prevention of narcotics crime were found to have some overlapping functions causing unnecessary tensions;

(b) The police, customs and border guard would be able to avoid overlapping pretrial investigation measures by introducing a joint criminal report system;

(c) Better coordination and integration of functions of authorities responsible for preventing serious crime were necessary;

(d) With the help of coordination and integration, the roles of various authorities in serious crime prevention could be agreed upon, avoiding such overlapping functions that were impractical from the view of resource allocation;

(e) An increase in resources was not foreseen.

45. Germany reported that permanent exchange of information occurred on the basis of the customs MAR-INFO-network. All responsible enforcement agencies cooperated with each other upon demand.

46. In Israel, the Customs (Tax Authority) was responsible for all border control, and they worked in full cooperation with the Israel National Police, for joint operations.

47. Liechtenstein noted that it had no access to the sea.

48. In the FYROM, the customs office supported international operations, organized by the World Customs Organization, SELEK and other law enforcement agencies responsible for combating organized crime and illicit drug trafficking.

49. The Russian Federation reported on ongoing consultations to ensure the participation of the Russian Federation in the work of such international centres against drug trafficking as the Anti-Drug Coordination Centre for the Mediterranean (CECLAD-Med), the Maritime Analysis and Operations Centre — Narcotics (MAOC-N) and the Southeast European Cooperative Initiative (SECI) Center.

50. In Spain, joint risk analysis teams composed of the civil guard and customs operated in International ports in order to control containers and other forms of transport used to bring drugs into the country.

51. Switzerland had an established practice of including its border management into the wider law enforcement context, including drug law enforcement. At the federal level, the Swiss border management agency maintained regular contacts with the Federal Office of Police in strategic as well as operational matters. In particular, the Swiss border management agency appointed a liaison officer to the Federal Office of Police in order to ensure regularized and close contacts between the two agencies.

52. In Turkey, law enforcement agencies shared information about maritime container traffic with partner countries.

Issue 2: Licit trade in precursor chemicals: additional elements of effective control

Recommendation (a)

53. In accordance with relevant Economic and Social Council resolutions and Security Council resolution 1817 (2008), all Governments are urged to register and actively use the Pre-Export Notification (PEN) Online system of the International Narcotics Control Board.

54. Armenia reported that its police occasionally received information on the import of precursors, but that not all countries provided such information.

55. Austria stated that it had taken action to implement this recommendation.
56. Belgium, Croatia, Finland, Germany, Israel, Lithuania, Spain, Switzerland and Turkey indicated that their competent authorities actively used the PEN Online system, as required. Croatia highlighted that its Ministry of Health used the PEN Online system since 2008. The German competent national authority was the Federal Institute for Drugs and Medical Devices. Israel underlined that it did not export precursors. The Russian Federation used the PEN Online system since 2007. The Spanish customs was the competent national authority registered to use the system. Switzerland had two competent national authorities, Swissmedic and the Federal Office of Police.
57. Cyprus reported that its pharmaceutical services received Pre-Export Notifications before the import of precursor chemicals from certain countries. The pharmaceutical services replied to these notifications only when there was a problem with the imports, e.g. when there was no permission of import for a certain company. In such cases, Cyprus would not send a Pre-Export Notification since there were no exports of precursor chemicals from Cyprus.
58. Liechtenstein stated that Swissmedic was responsible for the import, transit or export of precursors.
59. The FYROM reported, in response to recommendations (a), (b), (c) and (d), that import, export and transit of precursors in accordance with the Customs tariff were conditioned with appropriate permission authorized by the competent authority. There was an existing functional One-desk system for issuing permissions on import, export and transit of goods and tariff quotes, called EXIM. Used by 16 institutions, EXIM allowed electronic submitting of the demands for permissions on import, export and transit by the business community as well as electronic issuing of the permissions by the competent authorities.
60. In Slovakia, drug precursors issues were addressed in line with regulations directly applicable in all EU Member States since 2004, including Regulation (EC) No. 273/2004 of the European Parliament and of the Council on drug precursors, Council Regulation (EC) No. 111/2005 laying down rules for the monitoring of trade in drug precursors between the Community and third countries, and Commission Regulation (EC) No. 1277/2007 laying down implementing rules for the preceding regulations.
61. Switzerland highlighted that its competent national authorities initiated a continuous exchange of information regarding Pre-Export Notifications into risk-destinations. Switzerland was a member of the Joint Task Forces PRISM and COHESION and was actively involved in projects carried out under the auspices of INCB.

Recommendation (b)

62. It was further recommended that if they had not already done so, Governments should take steps to ensure that their competent national authorities were not only monitoring the manufacture and sale of internationally controlled precursor chemicals but also maintaining special surveillance over chemicals that were susceptible to diversion as compatible chemical substitutes.

63. Armenia reported that it received relevant information from the competent national authorities of countries that had joined the international drug control conventions.
64. In Austria, the Ministry of Interior implemented controls over suspicious transactions with substances listed at the European Union voluntary monitoring list of non-controlled chemicals (non-scheduled substances).
65. Belgium reported that its national competent authorities also used, on a voluntary basis, the European Union voluntary monitoring list of non-controlled chemicals.
66. Croatia stated that it had taken action to implement this recommendation.
67. In Cyprus, surveillance was maintained through the Pre Export Notification (PEN) Online system.
68. Finland reported that its regulatory authority was monitoring and regularly collecting statistics and data of the manufacture and sale of drug precursors, according to Regulations (EC) No 273/2004 and (EC) No 111/2005 of the European Parliament and of the Council on drug precursors and their implementing act. An expert group consisting of all competent national authorities (Regulatory authority, customs and police) discussed and actively shared knowledge of and data on the national situation.
69. Germany enforced the European Union Voluntary Monitoring List of non-controlled chemicals. In addition, voluntary measures were introduced by the chemical industry and chemical trade companies to prevent the diversion of chemicals that might be abused for the illicit manufacture of narcotic drugs.
70. Israel stated that all chemicals used in the pharmaceutical industry were under strict control.
71. Liechtenstein noted that the monitoring of the manufacture and sale of internationally controlled precursor chemicals was the responsibility of Swissmedic.
72. Lithuania reported on efforts to monitor the sales and suspicious transactions of non-scheduled substances.
73. The Russian Federation reported on recent amendments and additions to its criminal legislation establishing criminal liability for the illicit traffic in precursors. The measures would apply to precursors included in list I and table 1 of Schedule IV of the List of narcotic drugs, psychotropic substances and their precursors, while in practice the substances most commonly extracted in clandestine laboratories were precursors included in tables 2 and 3 of Schedule IV and a number of chemical substances not subject to control. It was essential to improve the availability of sources of up-to-date information with regard to companies engaging in the sale and distribution of precursors. One of the problems currently faced was the impossibility to establish the exact number of players on the precursor market; that number was constantly changing. Such players included both, legally registered companies with offices and warehouses, and natural persons with no legal status or registered address who did not keep financial or business records and who stored chemical substances in garages, rural houses and other such buildings that they owned or rented. Greater attention was required to detect locations where narcotic

drugs were illegally manufactured, including clandestine drug laboratories, the number of which was rising steadily.

74. In Slovakia, surveillance over chemicals susceptible to diversion as compatible chemical substitutes was regulated by Art. 9 Regulation (EC) No 273/2004 on drug precursors. The term “Non-scheduled substance” meant any substance which, although not listed in Annex I of Regulation (EC) 273/2004, was identified as having been used for the illicit manufacture of narcotic drugs or psychotropic substances. The Ministry of Economy organized annual training for the staff of chemical companies on non-scheduled substances, that were suspected or had been diverted to the illicit manufacture of drugs.

75. Spain reported on the inclusion of substances in the European Union Voluntary Monitoring List, which was used to alert persons or entities working with these precursors of the illicit use of such substances. A national inquiry had been conducted to study the possible licit uses of these substances.

76. Switzerland stressed that it was not only monitoring the manufacture and sale of internationally controlled precursor chemicals, but also the chemicals on the limited international special surveillance list. Switzerland responded to emerging trends by enacting legislation allowing to (pro)actively counter such new developments.

77. Turkey had not taken action to implement this recommendation.

Recommendation (c)

78. To ensure proper compliance with international controls over chemicals used in illicit drug manufacture, Governments should ensure that information on end-user declarations and the registration of companies permitted to trade in those commodities is satisfactorily verified.

79. Armenia reported that licences were provided only after verifying the purposes and storage conditions of chemicals. Companies using such chemicals were required to provide reports to the police on a monthly basis.

80. Austria stated that it had a mechanism in place in line with (i) Regulation (EC) 273/2004 of the European Parliament and of the Council on drug precursors and with (ii) Council Regulation (EC) 111/2005, which was laying down rules for the monitoring of trade between the Community and third countries in drug precursors.

81. Belgium also reported that its national authorities applied Regulation (EC) 273/2004 of the European Parliament and of the Council on drug precursors and Council Regulation (EC) 111/2005, as well as Commission regulation 1277/2005, which provided for verification of information.

82. Croatia referred to the database of all the companies that trade in precursors maintained by its Ministry of Health.

83. Cyprus highlighted that it did not export precursor chemicals.

84. In Finland, the papers of the companies registered to trade were inspected by the regulatory authority and it was required for companies to identify a responsible

person, where relevant and in line with European legislation. It was also possible to inspect the actual sites.

85. In Germany, appropriate verifications were undertaken on a case-by-case basis or upon reasonable request.

86. Israel was aware of the need for international control but noted that it did not export chemicals used in illicit drug manufacture.

87. Liechtenstein had not taken action to implement this recommendation.

88. Lithuania reported on existing legislation requiring a complete declaration by end-users concerning the sale of international controlled substances.

89. In the Russian Federation, information on end-user declarations and the registration of companies permitted to trade in such chemicals was verified using information resources available to the Federal Drug Control Service.

90. Slovakia referred to article 6 of Council Regulation (EC) No. 111/2005, laying down rules for the monitoring of trade between the Community and third countries in drug precursors, which provided that "In considering whether to grant a licence, the competent authority shall take into account the competence and integrity of the applicant." The State Institute for Drug Control (ŠÚKL) issued licences, special licences, registrations and special registrations under this regulation at the request of the operator. The Ministry of Economy issued export and import licenses, handled reports of operators who were required to submit and send such reports in summary form to the Committee of the European Commission for Drug precursors.

91. In Spain, information on transactions involving controlled substances was analysed to detect irregularities. Based on this information, a national plan on inspection had been prepared and ten per cent of the operators subject to existing legislation was inspected annually.

92. Switzerland reported that its competent national authorities developed a common practice to visit registered companies trading in chemicals used in illicit drug manufacture on a regular basis. Senior management officials of these companies were informed about new emerging trends, diversion risks and codes of conduct.

93. In Turkey, the Ministry of Health verified the end user and companies permitted to trade in those commodities. The Ministry also verified the correspondence of these companies.

Recommendation (d)

94. In order to successfully identify attempts at the diversion of or trafficking in precursor chemicals, Governments should ensure that they maintain an accurate assessment of the legitimate chemical requirements of their national industries and communicate those assessments to the International Narcotics Control Board, for publication on its web page on legitimate annual requirements.

95. Armenia, Austria, Belgium, Cyprus, Finland, Spain and Switzerland reported that legitimate annual requirements were communicated to the International Narcotics Control Board via Form D of "Annual Information on Substances frequently used in the illicit manufacture of narcotic drugs and psychotropic

substances". Spain underlined that Form D was first submitted to the European Union.

96. The Croatian Ministry of Health sent annual legitimate requirements for ephedrine, pseudoephedrine, 3,4-MDP-2P and P-2-P for 2012, and was planning to send the annual requirements for 2014 by the end of June 2013.

97. Germany reported that relevant data were collected, assessed and communicated to the INCB, in cooperation with the national competent authority (Federal Institute for Drugs and Medical Devices).

98. Israel noted that the national requirement for legitimate chemical substances was reported annually.

99. Liechtenstein, reported that all precursor chemicals were listed in the national drug law ("Betäubungsmittelgesetz"), which was available at www.gesetze.li.

100. Lithuania and Slovakia had not taken action to implement this recommendation.

101. The Russian Federation communicated to the INCB quotas and legitimate annual requirements of precursors, narcotic drugs and psychotropic substances within the time frames established for that purpose (forms A, A/P, B, B/P, C and D).

102. In Turkey, the Ministry of Health maintained an accurate assessment of legitimate chemical requirements.

Recommendation (e)

103. Governments should ensure that their drug law enforcement authorities and competent national authorities establish standard operating procedures that support fast decision-making and closer cooperation with counterpart authorities in joint investigations of drug trafficking and the illicit trade in precursors.

104. Armenia drew attention to the work of its inter-agency committee on the regulation of legal circulation and the prevention of illegal drug trafficking.

105. Austria reported the existence of close cooperation and a continuous exchange of information between all authorities affected by this issue.

106. Belgium stated that its police and judicial authorities were aware of the importance of the issue. A Memorandum of Understanding was concluded between the federal police and the customs authority and with the inter-ministerial precursors unit.

107. Croatia drew attention to the fact that its Ministry of the Interior still did not have a written standard operating procedure for the support of fast decision-making and closer cooperation with counterpart authorities in joint investigations of drug trafficking. In 2011, all competent authorities (Ministry of Health; Ministry of finance — Customs Department; Ministry of the Interior; Office for Combating Drug Abuse; Ministry of justice and Ministry of Environmental and Nature Protection) signed a protocol on cooperation, communication and strengthening of the institutional model of precursor control.

108. In Cyprus, procedures were fast and the level of cooperation was high.

109. Finland referred to its drug precursor expert group of all competent national authorities, which convened regularly to exchange information and best practices.

110. Germany reported that partially different legal regimes of the concerned authorities impeded joint investigations, especially in combating the illicit trade in (non-controlled) precursor chemicals.

111. Although the problem of precursor diversion in Israel was still relatively small, steps were being undertaken to regulate control.

112. Liechtenstein stated that decision-making was fast and that cooperation with counterpart authorities was very close.

113. Lithuanian law enforcement authorities signed a number of bilateral and multilateral agreements on cooperation in investigation of criminal acts. In addition, pretrial investigation was carried out according to the recommendations issued by the General Prosecutor's Office. Pretrial investigation was in all circumstances supervised by the prosecutor, who organized the cooperation between different law enforcement agencies.

114. the FYROM reported that in joint international operations the flow of information was systematically provided in a fast manner.

115. The Russian Federation reiterated that standard operating procedures supporting fast decision-making and closer cooperation with counterpart authorities in joint investigations of drug trafficking and the illicit trade in precursors were established in intergovernmental and inter-agency agreements, protocols on cross-border cooperation and other regulatory instruments concluded by the Russian Federation and the Federal Drug Control Service with counterpart authorities of other States.

116. Slovakia had not taken action to implement this recommendation.

117. Spain reported that police units were trained and received materials on the diversion of precursors and available support by responsible authorities in carrying out investigations.

118. Switzerland reiterated its established practice of cooperation with other European and non-European states regarding cross-border drug law enforcement. Switzerland actively participated in/ cooperated with international organizations and bodies such as Europol, Interpol, UNODC and INCB. A dedicated drug unit within the Federal Office of Police was responsible for the exchange of information and coordination of investigations regarding drug trafficking and the illicit trade of precursor chemicals. At strategic level, there was a dedicated Investigation Officer for the Domain Narcotics which enabled fast decision-making and closer cooperation with international partners.

119. In Turkey, drug law enforcement authorities shared information about drug trafficking and illicit trade in precursors with liaison officers.

Issue 3: Coercion to cohesion: alternative models of demand reduction

Recommendation (a)

120. Governments should take steps to ensure that they have factual, reliable and comprehensive information concerning the illicit drug situation with respect to both

drug trafficking and drug use within their countries, so as to be able to develop and implement effective strategies to combat illicit drug problems and reduce the impact of those problems.

121. Armenia reported that operative and preventive measures were taken on the basis of information provided by all relevant agencies to the police.

122. Austria continued its cooperation with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA, www.emcdda.europa.eu), consisting of Focal Points in all member states of the European Union. The common objective was to provide objective, reliable and comparable data and information on the drug problem enabling the development of policies and recommendations for appropriate national responses to the drug phenomenon.

123. Belgium reported that a scientific study was being prepared and that all relevant entities at the federal and regional levels coordinated their efforts.

124. Croatia highlighted its recent surveys, which had generated factual, reliable, and comprehensive information and were useful tools for needs assessments and for developing and implementing effective strategies to combat illicit drug problems. In 2011, the Institute of Social Sciences “Ivo Pilar” conducted the first survey on drug abuse in Croatia. In the total sample of respondents (15-64 years), the lifetime prevalence of use of different illicit drugs was 16.0 per cent. The prevalence of cannabis use was the highest (15.6 per cent), while the prevalence of other illicit drugs was considerably lower (amphetamines: 2.6 per cent, ecstasy 2.5 per cent, cocaine 2.3 per cent, LSD 1.4 per cent and heroin 0.4 per cent). In the same year, the Croatian Institute for Public Health participated in the implementation of the European School Survey Project on Alcohol and Other Drugs. The results of the survey confirmed that cannabis was still the most frequently used illicit substance. Furthermore, in order to gain insight into the drug market, in 2011 and 2013 the Faculty of Education and Rehabilitation Sciences of the University of Zagreb, conducted a survey among the users of the harm reduction programme. Also, this institution conducted a pilot online survey on new trends in drug use (surveys in 2011 and 2013). In addition, in 2011 the “Ruđer Bosković” Institute participated in the European survey on identifying psychoactive substances in municipal wastewater. In order to get insight in trends, the Institute continued with the wastewater analysis in 2012 and 2013.

125. Cyprus reported on efforts to upgrade the systems available to the police and on exchanges of best practices with other countries on information analysis.

126. Finland indicated that the drug situation was monitored by different authorities and reported regularly nationally, to the European Union and to UNODC. Information was derived from different sources provided by different sectors (health, social, schools, police, customs, courts etc.). The National Drug Coordination Group was in charge of following the situation, reporting to the Government and developing new strategies.

127. Germany highlighted that, due to its federal structure, reporting on the drug situation relied on both national and regional data sources. National information on drug use and drug supply was available on a regular basis and annually reported via various channels, including to the EMCDDA. Additionally, information from individual studies and networks of the federal states (“Länder”) was available and

included to provide a more comprehensive picture, taking into account regional aspects as far as possible. A national strategy on ways to tackle the drug phenomenon was adopted in 2012. In addition, the “Länder” and even some major cities had established their strategies with a more regional focus.

128. Israel reported that data was collected regularly both related to trafficking and drug use. Israel’s anti-drug strategy was developed based on such data.

129. In Liechtenstein, statistics of all controlled substances were available and epidemiologic audits were carried out by the European school survey project on alcohol and other drugs (ESPAD).

130. In Lithuania, information concerning the illicit drug situation was collected in accordance with EMCDDA standards. The Drug, Tobacco and Alcohol Control Department was responsible for data collection. Article 70-1 of the Law on the Health System of the Republic regulated all duties of the Drug, Tobacco and Alcohol Control Department. In line with relevant laws and procedures, the responsibility of the Drug, Tobacco and Alcohol Control Department included acting as the REITOX National Focal Point for the EMCDDA, preparing the annual National Report on the Drug Situation, based on the latest actual, reliable and comprehensive information concerning the illicit drug situation with respect to both drug trafficking and drug use within different countries.

131. The Russian Federation reported that, on the recommendation of the Federal Drug Control Service, newly detected substances were continuously added to the List of narcotic drugs, psychotropic substances and their precursors subject to control in the Russian Federation, approved by Decision No. 681 of 30 June 1998 of the Government.

132. Slovakia underlined that a routine monitoring system was operating in the country, within the REITOX National Focal Point network coordinated by EMCDDA.

133. Spain reported that it published a study of the situation and tendencies of the national drug problem in 2011 and the results of a study on alcohol and drugs in Spain in 2011-2012. The Spanish observatory on drugs and drug dependence continued to collect, analyse and disseminate data. Information and statistics on the evolution and features of psychoactive substances (including alcohol and tobacco) and related problems were made available to managers, professionals, the academia and citizens.

134. In Switzerland, drug policies included cooperation of law enforcement and public health to manage drug problems. The Federal Office of Public Health and the Federal Office of Police recently reiterated their commitment to this policy of cooperation in a common policy statement which extended the current policy until 2016. The Federal Office of Police maintained regular and institutionalized relationships with the Federal Office of Public Health and competent cantonal authorities. The Federal Office of Police was either member or observer in all relevant working groups concerned with the public health consequences of drug use which were maintained at the federal level.

135. In Turkey, relevant agencies had sophisticated statistical systems on analytical groups of drug trafficking and abuse.

Recommendation (b)

136. Governments should be encouraged to develop social assistance and social reintegration programmes, including for individuals who were able to benefit from drug addiction treatment, instead of the usual penal measures.

137. Since 2009, Armenia implemented a methadone treatment programme for opium group drug addicts.

138. Austria reported that its national drug policy aimed at a “comprehensive and balanced approach” and followed a strategy emphasizing the distinction between drug dependence and drug trafficking. As drug addiction was defined as a disease in a psychosocial context, help for addicted patients, by means of social and health measures, should have priority over repressive methods. This principle was also contained in the legal provisions defining alternatives to punishment and the model “therapy instead of punishment” for addicted offenders. Interventions for social reintegration of (former) drug addicts were directed at both clients after drug-free treatment and people who were currently using drugs. In Austria, interventions of this kind had traditionally been of major importance, especially in the areas of housing, work and (further) education and training. To some extent they were part of the chain of treatment and integrated in the corresponding treatment modules. Interventions in this field, some of them low-threshold in kind, were available after treatment or as a part of accepting drug assistance. Addicted people could also take part in a range of other services focusing on unemployment, homelessness and spare-time activities.

139. Belgium stated that alternatives to prosecution and sentencing were available and that pilots projects of specialized judges were being implemented.

140. Croatia reported that, following the entry into force of the new Criminal Code on 1 January 2013, the provisions relating to drug-related crime were amended and the provisions related to the implementation of addiction treatment measures updated. In the new Criminal Code, drug-related offences were included in the chapter relating to criminal offences against public health. Certain changes were made to the security measure of mandatory addiction treatment that can be imposed by court for any type of addiction, depending on the risk that persons commit a serious criminal offence related to their addiction. In addition to suspension of sentences, probation and community work, the court may impose the treatment or continue treatment for addictions to alcohol, drugs or other addictions.

141. Croatia also emphasized its ongoing efforts since 2007 to implement and improve the Project of Social Reintegration of Drug Addicts. Special interventions were created to provide additional qualification and retraining of drug addicts and to promote employment of drug addicts. Relevant measures included rehabilitation, education to finish the secondary school education after leaving the institution, measures for promotion of employment and education for jobs required on the labour market, encouraging self-employment and establishment of cooperatives and other measures (co-financing of civil society organizations and institutions that carry out the programmes oriented towards providing help to drug addicts).

142. Cyprus reported that social reintegration programmes were enhanced. Persons entering such programmes were supported in different ways, including financially as far as shelter and education were concerned.

143. In Finland, the possibility to avoid penal measures depended on whether a person was willing to refer to treatment. This possibility was only existing for those whose main crime was using drugs. For persons involved in drug trafficking, it was not possible to have the penalty substituted by treatment. In prison and before release from prison, social assistance and social reintegration programmes were made available.

144. Germany reported that its drug policy focused on adequate support of individuals suffering from consequences caused by drug use. Drug users were supported in overcoming their addiction, which was considered as a severe, often chronic, disease. In parallel, necessary steps were taken to address trafficking and supply with illicit drugs to minimize the availability of drugs on the German market. The German Narcotic Act included the option to place drug users on probation (on individual request) under certain preconditions if the affected individual undergoes professional drug treatment, which underlined the priority given to treatment instead of punishment of drug users. There was also an option to suspend prosecution in cases of possession of small amounts of drugs. As the definition of “small amounts” was not within federal competence, it varied from one Land to another.

145. In Israel, a pilot drug court allowed indicted addicts to undergo treatment instead of punishment. The possibility of expanding this programme was being evaluated. Certain prisons in the country also offered treatment programmes for addicts undergoing prison sentences.

146. In Liechtenstein, substitute medication was available to prisoners who were addicted. Prisoners could also make use of psychotherapy available in prisons. The national authority (“Bewährungsdienst”) provided support for former prisoners in finding employment, accommodation and facilitated their reintegration into society.

147. In Lithuania, probation was available as an alternative to imprisonment, which included postponement of servicing the punishment, release on probation from imprisonment sentence before the term and release on probation from correctional institutions. The Law on Probation (No. XI-1860, Official Gazette, 2012, No. 4-108) aimed at ensuring effective resocialization of probationers and at reducing recidivism. It included provisions on health care, treatment and social services available to probationers suffering from dependence diseases (articles 6 and 19). On 9 May 2012, 5 district probation services were created, replacing the regional correctional inspectorates of Kaunas, Klaipėda, Panevėžys, Šiauliai and Vilnius (Order No. 1R-134 by the Minister of Justice). Further provisions on crime prevention and reducing recidivism by fostering cooperation between state and municipal institutions and establishments, associations, religious communities and communes and volunteers entered into force on 1 July 2012.

148. The Russian Federation stated that it had taken action to implement this recommendation.

149. In Slovakia, there was a system of specialized and non-specialized treatment centres, along with a system of social rehabilitation and reintegration services for drug users. Among other measures, these systems covered detoxification, medicament treatment, drug-free treatment, substitution treatment, psychosocial therapy, and community-based programmes. Drug treatment was also provided in prisons. In indicated cases, treatment was ordered by court but not as an alternative to punishment.

150. Spain reported that social assistance and reintegration programmes had been initiated and financed by the Government within the framework of the national action plan on drugs and implemented at the regional and local level by the public administration and non-governmental organizations.

151. In Switzerland, assistance programmes were within the jurisdiction of cantons, which pursued a policy of assistance and reintegration. At the federal level, the Office for Public Health assisted the cantons by maintaining institutions that enabled dialogue, information and best practice sharing and decision among competent cantonal authorities.

152. In Turkey, social reintegration programmes were carried on by the Ministry of Health and the Turkish Monitoring Centre for Drugs and Drug Addiction (TUBIM).

Recommendation (c)

153. Governments should work towards broader coverage and offer a variety of treatment and prevention approaches to persons affected by illicit drug use and dependence.

154. In Armenia, relevant programmes were carried out by the Ministry of Health.

155. Austria reported that it continued focusing on implementing and intensifying existing interventions in prevention as well as on the improvement of the availability of treatment.

156. Belgium reiterated that alternatives to prosecution and sentencing were available and that pilots projects of specialized judges were being implemented.

157. Croatia drew attention to an agreement on the exchange of treatment data between the health and prison systems, aiming at ensuring the continuation and a higher quality of treatment. The Agreement was initiated by the Office for Combating Drugs Abuse and would be signed in 2013. The process of integrating data from therapeutic communities into the health system was ongoing.

158. Croatia also reported on the outcome of workshops, held in 2012, on addiction prevention programmes, on minimum quality standards in drug demand reduction and evaluation, on drug substitution treatment and on psychosocial treatment of drug addiction. The first set of workshops was organized in different regions and highlighted the need to organize additional training on the topics of planning prevention programmes, evaluation methods and applying for EU funding. The second workshop aimed at promoting minimum quality standards to enhance the quality of the existing prevention programmes and to motivate experts for submission of their programmes in the Drug Addiction Prevention Programme Database,¹ which was fully operational since late 2012. The third workshop targeted medical doctors and psychiatrists and aimed at enhancing implementation of the Guidelines for the Use of Methadone in the Substitution Therapy of Opiate Drug Users and the Guidelines for the Use of Buprenorphine in the Substitution Therapy of Opiate Drug Users, adopted in 2006. The fourth workshop aimed at improving the existing practice in psychosocial treatment. Its results included the creation of a working group and the elaboration of guidelines on psychosocial treatment

¹ Available at: www.programi-uredzadroge.hr.

during 2013. The workshops were organized with the support of the European Commission (TAIEX Instrument) and in cooperation with EMCDDA.

159. Cyprus stressed that relevant measures were included in its new National Drug Strategy 2013-2020.

160. In Finland, municipalities were bound by law to provide necessary treatment for drug dependent persons. Different approaches were in use: outpatient, inpatient, community based, drug-free and Opioid Substitution Therapy. Prevention was part of the school curricula. Some municipalities had their own prevention services; some used the expertise of NGOs.

161. In Germany, specialized treatment centres offered the whole variety of treatment and prevention to support individuals facing problems caused by drug use. There were more than 1,400 specialized outpatient treatment centres and approximately 300 specialized inpatient treatment centres. In addition, a whole range of medical interventions and numerous prevention and harm reduction initiatives were available which continuously expanded their availability of service according to the changing needs of their customers.

162. In Israel, treatment and prevention interventions were developed with specific target groups in mind, specifically tailored to gender, age and cultural differences.

163. In Liechtenstein, persons affected by illicit drug use and dependence could make use of ambulant, inpatient or substitute therapy.

164. Lithuania reported that its policy of prevention of drug addiction and drug control was implemented based on the National Programme on Drug Control and Prevention of Drug Addiction 2010-2016 (Official Gazette, No. 132-6720, 2010). The goal of the Programme was to impede and reduce illicit supply and demand of drugs and psychotropic substances and their precursors, the spread of drug addiction through the strengthening of individual and public education, health and safety. The Programme's priorities included supply reduction; demand reduction, among children and youth in particular; strengthening of international and national cooperation and coordination among public and local government institutions and organizations, associations, business entities, the civic society in the area of drug control and prevention of drug addiction; and the development of information systems and scientific research.

165. Russian Federation reported on a new article (82.1), included in its Criminal Code in 2011, which allowed the deferral of sentences imposed on drug-dependent persons (Federal Act No. 420 of 7 December 2011 amending the Criminal Code). In 2013 draft legislation was introduced to authorize courts, within the framework of both administrative and criminal proceedings, to impose on drug-dependent persons and persons who use narcotic drugs or psychotropic substances without a doctor's prescription the additional obligation to undergo a course of drug addiction treatment and medical and social rehabilitation, or a course of preventive procedures. Another draft act aimed at providing social services for citizens in a situation endangering their psychological well-being, such as when a family member was drug-dependent, and for persons who engaged in the non-medical use of narcotic drugs and psychotropic substances or had renounced the use of such drugs or substances. A national programme for rehabilitation and resocialization of persons who engaged in the non-medical use of narcotic drugs and psychotropic

substances or had renounced the use of such drugs or substances was being developed. It included mechanisms to support the work of relevant non-governmental non-commercial organizations, to provide incentives for companies and organizations that assist such persons to find employment, and the creation of a network of multidisciplinary youth centres for rehabilitation and resocialization.

166. Slovakia referred to its system of treatment centres and social rehabilitation and reintegration services. In addition, the government directly supported preventive activities and programmes, within the framework of state subsidies for preventive projects on an annual basis.

167. Spain reiterated that social assistance and reintegration programmes had been initiated and financed by the Government within the framework of the national action plan on drugs and implemented at the regional and local level by the public administration and non-governmental organizations.

168. In Switzerland, a broad range of treatment options for drug users was available, despite a regional variety in this range due to cantonal competencies. Opioid substitution therapy was available in all cantons. Syringe and needle exchange programmes were common. Drug consumption rooms existed in some major cities. Since July 2011 the federal narcotics law acknowledged heroin maintenance therapy as a lawful form of heroin addiction therapy.

169. In Turkey, several institutions were working on this issues. The Turkish Monitoring Centre for Drugs and Drug Addiction (TUBIM) implemented nationwide prevention programmes.

III. Conclusions

170. Most Governments that returned the questionnaire had taken measures to implement the recommendations on regional cooperation in combating the illicit drug trade in Europe. Good practices in this regard included the use of liaison officers and the establishment of coordination mechanisms, joint investigation teams and structures to pool criminal intelligence.

171. Most responding Governments had also taken additional measures to effectively control the licit trade in precursor chemicals. Most countries actively used the Pre-Export Notification Online system and communicated their assessment of legitimate chemical requirements of national industries to the INCB. Member States of the European Union took measures in line with relevant European Union legislation.

172. Responding Governments had also taken measures to implement the recommendations on alternative models of demand reduction. Most countries took steps to gather and analyse factual, reliable and comprehensive information on drug trafficking and drug use. Several countries worked towards broader coverage and an increased variety of treatment and prevention approaches. However, not all countries were able to provide social assistance and social reintegration instead of the usual penal measures.

173. Although the number of responses to the questionnaire increased from 10 in 2011 to 16 in 2013, the overview of implementation presented in the present report only reflects the situation in a quarter of the 56 members of the Meeting. In order to provide the Meeting with more complete information to evaluate the implementation of its recommendations, Governments should be encouraged to complete and return the questionnaires in a timely manner.
