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Subject :	Draft Action Plan on drugs between the EU and the Western Balkan countries (2009-2013)

I. INTRODUCTION

The EU and Western Balkan countries have a shared interest in enhancing their cooperation to address common threats of increased drug trafficking and drug abuse which is underpinned by the shared perspective of European integration of the region. The countries of the South East European region at the Balkan Peninsula are located on the trafficking route, which has its roots in Afghanistan and goes through Iran, Turkey, and the SEE region to the EU.

On 5 June 2003 the Council of the EU adopted an Action Plan on Drugs between the EU and the countries of the Western Balkans¹ in order to address the drug related problems along the Balkan Route. This plan aimed at creating a coherent framework for cooperation between the EU, the candidate countries and the countries of the Western Balkans in the context of the implementation of various EU instruments designed to strengthen stability and security of the region and of the European Union.

The EU has repeatedly confirmed its support for the European perspective of the whole South East European region in order to enhance respect for human rights, democratic principles, and the rule of law as key elements of modern, perspective societies. The EU's overall policy towards the Western Balkan countries is guided by the Thessaloniki Agenda endorsed by the European Council in 2003 and the Accession and European Partnerships in the framework of the Stabilisation and Association Process, which set out priorities for action, *inter alia* in the area of freedom, security and justice, to enable those countries to move closer to the European Union.

The 2003 Thessaloniki Agenda "Progress of Western Balkan countries towards the EU within an enriched Stabilisation and Association Process" states that the EU's commitment and assistance must be matched by a genuine commitment of the governments of the Western Balkan countries and concrete steps to make the necessary reforms, to establish adequate administrative capacity and to co-operate amongst themselves. Title 3 of the Agenda, devoted to fighting organised crime and co-operation in other Justice and Home Affairs matters, ascertained that organised crime and corruption are real obstacles to democratic stability, sound and accountable institutions, the rule of law, and economic development in the Western Balkans and a source of grave concern to the EU. Combating them must constitute a key priority for the governments of the region. Particular focus should be placed upon fighting all forms of trafficking, particularly of human beings, drugs and arms, as well as smuggling of goods.

¹ Document 5062/2/03 CORDROGUE 3 COWEB 76 + COR 1

In the 2006 Thessaloniki Declaration adopted at the Ninth Meeting of the Heads of State and Government of the South-East European Cooperation Process (SEECP), the EU reiterated its unequivocal support to the European perspective of the Western Balkan countries. The declaration stated that the future accession to the EU is the primary goal of the countries. Countries of the region are fully committed to adapting EU principles and values, and comply with the EU's requirements and criteria.

In June 2008, the European Council reaffirmed its full support for the European perspective of the Western Balkans, as set out in the Thessaloniki Agenda and the Salzburg Declaration. The EU perspective remains essential for the stability, reconciliation and the future of the Western Balkans (Presidency Conclusions June 2008).

In the EU Drugs Action Plan for 2009-2012, the Member States and the relevant EU institutions and bodies undertook to provide the necessary technical and other assistance to the candidate and stabilisation and association process countries to familiarise them with the EU *acquis* in the field of drugs and to assist them in carrying out the required actions, including those adopted in the drug action plan with the Western Balkans. Furthermore, the Commission and the Member States committed themselves to update the Action Plan for the Western Balkans countries.

Drug-related concerns in producer countries and those along the (emerging) trafficking routes through projects aimed at reducing the demand for and the supply of drugs, including measures of alternative development and preventing the diversion of chemical precursors should also be addressed.

II. OBJECTIVES

The aim of the proposed draft Action Plan is to continue providing, like the previous Action Plan, a coherent framework for cooperation between the European Union and the countries of Western Balkans. The additional goal is to contribute to coordination of efforts in implementation of various EU programmes (PHARE, CARDS, IPA etc.) as well as of the regional initiatives (RCC, SECI, SEECP etc.).

Through the new Action Plan between the EU and Western Balkans, the EU intends to intensify the cooperation with the countries of the region according to their specific needs, requirements and performance.

In line with the UNGASS principles and the EU Drugs Strategy, this Plan has a comprehensive, multidisciplinary and global character encompassing supply and demand reduction. It is based on respect of international law while respecting human rights and fundamental freedoms.

Cooperation will be based on the following:

- respect for international law, human rights and fundamental freedoms;
- the principles adopted at the Special Session of the United Nations General Assembly on Drugs in June 1998, including shared responsibility;
- the orientations contained in the EU Drugs Strategy (2005–2012) and the EU Drugs Action Plan for 2009-2012;
- the existing Stabilisation and Association Agreements between the EU and the Western Balkan countries;
- an integrated and balanced approach based on partnership;
- European Union support to the Western Balkan States in meeting the commitments they have made to combat drugs;
- Council Decision of 13 June 2002 amending the Council Decision of 27 March 2000 authorising the Director of Europol to enter into negotiations on agreements to combat in an effective way organised forms of criminality through Europol with Albania, Bosnia and Herzegovina, Croatia, FYROM and Serbia; for Montenegro, the Council decision of 15 February 2007 applies;
- Regulation (EC) No 1920/2006 of 12 December 2006 on the European Monitoring Centre for Drugs and Drug Addiction providing for the participation of third countries in the work of the Centre;
- Council Recommendation on the prevention and reduction of health-related harm associated with drug dependence;
- national anti-drug strategies and action plans adopted by the Western Balkans countries.

The European Union and the Balkan States reaffirm that international cooperation is essential in fighting all illicit trafficking and organized crime activities connected to the drug trafficking through the region. To that end they will make every possible effort to further cooperation by the Council and Commission of the European Union, incl. the participation of Europol and EMCDDA, where appropriate, with other initiatives in the region (Regional Cooperation Council/RCC, South Eastern Europe Cooperation Process/SEECF, South East European Cooperation Initiative/SECI (the SECI Center); Adriatic and Ionian Sea Initiative, as well as the work of international organisations (United Nations and its agencies, Council of Europe, OSCE).

Activities aimed for will be carried out at national, sub-national, regional and sub-regional level, in particular in the development of policies and institution-building which will enable the Western Balkan countries to improve their capacity to cope with the drug problem. Activities will be coordinated with other EU programmes and bodies (EMCDDA, Europol, Eurojust, European Judicial Network, European Crime Prevention Network, etc.) and taking into account the country specific Areas for Priority Action.

III. SITUATION OVERVIEW

Illicit drug trafficking remains one of the most significant forms of organised crime and the highest yield criminal activity in the Western Balkan countries. The so-called 'Balkan route' continues to be the main entrance for heroin from Afghanistan to the European markets. It is estimated that about 100 tons of heroin, worth more than the economic outputs of several Western Balkan countries at wholesale level on arrival, cross the region every year.

The region produces cannabis and synthetic drugs, as well as precursors, for the European market and beyond.

During the last six years the region has changed its profile since two of the major countries became members of EU, two obtained candidate status (Croatia and the former Yugoslav Republic of Macedonia) and Albania, Montenegro, Serbia and Bosnia and Herzegovina have signed SAA agreements. Kosovo under UNSCR 1244 represents an area where significant improvement is urgently needed, especially in the fight against organised crime, and EU support is required.. The accession process has facilitated in general the approximation to European *acquis*, improvement of the legislative framework in the area of criminal laws and accelerated the signatures and ratification of all UN conventions; significant improvements in the legislative framework were obtained in the area of transnational organized crimes, terrorism prevention and anti corruption. However, judicial institutions show weaknesses in developing their own organizations and in the levels of professionalism.

The Afghan origin of opiates

According to the UNODC World drug Report 2008 the opium/heroin market continues to expand on the production side, with global cultivation remaining just below the 1998 world production record.

The area under opium poppy cultivation in Afghanistan rose by 17% in 2007 to 193,000 ha. This was the largest area under opium poppy cultivation ever recorded in Afghanistan. Afghanistan accounted for 82% of the global area under opium poppy in 2007. Afghanistan alone accounted for 92 % of global production. The subsequent downturn in cultivation in 2008 is encouraging but more has to be done to sustain the trend. The increased rate of the domestic opium/heroin conversion is enabled by an increased flow of precursors in the country and by strengthening of the trafficking links with Pakistan, Iran and other neighbouring countries. It is then smuggled and finalised to reach its most lucrative consumer market, Europe.

The Balkan drug route and seizures

Most of the opiates from Afghanistan destined for Europe continue to be trafficked via Pakistan, Iran, Turkey and the Western Balkan countries.

According to UNODC reports, the shifting of production towards the southern provinces of Afghanistan renders the traffickers more willing to exploit the Balkan route while the trafficking along the Silk route (passing from the Central Asian States, the Russia Federation or the Caucasian countries and Turkey for eventually entering into Europe) is declining. In the early 1990s the Western Balkan route accounted for 60% of all opiate seizures made along the European Balkan route. This route seems to have regained importance in recent years, with close to 60% of all heroin and morphine seizure in 2006 were made in countries located along the West Balkan route up from 8% in 1996.

It also appears that the Northern Black Sea route, which begins in Iran and transits the Caspian sea, Azerbaijan, Georgia and from Ukraine to Romania, is being used with increased frequency. It is thought that improvements in border control between Turkey and Bulgaria have triggered this shift.

The world's largest opiate seizure are made along the extended Balkan route (Pakistan, Iran, Turkey, Balkan countries). If all opiates (heroin, morphine and opium expressed in opium equivalents) are considered, Iran seized 37% of the world total in 2006, followed by Pakistan (26%), Turkey (8%) and West and Central Europe (6%).

Overall opiate seizures increased by 46% in Pakistan, 47% in Iran, 24% in Turkey and by 18% along the European Balkan route (excluding Turkey) in 2006.

The heroin available on illicit markets in Europe originates in Afghanistan and has been smuggled into Europe along one of two major routes: the Balkan route; or the so-called "silk route", via Central Asia into the Russian Federation and from there to countries in Europe. The Balkan route continues to be the main route used for smuggling heroin into Eastern Europe and onwards to Western Europe. The so-called northern Balkan route, passing through Turkey, Bulgaria, Romania, Hungary and then Austria, was used more frequently in 2007, as evidenced by the more than 2.5 tons of heroin seized on that route. The so-called southern Balkan route, leading through Greece, Albania and then the former Yugoslav Republic of Macedonia to Italy, appears to have been used less often for drug trafficking in 2007 than in previous years.

The periodical relocation of laboratories for the transformation of opium often moves them further East along the trafficking routes and outside Europe. That should not be a reason to consider the threat as decreasing or less dangerous, as indicators of seized quantities in Europe and in the Balkans confirm.

Indications exist that some countries in the region serve at least case by case as drug transshipment points with bigger shipments coming in and smaller parcels going out.

The relative decrease in importance of the blue route from Albania to Southern Italy has been confirmed but cannot be taken for granted for the future.

The Western Balkan region is also involved in the trafficking of cocaine, mainly as transit zone. Additionally, many South East Europeans are arrested trafficking cocaine in Western European countries without necessarily transiting the drug from the Balkan countries themselves. The involvement mirrors the rise of the Western European cocaine use rates, and reflect the need for the criminals to divert from the classical south America-western Africa-Spain route.

Also there are indications that the production of amphetamine (tablets) in illegal laboratories in Serbia for distribution to the Middle East and EU countries is increasing..

Drug trafficking and organised crime

Trafficking organisations, which are often also engaged in other fields of criminal activity such as trafficking in human beings and smuggling, demonstrate great flexibility. They adapt their routes to changing political, law enforcement and economic circumstances .

According to the Europol Organised crime Threat Assessment (OCTA) 2008, drugs and trafficking of human beings are the most lucrative illicit trades going towards the EU, while in the opposite direction the most trafficked goods are drugs and stolen vehicles. All transnational Organised Crime groups that need to utilize the Balkan route have to find an agreement with Balkan OC groups. The central role of the Balkan route is underscored by the fact that all Southeast European Member States share frontiers with non-EU countries.

Perhaps the most relevant distinctive trait of organised crime network operating the routes is its ability to operate on a multinational and multiethnic basis. Response by law enforcement and by the international community to this capacity must be that of an ever more coordinated regional dimension of the fight against illicit drugs.

The exact role of groups from South East Europe in West European heroin distribution seems to have varied substantially in the region and over time. Crime in the Balkans has been also a by-product of the post-communist transition related phenomena, and of the conflict and post-conflict situation emerged from the ex-Yugoslavia dissolution; these conditions have radically changed over the last few years. Stability on a regional level is increasing, even if the wide-spread and enduring collusion between politics, business and organised crime needs to be targeted, bearing in mind that fighting corruption should be the priority number one.

Corruption facilitates production and trafficking of illicit drugs and together with judicial institutions which are still being built up and further strengthened and the weaknesses of the rule of law complicates economic development in the region. All SEE countries have developed a legislative framework to tackle corruption as well as a series of various anti-corruption bodies have been established at different level within the institutions. However, corruption is still considered the main social problem in the region, observed with varying levels within the education and health systems, public procurement, private sectors and law enforcement and judiciary institutions.

Drug Production

Cannabis and synthetic drugs are directly produced in the region. South East European criminal groups are involved in the trafficking and dealing of these drugs in both the domestic markets and in West Europe.

Albania seems to be the major source of cannabis used in the region even if recent figures indicate a reduction in the supply side (the most recent EU accession progress report indicates that domestic cultivation of cannabis has dropped by 70% and the price has increased).

The reasons for these results can be found in the collaboration between Albanian and Italian law enforcement authorities, that has led to success in reducing the flow of drugs traversing the border between the two countries. Additionally, the trend in Western European countries has been towards consumption of higher potency sinsemilla grown indoors locally, rather than imported product, which can have an influence on the Western Balkan market.

Regarding precursors, acetic anhydride has been seized in some Western Balkan countries, while none of the countries manufactures nor legitimately imports the chemical. There have also been seizures of ephedrine aimed at methamphetamine production in the Balkans, and seizures of PMK in Croatia destined to the Netherlands and Italy for use in the ecstasy production.

Drug demand

The reports of the mini-Dublin Groups indicate that drug consumption is increasingly a problem in the Western Balkan countries. Cannabis consumption is popular, opiate consumption is on the rise and a growing tendency to use synthetic drugs was observed. Statistics on drug abuse and drug addiction, however, are sometimes not accurate or do not exist at all. According to the latest UNODC report, the region appears to have rather low levels of narcotics use compared to the proportion in Western European countries. This is regarded as an indication that trafficking is conducted by well organised groups determined to receive the highest possible return rather than by a diffuse network of traffickers ‘spilling’ some of the products into their local communities.

Nevertheless, local consumption of drugs raises some concern. According to a HUMSEC research project¹, the abuse of cocaine and amphetamine-type stimulants (ATS), such as ecstasy, amphetamine and methamphetamine is on the rise, and cannabis is wide-spread, with generally permissive attitude of the youth to it. Another cause of concern is the growing local consumption of opiates. The flow of relatively cheap heroin through the region, together with unemployment rate and poor social care contribute to the spreading of addiction among 16 to 25 years old, together with the rise of the risk of contracting HIV/AIDS.

Croatia is the first of the Western Balkan countries which has produced a national report on drugs for the EMCDDA, in 2007. It emerged from the report that the drug abuse in the country grew from the rate of 0.9% of addicts per 1,000 inhabitants in 1990 to 2.7% in 1999 (the system of the treatment of narcotic addicts recording approximately 850 new cases of addicts to opiates every year since 1999). The next report by Croatia followed in 2008.

Albania was the next country to produce, in 2009, the national report on drugs that was approved by the EMCDDA.

In January 2008 a project by EMCDDA involving the other Western Balkan countries was launched to address the capacity of Western Balkan countries to establish a drug information system compatible with EMCDDA.

In this context, the ongoing implementation of the European School Survey Project on Alcohol and Other Drugs (ESPAD) in all Western Balkan countries (except Albania) it is also worth noting. It aims at collecting comparable data on substance use among 15–16 year-old European students in order to monitor trends within as well as between countries. The overall purpose of the ESPAD project is to map the adolescent substance abuse in Europe in order to further develop relevant policies.

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¹ http://www.etc-graz.at/cms/fileadmin/user_upload/humsec/Working_Paper_Series/Working_Paper_Anastasijevic.pdf

The Western Balkan countries have progressed in following the Action Plan of 2003 drawing upon the support from the EU instruments like IPA, CARDS, PHARE, TAIEX, as well as the cooperation with Europol, EMCDDA, the UN agencies, the Council of Europe, the WCO and the regional cooperation institutions. The national efforts combined with the international support have further strengthened the regional capacity to cope with the drugs problem and the related criminality. Progress in border control, including via an integrated border management strategy at airports, ports, railways and roads, has been achieved and inter-regional cooperation between law enforcement agencies, including the exchange of information and operational cooperation has improved. However, the Western Balkan countries continue to need cooperation with and support from the EU which needs to be even better tailored to the requirements of the progressing European integration of the region and the strengthened mutual cooperation of its countries. This revised Action Plan is to provide for an updated framework to it.

IV. ACTIVITIES

Developing a deeper regional dimension to the cooperation is needed in order to more effectively counter the multinational organised crime networks that control drug supply in the region. Regional coordination efforts in this field should therefore be encouraged, bearing in mind the need to avoid duplications and to ensure coherence and coordination with existing initiatives supported or funded by the EU.

Ownership by countries of the region and by the region as a whole is key to the success of any initiative in this field.

A. Strategic Planning

An overview at international, regional and national levels is vital to ensure that all aspects of the problem are considered and that resources, both national and from public and private external sources, are well targeted to priority areas of activity. A structured approach will be applied, drawing in all local and international stakeholders to cooperate actively, and to avoid duplication of effort. National drug strategies have to aim at increasing countries' capacity to adopt EU acquis and to operate in the international co-operation structures; the potential of regional co-operation structures as platforms of information, policy debate and co-ordination should also be fully exploited, also with the support from the EU.

Activities under this Action Plan will include support, as necessary, to:

- assist government institutions, in coordination with other players, in the development and implementation of national strategic master plans and action plans covering both supply and demand reduction. Existing strategies need to be implemented;
- assist governments in the setting up or further strengthening of horizontal drug coordinating bodies, also with a view to improving the coordination between the supply and demand reduction agencies;
- assist government institutions, in coordination with other players in the region, in the development and implementation of an overall regional strategy; appropriate benchmarks and indicators could be set up in order to monitor and to assess the level of regional cooperation progress; in this respect the Regional Cooperation Council Secretariat can be entrusted with such role as per its mandate.

- work with all interested parties to ensure coherence and complementarity so that the activities are effectively implemented without overlaps;
- organise systematically, with EU support as appropriate, joint meetings of anti-drug agencies/national drug co-ordinators from the region among themselves and also with relevant bodies of the EU, such as the EU-Western Balkans troika meetings and/or the competent authorities of the EU Member States ;
- assist the Countries of Western Balkans in establishing a network of Focal Points similar to the EMCDDA REITOX Focal Points; a formal network and a regulatory frame of communication need to be ensured – structured and supported;
- implement the actions and priorities agreed at the London Conference on Organized Crime in South Eastern Europe, on 25 November 2002;
- make regular evaluations and assessments on the basis of clear criteria;
- further sharing of experience, knowledge and practice gathered in both regions on the reduction of supply and demand should be promoted.

B. Legislation and institution building

The UNGASS Declaration as well as the *acquis* of the European Union in the fight against drugs, as regards both legislation and operational means and action, must form the basis on which the Action Plan is founded.

Definition of the role of the different law enforcement agencies involved, both through legislation and operating procedures so that they are complementary and can work effectively together, is crucial, as is the legislative framework for agencies to cooperate across borders, such as in the case of controlled deliveries.

Furthermore, sentencing policies should distinguish between those who have committed serious offences and addicts, who may need medical care rather than prison sentences.

Activities may include:

- continue helping in bringing legislation up to EU standards and implementing it;
- assistance in the implementation of relevant UN Conventions, including the UN Convention against Transnational Organized Crime;
- support to judicial systems in dealing with drugs issues, e.g. by improving their organisation and providing training to public prosecutors and judges and in ensuring inter alia respect for human rights;
- capacity building in order to strengthen the local authorities in their fight against organized crime and drugs
- assistance in the effort to make civil society aware and active in the prevention, harm reduction, rehabilitation and social reintegration as well as in the combating of drugs in general, including in the implementation of projects;
- develop programmes to reinforce the integrity of judicial, law enforcement and government staff; develop and implement national anti-corruption plans, in connection with drug trafficking;
- create or strengthen independent authorities to investigate judges and prosecutors suspected of criminal activity;
- improvement of the prison system and setting up of penitentiary management rules.

C. Demand reduction and monitoring

All programmes and actions under the present Action Plan will be based on the declaration on the guiding principles on demand reduction as adopted by the UNGASS as well as on its corresponding Action Plan. In addition, the EU's and Member States' experience in the field of demand reduction as well as the analysis and experiences of the EMCDDA, and the objectives laid down in the EU Drugs Action Plan might be used as a valuable basis for cooperation.

Other factors to be taken into account in developing activities are:

- economic and social development, which can have a significant impact on drug demand;
- ability of suppliers and traffickers to create drug demand;
 - a relative shortage of information on drug demand which weakens the analysis required for efficient action;
 - the need to develop a sustainable ownership of the activities.

A key finding of the study of the European Commission on the world illicit drug market since 1998, released in March 2009, is a clear weakness of the international system to collect data and information on the world's drug problem. While the EU has invested large amounts of money in the further development of its drug monitoring activities through the EMCDDA, such information mechanisms are not realistically within reach at world level.

Specific activities under this plan might include:

- support for demand reduction activities, targeted on high risk populations;
- improvement of medical services for prisoners and related rehabilitation and preventive measures for drugs offenders and establishment and implementation of alternatives to imprisonment legislation;
- support in drugs prevention, social protection, rehabilitation of drug addicts, reduction of risks
- exchanging information on indicators of the use and abuse of drugs as well as their impact on health and society;
- exchange of information on early intervention and prevention programmes through the existing channels, for example through the EMCDDA and the REITOX network; the Commission will continue to support the EMCDDA in helping the countries to establish/strengthen National Focal Points (NFPs) and national drug information networks, making preparatory steps allowing the country to participate in the EMCDDA;

- support for programmes and campaign aimed at informing on the risk of drugs and raising public awareness, including by projects which involve the civil society;
- methodological, financial and scientific support for creating electronic drug-related data collection systems;
- support for a general population survey on the use of illicit drugs, in order to fulfil the EMCDDA indicator 'Drug use in the general population';
- supporting the improvement of the capacity of each country in the collection of reliable and comparable data on the drug related phenomenon (production, seizures, drug-related crimes, drug demand);
- supporting the investment of states, research centres and universities in the research of crime related issues, capacity building, drug trafficking, criminology, in the overall aim to better understand the phenomena and better target the responses
- projects to be developed should, as appropriate, build upon the twinning activities of the past.

D. Law enforcement and judicial cooperation

Cooperation between the European Union and the Western Balkan States in the field of law enforcement and judicial cooperation will be in accordance with the UN standards and norms in criminal justice in particular: the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Vienna Convention) and the measures to promote judicial cooperation (extradition, mutual legal assistance, transfer of proceedings, training and other forms of cooperation, controlled delivery, etc.), as adopted by the Special Session of the United Nations General Assembly (UNGASS).

Law enforcement agencies are in the forefront of the fight against drugs production and trafficking. For the drug abuser they are also often the first contact with official bodies. The effectiveness of law enforcement agencies, as well as of the supporting forensic laboratories is crucial in combating the criminal aspects of drugs.

The judicial system in the countries of the region must have a consistent approach to offenders, so that the level of penalties does not negatively influence efforts against trafficking and associated offences by creating weak links within and between countries.

Observation has shown that the main challenges faced by the EU assistance programmes involve the efforts by local law enforcement agencies aimed at embracing technical innovations and training, to launch innovative and proactive investigative approaches, and to adopt a regional approach.

The European Union will give its full support to the Western Balkan countries, economically, technically and in the sharing of expertise, in their reform of the security sector and of the justice systems.

In this context the Partners will consider, taking into account existing initiatives supported by the EU and in particular Community financial assistance projects:

- support for operational projects aimed at combating the supply of drugs and the disbanding of organised criminal groups involved in drug trafficking,;
- support for the modernisation of law enforcement agencies and operating methods (strategic and operational analysis of information, risk analysis, investigative procedures and the collection, analysis, exchange, dissemination and use of information, promotion of a uniform statistics model for seizure of drugs);
- support for the improvement of cross-border security measures including an integrated border management strategy at airports, ports, railways and roads, particularly at transport bottlenecks, through projects and programmes;
- promotion of inter-regional cooperation between law enforcement agencies, including the exchange of information and operational cooperation aimed at improving the mutual trust among law enforcement agencies of the Western Balkan countries, and among them and the EU member states authorities;
- promote joint investigation teams in order to extend, initiate, develop or improve specific training programmes for law enforcement personnel including prosecutors, investigating magistrates and customs personnel, and other personnel charged with the prevention, detection and control of organized crimes offences;
- support modernization, promotion of cooperation and exchange of information between the forensic laboratories of EU and the countries of Western Balkans;

- developing a drugs network on information exchange on drugs between the European Agencies, namely EUROPOL and Eurojust and the local agencies involved in the fight against drugs trafficking ;
- support training programmes, exchange of best practices, study visits among the law enforcement authorities in the region;
- organizing joint high impact operations to fight against drugs trafficking along the Balkan Routes in the Region, making full use of EUROPOL and of other regional initiatives if legally possible ;
- encouraging and facilitating the inter-agency cooperation (Police, Customs, Justice, Health);
- promotion of the use of the "controlled delivery" technique as well as other special investigative methods and the introduction of national legislation where necessary, and the promotion of training and support for law enforcement and judicial bodies;
- supporting decisive action against individuals and criminal gangs including asset seizure and specialised court chambers to try drug cases and other serious crimes
- development of a network for judicial cooperation. Mutual legal assistance tools to be promoted in order to facilitate the judicial cooperation at regional level;
- development of national drug law enforcement focal points including drugs coordination units and the creation of national centres for documentation, information and communication on drugs;
- development of an exchange of information system for new psychoactive substances in the Western Balkans;
- support for capacity-building assistance (training, mentoring and development of infrastructure) and logistical support for border and customs personnel.

E. Precursor and essential chemicals control

All measures developed within the framework of this Action Plan must be in conformity with Article 12 of the 1988 Vienna Convention and the measures introduced by the Political Declaration of the UNGASS. In their implementation, the International Narcotics Control Board (INCB) plays a specific role.

By their very nature, precursors can be difficult to control, as most are needed for legitimate and widespread uses. The juridical and technical assistance offered by the European Union particularly within the framework of the PHARE Program is very useful to the Balkan States. Customs services, together with the health and licensing authorities and the police, have major roles in fighting precursor diversion by:

- ensuring appropriate prior screening of precursor shipments before these leave their customs territories;
- collecting and analysing information to create intelligence and thus anticipate diversion trends;
- sharing information at the national, regional and international level.
- encouraging and providing assistance to the Balkan Countries which have decided to implement the INCB Voluntary Code of Conduct for the Chemical Industry, including for the conclusion of MoUs with the stakeholders, in order to prevent the diversion of precursors chemicals to the illicit manufacture of drugs and psychotropic substances and the identification of suspicious consignments;
- maintaining a list of competent authorities and a network of persons responsible on the control of precursors, which will be updated regularly ;

Support could be granted to:

- providing training to officials in the Western Balkan States responsible for precursor control in the administrative and law enforcement area. Such training, preferably backed by appropriate legislation, should particularly embrace assistance in precursor control legislation and forensic techniques to fight precursor diversion (the role of EUROPOL is of particular importance);
- strengthening national and regional systems for controlling precursors, principally in relation to information, such as mechanisms for estimating production capacity as regards controlled substances, amounts actually produced, and the needs of legitimate industries;
- promoting the exchange of information and further development of systems for surveillance and investigation of forms of diversion, with particular emphasis on the activities being developed by regional bodies;

- backtracking investigations in the field of precursor shipments and notably support for a timely information exchange, international cooperation, know-your-partner policy and a multidisciplinary approach;
- promoting the exchange of practical experience in the field of precursor control with a view to facilitating more effective cooperation both in the region and with the EU;
- advise on legal and operational surveillance mechanisms to avoid diversion and trafficking of precursors.

F. Money laundering

The commitments entered into in accordance with the relevant provisions of the 1988 Vienna Convention and the targets set up by UNGASS concerning setting up national money laundering legislation and programmes as well as specific measures remain relevant.

Most of the South East European countries have adopted anti money laundering legislation and Financial Intelligence Units have been established. However, there is still work to be done in implementation of the legislation and coordination of the Financial Intelligence Units' (FIUs) activities.

The following concrete measures could be envisaged:

- support for activities to combat money laundering and the identification, freezing, seizure and confiscation of the proceeds of the production, distribution and trafficking of drugs.
- implement the engagements to combat money laundering made at the London Conference of 25 November 2002;
- implementation of the FATF (Financial Action Task Force on Money Laundering) recommendations and of the current EC legislation, as well as assistance in strengthening FIUs;

- support for activities to implement the recommendations resulting from Moneyval evaluations on Money Laundering within the framework of the Council of Europe;
- provision of appropriate training to the public, banking and financial sectors;
- organisation of seminars with the assistance of EUROPOL on financial analysis, analysis of financial transactions and money laundering.

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This Action Plan will be complemented by a working programme/calendar of events developed for individual Presidency periods and its implementation will be subject to consideration primarily at the dialogue meetings of the Western Balkan partners with the HDG Troika and other relevant bodies. A high-level event may be considered in 2013 to overview the overall implementation of the Action Plan since 2003.

ONGOING ASSISTANCE PROGRAMMES AT REGIONAL LEVEL

EU attention to the drug issue in the Western Balkans has been translated into concrete programmes and actions.

The Commission has reiterated its commitment to the European perspective of the Western Balkans and to the stability and security of these countries with the Commission Communication on the Western Balkans of March 2008.

Within the Stabilisation and Association Process, the European perspective for these countries is being made more visible and concrete, and the Commission makes a particular effort to support strengthening the rule of law. A substantial share of overall Community assistance to the region is therefore earmarked for the area of Justice, Freedom and Security. Within this endeavour, the fight against drugs is an important priority.

Accession and European Partnerships for the countries of the region indicate specific priorities in the fight against drugs, including the adoption and implementation of national strategies and action plans; the improvement of training, management and equipment of relevant law enforcement agencies; better national and international coordination with other involved agencies; increased transparency in seizures.

All candidate and potential candidate countries are accompanied on the path towards the implementation of the EU acquis in this field, with the help of **EU financial assistance**.

Since 2007, EU pre-accession funding is channelled through a single, unified instrument, IPA. The new Instrument for Pre-accession Assistance **IPA** is the key instrument of the EU pre-accession designed to deliver assistance to both candidate and potential candidate countries. The total pre-accession funding for the current financial framework (2007-2013) is € 11.5 billion. The purpose of IPA is to support countries in their transition from potential candidates to candidate countries and through the Stabilisation and Association Process to membership of the European Union. IPA is designed to help these countries meeting the Accession Criteria.

IPA has five components: drugs issues are mainly addressed in the *Transition Assistance and Institution Building Component (IPA-I)*, which principally involves institution building measures. IPA Component I entails national and multi-beneficiary projects. As a matter of fact, for supporting the Western Balkan countries efforts in combating drugs, the Commission has twofold approach addressing both the regional and the bilateral level.

Under the **CARDS**¹ and **IPA** Regional programmes support has been provided to the Western Balkans in preparing them for participation in the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). The actions with the EMCDDA targeted at **Croatia** foresee in the establishment/strengthening of National Focal Points (NFPs) and national drug information networks in the countries and their further integration into the REITOX network.

- ❖ Under the CARDS project the EMCDDA will carry out an assessment of the capacity of the other Western Balkan countries to establish a drug information system compatible with the EMCDDA. It is expected that these countries will be able to provide a first national report on the drugs situation which will serve as a basis for the publication of a Regional Report on the Drugs Situation in the Western Balkans, and will have received targeted support for the organization of complementary data collection activities.
- ❖ A second result of the project will be the assessment of the potential for the creation and/or strengthening of a **National Focal Point** in the Western Balkans countries with the view of their possible participation in the work of the EMCDDA.

EMCCDA is active in all Western Balkan countries thanks to EU support for the above mentioned projects. It has a Partnership Agreement with **Croatia**.

¹ The Community Assistance for Reconstruction, Development and Stabilisation covered the period 2000-2006. All new pre-accession actions now come under the new Instrument for Pre-Accession Assistance. Pre-2007 programmes and projects under CARDS will be gradually completed by around 2010.

Europol has strategic agreements with **Albania, FYROM, Bosnia Herzegovina** and Serbia and operational agreement with **Croatia** in preventing, detecting, suppressing, and investigating serious forms of international crime in the areas of crime within Europol's mandate, in particular through the exchange of strategic and technical information.

There are several operational Europol projects towards the Balkan countries, where some can be mentioned: Europol AWF "Copper" (Organized crime among ethnic Albanians), Europol AWF "Mustard/Heroin" (Turkish organized crime), Europol AWF "Fortum" (every day crimes in the Balkans), COSPOL project "Western Balkan Organised Crime" and Interpol project "Project Kanun" (Albanian organized crime).

a) support at national level

- In each Western Balkan country (including Turkey for the purpose of this overview) and Kosovo under UNSCR 1244, CARDS and IPA assistance is supporting the strengthening of institutional capacities against organised crime and drugs. By doing so, the capability to address the challenge posed by drug trafficking along the Balkan Route will be strengthened.
- The national assistance programs aimed at adopting and implementing a national drugs strategy and action plan, which will act as a necessary basis for further progress both on demand and supply side, and intra-agency as well as international coordination, are of particular importance.

b) support at regional level

- The development of a capacity to fight organised crime at the regional level is a key point of the EU regional strategy for the Balkans. It extends over police and judicial processes and encompasses the area of drugs. However, any specific support action will remain conditional to the preliminary strengthening (or in some cases to the build up) of basic co-operation capacities in law enforcement. CARDS and IPA regional projects are designed to have an impact on the capacity to combat drug trafficking. Here follows a non-exhaustive list of examples:
 - ✓ IBM: A two-year project **“Support to and coordination of Integrated Border Management Strategies in the Western Balkans”** has started in January 2005 and ended in April 2007 (CARDS 2002-2003, 2 M € EU grant).
 - ✓ A police cooperation project: **“Development of reliable and functioning policing systems, and enhancing of combating main criminal activities and police co-operation (CARPO) “** started in March 2004 and came to an end in June 2007 (CARDS 2002, 4 M € EU grant)
 - ✓ A flagship CARDS 2005 project implemented by the Ministry of Interior of Austria **"International Law-Enforcement Co-Ordination Units (ILECUS)"** (30 months duration 2 M € EU grant).
 - ✓ A judiciary cooperation project implemented by the Council of Europe **"Support to the Prosecutors' Network** is ongoing (CARDS 2006, two-year duration, project end in April 2010, 1.5 M € EU grant).
 - ✓ The CARDS 2006 regional cooperation project **"Development of monitoring instruments for the Justice and Home Affairs institutions of the Western Balkans"**, implemented by UNODC, started in February 2009 and will have a two-year duration (1 M € EU grant)
 - ✓ A new IPA 2007 IBM project **"Integrated Border Management in the Western Balkans and Turkey"** is starting in June 2009 (two-year duration, 1.5 M € EU grant).

- ✓ The IPA 2008 project "**Police Cooperation: Fight Against Organised Crime, in particular Illicit Drug Trafficking, and the Prevention of Terrorism**" is expected to start in the last quarter of 2009 (30 months duration, 2 M € EU grant).
- ✓ IPA 2008 support to the strengthening of capacities of **SECI Centre/SELEC** (conditional to the adoption and endorsement by the EU of a new Convention in line with EU Council Conclusions). IPA 2008 will therefore have a relevant component addressing drugs.
- ✓ As for the **close future**, a significant part of **IPA** programmes in the JHA area will be devoted to continuing the efforts on capacity building, and improving regional co-operation at police and judiciary level.

Most of the Western Balkan countries are placing anti-drugs issues within the domain of security/interior rather than health. Most countries have already or are setting up inter-ministerial commissions or agencies to coordinate activities in this field and which could potentially play a key role in their countries' participation in a HDG-type structure for the Western Balkans.

Regional initiatives of coordination

- 3 regional workshop financed by the Commission (**TAIEX**), gathering national executives responsible for coordination of national Drug strategies, have occurred in 2006 and in 2007.
- In 2008, one seminar on drug addiction treatment with regard to probation services took place in Ankara on 9/10 October 2008. Various study visits took place in EU MS for the benefit of experts from BiH, Turkey and Croatia.
- Regional coordination has to be based on ownership and on involvement of relevant regional actors. An interesting perspective has been presented by the Croatian initiative **SEEDC**. SEEDC aims at improving the regional cooperation, creating a forum for the exchange of information and best practices. Its institutional asset remains to be settled: the possibility of hosting SEEDC as a sub organisation has been for the moment ruled out by the RCC.

a) inter-regional actions

The Commission is also co-financing under the old NORTH/SOUTH Drugs Budget Line a Programme of capacity building in the Western Balkans and the Mediterranean Region through targeted drug law enforcement exchange implemented by UNODC. This action aims to build capacity in the Western Balkans and Mediterranean Region by exchanging and training targeted drug law enforcement officers from selected agencies of the target countries with selected European Union (EU) Member State counterpart officers. The project started on 1 July 2006 for a duration 24 months. (€ 1,265 M with an EC contribution of 0.9 M €, Budget line North South cooperation 2005).
