



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 16 June 2011
(OR. fr)**

**10427/1/11
REV 1**

**Translation provided by the French
Delegation**

**JAI 341
CORDROGUE 29
JAIEX 45
RELEX 533
CRIMORG 69
CODRO 1**

NOTE

from:	French delegation
to:	Horizontal Working Party on Drugs
Subject:	Political declaration and action plan adopted by the ministers responsible for the fight against drug trafficking at the Ministerial meeting on transatlantic cocaine trafficking held by the French Presidency of the G8 in Paris on 10 May 2011

Political Declaration of the Ministers responsible for the fight against illicit drug trafficking

1. We, the Ministers responsible for the fight against illicit drug trafficking, the Commissioner of the European Union in charge of internal affairs and the heads of international and regional organizations, are concerned by the scale of the problem and its harmful consequences for societies, we affirm our commitment to curbing the transatlantic trafficking of cocaine, as part of the world drug problem. The drug problem has a global nature and continues to pose a serious threat to the health, safety and well-being of all humanity. The world drug problem undermines economic development and democratic institutions and may threaten international stability. Therefore, we have a common and a shared responsibility to our partners to reduce our own domestic drug abuse, in particular cocaine abuse, and take action against the drivers that fuel the transatlantic cocaine trade.

We recognize the legal framework provided by the three United Nations conventions regarding the control of drugs of 1961, 1971 and 1988, as well as the UN Convention against Transnational Organised Crime, the UN Convention against Corruption and the specific conventions concerning the fight against corruption.

We recall the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem adopted at the High-Level Segment of the United Nations Commission on Narcotics Drugs in 2009 (Vienna).

The fight against the world drug problem rests on several principles and we reaffirm our commitment to these. The first of these principles is that of common and shared responsibility among all of the countries affected by the different aspects of this transnational scourge (production, consumption, transit).

Secondly, the global drugs problem must be dealt with using an integrated approach that aims to reduce, on the one hand, supply (cultivation, production, manufacture and trafficking of drugs) and on the other, demand (consumption and the associated health and social problems).

Thirdly, the strengthening of international and regional cooperation and the principle of common and shared responsibility applies with regard to all illicit drugs. In this context, we recall the commitment of those of us involved in regional and international mechanisms already existing to fight illicit drugs. The countries that are partners of the Paris Pact, an initiative aiming at combating opiates originating from Afghanistan, welcome the ministerial meeting scheduled for the autumn of 2011. We also stress our determination to strengthen international and regional cooperation in the fight against the diversion of chemical precursors and synthetic drugs, including Amphetamine-type stimulants (ATS) and all illicit drugs included in the 1961 UN Convention.

We welcome the important role played by the United Nations Office on Drugs and Crime (UNODC), European Union, Organisation of American States (OAS), the Economic Community of West African States (ECOWAS), and all other relevant organizations, including Interpol and the World Customs Organization (WCO) with regards to technical assistance to third countries that request it. We welcome the role played by the International Narcotics Control Board (INCB) in the monitoring of the implementation of the three United Nations conventions of 1961, 1971 and 1988 regarding the control of drugs.

2. The development of illicit drug trafficking, in particular the trafficking of cocaine, is of concern not only because it is accompanied by a rise in violence, but also because it fuels domestic consumption, regional instability and transnational organized crime. It enriches and strengthens organized crime networks involved in an array of criminal activities (e.g., trafficking in firearms and persons, money laundering). It undermines rule of law and good governance and it weakens the state institutions, in particular the judicial systems. It disrupts and undermines legal economies, feeds corruption and diminishes national assets, inhibiting the sustainable development of societies.

To address these transnational threats, we are determined to continue to promote integrated and balanced strategies for the reduction of demand and supply that respect human rights and the environment, in cooperation with the relevant international and regional organizations and civil society.

We support the implementation of strategies for the reduction of supply, notably through the implementation of actions of international, regional and transregional cooperation, fully respectful of the principles of sovereignty and territorial integrity of States.

We encourage the exchange and implementation of best practice in the area of demand reduction and the implementation of joint policies for prevention, treatment, rehabilitation and reintegration, as well as ensure their accessibility.

We encourage the implementation of social and economic policies aimed at preventing violence and guaranteeing the security of citizens, in cooperation with civil society, including NGOs.

We recognize that elimination or significant reduction of the illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances is an important element of addressing the global drug problem.

We encourage the implementation of alternative development programmes in the framework of sustainable development, targeted to populations at risk and vulnerable to becoming involved in activities related to illicit drug problem, especially in vulnerable areas.

We consider the fight against corruption, money laundering and illicit financial flows, in particular through the confiscation of criminal assets, to be a matter of priority.

To facilitate these above initiatives, we acknowledge the key role of capacity building efforts to address threats of transnational organized crime, bilaterally and multilaterally, in cooperation with the UNODC and other multilateral organizations concerning technical assistance to the most seriously affected countries. We acknowledge the leading role played by the European Union in providing technical assistance for the fight against the world drug problem.

3. In this context, we commit to intensifying our cooperation to cope with the global drugs problem including illicit drugs trafficking such as the transatlantic trafficking of cocaine. To this end, countries parties will direct their efforts according to the attached Action plan which content will be implemented voluntarily with full respect of signatories' countries internal legislation and their sovereign actions in this forum or other for a and cooperation mechanisms.

ACTION PLAN

In line with the Political Declaration, we, Ministers responsible for the fight against illicit drug trafficking, European Union Commissioner in charge of internal affairs and the leaders of international and regional organizations have gathered in Paris to adopt an Action Plan aimed at strengthening transatlantic cooperation in the fight against drug trafficking, in particular the trafficking of cocaine. This Action Plan is fully in keeping with the approach of the United Nations, which advocates common and shared responsibility, based on the simultaneous reduction of supply and demand.

We have, therefore, decided to take joint action, on a voluntary basis, in the following areas:

I – Universalization and implementation of international conventions

We recognize that the three international drug conventions – the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances – remain the cornerstone of the international drug control system, and call for their effective implementation.

As the three conventions on drugs are universal, we must now seek to strengthen the effectiveness of the United Nations Convention against Transnational Organized Crime (Palermo Convention), its three complementary protocols and the United Nations Convention against Corruption.

We will continue efforts to implement them, especially in regions affected by the drug problem, in particular transatlantic cocaine trafficking.

We will continue with the work of the Conferences of the States Parties in this regard.

We support the implementation of regional and sub-regional conventions related to the drugs issue, the fight against transnational organized crime and corruption.

II – Improving the collection and sharing of intelligence

Improving the exchange of intelligence is an important precondition for increasing the effectiveness of the fight against drug trafficking. The regional centers of information exchange – established in West Africa, in Accra (Ghana) and Dakar (Senegal) – the operational centers that coordinate and facilitate maritime interdictions (MAOC-N, CeCLAD-M and JIATF-S), and the existing information networks enable us to strengthen cooperation on the Atlantic front. These operational centers and information networks should be linked up between interested countries and supplemented so as to cover all trafficking routes.

Therefore it could be considered to extend the benefit of these centers with regard to information exchange to more countries, so as to cover all trafficking routes. The operational centers and information networks should also be closely coordinated.

We encourage networks of liaison officers to work as closely as possible with the local authorities, on a voluntary basis and in a spirit of mutual trust.

We support the enlargement of these systems whenever possible and where applicable, notably by the creation of additional centers and / or information networks in other regions of the world.

We should reinforce these centers in order to ensure better synergy in terms of exchanging and processing intelligence, in due consideration of the existing data protection statutory provisions.

We support the creation of local structures enabling the collection of intelligence at a national level, as well as the sharing of strategic intelligence at regional level, through the regional cooperation organizations (OAS, UNASUR, SICA, CARICOM, ECOWAS, Europol, Ameripol...) and at international level notably through the AIRCOP project (UNODC - WCO - INTERPOL), in accordance with the respective data protection laws and regulations of the States.

Specific ways of putting these recommendations into practice should be examined through relevant fora, such as the EU-US Transatlantic Symposium on Dismantling Transnational Illicit Networks to be held in Lisbon on 17–19 May. These proposals should also be brought to the attention of the Ministerial Conference of African countries bordering the Atlantic and other regional or bi-regional mechanisms.

III – Intensifying maritime cooperation

Article 17 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted in 1988, has proven to be one of the most useful tools, in an operational sense, in the fight against illicit drug trafficking by sea.

We welcome the availability 24 hours a day, seven days a week access through UNODC website to a network of national competent authorities, tasked with monitoring the implementation of Article 17 of the 1988 Convention. We encourage States participating in this network to update data provided to the UNODC. We invite the UNODC to cooperate closely with the INTERPOL Coordination and Command Center in this regard. We commit to strengthening the responsiveness of these operational systems.

We commit to examining our procedures for maritime interdictions, in accordance with national laws, with a view to improving the effectiveness of our investigations, prosecutions and asset forfeitures. We undertake to address the legal challenges that adversely impact on successful investigations and prosecutions regarding drug interdictions in international waters. To this end:

States are encouraged to consider concluding bilateral or regional agreements, or acceding to existing regional agreements, to enhance operational cooperation and coordination in detecting, monitoring, interdicting and apprehending in the framework of Article 17 of the Convention vessels involved in drug smuggling.

States are encouraged to consider concluding bilateral or regional agreements including agreements that facilitate the prosecution of suspects engaged in illicit trafficking including, where necessary, in coastal States – following maritime interdictions in international waters.

The results of the project undertaken within the framework of the G8 Roma-Lyon Group on “Law enforcement and prosecution of drug trafficking on the high seas” should be taken note of and disseminated widely.

Regional organizations and their Member States are encouraged to evaluate the feasibility of regional conventions or other agreements and arrangements to complement the efforts made by each State, with regard to above mentioned actions.

Our States commit to seeking and implementing the necessary resources to further support operational cooperation in international waters and in maritime transit zones, to fight drug trafficking, in particular cocaine trafficking.

IV – Improving international cooperation legal mechanisms to target and confiscate criminal assets

The capacity of criminal organizations to do harm is mainly due to their financial power gained from their criminal activities.

In order to provide a resolute response to this threat, we have decided to strengthen our cooperation as stated below:

Based on the already existing evaluation of the different legal systems with regard to the identification, freezing, seizure and confiscation of criminal assets and in order to identify procedures that are legally compatible, including those conducted by the Financial Action Task Force (FATF) and analogous regional bodies, we will seek to identify ways in which international cooperation can be enhanced.

We encourage States to join – and undertake to facilitate their adhesion to – the Camden Asset Recovery Inter-Agency Network (CARIN) – the international network for the identification, freezing, seizure and confiscation of assets either gained through money from criminal activities or that are part of the property of criminals – and to participate in other relevant networks such as the StAR/INTERPOL Focal Point Initiative, the informal global network of asset recovery expert practitioners, in order to strengthen the effectiveness of international cooperation in this area.

We support countries in the creation of authorities for the identification and confiscation of criminal assets, where such structures do not exist, and according to national legislation.

We strongly encourage States to create points of contact dedicated to the fight against money laundering thus enabling us to target the entirety of criminal organizations' financial interests.

We encourage States to join the Egmont Group and undertake to facilitate their adhesion to it. The goal of the Egmont Group is to provide a forum for Financial Intelligence Units around the world to improve cooperation in the fight against money laundering.

We engage to strengthen our cooperation in initiatives targeting criminal assets which benefit from tax haven banking systems.

We commit to providing the relevant services with the required expertise and appropriate tools to effectively conduct financial investigations to dismantle transnational networks, to improve efficiency in the fight against money laundering, to identify corruption networks and proceeds of crime.

We commit to strengthening cooperation with the relevant international organizations in this area, including the World Bank, the UNODC, INTERPOL, the WCO and the FATF.

Ways to identify methods to guarantee an effective confiscation of proceeds of crime should be examined in relevant fora, such as the EU-US Transatlantic Symposium on Dismantling Transnational Illicit Networks in Lisbon and other regional or bi-regional mechanisms.

V – Addressing the long-term destabilizing effects of drug trafficking

The fight against drug trafficking, in particular cocaine, must also take into account the long-term effects that contribute to undermining the rule of law and good governance, posing a serious threat to the safety and well-being of mankind, weakening State institutions, in particular law enforcement and judicial systems, notably by the corruption and destabilization of economies resulting from illicit drug trafficking.

We support the identification and dissemination of best practices and efficient strategies to curb the violence associated with illicit drug trafficking-and root out corruption.

We encourage the competent organizations, including the UNODC, the Organisation for Economic Co-operation and Development (OECD), Interpol and the World Bank to analyze, in accordance with their Member States, the mechanisms conducive to the contamination of economies by illicit income derived from crime.

We reaffirm that contamination of economies can be fought, above all, by strengthening the rule of law and by promoting good governance.

VI – Strengthening the capacity of States

The fight against drug trafficking and the commitments in this Action Plan require the strengthening of the capacity of States. This should be part of the framework of comprehensive and integrated policies aimed at combating the world drug problem. To that end:

We recommend that the needs of each State be better identified in order to optimize the operations of the donor community, notably through regular and sustained field cooperation among stakeholders, as well as the mainstreaming of a tool for sharing technical assistance information.

We encourage the regional police training centers, existing or in project, to give special attention to programs dedicated to the fight against illicit drug trafficking.

We support capacity reinforcement of States for the entire judicial and penal process, across all the operational services involved – inter alia in the fight against illicit drug trafficking, trafficking of explosives, small weapons, ammunitions and diversion of chemical precursors.

We will ensure that these actions fit in general policies to strengthen the rule of law, and to achieve maximum coordination with civil society.

We will promote integrated policies to reduce demand and supply, which include support to reduction of illicit crops and promote policies for integral and sustainable alternative development in producing countries, as well as the setting up of alternative sanctions to detention and encouraging social reintegration. We support dissemination of best practices in the field of demand reduction, where appropriate, and we encourage policies of prevention, treatment and rehabilitation of former users in society. We reaffirm our commitment to attain significant and measurable results in the area of drug demand reduction through a balanced and comprehensive approach.

We urge the States and organizations involved in technical assistance programs to improve their coordination of actions, in particular by promoting the dissemination of information, best practices and lessons learned related to the programs implemented.

We encourage States to further effective collaboration with regional organizations represented by the Economic Community of West African States (ECOWAS), the African Union (AU), the Organization of American States (OAS/CICAD), CARICOM, as well as other relevant regional and sub-regional organizations such as the Southern African Development Community (SADC), the South American Union of Nations (UNASUR) BR and competent authorities.

VII – Financing the fight against drug trafficking

Considering the scale of the challenge, the fight against drug trafficking, in particular cocaine, as part of the efforts to address the world drug problem, will require major financing. In addition to the commitments already made by the States involved, efforts have also been made by multilateral bodies, by the European Union and other major stakeholders and we would like to stress their essential role.

We request multilateral and regional bodies in the area of development financing, the European Union and other major stakeholders, to continue their initiatives concerning capacity-building programs, especially with regard to the long-term aspects.

We encourage States to consider, where applicable and in accordance with national law, using the proceeds of seizure, confiscation and other similar measures of criminal assets generated by drug trafficking to improve the fight against drugs, as much as possible and with full respect for the budgetary capacity of each country.

We reaffirm our commitment, where applicable and in accordance with national law, to provide financial support, on a voluntary basis to relevant multilateral and regional organizations, including the UNODC, and regional initiatives, for efforts aimed at stemming the flows of illicit drugs.

We encourage the UNODC to consult with the Member States and then explore with relevant international financial institutions the possibility of establishing new and innovative approaches to financing the prevention and the fight against drug trafficking, including consideration of whether and how confiscated proceeds of crime might be further mobilized.

Each action detailed in this plan may be implemented on a voluntary basis by our countries. The scope of this Action Plan can also be extended, when the need or the possibility to do so appears, to other regions or other illicit drugs, with the approval of all the countries participating in this initiative.

We invite countries of our respective regions to join us in the actions to be taken under this initiative. To this end, we request our respective regional organizations to inform all countries in our regions about the outcomes of this meeting.