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THE EUROPEAN COMMISSION  
PHARE MULTI-BENEFICIARY DRUGS PROGRAMME  
PHARE PROJECT ON DRUG INFORMATION SYSTEMS

**FEBRUARY 2000**

## **Overview**

**of the legal and  
institutional  
responses to**

**the drugs phenomenon**

**in the central  
and eastern  
European  
countries**



The European Commission  
Phare Multi-beneficiary Drugs Programme  
Phare Project on Drug Information Systems

**February 2000**

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**EUROPEAN COMMISSION**

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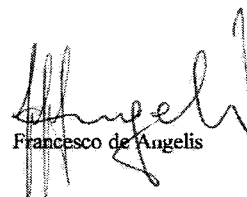
It is a great pleasure for me to introduce this concise publication, which presents information generated by different projects under the Phare Multi-beneficiary Drugs Programme. It comes at an appropriate time, as the definition of national drug strategies in the candidate countries, consistent with the EU approach and focusing on the implementation of the Acquis, will continue to be a priority under the Phare Programme.

In the European Union, the fight against drugs is an inseparable objective of the aim to create 'an area of freedom, security and justice', as set out by the Treaty of Amsterdam. Action to combat drugs is viewed as a priority for public health, for co-operation in the field of justice and home affairs, and for international co-operation.

A key element of the EU Drug Strategy is the multidisciplinary approach. Consequently, the main components of an integrated response to the drugs problem should be addressed: information, drug demand reduction, drug supply reduction, international co-operation and co-ordination. The Helsinki European Council in December 1999 endorsed the European Union Action Plan to Combat Drugs 2000-2004, which will contribute to ensuring a comprehensive and balanced approach towards the drugs phenomenon. The Plan identifies preparation for enlargement as one of the main challenges for the European Union. Further, the Helsinki Council invited the institutions and bodies concerned by the new strategy to proceed rapidly with its implementation, and to report on initial results by the end of 2002.

In this context, the European Commission has decided to enhance current Phare support for the fight against drugs. This will be achieved through an additional allocation of up to 1 million Euro to each candidate country, with the aim of developing a specific drugs component under the Phare national programmes. The resulting actions will build on and complement the results that have been achieved under the Phare Multi-beneficiary Drugs Programme. From its onset in 1992, the programme has focused on the translation of EU drug priorities into actions. Co-operation, at both regional level, and with the EU and its Member States, forms the cornerstone of the programme. In light of the pre-accession strategy, the programme aims primarily to facilitate the adoption and implementation of the EU Acquis in the field of drugs, taking into consideration the trans-pillar nature of the drugs dossier. In this framework, the central and eastern European countries have taken substantial steps in developing the relevant legislative measures, administrative and co-ordination structures. The considerable results achieved over the past years are worthy not only of recognition, but also of continued support.

I hope that this overview will be of help for central and eastern European experts and for those of the EU Member States and international organisations. The future participation of the candidate countries in the European Monitoring Centre for Drugs and Drug Addiction will greatly improve knowledge of the drug phenomenon in Europe, an achievement which will ultimately enhance the further planning and implementation of integrated and effective drug policies.



Francesco de Angelis

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## **Introduction**

The Phare Multi-beneficiary Drugs Programme (Phare Drugs Programme) was launched by the European Commission in 1992 as a pilot and assessment phase directed toward Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia. The Programme was subsequently widened and now provides assistance to 13 Phare partner countries, including Albania, Bosnia and Herzegovina, Estonia, the former Yugoslav Republic of Macedonia, Latvia, Lithuania and Slovenia. A main objective is to strengthen the institutional capacity of the ten candidate countries of central and eastern Europe to develop multi-disciplinary and co-ordinated drug policies, in line with the EU Drug Strategy. To achieve this, activities are organised around three priority areas: (a) policy development and drug information; (b) drug supply reduction; and (c) drug demand reduction. The budget of the Programme reached 33 million Euro between 1992 and 1998. The Programme will be completed by October 2001.

The Phare Project on Drug Information Systems was the first of a number of drug-related projects implemented under the Phare Drugs Programme. The objective of the project has been to develop information systems for collecting, processing and distributing data concerning drugs and drug addiction. This, in the long run, should provide national policy makers and professionals with objective, comparable and reliable information in the field of drugs, in order to better plan and implement drug related policies. The project has implemented activities in line with those of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and the Reitox network of EU Focal Points. In this way, the work has contributed to the development of comparable information systems at European level, as well as preparing for the accession of candidate countries to the EU.

One of the main outputs of the project so far is the 1998 National Reports on the drugs situation, produced in eleven central and eastern European countries, according to the guidelines developed by the EMCDDA, and used in EU Member States. This considerable body of information has been updated by the completion of National Summary Reports in late 1999. At the moment, work is underway on National Reports 2000, which will improve and update their predecessors, also taking into account the changed structure and philosophy of EMCDDA guidelines. At European level, the National Reports are the most concrete result of the preparation for direct co-operation with the EMCDDA. In the frame of the Phare Drugs Programme, a chapter was written for the Centre's 1998 Annual Report. Furthermore, it is foreseen that the 2000 and 2001 Annual Reports of EMCDDA will include information about the CEECs using the National Reports as a source.

Currently, co-operation between the EMCDDA and the candidate countries is in a transition period during which the technical co-operation will be expanded to include structural co-operation and establish permanent structural links. The Phare Co-operation EMCDDA/CEECs Project is planned for the year 2000, in order to facilitate the integration of the candidate CEECs into the EMCDDA's activities, work programme and institutional life.

This publication focuses on an important aspect of the field: the way in which governments deal with drugs in terms of national laws, policies, and structures. Since it is an area that is under continuous and rapid development, this overview is intended to provide a snapshot of the situation at the beginning of the year 2000, in the style of an easy reference document. It is a compilation of some of the most recent information available through the Phare Drugs Programme, relying to a large extent on the National and Summary Reports. These reports were written by multi-disciplinary National Teams in the CEECs involving experts in the field of supply and demand reduction. In addition, reports produced by the remaining projects, most notably the Phare Project on Technical Assistance to Drug Demand Reduction, the Precursors Project and the Money Laundering Projects, were used as cross references. Finally, the Programme's National Co-ordinators or Local Contact Persons in each country were asked to verify the information presented in the following pages.



Information is divided into sections on laws, strategies, structures and co-ordination. Though there is some overlap between sections, the text is kept as straightforward as possible. Years in brackets indicate either the year during which a law was passed by Parliament, or a body was formally established. At the end of the publication, a list of current EU Acquis in the field is provided.

Finally, it remains to thank the Local Contact Persons and National Teams in each of the countries involved. It is their dedication and professionalism in providing up to date and comprehensive information, that makes the preparation of such an overview possible.



# ALBANIA

## Legal Framework

### *International Law*

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- Albania has not signed the drug related UN Conventions.

### *National Legislation*

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- Governmental Resolution No. 412 (1996)  
Establishes an inter-ministerial committee (see **National Co-ordination**) and National Centre of the Drug Information System at the Department of Epidemiology and Biostatistics of the National Institute of Public Health.
- Albanian Penal Code Articles 283/4/5/6 (1995)  
Relates to illicit drug trafficking, cultivation, possession and supply, which are deemed to be punishable.

## National Strategies

### *Multi-disciplinary National Strategy*

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- No comprehensive strategy currently in place.

### *Supply Reduction Strategy*

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- No separate strategy in the field of supply reduction.

- *A National Strategy on Drug Demand Reduction*: under preparation. As a part of the National Interdisciplinary Technical Council on Drugs (see **National Co-ordination**), an ad hoc Drug Demand Reduction Task Force (not officially formalised) supported by the Phare Technical Assistance to Drug Demand Reduction Project, initiated the process of drafting and formulating a demand reduction strategy. Priorities include: prevention - structured school-based programmes, involvement of mass media, development of community projects, and wider involvement of NGOs; development of the treatment system; training in prevention and treatment; and harm reduction.

## **Institutional Framework**

### *National Co-ordination*

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- *National Committee for the Fight against Drugs* (1996)  
Not operational.
- *National Inter-disciplinary Technical Council on Drugs* (1998)  
Status not yet formalised. Members are representatives of the Ministries of Health, Education, Youth, Culture and Sports, Social Welfare and Protection, Justice, Economy and Finances, Public Order, as well as University of Tirana and various NGOs.

### *Structures and Formal Co-ordination in Supply Reduction*

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Ministry of Public Order:

- *Anti-drug Central Service of the Criminal Police* (1998)  
Main service dealing with drug law enforcement. Has a central office and twelve regional offices based in the Prefectures Police Directorate. In total there are 120 police officers fully engaged in drug law enforcement activities.
- *Drug Enforcement Agency* (1998)  
Established by presidential decree. Consists of a central secretariat and two units, responsible for co-ordinating activities for combating trafficking and cultivation of narcotic substances.

Ministry of Health and Environment:

- *National Centre of Drug Control*  
(see **Licit Drug Control**)
- *Pharmaceutical Department*  
(see **Licit Drug Control**)
- *Health Care Insurance Institute*  
(see **Licit Drug Control**)

### *Structures and Formal Co-ordination in Demand Reduction*

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- *National Institute of Public Health*, which includes a Department of Epidemiology and Biostatistics (see **Focal Point**)
- *Toxicological Clinic* of Tirana University Hospital Centre.  
The only unit offering treatment. Serves both as a hospital inpatient and outpatient unit.

## **Drug Information System**

### *Drug information system*

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- No established drug information system.  
Toxicological Clinic of Tirana University Hospital Centre has treatment demand data. Ministry of Public Order has information on arrests and seizures. There has been limited sociological and epidemiological research.

### *Focal Point*

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- National drug information Focal Point is not formally set up.  
Some tasks related to the Phare Project on Drug Information Systems are performed by the Department of Epidemiology and Biostatistics at the National Institute of Public Health, with support from experts of the Toxicological Clinic at Tirana University Hospital Centre.

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### *Money Laundering*

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- Criminal Code  
Defines money laundering as a criminal offence.

### *Precursors Control*

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A draft law was prepared in 1995.

- **General Medicines Law** came into force in 1994  
Includes provisions on registration, manufacture and distribution of medicines.
- **Law for Narcotic Medicaments - Law No. 7975 (1995)**  
Details rules for licit drugs, namely their manufacture, dealing, and prescriptions concerning their use, maintenance, control, registration; the administrative measures are also foreseen.
- **Pharmaceutical Department**  
Responsible for preparation and follow-up of legislation. In charge of monitoring pharmaceutical activities.
- **Health Care Insurance Institute**  
Monitors prescribing practices. Has prepared guidelines for the prescription of licit drugs. Not co-ordinated with Pharmaceutical Department.
- **National Centre of Drug Control - Ministry of Health and Environment**  
Responsible for analyses and administrative controls in relation to licit drug control. The pharmacy inspection consists of seven national inspectors and nine regional inspectors. These inspectors control all pharmaceutical activities.

## **Criminal Sanctions**

Penal Code Articles 283/4/5/6:

- Production, preparation, distribution, transportation, possession, and sales of drugs and psychotropic substances: 5-15 years; organising and/or financing any of these activities: 10-20 years
- Narcotic plant cultivation: 3-10 years; organising and/or financing this activity: 5-10 years
- Production and/or distribution of Precursor substances: up to 5 years
- Propaganda and incitement to drug use: 5-10 years; if children are subjects of such incitement: 10-15 years

A review aiming at a further severity of the respective sentences has been proposed.

# BOSNIA AND HERZEGOVINA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified. Currently no provisions for implementation.

### *National Legislation*

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Drug control in both entities, the Federation of Bosnia and Herzegovina (FBH) and Republic of Srpska (RS), is based on previously existing legislation of the Socialist Federal Republic of Yugoslavia. This includes:

- Former Criminal Code and Code of Criminal Procedure
- Law for Control of Production and Trafficking of Drugs and Psychotropic Substances
- Law for Control of Legal Drugs
- Law for File Records in Health

## National Strategies

No comprehensive strategy currently in place.

## **Institutional Framework**

### ***National Co-ordination***

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Neither FBH nor RS have established an inter-ministerial co-ordination body on drugs, although progress has reportedly been made on inter-entity co-operation concerning drugs and organised crime.

### ***Structures and Formal Co-ordination in Supply Reduction***

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At present there is little inter agency co-ordination.

- Under the Dayton Peace Agreement, the Constitution of FBH makes provision for each entity government to have responsibility for its own Police. The Federation Police provide supervision, guidance, co-ordination and technical support to the Cantonal Police. Its operational mandate covers investigations of organised crime and drug trafficking, as well as inter-cantonal crimes, border protection and protection of the constitution. The Cantonal Police provide services and supervision to municipalities in the operational areas of investigation of major crime, technical support, and crime analysis.
- Customs Service is under the responsibility of the Minister of Finance and Foreign Trade.
- Two entity level (Sarajevo and Banja Luka) and four regional laboratories for testing and control of drugs are equipped and operational.

### ***Structures and Formal Co-ordination in Demand Reduction***

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- No formal exchange of information and communication exists in the drug demand reduction sector. Pre-war records have been destroyed; only records on current drug treatment are available.

## **Drug Information System**

### ***Drug information system and Focal Point***

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- No National drug information system Focal Point exists. Patient data collection and processing is the responsibility of the Bosnian and Herzegovinian Medical Statistical Office.

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### *Money Laundering*

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- No legal elements or institutional structures that could form the basis of anti-money laundering measures exist.

### *Precursors Control*

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- Some control over a limited number of chemicals based on former Yugoslav Federal laws. Companies producing or trading in these chemicals must be licensed by the Ministry of Health.
- For the FBH, control is the responsibility of the Ministry of Health.

### *Licit Drug Control*

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- Licit drugs are still controlled on the basis of the former Yugoslavia's law on drugs in the Federation of Bosnia and Herzegovina. The Federal Ministry of Health is preparing a draft law on licit drug control and intends to create a Federal Commission for Drugs, which will register narcotic drugs and psychotropic substances. There is no pharmacy inspection as such. In accordance with the draft law on medicines, a pharmacy inspection will be created as a specialised department within the Ministry of Health.

## **Criminal Sanctions**

- The respective articles of the Penal Code are comparatively 'soft' towards drug users but provisions criminalising possession and introducing stiffer punishment for dealers and smugglers are included.
- Penal Code also includes sanctions for purchase, storage, transport and consignment of drugs without further qualification.

*Note: Experts from Bosnia and Herzegovina were able to participate in the Phare Project on Drug Information Systems to a limited extent, and in the case of the Republic of Srpska, not at all. It was not possible for a National Report to be produced, and therefore information on the entities is limited.*



# BULGARIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed and ratified.

### *National Legislation*

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- Law on Narcotic Drugs and Precursors Control (1999)  
Consists of nine chapters and transitional and final provisions. Regulates:
  - organisation, powers and assignments of relevant authorities exercising control on the production, processing, trading, use, storage, import, export, transit, transfer, transport and reporting of drugs and precursors
  - measures against abuse of and illicit traffic in drugs and precursors
  - scientific research and expert work related to drugs and precursors
- Inter-ministerial Committee Regulation prohibiting cultivation of cannabis and poppy (1995)

## National Strategies

### *Multi-disciplinary National Strategy*

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No national drug strategy. A National Strategy for Drug Control has been discussed by the National Council for Narcotic Drugs (see **National Co-ordination**) in 1999. A decision was taken to create a working group for developing a strategy.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction. There is a draft Supply Reduction Strategy prepared by a working group from the Ministry of Interior, which should form a part of the National Drug Strategy.

- *National Strategy for Counteracting Criminality* (1998)  
Adopted by the Council of Ministers. Article 19 deals with drug trafficking and abuse (legal basis and sanctions relating to drug and precursor control; drug and precursor lists; programmes in the fields of supply reduction; trafficking; destruction of illicit cultivated plants; drug demand reduction and information policy).

### *Demand Reduction Strategy*

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- *National Drug Demand Reduction Strategy* (1996-1999)  
No specific funding.
- *National Programme for Prevention* (1996)  
Aimed mainly at schools; limited funding available.
- Prevention included in wider health promotion and alcohol and tobacco prevention.
- Demand Reduction included in the National Strategy for Counteracting Criminality (1998).

## **Institutional Framework**

### *National Co-ordination*

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- *National Council for Drugs* (1999)  
Replaces Inter-Ministerial Council for the Fight against Drug Abuse and Drug Trafficking of 1993. Established by Law on Narcotic Drugs and Precursors Control. Law also provides for a Secretariat supporting the Council, and municipal multi-disciplinary Drug Commissions responsible for creating local drug programmes.

President is the Minister of Health, with the Permanent Secretary of the Ministry of Interior and Deputy-Minister of Justice acting as Vice-presidents. Members include representatives of the President's Office, the Supreme Court of Appeal, the Supreme Administrative Court, the Supreme Prosecutor's Office, the Specialised Investigation Service and relevant Ministries and Departments. The Council meets at least four times a year.

## Structures and Formal Co-ordination in Supply Reduction

### Ministry of Interior:

- *Narcotics Division* in the *National Service for Combating Organised Crime (NSCOC)*  
Focus for national anti-drugs activities. Includes two sub-divisions: *Narcotic Substances and Precursors*; and *Narcotic Crops*.  
Responsible for enforcing the law in these fields. Within these two sub-divisions, several teams are established. NSCOC is the Focal Point for drug related information (see **Focal Point**)
- *National Drug Intelligence Centre*  
Officially set up in January 2000 to pool and analyse drug related information from various Bulgarian departments and foreign services, including Interpol. Information will be used for detective work, prevention and improvement of statutory instruments. Involves experts from various police departments and customs.
- *Drugs Units* in the *Criminal Police*  
Responsible for law enforcement at street level. Co-operates with the Narcotic Division to receive training.
- *National Service Border Police (NSBP)*  
A specialised operative police service designated for control of state borders. Assists NSCOC.
- *Specialised Investigative Service*  
An independent part of the national judicial system, responsible for magistrate investigations of drug related crime; collects information on seized drugs.

### Ministries of Health:

- *National Drugs Service*  
According to Act on Narcotic Drugs and Precursors Control, responsible for the control of drugs included in Schedules I, II and III, used for medical and research purposes.

Interdepartmental Precursor Control Commission will include representatives from Ministry of Health, Ministry of Interior, Customs etc. (see **Precursors**)

### Ministry of Finance:

- *Customs*  
Responsible for custom control of the entry/exit border points, including precursor chemicals, and co-operation in controlled deliveries operations carried out by the *Narcotics Division* of NSCOC. According to the amended Penal Procedure Code, Customs authorities have power to investigate cases related to drug trafficking when the offenders are Bulgarian citizens.

- *Customs Intelligence Unit - Drug Enforcement Division*  
Provides the Central Information System of World Customs Organisation with drug-related data. Also connected with the Regional Intelligence Liaison Office in Warsaw. Daily co-operation in the field of information exchange through Balkan-Info and Cargo-Info System with Customs Criminal Agency of Germany in Cologne.

#### Structures and Formal Co-ordination in Demand Reduction

- Law on Narcotic Drugs and Precursors Control appoints the responsible structures and institutions. A special position is given to the National Centre for Addictions and to the municipal multi-disciplinary Drug Commissions.
- Key Ministries involved are Health, Education and Science, Social Affairs and Labour, Defence and the Committee of Youth, Sport, Physical Education and Children. Ministry of Health co-ordinates treatment.

## **Drug Information System**

#### Drug information system

- No centralised or formal national drug monitoring and information system.

Institutions collecting, analysing and disseminating information:

- *National Service for Combating Organised Crime and Corruption* - Ministry of Interior  
Data connected with drug offenders and drug trafficking cases, seizures and arrests.
- *National Drug Service* - Ministry of Health  
Reports regularly on export and import of narcotic drugs and psychotropic substances. Prepares annual statistical reports on production, manufacturing, consumption, stocks, export and import of narcotic drugs and psychotropic substances. Prepares the UNDCP Annual Report Questionnaire Part I – “Legislative, Administrative and Social Measures”.
- *General Customs Directorate* - Ministry of Finance  
Data connected with drug offenders and drug trafficking cases, the quantity of seized drugs and precursors, and the number of offenders arrested.
- Ministry of Justice  
Data related to convicted drug offenders.

- *National Centre for Addictions, National Centre for Health Information, National Institute of Statistics*  
Institutions that are responsible for the collection and processing of patient data (treatment demands, first treatment demands, coverage of the substitution programmes, drug related infectious diseases, drug related non-fatal emergencies) and other public health oriented data (prevalence of use among general population, prevalence of use among school students, frequency and patterns of use, drug related deaths, etc.)

#### *Focal Point*

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##### *National Service for Combating Organised Crime*

- Focal Point set up in 1996, and confirmed by the National Council for Fight Against Drug Abuse and Drug Trafficking. Status and mandate remain unclear; formal links do not exist between the Focal Point and most of the other relevant institutions. No specific staff or budgetary allocations.

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

#### *Money Laundering*

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- Law on Measures against Money Laundering (1998)
- *Bureau of Financial Intelligence* (1998) – Ministry of Finance  
Main task: to collect, maintain, process and reveal information connected with suspicions of money laundering. Close co-ordination with National Service for Combating Organised Crime.

#### *Precursors Control*

---

- Law on Narcotic Drugs and Precursors Control (1999)  
(see **National Legislation**) Incorporates Decree No. 38.
- Governmental Decree No. 38 on Export and Import of Controlled Chemical Substances used in the Production of Narcotic Drugs and Psychotropic Substances and the Conditions and Order of their Trade, Production and Use (1997)  
Strengthens 1994 Decree.
- Governmental Decree No. 307 regulating Import and Export of Controlled Chemicals (1994)

- *Inter-ministerial Precursors Control Commission (1999)*  
Set up at Ministry of Economy, as foreseen in Act on Narcotic Drugs and Precursors Control. Includes representatives from National Service for Combating Organised Crime – Ministry of Interior, National Drugs Service - Ministry of Health, General Customs Directorate - Ministry of Finance, and Ministries of Industry, and Justice. Issues licences for production, processing, storing, use, import, export, transit and trading of precursors within national territory.

Ministries of Health:

- *National Drugs Service*  
According to the Law on Narcotic Drugs and Precursors Control, responsible for the control of drugs included in Schedules I, II and III, used for medical and research purposes. For drugs listed in Schedule IV, an Interdepartmental Precursor Control Commission will carry out all imports. Regulations concerning activities and functioning of this Commission have been prepared.

#### *Licit Drug Control*

- Previous provisions have been incorporated into Law on Narcotic Drugs and Precursors Control (1999)  
(see **National Legislation**)
- *National Drugs Service* - Ministry of Health  
Issues licences for narcotics and psychotropic trade and keeps records of wholesalers and manufacturers.
- *Bulgarian Drug Agency* - Ministry of Health  
Authorised institution for analysis and licensing of new pharmacies.

#### *Criminal Sanctions*

The Law on Narcotic Drugs and Precursors Control initiated amendments to the Penal Code, currently undergoing the parliamentary procedures.

#### *Possession for personal use*

- Possession of small quantities for personal use by a drug addict is not punishable.

### *General*

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- Distributing drugs in a school area: 5-15 years imprisonment plus fine.
- Financing or organising a criminal group for cultivation of particular plants, or manufacture or processing of drugs: 10-25 years imprisonment plus fine.

### *International Trafficking*

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- 15 years.

# CZECH REPUBLIC

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed and ratified.

### *National Legislation*

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- Law on Narcotic Drugs, Psychotropic Substances, Precursors and Essential Substances (1999)  
Determines conditions for handling, importing, exporting and transporting substances. Authorises Ministry of Health to license importers, exporters, and health-care research institutes to handle substances, and grants Ministry of Health new powers to register raising of poppy seeds and hemp.
- Amendments to Criminal Code, Sections 187 and 188, and the Misdemeanour Code No. 200 (1998)  
Increases prison sentences and criminalises possession of narcotic and psychotropic substances.
- Law 167/98 on Dependency Producing Substances (1998)
- Customs Law (1997)  
Grants Customs bodies increased investigative powers in drug-related cases.
- Amendments to Criminal Code (1995)  
Introduces stiffer penalties for conspiracy and organised crime with regard to trafficking; enables police to conduct undercover law enforcement operations.



## **National Strategies**

### *Multi-disciplinary National Strategy*

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- *National Drug Strategy for 1998-2000*  
Identifies key priorities in all areas related to drugs as well as 94 specific tasks for law enforcement and drug demand reduction agencies. Implemented at national and local level.
- *National Drug Strategy for 2001-2004*  
Currently in the process of being passed by the Government.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction.

- National Strategy lists goals in the field of supply reduction:  
To decrease the “street availability” of illicit drugs; to slow negative trends in the area of drug-associated (secondary) crimes; to secure more effective co-operation of relevant bodies; to take maximal advantage of existing drug legislation; to enhance the effectiveness of the abatement of organised drug crime; to decrease the level of drug use in prisons and to produce sufficient capacity for differentiated penal servitude.

### *Demand Reduction Strategy*

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No separate strategy in the field of demand reduction.

- National Strategy indicates priorities:  
Primary prevention, including early detection and intervention; treatment and rehabilitation; harm minimisation and prevention of health risks related to drug using behaviour.

## **Institutional Framework**

### *National Co-ordination*

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- *National Drugs Commission (1993)*  
Meets at least twice a year. Co-ordinates activities at central and local level. Chaired by Prime Minister; Executive Vice-Chairman is Minister without portfolio. Involves Ministries of Health, Social Affairs, Education, Interior, Justice and Defence (Permanent guest – Ministry of Finance). Prime Minister appoints an Executive Secretary. Contact persons responsible for the anti-drug agenda

from each Ministry communicate with the Commission's Secretariat. Budget allocation at both central and local level. Each Ministry has anti-drug budget and there is specific budget for regional and district anti-drug policy. At local level, 87 district/city anti-drug co-ordinators and commissions implement national drug policy in line with plans of the National Drug Commission.

#### Structures and Formal Co-ordination in Supply Reduction

Ministry of the Interior:

- *National Drug Centre in the Organised Crime Unit* of the Criminal Police  
Fights against organised drug crime. Specific sections for synthetic drugs, heroin, cocaine, drug intelligence, and drug prevention. Responsible for international co-operation in field of illicit drugs. Includes *Department of Strategic Analysis* for analysis of drug intelligence. A drug prevention section runs a project for schools in co-operation with the Social Prevention Centre in Prague; a prevention handbook has been prepared for use by police officers.
- Police and Customs  
Nation-wide drug information/communication systems. Two working groups have been established: the *Police-Customs Working Group* dealing with operational issues, and the *Precursors Working Group* (See **Precursors and Licit Drug Control**).

Ministry of Finance:

- *National Anti-Drug Headquarters in Counter-Smuggling Department* of the *General Directorate of Customs*  
Responsible for all issues related to the trafficking of controlled substances. Central anti-drug department, supported by anti-drug smuggling units at all regional customs offices. There are central and regional laboratories analysing substances. Customs send samples to the *Institute of Criminalistics* in Prague for further analyses.
- *Financial Analysis Unit*  
(See **Money Laundering**)

There are regular co-ordination meetings of inter-ministerial Task Force groups in the field of law enforcement and prevention, to co-ordinate efforts against illicit drug production and trafficking. National Drug Centre and Directorate General of Customs have deputies in the National Drugs Commission. Individual cases are methodologically and operatively solved in close co-operation.

- *Ministerial Order (1996)*  
Obliges every school to implement measures to reduce drug use among students. Ministry of Education applies drug education programmes in schools. Within the current National Curriculum the obligatory Drug-free School Programme began in 1998. National drug education efforts encompass teacher training and peer education programmes (see also **National Co-ordination**).

## **Drug Information System**

### *Drug information system*

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- *Governmental Decree 446/1993 on the Concept and Drug Policy Programme*  
Provides for a national drug information system, which has been established at the *Hygienic Service* - Ministry of Health in 1995.
- *Hygienic Station of the Capital Prague*  
Records information on the incidence of problem drug users (first treatment demands); processes information 3-4 times a year on epidemiology, other areas in the drugs field, and summaries of related Czech and foreign information. Register of Problem Drug Users implemented since 1998. Network of district and city drug co-ordinators, trained by the Secretariat of the National Drug Commission, describes the local situation. Relevant information is received from Treatment Centres through the Regional and District Hygienic Stations. The Hygienic Station of the Capital Prague prepares regular quarterly and annual reports on the drug situation which are widely distributed to all relevant actors. Data on knowledge, attitudes and experience of drug use among youth and the general population is collected through repeated representative epidemiological surveys.
- *Institute of Health Information and Statistics*  
Responsible for data collection and processing from the health sector, including processing of death certificates nation-wide.
- *National Reference Laboratory for HIV/AIDS in the National Institute of Public Health*  
Gathers, verifies and fills information on HIV/AIDS. Automated system of infectious disease - EPIDAT - reports hepatitis A, B and C.
- *National Anti-Drug Headquarters and Customs Administration*  
Collects police data on seized drugs and persons, including data on the purity and price of drugs seized. Information on criminal accusations and convictions gathered from the Public Prosecution.

- Drug Demand Reduction intervention database at regional and local level under construction.
- Personal Data Protection in Information Systems Law (1992)  
Data protection and the conditions for collecting personal data.

#### *Focal Point*

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##### *Hygiene Station of the Capital Prague (1998)*

Originally set up at Drug Information Centre of the National Institute of Public Health from 1994-1998. Relocated to Hygienic Station in 1998 by decision of the National Drugs Commission. It is not yet institutionalised and officially mandated by the Government. No specific funding. Co-operates with all bodies collecting drug related data (see **Drug information system**).

## **Administrative Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

#### *Money Laundering*

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- Anti-Money Laundering provisions included in Law 61/96 (1996)  
Measures prohibiting legalisation of gains from criminal activities. Requires banks and other financial organisations to report unusual financial transactions and cash transactions of over 500,000 Czech crowns to the *Financial Analysis Unit* in the Ministry of Finance (1997).

#### *Precursors Control*

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- Law on Narcotic Drugs, Psychotropic Substances, Precursors and Essential Substances (see **National Legislation**)
- Law 167/98 on Dependency Producing Substances (1998)  
Recognises all precursors in all three categories and empowers government agencies to enforce control of them. Provides for full control of documentation, records and labelling, licensing and registration, as well as export authorisations.
- *Inspectorate of Narcotic Drugs and Psychotropic Substances* (1994)  
(see **Licit Drugs Control**). Has responsibility for a computerised system (DMC) which includes information on Precursor control.
- Police and Customs:  
*Police-Customs Working Group* deals with operational issues. *Precursors Working Group* includes representatives from the Police, Inspectorate for Narcotic Drugs and Psychotropic Substances - Ministry of Health, Customs, and the Ministry of Industry. Focuses on the control of precursor chemicals.

## *Licit Drug Control*

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- Law on Narcotic Drugs, Psychotropic Substances, Precursors and Essential Substances (see **National Legislation**)
- *Inspectorate of Narcotic Drugs and Psychotropic Substances* (1994)  
Created by Decree of the Czech government to deal specifically with licit drugs control. Under management of Deputy Minister of the Ministry of Health. Competent for inspections on narcotic drugs and psychotropic substances (also on chemical precursors) in all places where they can either be sold or handled. Responsible for licensing and monitoring the manufacture, distribution, import, and export of narcotic drugs and psychotropic substances. Licit drug control is fully computerised.
- Police and Customs working groups (see **Precursors Control**)

## **Criminal Sanctions**

### *Possession for personal use*

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- Possession in small amounts is punishable under Amendments to the Misdemeanour Code.
- Possession of 'greater than small' amounts: up to 2 years and/or fine.
- Allowed in individual cases by Penal Code for a sentence of compulsory treatment.

### *General*

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- Manufacturing, importing, exporting, smuggling, providing or storing without authorisation: 3 years or fine.
  - As part of an organised group, resulting in significant financial profit, involving a minor, or involving injury: 2 – 10 years.
  - Involving serious injury, death, or international organised crime: 8 – 12 years.
  - Organised crime or crime involving a minor: 10 – 15 years.
- Manufacturing or keeping articles intended for manufacture of narcotic substances: up to 3 years, fine, or seizure of the articles.
  - Large scale or resulting in considerable financial gain.
  - Involving a minor: 2-8 years.
- Inducing spread of addiction: up to 1 year or fine; involving a minor: up to 3 years.

# Estonia

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972) and Psychotropic Substances Convention (1971) - signed and ratified.
- UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed. Working group established in Ministry of Internal Affairs to prepare ratification (1999).
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed.

### *National Legislation*

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- Narcotic Drugs and Psychotropic Substances Act (1997)  
Regulates narcotic drugs, psychotropic substances and precursors handling procedure; determines the responsibilities of the Government, law enforcement agencies and the State Agency of Medicines; determines liability in case of failure to comply with the established requirements.
- Regulation on Implementation of the Narcotic and Psychotropic Substances Act (1997)  
The procedure for documentation of delivery and storage of narcotic drugs and psychotropic substances and the procedure for storage and destruction of narcotic drugs and psychotropic substances that are used as real evidence or that are subject to seizure at the Police Forensic Science Bureau.
- Regulation on Detoxification and Substitution Treatment of drug addicts in health care (1998)
- Regulation on the Definitions of small and large quantities of Narcotic Drugs and Psychotropic Substances (1997)
- Public Health Act (1995)  
Legal basis for national health programmes for the prevention of transmittable diseases, alcoholism and drug addictions.

## National Strategies

### *Multi-disciplinary National Strategy*

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- *Principles of Drug Policy for 1997-2007*  
States that combating crimes connected with narcotic drugs, and dealing with drug use are national priorities. Covers prevention strategies and their evaluation. Funding available at national and local level.
- *Alcoholism and Drug Abuse Prevention Programme 1997-2007*  
Priorities include: monitoring and data collection, prevention, treatment and public awareness, and reducing the growth of alcohol and drug related crime. Ministry of Social Affairs is responsible for its implementation but other ministries are also involved (see **National Co-ordination**), as well as the *Estonian Foundation for the Prevention of Drug Addiction* (see **Focal Point**). Funding available at national and local level.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

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No separate strategy in the field of demand reduction.

- Since 1998, local authorities prepare demand reduction action plans with budget allocations. Major cities Tallinn, Tartu, and Narva have interdisciplinary drug councils, action plans and budget allocations.

## Institutional Framework

### *National Co-ordination*

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- *Ministers' Committee on Drugs Policy (1996)*  
Chaired by Minister of Social Affairs. Members are cabinet Ministers of Education, Finance, Foreign Affairs, Interior and Justice. The Committee discusses drug related issues, presents the analysis to the Government, and co-ordinates implementation of the Alcoholism and Drug Addiction Prevention Programme (see **Multi-disciplinary National Strategy**). The Estonian Foundation for the Prevention of Drug Addiction has the task of carrying out the work planned (see **Focal Point**).

- *Advisory Council of the Alcoholism and Drug Abuse Prevention Programme (1998)*  
Established by the Ministry of Social Affairs. Leads implementation of the Programme. Supervises and co-ordinates activities and projects between ministries. Meets every month. 12 members of the Council: representatives of relevant ministries, state agencies, hospital, a drug treatment expert, a social scientist and a Member of the Parliamentary Social Committee.

### Structures and Formal Co-ordination in Supply Reduction

#### Ministry of Interior:

- *The Drug Unit of the National Criminal Investigation Department (CID)*  
Plays leading role in drug enforcement. Police officers are appointed to deal specifically with drug matters, and have legal powers such as use of informants, undercover techniques and phone-tapping. There is a *Drugs Intelligence Unit*, with approximately 30 officers working in local drugs intelligence units.
- *Laboratory of the Bureau of Forensic Science and Criminalistics of the Police Administration*  
Examines seized substances to identify narcotic drugs, psychotropic substances and precursors.
- *Border Guard*  
Co-ordinates with the Security Police, the Immigration Board, the Customs Board and the Tax Board through a database and computer network. Main activities regarding drugs are daily control in land border checkpoints and on territorial waters, and the prevention, intelligence and detection of drug smugglers. The Border Guard's anti-drugs operations are co-ordinated with the Drug Unit of the Central Criminal Police.

#### Ministry of Finance:

- *Customs*  
Enforcement Department of Customs is in charge of preventing acts of diversion and related fraud. No specialised Customs officers dedicated to drug supply reduction. A drug control strategy of Customs was prepared at the end of 1998 and was amended in 1999.
- Memorandum of Understanding between the Police Board, Security Police, Customs and Border Guard (1994)  
Provides a formal framework for co-operation in drugs supply reduction.
- Agreement on Co-operation for the exchange of operational information on licit drugs and precursors signed by the National Customs Board and the Police forces (1998)



## *Structures and Formal Co-ordination in Demand Reduction*

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- The Ministry of Social Affairs, *Advisory Council of the Alcoholism and Drug Abuse Prevention Programme* and the *Estonian Foundation for the Prevention of Drug Addiction* have financed, advised on and led national and local prevention, treatment and rehabilitation projects.
- At the end of 1998 Tallinn City Government established a *Commission for Prevention of Drug Abuse*, which meets regularly.
- *Ministry of Education* supervises implementation of alcohol and tobacco prevention education in schools, through which drug use is addressed.
- *Juvenile Police* created an educational package used in schools, childcare institutions, and adult education institutions, and organises school and community based prevention activities.
- *AIDS Prevention Centre* has special prevention programmes targeting injecting population.

## **Drug Information System**

### *Drug information system*

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- Information is collected from the Statistical Office, the Medical Statistical Bureau, the Institute of International and Social Studies, Tallinn Wismari Hospital, the Drug Squad of the Central Criminal Police, the Forensic Medical Laboratory, Ministries of Education, Internal Affairs, and Economy.
- Creation of a drug information system one of the three main priorities of the Alcohol and Drug Abuse Prevention Programme for 1999  
In the framework of the programme a Drug Information Resource Centre is established (see **Focal Point**). Logistical system for toxicological analyses created, managed by the Estonian Bureau of Forensic Medicine (1998-1999). Programme has financed a general population survey on substance abuse (1998), a school survey, and a prison survey (1999).

- *Ministry of Social Affairs.* Tasks of the Focal Point are carried out by *Estonian Foundation for the Prevention of Drug Addiction*. Alcohol and Drug Abuse Prevention Programme assigns and funds the Estonian Foundation for the Prevention of Drug Addiction to act as a Drug Information Resource Centre. On this basis it was designated as the Focal Point. There are three divisions within the Foundation: Projects (for example in Prevention), drug information system (in which a First Treatment Demand Database has been established), and administration.

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### *Money Laundering*

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- **Money Laundering Prevention Act (1998)**  
Establishes a Financial Task Force (FIU) in the Police Administration (1999).
- **Signatory to Riga Declaration on Money Laundering (1996)**
- *Ministry of Finance*  
Responsible for co-ordination of the fight against financial crimes. On basis of the Money Laundering Prevention Act, a Disclosures Office is established as a Department of the Ministry of Finance.
- *Bank of Estonia*  
Responsible for supervision of commercial banks.
- *Ministry of Justice*  
Responsible for the formulation and implementation of new anti-money laundering legislation.
- *Economic Police Department - Ministry of Internal Affairs*  
Responsible for the investigation of money laundering cases.

## *Precursors Control*

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- Narcotic Drugs and Psychotropic Substances Act (1997)  
(see **National Legislation**)
- Regulation on the Procedure for Handling Precursors (1997)
- Regulation on the Procedure for Handling of Narcotic Drugs, Psychotropic Substances and others requiring special recording substances for medical and scientific purposes, their recording and reporting as well as approval of the schedules of precursors (1997)
- *State Agency for Medicines (SAM)*  
Responsible for administrative controls (registering handlers of Schedule II substances, receiving annual reports from licensed and registered handlers, issuing of import, and export and transit authorisations). Introduced an information procedure with police and customs through which contact persons are informed on a weekly basis about licensed operators and issued licenses.
- *Customs Board*  
Enforcement of import, export and transit. Agreement on the exchange of operational information on licit drugs and precursors signed by the National Customs Board and the Police forces (1998).
- *Laboratory of the Bureau of Forensic Science and Criminalistics of the Police Administration*  
Examines seized substances to identify narcotic drugs, psychotropic substances and precursors.
- *Expert Committee to the Ministry of Social Affairs*  
Responsible for issuing activity licenses to handlers of schedule I substances.

## *Licit Drug Control*

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- Narcotic Drugs and Psychotropic Substances Act (1997) (see **National Legislation**)
- Regulation on the procedure for handling opium poppy and cannabis for the purpose of agricultural production (1997)
- Medical Products Act (1996)  
Regulates licensing for manufacture, wholesale and retail trade of medicinal products.
- *State Agency of Medicines (SAM)*  
Responsible for the licensing of manufacturers, wholesalers and retailers of medicinal products. Approved requests for licensing are transmitted to a licensing board under the authority of the Ministry of Social Affairs. Pharmacy inspection belongs to the State Agency of Medicines.

## **Criminal Sanctions**

### *Possession for personal use*

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- Punishable.

### *General*

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- Illegal possession, passing on, use, manufacturing, and illegal cultivation of poppy and cannabis penalised.
- Inducing a minor to use drugs: up to 8 years.
- Theft of drugs: up to 5 years.
- Robbery of drugs: 6 - 12 years.
- Following Money Laundering Prevention Act, amendments to Penal Code (1999) means money laundering is punishable with a maximum of 10 years.

### *International Trafficking*

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- 5 years.

# HUNGARY

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) ratified in 1965, 1988, 1978 and in 1998 respectively.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime, ratified in 1999.

### *National Legislation*

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- Act I of 1973 on the Penal Procedure  
Amended several times to include new special investigative techniques and methods used in the criminal procedure against organised and drug-related crime.
- Act IV of 1978 on the Penal Code  
Former amendment to drug related measures introduced in 1993 had been changed in December 1998, and entered into force in March 1999 to include new text for drug-related offences and alternative measures for drug addicts. Penalisation for drug consumption was reintroduced. Penal measures for illegal production, storing, trafficking, and trading of narcotic drugs and psychotropic substances became more serious. Involvement of organised crime or use of arms can merit a life-long prison sentence. Alternatives during penal procedure for drug users having committed smaller crimes are treatment, fine and public work. Includes provisions relating to further penalisation of driving in a drunken or drugged state, and obligatory treatment for alcohol and drug addicts who endanger their family and environment. Prohibits and penalises use of substances enhancing performance in sport ("doping").

- Act V of 1979 on placing into effect and implementing Act 4 of 1978 on the Penal Code.  
Its amendment in 1999 redefined the exact quantities for 'small' and 'significant' quantities of illegal drugs.
- Act XXXIV of 1994 on the Police  
Act confers powers to Police, Customs and Border Guards to carry out special investigative techniques in the areas of controlled deliveries, use of informants, physical and technical surveillance, interception of telecommunications, listening devices, and covert operations. Deals with prevention of crime and drug abuse (see also **Licit Drug Control**).
- Act C of 1995 on Customs Legislation, Customs Procedure and Customs Administration  
Detection and seizure of illegal shipments is the task of the Customs services. Amendments to this Act in 1998 and 1999 give the right to detect narcotic drugs by using investigative methods, including controlled delivery, equipment and measures regulated by the Act on the Police (full investigative power is under consideration).
- Act LXXV of 1999 on the Provision of Combating Organised Crime and Certain Phenomena connected thereto and on the Amendments of the Relevant Legislation.  
Basic legislation for fight against organised crime and drugs crime.
- Act CXXV of 1995 on National Security  
Includes measures on hindering organised crime, drugs crime and terrorism, that might endanger national security.
- Act LIV of 1999 on the Co-operation and Information Exchange with the Law Enforcement Network of the European Union and the International Criminal Police Organisation.
- Govt. Decree 130/1985 on the edition of the National Curriculum  
Includes drugs prevention requirements for schools. (The National Curriculum is in effect since 1998.)
- Act XI of 1991 on the National Public Health Service, amended in 1999 by Act LIII  
The service has to initiate and take measures for health promotion, health education and improving healthy lifestyles. It directs and organises the prevention of widespread diseases, including substance abuse.
- Act CLIV of 1997 on Health Care  
Beside the treatment of diseases, this law addresses the priority of health promotion, healthy lifestyle, and health education of the population.
- Govt. Decree 22/1992 on Local Self Governments  
Local governments are responsible for the administration of health care and welfare care of local communities. The notary can order compulsory treatment

for alcohol or drug addicted persons, if made necessary because of behaviour in relation to the family or environment.

- Act III of 1993 on Social Administration and Social Care  
Regulates establishment, operation, tasks and financing of the social care institutes, which include the rehabilitation and social reintegration institutes for drug addicts.
- Decree 2/1994 of the Minister of Welfare on the Professional and Operational Conditions of the Institutes Offering Personal Care  
Relates to social care, counselling, help for families, rehabilitation of drug addicts, therapeutic, occupational and social reintegration employment, professional and methodological prescriptions for staff.
- Govt. Decree 113/1996 on the Licensing of health care services  
Includes licensing of those institutes providing treatment and health care services for drug addicts.
- Govt. Decree 161/1996 on the licensing of the operation of the social care institutes.  
Includes licensing of drugs rehabilitation and social reintegration services.

## **National Strategies**

### *Multi-disciplinary National Strategy*

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No formal national drugs strategy in place as yet. However, a draft strategy was prepared by the Ministry of Youth and Sports in 1999, and after receiving comments from other responsible ministries it was submitted to the Government at the beginning of 2000.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

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No separate strategy in the field of demand reduction.

## **Institutional Framework**

### National drug Co-ordination

- *Govt. Decision 1039/1998 on the Drugs Co-ordination Committee* (amended in 1999).  
Defines participating ministries and national agencies, prescribes four sessions a year and makes the preparation and supervision of the national drugs strategy the Committee's obligation. Committee is operational since the end of 1999.

The National Drug Co-ordination Committee replaced the Inter-Ministerial Drug Committee (1991). Ministry of Youth and Sport designated as Chair, with Ministry of Health as Co-chair. Other relevant Ministries: Interior, Justice, Education, Defence, Finance, and National Security Office. Supreme Prosecutor's Office and Highest Court are also invited. Objectives include development of national anti-drug strategy, definition of national priorities, co-ordination of activities of governmental agencies involved in drug control, and allocation of resources.

Parliamentary ad hoc Committee operational between 1997-1998.

### Structures and Formal Co-ordination in Supply Reduction

Ministry of Interior:

- *Hungarian National Police (HNP)*  
Has annual action plan for drug enforcement. Includes the following departments:
  - *Organised Crime Directorate* includes Criminal Investigation Department, Organised Crime Division, and Narcotics Division. The latter two have regional and county branches with detectives trained in drug enforcement.
  - *Criminal Analysis Directorate*
  - *Operational Support Directorate* includes special law enforcement teams assisting cross border operations, controlled deliveries and covert surveillance.
  - *Forensic Science Service* serve the Directorates.
  - *Anti-Mafia Unit* (1998)
  - *Crime Prevention Division* has three police officers to address demand reduction in relation to illicit drugs. Maintains close contacts with Narcotic Division officers.
  - *Drug Administration Department* prevents the diversion of narcotic drugs and psychotropic substances from legal to illegal channels through supervision and control activities.



- *National Law Enforcement Co-operation Centre NEBEK* (1998), a national Focal Point for drug supply reduction. Responsible for operational co-ordination of integrated law enforcement agencies in drug investigations. Staffed by officers from Customs, Border Guard and Tax Investigation Directorate.
- *Customs and Border Guard* has special teams in the Criminal Investigation Department of the Customs and Finance Guard and the Border Guard. Its central unit - Special Affairs Division – is at Customs HQ. The Regional Intelligence Liaison Office (RILO - the network of the World Customs Organisation), is based in this unit. It co-ordinates 20 regional squads.

Ministry of Finance:

- *Customs and Finance Guard*  
Responsible for initial detection and seizure of illegal shipments of narcotic drugs and psychotropic substances. Unit responsible is the *Special Affairs Division*. Customs bases its detection work on information of other organs, such as the Ministry of Defence and Security Service. Access to processed data is occasionally provided to other agencies.
- *Tax Investigation Directorate* of the Tax Authority involved in NEBEK
- *European Integration and International Legal Division*  
Responsible for co-ordination of anti-money laundering activities in the state institutes supervising financial institutes.

Ministry of Economy:

- *Licensing and Control Bureau*  
Licenses production, trade, export and import of precursors and essential chemicals. Licensing obligation is differentiated based on a 3 level classification of the 23 controlled substances. Bureau has to inform Customs about licensing and Police if suspicious cases appear.

Ministry of Health:

- *Narcotic Drug Section of the Pharmaceutical Division*  
Responsible for licensing of the production and import/export and internal trade of narcotic drugs and psychotropic substances in co-operation with the Drug Administration Division of the National Police Headquarters.
- *National Public Health Service*  
Supervises pharmacies via the Chief Pharmacists in co-operation with the Drug Administration Division of the National Police Headquarters.

Co-operation agreements drafted between law enforcement and national security services and between Police and Customs. Negotiations started between Police, Customs and Border Guard on shared access of national databases and delegation of liaison officers to NEBEK.

## Structures and Formal Co-ordination in Demand Reduction

- *Ministry of Health*  
Responsible for professional guidance and supervision of the national health care system, for legislation in this field, and national health related epidemiological reports, etc. Includes areas of treatment, prevention, research, harm reduction and pharmaceutical control.
- *Ministry of Social and Family Affairs*  
Responsible for juvenile correctional and special child care homes for children at risk or juvenile criminals. Social rehabilitation and reintegration also comes under its supervision.
- *Ministry of Youth and Sport* (established 1999)  
Among its objectives is to prevent drug use among young people, prevent the use of doping, and data collection on doping abuse.
- *National Public Health Service, County Institutes Health Promotion Divisions, and the Office of the Chief Medical Officer*  
Responsible for health education and health promotion, including anti-drug education.
- *National Health Education Institute*  
Responsible for health education and health promotion.
- School system, through which drug prevention projects are carried out.
- *Police Crime and Drug Prevention Unit*
- *National Institute of Psychiatry*  
A guiding national institute in treatment of psychiatric patients, and alcohol and drug addicts. As part of it, the *National Institute of Alcohol* is responsible for professional guidance in the field of addiction (alcohol, drugs, gambling).

## **Drug Information System**

### Drug information system

- Act LXIII of 1992 on the Protection of Personal Data and the Publicity of data of Public Interest
- Act XLVII of 1994 on the Handling and Protection of Personal Data in Health Care

Drug-related data is collected mainly from the following national institutions:

- *Forensic Medical Institutes, National Police Headquarters Health Service Division*  
Report about drug related deaths to the Ministry of Health.
- *Health Care Information Institute*  
Reports on treatment data from inpatient divisions to the national health insurance system and to the Ministry of Health. Includes drug treatment.
- *National Institute of Psychiatry and Neurology*  
Collects and processes statistical data on the treatment of drug users from treatment institutes, and reports it to the Ministry of Health.
- *Ministry of Health*  
Data on drug treatment, mortality, co-morbidity are collected under the Ministry's aegis.
- *Ministry of Interior, and the Supreme Prosecutor's Office of Unified Police, Prosecution and Justice Statistics* collect law enforcement, penal procedure and justice data.
- *Ministry of Economy*  
Gather data on the legal export and import of precursors.
- *Ministry of Youth and Sport*  
Responsible for the collection of doping abuse related data.
- *National Police Headquarters* collect data on seizures, prices of illicit drugs, etc
- *Information Division of the Supreme Prosecutors Office*  
Collects data on arrests, penal procedures, court decisions, etc.
- *National Drug Laboratory of the Forensic Science Institute*  
Has data on purity of seized drugs.

#### *Focal Point*

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The drug information system Focal Point has been based at the Ministry of Health (former Ministry of Welfare) since 1994. Collects data from the institutions listed in **Drug information system**. No specific staff, budget or administrative framework.

## **Administrative Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### *Money Laundering*

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- Act on Financial Institutions amended (1991)
- Act XXIV of 1994 on the Prevention and Hindering of Money Laundering  
Allows prevention and detection of money laundering in connection with organised crime and drugs crime. Maximum amount that can be placed in a bank in cash without personal declaration on its lawful origin is 2 M HUF (equivalent of 8.000 EURO).
- Amendments to Penal Code concerning Economics Crimes (1994)  
Stringent penalties for hiding and laundering proceeds arising from drug related crime, as well as default with respect to the reporting obligation.
- Act LXXV of 1999 on the Provision of Combating Organised Crime  
(see **National Legislation**)  
Includes legislation on money laundering.
- Financial Intelligence Unit (FIU) (1997)  
Established at the Economic Crimes Division. Member of the Egmont Group.

Since 1994 financial institutions are obliged to prevent money laundering activities by identifying suspicious transactions and reporting them to the *Division of Economic Crime* of the National Police Headquarters. Banks introduced their internal regulation for assessing and reporting suspicious cases of money laundering (1994).

### *Precursors Control*

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- Act I of 1968 on the Infringement of Administrative Regulations  
Trade or operation of an enterprise without licence is subject to fine. Also refers to forging a medical prescription, which is an official document.
- Act C of 1996 on the Customs legislation, Customs Procedure and Customs Administration
- Govt. Decree 100/1996 on the Regulation of activities performed by certain chemical substances used for the Illicit Production of Narcotic Drugs ("Precursors").  
Measures for the licensing of export-import and transit of precursors, control and prevention of diversion.

- Joint Decree 57/1999 of the Ministries of Economy, Interior, Finance, Health and the Minister without portfolio for National Security on the regulation of the activities related to the illegal production of narcotic drugs (performed by the authorities defined in Governmental Decree 100/1996), as well as on the scope of the data to be stored and the order of accessibility necessary for the implementation of the tasks of the police and of the National Security Office (1999).

For role of various Ministries, see **Structures and Formal Co-ordination in Supply Reduction**.

### *Licit Drug Control*

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- Joint Decree 1/1968 of the Ministers of Health and Interior on the Production, Trafficking, Import, Export, Storage and Use of Narcotic Drugs (including schedules)
- Joint Decree 8/1968 of the Ministers of Health and Interior on the tasks concerning the implementation of the Single Convention on Narcotic Drugs
- Order 8/1977 (EuK) of the Minister of Health on the rules on ordering, issuing, prescribing of narcotic drugs for health care purposes and acquiring, handling, registering and destroying of narcotic drugs in pharmacies and health care institutes.
- Act XXV of 1979 on the UN Convention of Psychotropic Substances
- Joint Decree 4/1980 of the Ministers of Health and Interior on the Production, Trafficking, Import, Export, Storage and Use of Psychotropic Substances (including schedules)
- Act XI of 1991 on the National Public Health Service as amended by Act XCVI of 1999

The National Public Health Service provides professional supervision of the supply of the population with medicines via the (chief) pharmaceutical officers as defined in a separate law (XXV. Act of 1998. on medicines for human purposes) and the supervision of the handling of narcotic drugs and psychotropic substances.

- Decree 3/1993 of the Minister of Welfare on the Prescription of medicines and narcotic drugs  
Chief public health officer licenses the medical prescriptions of the strictly controlled narcotic drugs prescribed by specialists (morphine, methadone, and several others).

- Act XXXIV 1994 on the Police  
Police Narcotic Drugs Administration Division supervises pharmacies, hospital pharmacies, pharmaceutical factories, and whole-sale storehouses to control production, trade, storing and shipment of narcotic drugs and psychotropic substances, in order to prevent diversion and abuse. They can start procedures in case of infringement of administrative regulations. Advise on security measures, and report suspected diversion to the law enforcement division.
- 43/1996 (XI.29.) Decree of the Minister of Welfare on the products that can be marketed in pharmacies
- 50/1996 (XII.27.) Decree on the fees to be paid for the state administration procedures, or for administrative type of services in the welfare sector  
Regulates fees to be paid for production, manufacture, marketing, export and import of narcotic drugs and psychotropic substances for legal purposes, including research, education and poppy straw for flower bouquets.
- Joint Decree 27/1997 of the Minister of Welfare and Interior amending the 4/1980 Joint Decree  
The 1st Schedule of the List of Pyschotropic Substances of the 1979 UN Convention (advertised by Act XXV. of 1979) was amended with 11 new synthetic drugs (amphetamine type stimulants and ketamine), as follows: MBDB, 2-CT-T, AL, MAL, 1-PEA, N-Me-1-PEA, DOC, PLEA, 2CB (NEXUS), BDB, ketamin.
- Act XXV of 1998 on Medicines Used for Human Purposes  
Includes special measures regarding the protection, trafficking, whole-sale trade and pharmaceutical trade, storage, medical prescription and use of narcotic drugs and pyschotropic substances, referring to other formerly existing regulations.
- Act LIII of 1999 on the amendment of some Acts regarding the health care and the supply with medicine  
Licensing of pharmaceutical wholesalers' activity became the task of the National Public Health Service. Pharmaceuticals include narcotic drugs and psychotropic substances.
- Govt. Decree 94/1997 on the Order of the Cultivation, trafficking and utilisation of plants appropriate also for the production of narcotic drugs  
Regulates legal activities with poppy intended for nutritional purposes, and with high opiates content poppy for licensed pharmaceutical industry purposes. States that only the low THC content cannabis can be cultivated, for fibre industry purposes. Conditions for genetic work are prescribed.
- Joint Decree 10/1998 of the Ministers of Agriculture and Welfare on the regulation of the licensing of plants appropriate for the production of narcotic drugs  
Amends 94/1997 Governmental Decree.

For role of various Ministries, see **Structures and Formal Co-ordination in Supply Reduction**.

- National Police (CID, Drug Administration Division, and Drug Laboratory of the Forensic Institute) work together with ministries of Welfare and Interior to regularly update the schedule of controlled synthetic drugs.

## **Criminal Sanctions**

### *Possession for personal use*

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- 2 years.

### *General*

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- 5-8 years.

### *International Trafficking*

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- Up to 25 years.

*Note: This overview is limited only to the main Hungarian laws relating to drugs, in keeping with the aim and length of this publication. A more extensive list can be downloaded at <http://www.prado.hu> (established with the support of the Phare Multi-beneficiary Drugs Programme).*

# LATVIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed.

### *National Legislation*

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- Cabinet Regulation 249 (1996)  
Basis for the *Drug Control and Drug Abuse Combat Co-ordination Commission* (see **National Co-ordination**)
- Cabinet Regulation on Ministries responsibilities in Licit Drugs and International Activities (1997)
- The Criminal Law (1999)  
Drug use de-penalised; provides for alternatives to imprisonment.
- Law on Children's Rights Protection (1998)  
Treatment and rehabilitation of juveniles.
- Law on Medical Treatment (1997)
- Pharmacy Law (1997)
- Epidemiological Surveillance Law (1997)
- Law on Operative Activities (1993)  
Regulates the conduct of secret intelligence work; operative and investigation activities; and the use of special communications and intelligence systems.



## National Strategies

### *Multi-disciplinary National Strategy*

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- *National Drug Control Action Programme for 1997-1998*  
Adopted by the National Drug Control and Drug Abuse Combat Co-ordination Commission (see **National Co-ordination**).
- *Drug Control and Drug Abuse Prevention Master-Plan 1999-2003 (1999)*  
Prepared by the National Drug Control and Drug Abuse Combat Co-ordination Commission (see **National Co-ordination**). A policy document rather than programme. No specific budget. Key priorities outlined are research into the nature and extent of the drug phenomenon; prevention programmes; rehabilitation and after care; programmes targeting youth and high-risk groups, particularly prisoners, ex-prisoners and street children; information exchange and other co-operation arrangements between the institutions; and greater involvement of local authorities and NGOs in drug demand reduction efforts. In the field of law enforcement, main priorities are combating illicit drug supply and contraband; and strengthening institutional networking at state and international level.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

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- *Review on Prevention of Substance Abuse among Young People in Latvia (1998)*  
Basic document for development. Prepared by Inter-ministerial Experts' Task Force.
- *Annual State Programme for Improvement of Children's Living Conditions*
- *Health Education Strategy*  
Adopted by Ministry of Education and Science. Foresees drug issues as part of the Health Education curricula, although health education remains optional in high schools.

## **Institutional Framework**

### *National Co-ordination*

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- *Drug Control and Drug Abuse Combat Co-ordination Commission* (1996)  
Established by Cabinet Regulation 249. Chaired by Ministry of Interior. Involves Ministries of Education and Science, Welfare, Finance, Foreign Affairs, Defence and Justice. Responsible for evaluating and providing a coherent national response to the drug problem. Meets four times a year. The Ministry of Interior supports the operational expenses of the Secretariat, which consists of two full time experts. In 1997, amendments made to the statute underlying the Committee strengthened its structure and political support.
- Sub-commissions concerned with
  - fight against illegal circulation of drugs
  - supervision of circulation of legal drugs, psychotropic substances and precursors
  - drug demand reduction
  - information collection, processing and analysis and foreign relations.
  - Ad hoc sub-commissions or working groups are created, involving experts of participating ministries, to deal with special issues. These groups have been charged with the preparation of new legislation, and drafting project proposals and reports, as well as a drug programme.

### *Structures and Formal Co-ordination in Supply Reduction*

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Ministry of Interior:

- *Border Guard*
- *State Police*  
Drug Enforcement Bureau (DEB) forms a division within the Criminal Police. Performs the role of Secretariat to the Drug Control and Drug Abuse Co-ordination Commission: organises and co-ordinates activities of the five sub-commissions (see **National Co-ordination**). 73 officers allocated to four units and five regional groups.
  - *General Unit* responsible for controlled deliveries; licit control of medicines; clandestine laboratories; and drug intelligence analysis.
  - *Line Unit* is divided into three sub-units dealing with cocaine, heroin and cannabis.
  - *Investigation Unit* conducts investigations and prepares court files once an offender is charged.
  - *Drug Enforcement Unit* (1997) established by Riga City Police and staffed by operational officers from the Drug Enforcement Bureau.
- *Interpol Unit of the Criminal Police*  
Liaison with Interpol.

- *Border Guard*  
Transferred from Ministry of Defence in 1997.  
Ministry of Finance:
- *Latvian Drugs Smuggling Prevention Division of Customs*  
Organised under State Revenue Department. Major border crossings jointly manned by Border Guard and Customs staff; some smaller ones by Border Guard only.
- A Memorandum of Understanding between the DEB and the Customs service was signed in 1999.

#### Structures and Formal Co-ordination in Demand Reduction

Ministry of Welfare:

- *State Centre for Drug Abuse Prevention and Treatment – Narcology Centre (1997)*  
Key co-ordination institution for demand reduction. Created through a merger of previously separate agencies working on prevention and treatment. Functions include work on national policies, in- and out-patient treatment, and mid-term treatment services, as well as training on prevention and treatment.

Ministry of Education and Science:

Health promotion. Co-ordinates World Health Organisation Programme “Health Promoting Schools”, with the Education Faculty of the Latvian University.

## **Drug Information System**

#### Drug information system

- Drug Control and Drug Abuse Prevention Masterplan 1999-2003 envisages the creation and development of an information system.
- *Centre of Drug Abuse Prevention and Treatment - Narcology Centre (see Focal Point)*
- *Health, Statistics and Medical Technology Agency*  
General health data, mortality data, and health services data.
- *Central Statistical Bureau of Latvia*  
Vital statistics and general offences statistics.
- *Drug Enforcement Bureau - Ministry of Interior*  
Information on Delinquency related to drugs and illicit trafficking and seizures.

- *Forensic Medical Centre*  
Drug related deaths.
- *Customs Department*
- *Criminology Investigation Centre*
- *AIDS Centre*
- *Criminological Investigations Centre*, Ministry of Education and Science, and NGOs provide operational information related to drug issues according to their responsibility and functions.

#### *Focal Point*

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- *Centre for Drug Abuse Prevention and Treatment - Narcology Centre* (1996)  
Works as the Focal Point. Directly collects and manages treatment demand data (outpatients, inpatients), the dependants' and users' medical register, rehabilitation programmes' data, and narcology services activities data, as well as data from other sources. Funded by state budget and employs five persons. No legal basis. Co-operates with relevant institutions (see **Drug information system**).

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

#### *Money Laundering*

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- Law on Prevention of the Legalisation of Proceeds Derived from Crime (1997)
- Amendments to the Law on Prosecution Office (1998)
- Article 195 of the Criminal Law (1998)  
Prescribes criminal liability for legalisation of proceeds derived from crime.
- Amendments to the Law on Credit Institutions  
Specifies the legal status of credit institutions defining the activities, supervision, rights and responsibilities of the respective institutions for preventing laundering of proceeds derived from crime.
- Amendments to the Administrative Violations Code  
Prescribes administrative liability of employees at credit and financial institutions for failure to report unusual financial transactions to the Control Service.
- Cabinet of Ministers accepted the List of Indicators of Unusual Transactions pertaining to cash, operations and transactions other than cash, real estates, gambling business, securities market, insurance, etc. (1998).

- Signatory to Riga Declaration on Money Laundering (1996)
- *Central Bank*  
Responsible for supervision of commercial banks.
- *Control Service*  
Established according to Act on Prevention of the Legalisation of Proceeds Derived from Crime, under supervision of the Prosecution Office. Functions as Financial Intelligence Unit (FIU).

#### *Precursors Control*

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- Precursors Law (1996). Amended (1998)
- Regulation detailing the procedures for registration of operators (1996).
- Cabinet Regulation No. 29 (updated 1997)  
Lists controlled substances.
- *Licensing Commission* - Ministry of Economy  
Responsible for licensing of operators.
- *Pharmacy Department* - Ministry of Welfare  
Responsible for registration of operators.
- *State Agency of Medicines* (1996)  
Import, export and transit of all chemicals is subject to individual authorisation.
- *State Environmental Inspectorate*  
Decision taken in 1998 by the National Drug Co-ordination Commission to integrate precursor control into work of this body. Responsible for Inspections.
- *State Revenue Service* - Customs  
Customs control.
- *Drug Enforcement Bureau* - Police  
Enforcement of Precursors control.

#### *Licit Drug Control*

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- Law on Procedures for the Legal Trade of Narcotic and Psychotropic Substances and Drugs (1996). Amended (1998)
- Regulation on transit order of narcotics and psychotropics (1996)
- Regulation on circulation order of narcotics in hospitals (1995)
- Regulation on circulation order of narcotics and psychotropics in pharmacies, and with wholesalers and manufacturers (1995)
- Regulation on prescription forms for narcotic drugs (1996)
- Regulation on registration order of operators involved in precursors trade (1996)

- *Licensing Commission* – Ministry of Economy  
Issues activity licences for pharmaceutical activities and specific licences to handle narcotics and psychotropics. Includes officials of the Ministry of Welfare, a lawyer and a representative of the Chamber of Pharmacies.
- *Pharmacy Department* – Ministry of Welfare  
Responsible for preparation of legislation, relations with international organisations and issuing of authorisations for health care institutions.
- *State Agency of Medicines* (1996)  
Responsible for import, export and transit authorisations.
- *State Pharmacy Inspection*  
In charge of inspections.

## **Criminal Sanctions**

### *General*

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- Illicit production, procurement, storage, and transit penalised.
- Money Laundering: up to 10 years.

### *International Trafficking*

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- Up to 15 years.

# LITHUANIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed and ratified.

### *National Legislation*

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- Law on Narcotic Drugs and Psychotropic Substances Control (1998)  
Lists narcotic drugs and psychotropic substances under control, and regulates acquisition and possession of these substances as well as control measures.
- Law on amendments to Penal Code on illicit trafficking of psychotropic substances (1998)  
Provides stricter penalties for illicit drug trafficking.
- Law on Health System (1998)  
Outlines procedure for drug addict patients to be hospitalised on a mandatory basis. Foresees participation of National Health Council in co-ordination of drug, alcohol and tobacco control policy and prevention.
- Law on Health Care Institutions (1998)  
Adopted new nomenclature and basis for health care institutions – State Mental Health Centre and Regional Dependence Disorder Centres.
- Law on Narcological Supervision (1997)  
Regulates primary prevention, early intervention, treatment, and rehabilitation. Main principles of the care outlined are that it is confidential, provided on a voluntary basis and free of charge, and that various health care measures should be available for the patients following the respective guidelines.

- Decree No. 702 on Substitutive Therapy Application to Patients Dependent on Opioids (1997). Amended by Decree 68 (1998)  
Limits substitution therapy to methadone substitution.
- Decree of Ministry of Health No. 239 on List of Narcotic Drugs and Psychotropic substances (1997)
- Numerous Ministry of Health Decrees and Orders have been adopted between 1997-1999 in order to implement the main body of legislation.

## **National Strategies**

### *Multi-disciplinary National Strategy*

- *National Action Plan for Drug Control and Prevention 1998 - 2000*  
Approved by Governmental Decree No. 91 (1998).
- *National Drug Control and Drug Prevention Programme 1999 – 2003*  
Approved by Governmental Decree No. 970 (1999). Includes demand reduction priorities in the field of education (primary prevention); treatment, rehabilitation and integration.

### *Supply Reduction Strategy*

No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

- The National Drug Control and Drug Prevention Programme 1999-2003 calls for the urgent elaboration of a drug demand reduction strategy in order to identify priorities and the most effective approaches.
- *National Health Programme 1998-2010*  
Includes chapter 4.1 on healthy lifestyles. 4.1.1 deals with reduction and prevention of substance abuse; 4.1.2 with reduction of tobacco consumption; and 4.1.3 with reduction of alcohol abuse.
- *State Tobacco Control Programme (1998) and State Alcohol Control Programme (1999)*  
Includes prevention of substance abuse among youth.
- *Governmental Programme 1997-2000*  
Provides for prevention of drug addiction and AIDS.
- *Klaipeda Local Community Prevention Master Plan 2000 – 2005*  
Under preparation.



## **Institutional Framework**

### National Co-ordination

- *Governmental Drug Control Commission* (1995)  
Chaired by Ministry of Health. Involves Ministries of Interior, Education and Science, Foreign Affairs, Agriculture, Finance, Justice, Economy, Environment, Social Affairs and Labour. Responsible for co-ordination of drug control policy and drug addiction prevention measures. Meets at least once a month.
- Commission of Experts to prepare the National Drug Control and Drug Prevention Programme (1998)
- Co-ordination Board for Programme's implementation established by Order No. 205 of Minister of Health (1998)
- Local Inter-institutional Board of the city of Klaipeda established by Regulation Klaipeda municipality entrusted with the co-ordination of drug control (temporarily) for inter-institutional Commission for Crime Prevention, and Co-ordination of Drugs Prevention and AIDS for Public Health Centre.

### Structures and Formal Co-ordination in Supply Reduction

#### Ministry of Interior:

- *Anti Narcotic Unit* (1995)  
Has staff of 11.
- *Special Operations Department* in Police  
Provides specialist communications and intelligence systems and services. Houses Interpol office. Intelligence systems of internal law enforcement agencies are compatible and data is covered by Data Protection legislation.
- Special Police units for fighting drugs (1992)  
Set up in major cities; include four to five staff members.
- Co-operation between Police and Customs:  
Co-operation between law enforcement institutions is regulated by law (Penal Code, Law on Operational Activity, and various Government Resolutions. In 1998 the Government adopted a Resolution on establishment of a Commission involving the Police, Border Police and Customs in order to co-ordinate activities. These institutions execute joint operations and exchange information. Under different projects all institutions assign experts who work in joint groups. Over 20 mobile groups were formed in the counties to combat organised crimes.

#### Ministry of Health:

- *Narcotic Commission of State Medicine Control Agency*  
Responsible for Licit Traffic Control of Narcotic Drugs and Psychotropic Substances.

## Structures and Formal Co-ordination in Demand Reduction

Ministry of Health:

- *Public Health Department*  
Main responsibility for prevention and treatment of drug addiction.
- *Board for Co-ordination of Drug Prevention, Treatment and Rehabilitation (1998)*  
Established by Ministry of Health Order No. 367.
- *State Mental Health Centre (1998)*  
Includes Department on Dependence Disorders.
- Ministry of Education and Science:  
Drug education and prevention usually included in health promotion programmes. Responsible for preparing programmes for health promotion in all schools. In 1993, the *National Programme of Healthy Lifestyle Promotion at School* was approved.
- Ministry for Social Security and Labour:  
Carry out some tasks relating to social programmes, prevention and rehabilitation.
- *National Health Education Centre*  
Mandated with the task of monitoring demand reduction activities. Developed educational programmes including drug prevention issues, such as *Drug Prevention in Society (1996-2000)*, adopted 1996.
- *AIDS Centre*  
Organises educational activities on prevention of drug abuse and AIDS.

## **Drug Information System**

### Drug information system

Data on drug trends and seizures shared between Police, Customs, Ministry of Health and Interpol through the Ministry of the Interior. Treatment demand data gathered by local mental health centres.

Partners providing information to the Focal Point: Health Information Centre - Ministry of Health; Vilnius Psychiatric Clinic; State Department of Statistics; National AIDS and Health Education Centre; Organised Crime and Medical Departments - Ministry of the Interior; Customs Department - Ministry of Finance; Division of Legislation - Ministry of Justice; Chemical Laboratory of State Medicine Centre; State Medicine Control Agency; Ministry of Social Security and Labour and Ministry of Science and Education.

#### *Focal Point*

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- Informally set up in the Governmental Drug Control Commission (1996)  
Information flow between Focal Point and other institutions not yet formalised. Head Specialist at Ministry of Health has management responsibility. No specific staff or budgetary allocations. Under *Action Plan for Drug Control and Prevention* (1998 – 2000), funding for staff and equipment are to be provided.

### **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

#### *Money Laundering*

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- Law on the Prevention of Money Laundering (1997)  
Makes Government, Tax Police, Bank of Lithuania and Customs Department responsible for the prevention of money laundering.
- Act on Motivation of Acquisition of Property and Legitimacy of Income (1997)
- Amendments to the Penal Code (1997)  
Article 326 on Unlawful Financial Operations replaced by article addressing money laundering. Provides for criminal responsibility for conducting monetary operations involving criminal proceeds or investing criminal proceeds in commerce and economy in order to hide or legalise them.
- Signatory to Riga Declaration on Money Laundering (1996)
- *Money Laundering Prevention Unit* (Financial Intelligence Unit) (1998) of the *Tax Police Department* - Ministry of Internal Affairs  
Established on basis of Law on the Prevention of Money Laundering. Main functions are collecting, recording, and examining information; investigating criminal acts connected with money laundering; providing recommendations to financial institutions and other legal entities seeking clarification of the law; and co-operating with foreign organisations implementing measures for the prevention of money laundering. Staffed by 7 officers.

### *Precursors Control*

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- Law on Precursors Control (1999)
- Law on Narcotic Drugs and Psychotropic Substances Control (1998)  
(See **National Legislation**)
- Decree No. 420 of the Ministry of Health (1995)  
Lists all narcotic drugs and psychotropic substances subject to control, as well as the 22 chemicals included in the UN Convention. The control of these substances is covered by Decree No. 306 (1997) and Decree No. 557 (1998).
- Ministry of Health:  
Responsible for licensing (see **Licit Drug Control**).
- Police and Customs:  
Jointly responsible for enforcement of precursor control.

### *Licit Drug Control*

---

- Decree of the Ministry of Health No. 705 on Licit Drug Control (1997)
- Governmental Order on licensing for activities with Narcotic Drugs and Psychotropic Substances (1995)
- *Narcotic Commission of the State Medicine Control Agency* (1995) – Ministry of Health  
Responsible for the control and monitoring of licit narcotic and psychotropic substances. Regional departments of the Commission are involved in supervising the application of rules for storage and distribution of narcotic drugs and psychotropic substances.
- *Pharmaceutical Inspection Service* (1995) – Ministry of Health  
Synthesis of all inspections prepared on a quarterly basis and sent to the Head of the *State Agency for Medicines* for information.

## **Criminal Sanctions**

### *Possession for personal use*

---

- Illicit production, acquisition, possession, transportation or shipment of drugs, without aiming to sell or distribute: up to 2 years (alternative of penitentiary restriction of up to 2 years; if recurring or performed by a group of persons in advanced agreement or committing violence: up to 5 years).

## *General*

---

- Growth of prohibited poppies and cannabis: up to 5 years (8 years if recurring).
- Possession with intent to sell or distribute: 3-10 years.
- Possession with intent to sell or distribute by a repeat offender or by a group of persons: 10-20 years.
- Seizure in big quantities: up to 15 years (20 years for repeat offenders or in cases where a minor has been involved).
- Keeping dens for drug use: 5-10 years.
- Exerting pressure to use drugs: up to 5 years (10 years when directed at a minor or a number of people).

## *International Trafficking*

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- Recently more severe penalties have been introduced for trafficking.

# FORMER YUGOSLAV REPUBLIC OF MACEDONIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed.

### *National Legislation*

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- Law of Traffic and Production of Drugs (1991)
- Criminal Code (37/96 Articles 215 216 and 217) (1996)  
Provides for the confiscation of narcotic drugs, psychotropic substances and chemical precursors.
- Law on Misdemeanours (15/97, Article 25) (1997)
- Law on Execution of Sanctions (3/97, Articles 24 and 25) (1997)
- Law on Criminal Procedure (15/95, Article 203) (1995)
- Law on Health Protection (38/91 Article 17) (1991)
- Law on Social Protection (50/97, Articles 74 and 77) (1997)
- Draft Law on Medicines, Remedial Medicines and Medical Devices
- Draft law on Drugs (licit control, fight against trafficking, chemical precursors)
- Draft Opium Code under examination by governmental bodies
- Draft Law against Corruption

## **National Strategies**

### *Multi-disciplinary National Strategy*

- *National Programme for the Control of Drug Abuse and Illicit Trafficking of Drugs* (1996)

A policy document that includes activities in the field of demand reduction, supply reduction, global policy development and institution and capacity building.

### *Supply Reduction Strategy*

No separate strategy in the field of supply reduction currently in place.

### *Demand Reduction Strategy*

No separate strategy in the field of demand reduction currently in place.

## **Institutional Framework**

### *National Co-ordination*

A new Inter-ministerial Co-ordination Structure has been set up, which replaces the Inter-ministerial State Commission for the Fight against Illicit Production and Trafficking in Drugs and for the Prevention of Drug Abuse (1996). Headed by the Prime Minister.

### *Structures and Formal Co-ordination in Supply Reduction*

Ministry of Internal Affairs:

- *Unit for Combating Organised Crime and Drug Trafficking*
- Police and Customs control the illegal trade in synthetic drugs.

Ministries of Foreign Affairs, Internal Affairs, Health and Customs involved in drug control activities (for example, international co-operation, co-ordination of foreign aid, border control, import and export licensing of licit drugs, and maintenance of criminal data recording system).

## Structures and Formal Co-ordination in Demand Reduction

Ministry of Health:

- *Commission on Narcotic Drugs and Psychotropic Substances* (1991)
- *Pharmaceutical Unit*  
(See **Precursors Control**)
- Ministries of Health and Education and Pedagogical Institute:  
Responsible for planning and implementing primary prevention activities.
- Ministry of Education has tested externally-developed alcohol and drug education programmes.

## **Drug Information System**

### Drug information system

- Information on seizures collected by Ministry of Internal Affairs.
- *National Register of Drug Users*, set up in 1971, is updated from enforcement sources. Includes individuals who are or have been in treatment and offenders who are known drug consumers.

### Focal Point

- Department for Social Medicine in the *Institute for Health Protection* (1998)

Officially nominated by the Minister of Health in 1999. Co-operates with the Ministries of Interior, Justice, the Customs Administration, the National Office of Statistics, and ten Public Health Institutions. Receives information upon request.

## **Administrative Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### Money Laundering

- Draft Law on Money Laundering currently undergoing parliamentary procedure. Money Laundering is a criminal offence punishable by Criminal Code Article 273



### *Precursors Control*

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- Import and export licences required for all chemicals listed in the 1988 UN Convention.
- Criminal Code provides for the confiscation of chemical precursors (Article 215/4).
- Draft Law on Precursors is on the agenda of the Ministry of Justice.
- *Pharmaceutical Department* - Ministry of Health  
Issues import/export certificates for precursors scheduled and classified by the International Narcotics Control Board (INCB).
- Police and Customs conduct permanent operations for control of illegal trade with precursors.

### *Licit Drug Control*

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- Draft law on Drugs (licit control, fight against trafficking, chemical precursors).
- Draft Law on Medicines, Remedial Medicines and Medical Devices - all medicines (including veterinary medicines) should fall under the general responsibility of a National Agency for Medicines, to be established by the law.
- *Pharmacy Department* - Ministry of Health  
Responsible for issuing all licences related to medicines and licit drugs and for the monitoring of import and export of narcotic drugs and psychotropic substances.
- *Sanitary and Health Inspectorate*  
Has regional inspectorates sub-divided at the municipalities level. Ministry of Health has foreseen creation of a specific pharmacy inspectorate within the future National Agency for Medicines.

## **Criminal Sanctions**

### *Possession for personal use*

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- Punishable as a misdemeanour by fine or imprisonment for 30 to 60 days.

### *General*

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- Drug possession, production, sale or storing with intention to sell: 1-10 years (at least 5 years if more than 1 person involved).
- Offering drugs and allowing use of premises for drug consumption: 3 months –5 years (1 – 10 years if a minor has been involved).

### *International Trafficking*

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- 10 years.

# POLAND

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed.

### *National Legislation*

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- Law on Counteracting Drug Abuse and Dependency (1997)  
Includes educational and preventive actions; treatment and rehabilitation of addicted persons; substitution treatment; control of addictive substances; measures against illicit trafficking, production, and possession of addictive substances and precursors; and control of the licit cultivation of plants containing addictive substances. Amendments are currently under consideration by Parliament. They would make provisions regarding possession of small amounts more restrictive, and would strengthen role of demand reduction.
- Ministry of Health Regulation on substitutive treatment (1999)  
Defines conditions which must be fulfilled by a subject implementing treatment and the connected procedures of conduct.

Secondary legislation currently under consideration:

- Defining composition and tasks for Council for Counteracting Drug Addiction, and principles and conditions of operation (draft has undergone inter-ministerial discussion and is to be issued by Prime Minister's Office)

- Conditions to be fulfilled by subject conducting treatment and rehabilitation (to undergo inter-ministerial discussion; to be issued by Ministry of Health)
- List of medical and non-medical professions able to conduct treatment and rehabilitation (currently undergoing inter-ministerial discussion; to be issued by Ministry of Health)
- Conditions of treatment and rehabilitation for drug dependants in prison (currently undergoing inter-ministerial discussion; to be issued by Ministry of Health in collaboration with Ministry of Justice)

## **National Strategies**

### *Multi-disciplinary National Strategy*

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No comprehensive strategy currently in place. A first attempt at preparing a comprehensive strategy was undertaken in 1998 in the framework of the World Health Organisation Programme.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

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- *National Programme for Counteracting Drug Addiction in Poland 1999-2001*  
In accordance with the Act on Counteracting Drug Abuse and Dependency, a Programme was drafted by the Ministry of Health in collaboration with ministries concerned with drug prevention. Outlines priorities in the field of prevention, with the focus on community primary prevention programmes. Refers to collaboration between local authorities and NGOs and co-ordination of tasks undertaken by them. Includes evaluation of national drug situation, future priorities, and responsibilities of various actors.

## **Institutional Framework**

### *National Co-ordination*

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- *Council for Counteracting Drug Addiction*  
Foreseen by Law on Counteracting Drug Abuse and Dependency, and developed in secondary legislation (see **National Legislation**). Will act as an advisory body to the Prime Minister.

- *Inter-ministerial Task Force for Co-ordination of Control of Drugs and Psychotropic Substances* (1994 – 1998). Chaired by Ministry of Justice, and involved all relevant ministries.

### Structures and Formal Co-ordination in Supply Reduction

Ministry of Interior:

- *Office for State Security (UOP)* - Directorate for the Protection of Economic Interests of the State

In 1990, its mandate was extended to encompass the fight against organised crime, including illicit drug supply and trafficking. Responsible along with Police, Customs and Border Guard, for illicit seizures.

- *Criminal Branch* of Police Headquarters

Bureaux working in supply reduction are:

- *Central Narcotic Bureau*  
Leading operational department responsible for supply reduction activities. Co-operates with Customs Board, Border Guard, central Forensic Laboratory, and foreign Police services. Since 1999, it has 16 regional unit divisions and ten field offices, with 400 officers responsible for the most important drug-related crimes. Conducted 'Dealer V', with objective of revealing and liquidating networks of drug dealers and producers, as well as establishing co-operation with parents and youth. Drug hot lines were initiated in police district offices.
- *Organised Crime Bureau* (1997)  
Since 1999 has 16 regional units.
- *International Police Co-operation Bureau* (1997)  
Maintains links with Interpol, Baltcom and provides information. Since 1999 has 16 regional units. Regional Units referred to within various divisions of the Ministry of Interior are separate, but collaborate closely.
- *Central Criminalistic Laboratory*  
Carry out profiling of amphetamines (launched in 1992 by a co-operation project with Sweden).

- *Border Guard*

Ministry of Finance:

- *Customs*

No investigative authority; refers drug cases for investigation to the Police. World Customs Organisation's Regional Intelligence Liaison Office (RILO) set up in Warsaw (1993).

Law on Counteracting Drug Abuse and Dependency provides framework for close co-operation and harmonisation of law enforcement activities in drug supply reduction. Further, there are bilateral agreements between Police and the Office for State Security, Police and Customs, and Police and the Border Guard.

Ministry of Health:

- *Pharmacy Department*  
(See **Licit Drug Control**)
- *Bureau for Drug Addiction* (1993)  
(see **Structures and Formal Co-ordination in Demand Reduction**)  
Co-operates with Police headquarters and the Director General of the Prison Administration to provide training in drug prevention to police officers.

Ministry of Foreign Affairs:

- *UN Department of Economic Affairs*  
Has competence within Ministry in the field of drugs.

#### Structures and Formal Co-ordination in Demand Reduction

Ministry of Health:

- *Bureau for Drug Addiction* (1995)  
Central agency co-ordinating activities in the fields of prevention, treatment and rehabilitation. Co-operates with other Ministries, research institutes, treatment and rehabilitation facilities, NGOs, and church organisations. Receives funding from state budget for commissioning preventive tasks to NGOs at national level. In 1997 initiated a training system aimed at improving the quality of drug prevention and treatment. Has supported numerous publications in the field of prevention.
- *Regional or Local Commissioners on drug abuse prevention*  
Responsible for sponsoring local programmes. Receive financial resources either directly from state budget or from local and regional budgets. Central and local programmes cover health promotion; drug prevention among high risk groups; training of staff for educational work with children and youth; increasing effectiveness of rehabilitation methods; and treatment and rehabilitation.

Ministry of National Education:

1997 school curriculum outlined training of teachers. World Health Organisation manual 'Health Education in Schools' adapted to Polish needs and used for training teachers and professionals working with children. Educational institutions have undertaken special activities for young people at risk of substance dependence.

- *Committee for Prevention of Drug Dependencies*  
Has an inter-ministerial character involving NGO representatives. Develops strategies and sets priorities in the field of health promotion and assistance for children and youth at risk.

## **Drug Information System**

### *Drug information system*

Not yet formally established. (There is an informal network, information exchange, and analysis and publication of data)

- **Police**  
Since 1990 Police collect and analyse information about illicit laboratories, distributors and trafficking. Since 1996 *Central Narcotics Bureau* co-ordinates a database on drug-related crimes and suspects, with participation of Customs Board and Border Guard. Drug related data is collected through the drug squads of regional criminal intelligence units and passed to the *Data Processing Bureau* of Police Headquarters. Central Narcotics Bureau also records deaths caused by drug overdoses. Exchange intelligence with foreign Police services.
- *National Central Bureau of Interpol*  
Since 1996 co-ordinated law enforcement data is gathered through a common database, and there is exchange of drug intelligence with foreign Police services. Has specialist officers dedicated to drug investigations.
- **Epidemiological system of the health sector**  
(co-ordinated by Department of Studies on Alcohol and Drug Dependence of Institute of Psychiatry and Neurology).
- *Bureau for Drug Addiction* (1995) – Ministry of Health  
Data regarding demand reduction activities, treatment and harm reduction programmes.
- *Department of Studies on Alcohol and Drug Dependence of the Institute of Psychiatry and Neurology*  
Acts as a national drug research centre. Co-ordinates information gathered on trends regarding drug use, risk behaviours, HIV prevalence among intravenous drug users, and a country-wide statistical reporting systems on persons treated due to drug use. First treatment demand reporting systems exist in Warsaw, Krakow, Poznan and Gdansk. Warsaw and Gdansk participate in the Pompidou Group Multi-City Study.

- *National Institute of Hygiene*  
Collects data regarding the prevalence of HIV infections and AIDS morbidity, including among intravenous drug users.

#### *Focal Point*

Not currently appointed. Tasks are undertaken and co-ordinated by an expert working at the *Institute of Psychiatry and Neurology*, in close collaboration with the *Bureau for Drug Addiction*. Also collects information from law enforcement services and all other available sources.

Focal Point was previously located in now defunct Inter-ministerial Task Force for Supervision and Co-ordination of Narcotic Drugs and Psychotropic Substances.

### **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

#### *Money Laundering*

- Provision on money laundering added to the Polish Penal Code (1998)  
Replaces Law on Protection of Economic Transactions.
- Law on Protection of Economic Transactions (1994)  
Stipulates that laundering of proceeds from drug trafficking is punishable.
- Draft Bill on Money Laundering exists
- A General Directorate of Banking Supervision of the Central Bank is under preparation (under discussion in Parliament Commissions)  
Will be responsible for organisation of measures aimed at preventing the use of the banking system for drug money laundering.

#### *Precursors Control*

- Law on Counteracting Drug Abuse and Dependency of 1997.  
Provides for control of the 22 chemicals controlled under the 1988 UN Convention, and two additional substances. Provides for the administrative system for control of chemicals to be determined by Government Regulation.
- *Pharmacy Department* – Ministry of Health  
Responsible for authorisation of imports and exports of Group 1-R chemicals.  
Maintains a continuous link with the International Narcotics Control Board



(INCB) in Vienna, and provides quarterly reports on trends in precursor control. Regional Pharmaceutical Inspectors are responsible for licensing operators for manufacture or processing of Group 1-R (category I) chemicals, and registration of operators manufacturing or processing of Group 2A-R and 2B-R (categories II and III) (See also **Licit Drug Control**)

- *Customs Department* – Ministry of Finance  
Responsible for enforcement of import/export controls.
- *Central Narcotics Bureau* - National Police Service  
Investigation of suspected cases of diversion.

### *Licit Drug Control*

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- Since 1990, Police regulate the conditions for controlled deliveries.
- Legislation enabling the Police and Office for State Security to carry out controlled deliveries came into force in 1995.
- *Pharmacy Department* – Ministry of Health  
Single authority responsible for control of licit narcotic drugs and psychotropic substances. Issues all licenses related to medicines and licit drugs, and monitors import and export of narcotic drugs and psychotropic substances. Since 1992, a national pharmacy inspector based at the Ministry of Health supervises the 49 regional pharmaceutical supervision units. Eight public laboratories are linked to the regional units.

## **Criminal Sanctions**

### *Possession for personal use*

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Possession of small amounts for personal use is not punishable. However, there is an initiative among certain Members of Parliament to amend the anti-drug law and make all possession punishable.

Law on Counteracting Drug Abuse and Dependency states necessity to treat dependent individuals sentenced for crimes related to the dependency.

### *General*

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- Possession: up to 3 years.
- Supply, or facilitating or inducing use: 1 – 10 years.
- Trading in drugs: 6 months - 8 years (in cases where a considerable quantity is involved: up to 10 years and fines).

### *International Trafficking*

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Illegal import/export: up to 5 years and fines.

# ROMANIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.

### *National Legislation*

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- Draft Law on Fight Against Illicit Trafficking and Consumption of Drugs undergoing parliamentary procedure  
Re-classifies narcotic drugs into high and low risk categories. Includes provisions relating to precursors, money laundering, controlled deliveries, drugs purchase operations, and witness protection.
- Regulation and Status of the Inter-ministerial Committee for Fight Against Drug (1999) (see **National Co-ordination**)
- Minister of Health Nos. 189 and 669 (1999)  
Deals with organisation and financing of national health programmes. Includes 'Programme No. 8 on the prevention and control of drug addiction and of induced pathology for adults and children'. Programme nominates medical units to cover treatment and post-treatment therapy.
- Order of the Ministry of Health No. 322 (1999)  
Establishes a National Resource Centre for the prevention of Drug Abuse, located within Institute of Health Services Management.

- Order of the Minister of Health No. 963 on the approval of general methodological norms for organising and providing medical assistance, treatment, medical care and accommodation services for drug addicts (1998) Article 3 outlines conditions under which persons may be hospitalised for detoxification. Expresses aim of improving the recording of treatment demand. Annex includes list of substances concerned.
- Customs Regulation 141 (1992). Amended (1997) Prohibits narcotics, psychotropic substances, and precursors from transit across the border without authorisation.
- Amendment to Penal Code (1996) Consumption, possession, production, dealing and trafficking penalised.
- Law No 26 regarding the organisation and functioning of the Police and others (1994)

## **National Strategies**

### *Multi-disciplinary National Strategy*

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No comprehensive strategy currently in place.

### *Supply Reduction Strategy*

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No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

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- *National Programme for Prevention and Treatment of Drug Dependency* (1999) Priorities are epidemiological research at local and national level; development of treatment network, including post-treatment; and emphasis on local implementation. Has specific budget. Special emphasis is placed on local implementation.
- Order of the Minister of Health No. 9 (1999) Appoints National Drug Demand Reduction Co-ordinator for adopting and developing the national drug demand reduction strategy.

## **Institutional Framework**

### National Co-ordination

- *Inter-ministerial Committee for the Fight Against Drugs (1999)*  
Confirmed by Government Decision 543 (1999). According to Article 3 (1), the Committee conducts activities under direct leadership of the Prime Minister, and includes Ministers of Interior, Justice, Foreign Affairs, Defence, Finance, Health, Labour and Social Protection, Education, Youth and Sport, Industry and Commerce. Specific members are General Secretary of the Government, leader of central unit for repressing illicit drug trafficking - General Inspectorate of Police, leader of central unit from Customs, General Director of Medical Attendance - Ministry of Health, Director of Health Promotion and Community Health Department – Ministry of Health, and the National Co-ordinator of the Phare Drugs Programme - Squad for Countering Organised Crime and Corruption.

Article 8 lists duties of the Commission, which mainly relate to elaborating, implementing, and evaluating the implementation of a coherent strategy. Tasks include presenting an annual national report on the situation relating to drug trafficking and abuse, based on data from all bodies involved in the Committee. According to Article 9, funding comes from budget of Squad for Countering Organised Crime and Corruption - Ministry of Interior. Meetings to occur at least twice a year, with specialised Commissions meeting four times a year.

### Structures and Formal Co-ordination in Supply Reduction

- *National Council for Action Against Organised Crime and Corruption (1998)*  
Functions have been taken over by Inter-Ministerial Committee (see **National Co-ordination**)

Ministry of Interior:

- *Criminal Police*  
Only agency with the authority for investigation and prosecution of drug crimes.  
Two divisions dealing with drug control:
  - *Squad for Countering Organised Crime and Corruption*  
Houses Anti-Narcotics Squad, responsible for fight against illicit drug trafficking. Specialist drug enforcement officers are also based in Bucharest and at each of the 41 county units. Squad co-operates with other agencies based in Ministries of Justice, Defence, Finance, Health, and Education, as well as Customs.
  - *Division for Firearms, Explosives and Toxic Substances*  
Responsible for control of chemical substances and precursors.

- *General Division of Customs*  
Refers cases to Criminal Police for Investigation. Member of the World Customs Organisation and Regional Information Liaison Office in Warsaw.
- *Division for Prevention*  
Remit includes all types of crime prevention activities. No officers specifically dedicated to drug demand reduction activities. Co-ordinates work of crime prevention officers at county level.

Ministry of Finance:

- *Drug Enforcement Section* in Customs Administration (1994)  
In 1996, 10 regional customs offices were set up. Responsible for combat of illicit trafficking and special duties relating to anti-drug control at level of Customs offices.

#### Structures and Formal Co-ordination in Demand Reduction

Ministry of Health:

- *Health Promotion and Community Health Department*  
Co-ordinates and supervises the National Network of Health Promotion.
- *Institute of Health Services Management*  
Provides technical assistance to the Minister in the field of health reform, including drug demand reduction.
- *General Directorate of Medical Care* co-ordinates and provides technical assistance for:
  - Psychiatry Hospital with a Department for Treatment of Drug Addicts
  - County hospitals emergency rooms, providing first medical aid in cases of drug intoxication

## **Drug Information System**

#### Drug information system

Not formally established. The following bodies collect drug related data:

- *Anti-Narcotics Squad* – Ministry of Interior  
Collects information on seizures.
- *General Prosecutor's Office* – Ministry of Interior
- *Ministry of Justice*  
Penitentiary system collects information regarding illicit trafficking and use.
- *Customs Administration* – Ministry of Finance  
Collects data on trafficking and seizures. Will receive intelligence gathering and sharing responsibilities.

- *Institute of Health Services Management* - Ministry of Health
- *Centre for Medical Statistics* – Ministry of Health  
Collects data on demand for hospital treatment.
- *National Centre for Statistics* – National Commission of Statistics

#### *Focal Point*

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- Set up at the *Squad for Countering Organised Crime and Corruption* at the Ministry of the Interior (1994)  
No specific staffing, funding, or administrative structure. Informal co-operation exists with the Health Sector.

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

#### *Money Laundering*

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- Law against Money Laundering (1999)  
On its basis, a National Office for the Prevention and Combat of Money Laundering was established (1999).
- Article 118 of the Penal Code  
States that money resulting from criminal activities should be seized.
- *Anti-Money Laundering Service – Squad for Countering Organised Crime and Corruption* – Ministry of Interior

#### *Precursors Control*

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- Customs Regulation 141 (1992). Amended (1997)  
(see **National Legislation**)
- Decree 466 - Toxic Substances Regime (1979)
- Law on Precursors undergoing parliamentary procedure.
- *Police and Customs* - Ministry of the Interior  
Enforcement of the existing laws is the joint responsibility of Police and Customs. The system for control of the chemicals currently listed requires operators to obtain an authorisation for any kind of activity. New Law foresees involvement of Ministry of Health.
- *Division for Firearms, Explosives and Toxic Substances* - Ministry of the Interior  
(see **Structures and Formal Co-ordination in Supply Reduction**)

### *Licit Drug Control*

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- Customs Regulation 141 (1992). Amended (1997)  
Prohibits narcotics, psychotropic substances, and precursors from transit across the border without authorisation.
- Law No 73/1969 and Regulations Nos. 103/1970 and 466/1979.  
Currently define Licit Drug Control. Further provisions outlined in the draft Law on Fight Against Illicit Trafficking and Consumption of Drugs.
- *Pharmacy Department* - Ministry of Health  
Monitors pharmaceutical activities, particularly narcotic drugs and psychotropic substances. Pharmacy Inspection created by the Minister of Health (1992).
- *National Agency of Medicines*  
In charge of medicine control, including narcotics and psychotropics. Requests for medicine registration are sent to the Institute. Substances and medicines are controlled by its laboratory and submitted to the Commission of Medicines, which functions under Agency's authority.
- *Division for Firearms, Explosives and Toxic Substances* - Ministry of the Interior  
(see **Structures and Formal Co-ordination in Supply Reduction**)

## **Criminal Sanctions**

### *Possession for personal use*

---

- Punishable: (see **General**)

### *General*

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- Producing, possessing or any other operation related to the traffic of drugs: 3-15 years (15-25 years in the context of organised crime).
- Doctor unnecessarily prescribing narcotic products: 1 - 5 years.
- Organising or allowing the consumption of drugs in premises: 3 - 15 years.

### *International Trafficking*

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- Taking drugs and precursors across the border without authorisation: 2 - 7 years.
- 15 years.



# SLOVAKIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed.

### *National Legislation*

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- Law No. 139 on Narcotic and Psychotropic Substances and Preparations (1998)  
Outlines professional and institutional standards for production, export and import of legal substances, and rules for control and penalties of transgressions. Annex includes list of narcotic and psychotropic drugs included in groups I to III of controlled drugs.
- Amendments to Penal Law No. 183 (1999)  
Introduces stricter penalties for Section 187 (see Laws 247/94 –248/94).
- Law on Anti-Drug Funding (1997)  
Targeted at anti-drugs programmes and projects.
- Slovak Law No. 353 (1997)  
Amendment to the Law on Police Corps No. 171/93. Provides a framework for a Police Criminal Intelligence Service. A specialist drugs intelligence unit staffed by 20 operates within the Police Corps.
- Amendments to Penal Code 247 and Penal Law 248 (1994)  
Makes possession of illicit drugs a criminal offence; regulates drug production, importing/exporting of illicit drugs and precursors, and supply of drugs (Article 187). Regulates the use or storing of objects used in the production of drugs (Article 188).

Regulates controlled deliveries (Article 72), and allows for international co-operation (Article 87/88). Article 88a of the Code of Criminal Procedure provides for the surveillance of goods imported, exported or transported and thought to contain illicit materials including drugs.

- Law No. 249 (1994) against the legalisation of the revenues from most serious crimes, particularly organised crime operations.  
Introduces added powers to enable police to tackle drugs.

## **National Strategies**

### *Multi-disciplinary National Strategy*

- *National Programme for the Fight against Drugs 2000-2003 with a Perspective until the Year 2008*

First National Programme for the fight against drugs was adopted in 1995 for the years 1995-1999. Updated annually. Implementation for the period 1995-1998 was evaluated. Aims to achieve a balance between demand and supply reduction. Demand reduction priorities are primary prevention, treatment and re-integration into society. Also addresses document adopted by UN General Assembly (UNGASS) in 1998.

Main sources of funding for activities of the Programme: State Health Fund mainly for prevention activities; Anti-Drug Fund mainly for NGO activities in the field of rehabilitation and aftercare; and State budget mainly for Ministries or implementation of projects defined in the Programme.

### *Supply Reduction Strategy*

No separate strategy in the field of supply reduction.

### *Demand Reduction Strategy*

No separate strategy in the field of demand reduction.

(see **Multi-disciplinary National Strategy**): Emphasises Prevention, which has been integrated into school curricula. Educational and preventive programmes are also conducted in educational and Psychological Prevention Centres. Network of Centres for Leisure Time has been established to promote healthy activities for children.

- *National Programme for Health Promotion*  
Accent is on primary prevention, and strengthening the network of rehabilitation centres.

- *Concept of the Drug Dependencies Branch (1995)*  
Main operative document in the field of drug dependency treatment. Elaborated by the Ministry of Health. According to its approach a system of state guaranteed health care facilities is established (Centres for Treatment of Drug Dependencies).

## **Institutional Framework**

### *National Co-ordination*

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- *Board of Ministers for Drug Addiction and Drug Control (1995)*  
Chaired by Deputy Prime Minister, with Ministers of Health and Education acting as vice-Chairmen. Involves Ministries of Labour, Social Affairs and Family, Justice, Interior, Finance, Economy, Defence, Transport, Culture, Agriculture, Foreign Affairs and the Prosecutor General. Board is regulated by statute of the Committee of Ministers, a consultative body of the Government. Meets at least twice each year. Acts as an advisory and control body.
- *General Secretariat*  
The permanent executive body of the Board of Ministers for Drug Addiction and Drug Control, existing at supra-ministerial level. Main tasks are to apply, develop and update the National Programme (see **Multi-disciplinary National Strategy**), and to propose drug policy priorities and co-ordinate drug control activities. Submits a report to Government at least twice a year and to Parliament once a year on the implementation of the National Programme. General Secretariat has been entrusted to elaborate an up-date to the demand reduction programme, according to UNGASS document.
- *Expert Commissions (on Education, Treatment and Re-integration, and Information Systems)*  
Established at national level to advise the General Secretariat.
- *Regional and District Anti-Drug Commissions*  
Established by Governmental Decree No. 186/1997. Active.

Ministry of the Interior:

- *National Drug Unit (1998) in the Criminal and Financial Police Administration of Police Headquarters*

Formed after central and regional anti-drug divisions were combined.

Incorporates a Logistics Division, Co-ordination Division, Intelligence Division, Synthetic Drug Division and eight Anti Drug Divisions to cover the 14 regions.

Receives state funding. Proposals have been made for the creation of a Central Services section to provide logistical and analysis functions. Regional services would be split into five branches – Bratislava, North, Centre, West and East, and include operational support at international/national and local level.

Interpol Narcotics Control Board is also located in the Criminal and Financial Police Administration.

- *Financial Intelligent Service in Police Headquarters*  
Includes a Financial Intelligent Unit (see **Money Laundering**).

The Ministry of Finance:

- *Central Customs Directorate Administration*

Enforces legislation within the broader anti-smuggling mandate. Drug cases are passed over to the police for investigation. An Investigations/Searching Department with its own specialised drug teams exists in each of the 14 regional customs houses.

- *Joint Police/Customs Team:*

In association with the planned Law on Precursors, a Joint enforcement centre, responsible for the enforcement of precursors control and international co-operation will be based in Police Headquarters. Regional administrations will also be competent for the control of operators' premises and documentation.

Ministry of Economy:

(see **Precursors Control**)

Ministry of Health:

- *Section of Pharmacy*  
(see **Licit Drug Control**)
- *State Institute for Medicament Control*  
(see **Licit Drug Control**)

## Structures and Formal Co-ordination in Demand Reduction

Ministry of Health:

- *Institute for Drug Dependencies*

Ministry of Education:

Prevention activities carried out in kindergarten, and included in elementary and secondary school curricula. World Health Organisation programmes are carried out at national level, and there are numerous projects at regional level.

Educational and preventive programmes are conducted in Educational and Psychological Prevention Centres, which are directed by the Ministry.

- *Section of State Care for Youth*

Launched programmes for the protection and support of children against negative phenomena. Provides assistance to NGOs working in the field of leisure, sports and hobbies for children and youth.

## **Drug Information System**

### Drug information system

- Act on Health Care: amendment (1999)

Relates to health care and reporting system on treated addicts. Most important change is provision of a definition of the health information system administrator (Institute of Health Information and Statistics) and obligation for reporting units to provide required data for statistical purposes.

- Act on Protection of Personal Data in Information Systems (1998)

Central Node of the Drug Information System is the Focal Point (see **Focal Point**). Bodies providing information to the Central Node of the Drug Information System are:

Ministry of Health:

- *Institute for Health Information and Statistics*

On the basis of the Act on Health Care and Amendments, responsible for collecting and processing first and repeated treatment demand. Has network of regional institutes and reporting units: State Health Institutes, which have carried out school surveys.

- *National Centre for Health Promotion*
- *Institute of Health Education*
- *Virological Institute of the Slovak Academy of Sciences*

- *Institute of Preventive and Clinical Medicine*
- *State Institute for Medicaments Control*
- *Institute for Drug Dependencies*  
Implemented projects on evaluation of treatment effectiveness and incidence of blood transmitted diseases among drug users.

Ministry of Education:

- *Institute of Child Psychology and Psychopathology*  
Evaluation of prevention and counselling programme.
- *Prognostic Institute for Education*
- IUVENTA agency for primary prevention

Ministry of Interior:

- *National Anti-drug Unit*
- Institute of Criminology and Expertise of the Ministry of Interior

Ministry of Finances:

- *Customs Directorate*

Ministry of Justice:

- *Informatics Section*

Information is also obtained from Ministries of Economy, Foreign Affairs, Labour, Social Affairs and Family, Culture, Defence, Agriculture, Building and Public Work, Transport, Post and Telecommunications, as well as the General Prosecution, Statistical Office of Slovakia, and NGOs.

#### *Focal Point*

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- Central Node of the Drug Information System, based at the Secretariat-General of the Board of Ministers for Drug Addiction and Drug Control (1995)  
Originally established by Government Resolution No. 583 (1995), with basis in the National Programme for the Fight against Drugs. Co-operates with relevant bodies (see **Drug Information System**).

*'Proposal for activities of the Central Node of the Drug Information System, located at the General Secretariat'* approved by the Board of Ministers for Drug Dependencies and Drug Control (1996). Outlined activities of Central Node. These included co-ordination with bodies at national and international level; reporting on drug use and treatment demand, and initiating other studies; maintaining public information services; monitoring and promoting prevention activities in the voluntary sector; and supporting information technologies in co-operating institutions.

In 1999 the Focal Point received more formal recognition through the Board of Ministers for Drug Dependencies and Drug Control. When the National Programme for the years 1999-2003 was confirmed, the Board adopted a resolution confirming the status of the Central Node of Drug Information System as the official contact point for the EMCDDA, and recognising the need for increased personnel. Furthermore, the Board stated that its General Secretariat, in particular its National Central Node of the Information System would:

- fulfil tasks of a Focal Point within the information system on drugs at national level, as well as with regard to collaboration with other national information systems
- act as an official contact point for the EMCDDA, and in particular for all co-operation within the framework of the pre-accession strategy of Slovakia to the EU
- view the 'acquis communautaire' in the field (Council Regulation (EEC) No. 302/93 establishing the EMCDDA, Decision of the EMCDDA Management Board on the Role and the Financing of National Focal Points) as guidance for the work of the Focal Point.

## **Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### *Money Laundering*

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- Law No. 249 aimed at Preventing the Laundering of Proceeds from most Serious Crimes, particularly organised crime operations (1994)  
Banks, government authorities, municipal administrations, as well as companies and individuals pursuing business activities under licenses are obliged to report suspicious transactions. Improvements and amendments are being prepared by a Slovak working group, including regarding the opening of anonymous accounts.
- Amendments to Criminal Code regarding money laundering (1994)
- Edict 181 of the Ministry of Interior on Suspicious Bank Transactions (1997)
- *Financial Intelligent Service* - Police Headquarters – Ministry of Interior  
Responsible for detecting and documenting serious financial crimes. Houses a Financial Investigation Unit (1996), which provides analysis and registration of suspicious transactions. It is inter-ministerial. Its competencies follow from the Law aimed at Preventing the Laundering of Proceeds from most Serious Crimes. Member of Egmont group.

### *Precursors Control*

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- Draft Law on Precursors currently undergoing parliamentary procedure
- Regulation 302 (1995)

#### Ministry of Economy:

Responsible for issuing licences for import/export of controlled chemicals.  
Procedures according to Regulation 302.

Informal co-operation between Ministries of Economy, Health, and Police and Customs. New law will establish formal procedures of co-operation. Three teams will be established and will co-operate closely:

- Ministry of Health will authorise companies to handle drugs precursors (to manufacture, store, trade and transport)
- Ministry of Economy will issue import/export licences
- Joint Police/Customs team recently set up. Will be responsible for enforcement of precursors control as well as international co-operation. Regional administrations will also be competent for the control of operators' premises and documentation.

### *Licit Drug Control*

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- Law on Narcotic Drugs, Psychotropic Substances and their Preparations (1998) (see **National Legislation**)

#### Ministry of Health:

- *Section of Pharmacy*  
Competent authority for licensing and monitoring the manufacture, distribution, import, export of narcotic drugs and psychotropic substances.
- *State Institute for Medicaments Control*  
Responsible for inspections.



## **Criminal Sanctions**

### *Possession for personal use*

---

Punishable under amendments to the Penal Law.

### *General*

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Production and possession: 1-10 years.

Possession of importing/exporting of illicit drugs and precursors, and supply of drugs (Article 187): 3-10 years (if involving in organised crime: 8-15 years; if offence also resulted in death: 12-15 years).

### *International Trafficking*

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Amendments to Criminal Code foresee stronger penalties.

# SLOVENIA

## Legal Framework

### *International Law*

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- UN Single Convention on Narcotic Drugs (1961) and its Protocol (1972), Psychotropic Substances Convention (1971) and UN Convention against Illicit Trafficking of Narcotic Drugs and Psychotropic Substances (1988) - signed and ratified.
- Council of Europe Convention (1990) on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime - signed.

### *National Legislation*

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- Law on Prevention of Drug Consumption and Treatment of Drug Addicts (1999)  
Defines addiction, measures of primary, secondary and tertiary prevention, treatment, rehabilitation and social integration. Provides for Governmental Drugs Office (see **National Co-ordination**) and an Information Unit for Drugs at the Ministry of Health.
- Law on Production and Trade in Illegal Drugs (1999)
- Penal Law (1995)  
Article 196 on illicit production and trafficking in drugs, and Article 197 on the use of drugs.

## National Strategies

### *Multi-disciplinary National Strategy*

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A comprehensive strategy is under preparation in accordance with the Law on Production and Trade in Illegal Drugs.

### Supply Reduction Strategy

- Strategy of the Ministry of Interior in the Fight against Drugs (1998)

### Demand Reduction Strategy

- National Programme for Prevention of Drug Misuse (1992)  
A new strategy is under preparation.

## **Institutional Framework**

### National Co-ordination

- *Inter-ministerial Commission* (1998)  
Replaces National Committee for Implementation of National Programme for the Prevention of Drug Misuse (1992). Chaired by Ministry of Health. Involves Ministries of Internal Affairs, Education, Labour, Family and Social Affairs, Justice, Finance, Defence, and expert advisors. Main tasks are monitoring the implementation of international conventions; proposing a national programme for the prevention of drug use, demand and harm reduction, and treatment and rehabilitation of drug users, as well as proposing measures for control of drug availability to the Government.
- *Governmental Drugs Office - National Drug Bureau* (1998)  
Established at governmental level with executive powers, on the basis of the Law on Prevention of Drug Consumption and Treatment of Drug Addicts. Role of co-ordination in following areas: inter-sectorial activities for preparation of national drug programmes; projects and programmes funded by state budget; inter-sectorial programmes; and international activities. Responsible for preparing sessions of the Inter-ministerial Commission.

### Structures and Formal Co-ordination in Supply Reduction

- Ministry of Health:
- *Department for Drugs*  
Responsibilities include licit drug and precursor authorisations and notifications. Police, Customs and social care institutions report to it. Responsible for the preparation of legislation and other legal acts for treatment in health institutions. (See also **Structures and Formal Co-ordination in Demand Reduction**)

Ministry of Interior:

- *General Police Directorate* (GPD)  
Includes specialised drug related services. Maintains links with Interpol and Europol.
  - *Organised Crime Section*  
Responsibility for managing international projects and national inter-agency co-operation. Manages a *Central Drug Unit*, staffed by the head of the unit, five officers and an analyst. Central Drug Unit co-ordinates the work of Regional Drug Units (particularly international drug trafficking and organised crime operations) and liaises with other national and international authorities. There are 11 Regional Drug Units within Regional Public Safety Administrations, responsible for investigating drug-related crimes, and providing information on drug trends and trafficking. At local level, drug-related activity is covered by local crime units, investigating lower level drug offences and providing information to regional drug units.
  - *Drug Law Enforcement Commission* (1998), is also based in the Organised Crime Section. Acts as a supply reduction Focal Point. Responsibility for co-ordinating, harmonising and directing the work of police and customs in the prevention of illicit trafficking in drugs. Meets monthly. Staffed by officers from main drug enforcement services. Co-ordinates with Ministerial Commission and the Bureau for Drugs.
- *Bureau for Drugs*  
Directs and harmonises all police activities in the frame of drugs. Can be operational. Provides specialist services (such as undercover operations, controlled deliveries, covert observations and informant handling) to support the Regional Drug Unit's activities, co-ordinated by the Central Drug Unit of the Organised Crime Section.

Ministry of Finance:

- *Customs Service*, in the Customs Administration  
Has responsibility for prevention of smuggling at border crossings. Customs activities organised through branches, operative groups or mobile units.
- *Office for Prevention of Money Laundering* (see **Money Laundering**)
- *Drug Law Enforcement Commission*  
Harmonises Police and Customs co-operation. A formal agreement is being prepared which will regulate all fields of co-operation.

#### Structures and Formal Co-ordination in Demand Reduction

- *Law on Prevention of Drug Consumption and Treatment of Drug Addicts* (1999)  
Regulates and defines measures in drug demand reduction, harm reduction, national co-ordination and drug information.

Ministry of Health:

- *Department for Drugs*  
Lead government agency for illicit drug control and precursors. Responsible for treatment, co-ordination of methadone maintenance programmes and supervision of centres for prevention and treatment of drug addicts.
- *Commission for Drug Legislation*  
Drafts and amends legislation.
- Co-ordination of Centres for Prevention and Treatment of Drug Addiction established to provide uniform treatment approaches and exchange of treatment experiences. Discussions have resulted in creation of the Foundation "Sound of Reflection" (1998), for counselling, training and research in treatment.
- *Public Health Institute of Slovenia (PHI)*  
Among general tasks are prevention and health promotion at all levels, including AIDS and hepatitis prevention as well as monitoring and epidemiology.

The Ministry of Labour, Family and Social Affairs:

- *Expert Drug Committee* formed to approve funding for programmes within the social care sector in demand reduction and prevention.

The Ministry of Justice:

- *Prisons Administration*  
Co-operates with Ministry of Health in dealing with addicted prisoners. In 1987 formulated guidelines with the assistance of Ministry of Health on how to approach HIV epidemic in prisons.

The Ministry of Education and Sport:

- *Health Education Section*  
Responsible for primary prevention in schools. Co-operates with the national *Public Health Institute* (ESPAD school survey was a result of such co-operation).

The Ministry of Defence:

Involved in drug demand reduction activities for military recruits.

At regional level district authorities appoint drug advisors. Regional centres are responsible for local programme sponsorship. Programmes are aimed at promotion of healthy lifestyles, prevention in high risk groups, manpower development, treatment and rehabilitation programmes. A few major cities have formed a Local Action Group, initiating systematic collaboration between various institutions and professionals at community level.

## Drug Information System

### *Drug information system*

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Not formally established. The following bodies collect drug related data:

- *National Institute of Public Health* - Ministry of Health:  
Linked to nine regional Public Health Institutes. Responsible for data collection on drug use. Main source of health-related data is network of Regional Treatment and Prevention Centres, which are centrally co-ordinated and connected to non-governmental treatment and harm reduction organisations.
- Ministry of Interior:  
Source of information on police arrests, drug seizures, prices of illicit drugs and drug-related deaths. Based on the data on drug-related offences provided by the Police and Customs, an annual report on drug delinquency is produced.
- Ministry of Justice:  
Source of information on drug misuse in prisons.
- *Drug Documentation and Information Centre* - Governmental Drug Office (1999)  
Set up to collect and disseminate drug related publications. To be connected to national libraries and their data exchange system; close co-operation with Focal Point has been agreed.

### *Focal Point*

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- At the National Public Health Institute under supervision of the Ministry of Health  
No specific staff, budget or administrative framework.  
Contacts with the bodies listed in **Drug information systems**.

Law on Prevention of Drug Consumption and Treatment of Drug Addicts states that the Ministry of Health will establish an information unit for the monitoring of illegal drugs, drug users, and the consequences of drug use. The aim will be to assure an information network, harmonisation of data collection among different sectors and information exchange at national and international level. All ministries, public institutions and NGOs are obliged to co-operate with the Information Unit. Several meetings with the Drug Bureau and the Public Health Institute have been held.

## **Administrative Measures and Structures relating to Money Laundering, Precursors Control, and Licit Drug Control**

### *Money Laundering*

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- Law on Money Laundering (1994) and amendments (1995)
- Office for Prevention of Money Laundering – Ministry of Finance (1995)  
Member Egmont Group.

### *Precursors Control*

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- Law on Precursors (2000)
- Penal Code: Article 196/III  
Provides for prosecution against illicit trade in Precursors.
- Government Regulation (1995)  
Controls chemicals listed in 1988 UN Convention. Requires imports or exports of these chemicals to receive written permission of the Ministry of Health. The Regulation is enforced by Article 196/III of the Penal Code.
- *Department for Drugs* at the Ministry of Health  
Responsible for authorisations and notifications (see **Structures and Formal Co-ordination in Demand Reduction**).
- *Customs Service*  
Responsible for enforcement of import, export and transit.
- *Criminal Investigation Service* - Ministry of the Interior  
Responsible for investigation of suspected cases of diversion.

### *Licit Drug Control*

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After its adoption, the Law on Production of and Trade in Narcotics and Psychotropics will be implemented by a regulation to be drafted by the Ministry of Health. Three decrees defining import/export rules, book-keeping and the list of substances will be published.

- Medicinal Products Act (1999)  
All licit drug provision is regulated by this law. Psychoactive drugs are not sold without a doctor's prescription.

- *Department for Drugs*  
Responsible for authorisations and notifications (see **Structures and Formal Co-ordination in Demand Reduction**).
- *Agency for Medicinal Products*  
Issues activity licenses for wholesalers and manufacturers.
- *Health Inspection*  
Responsible for controls over physical and legal persons involved in pharmaceutical activities. Inspections are conducted periodically for physical and documentary verification of stocks of controlled substances at manufacturers' and wholesalers' storage facilities, hospitals and pharmacies.

## **Criminal Sanctions**

### *Possession for personal use*

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- Punishable as an offence: Fine of 250 Euro to 750 Euro or prison sentence of up to 30 days. Seldom requested by judges.

### *General*

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- Production of cannabis, coca leaves, opium poppy and khat is illegal.
- Illegal production of and trade in narcotic drugs and psychotropic substances and facilitation of illegal drug use are defined as criminal acts.
- Punishment for violation of the Regulation relating to Precursors: 6 months - 5 years.



# **The European Union's main Acquis in the field of Drugs**

## *Global Action Plan*

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- European Union Action Plan to Combat Drugs 2000-2004

UN Conventions - to be regarded as inseparable from the achievement of the objectives of the European Union

- Single Convention on Narcotic Drugs (New York, 30 March 1961)
- Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972)
- Convention on Psychotropic Substances (Vienna, 21 February, 1971)
- United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988)

## *Approximation of Legislation*

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- Joint Action of 17 December 1996 concerning the approximation of the laws and practices of the Member States of the EU to combat drug addiction and to prevent and combat illegal drug trafficking: OJ No. L 342, 31 December 1996

## *Information*

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- Council Regulation (EEC) 302/93 of 8 February 1993 on the establishment of the European Monitoring Centre for Drugs and Drug Addiction: OJ No. L 36, 12 February 1993
- Council Regulation (EC) No 3294/94 of 22 December 1994 amending Regulation No 302/93 on the establishment of the European Monitoring Centre for Drugs and Drug Addiction: OJ No. L 341, 30 December 1994
- 'The Role and Financing of National Focal Points', adopted by the Management Board of the European Monitoring Centre for Drugs and Drug Addiction at its 14th meeting (22-23 October 1998)

## *Money Laundering*

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- Council of Europe Convention on money laundering, search, seizure and confiscation of the proceeds from crime, 8 November 1990
- Council Directive (EEC) 91/308 of 10 June 1991, on the prevention of the use of financial systems for the purpose of money laundering: OJ No. L 166, 28 June 1991
- Joint Action of 3 December 1998 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds from crime, OJ No. L 333, 9 December 1998

## *Precursor Control*

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- Council Regulations (EEC) 3677/90 of 13 December 1990 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances – OJ No. L 357, 20 December 1990. Amended by Council Regulation (EEC) 900/902 of 31 March 1992 – OJ No. L 96, 10 April 1992
- Council Directive (EEC) 92/109 of 14 December 1992 on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances: OJ No. L 370, 19 December 1992
- Commission Directive (EEC) 93/46 of 22 June 1993 replacing and modifying the Annexes to Council Directive (EEC) 92/109 on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances: OJ No. L 159, 1 July 1993

- Commission Regulation (EEC) 3769/92 of 21 December 1992 implementing and amending Council Regulation (EEC) 3677/90 of 13 December 1992. 1990 and 900/92 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances – OJ No. L 383 of 29 December 1992. Amended by Commission Regulation (EEC) 2959/93 of 27 January 1993 – OJ No. L 267, 28 October 1993. Amended by Commission Regulation (EC) 20 93/97 of 24 October 1997 – OJ No. L 292, 25 October 1997
- Council Regulation (EEC) 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of Member states and co-operation between latter and the Commission to ensure the correct application of the law on customs and agricultural matters – OJ No. L 82, 22 March 1997

#### *Synthetics/Chemical Profiling*

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- Joint Action of 29 November 1996 concerning the exchange of information on the chemical profiling of drugs to facilitate improved co-operation between Member States in combating illicit drug trafficking: OJ No. L 322, 12 December 1996
- Joint Action of 16 June 1997 concerning the information exchange, risk assessment and the control of new synthetic drugs: OJ No. L 167, 25 June 1997

#### *Inter-agency Law Enforcement Co-operation*

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- Council Resolution of 29 November 1996 on the drawing up of police/customs agreements in the fight against drugs: OJ No. C 375, 12 December 1996
- Council Act of 26 July 1995 drawing up the Convention on the establishment of a European Police Office (Europol Convention). Council Act 99/C26/02: OJ No. C 26, 30 January 1999
- Joint Action of 14 October 1996, providing a common framework for the initiatives of the Member States concerning liaison officers
- Joint Action of 9 June 1997 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, for the refining of targeting criteria, selection methods, etc, and collection of customs and police information: OJ No. L 159, 17 June 1997

### *Cultivation and Production*

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- Resolution of 16 December 1996 on measures to combat and dismantle the illicit cultivation and production of drugs within the EU: OJ No. C 389, 23 December 1996

### *Customs Surveillance*

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- Decision on revised arrangements for future joint customs surveillance operations, 29 November 1996
- Resolution concerning a handbook for joint customs surveillance operations, 9 June 1997

### *Co-operation with Industry and Trade*

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Joint Action 96/698 of 29 November 1996, on co-operation between customs authorities and business organisations on combating drugs trafficking: OJ No. L 322, 12 December 1996

### *Trafficking by Sea*

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- Agreement on illicit traffic by sea, implementing Article 17 of the United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances (ETS No 156 – Strasbourg, 31 January 1995)

### *Drug Tourism*

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- Resolution of 29 November 1996 on measures to address the drug tourism problem within the EU: OJ No. C 375, 12 December 1996

### *Sentencing*

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- Resolution of 20 December 1996 on Sentencing for serious illicit drug trafficking: OJ No. C 10, 11 January 1997

### *Organised Crime*

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- The Action Plan to combat Organised crime, 28 April 1997

- Council Resolution of 2 June 1994 on the framework for Community action in the field of public health: OJ No. C 165, 17 June 1994
- Council Conclusions of 24 July 1997 on the health aspects of the drugs problem: OJ No. C 241, 7 August 1997
- Decision (EC) No 102/97 of the European Parliament and of the Council of 16 December 1996 adopting a programme of Community action on the prevention of drug dependence within the framework for action in the field of public health (1996-2000): OJ No. L 19, 22 January 1997