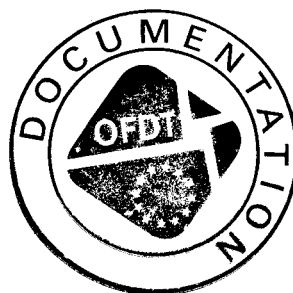


Overview

*of the legal and institutional responses
to the **drugs phenomenon** in the candidate
Central and Eastern European countries*

February 2001



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The publication has been prepared in the frame of the project 'Technical Assistance to the Phare Multi-beneficiary Drugs Programme'. The findings, conclusions and interpretations in this document are those of the project 'Technical Assistance to the Phare Multi-beneficiary Drugs Programme' alone and should in no way be taken to reflect the opinions of the European Commission.

Foreword

The second edition of this publication comprises an overview of the legal and institutional responses of the ten candidate countries of Central and Eastern Europe to the drugs phenomenon. The publication is a synthesis of information compiled through different projects under the Phare Multi-Beneficiary Drugs Programme.

First launched in 1993, this programme has facilitated the pre-accession preparations of the ten candidate countries in the field of combating drugs. It is our aim to assist the candidate countries in the adoption and implementation of the body of European Union law and practice in this area. The programme reflects the priority accorded to this issue in each Accession Partnership and corresponds to the targets of the EU Drugs Strategy.

The EU Drugs Strategy 2000-2004 aims to address the drug problem in a balanced and comprehensive manner. It identifies the preparation for enlargement as one of the main challenges for the European Union, and the Phare Programme as the primary instrument for pre-accession support. In this framework, the European Commission has specifically allocated € 20 million from the 2000 Phare Programme's budget to the fight against drugs, which constitutes a considerable increase in comparison to previous years. This sum comprises € 10 million for a new Phare Multi-Beneficiary Drugs Programme aimed at strengthening the capabilities for regional co-operation in the area of supply reduction and increasing its effectiveness. It also comprises € 1 million for each candidate country for drug projects under the National Phare Programme.

Synthetic drugs are a new problem tackled by the Phare Multi-Beneficiary Drugs Programme. The 2000 Annual Report of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) on the state of the drug problem in the European Union describes the overall increase in synthetic drugs in Europe. This year, the candidate countries of Central and Eastern Europe will start directly to participate in the activities of the EMCDDA. This is a step forward which will provide numerous benefits for them and for Europe as a whole.

Since the first edition published in February 2000, further progress has been made by the candidate countries, and I am confident that they will all continue to strive to achieve our common goal of 'freedom, security and justice' in an enlarged European Union.

As the accession negotiations continue, there is a need for relevant up-to-date information on what is a rapidly changing situation. I hope that readers will find this publication a helpful aid in keeping abreast of the latest developments. After more than seven years of successful co-operation, we have the advantage of being able to rely on a strong network of people in the candidate countries to implement the programme. Finally, I would like to express my sincere thanks to the National Drugs Co-ordinators of this network who have contributed to this exercise.

Rutger Wissels
Head of Team, DG Enlargement



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Introduction

This updated publication focuses on an important aspect of the drug field: the way in which the candidate Central and Eastern European countries deal with drugs in terms of legislation, policies, measures and structures. Since this is an area that is under continuous development, the publication is not intended to assess progress but rather to provide a snapshot of the situation in each candidate country at the beginning of the year 2001, exactly one year after the first edition.

In the style of an easy reference document, information is divided into sections on legislation, strategies, structures and co-ordination. As there are clear EU Acquis in the fields of money laundering, precursors control and licit drug control, separate sections on these are included. Due to the importance of drug information, a specific section is dedicated to this subject and particular attention is given to the status of the drug information Focal Points as important future counterparts to the European Monitoring Centre for Drugs and Drug Addiction. The last section on penal and administrative sanctions is slightly extended in comparison with the first edition and it is meant to provide a general orientation in the existing legal approaches and new trends in penalising drug trafficking and in some sensitive areas such as the punishment of the possession of drugs in small quantities or for 'personal use'. Though there is some overlap between sections, the text is kept as straightforward as possible with as many cross-references between the sections as was thought necessary.

Throughout the overview the terminology used is not consistent, since it was preferred to keep the references to national documents as they appear in the countries' reports and publications. Therefore, the descriptions for the different countries' situations may refer to laws or to acts, to drug use or to drug abuse, to dependence or to addiction, to name a few. It was also considered that this terminological diversity would allow for additional insight into the prevailing attitudes and approaches in each country's policy. 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 European Union's main Acquis in the drugs field is provided so as to facilitate the readers if they attempt to assess countries' progress in adoption and implementation of the Acquis. The list was compiled for the purpose of this publication, it is not an official one and is not meant to be comprehensive.

Bulgaria

Legal Framework

INTERNATIONAL LAW

- ▶ UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- ▶ Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed and ratified.

NATIONAL LEGISLATION

- ▶ Drugs and Precursors Control Act (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.

For more legislative measures see **Money Laundering, Precursors Control, Licit Drug Control and Penal and Administrative Sanctions**.

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

A National Strategy for Drug Control has been discussed by the National Council for Drugs (see **National Co-ordination**) in 1999. Decision taken to create a working group for developing a strategy, will be elaborated under the 2000 Phare National drug project.

SUPPLY REDUCTION STRATEGY

There is a draft Supply Reduction Strategy prepared by a working group from Ministry of Interior, which should be a part of the National Drug Strategy. Will be elaborated under the 2000 Phare National drug project.

- ▶ *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

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fields of supply reduction; trafficking; destruction of illicit cultivated plants; drug demand reduction and information policy).

DEMAND REDUCTION STRATEGY

- ▶ *National Drug Demand Reduction Strategy* (1996-1999)
No specific funding.
- ▶ *National Programme for Prevention* (1996)
Aimed mainly at schools; limited funding.
- ▶ Demand reduction included in the National Strategy for Counteracting Criminality (see **Supply Reduction Strategy**)

New National Demand Reduction Strategy will be elaborated under the 2000 Phare National drug project. Currently drug prevention is included in wider health promotion and alcohol and tobacco prevention.

Institutional Framework

NATIONAL CO-ORDINATION

- ▶ *National Drug Council* (1999)
Replaces the *Inter-Ministerial Council for the Fight against Drug Abuse and Drug Trafficking* (1993). Established by Drugs and Precursors Control Act (see **National Legislation**) with the Council of Ministers as a body entitled to enforce the national policy of combating the abuse of drugs as well as against drug trafficking. The National Drug Council carries out its activity according to Rules of Procedure to be adopted by the Council of Ministers. It is a collective body consisting of a President, two Vice-presidents, a Secretary and members. President of the Council is the Minister of Health, Vice-presidents are the Secretary-General of the Ministry of the Interior and a Deputy Minister of Justice and Legal European Integration. Members of the Council are representatives of the President of the Republic of Bulgaria, the Supreme Court of Cassation, the Supreme Administrative Court, the Supreme Cassation Prosecutor's Office, the Special Investigative Service and the ministries and departments concerned, specified by the Council of Ministers.

According to the issues on their agenda, the meetings of the Council may be attended by representatives of non-governmental and other organisations. The Council meets at least four times per year.

Drugs and Precursors Control Act also provides for a Secretariat supporting the Council, and responsible for creating local drug programmes. The Secretariat is in a process of establishment. For the purpose of implementing the policy of the National Drug Council, *Municipal Multi-disciplinary Drug Councils* were created whose functions and tasks are specified by the Rules on the Organisation and Activities of the National Drug Council.

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

Ministry of Interior:

- *Narcotics Division in the National Service for Countering 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 operational. The NSCOC hosts the *National Centre for collecting, processing and analysing intelligence information* (2000) with liaison officers from all services in the Ministry of Interior, as well as an observer from the Customs Directorate, written regulations and rules relating to its functions are not yet prepared. NSCOC serves as Focal Point for drug related information (see **National Focal Point**).
- *Drugs Units in the Criminal Police*
Responsible for law enforcement at street level, co-operates with the Narcotics Division (see above).
- *National Service Border Police (NSBP)*
A specialised operative police service designated for control of state borders. Assists NSCOC in drug related matters.
- *Specialised Investigative Service*
An independent part of the national judicial system, responsible for magistrate investigations on drug related crime; collects information on seized drugs.

Ministries of Health:

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

Interdepartmental:

- *Precursor Control Commission*
Includes representatives from Ministry of Health, Ministry of Interior, Customs, etc. (see **Precursors Control**).

Ministry of Finance:

- *Customs Agency*
Responsible for customs control of the entry/exit border points, including precursor chemicals. Co-operates 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.

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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

- ▶ Narcotic Drugs and Precursors Control Act appoints the responsible structures and institutions. A special position is given to the *National Centre for Addictions* and to the *Municipal Multi-disciplinary Drug Councils*.
- ▶ Key Ministries involved are *Health, Education and Science, Social Affairs and Labour*, as well as the *Ministry of Defence* and the *Committee of Youth, Sport, Physical Education and Children*.

Drug Information

DRUG INFORMATION SYSTEM

Institutions collecting, analysing and disseminating information:

- ▶ *National Service for Combating Organised Crime and Corruption* – Ministry of Interior
Data on drug offenders and drug trafficking cases, seizures and arrests. Prepares, together with Customs Agency and Ministry of Justice, the UN Annual Report Questionnaire Part III – Illicit Drug Trafficking.
- ▶ *National Drug Service* – Ministry of Health
Reports quarterly to UN 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 UN Annual Report Questionnaire Part I – Legislative, Administrative and Social Measures.
- ▶ *Customs Agency* – Ministry of Finance
Data on 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*
Responsible for the collection and processing of patient/client data (all treatment demands, first treatment demands, coverage of the substitution programmes, drug related infectious diseases, drug related non-fatal emergencies) and other public health data. Collect and analyse data on prevalence of use among general population, prevalence of use among school students, frequency and patterns of use, drug related deaths, etc.

NATIONAL FOCAL POINT

- ▀ National Service for Countering Organised Crime (see **Structures and Formal Co-ordination in Supply Reduction**)

Focal Point set up in 1996, and confirmed by the National Council for Fight Against Drug Abuse and Drug Trafficking. Status and mandate not yet clear; formal links between the Focal Point and most of the other relevant institutions do not exist. No specific staff or budgetary allocations. Under the provisions of the Narcotic Drugs and Precursors Control Act the Focal Point will be re-located and re-established within the *Secretariat of the National Drug Council* (see **National Co-ordination**).

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

MONEY LAUNDERING

- ▀ Act 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 Countering Organised Crime.

PRECURSORS CONTROL

- ▀ Drugs and Precursors Control Act (1999) (see **National Legislation**)
- ▀ Executive Order on Precursors Control, approved by Decree No. 10 of the Council of Ministers, adopted on 06 June 2000
- ▀ Instruction No. 2 of 5 July 2000, specifying the customs offices for the import, export, re-export or transit of precursors into the territory of the Republic of Bulgaria and designating customs offices in charge of clearance.

The above Act and Decree replace the 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) and Governmental Decree No. 307 regulating Import and Export of Controlled Chemicals (1994).

- ▀ *Inter-ministerial Precursors Control Commission* (1999)
Set up in Ministry of Economy, as foreseen in Drugs and Precursors Control Act (1999) and the Executive Order on Precursors Control (2000). Includes representatives from National Service for Countering Organised Crime – Ministry of Interior, National Drugs Service – Ministry of Health, Customs Agency – Ministry of Finance, and Ministry of Justice. The Commission is

assisted by the *Directorate on Registration, Licensing and Control* of the Ministry of Economy. Issues licences for production, processing, storing, use, import, export, transit and trading of precursors within national territory.

Precursors law enforcement is the joint responsibility of the Bulgarian Police and Customs.

LICIT DRUG CONTROL

Previous provisions have been incorporated into Drugs and Precursors Control Act (see **National Legislation and Precursors Control**)

Ministry of Health:

▀ *National Drugs Service*

According to the 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. For precursors and essential chemicals listed in Schedule IV, see the *Inter-ministerial Precursor Control Commission* above. Issues licences for narcotics and psychotropic substances trade, keeps records of wholesalers and manufacturers.

▀ *Bulgarian Drug Agency*

Authorised institution for analysis and licensing of new pharmaceuticals.

Penal and Administrative Sanctions

The Act on Narcotic Drugs and Precursors Control initiated amendments to the Penal Code that came in force at the beginning of 2000.

POSSESSION FOR PERSONAL USE

- ▀ According to Bulgarian Penal Code – Article 354a (3): a person who is considered as drug addict is not punished if the quantity, which acquires, stores, keeps or carries is in quantities showing that the drug is intended to single use.

GENERAL

- ▀ According the Penal Code, article 354a Paragraph (2):

- ▀ when the case is related to substances, which are distributed amongst more than two persons or in a public place or in the area of school premises and hostels or in a distance up to 250 metres of the areas belonging to the mentioned places;
- ▀ or the offender is medical doctor, pharmacist, teacher, head of educative authority or anybody from the prisons' staff;
- ▀ or the offence is accomplished repeatedly;



the penalty applicable is:

- in respect of 'high-risk' drugs, to imprisonment for a term between 15 and 20 years and fine from two hundred thousand to three hundred thousand leva (app. € 100.000 to € 150.000);
 - in respect of 'risk drugs', to imprisonment for a term between 10 and 20 years and fine from fifty thousand to one hundred and fifty thousand leva (app. € 25.000 to € 75.000).
- According the Penal Code, article 354c Paragraph (2): whoever organises, directs and/or finances a criminal group for cultivation of plants as cannabis, opium poppy and eritroxilon coca, or extraction, production, preparation, manufacture or processing of drugs, will be liable to imprisonment for a term of between 20 and 30 or a life imprisonment and a fine of between three hundred thousand and five hundred thousand leva (app. € 150.000 to € 250.000).

INTERNATIONAL TRAFFICKING

- Up to 20 years.

Czech Republic

Legal Framework

INTERNATIONAL LAW

- UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed and ratified.

NATIONAL LEGISLATION

- Act 354/1999 on Narcotic Drugs, Psychotropic Substances, Precursors and Essential Substances (1999)
Determines conditions for legal handling, importing, exporting and transporting illicit 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 rising of poppy seeds and hemp.
- Law 167/98 on Dependency Producing Substances and on Amendments of some other Acts
Adopted by the Senate 11 July 1998, came into force on 1 Jan. 1999, amended by Act 354/1999 (see above as well as **Precursors Control**).
- 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.
- 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.
- Law No. 37/1989 Coll. on Protection of Damages Caused by Alcohol Products, Tobacco and Other Narcotic and Psychotropic Substances
Regulates retailing of alcohol and tobacco. Prohibits the selling of cigarettes and alcohol to youth (under 18) and stipulates penalties. Concerning narcotic and psychotropic substances it defines responsibility on society protection, on prevention and treatment measures, coordination of drug policy, does not include procedures on illicit substances handling. Will be replaced by a new Law

currently adopted by the Government on 23/10/2000 (to undergo a Parliamentary procedure), which will specify the role of local and regional authorities in drug policy, responsibility, co-ordination of drug policy, handling and control in licit as well as illicit drugs.

For more legislative measures see **Drug Information, Money Laundering, Precursors Control and Licit Drug Control.**

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

▀ *National Drug Strategy for 1998-2000*

Identified 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 Policy Strategy 2001-2004*

Adopted by the Government of the Czech Republic on 23 October 2000, Resolution of the Government No. 1045/00. The Strategy lists 82 specific tasks and stipulates that all relevant ministries with a mandate in the drug field (such as Ministry of Interior, Ministry of Health – Inspectorate of Narcotic Drugs and Psychotropic Substances, Ministry of Finance – General Directorate of Customs, Ministry of Education, Ministry of Labour and Social Affairs, Ministry of Defence, Ministry of Agriculture and Ministry of Justice) as well as the regional and district authorities responsible for drug policy has the task to prepare in line with the Strategy guidelines a specific '*Ministry/Office drug policy strategy/action plan 2001-2004*'. The Strategy takes into account the administrative reorganisation i.e. the creation of bigger administrative and territorial units (see also **National Co-ordination**).

SUPPLY REDUCTION STRATEGY

See **Multi-disciplinary National Strategy.**

DEMAND REDUCTION STRATEGY

See **Multi-disciplinary National Strategy.**

Institutional Framework

NATIONAL CO-ORDINATION

▀ *National Drug Commission (NDC) (1993)*

Co-ordinates activities at central and local level. Meets at least three times a year. Chaired by Prime Minister; Executive Vice-Chairman is Minister without portfolio. Involves Ministries of Health, Labour and Social Affairs, Education, Interior, Justice and Defence (Ministry of Finance

is permanent guest). Prime Minister appoints an Executive Secretary who heads the NDC Secretariat (staff of seven). Contact persons responsible for the anti-drug policy agenda from each Ministry (*Board of Representatives of Ministries* – see below) communicate with the *NDC Secretariat*. Each Ministry as well as the NDC has its own anti-drug policy budget and there is specific budget for regional and district anti-drug policy. The Secretariat has responsibilities in budget allocation at both central and local level. At local level, 87 district/city anti-drug policy co-ordinators and commissions implement drug policy in line with the National Strategy and under the leadership of the National Drug Commission.

► *Board of Representatives of Ministries* (1999)

In June 1999 the National Drug Commission approved the statute of its consulting body – the Board of Representatives of *Ministries*. Its main task in 2000 was the preparation of the new National Drug Policy Strategy 2001-2004 (see **Multi-disciplinary National Strategy**). In order to improve the communication between the central and local level, the National Drug Commission established a *Task force* of drug policy co-ordinators (1999).

► *Local Drug Policy Co-ordinators and Drug Commissions* (1999)

At the local level consulting bodies – Drug Commissions – were established. Their function is the same as the one of the National Drug Commission at the national level. The co-ordination of drug policy at the local level was based on the methodological instruction of the National Drug Commission from 1997, establishing the position of *Drug Policy Co-ordinators* and incorporating it into the structure of the district or local authority that is fully in the competence of the respective mayor. In 1999-2000 an analysis of Drug Policy Co-ordinators' position was prepared and the results were taken into account in the newly adopted National Drug Policy Strategy. In 2001 a system of *Regional Drug Policy Co-ordinators* will be established in line with the state administrative reorganisation under which regional authorities (governments) will be created.

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

Ministry of the Interior:

► *National Drug Headquarters in the Organised Crime Unit* of the Criminal Police

Leads the fight 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. Drug prevention section runs a project for schools in co-operation with the Social Prevention Centre in Prague. Prevention handbook prepared for use by police officers.

Police and Customs:

A nation-wide joint Police – Customs drug information/communication system exists. Two working groups have been established: the *Police-Customs Working Group* (also participates the Inspectorate of Narcotic Drugs and Psychotropic Substances of the Ministry of Health) dealing with operational issues, and the *Precursors Working Group* (see **Precursors Control**).

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Ministry of Finance:

► *Anti-Drug 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)*

Inter-ministerial:

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 Headquarters and Anti-Drug Department of Directorate General of Customs have deputies in the *Board of Representatives of Ministries* (see **National Co-ordination**). Individual cases are methodologically and operatively solved in close co-operation.

STRUCTURES AND FORMAL CO-ORDINATION IN DEMAND REDUCTION

National Drug Commission, Ministry of Education, Youth, and Sports, Ministry of Health, and Ministry of Labour and Social Affairs have a common deadline to accept applications for subsidies and grants for implementation of programmes of primary, secondary and tertiary prevention for the next calendar year. The programmes are supported in a form of multi-source financing.

Ministry of Education, Youth and Sports:

Provides subsidies to both governmental and non-governmental organisations for the implementation of primary prevention programmes. Evaluates and supervises relevant activities.

► 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 teachers' training and peer education programmes.

Ministry of Health:

Provides subsidies to ensure specific health care services as an integral part of secondary and tertiary prevention programmes. Evaluates and supervises relevant activities.

Ministry of Labour and Social Affairs:

Provides subsidies to ensure availability of specific social services as an integral part of secondary and tertiary prevention programmes. Evaluates and supervises relevant activities.

National Drug Commission:

Provides subsidies to ensure availability of interdisciplinary services. Evaluates and supervises relevant activities.

Drug Information

DRUG INFORMATION SYSTEM

- ▀ Personal Data Protection in Information Systems Act (1992)
- ▀ Act No. 101/2000 Coll. on Protection of Personal Data
This new law adopted the basis for EU compatible data protection and the conditions for collecting of personal data. Based on this Act, Guidelines for data protection in drug treatment programmes are being prepared by the NDC Secretariat.
- ▀ Governmental Decree 446/1993 on the Concept and Drug Policy Programme
Provides for a national drug information, which has been established at *Hygienic Service* – Ministry of Health (1995)

Institutions collecting and providing drug related information:

- ▀ *Hygienic Station of the Capital Prague*
Records information on the incidence of problem drug users (first treatment demands); processes epidemiological information quarterly; processes information in other areas of the drug field; prepares summaries of relevant Czech and foreign information. Register of problem drug users implemented since 1995. 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 that 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 state 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 files information on HIV/AIDS. Automated system of infectious disease reports hepatitis A, B and C cases.
- ▀ *National Drug Headquarters Ministry of Interior and Anti-drug Department of the General Directorate of Customs*
Collect data on seized drugs and persons, including data on the purity of drugs and their price.

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- Information on criminal accusations and convictions are gathered from the *Public prosecution system*.

- National Drug Commission Secretariat* (see **National Co-ordination**)

The NDC Secretariat prepares Annual report on drug situation in the Czech Republic. The report includes all available data at central (from the ministries) and local level. Members of the Board of Representatives of Ministries (see **National Co-ordination**) prepare for this purpose progress reports on the ministries activities in fulfilling the tasks defined in National Drug Policy Strategy and in the ministries' Drug Policy Action Plans. District and city drug policy co-ordinators, trained by the Secretariat of the National Drug Commission, describe the local situation in their structured annual reports. NDC Secretariat collects for this purpose annual reports from all service providers funded from the state budget. The Annual report on drug situation in the Czech republic is regularly approved by the National Drug Commission and forwarded for information to the Government.

- Drug demand reduction services database at the NDC Secretariat*

Database of state funded drug demand reduction services is located in the NDC Secretariat. Annually updated data are available since 1998. 'Catalogue of Services Providing Drug Prevention' was completed in September 2000 – describes all service providers (divided by district and type of services), includes both services providing treatment and rehabilitation.

NATIONAL FOCAL POINT

Provisionally set up at Drug Information Centre of the National Institute of Public Health from 1994-1998, consequently relocated to Hygienic Station of Prague in 1998. No specific funding. Co-operates with some of the bodies collecting drug related data (see **Drug information system**).

After the adoption of the National Drug Strategy for 2001-2004 (Resolution of the Government No. 1045/00) the National Focal Point and National Information Centre will be located in the Secretariat of the National Drug Commission. Institutionalisation and establishment of data collection, analyses and dissemination will be addressed in the frame of the 2000 Phare National drug project.

The National Focal Point in the Drug Supply Reduction field will be established in the structure of the National Drug Headquarters of the Ministry of the Interior.

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

MONEY LAUNDERING

- Anti-Money Laundering provisions included in Law 61/96 (1996), amended in 1998 and 2000 – No.15/1998 Coll. and No. 159/2000 Coll.

Provides for measures prohibiting legalisation of gains from criminal activities and requires banks and other financial organisations to report unusual financial transactions and cash transactions over 500,000 Czech crowns to the *Financial Analysis Unit* in the Ministry of Finance (1997).

PRECURSORS CONTROL

- Act on Narcotic Drugs, Psychotropic Substances, Precursors and Essential Substances 354/1999 (see **National Legislation**)
- Law No. 167/1998 on Dependency Producing Substances and on Amendment of some other Acts, amended by Act 354/1999 of 9 December 1999 (see above)
Classifies all 22 precursors in two schedules and empowers government agencies to enforce their control. Provides for control of documentation, records and labelling, licensing and registration, as well as import and export authorisations.

Ministry of Health:

- *Inspectorate of Narcotic Drugs and Psychotropic Substances (NDPS)* (1994) (see **Licit Drugs Control**)
Has developed a computerised system (DMC) that includes information on Precursor control. It is responsible for issuing, adjusting, suspending and revoking licences or certificates of registration, export/import permits; keeping records on license holders and registered operators; reporting any suspicion of precursor diversion to the Police and/or to the Customs; sanctioning operators with fines; etc.

Ministry of Industry and Trade:

- *The Licensing Unit* issues, suspends and revokes export and import licences, and elaborates summary reports on international trade in precursors.

Police and Customs:

- *Police-Customs Working Group* (1996)
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

- Act 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 the responsibility of Deputy Minister 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.

Co-operation between Police and Customs and Inspectorate of NDPS (see **Precursors Control**).

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

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

GENERAL

- Manufacturing, importing, exporting, smuggling, providing, storage 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(s): 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 or involving a minor: 2-8 years.
- Inducing spread of addiction: up to 1 year or fine, involving a minor: up to 3 years.

INTERNATIONAL TRAFFICKING

See **General**.

Estonia

Legal Framework

INTERNATIONAL LAW

- ▶ UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified (the 1988 Convention ratified on 31 May 2000).
- ▶ Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed, ratified (8 March 2000).

NATIONAL LEGISLATION

- ▶ 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 Detoxification and Substitution Treatment of Drug Addicts in Different Health Care Phases (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, alcohol and drug addictions.

For more legislative measures see **Money Laundering, Precursors Control** and **Licit Drug Control**.

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

Two policy documents are considered as a framework of the overall strategy for drug prevention, drug control and the fight against drug related crime.

- ▶ *Principles of Drug Policy for 1997-2007*
Stipulates that combating crimes connected with narcotic drugs, and tackling drug use are national priorities. Covers prevention strategies and their evaluation. Funding available at national and local level.

OVERVIEW

OF THE LEGAL AND INSTITUTIONAL RESPONSES
TO THE DRUGS PHENOMENON IN THE CANDIDATE
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▸ *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 **National Focal Point**). Funding available at national and local level.

SUPPLY REDUCTION STRATEGY

2000 Phare National Programme will provide assistance in creating a national supply reduction strategy. Fighting drug related crime has been among the priorities of Estonian police in the last two years.

▸ *Main Objectives of the Control of Crime up to the year 2003* (July 2000)

In this document the Estonian Government acknowledged that the control of drug related crimes is one of the priorities of efficient and effective criminal procedures. This document was prepared in co-operation between the Ministry of Justice, the Ministry of Internal Affairs, the State Prosecutor's Office and the Police Board in order to facilitate the co-operation between the police forces and the State Prosecutor's Office in the area of criminal procedure.

DEMAND REDUCTION STRATEGY

Demand reduction is an integral part of the framework policy documents on drug prevention, drug control and the fight against drug related crime (see **Multi-disciplinary National Strategy**).

Since 1998, local authorities prepare demand reduction action plans with budget allocations. Tallinn, Tartu, and Narva (bigger cities with more severe drug problems) have interdisciplinary drug councils, action plans and budget allocations.

Institutional Framework

NATIONAL CO-ORDINATION

▸ *Ministers' Committee on Drugs Policy* (1996)

Chaired by Minister of Social Affairs. Members are Ministers of Education, Finance, Foreign Affairs, Interior and Justice. The Committee discusses and presents analysis of drug problems 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 planned work (see **National 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.

- ▀ *Advisory and Co-ordination Committee* set up by Decree No. 112 of March 28, 2000 of the Minister of Internal Affairs

This special advisory and co-ordination committee was formed for more effective implementation of the principles for drug prevention policy adopted by the Government. The committee consists of representatives of the Ministry of Internal Affairs, the Security Police Board, the Customs Board, the Ministry of Justice, the Ministry of Social Affairs, the Board of Border Guard and the State Prosecutors Office and the Central Criminal Police.

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*; a total of 57 officers are involved in drug related intelligence work in Estonia; as of March 2001 a drug unit will be operational in every police prefecture (county police).

- ▀ *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 on land border checkpoints and in 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. By Decree of the Minister of Internal Affairs adopted in March 2000 the structure of the Board of the Border Guard was supplemented and a special group was formed to combat drug smuggling.

Ministry of Finance:

- ▀ *Customs*

Enforcement Department of Customs is in charge of preventing acts of diversion and related fraud. In December 1999 the Customs Board formulated the *Strategic Plan of Drugs Control for 1999-2003* together with a development plan for 2000. The Plan provides description of the current situation and outlines the development plans in terms of existing technical equipment, training and trends.

- ▀ *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.

OVERVIEW

OF THE LEGAL AND INSTITUTIONAL RESPONSES
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- 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).

Intergovernmental:

At the meeting of the Prime Ministers of Estonia and Finland the agreement was reached concerning the foundation of a joint working group to carry out practical co-operation in the resolution of cases of illicit drug trafficking. Relevant groups were formed within the Central Criminal Police of both countries and they started their work on 1 September 2000.

STRUCTURES AND FORMAL CO-ORDINATION IN DEMAND REDUCTION

- *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, counselled 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*, 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

DRUG INFORMATION SYSTEM

Drug related 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, Ministry of Education, Ministry of Internal Affairs, and Ministry of Economy.

Creation of a drug information system was one of the three main priorities of the Alcohol and Drug Abuse Prevention Programme for 1999. Programme has financed a general population survey on substance abuse (1998), a school survey and a prison survey (1999).

- **Drug Information Resource Centre**
Established in the framework of the Alcohol and Drug Abuse Prevention Programme in the end of 1999 and opened for public use in February 2000 (see **National Focal Point**).

- ▶ Estonian Bureau of Forensic Medicine
Created and managed logistical system for toxicological analyses (1998-1999).

NATIONAL FOCAL POINT

- ▶ *Ministry of Social Affairs*
Has the overall responsibility for the drug information Focal Point. Estonian Foundation for the Prevention of Drug Addiction carries out the tasks of the Focal Point (see below).
- ▶ *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 (see Drug information system). On this basis it was designated to fulfil the tasks of the Focal Point. There are three divisions within the Foundation: Drug information system (within this division a First Treatment Demand Database has been established), Projects and Administration.

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

MONEY LAUNDERING

- ▶ Money Laundering Prevention Act (1998)
Established 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 Law on Preventing Money Laundering a Disclosure 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.

Ministry of Internal Affairs:

- ▶ *Economic Police Department*

Responsible for the investigation of money laundering cases.

PRECURSORS CONTROL

- ▶ **Narcotic Drugs and Psychotropic Substances Act (1997)** (see **National Legislation**)
- ▶ **Governmental Regulation No. 231 from 28 November 1997 on the Procedure for Handling Precursors**, entered into force on 3 December 1997
- ▶ **Regulation No. 39 of the Minister of Social Affairs of 4 November 1997 on Procedure for Handling for Medicinal and Scientific Purposes of Narcotic Drugs, Psychotropic Substances and Substances subject to Special Recording, Procedure for Related Recording and Reporting, and Schedules of Precursors** (see also **Licit Drug Control**)
- ▶ **State Agency for Medicines (SAM)** (see also **Licit Drug Control**)
Responsible for administrative controls (registering handlers of schedule II substances, receiving annual reports from licensed and registered handlers, issuing of import, export and transit authorisations). Carries out inspections of the registered and licensed operators. Introduced an information procedure with Police and Customs through which contact persons are informed on a quarterly basis or whenever requested about licensed and registered 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

- ▶ **Narcotic Drugs and Psychotropic Substances Act (1997)** (see **National Legislation**)
- ▶ **Regulation No. 39 of the Minister of Social Affairs of 4 November 1997 on the Procedure for Handling for Medicinal and Scientific Purposes of Narcotic Drugs, Psychotropic Substances and Substances Subject to Special Recording, Procedure for Related Recording and Reporting, and Schedules of Precursors**
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 which are used as real evidence or which are subject to seizure at the Police Forensic Science Bureau.
- ▶ **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)**
Applications for licenses of manufacturing, wholesale and retail sales are submitted to SAM. Approved applications for licenses are transmitted to an expert committee under the authority of the Ministry of Social Affairs. The Minister makes final decision. SAM is responsible for inspections before granting the licenses and routine supervision of manufacturers, wholesalers and retailers of medicinal products, issue of import and export authorisations, receiving respective quarterly reports from handlers of narcotic drugs and psychotropic substances (manufacturers, wholesalers, pharmacies).

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

Punishable:

- ▶ first time: administratively – fine.
- ▶ second time in a year: criminal offence – fine or detention.

GENERAL

- ▶ Illegal possession, passing on, use, manufacturing without intent to sell the substance: up to 3 years of imprisonment.
- ▶ Illegal possession, passing on, use, manufacturing with intent to sell the substance: up to 7 years of imprisonment.
- ▶ Illegal cultivation of poppy and cannabis: up to 5 years of imprisonment.
- ▶ Inducing a minor to use drugs: up to 8 years of imprisonment.
- ▶ Theft of drugs: up to 5 years imprisonment.
- ▶ Robbery of drugs: 6-12 years of imprisonment.
- ▶ Following Money Laundering Prevention Act, amendments to Penal Code (1999) – money laundering is punishable with a maximum of 10 years of imprisonment.

INTERNATIONAL TRAFFICKING

- ▶ 5 years.

Hungary

Legal Framework

INTERNATIONAL LAW

- UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed, ratified (1999).

NATIONAL LEGISLATION

- Act I of 1973 on the Penal Procedure
Amended several times to include new, simplified procedure for pre-trial seizure, confiscation and destruction of drugs/psychotropic substances in the investigation of drug-related offences.
- 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 drunken and 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 to carry out special investigative techniques such as controlled deliveries, use of informants and undercover officers, physical and technical surveillance, interception of telecommunications, listening and video devices, and covert operations. Deals with prevention of drug related crime and put drugs/psychotropic substances and precursors under police control as substances dangerous to public safety (see also **Licit Drug Control**).

- ▶ **Act C of 1995 on Customs Legislation, Customs Procedure and Customs Administration**
Within the general task of preventing all kinds of smuggling, the detection and seizure of illegal shipments (thus including drugs) is the task of the Customs services. Amendments to this Act in 1998 and 1999 give the right to use special and pre-trial investigative methods and techniques, including controlled delivery regulated by the Act on the Police in the investigation of the offences within its power (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**
The Act by amending legislation containing measures for the fight against organised and drug related crime introduces new measures foreseen in international agreements.
- ▶ **Act CXXV of 1995 on National Security**
Tasks the National Security Services of detection of and collection of information on 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**
The Act establishes the International Law Enforcement Co-operation Centre (containing Interpol NCB, Europol Project Unit and their 24-hour desk office) specially designed to fulfil the recommendation of the EU Action Plan to Combat Organised Crime.
- ▶ **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 the 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 the Local Self Governments**
Local governments are responsible for the administration of health care and welfare care of local communities. Notaries can order compulsory treatment for alcohol or drug addicted persons, if considered 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
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.

For more legislative measures see **Drug Information System, Money Laundering, Precursors Control, Licit Drug Control and Penal and Administrative Sanctions.**

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

National Strategy to Combat the Drug Problem elaborated by the Ministry of Youth and Sports was passed by the Parliament on 5 December 2000.

SUPPLY REDUCTION STRATEGY

Supply reduction is dealt with in the National Strategy (see **Multi-disciplinary National Strategy**).

DEMAND REDUCTION STRATEGY

Demand reduction is dealt with in the National Strategy (see **Multi-disciplinary National Strategy**).

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 HQ (HNP HQ)*

Has annually updated 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 Institute of the HNP HQ* serves the Directorates
- *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.
- *International Law Enforcement Co-operation Centre NEBEK* (1998), a national Focal Point for information exchange in international law enforcement co-operation. Responsible for information exchange and operational co-ordination through the delegated law enforcement liaison officers in drug investigations. Staffed by officers from the Police and liaison officers from Customs, Border Guard and Criminal Investigation Directorate of the tax authority.
- *Financial Intelligence Unit (FIU)* at the Economic Crimes Division is responsible for receiving and processing reports on suspicious transactions, for the co-ordination of anti money laundering activities of the Police and for the co-operation with the state organs supervising financial institutions (see also **Money Laundering**).

Ministry of Finance:

- *Customs and Finance Guard*

Responsible for initial detection and seizure of narcotic drugs and psychotropic substances concealed in legal shipments. Customs bases its detection work on risk assessment and profiling. Access to processed data is occasionally (upon request) provided to other agencies.

Customs and Finance Guard has special teams in the Criminal Investigation Department and the Border Guard. Its central unit – *Division of Special Cases* – 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.

- *Criminal Investigation Directorate of the Tax and Financial Control Bureau*

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. Covers treatment, prevention, research, harm reduction and pharmaceutical control.

- *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 Institute of Psychiatry*

Leading 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).

- *National Health Education Institute*

Responsible for health education and health promotion.

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.

Ministry of Education:

- ▀ School system, through which drug prevention projects are carried out through teaching.

Ministry of Interior:

- ▀ *Police Crime and Drug Prevention Division* (see **Structures and Formal Co-ordination in Supply Reduction**).

Drug Information

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
- ▀ Act XXXIV of 1994 on the Police (as sectoral data protection legislation)

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

Data on drug treatment, mortality, co-morbidity are collected under the aegis of the *Ministry of Health*. The *Ministry of Interior*, and the *Supreme Prosecutor's Office of Unified Police, Prosecution and Justice Statistics* collect law enforcement, penal procedure and justice data.

- ▀ *Forensic Medical Institutes and 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 Economy*
Collects data on the legal export import of precursors.
- ▶ *Ministry of Youth and Sport*
Responsible for the collection of doping abuse related data.
- ▶ *National Police Headquarters*
Collect data on seizures, procedures, arrested persons, prices of illicit drugs, etc.
- ▶ *Information Division of the Supreme Prosecutors Office*
Collect data on arrests, penal procedures, court decisions, etc.
- ▶ *National Drug Laboratory of the Forensic Science Institute*
Data on purity of seized and on new synthetic drugs.

NATIONAL FOCAL POINT

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**. Its institutionalisation and operationalisation will be addressed through the 2000 Phare National drug project.

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

MONEY LAUNDERING

- ▶ 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. Provides for obligatory customer identification and report to the police on any transaction (cash or electronic) exceeding 2 million HUF (app. € 8.000). Furthermore it provides for obligatory report of any suspicious transactions even under this limit.

- ▶ Amendments to Penal Code concerning Economic 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 amendment of 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 Economic Crime Division of the National Police Headquarters. Banks introduced their internal regulation (in co-operation with FIU) for assessing and reporting suspicious cases of money laundering (1994).

PRECURSORS CONTROL

► 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 as amended by 65/1999 (V.5.) on the Regulation of activities performed with 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)

► The amended Penal Code (came into force 1999)

Includes article 283/A establishing a new offence for illicit manufacturing, supply, distribution or traffic (only possession is not included) of precursors, with a punishment up to three years imprisonment.

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

LICIT DRUG CONTROL

► Joint Decree 1/1968 of the Ministers of Health and Interior on the Production, Trafficking, Import, Export, Storage and Use of Narcotic Drugs (including national lists of narcotic drugs)

► Government Decree 8/1968 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



- Law Decree 25 of 1979 on the promulgation of 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 national psychotropic lists)
- 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 (as morphine, methadone, and several others).
- Act XXXIV of 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-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 Joint Decree 4/1980
The 1st of the Lists of Psychotropic Substances of the 1979 UN Convention (promulgated by Law Decree 25. 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 psychotropic 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 involve also 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 alkaloid 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.

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

- ▶ Up to 2 years.

GENERAL

- ▶ 5-8 years.

INTERNATIONAL TRAFFICKING

- ▶ Up to life sentence (see also **National Legislation**).

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

- ▶ UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- ▶ Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed, ratified (1998).

NATIONAL LEGISLATION

- ▶ The Criminal Law of the Republic of Latvia (1998)
Drug use de-penalised; provides for alternatives to imprisonment.
- ▶ Law on Children's Rights Protection (1998)
Provides for treatment and rehabilitation of juveniles.
- ▶ Cabinet Regulation on Ministries responsibilities in Licit Drugs and International Activities (1997)
- ▶ Cabinet of Ministers Regulation No.452 (Dec. 1999) on Amounts of Drugs, Psychotropic Substances and Medicinal Products in Illicit Circulation, entered into force on 1 January 2000
Determines the minimum quantities of illicit drugs sufficient to call criminal liability.
- ▶ Law on Medical Treatment (1997)
Part X deals with 'Treatment of drug and alcohol addicts and users of toxic substances'.
- ▶ Pharmacy Law (1997), amendments (March 1998 and Dec. 1998)
- ▶ Epidemiological Surveillance Law (1997)
- ▶ Cabinet Regulation No. 249 (1996), amendment (May 1997)
Basis for the Drug Control and Drug Abuse Combat Co-ordination Commission (see **National Co-ordination**)
- ▶ 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.

For more legislative measures see **Money Laundering, Precursors Control and Licit Drug Control**.

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

► *Drug Control and Drug Abuse Prevention Masterplan 1999-2003 (1999)*

Prepared by the National Drug Control and Drug Abuse Combat Co-ordination Commission (see **National Co-ordination**). This is a policy document. 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.

In the frame of the 2000 Phare National drug project an *Action Plan* for the implementation of the Masterplan will be elaborated and adopted by the Cabinet of Ministers as a normative document and legislative base, binding for all institutions involved in drug control and drug prevention. The Action Plan will include actions so as to develop national drug policy, legislation, inter-ministerial coordination, supply and demand reduction. Will be financially supported from the state budget.

► *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**).

SUPPLY REDUCTION STRATEGY

To be elaborated as an integral part of an *Action Plan* for the implementation of the Masterplan (see **Multi-disciplinary National Strategy**), will include actions to combat illicit drug trafficking and money laundering, control of precursors, collaboration of law enforcement institutions at national and international level.

DEMAND REDUCTION STRATEGY

To be elaborated as an integral part of an *Action Plan* for the implementation of the Masterplan (see **Multi-disciplinary National Strategy**), will include actions on prevention, treatment, rehabilitation, involvement of civil society, research, etc.

Ministry of Education and Science:

► *Health Education Strategy*

Foresees drug issues as part of the Health Education curricula, although health education remains optional in high schools (see also **Structures and Formal Co-ordination in Demand Reduction**).



Other relevant strategic documents:

- ▶ *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*

Institutional Framework

NATIONAL CO-ORDINATION

- ▶ *Drug Control and Drug Abuse Combat Co-ordination Commission* (1996)
Established by Cabinet Regulation (see **National Legislation**). Chaired by the Minister of Interior. Involves Ministries of Education and Science, Welfare, Finance, Foreign Affairs, Defence and Justice. Responsible for assessing the drug situation 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 of the Commission strengthened its structure and political support.
- ▶ Specific sub-commissions of *Drug Control and Drug Abuse Combat Co-ordination Commission* deal with:
 - ▶ fight against illicit trafficking of drugs;
 - ▶ supervision of circulation of legal drugs and psychotropic substances;
 - ▶ supervision of circulation of precursors;
 - ▶ drug demand reduction – prevention, treatment and rehabilitation;
 - ▶ information collection, processing and analysis and external communication;
 - ▶ ad hoc sub-commissions or working groups are created, involving experts of participating ministries, to deal with special issues such as preparation of new legislation, drafting project proposals, reports, etc.

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

Ministry of Interior:

- ▶ *Drug Enforcement Bureau (DEB), Criminal Police Board*
Forms a division within the Criminal Police. Principle coordination agency in the investigative and operational actions, pertaining to criminal actions related to narcotic and psychotropic substances and their precursors. 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:
 - ▶ 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;

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▮ *Regional Unit* consist of 5 regional groups, leads and co-ordinates drug enforcement work in Latvian regions.

▮ *Drug Enforcement Unit (1997)*

Established by Riga Main Police Board.

▮ *Interpol Unit of the Criminal Police*

Liaison with Interpol.

▮ *Border Guard*

Transferred from Ministry of Defence in 1997. Major border crossings jointly manned by Border Guard and Customs staff; some smaller ones by Border Guard only.

Ministry of Finance:

▮ *National Customs Board of the State Revenue Service (SRS)*

One of its 'strategy of operations tasks' is formulated as 'protection of public health and social protection through a more effective control of drugs'. Within the customs system, the illicit transportation of narcotic and psychotropic substances over the border is controlled by the staff of the border-control points, *Regional Smuggling Enforcement Divisions* (1991), *Smuggling Enforcement Division of the National Customs Board* and the *Drug Enforcement Unit* within the Division.

▮ Agreement on Mutual Exchange of Intelligence Information and Cumulative Activities, 4 November 1999

This Memorandum of Understanding was signed between the Drug Enforcement Bureau and the National Customs Board of the State Revenue Service.

STRUCTURES AND FORMAL CO-ORDINATION IN DEMAND REDUCTION

Ministry of Welfare:

▮ *State Centre of Drug Abuse Prevention and Treatment – Narcology Centre (1997)*

Key co-ordination and methodological institution for demand reduction. Created through a merger of previously separate agencies working on prevention and treatment. Functions include information collection and data analysis, prevention and education programmes, register of drug addicts, in- and out-patient treatment, and mid-term treatment services, as well as training on prevention and treatment, research, etc. (see also **National Focal Point**).

Ministry of Education and Science:

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

▮ *School Curriculum on Drugs and Addictive Substances* adopted in 2000

It is a part of the Health Care Reform Project in Latvia.



City of Riga:

- *Riga Drug Abuse Prevention Centre* (April 2000)
Co-ordinates drug prevention activities in Riga, functions include prevention and education programmes, training on prevention, research, telephone hotline and outreach programme.
- *Action Plan 2000-2001 for Drug Abuse Prevention in Riga*
Adopted by the Riga City Council as an integral part of the Masterplan (see **Multi-disciplinary National Strategy**).

Drug Information System

DRUG INFORMATION SYSTEM

Drug Control and Drug Abuse Prevention Masterplan 1999-2003 envisages the creation and development of a drug information system with the following contributing institutions:

- *State Centre of Drug Abuse Prevention and Treatment – Narcology Centre* (see **National Focal Point**)
- *Health, Statistics and Medical Technology Agency*
Health data, mortality data and health services data.
- *Central Statistical Bureau of Latvia*
General statistics and general offences statistics.
- *Drug Enforcement Bureau, Ministry of Interior* (see **Structures and Formal Co-ordination in Supply Reduction**)
Information on drug related crime and illicit trafficking and seizures.
- *Forensic Medical Centre*
Drug related deaths.
- *National Customs Board*
- *Criminology Research Centre*
- *AIDS Prevention Centre*
- *Ministry of Education and Science, and NGOs* provide operational information related to drug issues according to their responsibility and functions.

NATIONAL FOCAL POINT

- ▶ *Methodological Department of the Centre of Drug Abuse Prevention and Treatment – Narcology Centre* (see **Structures and Formal Co-ordination in Demand Reduction**)
Serves as Focal Point (1996) of the drug information system. 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. Co-operates with relevant institutions (see **Drug information system**).

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

MONEY LAUNDERING

- ▶ Law on Prevention of the Legalisation of Proceeds Derived from Criminal Activity (Dec. 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 Criminal Activity (1997), under supervision of the *Prosecution Office*. Functions as *Financial Intelligence Unit (FIU)*.



PRECURSORS CONTROL

- Precursors Law (1996), amendment (1998)
- Order of the Ministry of Welfare on Registration of operators involved in precursors trade (Jan. 1997)
- Regulation No. 365 of the Cabinet of Ministers on Procedures for Registration and Licensing of Operators of Precursors (1996), amended in 1998
- Order of the Ministry of Welfare on Procedure for the issuance of precursors import, export and transit permits (1997)
- Order of the Ministry of Economy entrusting precursors licensing to the Commission on the Licensing of Precursor Operators at the Ministry of Economy (1998)
- Regulation No. 29 of the Cabinet of Ministers on Regulations on the Registration of Narcotic Substances, Psychotropic Substances and Precursors under the Supervision of the Ministry of Welfare (Jan. 1997)
- *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)
Issues import, export and transit authorisations for precursors and essential chemicals.
- *State Pharmacy Inspectorate*
Responsible for precursors administrative controls and inspections.
- *State Revenue Service* – Customs (see **Structures and Formal Co-ordination in Supply Reduction**)
Customs control and enforcement.
- *Drug Enforcement Bureau* – Criminal Police Board (see **Structures and Formal Co-ordination in Supply Reduction**)
Enforcement of precursors control.

LICIT DRUG CONTROL

- Amendment to the Regulation of Narcotic Drugs and Psychotropic Substances and Drugs (Aug. 1999)

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- Regulations of the Cabinet of Ministers No.333 on the Procedure for the Purchase, Storage, Use and Records of Medicinal Products at Medical Institutions (Oct. 1999)
- Law on Procedures for Legal Trade of Narcotic and Psychotropic Substances and Drugs (1996), amended (1998)
- Cabinet of Ministers Regulation on Licit Cultivation of Cannabis (Oct. 1996)
Passed according to Article 6 of the Law Legal Trade of Narcotic and Psychotropic Substances and Drugs (1996).
- Cabinet of Ministers Regulation on Arrangement how the permission have to be imparted for using narcotic drugs and psychotropic substances for medical, scientific and study purposes (Aug. 1996)
Passed according to Article 7 of the Law Legal Trade of Narcotic and Psychotropic Substances and Drugs (1996).
- Cabinet of Ministers Regulation on Transit order of narcotics and psychotropics (Aug. 1996)
- Cabinet of Ministers Regulation on Procedures for turnover of narcotic drugs in treatment establishments (July 1995), amended (July 1998)
- Cabinet of Ministers Regulation on Circulation order of narcotics and psychotropics in chemical and pharmaceutical enterprises, wholesalers and chemistries (July 1995), amended (July 1998)
- Cabinet of Ministers Regulation on Prescription forms for narcotic drugs (July 1998)

Ministry of Economy:

- *Licensing Commission*

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.

Ministry of Welfare:

- *Pharmacy Department*

Responsible for preparation of legislation, relations with international organisations and issuing authorisations for health care institutions.

- *State Agency of Medicines* (1996)

Responsible for import, export and transit authorisations.

- *State Pharmacy Inspectorate*

In charge of inspections.



Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

Under the Administrative Law

- Illegal acquisition and possession in ‘small amounts’, illegal consumption – fine.

GENERAL

- Theft of narcotic or psychotropic substances: not less than 3 years – up to 15 years.
- Robbery of narcotic or psychotropic substances: not less than 8 years – up to 15 years.
- Smuggling of narcotic or psychotropic substances: up to 10 years.
- Violation of provisions regarding the production, acquisition, storage, registration, dispensation, transportation and conveyance of narcotic and psychotropic substances: up to 5 years.
- Unauthorised dispensation of narcotic and psychotropic substances: up to 5 years.
- Inducement to use narcotic and psychotropic substances: up to 15 years.
- Administering of narcotic and psychotropic substances against a person’s will: up to 15 years.
- Unauthorised manufacture, acquisition, storage, transportation and conveyance of narcotic and psychotropic substances: up to 15 years.
- Manufacture, acquisition, storage, transportation, conveyance and sale of equipment and substances (precursors) intended for unauthorised manufacture of narcotic and psychotropic substances: up to 10 years.
- Unauthorised Sowing and Growing of Plants Containing Narcotic Substances: up to 5 years.

INTERNATIONAL TRAFFICKING

See General.



Lithuania

Legal Framework

INTERNATIONAL LAW

- UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) signed and ratified.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed, ratified (1994).

NATIONAL LEGISLATION

- Law on Narcotic Drugs and Psychotropic Substances Control (1998)
Lists narcotic drugs and psychotropic substances under control, 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 amendment of the Penal Code on illicit trafficking of precursors of narcotic drugs and psychotropic substances (1999)
- 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 Decrees and Orders have been issued by Ministry of Health between 1997-2000 in order to implement the main legislative body. For more legislative measures see **Money Laundering, Precursors Control and Licit Drug Control**.

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 re-integration. The Programme is currently under revision; new measures for 2001-2003 will be adopted by Governmental Resolution.

SUPPLY REDUCTION STRATEGY

Supply reduction strategy and the operational action plan to define and implement supply reduction priorities will be prepared under the 2000 Phare National drug project.

DEMAND REDUCTION STRATEGY

The National Drug Control and Drug Prevention Programme 1999-2003 calls for 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)*
Include prevention of substance abuse among youth.
- *Programme of the Government of Republic of Lithuania 2000-2004* adopted by Resolution No. IX-20 (2000) of the Seimas (the Parliament) of Republic of Lithuania
Chapter 12 of the Programme – National Security and Defence of the Country, provides for the reduction of alcohol and drug addiction and for the preparation and implementation of more effective prevention programmes.

Demand reduction strategy and an operational action plan for its implementation will be prepared under the 2000 Phare National drug project.



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. Draft Governmental Resolution for strengthening the Commission has been prepared. Secretariat of the Commission will be established. Members of the Commission will be vice-ministers of the above ministries as well as the Deputy Chairman of the State Security Department, Deputy General Commissioner of Police Department, Deputy Chairman of Customs Department and Director of Prisons Department, Ministry of Justice.

On regional (or municipality) level *Drug Control Commissions* will be established.

► *National Co-ordination Board for implementation of National Drug Control and Drug Prevention Programme* Established by Order No. 205 of the Minister of Health (1999).

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

Ministry of Interior:

► *Anti-Narcotic Board (2000)*

Replaced the Anti-Narcotic Unit (1995), has staff of 21.

► *Operational Activities Service at Criminal Police*

Provides special 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.

► *Anti-Narcotic Units (1999)*

Set up in major cities, include up to thirty staff members.

Ministry of Finance:

► *Anti-Smuggling Department of the Customs Department (1999)*

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 can assign experts to work in joint groups. Over 20 mobile groups were formed in the counties to combat organised crimes.

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Ministry of Health:

- ▀ *Narcotic Commission of State Medicine Control Agency* – Ministry of Health
Responsible for the control of licit traffic 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.
- ▀ *Public Health Supervision Service* (2000)
- ▀ *Board for Co-ordination of Drug Prevention, Treatment and Rehabilitation* (1998)
Established by Ministry of Health Order No. 367 (1998).
- ▀ *National Health Promotion Centre* (1995)
- ▀ *State Mental Health Centre* (1998)
Includes Department on dependence disorders.
- ▀ *Ten County Public Health Centres* (1998)
- ▀ *Dependence Disorders Centres in Vilnius and Klaipeda*
Three more dependence disorders centres are under establishment in 2001 under the provisions of the National Drug Control and Drug Prevention Programme (see **National Strategies**).
- ▀ *Municipal Mental Health Centres*
- ▀ *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).
- ▀ *National AIDS Centre*
Organises educational activities on prevention of drug abuse and AIDS.

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. From 1993 the Health Education Project (including drugs) was established by the Open Society Fund, and special training activities for teachers organised.



Ministry for Social Security and Labour:

Carry out some tasks relating to social programmes, prevention and rehabilitation.

Drug Information

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.

NATIONAL FOCAL POINT

Currently based in the Governmental Drug Control Commission (since 1996) (see **National Coordination**). Information flow between Focal Point and other institutions not yet formalised. Head Specialist at Ministry of Health has management responsibility. Formal establishment and institutionalisation of the National Focal Point will be achieved under the 2000 Phare National drug project.

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

MONEY LAUNDERING

- Law on the Prevention of Money Laundering (1997)
 Provides for Government, Tax Police, Bank of Lithuania and Customs Department responsibilities in 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)

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- ▶ *Money Laundering Prevention Unit* (Financial Intelligence Unit, 1998) in the *Tax Police Department* of the 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

- ▶ Law on Narcotic Drugs and Psychotropic Substances Control (1998) (see **National Legislation**)
- ▶ Law on Control of Precursors of Narcotic Drugs and Psychotropic Substances (1 June 1999)
- ▶ Decree No. 526 of the Ministry of Health (3 December 1999), concerning the approval of regulations pertaining to the Law on Control of Precursors of Narcotic Drugs and Psychotropic Substances
- ▶ Government Resolution No. 509 (8 May 2000) on the enforcement of the Law on Control of Precursors of Narcotic Drugs and Psychotropic Substances
- ▶ Decree No. 577 of the Ministry of Health (2 October 1998) revised by Decree No. 52 of the Ministry of Health (31 January 2000) on the List of Precursors of Narcotic Drugs and Psychotropic Substances
- ▶ Decree No. 64 by the State Medicines Control Agency of 31 May 2000 Concerning Licensing and Registration of Activities Involving Precursors and the Approval of Forms for Documents and Authorisations

Ministry of Health:

- ▶ *Narcotic Commission of State Medicine Control Agency*
Responsible for licensing (see **Licit Drug Control**).
- ▶ *Pharmacy Inspectorate*
Responsible for controls over medicines based on precursors and inspections (see **Licit Drug Control**).

Police and Customs:

Police (*Board for the Control of Smuggled, Narcotic and Non-proliferated Substances* in the Organised Crime Investigation Service of the Police Department's Criminal Police section, Ministry of Interior) and Customs (Ministry of Finance) are jointly responsible for enforcement of precursors 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 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.

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

- ▶ Illicit production, acquisition, possession, transportation or shipment of drugs, without aiming to sell or distribute: up to 3 years.

GENERAL

- ▶ Cultivating of prohibited poppies and cannabis plants: up to 5 years (8 years if recurring).
- ▶ Possession with intent to sell or distribute: 5-10 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 (up to 20 years if committed against juvenile).

INTERNATIONAL TRAFFICKING

See General.

Poland

Legal Framework

INTERNATIONAL LAW

- ▶ UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- ▶ Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed, ratified (1999).

NATIONAL LEGISLATION

- ▶ Law on Counteracting Drug Addiction (1997), amended in 2000
Provides for educational and preventive actions, treatment and rehabilitation of addicted persons and substitution treatment. Provides also measures against illicit trafficking and for control, production, and possession of addictive substances and precursors, as well as for control of the licit cultivation of plants containing addictive substances. The amendments to the Law passed by Parliament in December 2000 made provisions regarding possession of small quantities more restrictive and strengthened role of demand reduction.
- ▶ Ministry of Health Regulation on Substitution Treatment (1999)
Defines conditions that must be fulfilled by the treatment providers and the connected procedures of conduct.

Draft secondary legislation currently under consideration:

- ▶ Defining composition and tasks for Council for Drug Addiction Counteracting, and principles and conditions of operation (draft has undergone inter-ministerial consultations; to be issued by Prime Minister's Office).
- ▶ Conditions to be fulfilled by the treatment and rehabilitation providers (to undergo inter-ministerial discussion; to be issued by Ministry of Health).
- ▶ List of medical and non-medical professions permitted 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).

For more legislative measures see **Money Laundering, Precursors Control and Licit Drug Control**.

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

- ▶ *National Programme for Counteracting Drug Addiction in Poland 1999-2001* (see **Demand Reduction Strategy**)

Includes objectives and actions in demand and supply reduction as well as some measures to strengthen the national coordination and international cooperation. The programme is primarily demand reduction oriented.

SUPPLY REDUCTION STRATEGY

See Multi-disciplinary National Strategy.

DEMAND REDUCTION STRATEGY

- ▶ *National Programme for Counteracting Drug Addiction in Poland 1999-2001*

The Ministry of Health in collaboration with ministries concerned with drug prevention prepared the National Programme in accordance with the Law on Counteracting Drug Addiction. It was approved by the Council of Ministers on 29 October 1999. The programme 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

- ▶ *Council for Drug Addiction Counteracting*

Not yet operational, foreseen by Law on Counteracting Drug Addiction and in draft secondary legislation (see **National Legislation**). The Council will act as an advisory body to the Prime Minister.

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

- ▶ *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. Legislation enabling the Police and Office for State Security to carry out controlled deliveries came into force in 1995.
- ▶ *National Centre for Criminal Information* (1998)
Set up by the Prime Minister (1998) in order to increase the effectiveness of activities targeted at fighting organised crime. Provides for co-ordination between various law enforcement agencies.

It is composed of representatives of Police, Tax Authorities, Border Guard, General Customs Inspectorate, Military Intelligence and Military Police. Currently the Centre is in the process of reconstruction.

Ministry of Interior and Administration:

► *Criminal Branch of National Police Headquarters*

Bureaux working in supply reduction are:

▮ *Central Bureau of Investigation*, National Police Headquarters

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 10 field offices, with 260 officers responsible for drug-related crimes. Established co-operation with parents and youth, drug hot lines were initiated in police district offices.

▮ *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 Forensic Laboratory*

Carries out profiling of amphetamines (launched in 1992 by a co-operation project with Sweden).

► *Border Guard*

Ministry of Finance:

► *Central Board of Customs (GUC)*

Responsible for the enforcement of import and export controls (especially the Department of Prevention and Customs Supervision).

► *General Customs Inspectorate (GIC)*

The remit of this office is wider than GUC (e.g. supervision of controlled deliveries, investigation of suspected cases).

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

Ministry of Health:

► *General Pharmaceutical Inspectorate* (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 Prison Administration to provide training in drug prevention to police officers.

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Ministry of Foreign Affairs:

- ▀ *UN Department of Economic Affairs*
Has competence for drugs within Ministry.

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 religious 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 subsidising 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, treatment and rehabilitation.

Ministry of National Education:

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

- ▀ *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 for assistance for children and youth at risk.

Drug Information

DRUG INFORMATION SYSTEM

The following institutions collect and analyse drug related information:

- ▀ *Police*
Since 1990 Police collects and analyses information about illicit laboratories, distributors and trafficking. Since 1996 the *Central Bureau of Investigation* co-ordinates a database on drug-related crimes and suspects, with participation of Customs 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 Bureau of Investigation 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 gathered through a common database, there is exchange of drug intelligence with foreign police services.

▸ *Bureau for Drug Addiction (1995) – Ministry of Health*

Data regarding demand reduction activities, treatment and harm reduction programmes (see also **National Focal Point**).

▸ *Department of Studies on Alcohol and Drug Dependence – Institute of Psychiatry and Neurology*

Acts as a national research centre on drugs. Co-ordinates information gathered on trends regarding drug use, risk behaviours, HIV prevalence among injecting drug users, and a country-wide statistical reporting system on persons treated for drug use. First treatment demand reporting system functions in Warsaw, Krakow, Poznan and Gdansk. Warsaw and Gdansk participate in the Pempidou Group Multi-City Study.

▸ *National Institute of Hygiene*

Collects data regarding the prevalence of HIV infection and AIDS morbidity, including among injecting drug users.

NATIONAL FOCAL POINT

Since 2000 established at the Bureau for Drug Addiction, Ministry of Health (see **Structures and Formal Co-ordination in Demand Reduction**), collects, analyses and publishes information from demand reduction and law enforcement services and all other available sources.

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

MONEY LAUNDERING

▸ *Money Laundering Law (2000)*

On 12 October 2000 the Parliament passed a Law on Money Laundering. The Law provides for appointment of a general inspector of financial information, who will examine all transactions exceeding € 10.000 based on information from banks, pension funds, currency exchange desks, and other institutions. The inspector is empowered to halt a suspicious transaction for two days and notify the public prosecutor's office about it. The inspector will be appointed and recalled by the Prime Minister.

▸ *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.



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▮ *General Directorate of Banking Supervision of the Central Bank*

Under preparation (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

The Law on Counteracting Drug Addiction (1997) provides for control of the 22 chemicals controlled under the 1988 UN Convention and two additional substances.

▮ Decree for the Implementation of Precursors Control (3 August 2000) entered into force on 20 September 2000

▮ *General Pharmaceutical Inspectorate*

Maintains a continuous link with the International Narcotics Control Board (INCB) in Vienna, and provides quarterly reports on trends in precursor control.

As of 1 January 2000 the General Pharmaceutical Inspectorate was established as a distinct office taking over some duties previously assigned to the Ministry of Health. Regional Pharmaceutical Inspectorates were also created with Regional Pharmaceutical Inspectors, subordinated to a Chief Pharmaceutical Inspector (responsible of the General Pharmaceutical Inspectorate).

The Pharmaceutical Inspection keeps control on group I-R precursors, i.e.:

- ⌘ authorisation of imports and exports;
- ⌘ licensing of pharmaceutical operators for manufacture or processing;
- ⌘ licensing of the pharmaceutical wholesalers, involved in drug trade including group I-R precursors (on behalf of the Health Minister).

According to the Law on Counteracting Drug Addiction the Sanitary Inspection is responsible for control on group II-R precursors.

▮ *Central Board of Customs and General Customs Inspectorate* – Ministry of Finance

Responsible for enforcement of import/export controls and cross-border investigations.

▮ *Central Bureau of Investigation* – National Police Headquarters (see **Structures and Formal Co-ordination in Supply Reduction**)

Investigates suspected cases of diversion.

LICIT DRUG CONTROL

▮ *General Pharmaceutical Inspectorate* (see **Precursors Control**)

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 supervises the 16 regional pharmaceutical supervision units. Eight public laboratories are linked to the regional units.

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

- ▶ Punishable: up to 3 years imprisonment.
Possession of 'small amounts' for personal use is also punishable under the amendment to the Law on Counteracting Drug Addiction of December 2000 (see **National Legislation**).
- ▶ Law on Counteracting Drug Addiction considers the need to provide treatment to dependent individuals sentenced for crimes related to the dependency.

GENERAL

- ▶ 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

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



Romania

Legal Framework

INTERNATIONAL LAW

- UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed.

NATIONAL LEGISLATION

- Law on Combating Illicit Drugs Trafficking and Consumption (No 143, 26 July 2000), enacted in August 2000
Classifies narcotic drugs into ‘high risk’ and ‘risk’ categories. Includes provisions relating to precursors, money laundering, controlled deliveries, drugs purchase operations, and witness protection. Provides for sanctions against ‘trafficking in, and carrying out other illicit operations with substances under national control’ and lists measures against illicit drug consumption.
- Government Decision for the establishment of the Inter-ministerial Committee for Fight Against Drugs (HG 534/1999) (see **National Co-ordination**)
- Law No. 100/1998 concerning the Public Health Care financed mainly by the state
Annex 1 includes the National Programme for the Prevention and Control of Drug Addiction (see **Demand Reduction Strategy**).
- Orders of the Minister of Health Nos. 189 and 669 (1999)
Deal 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 care.
- Order of Minister of Health No 963 (1998) on the approval of general methodological norms for organising and providing medical assistance, medical care and accommodation services for drug addicts
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.
- Law No 26 regarding the organisation and functioning of the Police and others (1994)

For more legislative measures see **Drug Information System, Money Laundering, Precursors Control and Licit Drug Control**.

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National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

Will be elaborated under the 2000 Phare National drug project.

SUPPLY REDUCTION STRATEGY

Will be elaborated under the 2000 Phare National drug project.

DEMAND REDUCTION STRATEGY

Will be elaborated under the 2000 Phare National drug project.

- ▀ *National Programme for Prevention and Treatment of Drug Dependency* (1999)
Priorities are epidemiological research at local and national level, development of treatment networks, including post-treatment. 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. Includes Ministers of Interior, Justice, Foreign Affairs, Defence, Finance, Health, Labour and Social Protection, Education, Youth and Sport, Industry and Commerce. Also members are: the General Secretary of the Government; the Head of Central Unit for Suppressing Illicit Drug Trafficking – General Inspectorate of Police; Head of Central Unit of Customs, General Director of Medical Attendance – Ministry of Health, Director of Health Promotion and Community Health Department – Ministry of Health, National Co-ordinator of the Phare Drugs Programme.

Article 8 lists duties of the Committee, which mainly relate to elaborating, implementing and evaluating of the implementation of coherent national strategy. Tasks include presenting an annual national report on situation relating to drug trafficking and abuse, based on data from all ministries and agencies involved in the Committee.

According to Article 9, funding comes from the budget of Directorate for Countering Organised Crime and Corruption – Ministry of Interior. Meetings should take place at least twice a year, while specialised Commissions should meet four times a year.

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

Ministry of Interior:

- **Criminal Police**

The only agency with authority for investigation and prosecution of drug crimes. The *Directorate for Countering Organised Crime and Corruption* accommodates the *Anti-Drugs Service*, responsible for fight against illicit drug trafficking as well as the *Service for the Monitoring of Domestic Drugs, Essential Chemicals and Precursors Trafficking*. Specialist drug enforcement officers are also based in Bucharest and at each of the 41 county units. The Directorate co-operates with other agencies based in Ministries of Justice, Defence, Finance, Health, and Education, as well as Customs.

- *Division for Prevention, National Institute for Crime Prevention*

Deals with all types of crime prevention activities. Co-ordinates the work of crime prevention officers at county level.

Ministry of Finance:

- *General Customs Directorate (GCD)*

Refers cases to Criminal Police for Investigation. *Anti-Drug Service* within the GCD: in 1996, 10 regional customs offices were set up with the responsibility to combat of illicit trafficking and with special duties relating to anti-drug control at the level of Customs offices. Member of the World Customs Organisation and Regional Information Liaison Office (RILO) in Warsaw.

- *National Council for Action Against Organised Crime and Corruption (1998)*

Functions related to drugs have been taken over by the Inter-Ministerial Committee for the Fight Against Drugs (see **National Co-ordination**).

STRUCTURES AND FORMAL CO-ORDINATION IN DEMAND REDUCTION

Ministry of Health:

- *Institute of Health Services Management*

Provides technical assistance to the Minister in the field of health reform, including drug demand reduction. Includes Health Promotion and Public Health Department.

- *General Directorate of Medical Care*

Coordinates and provides methodological assistance to:

- Psychiatry Hospitals including those with Departments for Treatment of Drug Addicts;
- County hospitals emergency rooms providing first medical aid in case of drug intoxication.

- *Department for Health Promotion and Community Health, General Directorate for Public Health*

With 42 county departments. Coordinates and supervises the National network for Health Promotion and monitors and evaluates activities in demand reduction including those related to treatment.

On the basis of the Law on Combating Illicit Drugs Trafficking and Consumption (No 143, 26 July 2000) a Joint Decision of the Ministry of Health and Ministry of Finances on the costs related to detoxification, postcure, social rehabilitation and harm reduction programmes was elaborated. Joint Decision of the Ministry of Health and Ministry of Justice regarding the educational and medical measures for drug addicted persons in prisons adopted.

Drug Information

DRUG INFORMATION SYSTEM

The following bodies collect and analyse drug related information:

- ▶ *Anti-Drugs Service* – Ministry of Interior (see **Structures and Formal Co-ordination in Supply Reduction**)
Collects information on seizures.
- ▶ *General Prosecutor's Office* – Public Ministry
- ▶ *Ministry of Justice*
Penitentiary system, collects information regarding illicit drugs trafficking and use.
- ▶ *General Customs Directorate*, Ministry of Finance
Collects data on trafficking and seizures. Will receive intelligence gathering and sharing responsibilities.
- ▶ *Institute of Health Services Management* – Ministry of Health
Order of the Ministry of Health No. 322 (1999) establishes an Information and Documentation Centre for the Prevention of Drug Abuse located within the Institute.
- ▶ *Centre for Medical Statistics* – Ministry of Health
Collects data on treatment demand (in the hospitals).
- ▶ *National Centre for Statistics* – National Commission of Statistics

NATIONAL FOCAL POINT

- ▶ Set up at the *Directorate for Countering of Organised Crime and Corruption* – Ministry of the Interior since 1994
Informal co-operation exists with the Health Sector, General Customs Directorate, Ministry of National Education, Ministry of Justice and Public Ministry. Annual report on the state of the drug phenomenon has been produced in 1998, 1999, and 2000. No specific funding or staff. The institutionalisation and operationalisation of the Focal Point will be addressed through the 2000 Phare National drug project.

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

MONEY LAUNDERING

- ▶ Law No.21/1999 on Prevention and Sanctioning of Money Laundering
Through this Law the offence of money laundering was incriminated and the *National Office for the Prevention and Combat of Money Laundering* was established (1999). Within the institutions with obligations of investigation and penal pursuit, special departments dealing with money laundering cases have been established.
- ▶ Article 118 of the Penal Code
Stipulates that money resulting from criminal activities should be seized.

Ministry of Interior:

- ▶ *Anti-Money Laundering Service – Directorate for the Countering of Economic Crime*

PRECURSORS CONTROL

- ▶ Decree 466 – Toxic Substances Regime (1979), enforced by Governmental Order issued in 1992 (Customs Regulation 141), regulating the import and export of precursors and essential chemicals, which was updated in 1996 (Order of the Minister of Industry and Trade No. 90/1996 concerning Awarding Importing-Exporting Licenses for Chemical Substances under International Control) and recently in 1999 (Order of the Minister of Industry and Trade no 36C/1999)
- ▶ Draft Law on Precursors undergoing ministerial consultations

According to the current and coming legislation every import/export operation in precursors must be authorised (license and written approval), before the transaction takes place. Enforcement of the existing laws is a joint responsibility of the *Police and Customs*. The *Licensing Directorate, Ministry of Industry and Trade* is responsible for issuing the import/export licenses of controlled chemicals. Import and export licenses for essential chemicals and precursors, which might be illegally used in the manufacturing of drugs, should receive written approval by the Police General Inspectorate. The *Ministry of Health* and the *Border Police* have competencies strictly related to their area of responsibility.

Ministry of the Interior:

- ▶ *Directorate for the Counteracting of Organised Crime and Corruption*, (see **Structures and Formal Co-ordination in Supply Reduction**)

LICIT DRUG CONTROL

- ▶ Customs Regulation 141 (1992), amended (1997)
Prohibits narcotics, psychotropic substances, and precursors from transit across the border without authorisation (see also **Precursors Control**).

- ▶ Law No 73/1969 and Regulations No. 103/1970 and 466/1979
Currently define Licit Drug Control. Further provisions outlined in the Law on Combating Illicit Drugs Trafficking and Consumption (2000).

Ministry of Health:

- ▶ *Pharmacy Department*
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 psychotropic substances. Requests for medicine registration are sent to the Agency. Substances and medicines are controlled by its laboratory and submitted to the Commission of Medicines, which functions under the Agency's authority.

Ministry of the Interior:

- ▶ *Directorate for the Counteracting of Organised Crime and Corruption* (see **Structures and Formal Co-ordination in Supply Reduction**)

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

- ▶ Punishable: (see **General**).

GENERAL

- ▶ Unlawful production and possession or any other operation related to the traffic of drugs: 3-15 years (15-25 years in the context of organised crime).
- ▶ Organising or allowing the consumption of drugs in premises: 3-15 years.
- ▶ Doctor intentionally prescribing narcotic products when such prescription is not necessary from medical point of view: 1-5 years.

INTERNATIONAL TRAFFICKING

- ▶ Taking 'risk drugs' and precursors across the border without authorisation: 10-20 years.
- ▶ If it concerns 'high-risk' drugs: 15-25 years.

Slovakia

Legal Framework

INTERNATIONAL LAW

- UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed, ratified (1999).

NATIONAL LEGISLATION

- 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 (see Laws 247/94 – 248/94 below).
- 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 Code of Criminal Procedure (Law. No. 247/94) and Penal Code (Law. No. 248/94)
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 88a of the Code of Criminal Procedure) and allows for international co-operation (Chapter 24, Articles 375 – 384e/ of the Code of Criminal Procedure). 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. Articles 375 – 384e/ of the Code of Criminal Procedure regulates extradition of the offenders, taking-over and transfer of the criminal cases, rogatory letters and enforcement of judgements of the foreign countries courts.

- ▶ 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 drug related crime (see below).
- ▶ Law No. 367/2000 on Protection against Legalisation of Incomes from Criminal Action and on amendment of some acts, came into force on 1 January 2001
This Law changed Law No. 249/1994 and the Edict 181 of the Ministry of Interior on Suspicious Bank Transactions (1997) has been cancelled.
- ▶ Law No. 268/2000 on Handling of Narcotic drugs Precursors and Psychotropic Substances
Precursors came into force on 1 September 2000 (see **Precursors Control**)

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 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

The supply reduction strategy is an integral part of the National Programme for the Fight against Drugs 2000-2003 (see **Multi-disciplinary National Strategy**). The main supply reduction tasks defined in the National Programme are regularly updated and adopted by Parliament.

DEMAND REDUCTION STRATEGY

The demand reduction strategy is an integral part of the National Programme for the Fight against Drugs 2000-2003 (see **Multi-disciplinary National Strategy**). The main demand reduction tasks defined in the National Programme are regularly updated and adopted by Parliament.

Emphasis is on prevention, which has been integrated into school curricula. Educational and preventive programmes are also conducted in educational and psychological prevention centres. Network of the centres for leisure time has been established to promote healthy activities for children.

- ▶ *National Programme for Health Promotion*
Emphasis on primary prevention and strengthening the network of rehabilitation centres.
- ▶ *Concept of the Drug Dependencies Branch* (1995) of the Ministry of Health
Main operational 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 was established – Centres for Treatment of Drug Dependencies.

Institutional Framework

NATIONAL CO-ORDINATION

- ▶ *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 of the Board of Ministers for Drug Addiction and Drug Control*
The permanent executive body of the Board of Ministers for Drug Addiction and Drug Control, existing at supra-ministerial level. Main tasks are to implement, develop and update the National Programme (see **Multi-disciplinary National Strategy**), and to propose drug policy priorities and co-ordinate drug control activities. Submits reports on the implementation of the National Programme to Government (at least twice a year) and to Parliament (once a year).
- ▶ *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.

STRUCTURES AND FORMAL CO-ORDINATION IN SUPPLY REDUCTION

Ministry of the Interior:

- ▶ *National Drug Service* (1998) at the Criminal and Financial Police Administration, Police Headquarters
In 1993 the Anti-drug Brigade was established. Following structural changes in 1998, the National Drug Service was set up. According to the last re-organisation National Drug Service is divided into 6 Departments: Support Management Department with 2 units (logistical and analytical unit); Anti-drug Department Bratislava with 2 units (operational and anti-drugs unit); as well as Department West, Department Mid, Department North, and Department East. *Interpol Narcotics Control Board* is also located in the Criminal and Financial Police Administration.

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- *Financial Intelligent Service, 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 Unit* (see **Precursors Control**)

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 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

DRUG INFORMATION SYSTEM

- Act on Health Care, amended in 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* (see also **National Focal Point**)

The following institutions provide information to the Central Node of the Drug Information System:

Ministry of Health:

- ▀ *Institute for Health Information and Statistics*
On the basis of the Act on Health Care and its Amendments, responsible for collecting and processing first and all treatment demands. Has network of regional institutes and reporting units – State Health Institutes, which have carried out school surveys.
- ▀ *National Centre for Health Promotion* (closed in December 2000)
- ▀ *Institute of Health Education* (closed in December 1999)
- ▀ *Public Health Institute of the Slovak Republic*
In frame of reorganisation of the State's structures the National Centre for Health Promotion and the Institute for Health Education (see above) were closed and their competencies were relocated to the Public Health Institute.
- ▀ *Virological Institute of the Slovak Academy of Sciences*
- ▀ *Institute of Preventive and Clinical Medicine*
- ▀ *State Institute for Drug Control* (see also **Licit Drug 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 programmes.
- ▀ *Prognostic Institute for Education*
- ▀ *IUVENTA agency for primary prevention*

Ministry of Interior:

- ▀ *National Drug Service* (see **Structures and Formal Co-ordination in Supply Reduction**)

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► *Institute of Criminology and Expertise*

Ministry of Finances:

► *Central Customs Directorate Administration*

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.

NATIONAL FOCAL POINT

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

Proposal for activities of the Central Node of the Drug Information System, that was approved by the Board of Ministers for Drug Dependencies and Drug Control (1996) defined activities of the Central Node. These include 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 by the Board of Ministers for Drug Addiction and Drug Control through the approved National Programme for the years 1999-2003. 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 stipulated 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 EU Acquis in the field (Council Regulation (EEC) No. 302/93 establishing the EMCDDA) as guiding for the work of the Focal Point.



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

MONEY LAUNDERING

- 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 obligated to report suspicious transactions.
- Amendments to Criminal Code regarding money laundering (1994)
- Edict 181 of the Ministry of Interior on Suspicious Bank Transactions (1997)
- Law No. 367/2000 on Protection against Legalisation of Incomes from Criminal Action and on amendment of some acts (came into force on 1 January 2001) changed the Law No. 249/1994 and the Edict 181 of the Ministry of Interior on Suspicious Bank Transactions (1997) has been cancelled
 The report obligation on unusual business transaction has been extended to bank and financial institutions, insurance companies, casinos, public notaries, exchange offices, etc. Opening of anonymous accounts has been cancelled.

Ministry of Interior:

- *Bureau of Financial Police at Police Headquarters*
 Responsible for detecting and documenting serious financial crimes and money laundering.
 Houses the Financial Intelligence Unit (FIU) established in 1996. FIU provides analysis, registration and dissemination of unusual business transaction reports. Member of Egmont Group.

PRECURSORS CONTROL

- Law No. 268/2000 on Handling of Narcotic Drugs Precursors and Psychotropic Substances
 Precursors came into force on 1 September 2000 and Edict No.465/2000 on the realisation of some provisions of the Law entered into force on 1 January 2001
 Replaced Regulation 302 (1995), outlines professional and institutional standards for production, export and import legal substances, and rules for control and penalties of transgressions. Annex includes list of precursors included in groups I to III of controlled precursors. Edict outlines the document specimens on export and import of precursors.

Ministry of Health:

Responsible for issuing, adjusting, suspending and revoking licences or certificates for registration.

Ministry of Economy:

Issues, suspends and revokes individual or open authorisations for import and export, records

and reviews reports or denunciations from operators, produces summary reports on international precursors trade.

Police and Customs:

► *Joint Police-Customs Unit (1999)*

The Joint Unit was set up in October 1999. Oversees suspicious transactions in essential chemical substances and precursors; as well as laboratory, chemical and pharmaceutical equipment. Aims at the disclosure of the methods of their diversion; maintains joint information databases; locates clandestine drug laboratories; co-operates in the execution of controlled deliveries, etc.

LICIT DRUG CONTROL

► Law No. 193/1998 on Narcotic Drugs, Psychotropic Substances and Preparations (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 Drugs Control*

Responsible for inspections.

Penal and Administrative Sanctions

POSSESSION FOR PERSONAL USE

Punishable under Article 186 of the Penal Law.

► Imprisonment up to 3 years or confiscation.

GENERAL

► Production and possession: 1-10 years.

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

INTERNATIONAL TRAFFICKING

See General.

Slovenia

Legal Framework

INTERNATIONAL LAW

- ▶ UN Conventions: the Single Convention on Narcotic Drugs (New York, 30 March 1961); the Protocol amending the Single Convention on Narcotic Drugs (Geneva, 25 March 1972); the Convention on Psychotropic Substances (Vienna, 21 February 1971); and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988) – signed and ratified.¹
- ▶ Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (Strasbourg Convention, 8 November 1990) – signed and ratified.

NATIONAL LEGISLATION

- ▶ Law on Precursors for Illicit Drugs (10 March 2000) (see **Precursors Control**)
- ▶ 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 (see **National Focal Point**).
- ▶ Law on Production and Trade in Illicit Drugs (1999)
- ▶ Penal Code (1995), amended 1999
Article 196 on illicit production and trafficking in drugs, Article 197 on the use of drugs, Article 252 on money laundering.

National Strategies

MULTI-DISCIPLINARY NATIONAL STRATEGY

- ▶ National Programme for Prevention of Drug Misuse (1992)
Employed a multi-disciplinary approach and dealt with the overall drug phenomenon. A new comprehensive national strategy is under preparation in accordance with Law on Prevention of Drug Consumption and Treatment of Drug Addicts and 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) (see above)

¹In 2000, Slovenia ratified the Agreement on illicit traffic by sea for executing article 17 of the UN Convention against the illicit traffic in narcotic drugs and psychotropic substances Act, RS MP no. 27/2000.

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 to the Government for control of drug availability.

► *Governmental Drugs Office – National Drug Bureau* (1998)

Established at governmental level with executive powers, by 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; project 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 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 activities are 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 Inter-ministerial Commission and the Bureau for Drugs.

► *Bureau for Drugs*

Directs and harmonises all police activities in the frame of drugs but can also have operational activities. Provides specialist services (such as undercover operations, controlled deliveries, covert

observations and informant handling) to the Regional Drug Unit's activities, co-ordinated by the Central Drug Unit of the Organised Crime Section.

Ministry of Health:

► *Department for Drugs*

Responsibilities include licit drug and precursor authorisations and notifications. Responsible for the preparation of legislation and other legal acts for treatment in health institutions and for implementing treatment for drug addictions (see also **Structures and Formal Co-ordination in Demand Reduction**).

Ministry of Finance:

► *Customs Service* in the Customs Administration

Has responsibility for prevention of smuggling at border crossings. *The Division for the Suppression of Smuggling in the Investigative Matters Section* is responsible for drugs and precursors. Actions are organised through branches, operative groups or mobile units.

► *Office for Prevention of Money Laundering* (see **Money Laundering**)

Interdepartmental:

► *Drug Law Enforcement Commission* (see above)

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)** (see also **National Legislation**)

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.

Co-ordination of *Centres for Prevention and Treatment of Drug Addiction* established to provide standardised 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.

► *Commission for Drug Legislation*

Drafts and amends legislation.

- *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 demand reduction and prevention programmes within the social care sector.

The Ministry of Justice:

- *Prisons Administration*

Co-operates with Ministry of Health in dealing with addicted prisoners. 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* (see above).

The Ministry of Defence:

Involved in drug demand reduction activities for military recruits.

Regional level:

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

Drug Information

DRUG INFORMATION SYSTEM

- *Drug Documentation and Information Centre* at Governmental Drug Office (1999) (see **National Coordination**)

Collects and disseminates drug related publications. To be connected to national libraries and their data exchange system, close co-operation with Focal Point (see below) agreed.

Ministry of Health:

- *National Institute of Public 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.

NATIONAL FOCAL POINT

- At the *National Public Health Institute* under supervision of the Ministry of Health
Staffed and financed under the overall budget of the Institute. Maintains contacts with all contributing bodies and institutions (see **Drug information system**).

Law on Prevention of Drug Consumption and Treatment of Drug Addicts stipulates 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 ensure 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. Meetings between the Drug Bureau and the Public Health Institute to prepare the operationalisation of the Unit have already been held.

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

MONEY LAUNDERING

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

PRECURSORS CONTROL

- Law on Precursors for Illicit Drugs (10 March 2000)
Provides definitions, creates a Precursors Commission in the Ministry of Health, regulates the trade, labelling and record-keeping, creates import and export authorisations and entrust Health Inspectors with inspection rights.
- Penal Code: paragraph three of Article 196
Provides for prosecution against illicit trade in precursors (prison sentence between six months and five years).

Ministry of Health:

▀ *Commission for Precursors*

Advisory group of experts in chemistry, pharmacy, medicine, responsible inter alia for amendments to the legislation and drafting of regulations, revising classified substances on the precursors lists, or preparing proposals and initiatives pertaining to voluntary co-operation with manufacturers.

▀ *National Health Inspectorate*

The National Health Inspectorate is responsible for the supervisory control of the handling of precursors as well as inspections.

▀ *Precursors Service*

Issuing activity licences, import and export licences for precursors, preparing instructions for inspection, responsible for regional and international co-operation as well as reporting on precursors trade.

Ministry of Finance:

▀ *Customs Service* (see **Structures and Formal Co-ordination in Supply Reduction**)

Responsible for enforcement of import, export and transit.

Ministry of the Interior:

▀ *Criminal Investigation Service*

Responsible for investigation of suspected cases of diversion.

LICIT DRUG CONTROL

The Law on Production of and Trade in Illicit Drugs (1999) is to be implemented by a regulation drafted by the Ministry of Health. Three decrees defining import/export rules, bookkeeping and the list of substances to be published.

▀ *Medicinal Products Act (1999)*

This law regulates all licit drug provisions. 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.

▀ *National Health Inspectorate*

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.

Penal and Administrative Sanctions

Trafficking of illicit drugs is criminal offence, which is matter of criminal procedure, while illicit drugs' possession is minor offence, which is the matter of the misdemeanour procedure.

POSSESSION FOR PERSONAL USE

- ▶ Punishable as an offence: monetary fine (€ 250 to € 750) or imprisonment up to 30 days (for smaller quantity of illicit drugs for one-off personal use up to 5 days), rarely applied by judges.

GENERAL

- ▶ Production of cannabis, coca leaves, opium poppy and khat is illegal.
- ▶ Unlawful manufacture, processing, selling or offering for sale narcotic drugs and psychotropic substances or purchasing, keeping, or transporting such substances with a view of reselling: 1 to 10 years imprisonment (Penal Code), if two persons or a network: not less than 3 years of imprisonment.
- ▶ Manufacturing, purchasing, possession or furnishing other persons with equipment, material or substances (precursors) intended to manufacture drugs: 6 months to 1 year.
- ▶ Money laundering: up to 5 years.

INTERNATIONAL TRAFFICKING

See General.

Annex

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

The European Union's main Acquis in the field of drugs¹

General Framework of the EU Actions on Drugs

- ▶ European Union Drugs Strategy 2000-2004, endorsed at the Helsinki European Council (Dec. 1999)
- ▶ European Union Action Plan on Drugs 2000-2004, adopted at the Santa Maria da Feira European Council (19-20 June 2000)

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 Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna, 20 December 1988)
- ▶ 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)

Approximation of Legislation

- ▶ **Joint Action** of 17 December 1996 adopted by the Council on the basis of Article K.3 of the Treaty on the European Union 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 p.6

Information

- ▶ **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 036, 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

¹ This is an informal list of the EU acquis. Most of the EU Acquis can be found and downloaded at: <http://europa.eu.int/eur-lex/en/index.html>.

- **Council Regulation** (EC) No 2220/2000 of 28 September 2000, amending Regulation (EEC) No 302/93 on the establishment of European Monitoring Centre for Drugs and Drug Addiction: OJ L 253 7 October 2000

Synthetic Drugs/Chemical Profiling

- **Joint Action** of 29 November 1996 adopted by the Council on the basis of Article K.3 of the Treaty on the European Union, 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 p.5
- **Joint Action** of 16 June 1997 adopted by the Council on the basis of Article K.3 of the Treaty on the European Union, concerning the information exchange, risk assessment and the control of new synthetic drugs: OJ No. L 167, 25 June 1997 p.1
- **Council Decision** of 13 September 1999 defining 4-MTA as a new synthetic drug which is to be made subject to control measures and criminal penalties: OJ L 244 16.09.1999 p.1

Precursors Control

- **Council Regulation** (EEC) No 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 of 20 December 1990

As amended by:

- ⌘ **Council Regulation** (EEC) No 900/92 of 31 March 1992 amending Regulation (EEC) No 3677/90 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 96, 10 April 1992

Implemented by:

- ⌘ **Commission Regulation** (EEC) No 3769/92 of 21 December 1992 implementing and amending Council Regulation (EEC) No 3677/90 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

As amended by:

- ⌘ **Commission Regulation** (EEC) No 2959/93 of 27 October 1993 amending Regulation (EEC) No 3769/92 implementing and amending Council Regulation (EEC) No 3677/90 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 267, 28 October 1993

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- **Commission Regulation** (EEC) No 2093/97 of 24 October 1997 amending Regulation (EEC) No 3769/92 implementing and amending Council Regulation (EEC) No 3677/90 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 292, 25 October 1997
- **Commission Regulation** (EC) No 1610/2000 of 24 July 2000 amending Regulation (EEC) No 3769/92 implementing and amending Council Regulation (EEC) No 3677/90 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 185-9, 25.07.2000
- **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

As amended by:

- **Commission Directive** 93/46/EEC of 22 June 1993 replacing and modifying the Annexes to Council Directive 92/109/EEC 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** (EC) No 1485/96 of 26 July 1996 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances: OJ No. L 188-13EN, 27.07.1996
- **Commission Regulation** (EC) No 1533/2000 of 13 July 2000 amending Regulation (EC) No 1485/96 laying down detailed rules for the application of Council Directive 92/109/EEC, as regards customer declarations of specific use relating to certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances: OJ No. L 175-14EN, 14.07.2000
- **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
- **Commission Regulation** 260/2001 of 8 February 2001 replacing the annex to Council Regulation 3677/90 on precursors: OJ No L 39 of 9 February 2001 p.11

Inter-agency Law Enforcement Co-operation

- **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 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

Money Laundering

- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime (**Strasbourg Convention**, 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
- **Council Decision** of 17 October 2000 concerning arrangements for co-operation between financial intelligence units of the Member States in respect of exchanging information: OJ L 271 24.10.2000 p.4

Schengen Acquis

- Convention implementing the Schengen agreement on gradual abolition of checks at the common borders of 14 June 1985 (**Schengen Conventions**, 19 June 1990)

Organised Crime

- **Council Resolution** of 23 November 1995 on the protection of witnesses in the fight against international organised crime: OJ C 327 07.12.1995 p.5
- **The Action Plan** to Combat Organised Crime, 28 April 1997
- **Pre-accession Pact** on organised crime between the Member States of the European Union and the applicant countries of Central and Eastern Europe and Cyprus (text approved by the JHA Council on 28 May 1998): OJ C 220 15.07.1998 p.1

- **Council Resolution** of 28 December 1998 on the prevention of organised crime with reference to the establishment of a comprehensive strategy to combating it: OJ C 408 29.12.1998 p.1

Health

- **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
- **Commission Communication** on the future (2001-2006) Public health programme (COM (2000) 285 final)

Other Relevant Acquis

- **Joint Action** of 29 November 1996 adopted by the Council on the basis of Article K.3 of the treaty on European Union, on co-operation between customs authorities and business organisations in combating drug trafficking: OJ L 322 12.12.1996 p.3
- **Council Resolution** of 29 November 1996 on measures to address the drug tourism problem within the EU: OJ No. C 375, 12 December 1996
- **Council Resolution** of 20 December 1996 on sentencing for serious illicit drug trafficking: OJ No. C 010, 11 January 1997 p.3
- **Council Resolution** of 16 December 1996 on measures to combat and dismantle the illicit cultivation and production of drugs within the EU: OJ C 389, 23 December 1996 p.1
- **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.