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NOTE

from: French delegation
to: Horizontal Working Party on Drugs

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

**POLITICAL DECLARATION AND ACTION PLAN ADOPTED BY THE MINISTERS
RESPONSIBLE FOR THE FIGHT AGAINST DRUG TRAFFICKING**

1. We, the ministers responsible for the fight against illegal drug trafficking, the Commissioner for Home Affairs representing the European Union, and representatives of international and regional organisations, are concerned by the scale of the problem and its harmful consequences for societies, and hereby affirm our commitment to curbing the transatlantic trafficking of cocaine, which is one aspect of the world drug problem. The drug problem is global in nature and continues to pose a serious threat to the health, safety and wellbeing of humanity. The world drug problem undermines economic development and democratic institutions and threatens international stability.

We therefore have a common and shared responsibility to our partners to reduce our own consumption of drugs, in particular cocaine, and to combat the factors that fuel the transatlantic cocaine trade.

We recognise the legal framework provided by the three United Nations drug control conventions of 1961, 1971 and 1988, as well as the United Nations Convention against Transnational Organised Crime, the United Nations Convention against Corruption and the specific conventions on combating corruption.

We recall the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted by the high-level segment of the UN Commission on Narcotic Drugs in Vienna in 2009.

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

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

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

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

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

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

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

We encourage the implementation and exchange of best practice in the area of demand reduction and the implementation of joint policies on prevention, treatment, rehabilitation and reintegration, whilst ensuring their accessibility.

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

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

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

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

To facilitate the above initiatives, we acknowledge the key role of capacity-building efforts to tackle threats arising from transnational organised crime, bilaterally and multilaterally, in cooperation with the United Nations Office on Drugs and Crime (UNODC) and other multilateral organisations that provide technical assistance to the most seriously affected countries. We recognise the leading role played by the European Union in providing technical assistance in the fight against drugs.

3. It is against this backdrop that we commit to stepping up our cooperation in tackling the world drug problem, including forms of illegal drug trafficking such as the transatlantic trafficking of cocaine. To that end, the participating countries will base their efforts on the attached Action Plan, the content of which will be implemented voluntarily with full respect of the signatory countries' domestic legislation and their sovereign actions in this forum or other fora and cooperation mechanisms.

ACTION PLAN

Further to the Political Declaration, we, ministers in charge of combating illegal drug trafficking, the Commissioner for Home Affairs representing the European Union, and representatives of international and regional organisations, meeting in Paris, hereby adopt an Action Plan aimed at strengthening transatlantic cooperation in the fight against trafficking of drugs, and in particular cocaine. This action plan is fully in line with the United Nations' approach, which advocates a common and shared responsibility based on a simultaneous reduction of supply and demand.

We have therefore decided to act in a concerted manner, and on a voluntary basis, in the following areas:

I – Universalisation and implementation of the international conventions

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

Whilst the three international drug control conventions are universal, we should now seek to strengthen the implementation of the United Nations Convention against Transnational Organised Crime and its three additional protocols and of the United Nations Convention against Corruption.

We will continue working to secure their implementation, in particular in regions affected by the drug problem and especially by transatlantic trafficking of cocaine.

We will build on the achievements made at the latest conferences of signatory States towards securing their effective implementation.

We support the implementation of the regional and sub-regional agreements concerning the drug problem and the combating of transnational organised crime and corruption.

II – Improving the collecting and sharing of information

Improving the exchange of information is a major prerequisite for increasing the effectiveness of the fight against drug trafficking. The regional centres for the exchange of information, set up in West Africa at Accra (Ghana) and Dakar (Senegal), the operational platforms coordinating and facilitating interceptions at sea (MAOC-N, Ceclad-Med, JIATF-S), as well as the existing information networks, enable us to intensify cooperation on the Atlantic front.

These operational centres and information networks must be connected to each other, between the countries concerned, and set up so that they cover all the trafficking routes.

Extension of the benefits of these centres to a larger number of countries, in terms of exchanging information, might therefore be envisaged in order to cover all trafficking routes. Furthermore, the operational centres and information networks should work in close coordination.

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

We support the extension of such facilities whenever and wherever applicable, in particular by the establishment of additional centres and/or information networks in other parts of the world.

We must build up the centres in order to ensure better synergy in the exchange and processing of information, taking due account of existing legislation on data protection.

We support the establishment of local structures for collecting information at national level and the sharing of strategic information at regional level through regional cooperation organisations (OAS, UNASUR, CAIS, CARICOM, ECOWAS, Europol, Ameripol ...) and at international level in particular through the Aircop project (UNODC – WCO – INTERPOL) in accordance with national legislation on data protection and different countries' rules.

The specific methods of practical implementation of these recommendations could be considered in relevant fora such as the Transatlantic Symposium on Dismantling Transnational Illicit Networks, which the European Union and the United States are organising in Lisbon from 17 to 19 May 2011. These proposals could also be brought to the attention of the Ministerial Conference of African States Bordering the Atlantic Ocean and that of other regional or bi-regional mechanisms.

III – Intensifying cooperation in maritime matters

Article 17 of the Vienna Convention against illicit trafficking in narcotics and psychotropic substances adopted in 1988 has shown itself to be one of the most useful tools on the operational level, in combating illicit drug trafficking by sea.

We welcome the availability of a network of competent national authorities with the task of ensuring the implementation of Article 17 of the 1988 Convention, accessible 24 hours a day and 7 days a week, via the UNODC website. We would encourage the States participating in this network to update the information transmitted to the UNODC. To this end we would ask the UNODC to work closely with Interpol's Command and Coordination Centre. We undertake to raise the level of readiness of these operational facilities.

We undertake to re-examine our procedures for maritime interceptions in accordance with our national legislative provisions, in order to improve the effectiveness of our investigations, judicial procedures and seizures of assets. We are looking into the means necessary to resolve the legal difficulties with regard to drug seizures in international waters which beset the results of judicial investigations and procedures. To this end:

We urge the States to give consideration to concluding bilateral or regional agreements or to accede to existing regional agreements in order to improve operational cooperation and coordination with regard to detection, control, interception and boarding of ships involved in drug trafficking in accordance with Article 17 of the Convention.

We urge the States to give consideration to concluding bilateral or regional agreements to facilitate the pursuit of suspects involved in illicit trafficking, if necessary also in coastal States, following maritime interceptions in international waters.

The outcome of the "Drug Trafficking by Sea" project within the framework of the G8's Lyon-Rome Group should be examined and widely disseminated.

Regional organisations and their member states are urged to evaluate the feasibility of regional conventions or other agreements and arrangements in addition to the efforts being made by each State with regard to the aforementioned action.

We as States undertake to seek out and implement the necessary means to achieve greater operational cooperation in international waters and in areas of sea transit to combat drug trafficking and especially trafficking in cocaine.

IV – Improving legal procedures for international cooperation to identify and confiscate criminal assets

The financial power acquired by criminal organisations is the main factor in organised crime's capacity for harm.

In order to respond decisively to this threat, we hereby decide to increase our cooperation with regard to the following:

We shall try to find ways to improve international cooperation on the basis of an assessment of the different existing legal systems concerning identification, freezing, seizure and confiscation of criminal assets, and in order to arrive at legally compatible procedures – in particular those followed by the Financial Action Task Force (FATF) and similar regional organisations.

We urge the States to accede – and we undertake to facilitate their accession – to the CARIN (*Camden Asset Recovery Interagency Network*) international network for identification, freezing, seizure and confiscation of property acquired with funds which derive from criminal activities or are the assets of criminals) and to participate in other relevant networks such as the StAR/Interpol contact points initiative and the informal world network of asset recovery experts in order to reinforce the effectiveness of international cooperation in this area.

We support the establishment of authorities for the identification and confiscation of criminal assets in countries which do not have such bodies under their national legislations.

We vigorously urge the States to establish dedicated contact points for the purpose of combating money-laundering, making it possible to strike at all the financial interests of criminal organisations.

We urge the States to join the Egmont Group and we undertake to facilitate their accession. The Egmont Group is a general forum for the Financial Intelligence Units with the aim of improving cooperation in combating money-laundering.

We undertake to reinforce our support for initiatives which target criminal assets benefiting from the banking systems in tax havens.

We undertake to equip the competent agencies with the required expertise and appropriate tools to efficiently conduct financial investigations in order to dismantle transnational networks, combat money laundering more effectively, and identify networks of corruption and criminal assets.

We undertake to strengthen cooperation with the international organisations competent in this area, including the World Bank, the UNODC, Interpol, the WCO and the FATF.

The methods that should be prioritised in order to guarantee the effective confiscation of criminal assets can be studied in relevant forums such as the Transatlantic Symposium on Dismantling Transnational Illicit Networks that the European Union and the United States will be holding in Lisbon, or through other regional or biregional mechanisms.

V – Dealing with the long-term destabilising effects of drug trafficking

The fight against drug trafficking, in particular cocaine trafficking, must also take into account the long-term effects, which contribute to weakening the rule of law and good governance, seriously threatening the safety and wellbeing of humanity, and undermining State institutions, in particular institutions in the judicial and penal chain, notably through corruption and the destabilisation of economies generated by illicit drug trafficking.

We favour an inventory and exchange of good practices and efficient strategies in combating violence linked to drug trafficking and eliminating corruption.

We encourage the competent organisations, in particular the UNODC, the Organisation for Economic Cooperation and Development (OECD), Interpol and the World Bank, in agreement with their member States, to study the mechanisms of contamination of the legal economy by the illicit proceeds of crime.

We reaffirm that the fight against the contamination of economies must take place above all through strengthening the rule of law and promoting good governance.

VI – Strengthening the capacities of the States

The fight against drug trafficking and the undertakings made in this Action Plan require a strengthening of the capacities of the States. This must take place in the framework of global, integrated policies aimed at combating the worldwide scourge of drugs. To this end:

We recommend that the needs of each of the States be better identified so as to make the interventions of backers as effective as possible, in particular through permanent and sustained on-the-ground cooperation between backers and the general implementations of a tool for sharing information on technical assistance.

We encourage existing and planned regional police training centres in the field of security to pay special attention to programmes devoted to combating drug trafficking.

We support the strengthening of the capacities of the States throughout the judicial and penal chain, as also for all the operational agencies concerned, in particular through the fight against illicit drug trafficking and trafficking in explosives, light arms and ammunition, and the fight against the diversion of chemical precursors.

We will ensure that these policies are incorporated into the general provisions for strengthening the rule of law, while striving for maximum coordination with civil society.

We will promote integrated policies to reduce demand and supply which provide for the reduction of illicit crops and the promotion of integral and sustainable alternative development policies in producer countries, alongside the introduction of alternatives to imprisonment and the development of social reintegration. We support the exchange of good practices as regards the reduction of demand, where that seems appropriate, and we encourage policies of prevention, treatment and reintegration of former users into society. We reaffirm our commitment to achieving significant and tangible results in the reduction of demand, relying on a comprehensive and balanced approach.

We urge States and organisations involved in technical assistance programmes to improve the coordination of their actions, in particular by promoting the passage of information, good practices and feedback relating to programmes put into effect.

We encourage the member States to step up their cooperation with the regional organisations represented by the Economic Community of West African States (ECOWAS), the African Union (AU), the Organisation of American States (OAS/CICAD), CARICOM, and other regional and subregional organisations concerned, such as the Southern African Development Community (SADC) and the Union of South American Nations (UNASUR)

VII – Financing the fight against drug trafficking

Given the scale of the challenge to be faced, the fight against drug trafficking, in particular cocaine trafficking, which forms part of the efforts targeted at the worldwide problem of drugs, will require substantial funds. Along with the undertakings already made by the States concerned, outlays have been agreed at multilateral and European Union level, and among other backers, outlays which, we stress, play an essential role.

We call on multilateral and regional development finance bodies, the European Union and other major backers to carry forward their initiatives in support of capacities, with a particular view to the long term.

We encourage States to contemplate, where it is applicable and in accordance with their national legislation, using the income from the seizure, confiscation and similar measures of criminal assets generated by drug trafficking to strengthen as much as possible the fight against drugs, while fully respecting the budgetary competences of each State.

We reaffirm our willingness to provide financial support, where it is applicable and in accordance with their national legislation, to the relevant multilateral and regional organisations, including UNODC, and to regional initiatives, which are endeavouring to stem the flow of illicit drugs.

We encourage UNODC to consult the member States, then to explore, together with the relevant international financial institutions, the possibility of identifying innovative sources of funding for the prevention and combating of drug trafficking, in particular assessing whether, and in what way, confiscated criminal assets could be more fully mobilised.

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Each of the measures detailed in our plan can be put into effect on a voluntary basis by our countries. The scope of these measures can also be extended to other regions and other illicit drugs when the need is felt and it appears possible, with the agreement of all the countries taking part in this initiative.

We invite the countries of our respective regions to join in with the efforts made in the framework of this initiative. To this end, we request our respective regional organisations to inform all the countries of our regions of the outcome of this meeting.

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