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EUROPEAN UNION
THE COUNCIL

Brussels, 9 June 1997

8850/97

LIMITE

ENFOPOL 132

NOTE

from : the Europol Drugs Unit

to : the Joint meeting of Drugs and Organised Crime Working Group and Customs Cooperation Working Group on 11 June 1997

No. prev. doc. : 7750/97 ENFOPOL 103

Subject : **Proposal for a Controlled Delivery Request form**

Please find enclosed a proposal for a standardised controlled deliveries request form, as requested by the meeting of the Drugs and Organised Crime Working Group with representatives of the Central and Eastern European Countries including the Baltic States on 24 April 1997 (ref. Europol doc. 2571-15).

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PROPOSAL FOR A CONTROLLED DELIVERY REQUEST FORM

On 24 April 1997 a meeting on Controlled Deliveries of the Drugs and Organised Crime Working Party, was held in Brussels with representatives for Home and Justice Affairs of adhesion candidates of Central and Eastern Europe, including the Baltic States. Many problems regarding the organisation of controlled deliveries were debated, including the current EU Manual on this topic and the possible extension if to include the candidates countries.

One accepted proposal, directly linked to the contents of the Manual, was to set up a common and uniform request form to be used by all countries when requesting a controlled delivery[1]. Every participant country to the meeting should find in this new document the minimum and mandatory information required by them to initiate or to accept controlled delivery operations. After agreement from all countries involved, this document should be included in the Manual.

It was suggested by the Presidency, in order to avoid any duplication with other current initiatives on the same subject, to ask the EDU to prepare a proposal, and to make contact with other organisations (especially the present Schengen Presidency).

The following outlined proposal is mainly based on two documents, dealing with the same subject: the Schengen request form, and the EDU controlled deliveries in house procedure[2], as accepted during the 27-28 September 1995 expert meeting on Controlled Deliveries at the Hague[3].

This synthesis is accordingly circulated to all Member States and then to the invited countries, in order to check if it includes all the information requested and to stress the mandatory part of it regarding each country national legislation or guidelines for controlled deliveries.

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[1] Enfopol 103/ Limite/ 7750/97, 5 May 1997.
[2] EDU N° 2571-05, July 1995, Controlled deliveries in house procedure.
[3] EDU N° 2571-08, 6 October 1995, Conclusions of the expert meeting on controlled deliveries.

CONTROLLED DELIVERY REQUEST FORM

1. Information on Requesting Authority

Magistrate from:

Prosecutor from:

Ministry of :

Legal framework:

Case file number:

Name of the case/or operation itself:

Law enforcement Agency:

Head of Operations:

Address:

Phone: + + Fax: + +

Case description

Summary of the case and final purpose of the inquiry :

Reason for the controlled delivery :

Type of drug and quantity involved (or amount of money involved, or other goods if permitted by national legislation):

Countries involved :

- Requesting Country :
- Receiving Country[4] :
- Country of origin :
- Transit Country (ies) :

[4] The receiving country would have to guarantee to the others the seizure of the consignment and the prosecution of those involved. This guarantee and his agreement to the operation are important to mention to the transit countries.

Co-operation channels already used :

2. Information on Targets[5]

Person(s)

Name:

First name:

Sex:

Date and place of birth:

Nationality:

Address:

Others (criminal files, dangerous people...)

Place and role in the organisation:

Vehicle(s) or means of transportation :

Type:

Brand and model:

Colour:

License plate number:

Other characteristics:

Owner[6] and address:

3. Information on possible schedule of the operation

For each country involved in the operation:

- Probable date, place, and time of border crossing
- Planned itinerary
- Probable duration of the operation
- Planned final destination[7]

[5] People accompanying the consignment, members of the criminal organisation and the receivers, and possible vehicle(s) used for the delivery.

[6] The role of the owner in the criminal organisation should be indicated.

[7] The information provided on the targets should be linked to as many of the bullet points as possible.

4. **Information on special techniques used or to be used during the course of the operation.**

Whether an undercover agent is present

Whether the drugs are to be substituted or not

Whether a tracking system is fitted to the target vehicle (if so, what type ?)

5. **Information on Observation Unit (s)**

Law enforcement agency/service:

Contact person:

Address:

Phone: + + Fax: + +

Number of observation cars (Mark, colour and license plate numbers):

Number of law enforcement officers (with names and mobile phone numbers):

If firearms or other weapons are to be carried (authorisation depending on national legislation of each country involved): serial number and type.