

European Union 2018 Enlargement Country Reports

Segment on drugs from the European Union Strategy Paper and country reports about the Western Balkans partners and Turkey, published on 17 April 2018

Situation in the region

Organised crime's foothold on the enlargement countries remains strong. Powerful criminal groups continue to operate in and from the Western Balkans region and Turkey. The region remains an important entry route for the trafficking of illicit goods, in particular drugs and arms, and people on their way to the EU. Enlargement countries are increasingly cooperating with EU law enforcement agencies such as Europol and Eurojust and gradually improving their capacity to deal with specific types of organised crime, including drug trafficking.

Albania

Cooperation in the fight against drugs

(Chapter 24: Justice, freedom and security)

Cooperation with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) continued. Preparations are ongoing in view of establishing a working agreement between Albania and EMCDDA, which will facilitate information exchange. Albania has no national drug observatory and no functional Early Warning System on new psychoactive substances. The national drug strategy and action plan 2012-2016 came to an end. The new strategy and action plan 2017-2020 are currently being drafted.

In March 2017 the government adopted the 2017-2020 strategy and action plan against cannabis cultivation and trafficking, and set up the central task force against cannabis cultivation. Special police units were set up to control identified high-risk areas (risk analysis). The coordinated approach between the Albanian institutions, the cooperation with Member States (especially with Italy in carrying out airborne monitoring of the Albanian territory) and the controls and inspections by the Albanian police have brought positive results. Moreover, data show that cannabis cultivation in Albania significantly decreased in 2017 compared to 2016. Statistics indicate that in 2017 the police identified and destroyed 66 927 plants. This was a decrease of 91.6 % compared with 2015 (797 422 plants destroyed) and of almost 97.4 % compared to 2016 (2 536 288 plants destroyed), mainly due to the fall in cannabis cultivation in Albania. In 2017 the police also seized 78.2 tonnes of cannabis/marijuana, a 61.6 % increase from 2016 (30 tons). Nevertheless, Albania remains the main source of cannabis herb trafficked to the European Union. Albania should now also intensify the search for, confiscation and destruction of stockpiles. A new laboratory for collecting and analysing data allows for faster processing and response on the destruction of the plants. In 2017, 100 % of the detected cannabis plants were destroyed on the spot by the police. In 2017, 104 disciplinary measures have been taken against police officers for disciplinary breaches related to prevention, detection and fighting cannabis cultivation. Forty police officers have been dismissed from the police.



According to ECMDDA, Albania is also considered a transit country for hard drugs such as heroin and cocaine. Heroin seizures amounted to 21.5 kg in 2017 compared to 57.3 kg in 2016 and 17.5 kg in the first two months of 2018. As for cocaine, 3.7 kg was seized in 2017 after 7.2 kg the year before. In February, the ASP seized a record amount of 613 kg and 350 grams of cocaine from Colombia. This represents the largest single seizure of cocaine or heroin in several years.

On the track record, while there is an increasing number of offenders being arrested for drug trafficking, the number of final convictions remains negligible. In 2017 the police submitted to the Prosecutor's Office 2 071 cases of drug production and trafficking involving 2 485 possible offenders. This was 451 cases and 391 people more than in 2016 (1 620 and 2 094). In 2017 the Prosecutor's Office registered 1 766 cases; most cases have been dismissed or suspended and 805 cases were sent to court. Some 534 offenders were convicted at first instance (391 in 2016). Albania should make use of special investigation techniques, proactive investigations and asset confiscation. It should systematically launch financial investigations in drug trafficking cases.

Other issues related to drugs

On drug precursors, the list of controlled substances is in compliance with the lists in the relevant EU *acquis*.

(Chapter 1: Free movement of goods)

In February 2018 four people have been convicted in final instance for membership of a structured criminal group involved in drug cultivation and trafficking (Lazarat case).

In 2017 Albania was involved in four Eurojust cases (16 in 2016 and 12 in 2015), mainly dealing with drug trafficking, fraud and organised property crime. The Memorandum of Understanding on the drugs component of the EU Justice Programme was signed in February.

(Chapter 24: Justice, freedom and security)

On drug abuse prevention and harm reduction, prevention activities have taken place sporadically, mainly initiated by the Department of Health Promotion and the Institute of Public Health. The social and economic reintegration of drug addicts has limited success.

(Chapter 28: Consumer and health protection)

The customs control system for drug precursors, dangerous chemical products and 'controlled substances' is harmonised with the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

(Chapter 29: Customs union)

Albania signed in February 2018 the Memorandum of Understanding on the drugs component of the EU Justice Programme.

Bosnia Herzegovina

Cooperation in the fight against drugs

Bosnia and Herzegovina remained a country of drugs transit and storage. Domestic demand for drugs increased slightly, especially for polydrugs. In January 2018 a National Strategy on Supervision over Narcotic Drugs, Prevention and Suppression of the Abuse of Narcotic Drugs for the period 2018-2023 was adopted by Bosnia and Herzegovina Council of Ministers and needs to be endorsed by the Parliament. Legislation to prevent and suppress the abuse of narcotic drugs and establish a focal point for drug issues at the national level has yet to be adopted. The Bosnia and Herzegovina Commission for the Suppression of Abuse of Narcotic Drugs has starting functioning. The Commission for Drugs Destruction is in place but destruction of drugs has not taken place in the reporting period. The safe storage of seized drugs remains an issue.

Operational activities continued to be coordinated on a case-by-case basis. Cooperation with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) continued. Bosnia and Herzegovina authorities decided to use the EMCDDA standard data collection tool for drugs seizures, from 1 July 2017 onwards. In 2017 the number of reported crimes related to drug abuse amounted to 881 compared to 553 in 2016, indicted confirmed were 229 (445 in 2016), convictions of imprisonment were 228 (151 in 2016).

Other issues related to drugs

Specialised anti-terrorism, human trafficking, drugs, cybercrime and financial investigations units are broadly in place at state and entity level, though with insufficient capacity.

(Justice, freedom and security)

Kosovo*

Cooperation in the field of drugs

Institutional set-up and legal alignment

The Law on Narcotic Drugs, Psychotropic Substances and Precursors is the main legislative act governing drugs. Drug-related offences are primarily covered by the Criminal Code. Kosovo's legal framework is in line with European best practices in the fight against drugs. The 2012-2017 strategy and action plan against illicit narcotics continued to be implemented and several criminal groups were dismantled. The new strategy and action plan for 2018-2022 remain to be approved. A coordination mechanism to prevent and fight drug trafficking and abuse of precursors is led by the Deputy Minister of Internal Affairs, who coordinates all relevant line ministries. Kosovo should formally establish an Early Warning System to follow-up on the two contact points already in place, and finalise the agreement on a National Monitoring Centre. Sustainable and routine data collection should be ensured.

Implementation and enforcement capacity

Kosovo continues to be a storage and transit country for heroin and cannabis. Seizures remain very low, especially for heroin and cocaine, despite increased staffing levels in the Directorate for the Investigation of Narcotics Trafficking. Organised crime groups (mainly Albanian-speaking) continue to play a predominant role in large-scale heroin trafficking and its subsequent distribution in the EU. Kosovo needs to intensify its fight against drug trafficking. Further implementation of intelligence-led policing and the strengthening of regional police cooperation remain necessary. The prosecution remains understaffed and not sufficiently trained to prosecute drug-related offences efficiently. However, there was a notable increase in the number of judgements compared to the previous report. In this reporting period, the prosecution dealt with 3 670 cases involving drugs (concerning 5 150 persons), with 971 cases (concerning 1 369 persons)

having a judgement. 344 persons were found guilty by the courts. Secure storage for seized drugs and precursors prior to destruction has been set up.

Special attention needs to be paid to raising public awareness of the consequences of drug abuse. The police, community safety officers and teachers continue to receive training on the dangers of drug abuse. Addiction treatment and methadone therapy is being offered, strengthening drug abuse prevention.

Kosovo continues to cooperate with the European Monitoring Centre for Drugs and Drug Addiction. Although not a full member, it is a beneficiary of a regional IPA project implemented by the centre and also provides regular reports to the agency through its designated focal point.

Other issues related to drugs

The police force has several specialised units both at central level (e.g. the anti-corruption task force) and regional level (e.g. the drugs and trafficking in human beings units). An organised crime directorate in police headquarters is complemented by specialised units to combat drugs and human trafficking at regional level, assisted by forensic units.

(Justice, freedom and security)

The legislation on drug precursors, on customs measures governing intellectual property rights and on export control for cultural goods is still not fully aligned with the EU *acquis*.

(Customs)

Work on establishing a plan for drug and residue monitoring is ongoing.

(Food safety, veterinary and phytosanitary policy)

FYRO Macedonia

Cooperation in the field of drugs

The National Drug Strategy 2014-2020 is aligned with the EU drugs strategy (2013-2020) and its first action plan (2017-2020). It relies on two pillars: reducing supply and reducing demand. Both public health and security concerns are fundamental and the Strategy encompasses activities related to prevention, re-socialisation of prisoners with a drug addiction, as well as judicial and police cooperation, confiscation of criminal assets, investigations and border management. There is a State inter-sectorial committee to monitor the activities defined in the Action Plan for implementation of the Drugs Strategy. Coordination and implementation have to be stepped up.

Drug trafficking is a major security threat for the country. The fight against illicit drug trafficking has become a strategic priority for the Ministry of the Interior. There is a good level of cooperation with neighbouring countries including on a case by case basis. Following one joint operation with Albania nine people were arrested in Albania for illicit drug trafficking. Following a joint investigation with Albania and Greece 27 people were arrested, and drugs seized. Border controls are being strengthened with positive results. In 2017, 464 criminal offenses were detected by the police on unauthorised production and release of narcotic drugs, psychotropic substances and precursors, involving 532 perpetrators, 88 acts of enabling use of narcotic drugs involving 97 perpetrators. During the first 9 months of 2017, there was an increase in seizure of illegal substances. Altogether over 364 kilogrammes of different narcotic drugs were seized.

In 2017, good cooperation and exchange of information and data through the EMCDDA continued.

In the course of 2016 and during the first semester of 2017, no destruction of seized and confiscated drugs took place.

Other issues related to drugs

The licensing, monitoring and controlling systems for economic operators dealing with drug precursors and civil explosives are in place.

(Chapter 1: Free movement of goods)

The Criminal Code is broadly in line with European standards and criminalises trafficking in human beings, online child pornography, computer crime and drugs trafficking.

In 2017 there were final judgements against ... 23 people for unauthorized manufacture and release for sale of narcotic drugs, psychotropic substances and precursors.

The quality system in three laboratories (for documents, for toxicology and drugs and for biological tests and DNA identification) is now in line with European standards.

In recent years, a number of criminal networks and routes have been dismantled, in particular relating to people smuggling and drug trafficking.

The customs administration took part in nine international operations to combat the illicit trade in counterfeit and pirated goods, drugs, weapons, dangerous waste and high-risk chemicals.

Cooperation continued with the regional intelligence offices of the World Customs Organisation, the United Nations Office on Drugs and Crime, ZKA Balkan Info, OLAF and Europol.

(Chapter 24: Justice, freedom and security)

On drug abuse prevention and harm reduction, the population aged 17-27 is most at risk. The most used drug is marijuana.

(Chapter 28: Consumer and health protection)

Legislation on customs enforcement of intellectual property rights and provisions on risk management, drug precursors, duty relief and cultural goods are broadly aligned with the *acquis*.

(Chapter 29: Customs union)

Montenegro

In the fight against organised crime, there is an initial track record of prosecutions in the fight against smuggling of migrants and against drug trafficking.

(Summary of the Report)

Cooperation in the field of drugs

The legal, institutional and strategic frameworks are largely in place. Montenegro is implementing its 2013-2020 national drug strategy and action plan (in line with the EU Strategy and Action Plan), including by training of relevant staff. The close cooperation with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) continued. Montenegro's Forensics Centre cooperates with the police in detecting cocaine as an accredited laboratory. A national network of experts in relevant ministries is in place.

Montenegro laid the foundation for a national early warning system on new psychoactive substances, but the system has to be further consolidated to meet the EMCDDA standards. The national focal point, located in the Ministry of Health, consists currently of only one person. More resources are needed to improve the work on drug monitoring and coordination of relevant administrations. Cooperation with Europol continues on new detected drugs and with civil society on the rehabilitation of drug addicts.

The country remains an entry point and transit country for drugs to western Europe. Although Montenegro is traditionally a small consumption market, a slight increase in cannabis consumption was reported due to the vicinity of Albania as a major producer, but also due to a modest local production. In 2017 a new record of drug seizures was made (2.65 tonnes), mainly herbal cannabis from Albania. Some 135 criminal charges were filed against 179 people. The anti-drug department of the police investigated a number of drug-related cases in 2017, including the use of special surveillance measures, and carried out a few long-lasting investigations as part of international cases, in a fruitful cooperation with third countries' police services.

Law-enforcement agencies need to improve their capacity to tackle complex international criminal drug-trafficking networks. There is still no solid track record of seizure and confiscation of the proceeds of drug-related crimes, or of financial investigations in this area. The anti-drug department of the police is still understaffed. The lack of secure storage for seized drugs and precursors prior to destruction remains a concern. An appropriate process for destroying precursors has yet to be set up. On drugs seizure, as required under the EU protocol, a single electronic database needs to be set up to collect, analyse and share all data on drugs seizure.

Other issues related to drugs

On drug precursors, national legislation is partly aligned to the EU *acquis*.

(Chapter 1: Free movement of goods)

On its strategic framework, Montenegro has sectoral strategies and action plans on the fight against organised crime, including on the fight against human trafficking beings and money laundering, the prevention of drug abuse and of arms trafficking. A new national Serious and Organised Crime Threat Assessment was adopted in December 2017, identifying 6 priority areas for 2018-2019 (terrorism and religious extremism, drug smuggling, illegal migration, serious criminal offences arising from conflicts between organised crime organisations, loan sharking and high-level corruption).

Powerful criminal groups operate in and from the country. Their activities include drug trafficking, cigarette smuggling, migrant smuggling, money laundering, organised property crimes and crimes against individuals. Criminal activities lead to frequent gang-related murders.

Montenegrin customs participated in a number of joint international operations to prevent illicit trade in psychoactive substances, drugs and drug precursors, fire arms, cultural goods, oil derivatives, counterfeit goods and cigarettes.

(Chapter 24: Justice, freedom and security)

On drug abuse prevention and harm reduction, a 2017-2018 action plan for the implementation of the strategy to prevent drug abuse was adopted in February 2017. The involvement of civil society in the National Council for the Prevention of Drug Abuse and in the National Commission on Drugs needs to be further enhanced and encouraged, as there is only one representative of civil society in both of these bodies.

On health inequalities, access to healthcare services needs to be improved for people with disabilities, people living with HIV, children and adults who use drugs, prisoners, women in prostitution, LGBTI people, internally displaced persons and Roma.s

(Chapter 28: Consumer and health protection)

Further harmonisation is needed on transit, drug precursors, security aspects, and on export control for cultural goods.

(Chapter 29: Customs union)

Serbia

Serbia is seen as "a transit country for illegal migration and the smuggling of drugs, firearms and other commodities".

(Summary of the Report)

Cooperation in the field of drugs

(Chapter 24: Justice, freedom and security)

Serbia is implementing its Strategy for Drug Abuse Suppression (2014–2021) and has implemented an accompanying action plan (2014–2017) which are both in line with the EU Strategy and Action Plan and reflect the main objectives of the renewed (2013) EU-Western Balkan Action Plan on Drugs.

The Law on Psychoactive Controlled Substances and the Law on Precursors have yet to be adopted.

The Service for Drug Addiction Prevention and Drug Trafficking Suppression within the Serbian Criminal Police Directorate suffers from lack of staff and equipment. Nevertheless, good regional and international cooperation continued, with important results in terms of drug seizures and of dismantling international drug smuggling chains. The national coordination office (Office for Combatting Drugs) is operational but remains understaffed and does not have the capacity to fully perform its duties.

In line with the national drugs strategy, a clear definition of the responsibilities and powers of the various institutions involved in inter-agency cooperation is still needed, as well as smooth exchange of data. An early warning system on new psychoactive substances has been established within the Centre for Monitoring Drugs in the Ministry of Health.

The lack of secure storage of seized drugs and drug precursors prior to destruction remains an issue of concern. An appropriate process for the destruction of precursors has yet to be set up.

Furthermore, according to current legislation, it is not possible to keep only a small drug sample as material evidence for court proceedings, but the entire seized quantity has to be stored. Overall, and although progress was made, this policy area would benefit from a more proactive and holistic approach.

The anti-drug department of the police investigated a number of drug-related cases in 2017 in a fruitful cooperation with third countries' police services, reaching important results and seizures. Serbian authorities confiscated 4 166 tonnes of drugs, mainly herbal cannabis (3 921 tonnes) but also 17.8 tonnes of heroin and 12.7 tonnes of cocaine. In this respect 8 392 criminal offences have been recorded by Serbian authorities involving 4 130 offenders. Serbian authorities destroyed 5 465 tonnes of narcotic drugs during 2017.

Other issues related to drugs

A licensing and regulation system for economic operators dealing with drug precursors is in place, obliging economic operators to report suspicious orders or transactions. The mechanisms to detect drug precursors smuggling are in place as well. Legislation on good laboratory practices is in place and aims at full alignment with the *acquis*.

(Chapter 1: Free movement of goods)

In 2017, Serbia was involved in 26 Eurojust cases, mainly cases concerning drug trafficking, money-laundering, corruption and organised property crime. Organised crime groups were involved in several cases. Serbia has not signed a (operational) cooperation agreement with Eurojust, due to a delay in harmonising the legislation on protection of personal data with the *acquis*.

(Chapter 24: Justice, freedom and security)

There was also no progress on drug abuse prevention.

On health inequalities, access to healthcare services needs to be improved for people with disabilities, people living with HIV, children and adults who use drugs, prisoners, women in prostitution, LGBTI people, internally displaced persons and Roma.

(Chapter 28: Consumer and health protection)

... legislation on duty relief, drug precursors, cultural goods, free zones, and security aspects still needs to be aligned with the *acquis*.

(Chapter 29: Customs union)

Turkey

Cooperation in the field of drugs

Institutional set-up and legal alignment

The High Council for the Fight against Drugs is responsible for inter-ministerial coordination on drug policy issues in Turkey. It is tasked with high-level strategy development, developing interinstitutional coordination and monitoring strategy implementation. The High Council includes ministers from all of the ministries involved in delivering the objectives of the national drug strategy. The Board for the Fight against Drugs supports the work of the High Council. In July 2017, the Ministry of Interior adopted its own institutional plan to implement specific projects in this field, the 'implementation policy on the fight against drugs (2017-2018)'. In November 2017, a research committee was set up to conduct research on drug addiction and new types of addictions and to identify reasons for addiction and measures to be taken to address the issue. There is a scientific committee, composed of academics, which is tasked with making recommendations for studies and carrying out training on reducing demand for drugs. There is also a National Early Warning System for the control procedures at the Turkish National Monitoring Centre for Drugs and Drug Addiction tasked with identifying new substances to be covered by relevant legislation.

Implementation and enforcement capacity

Turkey lies on the main transit route for drugs between Asia and Europe. Turkish law-enforcement bodies conducted successful operations during the reporting period, which resulted in the seizure of 146 954 kg of cannabis, 845 kg of cocaine, 5 585 kg of heroin, 3 783 737 ecstasy tablets and 12 918 309 captagon tablets. Four controlled delivery operations were carried out with 2 countries (United States and Austria). Since 2008 a total of 692 new psychoactive substances were included in the scope of the legislation as a result of the activities of National Early Warning System for the control procedures at the Turkish National Monitoring Centre for Drugs and Drug Addiction working group. The number of sniffer dogs used by the Turkish National Police increased to 391.

Since December 2014, specialist drugs teams have been set up in 50 provinces to support the fight against drugs in high-risk locations such as schools. (There were 11 such teams in 2015, 29 in 2016 and xx in 2017). Turkey reports annually to the European Monitoring Centre for Drugs and Drug Addiction. The quality and

quantity of data Turkey provides is improving. Rehabilitation and treatment capacity in the country needs to be further increased. Turkey's capacity for data collection and analysis needs to be strengthened.

Other issues related to drugs

There is a specific licensing and regulation system for economic operators dealing with drug precursors, with a strict follow-up and monitoring system in cooperation with the police and customs authorities.

(Chapter 1: Free movement of goods)

Over recent years, Turkey has increased the number of specialised departments in the police and/or the gendarmerie to deal with specific forms of organised crime (e.g. drugs, migration, human trafficking, cybercrime, witness protection). The gendarmerie's anti-smuggling and organised crime department was reorganised in March 2017.

In 2016, Turkish law enforcement authorities detained 114 276 suspects in connection with 81 222 drug-related crimes and courts issued 37 367 convictions.

(Chapter 24: Justice, freedom and security)

An updated action plan on preventing drug abuse (2016-2018), built around the pillars of drug demand and drug supply reduction, is in place. National coordination mechanisms have been set up on drug policy issues. According to the Ministry of Interior, there was an increase in the number of drug-induced deaths in Turkey from 520 in 2016 to 1 020 in 2017. Significant work is necessary both on supply and demand control.

On health inequalities, access to healthcare services needs to be improved for people with disabilities, people living with HIV, and children and adults who use drugs.

(Chapter 28: Consumer and health protection)

Turkey participates in the European Environmental Agency, in the European Monitoring Centre for Drugs and Drug Addiction and since 2015 in the Civil Protection Mechanism.

(Relations between the EU and Turkey)