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from : High-level meeting of coordination / cooperation mechanism on drugs between the European Union, Latin America and the Caribbean on 8/9 April 1999 in Panama

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Subject : Comprehensive Action Plan on Drugs

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**I. INTRODUCTION**

The Member States of the European Union<sup>1</sup> on the one hand and the States of Latin America and the Caribbean on the other hand –

convinced of the importance of the numerous efforts being made in both regions to address the world drug problem.<sup>2</sup>,

conscious of the need to coordinate, improve and enhance the coherence of their strategies and action in regard to drugs –

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<sup>1</sup> Pursuant to the mandate of the session of the European Council of December 1995 in Madrid and recommendations of an expert mission of the European Union to some Latin American countries in October 1996 priority areas for cooperation have been defined.

<sup>2</sup> According to the definition in the Political Declaration of the Twentieth Special Session of the General Assembly of the United Nations on the World Drug Problem: "The illicit cultivation, production, manufacture, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances, including amphetamine-type stimulants, the diversion of precursors, and related criminal activities."

have decided to draw up a comprehensive Action Plan on Drugs.

To this end attention is drawn to the Conclusions of the First High-Level Meeting on Drugs, in which the European Union and the States of Latin America and the Caribbean participated (Brussels, 23 and 24 March 1998; see 7243/98 CORDROGUE 21), and which laid the foundation for cooperation aimed at the development of specific projects in the framework of an Action Plan.

The Action Plan is based on the following principles:

- shared responsibility;
- an integrated and balanced approach based on participation;
- sustainable development;
- conformity with international law, and particularly with full respect for the sovereignty and territorial integrity of States, non-intervention in internal affairs of States, and all human rights and fundamental freedoms.

In accordance with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the Member States of the European Union and the States of Latin America and the Caribbean confirm, that no state participating in this Action Plan will exercise, in another participating State, powers or functions which national law reserves exclusively to the authorities of that other State.

Furthermore, the Member States of the European Union and Latin American and Caribbean States reaffirm that the principles of shared responsibility and international cooperation are essential in countering tackling and combating the world drug problem. They therefore state that this problem, and especially drug trafficking cannot be dealt with unilaterally through national legislation having an extraterritorial impact but must instead take place within a multilateral framework.

## II. GENERAL CONSIDERATIONS

### **The Action Plan is guided by the following considerations:**

All the activities proposed shall be guided by the instruments of the United Nations on drugs as well as by the documents adopted during the Twentieth Special Session of the General Assembly of the United Nations on the World Drug Problem, which took place in June 1998:

Political Declaration S-20/2, Declaration on the Guiding Principles of Drug Demand Reduction S-20/3, Resolution on Measures to Enhance International Cooperation to Counter the World Drug Problem S-20/4) and towards the action plan for application of the Declaration on the Guiding Principles of Drug Demand Reduction which was adopted on 19 March 1999 at the 42nd meeting of the United Nations Commission on Narcotic Drugs in Vienna.

The proposed activities will have to take account in addition, where appropriate, of the instruments on drugs to which the States of Latin America and the Caribbean on the one hand and the Member States of the European Union on the other hand are parties, and of existing regional mechanisms and strategies. In this context it is to be stressed that activities listed in this plan are complementary to and do not impinge on the Barbados Plan of Action.

Furthermore, the recommendations agreed at the First High-Level Meeting between the European Union and Latin America and the Caribbean in Brussels on 23 and 24 March 1998 shall be taken into account in the implementation of the Plan.

All possible sources of funding shall be taken in consideration; in addition, financing by EU Member States shall also be encouraged. The United Nations Drugs Control Program (UNDCP) and Inter American Commission on Drug Abuse Control (CICAD) will continue to be important partners in this context.

The states, especially the Member States of the European Union, shall use all mechanisms at their disposal in order to ensure that international financial institutions (including the Inter-American Development Bank and the World Bank) make additional resources available for execution of future projects developed in accordance with the provisions of the Action Plan.

In the light of the local and regional diversity of the drug problem as well as the different levels of institutional and socio-economic development of the States, a differentiated approach shall be applied that distinguishes, subregional, regional and national levels.

Interregional cooperation shall be encouraged and efforts made to ensure that it is consistent with and complementary to the EU Caribbean Drugs Initiative.

The projects must be based on precise and clear objectives. Their follow-up and evaluation should be consistent with the methodology for their implementation and their technical and administrative guidelines. The present action plan shall serve to find means to speed up and make the internal technical and administrative processes in both regions more flexible.

Participation by local and regional experts in the implementation of the agreed projects shall be encouraged in order to create suitable conditions for sustained action.

Finally, there shall be greater coordination, mutual support and complementarity between the activities carried out under this Action Plan and the various activities of the multilateral and bilateral institutions, and of possible donors. Especially, the States reaffirm the important role of CICAD and UNDCP.

### III. OVERALL OBJECTIVES

The plan will have the following objectives:

Coordination and cooperation in the area of drugs shall be based on the development in the regions of policies and institution building at the national level which will enable States to improve their ability to cope with the world drug problem.

The Action Plan aims to improve, via jointly agreed programs and measures, information systems on the aforementioned problem between the regions.

Cooperation between relevant EU institutions and agencies such as Europol and the European Monitoring Centre on Drugs and Drug Addiction (EMCDDA) and relevant institutions and agencies in Latin America and the Caribbean shall be enhanced.

The partners shall share their experience accumulated in all aspects of the world drugs problem.

### IV. FIELDS OF ACTIVITIES

#### A. Demand reduction:

The Member States of the European Union and the States of Latin America and the Caribbean attach particular importance to demand reduction, which is a key element of their regional and national anti-drug strategies.

In this context, the special programs and measures for cooperation adopted under this Action Plan shall be based on the United Nations Declaration on the Guiding Principles of Drug Demand Reduction (S-20/3) and with the action plan on the Declaration on the Guiding Principles of Drug Demand Reduction adopted on 19 March 1999 at the 42nd meeting of the United Nations Commission on Narcotic Drugs.

**In the framework of this Action Plan and national plans of each State, the activities should aim to:**

- assist government institutions in the implementation and development of their the national plans, when the States so request;
- support programs and projects for prevention, treatment, rehabilitation and social reintegration, research, diagnosis and monitoring in the States involved;
- study mechanisms which will make it possible for the European Union to exchange elements of the methodology applied at the European Monitoring Center for Drugs and Drug Addiction with interested Latin American and Caribbean partners, taking into account the usefulness and relevance to each individual State;
- continue the work of current national programs for demand reduction by means of such programs aimed at children and young people, including street children, and other vulnerable population groups carried out by government and civil society;
- support the activities undertaken in these areas by civil organizations which demonstrate dedication and professionalism, assessed in accordance with nationally and internationally recognized criteria; and, in addition, further closer relations between European, Latin American and Caribbean non-governmental organizations (NGOs) working in the field of prevention, treatment and rehabilitation in accordance with national law;

- promote contacts at municipal level (cities) and between civil organizations, taking into account the opportunities offered by existing networks in both regions for closer contacts in order to facilitate the interchange of knowledge of, and effective strategies for, civil cooperation, such as the URBAL program;
- exchange information between the regions on indicators of the use and abuse of drugs as well as their impact on health and society. In this context the SIDUC (Inter-American system of uniform data on drug consumption), with the support of the EMCDDA, could improve the collection of data and ensure that it is shared between the regions;

Furthermore, promote the interchange of experience gathered in both regions on demand reduction, via prevention, rehabilitation, social reinsertion programs, information campaigns as well as harm reduction.

The regions shall promote cooperation between their governments. Latin America, the Caribbean and the European Union shall mutually profit from the development of measures for the exchange of technology, experts and opportunities for training and research.

The efforts developed by the ONG's in the framework of national plans in each country are important and must be considered within international cooperation.

## **B. Supply reduction:**

The countries of the European Union, Latin America and the Caribbean recognise that supply reduction is a fundamental element of the world drugs problem.

In this sense, concrete projects and cooperation activities shall comply with the Vienna Convention of 1988 and with the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (S-20/4E) adopted at the 20<sup>th</sup> Special Session of the General Assembly of the United Nations.

## *1. Alternative development and eradication of illicit crops*

Within the framework of this Action Plan, the Member States of the European Union and the States of Latin America and the Caribbean shall implement the programs and projects in full accordance with the principles enumerated in the Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and on Alternative Development (S-20/4E).

### **Inter alia, the following specific measures shall be considered:**

- the inclusion of alternative development among the major themes of development policy, in order to guarantee the impact and sustainability of projects and the necessary funding;
- the use of alternative development as the key instrument for eliminating cultivation of crops used for the production of illicit drugs;
- provision of long-term economic and technical support for alternative development programs in order to eliminate illicit crops;
- the strengthening of the institutional capacities of the recipient States, when they so request;
- encouragement to farmers, local communities and public authorities to develop and formulate common, concerted objectives based on the requirements of the community with the aim of eradicating illicit crops;
- promotion of local participation and that of civil organizations in the structuring and supervision of projects, with particular emphasis on the participation of women;
- in this context, alternative development must be compatible with the aims and principles of the United Nations Charter and with full respect for human rights and the protection of the environment;



- In areas where illicit cultivation continues in spite of existing alternatives, recourse to repressive measures in order to avoid the persistence of illicit crops used for drug production. In areas where alternative development programs have not yet created alternative sources of income implementation of forced eradication could impair the success of alternative development programs.
- coordination of the efforts of the EU in this field, also taking account of other international donors, in order to avoid overlapping and achieve greater efficiency;
- support alternative economic opportunities that respond to farmers' needs and limitations as well as to local social and ecological conditions, have favourable market potential and are sustainable from an economic, social and environmental point of view;
- promote the creation of physical, economic and social infrastructure capable of supplying goods and services to drug crop producing areas and thus initiate development programs designed to assist rural, agricultural and fishery-sustained zones in regions affected by production of or illicit trafficking in drugs;
- elaboration and application of strategies for the eradication of the growing cultivation and production of illicit drugs in enclosed premises utilizing new methods and technologies. Furthermore, the governments shall exchange information on their action in this field.

2. *Precursor and licit drug control:*

All measures developed within the framework of this Action Plan must be in conformity with Article 12 of the Vienna Convention of 1988 as well as the resolution on the control of precursors S-20/4B.

**In the field of precursor and licit drug control, measures should be aimed at:**

- full implementation, in the countries involved, of agreements relating to the control of chemical precursors concluded between the countries of the European Union, the countries of the Andean Community, Mexico and Chile;
- promote negotiations of agreements on precursors between the European Union and the MERCOSUR countries;
- strengthening, where States consider it necessary, national and interregional systems for controlling precursors, principally in relation to estimating production capacity and actual production of controlled substances, as well as the needs of the legal industries;
- promoting the exchange of information and further development of systems for surveillance and investigation of forms of diversion, with particular emphasis on the activities being developed by regional bodies;
- promoting the exchange of practical experience in the field of precursor control with a view to facilitating more effective cooperation both in the regions and with the EU;
- studying and analyzing, between the regions, the diversion of precursors by sea and by land and – on the basis of the conclusions obtained – consider the deployment of advisable legal and operational surveillance mechanisms;
- the regions reaffirm their commitment to implement the Action Plan against illicit manufacture, Abuse of and trafficking in amphetamine-type stimulants and their precursors (S-20/4A);

The exchange of information on risk analysis and the control of synthetic drugs could be considered in this connection.

**C. Police, customs and judicial cooperation and illicit drugs related arms trafficking:**

*1. Police, customs and judicial cooperation*

Under the current Action Plan, cooperation between the Member States of the European Union and the States of Latin America and the Caribbean in the field of police, customs and judicial cooperation shall be in accordance with the principles of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic substances (Vienna Convention of 1988), the Resolution on Measures to Promote Judicial Cooperation (S-20/4C).

In this context the regions endeavour to:

- support the modernization of law enforcement bodies in regard to applied methods and procedures (investigations in connection with crimes, information and crime analysis) in the countries which so request;
- assist those countries which so request to improve their checking methods at ports, airports and borders by providing technical help and help with obtaining equipment and with highly specialized further training for law enforcement officers of the relevant organizations;
- promote and step up the exchange of information between law enforcement agencies in the European Union, Latin America and the Caribbean, inter alia through bilateral arrangements including agreements between Europol<sup>1</sup> and the interested states. This process could be further facilitated by the creation of a communications network of liaison officers or other mechanisms;

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<sup>1</sup> As provided for under the Europol Convention.

- where the States international legislation permits, apply the technique of "controlled delivery" in regard to both illicit drug trafficking and to precursors within the framework of the Vienna Convention of 1988 (Article 11). Operations will take place with the prior knowledge of the relevant national authorities in the countries carrying them out;
- in this context, if legislation permits, training and further qualification in areas pertaining to controlled deliveries as well as special investigative techniques and other procedures could be promoted and, in the States which so wish, relevant manuals modeled after the pertinent EU and UNDCP manuals could be compiled.

## 2. *Drug-related arms trafficking:*

The Member States of the European Union and the States of Latin America and the Caribbean have expressed their concern at the growing violence resulting from drug-related arms trafficking. In this context they reaffirm their decision to apply in full the provisions of the Political Declaration adopted at the Twentieth Special Session of the General Assembly of the United Nations on combating illegal arms trafficking.

The States of the regions therefore shall intensify their cooperation in the United Nations in the elaboration of international norms to hinder illegal arms trafficking within the framework of the International Convention against Organized Transnational Crime.

The regional initiatives of the European Union and of Latin America and the Caribbean in this area, in particular the Common Action of the European Union on trafficking in small arms and the OAS Convention on arms and ammunition, are evidence of the importance attached to this whole question.

Thought will need to be given in the framework of this Action Plan to:

- promoting greater cooperation in preventing illicit arms trafficking and achieving positive results in this field.

#### **D. Money laundering:**

The Member States of the European Union and the States of Latin America and the Caribbean have voiced their concern at the scale of money laundering as a drug-related crime connected with the drug trade and underscored their commitment to the documents adopted at the Twentieth Special Session of the General Assembly.

#### **In this context, the following measures could be envisaged:**

- consideration of the 40 FAFT recommendations and their revised version of 1996, as well as the Buenos Aires Action Plan against money laundering adopted in Buenos Aires, Argentina, in December 1995;
- close cooperation with UNDCP, United Nations Office for Drug Control and Crime Prevention and CICAD as well as with the FATF in the study of new world-wide and regional mechanisms for preventing money laundering;
- support, at the request of the states so wishing, the creation of specialized units to deal with money laundering and possible provision of training courses on money laundering for legal, financial and police experts.

#### **E. Judicial organization and drug legislation and institutional capacity building:**

#### **The following measures can be envisaged:**

- for the States which so request, the granting of technical assistance in updating legislation on controlled deliveries and money laundering in line with the provisions of the 1988 UN Convention, while avoiding overlapping with UNDCP technical assistance projects for drafting of laws and other legal instruments as well as activities of CICAD in the field of model legislation;

- at the express request of the states so wishing, autonomous central legal institutions responsible for dealing with drug offenses will be updated, in accordance with the principles of good governance and the rule of law;
- organizing seminars and legal training courses on drug matters where possible, in close cooperation with UNDCP and CICAD.

## **V. REINFORCEMENT OF INTERREGIONAL COOPERATION BETWEEN LATIN AMERICA, THE CARIBBEAN AND THE EUROPEAN UNION**

The States of the European Union, Latin America and the Caribbean attribute special importance to the subject of interregional cooperation in the framework of the present Action Plan. Activities should take full account of existing programmes and projects in the Barbados Plan of Action. They should therefore be complementary to existing instruments, and avoid overlapping. Activities should build on and add value to existing structures.

**In this context, the following actions could be envisaged:**

*1. Demand reduction:*

- Exploring mechanisms which will make it possible for the European Union to exchange elements of the methodology applied at the EMCDDA with interested Latin American and Caribbean partners.
- Support the interregional cooperation, in accordance with national policies of governmental and civil organisations of the interested countries in the area of demand reduction, e.g. by organising courses and interregional study groups, in collaboration with the EMCDDA and other organisations of the regions.

- Support the interregional cooperation, between countries that so request, in the areas of epidemiological control and surveillance of drugs consumption. Concerning the epidemiological surveillance, studying mechanisms of cooperation with the EMCDDA and CICAD.
- Upgrade the existing, European-sponsored training centres for police and customs cooperation, to cover also drugs demand reduction and offering multilingual curricula.

## 2. *Judicial, Police and Customs cooperation*

- Promote interregional cooperation between countries, in the area of controlled deliveries of illicit drugs and precursor substances, if permitted by national legislation, including the exchange of information on respective operations and their results. In this respect, seminars might be organised in collaboration with Europol and other agencies.
- Promote and strengthen the information exchange between law enforcement agencies of the European Union, Latin America and of the Caribbean, inter alia, through bilateral agreements including those between Europol<sup>1</sup> and interested countries. This process might be facilitated even more by the creation of a communication network between liaison officers and other mechanisms.
- Support the interregional cooperation in the area of police and customs training. In this sense, take full advantage of the possibilities of existing, European-sponsored training centres for police and customs cooperation through offering multilingual curricula. Information on training programmes should be transmitted systematically at the meetings of the cooperation and coordination mechanism.

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<sup>1</sup> As foreseen in the Europol Convention.

### 3. *Maritime Cooperation*

- Study means to increase the cooperation between the European Union, Latin America and the Caribbean related to maritime cooperation through the exchange of information between the two regions on drugs trafficking in high sea on the basis of the resolutions adopted by the United Nations General Assembly Special Session (8-10 June 1998) respecting the territorial jurisdiction, sovereignty and non intervention of each country.

### 4. *Precursor Control*

- Support interregional cooperation in the field of information exchange on the movement of precursors, avoiding duplication with existing mechanisms.

### 5. *Money laundering*

- Promote the establishment of regional programmes for the control of money laundering, as well as strengthening existing programmes.



Listed in the following annex are ongoing projects which serve as examples of the type of activities that could be developed; these are followed by proposals for short-term measures which could be implemented in the future within the framework of this Action Plan by the European Union, Latin America and the Caribbean. This Action Plan is also intended to promote closer cooperation and coordination with other donors.

### **I. EXAMPLES OF PROJECTS WHICH ARE IN THE PREPARATION AND IMPLEMENTATION PHASE**

- Creation of a national drug observatory in Venezuela, with EURO 2 million of funding from the European Communities;
- Upgrading of the Colombian mapping system, with EURO 8 million of funding from the European Communities;
- Projects for alternative development in Bolivia, with EURO 30 million of funding from the European Communities;
- Projects for alternative development in Peru, with EURO 28 million of funding from the European Communities (currently in the preparatory stage).

## II. PROPOSALS FOR SHORT-TERM MEASURES

- On the basis of experience obtained from the national drug observatory in Venezuela, possibilities for the development of a similar observatory or for the extension of the existing observatory to interested Andean countries could be examined;
- Take forward negotiations on precursor agreements between the European Union and the MERCOSUR countries. In addition, it could be examined to negotiate similar agreements with other interested countries.
- Promote, in cooperation with the EMCDDA and with other organizations in the regions, cooperation with Latin American and European civil organizations in the field of demand reduction;
- Promote the exchange of information on support for training and equipment purchase via national liaison centres. National liaison centres designated for this purpose by the States concerned should compile relevant information on the projects in order to bring greater coherence to aid for training and equipment procurement;
- Promote cooperation in the area of techniques of controlled deliveries of illicit drugs and precursor substances , if permitted by national legislation, including the exchange of information on such actions and their results. In this sense, special Europol seminars could be organised;
- Exploring the possibility of calling for the accession of Latin American countries to the Council of Europe Convention 141 on Money Laundering (Strasbourg Convention);
- Promote interregional cooperation to support civil organizations of States concerned in the field of demand reduction by organizing interregional short courses and study groups, taking into account national policies in this area, with the support of the EMCDDA and other organisations of both regions.