

# EU intensifies combating drug trafficking

The Council for Justice and Home Affairs reached an Agreement on the Framework Decision on Drug Trafficking on 27 November 2003.

The Agreement, that has been negotiated during the past two years, lays down minimum provisions within the EU so that all drug conduct shall be punishable offences, and secures that strong punishments should be possible to impose for the most serious types of drug offence.

All forms of drug trafficking will be criminalized. No exceptions are made for a small-scale drug trafficking nor for what some call less dangerous drugs. A stronger follow-up will be introduced to guarantee that member states will apply their national penalty regulations.

Sweden and France spoke in support of the Framework Decision, which is to become a tool to be used for combating small-scale

drug trafficking. In this, Sweden and France have long stood alone. By agreeing on the Framework Decision, all other members states have chosen to follow Sweden and France's negotiating line. This may lead to abolishing of so called "coffee shops" that exist in Europe.

The Swedish minister for Justice Thomas Bodström says,

- I am satisfied that we have reached such a good agreement. During the negotiations, Sweden rejected time after time a liberal and "tolerant" view on drug trafficking. Such concessions send wrong signals to the citizens of both the members states and the adjoining countries. This Agreement along with the Framework Decision on Human Trafficking are the most important Swedish achievements as regards to combating crime within the EU.

## 89 millimetres from Europe

Report from Minsk, Belarus, November 2003



Minsk

ECAD has received from SIDA (Swedish International Development Co-operation Agency) 27,000 Euro for development of work in the field of drug policy in Belarus in 2004. This is the first year of a three-year project which is aimed at strengthening efforts in the combat against illicit drugs in the country and particularly to develop and support public organisations and their input. The project work will be carried out in co-operation with the Swedish organisation C.R.I.S. (Criminal's Return Into Society) and the Lithuanian AIDS Centre.

A first visit was made, in November 2003, to Minsk where we met with the organisation "Republic Without Drugs" which is ECAD's partner in Belarus. We also visited the Ministry of Health and the Parliament's commission on family and health issues.

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## ★ ECAD NEWS

### Dutch Government breaks EU justice ministers' agreement on drugs

The Dutch government's decision to refrain from prosecuting cocaine smugglers arrested at Amsterdam's Schiphol Airport with less than 3 kg of drugs breaks the EU justice ministers' agreement, November 27 2003, to harmonize national laws to make the European Union more efficient in the fight against drugs. The laws cover all types of drug dealing, especially including large-

scale international smuggling of drugs.

Under the agreement, cases involving large-scale international drug trafficking should be at least five to 10 years.

The Dutch government is obviously not to be trusted when it comes to decisions to fight drugs.

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# Criminal Assets Bureau

Report from Ireland



*Björn Ericson, Cllr. Colm Burke (Lord Mayor of Cork), Barry Galvin*

Criminal Assets Bureau, or CAB for short, is a success story, maintains one of its founders Barry Galvin from Cork at a meeting with the deputy prosecutor general of Sweden, Björn Ericson. Galvin, who now has left the bureau, was one of the front figures of CAD, and one of the few who exposed his face in public. When the bureau was launched in 1996, he lined out the action plan and led the work.

It all happened very quickly, says Galvin. It took only a couple of weeks from a proposal to the decision making to set up the bureau. We worked under hard pressure from the very start and continued to do so. The explanation for the quick and spectacular launch of the bureau was the public crisis of confidence in the justice system in Ireland in the summer of 1996.

The public sentiment was provoked by two murders committed within a few weeks time; the first of a police officer, the second of a journalist. Both had worked against organised crime and both posed a threat to the criminals' activities. Above all it was the murder of the journalist Veronica Guerin which caused a public outrage. In numerous articles she had challenged well-known criminals, written about their activities, followed them to their homes and faced them with compromising questions. Although having been assaulted and threatened, she stated publicly that she would never give up. The organised criminals on the other hand threatened to kill her if she did not stop to report on their trade.

Veronica Guerin was assassinated with 6 shots at close range by two men on a motorbike.

Her assassination led to a massive outcry from above all the media, demanding that the politicians take measures against these criminals who lived in fancy houses, drove expensive cars and flagrantly challenged the society.

Galvin together with his colleagues soon realized that actually there was only need for one new piece of legislation, namely to bring in civil confiscation and put the Bureau on a statutory basis for free exchange of information. What was needed most was co-ordination between a number of authorities. In order to effectively combat the drug barons, their weakest point should be attacked. To take their money became the watchword, and thus the Criminal Assets Bureau was born.

Some 50 persons were recruited from various authorities and placed in Dublin with all of Ireland as their working field. Their num-

ber included highly qualified specialists from Revenue authorities, the police, the customs, social welfare and legal back-up, and they started to use all legal means available to confiscate illegally gained assets.

To avoid drowning in cases, a lower limit of 13.000 euros was set to open an investigation.

An area of great success turned out to be revenue legislation. In Ireland there is a general 45 % tax on all income, including illegal income. The Irish taxation law also has a reversed burden of proof. It is the person liable for taxation who has to prove or make it believable that he has honestly earned his assets.

CAB is by no means cheap, but it is money well spent, Galvin emphasizes. During these past years it has cost some 25 million euros to run the bureau, but that should be compared with the 100 millions confiscated from criminals.

CAB has successfully investigated 350 heavy criminals in some 300 cases. To take a comparison from the world of sport, if we earlier went after Manchester United players, we now chase the bottom division, continues Galvin. The big drug traffickers and organised crime bosses no longer live openly in Ireland.

Another positive side-effect is that the general public's confidence in the justice system has increased, Galvin concludes. Before CAB, the police landed on the 3-4 bottom places regarding public confidence in various professionals. After one and a half year with CAB, confidence in the police was second only to the nurses.

*Tomas Hallberg*

## "Contract method" to Visagina

*Report from Lithuania, November 2003*

ECAD has received an additional 11,000 Euro from SIDA for drug preventive activities in the Lithuanian region of Ignalina. The work will be carried out during the first half of the next year.

A school project in the city of Visagina (see volume 6 of ECAD newsletter) has already begun. Drug prevention is conducted according to a "contract method" which has been developed within sports by the Swedish organisation "Smart". A Lithuanian specialist, trained in the method, has been appointed to co-ordinate the project.

ECAD is now preparing a regional conference in Visagina that will take place in April/May. Questions of border control, law enforcement and correctional treatment issues will be discussed. More information will soon be available.

ECAD activities in Lithuania are carried out in co-operation with the Lithuanian AIDS Centre and the rehabilitation centre Meikstu Dvaras.

*Åke Setréus project leader*

## Manifestation of the Swedish drug policy

*"Sweden Against Drugs" Fair*



*George Zazulin at the Swedish Customs' booth*

The "Sweden Against Drugs" fair was held in the Swedish city of Malmö on November 20-21, 2003. This event is, above all, a manifestation of the Swedish restrictive drug policy.

The first fair took place in 1993 in connection with Sweden's joining the EU. Since then, every other year, representatives of governmental bodies, public organisations and private institutions gather for two days to discuss current drug policy issues.

ECAD was present with its booth. ECAD's representative in Russia, George Zazulin, was invited to hold a seminar on Russian

drug policies.

One of the actively disputed topics of today's Swedish drug policy is a question about the future of a needle exchange program. This program has been carried out for 17 years in Malmö/Lund as an experiment. Earlier this autumn the governmental drug policy co-ordinator sugges-

ted to make this experiment permanent and to give other counties opportunity to start their own needle exchange programs. This discussion has split the Swedish anti-drug field. Many consider these types of programs as concessions to the drug liberals' arguments.

Still united around restrictive drug policies are the majority of Swedish actors in the fight against drugs. This even though they have different understanding of how to implement these policies.

## Dutch Government breaks EU justice ministers' ...

*From page 1*

The present Dutch Justice Minister Piet Hein Donner told Reuters in November that the agreement would not affect Dutch rules on coffee shops. Donner said "We have a situation where in certain conditions we will not prosecute....". "This decision [where Donner refers to the EU justice ministers' agreement] does not cover that policy." The statement has nothing to do with reality as here are no exceptions made for Dutch coffee shops in the agreement. All types of drug dealing will be criminalized. No exceptions are to be made for small-scale sale of drugs. There will be a follow-up and evaluation to make sure the national laws are functioning as intended through the agreement.

In the proposed Article 2 of the agreement,

dealing with crimes in connection with trade in narcotics and precursors, it is stated, in Article 2.1. and Article 2.1. a) that every [EU] Member State shall take necessary steps to make sure that certain acts, including offering, offering for sale, distribution, sale, should be punished. There should be no exception made for sale of drugs in Dutch coffee shops, especially as the Dutch coffee shop industry is a well-organised, large-scale drug distribution net.

The 'Draft Framework Decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking' has document number 15102/2/03 REV 2 (Public register of Council documents)

## 89 millimetres from Europe

*From page 1*

Belarus:

Population: 10 million

Language: Belarusian, Russian

Capital: Minsk

Europe's geographical centre

Europe's political "blank spot"

During our official meetings both the government's and the parliament's representatives put stress on the facts that the Belarusian authorities have control over the drug situation and that the country supports restrictive drug policies. (Whow....Control!)

Åke Setréus, ECAD's project leader in Lithuania and Belarus, informed that Sweden can give support in combating drugs with experience in regard to co-ordination of efforts from state/public institutions. The Swedish way to deal with drug problems also includes comprehensive measures within prevention, treatment and control.

The first step in the project will be to make an analysis to create an information bank on public organisations/institutions active in the anti-drug fieldwork in Belarus.

The Belarusian project is guided by the experiences gained in Lithuania. ECAD arrived in Lithuania five years ago and started with analysing of what had already been done in that country. One of the concrete results of that project was the treatment centre Meikstu Dvaras. With its successful rehabilitation methods it now draws attention to Lithuania from the neighbouring countries. Our new Belarusian partner "Republic Without Drugs" have learned about ECAD through this centre.

ECAD hopes that some Belarusian cities will join our international network during the project. When the three Baltic states and Poland become members of the EU in May 2004, only an 89 millimetre's gap will separate Belarus from Europe...

"Belarus - 89 millimetres from Europe" is a book of the Swedish journalist Kjell Albin Abrahamsson; (89 millimetres is the difference of two standards widths for rails)

 GOODNESS

*He said* - I just got a good idea.  
*She said* - That's good!



*We thank our members, colleagues and friends for  
their work and hope for  
a successful continuation of our co-operation  
in 2004!*

*Stockholm office*

## MaLou Lindholm and Torgny Peterson received Swedish Carnegie Institute's journalist prize

Deputy Director MaLou Lindholm and Director Torgny Peterson of the HNN International Centre, Sweden have been awarded the Swedish Carnegie Institute Journalism Prize for 2003.

The Swedish Carnegie Institute states that they share the prize for "personal courage and hard work to expose the Mike Trace scandal in the United Nations and for the

dedicated and straightforward HNN news service."

"The Swedish Carnegie Institute's journalism prize is annually awarded during the fourth quarter of each year to a journalist who has done distinguished documentary reporting or research within any of the following areas; drug abuse, crime or acute social problems."

*Our European societies have experimented and evaluated both tolerance and intolerance to illicit drug use and drug abuse. It is our reflection upon this which guides us towards non-use. This in regard to our **countries'** well being.*

## New director for the ECAD office in Latvia

Andrejs Vilks, municipality of Riga, is the new ECAD's representative in Latvia. In a future issue we will have an interview with Andrejs.

On October 21 the ECAD office in Latvia in co-operation with the municipality of Riga and Riga's drug preventive centre carried out a seminar on drug trafficking. Experts and researchers from law enforcement agencies, customs and universities discussed how the situation in the field of drug trafficking might develop after Latvia's adjoining the EU.

## 11th Mayors' Conference

**Fighting Against Drugs –  
A Family Issue?**

Hosted by the municipality of Aglantzia  
Cyprus, May 20-21, 2004

For more information  
[www.ecad.net](http://www.ecad.net)

## ★ PERSPECTIVE

*He said* – Did you see that falling star?  
*She said* – No, I just saw your face light up!

## ★ QUIET WISDOM

*He said* – The future is only in your thoughts.  
*She said* – I shall think about that...