



## REPORT

### EUROPEAN CONFERENCE ON INTEGRATED APPROACH TO DRUG POLICIES

The European Conference on Integrated Approach to Drug Policies was held in Madrid, on the 23<sup>rd</sup> and 24<sup>th</sup> of March, 2010, as part of the Programme of the Spanish Presidency of the Council of the European Union.

The **ORGANISATION** was assumed by:

- The Government Delegation for the National Plan on Drugs (Ministry of Health and Social Policy, General Secretariat for Social Policy and Consumer Affairs),
- the Organised Crime Intelligence Centre (CICO) (Ministry of Interior, Secretariat of State for Security)
- The Spanish Anti-drug Specialised Prosecution Office

The objective pursued by the Conference was to exchange information and experiences in the European Union level on the organization of administrative structures responsible for drug matters and the various coordination mechanisms.

### PARTICIPATION DETAILS

More than 100 people have participated as speakers, moderators or assistants:

- Representatives from the following European countries: Germany, Austria, Belgium, Denmark, France, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, United Kingdom, Czech Republic, Romania, Sweden and Spain.
- Representatives of the European Institutions: EUROPOL, Eurojust, EMCDDA and European Commission, and
- The European Centres for Coordination and Judicial Cooperation: MAOC (Atlantic) and CECLAD (Mediterranean)

The inauguration was led by the Secretary General for Social Policy and Consumer Protection at the Ministry of Health and Social Policy in Spain, the Head of the Special Narcotics Prosecutor and the Director of the Cabinet of the Secretary of State for Security at the Ministry of Interior.



## PRESENTATIONS MADE

Tuesday, 23<sup>rd</sup> March, 2010

**First Round Table: National Policies in the fight against the drug phenomenon in the European Union.**

European Commission: The EU Action Plan on Drugs 2009-2012. Caroline Hager.

Spain:

Government Delegation for the National Plan on Drugs (GDNPoD): Coordination bodies: Inter-ministerial Group, Sectorial Conference and Inter-territorial Commission. Carmen Moya García, Government Delegate for the National Plan on Drugs.

Other European Models:

Germany: German National Policies on Drugs and Drug Addiction. Kathleen ORDNUNG, LL.M. Federal Ministry of Health.

Portugal: Integrated Drug Policies. Portuguese Approach. João Castel-Branco Goulão, Director of the Institute on Drugs and Drug Addiction.

France: Etienne APAIRE, President of the MILDT. The French model.

CONCLUSIONS: It was proved that beyond the inspiring role of the Strategy and Action Plans set at European Union level, national policies, even if governed by similar principles, are articulated in different ways, adapting to the political structures and administrative provisions of each country. While national and local levels are similar in all countries, the differences arise in the intermediate levels, depending on the existing federal, autonomic or regional structure.

**Second Roundtable: Specialized Prosecution Offices against illicit drug trafficking.**

Spain: Anti-drug Specialized Prosecution Office. José Ramón Noreña Salto, Head of the Anti-drug Specialized Prosecution Office of Spain.

Other European Models:

United Kingdom: Organised crime division. Jonathan Ramsay, Senior Lawyer in the Organized Crime Division at the Royal Prosecution Service.

France: Interregional Jurisdictions Specialised in the Fight against Crime. Jacques Dallest, Chief Prosecutor of Marseille.

CONCLUSIONS: The judicial structures vary greatly between the different EU countries. In fact, prosecutors specialising in drug trafficking are a type of institution that only exists in some of them, in others there are, for example, specialised prosecutors for organised crime cases. Hence the presentation of three of the existing models, noting the various powers conferred on prosecutors on issues such as investigation of cases, cooperation of detainees, treatment given to goods of the accused, monitoring after release from prison etc. These represent different



solutions within the context of respect to the right of Member States to organize their judicial systems.

### Third Roundtable: Police Coordination and Cooperation Mechanisms

Spain: Police Coordination and Cooperation Mechanisms. Carlos Miguel Marino González, Head of Service of the Investigation Register System (CICO).

MAOC-N: The Maritime Analysis and Operation Centre-Narcotics. José Ferreira Leite, MAOC-N Director.

CECLAD-M: European conference on integrated analysis to the policies in the fight against drugs. Coordination Centre for the fight against drugs in the Mediterranean. Arif Daood, CECLAD-M Director.

EU Platforms for the exchange of police intelligence with West Africa. Andrés Pérez López. Head of Service for International Relations (CICO).

EUROPOL: Operational Analysis. Jean-Dominique Nollet, Head of Analysis and Knowledge Unit.

CONCLUSIONS: It was presented a broad perspective of the various existing initiatives, starting with Europol, which explained how it performs its operational analysis, and following with the centres of limited geographic area within the Atlantic (MAOC-N) and the Mediterranean (CECLAD-M) and the platforms of cooperation with West Africa. In all these areas it was emphasised the desirability of establishing networks to the transfer of knowledge between the respective actors.

### Fourth Roundtable: EU Judicial coordination and cooperation

EUROJUST: Eurojust. Pedro Pérez Enciso, Spanish National Expert in EUROJUST.

France: Patrice Ollivier-Maurel, Liaison Judge from France in Spain.

United Kingdom: Judicial Coordination and Cooperation at the European level. Lynne Barry, Liaison Judge from the United Kingdom in Spain.

Italia: Galileo D'Agostino, Liaison Judge from Italy in Spain.

Spain: Jesús Santos, Liaison Judge from Spain in Italy.

CONCLUSIONS: This roundtable had an eminently practical orientation. In general terms, Eurojust presented the ruling principles and regulations at the EU level, especially the 2008/909/JHA Council framework decision on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union. Subsequently, a number of liaison magistrates appointed in a EU country other than their own, showed how they apply those principles and the problems they face in their daily work. Once again it is revealed the necessity of working together and pooling ideas in order to keep moving forward.



Wednesday, 24<sup>th</sup> March 2010

## Fifth Roundtable: Seizure and confiscation of assets from illicit drug trafficking and other related offences

Spain: The Fund of assets seized from Drug trafficking and other Drug-related. Desi Martín Fernández and Luis Fernando Montero Durán, Heads of Area of the Government Delegation for the National Plan on Drugs.

### Other European models:

Luxembourg: Funds for the fight against Drug-trafficking. Anouk AGNES, Ministry of Finance.

Spain: The Framework Decision on the application of the principle of mutual recognition to confiscation orders (2006/783/JAI/6 October 2006). Paloma Conde-Pumpido García. Prosecutor of the Specialize Anti-drug prosecution Office of Spain.

CONCLUSIONS: Beyond the practical solutions established in certain countries for the management of these assets, it could be seen the importance of the Community legislation in this area: the Framework Decision 2006/783/JHA on the application of the principle of mutual recognition to confiscation orders. This is a basic rule on this issue, whose implementation is developing little by little and whose operation may be evaluated in the future.

## OUTCOME

The objectives of the Conference have been met, having encouraged the sharing of experience between States, Institutions and European Centres in the 5 areas of discussion that were initially set. At the same time it was raised the debate and discussion among participants, which enriched the actual content of the presentations.

As a summary we can say that it was a fruitful pooling of ideas where, with a basis on the respect for the powers and national characteristics, as well as EU legislation, the importance of communication and cooperation among all actors involved was highlighted.

The level of participation was very high.

Madrid, 6<sup>th</sup> April 2010