

**PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE
1995 SESSION
RECOMMENDATION 1262 (1995)⁽¹⁾ ON DRUGS TRAFFICKING,
DRUGS-RELATED CRIME AND MONEY LAUNDERING**

1. The Assembly cannot emphasise too strongly its continuing deep concern that drugs misuse continues to permeate every level of society in Europe, regardless of age, social group or race. Its detrimental health effects render the drug abuser physically and mentally devastated. Production, trafficking and dealing in illicit drugs increase crime. The fabric of society can be placed at risk.
2. In its Recommendation 1085 (1988) endorsed by the Committee of Ministers, the Assembly advocated a "four-pronged" approach:
 - i. to develop better ways to reduce drug production;
 - ii. to improve international co-operation to tackle trafficking and allow the seizure of traffickers' assets;
 - iii. to undertake urgently more and better action to reduce demand;
 - iv. to increase the number and quality of treatment facilities and to research new treatments and techniques.
3. Subsequently the Assembly welcomed the resolution on health education in schools of the Council of Ministers of Education of the European Communities (23 November 1988), the conclusions of the first World Ministerial Summit to Reduce Demand for Drugs (9-11 April 1990) and made its own recommendation (Recommendation 1169, 25 September 1991), also endorsed by the Committee of Ministers, for better health and drug education from an early age as the best form of prevention and demand reduction.
4. But drugs-related crime continued to rise and in November 1990, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime was opened for signature. It aimed to harmonise national legislation and to facilitate international co-operation in search, seizure and confiscation of the proceeds of drugs-related and other serious crime.
5. The Assembly welcomes ratification of the convention by seven member states and signatures by twenty-two countries. It urges all others to sign and ratify as quickly as possible.
6. Without more extensive and effective prevention and demand reduction activities everywhere, the problems of drug misuse will never be successfully overcome.
7. The Council of Europe's 1st Pan-European Ministerial Conference on Co-operation on Illicit Drug Abuse Problems met in Oslo in May 1991. The Assembly endorses its expression of deep concern at the "magnitude of the drug problem worldwide and by the continuing seriousness of drug abuse and illicit drug trafficking in Europe". The conference noted the marked increase in drug trafficking into and within Europe and the increase of other related criminal activities. It sought to:



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- i. increase co-operation between national police, customs and law enforcement agencies;
- ii. improve intelligence-sharing between member states;
- iii. extend the network, set up by the Pompidou Group, of national contact points for persons responsible for controls on drug trafficking in European airports;
- iv. maintain existing efforts to reduce demand for drugs and to develop further effective treatment, rehabilitation and reintegration programmes for drug abusers, including those in prisons;
- v. support efforts to improve epidemiological monitoring and other information on the drug situation.

These trends and recommendations were confirmed by the 2nd pan-European ministerial conference in February 1994.

8. In recent years much international and domestic legislation has been initiated and passed to counter the trade in illicit narcotics and to tackle drugs-related crime. Special mention should also be made of the 19th Conference of European Ministers of Justice in Valletta in June 1994, and of the resolution adopted at that time.
9. Accordingly the Assembly recommends that the Committee of Ministers:
 - i. co-operate in establishing in every member state an overall drugs control strategy and a ministerial co-ordination function for all government departments concerned with demand reduction efforts and measures against drugs trafficking and money laundering;
 - ii. encourage the setting up of national drugs intelligence agencies in all member states;
 - iii. make every effort to persuade all member states to support the proposed European Union Europol intelligence-gathering centre;
 - iv. seek for and adopt the most sophisticated police and customs intelligence-gathering processes, without which successful interdiction cannot succeed;
 - v. harmonise European extradition procedures, so that there is no European haven for drug criminals;
 - vi. ensure that each member state has sufficiently heavy sentences for convicted traffickers and money launderers, and that such sentences are applied in an even-handed way throughout Europe;
 - vii. consider a long-term plan for a common European penal code and court of justice;
 - viii. establish the right of national police forces to cross borders for surveillance purposes;
 - ix. improve still further international co-ordination between national police and customs forces;
 - x. establish a pan-European shared assets fund, similar to the one that operates in the United States, to encourage international co-operation and national efforts to tackle drugs-related crime and reduce demand;
 - xi. encourage and increase international exchange programmes between national police and customs authorities;



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- xii. seek out opportunities to harmonise police equipment, to improve further co-operation and trust between national forces;
- xiii. encourage member states to develop and adopt ever more sophisticated profiling techniques to identify and catch drug traffickers;
- xiv. encourage all member states to sign and ratify the Council of Europe Convention on the Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and to do so with the utmost haste;
- xv. establish, in conjunction with Europol, a central money laundering unit to monitor new trends in money laundering techniques;
- xvi. encourage bilateral and multilateral agreements between member states to provide the widest possible amount of mutual assistance;
- xvii. encourage all member states to enact legislation to establish forfeiture of all assets gained from drugs trafficking and other illicit activities;
- xviii. urge member states to improve supervision of non-bank financial institutions through which, it appears, increasing money laundering is undertaken;
- xix. encourage member states to expand the use of controlled deliveries as frequently the easiest method of identifying distribution channels and the criminals involved;
- xx. encourage users of the SWIFT network (Society for Worldwide Interbanking Financial Telecommunications) to identify all customers and beneficiaries of international electronic fund transfers, so as to discourage abuse of the system;
- xxi. increase the training opportunities for lawenforcement authorities and demand reduction activities in member and non-member countries in central and eastern Europe;
- xxii. encourage all states to sign and ratify the Council of Europe Agreement on Illicit Traffic by Sea.

(1) Text adopted by the Standing Committee, acting on behalf of the Assembly, on 15 March 1995. See Doc. 7253, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Rathbone; and Doc. 7260, opinion of the Social, Health and Family Affairs Committee, rapporteur: Mr Banks.

