

## COUNCIL RECOMMENDATION

of 25 April 2002

**on the need to enhance cooperation and exchanges of information between the various operational units specialising in combating trafficking in precursors in the Member States of the European Union**

(2002/C 114/02)

THE COUNCIL OF THE EUROPEAN UNION,

Taking into account:

- the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 20 December 1988,
- the European Union Drugs Strategy (2000-2004) approved by the Helsinki European Council in December 1999,
- the European Union Action Plan to Combat Drugs (2000-2004) approved by the Feira European Council in June 2000,
- the Presidency Conclusions of the European Council in Tampere on 15 and 16 October 1999,
- the Political Declaration of the United Nations General Assembly Special Session (UNGASS) on Countering the World Drug Problem together, New York, 8 to 10 June 1998,

Whereas:

- (1) 'Precursors' means the substances listed in the tables annexed to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 20 December 1988 and referred to in Regulation (EEC) No 3677/90<sup>(1)</sup> and Directive 92/109/EEC<sup>(2)</sup>.
- (2) The European Community has adopted internal legislation to prevent, as far as possible, the diversion of precursors, establishing administrative measures for control and supervision of the manufacture and marketing of precursors within the Community and in trade in precursors between the Community and third countries.
- (3) There is increasing international awareness of the need to combat offences aimed at diverting chemical precursors from the legal market in order to manufacture illicit drugs, addressing the specific nature of investigations of this kind whenever necessary from the viewpoint of law enforcement.

<sup>(1)</sup> OJ L 357, 20.12.1990, p. 1. Regulation as last amended by Regulation (EC) No 1116/2001 (OJ L 153, 8.6.2001, p. 4).

<sup>(2)</sup> OJ L 370, 19.12.1992, p. 76. Directive as last amended by Directive 2001/8/EC (OJ L 39, 9.2.2001, p. 31).

(4) Every day it is becoming increasingly important to increase the capacity of the respective operational authorities of the Member States responsible for combating the illicit diversion of precursors.

(5) International cooperation appears to be one of the most important elements in combating the diversion and trafficking of chemical precursors. The Purple and Topaz operations, two global programmes for monitoring and preventing the diversion of potassium permanganate and acetic anhydride, are an indication of the value of this cooperation,

HEREBY RECOMMENDS:

1. Promoting action within the European Union in connection with the need to step up the operations of the Member States' law enforcement agencies in combating the diversion of chemical precursors used for the illicit manufacture of narcotics and psychotropic substances.

Such action by the European Union should be aimed at:

- stimulating the exchange of experience and best practice between the Member States' various operational services and law enforcement agencies, strengthening direct channels of communication between those responsible at national level for the important matter of diversion and trafficking of precursors. Operational coordination of action and the exchange of useful intelligence are of the utmost importance in combating the diversion of precursors,
- imparting up-to-date knowledge by means of joint training courses for professionals with the task of investigating the methods, forms and mechanisms used by criminal organisations in the diversion of precursors and the illicit manufacture of drugs, given the constant adaptation of criminal methods of operation and the technological sophistication frequently achieved in this area.

2. Promoting action by the European Union in certain geographical areas where criminal activity occurs in connection with the illicit trafficking and diversion of precursors and the illicit manufacture of drugs. In this connection, the Balkans, Central Asia (including Afghanistan), certain areas of Latin America and Africa and the Far East could be targets of special importance for future action.
3. Maximising the potential of Europol and the Task Force of Chiefs of Police of the Member States of the European Union as well as the Commission in the context of the initiatives taken to combat illicit activity connected with the diversion of precursors.
4. Setting up, whenever necessary, joint specialised operational units which are well equipped and dedicated exclusively to combating the trafficking and diversion of precursors used in manufacturing heroin, cocaine and synthetic drugs such as ecstasy and amphetamines.
5. Encouraging continuous cooperation between the control authorities and the chemical industry, in particular in connection with chemical substances which, although not yet controlled by law as 'precursors', appear on the Community's voluntarily controlled lists and may be being used in the illicit manufacture of drugs.
6. Ensuring that the Community's guidelines on chemical precursors, including advice on the identification of suspicious transactions, are updated regularly and disseminated to the chemical industry. The chemical industry should also be encouraged to inform the competent authorities of orders and purchases of chemical substances or laboratory equipment when there is any suspicion that they can be used for the illicit manufacture of drugs.

Done at Luxembourg, 25 April 2002.

*For the Council*

*The President*

M. RAJOY BREY

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