

Shared challenges among EU-CELAC countries in the drugs field

National Drug Agencies meetings in Brussels

Brussels, 8-10 October 2024

Concept Note (V06/09/2024)

1. Introduction

COPOLAD III since its beginning, works hand in hand with the EU-CELAC Coordination and Cooperation Mechanism on Drugs (the Mechanism). Today, the opportunity of this joint work is reinforced by the approval of the Mechanism's Political Declaration (La Paz, Bolivia – EU-CELAC Mechanism High Level Meeting 22/02/2024). The Declaration contains an in-depth coverage of the priorities agreed between both regions to be addressed in the coming years and establishes the framework in which agreed short term objectives can be achieved through a joint action by the Mechanism and COPOLAD III in synergy with other EU instruments and cooperation programmes.

COPOLAD III supports a request from all the stakeholders involved, to facilitate the coming together of the Heads of Drug National Agencies from CELAC countries with the EU-CELAC Mechanism representatives and EU Institutions in Brussels, in a three-day mission in October 2024. The meetings proposed include a Joint EU-CELAC Seminar on the first day, a second day in which CELAC members will interact with EU Institutions over drug issues, and on the third day the Technical Committee Meeting of the Mechanism will count with the presence of CELAC Head of Drug Agencies.

2. Objectives

- Operationalise the contents of the La Paz Declaration within the short-term objectives agreed between the two regions.
- Reinforce technical exchanges among CELAC participants from capitals, embassies' representatives to the Mechanism based in Brussels, and EU drug agencies experts / Members of the HDG and Mechanism, as well as EU services.
- Raise awareness in Brussels on what is happening regarding bi-regional cooperation on drugs: facilitating a wider overview of the drug problem at Brussels level.

3. Participants

- Heads of CELAC National Drug Agencies.
- CELAC Embassies in Brussels, representatives to the EU-CELAC Mechanism.
- EU Member States, representatives to the EU-CELAC Mechanism.
- EU Services DG INTPA/DG HOME/EEAS/EU COUNCIL.
- COPOLAD III partners FIIAPP, IILA, GIZ, EUDA.

4. Agenda

DAY 1 - OCTOBER 8TH

Place: ACE Events. Avenue d'Auderghem 22, B-1040 Brussels. (Metro Schuman)

SEMINAR ON SHARED CHALLENGES BETWEEN EU AND CELAC REGIONS IN THE FIELD OF DRUGS

The La Paz Declaration commits in its preamble to promote and intensify political dialogue, coordination and cooperation, including operational and technical cooperation between both regions, in effectively addressing and countering all aspects of the world drug problem, with the principle of common and shared responsibility, with a balanced, comprehensive, integrated and evidence-based approach. In this context, two of the themes prioritised in the Declaration have been selected, namely New Psychoactive Substances and other synthetic drugs and the effective use of assets derived from illicit activities.

Participants: EU-CELAC Mechanism Representatives + Heads of CELAC National Drug Agencies + EU Institutions + Experts + COPOLAD.

09:00 – 13:00 Awareness raising: New Psychoactive substances (NPS) and other synthetic drugs. Challenges and key elements for bi-regional cooperation for their control and the sharing of information between Drug Agencies. Relevance of Early Warning Systems (EWS).

Starting from the general overview on the NPS situation and other synthetic drugs, the seminar will address challenges and key elements for bi-regional cooperation for their control and sharing of information between Drug Agencies Early Warning Systems (EWS).

The establishment of EWS has been the response that international bodies such as the United Nations (Resolution 55/1 of 2012) and the Organisation of American States (Hemispheric Drug Strategy 2020) have chosen and promoted to address the problems of NPS and synthetic drugs, following the experience of the European Agency initiated in 2005 (EUDA). In Latin America and the Caribbean, as in other regions, there has been a huge expansion and diversification of the synthetic drug market and a rapid emergence of a wide range of NPS, especially since 2013¹. With specificities, commensurate with the speed of emergence of NPS in the European and North American context, the latter burdened by the fentanyl crisis. "Several countries in the region have responded to the emergence of NPS with measures including the establishment of national early warning systems, the introduction of NPS in national drug control legislation, specific studies on the composition of synthetic drugs, the improvement of forensic analysis capacities and the adaptation of national drug strategies to deal with synthetic drugs and NPS. However, many knowledge gaps remain while these measures are slowly starting to show results"².

The establishment of EWS has been promoted as a specific way of strengthening LAC National Drugs Observatories (NDOs), a process initiated in COPOLAD I (2011-2014), and deepened in phase II, with the elaboration of the "Manual for the implementation of an EWS on NPS and emerging drug phenomena", promoting the incorporation of surveillance of the adulteration of drugs of traditional consumption and new patterns of use. Nowadays almost all the NDOs in the region have already received some kind of training on EWS, both from COPOLAD and CICAD-OAS, and the collaboration of UNODC's Synthetic Drugs Programme, and strengthening is oriented towards specific aspects.

¹ Synthetic Drugs and New Psychoactive Substances in Latin America and The Caribbean 2021. UNODC.
<https://www.unodc.org/unodc/en/scientists/2021-synthetic-drugs-and-new-psychoactive-substances-in-latin-america-and-the-caribbean.html>

² Idem

Today we are challenged by new questions about the impact of EWS, their effectiveness and their capacity to contribute to the design and implementation of policies from a rights-based perspective with an emphasis on harm reduction. A new way of knowing and monitoring is required in the face of the emergence of new threats and the proliferation of synthetic drugs.

14:30 – 17:30 Using confiscated assets: effective use of assets derived from illicit activities

Actions to combat organised crime are most effective when the legal system provides for measures to attack illegally accumulated wealth. These measures are generally developed in two distinct phases. The first focuses on asset recovery and refers to investigations for the identification, seizure and confiscation of criminals' wealth. The second is based on the use of assets and wealth for public/social purposes. With this objective, COPOLAD III programme collaborates with national and regional institutions in Latin America, the Caribbean and the European Union to strengthen financial and property investigations, the processes of forfeiture or confiscation without conviction, the effective management of seized and confiscated assets, and their use for social, cultural and community purposes.

The results of GAFILAT's Fourth Round of Mutual Evaluations reflect serious operational challenges for Latin American and Caribbean countries to have effective asset recovery systems in place. The evaluation reports reveal that there is a large asymmetry between the amount of assets identified and seized and those that are ultimately confiscated. There are also challenges in the administration and disposal of seized and confiscated assets, generally due to the lack of resources and specialisation of the entities in charge of such matters.

The EU has also recently concluded that its legal framework had not fully achieved the objective of combating organised crime by recovering its profits and has adopted a new Directive (2024/1260) establishing minimum rules on tracing and identification, freezing, confiscation and management of assets in the framework of proceedings in criminal matters. This Directive encourages Member States to take the necessary measures to allow confiscated assets to be used for purposes of public or social interest. One of these purposes of public and social interest is represented by the creation, through the allocation of permanently confiscated buildings and land, of specific facilities, including residential facilities, to be used for the implementation of prevention, treatment and recuperation projects in the field of behavioural and substance addiction. Another innovative social use for confiscated assets is the investment in development-oriented drug policies including Alternative Development interventions.

DAY 2 - OCTOBER 9TH ³

Place: ACE Events. Avenue d'Auderghem 22, B-1040 Brussels. (Metro Schuman)

09:00 – 11:30 CELAC Meeting between Heads of Drug Agencies and Representatives from Embassies in Brussels.

Session among CELAC drug agencies representatives and permanent representatives from CELAC Embassies at the EU-CELAC Mechanism, to share views as a region and exchange regarding the bi-regional cooperation on drugs.

Participants: CELAC Representatives at the Mechanism + CELAC National Drug Agencies Representatives.

³ In parallel to this agenda, the EU country representatives will hold their Horizontal Drugs Group meeting throughout the day.

12:00 - 13:00 MEETING BETWEEN CELAC COUNTRIES AND THE EU DRUGS AGENCY (EUDA)

14:00 – 17:30 Meetings between CELAC countries and EU Services

European Commission – DG INTPA / DG Home / DG Santé

Sessions between the Delegations of CELAC countries and the European Union Institutions to discuss over the bi-regional cooperation topics on drugs. Based on the experience and tradition of the EU-CELAC Mechanism, it is an opportunity to exchange on future cooperation instruments and challenges.

Participants: CELAC Representatives at the Mechanism + CELAC National Drug Agencies Representatives + EU Services representatives + COPOLAD III.

18:45 Cocktail with UE and CELAC Representatives

Participants: CELAC Representatives at the Mechanism + CELAC National Drug Agencies Representatives + EU Member States + EU Services representatives + COPOLAD III.

DAY 3 - OCTOBER 10TH

10:00 – 17:30 EU-CELAC COORDINATION AND COOPERATION MECHANISM ON DRUGS. Technical Committee Meeting, (Extended to CELAC Heads of National Drug Agencies).

Place: EU Council, Justus Lipsius building (TBC). Rue de la Loi 175, 1000 Brussels. (Metro Schuman).