



Contribution of the EMCDDA to the EU Internal Security Strategy (ISS) 2015–20

Building policies on reliable information and sound evidence to protect European citizens from the threat of drugs and crime

The drugs phenomenon directly and indirectly has an impact on European security. Drugs are clearly interlinked with many of the strategic objectives of the Internal Security Strategy. Connections exist between drug use and **organised and serious international crime** and **terrorism, corruption, social stability** and **development**. Drugs generate **money laundering** and **infiltration of organised crime proceeds** into the legal economy. Drugs and the **Internet** is also new established paradigm.

The emergence of high-value drug markets has many consequences and is inextricably linked to other forms of offending. Drug use patterns in Europe are changing, and new substances are appearing. Moreover, there is a risk that, in an increasingly globalised and ‘connected’ world, illicit drug markets of different sorts may converge, and that illicit drug markets may become intertwined with other illicit markets, such as the trafficking of counterfeit goods and of human beings. Indeed, there seems to be a growing involvement of organised crime in the diversion of medicines, and in the production of counterfeit and falsified medicines. Corruption also becomes an increasingly intractable problem with the involvement of organised crime groups (*EU drug markets report* jointly published by the EMCDDA and Europol in 2013) ⁽¹⁾.

‘Data, information and operations’, is the key equation necessary to resolve the threat posed by organised crime in Europe. The next ISS will need to support the strengthening of analytical capacity to interpret data useful for fighting more effectively organised crime. Information should be gathered and made available for action and operational purposes to law enforcement and as a key support for judicial authorities.

EU policies needs to be based on the best evidence available and should seek to provide an added value to national initiatives. Comparable and reliable information should be proactively gathered and processed at European Union level with a view to establishing a sound and timely evidence base platform for operational purposed. The European Commission through the next ISS and the JHA Agencies can be instrumental to this.

Drugs: a significant organised crime threat at European level

Fighting organised crime in Europe means also fighting drugs. International drug trafficking remains the principal activity of most organised crime groups in Europe, and drug trafficking is a highly profitable commercial activity. The statistics of Europol and Eurojust have consistently shown that drug offences are the form of crime they are called on to deal with most often. In 2012, one third of all crime cases at Europol were connected to drug trafficking. And that year, Eurojust dealt with more drug cases than cases of terrorism, human trafficking, corruption, cyber-crime, illegal immigration and crime against EU financial interests combined.

⁽¹⁾ *EU drug markets: a strategic analysis* at <http://www.emcdda.europa.eu/publications/joint-publications/drug-markets>

Evidence shows that organised crime adapts rapidly to the changing nature of the market in terms of production opportunities, smuggling methods and routes to evade law enforcement. Today, the phenomenon of intra-EU cultivation and production of drugs poses challenges traditional law enforcement modus operandi based on substances coming from outside EU. Moreover the increasing use of legitimate commercial transportation options, such as containers, aircraft, postal services and internet, linking effectively producers to consumers require new investigative and operational approaches. Internet technology has also emerged as an important facilitator and is commonly used in the marketing and sale of drugs, including diverted, counterfeit and falsified medicines.

The next ISS should provide opportunities to understand the new faces of organised crime groups in Europe and focus attention onto the new criminal opportunities that a rapidly changing drugs markets offers to organised crime groups.

Better understanding of the market for more effective action

The key for effective law enforcement and judicial operations is intelligence and information. Data and analysis are essential for a better understanding of the criminal market, and in particular of the highly rentable drug markets. Strategic-level analysis with regular review is critically important to ensure that responses remain on target and meet the challenges posed by complex, faster moving and more interlinked drug markets.

There is a need to scale up and develop expertise, networks and analytical forensic capacity at the EU level. Maximum value will be accrued by sharing of information through integrated databases using common standards.

The next ISS needs to enhance the ability of European Agencies to address with a greater degree of confidence important analytical questions providing insights on the characteristics of different markets and on the interplay of different illicit commodities within organised crime groups. In particular, it is necessary to address the issue of the size and characteristics of European drug markets and obtain better estimates of both scale and value of production and consumption.

Discovering, tackling and seize illicit patrimonies

Recently the European Union has decided that illegal activities will be included in national accounts so that comparisons on the share of 'illegal wealth' into the legal activities can be made between countries. There is evidence to suggest the infiltration of organised crime into the legal economy and that production and distribution of illegal drugs are among the most rentable activities to generate illegal cash. Some studies have also pointed out the link between drug trafficking money and terrorists activities.

In order to discover, tackle and seize illicit patrimonies, there is a need to better understand the criminal sources of finance and the penetration of criminals into the legal economy. JHA agencies should collaborate in view of refining monitoring, conceiving tools and drawing up typologies aimed at developing prosecutable evidence, interrupting criminal money flows and money laundering and promoting international asset recovery.

The next ISS needs to help untangle the complexity of the financial criminal markets, understand and assess the share of different criminal commodities. A key element among them is to assess the role of drugs in the European illicit economy.

Beyond ‘traditional’ organised crime: new psychoactive substances (NPS)

Although this is perhaps less obvious from the perspective of security and justice, illegal markets will not be fully understood and controlled if we look at them only through the lens of organised crime. New substances and new forms of using them, new manufacturing techniques, new sellers and new routes, and new ways of procuring precursors and ‘pre-precursors’ are constantly emerging. Not all of these phenomena are necessarily linked to organised crime as we traditionally understand it. Indeed, some substances are marketed in Europe on the open market legally and therefore attract limited law-enforcement attention. Yet they may constitute serious threats to individual and public health.

Organised (and non-organised) crime is also showing interest in the medicines market, where large profits and lower risks act as incentives. It is increasingly involved in the production of counterfeit and falsified medicines and its diversion from the licit chain. This adds to the difficulties faced in developing effective and efficient law enforcement responses aimed at reducing the supply of new drugs and counterfeit and falsified medicines.

The next ISS needs extends its scope of action to new areas of interest for organised crime groups such as new psychoactive substances, diversion, production of counterfeit and falsified medicines.

Getting to grips with the Internet

Communication opportunities provided by the Internet are now impacting on the drugs market, in terms of drug use, manufacture and trafficking. A whole new market for new unregulated psychoactive substances has quickly become established. The open sale of so-called ‘legal highs’ on the Internet has dramatically increased availability, to both distributors and consumers. In recent years, the EMCDDA’s monitoring of such sites has identified a growing number that are selling to Europeans.

This represents a considerable potential threat, given the decentralised and transnational nature of the online market, which makes it particularly difficult to control. Indeed, the Internet has become the preferred communication tool for organised crime. To date, several forms of cyber-crime have attracted attention; however, the anonymity afforded by the possibility of an online drugs market is clearly attractive to those wishing to sell drugs. The appearance of anonymising networks — so-called ‘darknets’ — for the sale of illicit drugs to dealers and consumers shows the attractiveness of this new market place for organised crime groups.

The next ISS needs to promote European tools and methodologies in order to monitor the online market of illicit goods, and of drugs in particular; create barriers to Internet sales, in particular websites involved in illegal activities; develop and share information from sensitive sources enabling agencies to anticipate and detect new threats.

Looking beyond the borders of Europe

The external dimension of the EU’s policy in the area of freedom, security and justice is intrinsically embedded in the EU internal security strategy. For instance, in the field of drugs the *EU drug markets report* confirms that it is becoming increasingly difficult in a globalised world to address

internal security challenges without taking into account developments abroad. This has long been the case with drugs such as heroin and cocaine, which are manufactured in faraway regions and smuggled into Europe, or amphetamine, ecstasy and NPS made in Europe from imported chemicals. New security and safety challenges emerge as Europe becomes a target, a supplier or a place of transit for drugs, chemicals and drug production know-how for these new markets. Globalisation is a key driver of change and influences drug flows, availability and demand bringing instability along the distribution chain.

The next ISS needs to engage with transit and producer countries, in particular EU neighbouring countries, but not only; Regions with high social or political instability should receive a special attention being social, developmental, governance and crime issues very much interlinked in such areas.