Proposal for a Network of prosecutors & central authorities against drug trafficking

Ignacio de Lucas,
Spanish Anti Drug Prosecutor

EU-ACTION against Drugs and organized crime
Challenges posed by drug trafficking

- Establishing strategies at legislative, institutional and operational level.
- Crucial to set a joint and coordinated action to tackle DT groups, at police and prosecutorial level.
- Most of the initiatives exclusively focused on the police stage / not ensuring admissibility of evidence
The Network

Drug trafficking groups exploit:

- Weak and fragile institutions.
- Dysfunctional judicial systems: need to strengthen GPOs
- Significant levels of impunity and corruption.
- Porous borders not adequately controlled.
Drug trafficking groups also exploit:

- **Balloon effect**: reductions in illegal drug activity in one country lead to increases in another.

- **Particularities**:
  - Lack of trust between competent authorities
  - Differences in legislation
Institutional strategies

Need to link practitioners, establishing a mechanism to coordinate and ensure exchange of information in a lawful manner
How to reinforce cooperation against drug trafficking?

✓ Initiatives traditionally focus on training
✓ Need to provide sustainable actions, including training, but *something else*, under a comprehensive strategy
✓ Move to the operational stage
The Network

To provide a comprehensive approach in two levels:

1/ international cooperation → DTOs

   Contact points
   Exchange of information
   joint operations

2/ at national level, to reinforce national structures to prosecute DT
   (only solid national GPOs will be able to work at transnational level)
Proposal for a Network of prosecutors & central authorities against drug trafficking

- Network = flexibility
- Specialised prosecutors covering regional scope.
- Network endorsed by Attorney Generals.
- Vehicle to exchange information (not only MLA) in the investigation and prosecution of DT: controlled deliveries/ML criminal proceedings.
- Complement police/customs initiatives (CCP) and strengthen similar actions in other regions – liaise with other platforms-
Proposal for a Network of prosecutors & central authorities against drug trafficking

The network would strengthen the effectiveness of national GPOs against DT and OC by

- Reinforcing contacts between GPOs.
- Providing capacity building (regional/national)
- Providing technical advice: structures and coordination (national)
Proposal for a Network of prosecutors & central authorities against drug trafficking

- Platform to **exchange information** and best practices.
  - Case law data base on DT and ML.
  - Legal framework in every country.
- Specialised on line **training / new trends**
- Moving to the **operational stage**
It is time for joint action

The Network’s activities would be organised in two main pillars

- **Capacity building**: workshops and exchange programme for specialized prosecutors
- **Operational exchange of information**
It is time for joint action

exchange of information between the Network contact points (not replace MLA)
Puerto de carga, ITAJAI (BRASIL) / Puerto de transito ALGECIRAS (ESPAÑA) / Puerto de descarga JEDDAH (ARABIA SAUDI)

**CONTENEDOR**

**Datos de identificación**

MNUBU0240480 / Buque MAERSK LEON 1605/ conocimiento de embarque JBS022812

<table>
<thead>
<tr>
<th>Empresa exportadora (personas físicas / jurídicas)</th>
<th>Empresa importadora (personas físicas / jurídicas)</th>
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<tbody>
<tr>
<td>Remitente SEARA ALIMENTOS LTDA CALLE R BLUMENAU 558 SAO JOAO, ITAJAI</td>
<td>MAKKAH COLD STORE CO LTD PO BOX 42424 JEDDAH ARABIA SAUDI</td>
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**Carga declarada**

**CAJAS PALETIZADAS DE POLLO CONGELADO**

**Sustancia intervenida**

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<th>Cocaina</th>
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<td>498,7 kg</td>
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**OTROS DATOS DE INTERÉS**

15 bolsas que contienen 442 paquetes de forma rectangular
Learning from other experiences

Iberoamerican Network of Antidrug Prosecutors

https://www.redfiscalesantidroga.org/index.php/members/home

- 17 Antidrug Prosecution Offices, including Colombia, Brazil or Peru
- Controlled deliveries component / use of standard form
What do we want for the Network?

- **Support** prosecutors in the investigation of these offences, in particular at transnational level.
- **Complement** other initiatives: police/customs and prosecutorial level.
- **Vehicle** to implement any action to dismantle OC groups.

Today we have a small sapling which in the future could become a robust and mature tree..
Many thanks

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