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Subject : State of Play in Implementing the Strategy for the External Dimension of JHA :  
Global Freedom, Security and Justice  
- **Action-Oriented Paper Increasing EU support for combating drug  
production in and trafficking from Afghanistan, including transit routes.**

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Delegations will find attached the text of the abovementioned Action-Oriented Paper.

## **Action-Oriented Paper to Combat the Production of Drugs in and Trafficking from Afghanistan and along the heroin routes**

### **I. Introduction**

#### **A. General**

The Council (JHA) endorsed a Strategy for the External Dimension of JHA (JHA-RELEX Strategy)<sup>1</sup> on 1 December 2005. This strategy calls for work on a number of action-oriented papers, including one on increasing EU support for combating drug production in and trafficking from Afghanistan, including transit routes.

The objective of this Action-Oriented Paper (AOP) is to provide a consolidated framework for EU (Member States and the Commission) support to Afghanistan and the countries along the heroin trafficking routes to combat drug production and trafficking. This consolidated framework is based upon:

- an integrated and balanced approach to countering the drug problem based on partnership;
- conformity with international law, human rights and fundamental freedoms;
- the declarations and measures adopted at the UN General Assembly Special Session on Drugs (UNGASS) of June 1998, including the principle of shared responsibility;
- the orientations of the EU Drugs Strategy 2005-2012<sup>2</sup> and the EU Drugs Action Plan 2005-2008<sup>3</sup>, in particular Action 35 of the Action Plan which provides that "particular attention should be paid to providing assistance to and co-operating with, among others, the countries on the Eastern border of the EU, the Balkan States and Afghanistan and its neighbours";

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<sup>1</sup> A Strategy for the External Dimension of JHA : Global Freedom, Security and Justice, doc 15446/05

<sup>2</sup> EU Drugs Strategy (2005-2012) (doc 15074/04)

<sup>3</sup> EU Drugs Action Plan (2005-2008) (OJ, C 168, 8.7.2005, p. 1)

- continuous and active EU participation in the Paris Pact process, which plays a significant role in promoting co-operation between Afghanistan and the countries along the heroin-trafficking routes and the international donor community;
- the determination to make optimal use of existing frameworks thus avoiding duplication of efforts;
- ensuring EU action is coordinated with wider international efforts including international donors and UNODC; and
- the series of Conclusions, Declarations, etc. as set out in Annex II.

## **B. Main findings**

For reasons that are explained below, the Council considers that key priorities are:

- strengthening legal rural livelihoods in Afghanistan.
- strengthening of the criminal justice system in Afghanistan
- enhanced border control and intelligence gathering and sharing along the heroin trafficking route.
- enhanced EU profile in major policy-making bodies corresponding to its status as one of the largest donors;

## **II. Situation Overview**

Over 90% of the heroin consumed in the EU originates in Afghanistan. In 2005, Afghanistan's share of opium production remained at around 87% of the world total, valued at about US \$ 2.7 billion, which is equivalent to around half of Afghanistan's legal GDP.

There had been a 21% decline in poppy cultivation in 2005 compared to 2004. However, due to an increased yield, the total opium production was only reduced by 2%. According to the UNODC, so far this year, poppy has been planted on a scale equal to or greater than in 2005 in all except three provinces (where poppy cultivation is neither traditional nor intensive).

Many parts of Afghanistan's 5000 km border are difficult to control and drug trafficking and other illicit cross-border activities are rife. Law enforcement agencies in Afghanistan and neighbouring countries are institutionally weak, short of resources, and otherwise unable to stem the flow of opiates, allowing them to pass from Afghanistan to the borders of the EU without crossing sufficiently controlled borders.

Contrary to the situation 10 years ago, a much larger quantity of opium is now being processed into heroin within Afghanistan's borders. Consequently, significant quantities of the precursors needed for the processing of opium into heroin are being smuggled into Afghanistan. In fact, the UNODC estimates that 72% of opium is converted to heroin in Afghanistan, requiring 10.000 Tm of chemicals including 1.000 Tm of acetic anhydride.

Drug abuse in Afghanistan and neighbouring countries along the trafficking routes (Iran, Pakistan, Central Asia, Eastern Europe and the Balkans) is on the increase. The situation is particularly dramatic in Iran and Pakistan where up to 3 and 5 million people, respectively, abuse opiates but abuse in many other countries along the heroin routes is also worrisome.

Heroin is trafficked into the European Union along three main corridors:

- A. An estimated 80 per cent of Afghan heroin reaches the European Union via the Balkan route, which is the traditional gateway. Most of it passes through Iran and then Turkey before reaching illicit markets in Europe. A further share of Afghan opiates is thought to be smuggled through Pakistan and then onwards to Iran (and possibly Iraq) and Turkey. In 2004 Turkey accounted for 15 per cent of the volume of heroin seized worldwide, while Iran accounted for 8 per cent and Pakistan 6 per cent.
- B. The **Silk Route** also starts in Afghanistan, crosses the Central Asian States and leads via the Russia Federation or the Caucasian countries and Turkey into Europe. Approximately 20 to 30 per cent of Afghan opiates pass through countries in Central Asia. In 2004 Tajikistan accounted for 8 per cent of the volume of heroin seized worldwide and the Russian Federation 7 per cent.

- C. The newly emerging **Southern Route**, which to a great extent is a sea route that presents two variations, both of which originating, again, in Afghanistan. One primarily starts in Karachi/PAK (Deep-sea harbour) and reaches the main harbours of Southern Europe via the Mediterranean, and Western Europe via the Atlantic Ocean; the other starts in Southern Iran, continuing through the Gulf region and then into West Africa reaching Southern Europe through various African routes.

### **III. Summary of Current Actions**

The relevant distribution of the stock of projects being funded by the EU in 2004 along the heroin routes is as follows:

Afghanistan €210 million (28 projects);

Mediterranean and Western Balkans €17.8 million (32 Projects);

Central Asia €9.3 million (16 projects);

West Asia €3.2 million (17 projects).

The relevant thematic distribution of the stock of projects is as set out in Annex III.

EU drug assistance to Afghanistan in 2005, totalling € 250m, and resources pledged onwards are reflected in the Matrix of Increased EU Drug Assistance to Afghanistan (doc. 14699/1/05 REV 1 CORDROGUE 76 ASIE 93 COASI 144 + ADD 1 REV 1).

### **IV. Recommendations**

#### **A. General**

- The profile of the EU presence should be raised, especially through additional policy-making assistance to the Afghan government.

- There is a need for improved coordination and cooperation at the national level of the EU MS and with the recipient countries concerned.
- DLOs posted in Afghanistan and in other countries on the trafficking routes should meet regularly and discuss the situation in the country. They should report their conclusions to the Presidency/Council Secretariat.
- Europol is invited to make an assessment, where appropriate, with a view to the development of an overall strategy on both the situation in Afghanistan and the trafficking routes.
- The general approach should be inspired by OCTA (Organised Crime Threat Assessment), by the EU Strategy and Action Plans on Drugs, and by the overall EU development concerns in respect of the countries and regions along the heroin route.
- As agreed in the EU Drugs Action Plan (2005-2008), the EU MS and the Commission will pay particular attention to providing assistance to and cooperating with Afghanistan.
- The EU will continue to support the Paris Pact as a mechanism for coordination and regional cooperation. Its regional round tables, which should address both supply and demand concerns, should more systematically rely on an evaluation of the situation elaborated by the Drug Liaison Officers of the region. In addition, strategic analysis of the threat by the local authorities and by the UNODC should be taken into consideration. The round tables should produce concrete recommendations.

## **B. Afghanistan**

Afghanistan will remain the key focus of EU attention on the heroin routes. The primary framework for EU support will be provided by the Government of Afghanistan's updated National Drug Control Strategy and the 2005 Counter-Narcotics Implementation Plan. The following measures are necessary to reduce drug production and trafficking:

- Development of sustainable livelihoods and the development of a criminal justice system are priorities for Afghanistan also to ensure a more effective fight against drugs.
- The EU needs to continuously increase its counter-narcotics assistance to Afghanistan in line with the relevant actions foreseen in the EU Drugs Action Plan 2005-2008 and the Council Conclusions of December 2005.
- EU activities should be focused on the four priorities identified in the National Drug Control Strategy (disrupting the drugs trade, strengthening and diversifying legal rural livelihoods, reducing the demand for illicit drugs and treatment of problem drugs users, and developing the state institutions).
- The EU needs to consider using the Afghan Counter-Narcotics Trust Fund (CNTF) and Law and Order Trust Fund (LOTFA) as vehicles for its counter-narcotics support. At the same time, the EU should continue to support the UN activities in Afghanistan and its neighbouring countries, particularly through the UNODC programmes and projects devoted to them in the field of the fight against drugs.
- EU support for counter-narcotic efforts in Afghanistan should not be pursued in isolation but rather as an integrated part of its wider overall policy towards Afghanistan. As the Afghanistan Compact provides a comprehensive framework for co-operation between the Afghan government and the international community, the EU together with the international community will work in partnership with the Afghan government in their counter-narcotic activities, in accordance with this Compact and the interim Afghanistan National Development Strategy.
- The EU and its Member States should explore possibilities for additional voluntary contributions to UNODC programmes in Afghanistan.

- The EU and its Member States believe that the NDCS (National Drug Control Strategy) represents an appropriate approach for tackling the problem at the current time, not least because Afghan ownership of the campaign will be critical to its success. The EU expects the Afghan authorities to make every possible effort to implement the aforementioned strategy. The EU however recognises that the Afghan Government does not have the means to deliver its objectives alone and that it will need the continued and increased support of the international community for many years to come. There are a number of priority areas of activity where additional support is particularly urgent at the current time. These are as follows:

**a) Targeting the trafficker and the trade:**

**Criminal Justice:**

Additional support from the EU for criminal justice reform, including at the provincial level, is needed. Assistance is required to support the development of criminal justice infrastructures, including prison refurbishment and construction and the establishment of criminal courts and correctional facilities. Legal training and mentoring is also crucial for the overall success of an effective counter-narcotics campaign.

**Counter-Narcotics law enforcement:**

Additional support is required to extend the reach of the Counter-Narcotics, national and border police to the provinces, including capacity-building assistance (training, mentoring and development of infrastructure) and logistical support. Assistance is also required to develop specialised expertise on precursors control and forensics. Border control is another key area of activity where training and capacity-building must be stepped up.

**b) Strengthening and diversifying alternative livelihoods:**

Poppy farmers in Afghanistan earn an estimated tenfold the amount per hectare than cereal farmers. Only when farmers have access to sustainable legal rural livelihoods will they be able to abandon opium poppy cultivation for good. Developing these livelihoods will take time and will require a sustained level of international support for Afghan National Programmes. A greater understanding of how integrated programmes of activity (focused on both quick-impact and long-term interventions) can best be built up to facilitate the move away from opium poppy is also required such that assistance in this area delivers maximum results. The EU measures undertaken in the field of alternative development should be in line with the EU approach agreed by the Council bodies.

**c) Demand reduction:**

Following the release of the UNODC report on Afghan demand for and consumption of opiates in late 2005, sufficient prevention efforts and treatment facilities need to be developed in the country.

**d) State-building:**

Unless anti-corruption mechanisms are put in place and tirelessly supported, the effect of EU and wider international assistance will be diluted. Capacity-building support will be vital in this regard, but EU political engagement with the Government of Afghanistan also has a vital role to play. Furthermore, research into cultivation patterns shows that farmers are less inclined to cultivate opium poppy where the reach of the state has been extended. Substantial capacity-building support will be required as the Afghans take the fight against narcotics to the provinces.

Local drug barons and powerholders, often in command of illegally armed groups, frequently threaten and extort farmers to refuse alternative livelihoods or to resume poppy cultivation after short-lived attempts at other means of living. This is particularly the case in areas where government reach is weak. The indissoluble link between counter-narcotics efforts and the (DIAG) process should therefore be taken into account in all EU-supported counter-narcotics programmes.

**e) Improved EU coordination and participation in counter-narcotics programming**

The Ministry of Counter - Narcotics has established a series of working groups to draw up detailed implementation plans in support of the NDCS. The working groups will be made up of key line ministries with responsibility for each national priority highlighted in the NDCS. Thus, the Ministry of Interior will be a main member of working groups established to support national priority number one, which is focused on targeting the trafficker and the trade.

- International donors are welcome to join the working groups and the EU and its Member States should take part wherever possible.
- In addition, it is proposed that the EU should establish an informal consultative group based in Kabul which would meet on a monthly basis to discuss EU concerns on counter-narcotics. The informal group would also serve as a means of ensuring that EU bilateral assistance complemented Afghan priorities and activities already underway.
- This group could usefully meet before a new forum for discussion and exchange of information on CN issues at Ambassadorial level in Kabul, which is in the process of being established. Ambassadors of all Member States represented locally and the Commission would be invited to this forum, as would those of other key countries and the representatives of relevant international agencies, if appropriate.

- The EU should further develop and strengthen the regional network of EU liaison officers and the coordination of their work. They should meet once per Presidency, together with the Commission delegation, and prepare regular reports on the analysis of the situation in the country and the impact of the EU action.

f) **Precursor control:**

As an increasing percentage of heroin is produced in Afghanistan itself, enhanced precursor control is needed.

### **C. Drug Trafficking Routes**

- There is need for new initiatives to be undertaken and more resources to be pledged for efforts along the heroin routes with a view to the improvement of judicial cooperation, the reinforcement of border control, the exchange of information and the fight against precursor trafficking and money laundering.

The following countries as major route countries and countries mostly affected by the trafficking of opiates for Europe require special attention:

#### **1. Iran**

Iran is more committed to and effective at combating drug trafficking than most other countries in the region. It achieves this at a significant cost: on average two Iranian law enforcement officers are killed each week trying to apprehend armed traffickers. In addition, Iran has one of the largest populations of opiate-dependents in the world. Notwithstanding the current political environment, Iran remains willing to work with international partners on CN, and is keen to enlist the support of the EU in the form of training, technical assistance, equipment and intelligence.

- a) **EU/Iran Commitments to Action Plan** (doc. 16067/05 CORDROGUE 92 IRAN 7): Ten EU MS have signed up and more contributions are welcome, both financial and in-kind training.
- b) **Extension of the Drugs Liaison Officer network**: In addition to the DLOs already present in Iran (currently Italy and UK), more DLOs (particularly EU) are needed to build up law enforcement co-operation and intelligence exchange.
- c) **Continuation of EU support for prevention, treatment and rehabilitation programmes** in Iran, in particular those undertaken by civil society, which often has more flexibility in addressing rehabilitation and harm reduction.
- d) **Strengthening of capacity building for border management** is also a key EU issue which has to be accomplished. In the absence of EU- led projects, the EU should consider taking a more active part in the existing UNODC projects.

## 2. Pakistan

Drug trafficking through Pakistan as well as drugs abuse are major problems but until now relatively little assistance has been offered by the EU.

The EU is ready to upgrade its relations with Pakistan in this area. The deblocking of the current obstacles will take place upon the conclusion of the readmission agreement now under negotiation.

The following priority areas require donor assistance:

- a) **Border control**: The situation on the border between Afghanistan and Pakistan is of great concern and a considerable effort needs to be considered if the current commitment of the international community to preventing drugs from reaching their market is to be successful.
- b) **Judicial co-operation**: Arresting traffickers and bringing them to justice is a key priority in the fight against drugs trafficking. Assistance is needed to streamline court procedures as well as judicial training for counter-narcotics courts to ensure timely and transparent MVT prosecution processes. This includes funding for the Anti-Narcotics Force (ANF) to guarantee

human resources development, the protection of judges, an infrastructure to provide a more secure environment in the Rawalpindi counter-narcotics court, and prosecution training for asset-freezing cases.

- c) **Law enforcement training and equipment:** The Pakistani Anti-Narcotics Force is currently under-resourced and under-funded. In particular, training and equipment provision is required, given that the size of the force is doubling from 1,600 to 2,766 this year. Training for Pakistani customs and other law enforcement agencies is also required.
- d) **Precursor control:** The European Commission has recently decided to fund another regional precursor control project, which inter alia, will include Pakistan. UNODC are also planning to develop a Central Asia/Pakistan regional precursor control project which is complementary to the proposal by UNODC for similar measures in Afghanistan. EU contributions (both financial and in-kind training) to both projects are vital.
- e) **Demand reduction:** Given the large number of addicts in the country, substantial efforts will be needed to decrease addiction and the harm associated with drug use.

### 3. Turkey

Special attention should be paid to Turkey in respect of all forthcoming contacts. Turkish **law enforcement** authorities are seeking greater levels of information/intelligence-sharing with their EU partners to tackle organised crime. The EU should seek collective ways to foster this, e.g., through encouraging the development of a common EU/Turkey intelligence platform.

### 4. UAE

The UAE (and Dubai in particular) appears to be a location for the **laundering of proceeds from all types of criminal activity** including drugs and should therefore implement and comply with international requirements for AML.

- EU MS should emphasise the importance of complying fully with current FATF regulations.

## 5. Central Asia

- a) The EU intends to expand the engagement announced on the occasion of the DOHA II Conference on Border Control to the **management** of strategically significant border segments of Afghanistan. However, a new BOMAF (Border Management in Afghanistan) programme of the EU needs international support.

EC BOMCA/CADAP<sup>4</sup> and UNODC have long-term border-management capacity-building programmes. BOMCA/CADAP has developed a new pilot border-management project on the Afghan side of the Tajik border. There is much infrastructural and capacity-building work to be done given the very basic state of the border.

- EU MS should provide in-kind training or financial contributions to ensure more effective border management.
  - The Action plan on Drugs between the EU and Central Asian republics has to be reactivated.
- b) The EU underlines the importance of regional co-operation in counter-narcotics activities: the EU is therefore willing to continue to support the development of CARICC (Central Asia Regional Information and Co-ordination Centre).

## V. Immediate actions (to be completed before the end of 2006)

- Update of the Matrix of Increased EU Drug Assistance to Afghanistan.
- First meeting of the DLOs in Afghanistan and submission of a report on the situation and impact of the EU action to the Presidency through the Council Secretariat.
- Europol is invited to prepare a situation overview in preparation for the overall strategy.

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<sup>4</sup> BOMCA is the EC Border Management Assistance Programme for Central Asia; CADAP is the EC Drug Assistance Programme for Central Asia.

- Examination of possibilities for training courses provided by CEPOL, FRONTEX and Europol.
- By establishing the agenda for the next meeting of the annual EU Troika on Drugs with Afghanistan, this AOP should be taken into consideration.
- Maintain regular discussion of the situation in Afghanistan and other points along the heroin routes in the competent Council bodies.

## **VI. Follow-Up and Review**

The Commission and the Council Secretariat will systematically monitor the progress of this Action-Oriented Paper and report to the Justice and Home Affairs Council and the General Affairs and External Relations Council every 18 months, with the first report due by December 2006. This report will take place in the framework of the procedure described in the JHA External Relations Strategy<sup>5</sup>.

Whenever needed, the Presidency, the Council Secretariat, the Commission and interested Member States should meet on a regular basis to monitor the process of implementing this AOP. These meetings should contribute to a coherent approach in developing the EU Strategy for the External Dimension of Justice and Home Affairs<sup>6</sup>.

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<sup>5</sup> Doc. 15446/05

<sup>6</sup> A Strategy for the External Dimension of JHA: Global Freedom, Security and Justice, doc. 15446/05

The Afghanistan 2005 Counter-Narcotics Implementation Plan

The Afghanistan National Drug Control Strategy (NDCS), an updated five-year strategy for tackling the illicit drug problem, January 2006

The Council Conclusions of December 2005 on EU Assistance to combating drugs in Afghanistan

The EU – Afghanistan Joint Declaration, Committing to a new EU-Afghan Partnership, 16 November 2005

The Afghanistan Compact, Building on Success, the London Conference on Afghanistan, 31 January – 1 February 2006

The interim Afghanistan National Development Strategy (ANDS)

The Good Neighbourly Relations Declaration on Drugs

The Doha II Declaration on Regional Border Management (27-28 February 2006)

EU/Iran Drugs "Commitments to Action"

The Action Plan on Drugs between the EU and Central Asian Republics

The Action Plan on Drugs between the EU and Countries of Western Balkans and Candidate Countries (Bulgaria, Romania and Turkey)

The relevant thematic distribution of the stock of projects funded by the EU in 2004 along the heroin routes is as follows:

**Institution Building** – Afghanistan (3 projects), Iran (1 project), Kyrgyzstan (1 project)

**Alternative Development** – Afghanistan (6 projects)

**Anti Precursors Diversion** - Central Asia (1 project), Turkmenistan (1 project), Uzbekistan-Tajikistan-Kazakhstan-Kyrgyzstan-Turkmenistan (1 project)

**Anti Money Laundering** - Iran (1 project), Tajikistan (2 projects), Russian Federation (2 projects), Ukraine (1 project), CARDS (1 project)

**Other Supply Reduction** – Armenia-Azerbaijan-Georgia (3 projects), Azerbaijan (1 project), Central Asia (4 projects), Afghanistan (14 projects), Iran (3 projects), Kyrgyzstan (1 project), Turkmenistan (1 project), Uzbekistan-Kazakhstan (1 project), Belarus-Ukraine-Moldova (2 projects), Armenia (1 project), Pakistan (1 project), India (2 projects), Bosnia and Herzegovina (1 project), FYROM (2 projects), Serbia and Montenegro (2 projects), Turkey (2 projects), Ukraine (1 project), CIS Countries (1 project), Turkey-Turkmenistan (1 project), Central Asia-Russian Federation-Azerbaijan-Afghanistan (1 project), Russian Federation (1 project)

**Demand Reduction** - Eastern Europe and Central Asia (1 project), Afghanistan (5 projects), Iran (3 projects), Kyrgyzstan (1 project), India (1 project), Pakistan (2 projects), Eastern Europe (1 project), Bosnia-FYROM-Serbia and Montenegro(1 project), Estonia-Latvia-Lithuania-Poland-Russian Federation (1 project), Belarus (2 projects), Serbia and Montenegro (1 project), Russian Federation (8 projects), Ukraine (5 projects)