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Regional report on Republic of Armenia and Azerbaijan<sup>2</sup>

**1. REPUBLIC OF ARMENIA**

**1.1. General overview on crimes related to illicit drug use**

Comparative analysis of the first 9 months of 2010 and 2011:

- 2010 - 1152 crimes;
- 2011 - 1108 crimes (44 cases less) - a decrease of 3,8 % compared with the previous year.

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<sup>1</sup> Poland is monitoring the illicit drug problem in Belarus, Russian Federation and Ukraine.  
<sup>2</sup> This report was elaborated based on data kindly presented by the anti-drug authorities from the countries referred to in this report.

Legal framework of the acts of Criminal Procedure Code of the Armenia Republic and crime numbers:

- Art. 266 - narcotic and psychotropic substances illegal trafficking, for commercialising, paragraph 1 and 2:
  - 2010 - 388 crimes;
  - 2011 - 467 crimes (79 cases more) - an increase of 20,4% compared with 2010.
- Art. 266, paragraph 3:
  - 132 crimes in 2010;
  - 78 crimes in 2011 (54 cases less) - a decrease of 41% compared with 2010.
- Art 266, paragraph 4:
  - 78 crimes in 2010;
  - 26 crimes in 2011 (52 cases less) - a decrease of 66,6% compared with 2010.
- Art. 268 - narcotic and psychotropic substances illegal trafficking, without commercialising:
  - 549 crimes in 2010;
  - 526 crimes in 2011 (23 cases less) - a decrease of 4,2% compared with 2010.
- Art. 269 - illegal purchasing, using and printing of the medical prescriptions who can allow receiving drugs, psychotropic substances and precursors
  - 0 crimes in 2010;
  - 2 crimes in 2011 (2 cases more).
- Art. 272 - conviction or involvement of the third party in using drugs and psychotropic substances
  - 0 crimes in 2010;
  - 2 crimes in 2011 (2 cases more).
- Art. 273 - illegal cultivation of the plants prohibited by law, which contain narcotic, psychotropic substances or strong poisons;
- Art. 274 - the arrangement and special improvement place for consuming drugs and psychotropic substances
  - 1 crime in 2010;
  - 0 crime in 2011.

According to the data available at the end of September 2011, 470 persons (82 women, 6 minors, 16 foreign citizens) were arrested and accused for committing crimes related to drug, psychotropic substances and precursors trafficking.

Arrested and convicted people (82 women and 388 men) fall within the following age categories:

- 11 minors in 2011 (12 minors in 2010) - a decrease of 2,3%
- 28-29 years - 6 persons (2 in 2010) - an increase of 1,3 %
- 25-29 years - 33 persons (42 in 2010) - a decrease of 7,00%
- 30-49 years - 52 persons (61 in 2010) - a decrease of 11,1%
- Over 50 years - 297 persons (416 in 2010) - a decrease of 63,2%

In terms of occupation of the drugs dealers, the situation is as follows:

- 89% are unemployed
- 4,5% do not have permanent means of subsistence
- 4% are seasonal farmers
- 1,5% are employed by private sector and public administration;
- 1% students;

Out of the total number of persons presented by the Armenian Police to the Narco – clinic of the Ministry of Health to enter a detoxication programme, 855 persons had in their body traces of drugs, as follows:

- 493 (57%) – cannabis;
- 307 (36%) – opiates;
- 55 (6.4%) – synthetic drugs;

According to the age group:

- 556 drug users (65.5%) – over 35 years old;
- 224 drug users (26.5%) – 25-35 years old;
- 73 drug users (7.98%) – 18-25 years old;
- 2 drug users (approx. 0.02%) – under 18 years old.

## 1.2. The antidrug strategy

### 1.2.1. Legal framework

The international conventions signed by Republic of Armenia in fighting illicit drugs trafficking and use:

- 1992 – Kiev, Convention on cooperation among the ministries of internal affairs from the CIS in fighting illicit drugs trafficking and use;
- 1993 – United Nations Single Convention on Narcotic Drugs (1961), as amended by the 1972 Protocol; United Nations Convention on Psychotropic Substances (1971); United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988);
- 1998 – RA signs, together with representatives of the Member States of the Initiative on Economic Cooperation in the Black Sea region, the Agreement on „Cooperation in countering organized crime“;
- 1999 – Governments of Armenia, Azerbaijan and Iran signed the Memorandum on Cooperation and mutual support in countering organised crime and all its forms of emergence“;
- 2000 – in Minsk, RA signed the Convention on „Cooperation between the CIS countries in countering illicit traffic in narcotic drugs, psychotropic substances and chemical precursors“;
- 2000 – in Chişinău, the Heads of the CIS countries sign the Convention on „Cooperation in countering illicit traffic in narcotic drugs, psychotropic substances and chemical precursors“;
- 2002 – Governments of the CIS countries sign, The Convention on „Cooperation between the CIS countries in countering illicit traffic in narcotic drugs, psychotropic substances and chemical precursors“;
- 2005 – The Republic of Armenia Police signs with the Federal Service of the Russian Federation for illicit drugs control The Agreement on cooperation in the field of illicit traffic of narcotic drugs, psychotropic substances and chemical precursors;
- 2008 – RA signs The CIS countries Inter-governmental Programme 2008-2010 in fighting the illicit traffic in narcotic drugs, psychotropic substances and chemical precursors.

### *1.2.2. Internal strategies on countering illicit trafficking of psychotropic substances*

The strategy adopted in the last years is under implementation.

### *1.2.3. Antidrug activities undertaken at national level and participation in the joint activities with Community of Independent States*

- Operation „Cannabis - Poppy”- a national level operation, between 15 August – 10 September 2011; 84.5 tones cannabis (plant) and 511.6 kg (poppy plants) were destroyed.
- Operation „CANAL”. This was organized in cooperation with specialized antidrug officers from the CIS.
- At the national level, the implementation of the national Armenian Plan on countering illicit drugs trafficking and use, involving participation of a number of national institutions with competences in fighting illicit drugs (Ministry of Justice, Prosecutor General Office, Ministry of Interior, Border Police-National Security Service, Ministry of Defence, Ministry of Health, Labour Ministry, Sports Ministry, Yerevan City Hall, Ministry of Finance) has continued.

## **1.3. Participation of the Republic of Armenia in bi- and multi-lateral anti-drug programmes**

### *1.3.1. Countering the illicit drugs trafficking*

In 2010 - 2011, the specialised Armenian officers have participated in the activities undertaken at the CIS countries level related to countering illicit drugs trafficking (Operation „Canal”). As a result, important quantities of illicit drugs have been seized at the customs points.

Republic of Armenia and Russian Federation have signed a Partnership on joint anti-drug operations. As a result, the representatives from the Ministries of Interior from these two countries have participated in training actions and „field operations”.

Within the Collective Security Treaty of CIS (ODKB – Russian Federation, Armenia, Belarus, Kazakhstan, Kirgizstan, Tajikistan and Uzbekistan), periodical joint operations to counter drug trafficking are organized (“Canal”, “Cannabis-Poppy”). A special attention is provided to strengthening the monitoring and permanent control of the cross border passes used by drug traffickers.

### *1.3.2. Rehabilitation of the drug addicted persons*

In Yerevan there is a Hospital for addicted persons/ Ministry of Health, specialized in treating the addicted persons. According to statistics, no requests for treatment services have been received during January-September 2011.

## **1.4. Place and date of mini-Dublin Group**

Romanian Embassy in Yerevan has periodic contacts with Armenian Police Headquarter /Department for fight against narcotics as well as with representatives of NGO’s involved in the prevention actions or supporting drug addicts to reintegrate in the society („International Red Cross”, „Caritas”).

## **1.5. External donor assistance priorities**

### *1.5.1. Equipment and training courses for the personnel specialised in countering illicit drug trafficking and use*

- modern equipped field vehicles for „complex anti-drug in off-road areas”;
- technical equipments for long distance telephone recording;
- high technology computers for developing the anti-drug the IT data collecting system;
- modern scanning devices for drug detecting activities typical for border checking points;
- training courses for Armenian policemen organized by international forums.

*1.5.2. Improvement of the national legislation and its alignment to the international standards in the field*

National legal framework on illicit drug related crimes:

A. ARTICLES OF THE PENAL CODE	TITLES OF ARTICLES
Article 266	Trafficking of illegal narcotic drugs and psychotropic substances for sale purposes
Article 267	Illegal production, depositing, book-keeping, packing, transportation or transfer of narcotics and psychotropic substances
Article 268	Illegal production of narcotic drugs and psychotropic substances with no intent to sell
Article 269	Theft or extortion of narcotic drugs and psychotropic substances
Article 269 para 1	Illegal production, use, counterfeiting or sale of false documents to obtain illegally narcotic drugs, psychotropic substances and drugs precursors

A. ARTICLES OF THE PENAL CODE	TITLES OF ARTICLES
Article 270	Illegal procurement of narcotic drugs and psychotropic substances using counterfeited medical prescriptions or other forged documents to obtain drugs
Article 272	Incitement to or persuasion of third persons to use narcotic drugs and psychotropic substances
Article 273	Illegal cultivation of controlled plants containing narcotics, psychotropic substances or toxins, the processing of which is prohibited
Article 274	Making available premises for the illegal drugs use

B. ARTICLES OF THE ADMINISTRATIVE CODE	TITLES OF ARTICLES
Article 44.1	Transportation of illegal narcotic drugs and psychotropic substances, with no intend to sell
Article 44.2	Use of narcotic drugs and psychotropic substances without a medical prescription
Article 110 para 1	Actions focused on keeping under control crops with narcotic content
Article 110 para 2	Illegal cultivation and other activities focused on concealing cannabis and poppy crops

### *1.5.3. Reporting on illegal narcotic drug trafficking in Armenia*

The representatives of the Principal Unit for fight against Drug Traffic have recently declared that Armenia is now in a better position than the other Independent States Community due to the efficient measures for combating this phenomena adopted in the last years. In this respect this problem is not for the moment a priority for the Armenian policemen, taking in consideration that there are no signals of increasing the use of narcotics, psychotropic substances or synthetic drugs in the last 5 years.

The National Centre for Drug Monitoring, settled under the umbrella of the National Health Institute in Yerevan, is periodically developing different campaigns regarding the negative effect of drug/ alcohol use primary involving school children and students.



## 2. AZERBAIDJAN

### 2.1. General situation

Drug situation in Azerbaijan during the first six months of 2011:

The first 6 months /2010 (kg)		The first 6 months/2011 (kg)		Difference (kg)	%	
Total	1837	1704		-133	-7,2	
Trade	665	584		-81	-12,1	
Storage	1122	1066		-56	-4,9	
Cultivation	45	47		+2	+100,0	
Others	5	5				
Drug seizures						
The first 6 months /2010			The first 6 months /2011		Difference	
Total	416kg 47,868gr		436kg 883,252gr		+20kg 815,384gr	
Marijuana	111kg 722,335gr		196kg 450,109gr		+84kg 727,774gr	
Hashish	216kg 367,253gr		155kg 425,142gr		-60kg 942,111gr	
Opium	23kg 185.107gr		20kg 588,193gr		-2kg 596,914gr	
Heroin	64kg 709,233gr		58kg 125,826gr		-6kg 583,407gr	
Others	218,700gr		6kg 273, 982gr		+6kg 55,282gr	
First 6 months/2011			First 6 months /2011			
Green Plants	Weight	Pieces	Area	Weight	Pieces	Area
	331tones	2mil	554,14h	214tone	1mil	934,21
	185kg	146, 708	a	310kg	208,499	4ha
	376gr			944gr		
						-116 tone 874kg 434gr
Foreign citizens involved in illegal activities						
First 6 months/2011			First 6 months/2011		Difference	
Persons sentenced	27 persons		22 persons		-5 persons	

Amount of seized drugs	130kg 414,837gr		89kg 614,634gr		-40kg 800,203gr
	Sentenced Persons		Sentenced Persons		
The Republic of Iran	10		9		-1pers.
Russian Federation	4		6		+2pers.
Georgia	12		4		-8pers.
Ukraine	1		1		
Turkmenistan	-		1		+1pers.
Afghanistan	-		1		+1pers.

According to the UNDP representative, Azerbaijan has the necessary legislation in the field to fight against drug and precursor trafficking. However, further efforts are needed to implement it and to increase the effectiveness of the state institutions.

Azerbaijan continues to fight against illegal drug trafficking, by ratifying 3 UN Conventions in the field and closing various international and inter-governmental agreements.

The total amount of drug production from Afghanistan, as a main centre of illegal drug production, continues to have direct effects on the drug situation in Azerbaijan, the production on designated areas being higher and higher.

As in the recent years, most of the crimes associated to drug regime deal with the illegal possession, distribution and production. The total number of crimes in the first 6 months of 2011 in this field was 1074 cases (compared to 1837 cases in the first 6 months of 2010), with 1066 cases dealing with the illegal possession of drugs and psychotropic substances (1122 cases in the first 6 months of 2010).

584 cases of illegal trade of drugs and psychotropic substances were recorded (655 cases in the first 6 months of 2010), 47 cases of illegal cultivation of plants with narcotic substances (45 cases in the first 6 months of 2010) and 5 cases of related crimes (the same as in the first 6 months of 2010).

The head of the Anti-drug Department within the Ministry of Internal Affairs of Azerbaijan stated that during the first 6 months of 2011 the number of criminal groups dealing with drugs has increased, and so the amount of psychotropic substances and precursors (particularly cannabis and opiates) seized by the Azeri authorities.

The situation of illicit drug trafficking is mainly determined by the geopolitical situation in Azerbaijan. With a population of more than 9 million inhabitants, the country is located between Asia and Europe, with neighbours like the Russian Federation, Iran, Turkey, Georgia and Armenia, but also, separated by the Caspic Sea, with the other seacoast states.

Due to the large scale projects in the field of foreign trade, the flow of goods and passengers and of the number of vehicles crossing the Azeri border is higher by the year, this aspect benefiting the illegal activity of drug traffickers, who use any opportunity.

Another difficulty met by the Azeri authorities with respect to the control of the drug situation in Azerbaijan is caused by the existence of some “uncontrollable areas”, which create a favourable climate for the transnational organized crime. Due to the fact that almost 20% of the Azeri territory is occupied by the Armenian army, the Azeri state structures have lost control over Nagorno-Karabakh, 7 districts close to the region but also over a sector of the common border with Iran (132 km). This uncontrolled area continues to be actively used for the production, transit and trade of drugs, human beings, illegal migration and also other cross border crimes.

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