

Issue I

Airport Communication Project

Recommendation 1

Governments are encouraged to continue their financial and technical support to the Airport Communication Project (AIRCOP) of the United Nations Office on Drugs and Crime (UNODC) so as to support the establishment of new operational joint airport interdiction task force units and the ongoing professional development of established operations.

Any action taken YES NO

Comments:

Portugal has for several years specialized units of the Polícia Judiciária at the main international airports on the Portuguese mainland and on the islands, which develop their work in connection with the Customs and Tax Authority.

In this scope there is an effective participation in the initiatives of the Project AIRCOP and Eurogard.

Recommendation 2

Where they have not already done so, airport-based law enforcement agencies should be encouraged to open a dialogue with the joint airport interdiction task force units, formed under the AIRCOP initiative, to commence information sharing and to build professional networks that will in turn support more effective operational responses against trafficking.

Any action taken YES NO

Comments:

Under the AIRCOP initiative, the Polícia Judiciária took part in a training course in Guinea Bissau, aiming at reinforcing the capacity of the international airports of the participating countries to detect and seize illicit goods, both in the origin and in the transit countries.

Contact point networks are implemented and consolidated at the main European and Latin American airports, thus ensuring the possibility of swift contact and operational information exchange.

Recommendation 3

Governments are encouraged to support initiatives that facilitate close operational cooperation in the sharing of information between authorities (such as advanced passenger information, passenger name records, and advanced cargo information), in accordance with applicable privacy requirements, to enable effective and timely risk assessment of passengers and airfreight.

Any action taken YES NO

Comments:

In the scope of the Polícia Judiciária remit as regards international drug trafficking, there is an Investigation and Prevention Service at the airport, ensuring information exchange, but also cooperation and effort coordination among the several national authorities at that airport space and among the several air traffic operators. We must also mention the participation in the EMPACT meetings under the aegis of EUROPOL and in the ISFP-Project “Joint Investigation to fight trafficking in drugs and firearms with the main focus on international airports within and also into the EU” (JIFTdrugs/f_air).

Issue II

Container Control Programme

Recommendation 4

Governments should encourage their drug law enforcement authorities to work more closely with drug source countries and transit States through capacity-building programmes such as the UNODC/World Customs Organization (WCO) Container Control Programme.

Any action taken YES NO

Comments:

The Polícia Judiciária keeps a close cooperation with the competent authorities in the producing and transit countries, namely Colombia, Brazil and Argentina.

Recommendation 5

Governments should be encouraged to assist other countries in investigating drug seizures made in containerized freight destined for Europe, so as to secure the conviction of those who organize those shipments and the dismantlement of the organized crime networks that profit from their operation.

Any action taken YES NO

Comments:

The Polícia Judiciária, namely as regards cooperation with police authorities in other countries, has been boosting operational information exchange, and making efforts in the scope of specific investigations into the activities of criminal groups, aiming at promoting situations where it is possible to resort to controlled deliveries.

Recommendation 6

Governments should be encouraged to support source countries by making law enforcement experts and relevant technical equipment available to them to improve the technical skills and professional knowledge of their border law enforcement agencies in assessing the threat from organized criminal groups involved in illicit drug trafficking through their territories and designing measures to counter them.

Any action taken YES NO

Comments:

The Polícia Judiciária has been developing several technical and specialized training courses, focused on the dissemination, sharing, transfer and standardization of good practices and relevant experiences in the drug trafficking areas. In particular, we must stress the participation in the SEACOP Project (sponsored by the European Union), aiming at reinforcing the capacities at the seaports, by supporting the setting up of common units for maritime control (CMMC) in selected countries in Western Africa, Latin America and the Caribbean.

Issue III

Handling synthetic drug production and responding to changing trends in drug use, new psychoactive substances and precursors

Recommendation 7

Governments are encouraged to urgently address the necessary control measures regarding the status of new psychoactive substances, which are sometimes marketed as “legal highs”, so as to remove ambiguity in the minds of consumers.

Any action taken YES NO

Comments:

In Portugal, in the scope of the drug trafficking prevention and suppression process, legislation on the emergence of new psychoactive substances was promulgated. Thus, in 2013, the legal system for prevention and protection against advertising and trade in new psychoactive substances was laid down, containing the list of new substances comprised therein – Decree-Law no. 54/2013, of 17 April 2013 -. In line with the mentioned decree-law, ministerial Order no. 154/2013, of 17 April 2013, was issued, approving the list of New Psychoactive Substances. The substances contained herein are considered to be an administrative offence and are punished with a fine in the scope of an administrative proceedings.

In 2017 there was an amendment to Decree-Law no. 15/93, of 22 January 1993, approving the legal system applied to trafficking in and use of drugs and psychoactive substances, adding several substances to table II-A (Act 7/2017, of 2 March 2017).

Recommendation 8

Governments are encouraged to urgently undertake research regarding the harmful effects of new psychoactive substances on human health, and to take steps to improve the knowledge of their law enforcement authorities about the manufacture and supply of such substances, including the involvement of organized criminal groups in their trafficking and distribution.

Any action taken YES NO

Comments:

At European level, the Early-Warning System (EWS) was set up, a European system for permanent signalling and for the investigation into the emergence of New Psychoactive Substances. This system, in which Portugal is represented by SICAD, enables a swift information exchange on New Psychoactive Substances among the Member States, sets forth the assessment of the risks linked to their use and allows the measures applied to the control of drugs and psychoactive substances to be also applied to these new substances. Whenever the Polícia Judiciária, through its Forensic Science Laboratory, detects a new psychoactive substance in the Portuguese market, informs the SICAD about it; in turn, SICAD informs the EWS through this mechanism.

Also in this scope, this Forensic Science Laboratory established a protocol for cooperation with the Faculty of Science - Lisbon University - and the Faculty of Pharmacy - Porto University - as regards the assessment of psychoactive substances, aiming at establishing their molecular differences, characteristics and effects.

Recommendation 9

Given the important role the Internet plays in promoting the sale of new psychoactive substances, and given the use made of international postal and courier services to deliver them, Governments are encouraged to support their law enforcement agencies in establishing close partnerships with the services concerned to develop new and effective strategies to intercept such substances, including by encouraging the development and use of relevant technical equipment.

Any action taken YES NO

Comments:

The Polícia Judiciária incessantly aims to keep and strengthen the relations with the several operators acting in this scope, in order to establish partnerships and collect data leading to information about possible suspicions on the commission of the offence of drug trafficking through the Internet and recurrent resort to postal means for transportation of such substances to the recipient. In this scope, the Policia Judiciária, in close cooperation with the Customs and Tax Authority, reported the seizure in 2016 of 28 parcel posts containing drugs. At the European cooperation level, we must mention the participation in the scope of the European project 'Joint investigation to combat drug trafficking via the virtual market (darknet) within and also into de EU' under the aegis of the Austrian authorities.

Issue IV

Measures to counter money-laundering and illicit financial flows

Recommendation 10

Governments should encourage their drug law enforcement agencies to share information with their national financial intelligence units at the early stages of investigations.

Any action taken YES NO

Comments:

The Financial Information Unit (FIU), within the organic structure of the Policia Judiciária, takes part and actively cooperates through carrying out actions aiming at detecting suspicious transaction reports and replying to requests for information gathering on property and income for investigations involving the offence of money laundering (reply to 23 requests). Also during the mentioned time period, 40 reports were sent, resulting from the analysis of the suspicious transaction reports received by the FIU, which suggested drug trafficking as predicate crime.

Recommendation 11

Governments are encouraged to establish inter-agency joint investigation teams to investigate the laundering of proceeds of drug trafficking.

Any action taken YES NO

Comments:

The Polícia Judiciária continuously takes part and cooperates, at the level of money laundering and illicit money flows, in working groups where public agencies cooperate.

Recommendation 12

Governments are encouraged to support UNODC in the implementation of capacity-building to combat money-laundering and illicit financial flows stemming from drug trafficking.

Any action taken YES NO

Comments:

Go AML – a software tool for the management of documents (suspected and financial transactions reports) and of information that will be acquired from UNODC by the Portuguese FIU. This tool enables carrying out the strategic and operational analysis.

Participation of Portugal in a Conference held and sponsored by the UNODC, aiming at reinforcing the capacities of the Mozambican authorities in fighting against money laundering and in detecting illicit money flows.