

**IMPLEMENTATION OF THE RECOMMENDATIONS ADOPTED BY  
THE TWENTY-EIGHTH SESSION OF HONLEA, LATIN AMERICA AND  
THE CARIBBEAN, SANTIAGO, CHILE  
22 - 26 OCTOBER 2018**

**QUESTIONNAIRE**

<b>Submission Information</b>	
Name of country: Portugal	
Date of submission:	
<b>Information for follow-up purposes</b>	
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<b>Publishing on the UNODC website</b>	
Do you agree to post the questionnaire “as received” on the UNODC website	NO
	<input checked="" type="checkbox"/> YES <input type="checkbox"/>

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by 26 July 2019

**Guidance Note for completing the questionnaire on implementation of recommendations**

The Secretariat kindly invites Governments to follow the guidelines below when replying to the questionnaire:

- **Summarize action taken** on the implementation of each recommendation in no more than 200 words;
- Provide **complete references** to legislation or to any other document if relevant for the implementation of each recommendation;
- Where possible and applicable, provide **quantified data** in addition to description of action taken;
- If applicable, provide information on the **main obstacles to the implementation** of a recommendation.

**Issue I New modi operandi in trafficking and trends in concealment methods and transport, and effective investigative techniques in response thereto**

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**Recommendation 1**

Governments of the region should further invest in confidence-building measures through regional and interregional training, study visits and meetings of case officers.

Any action taken  YES  NO

Comments:

Portugal is participating in several training and qualification courses concerning drug trafficking in Europe and South America.

In 2018 Portugal initiated a bilateral training project with Brazil, called “on-the-job training”, with officers exchange, regarding intelligence, trafficking by sea and trafficking by air.

During 2018 we welcomed several foreign delegations, from several countries, namely from Norway, Servia, Canada, Australia, E.U.A and Colombia.

**Recommendation 2**

Governments should strengthen anti-corruption and institutional-integrity measures, for example, through the development of standard operating procedures, the establishment of inter-agency task forces and the use of vetting procedures for staff involved in combating drug trafficking.

Any action taken  YES  NO

Comments:

Several measures were implemented in Portugal regarding the prevention, controlling and combating corruption, with specific procedures and evaluation object, valid for all public bodies, in particular for all police entities.

**Recommendation 3**

Governments should ensure that effective measures are in place for inter-agency cooperation at the national level between relevant authorities involved in combating drug trafficking.

Any action taken  YES  NO

Comments:

In Portugal, there is a centralized coordination system for combating drug trafficking, in which all entities with responsibility in this area are involved.

#### **Recommendation 4**

Governments should use mechanisms for exchanging information on new trends in drug trafficking, new concealment methods and modi operandi.

Any action taken  YES  NO

Comments:

Besides the existing warning systems for detecting new psychoactive substances at an European level, the procedure adopted in Portugal is sharing immediately the information regarding new MO, drug concealment methods and new routes, nationally and internationally.

#### **Recommendation 5**

Governments should develop and implement training programmes for law enforcement officers and prosecutors, taking into account new trends in drug trafficking.

Any action taken  YES  NO

Comments:

There is permanent contact between the police and the judicial authorities (prosecutors) regarding the ongoing investigations, which is reflected in information sharing regarding new routes, MO and NPS (New Psychoactive Substances).

## **Issue II Trends in precursor control, diversion trends and trafficking routes for cocaine precursors into and through the region**

### **Recommendation 6**

Governments should establish practical national cooperation mechanisms for investigating and countering the diversion of and trafficking in chemical substances.

Any action taken  YES  NO

Comments:

The cooperation mechanisms in Portugal are valid to all situations involving Drugs, NPS, Precursors or Chemical Products, as long as the legislation in force consider them to be forbidden or controlled.

### **Recommendation 7**

Governments should make the best use of existing structures and mechanisms for regional and international cooperation, including for the exchange of information and for the coordination of multilateral operations targeting the diversion of and trafficking in precursor chemicals. Governments should also share operational information on the diversion of chemical precursors using the International Criminal Police Organization (INTERPOL) notification system, in particular its purple notices.

Any action taken  YES  NO

Comments:

The cooperation mechanisms are frequently used at a regional and international level, including resorting to the formal channels – INTERPOL and EUROPOL.

### **Recommendation 8**

Governments should strengthen the implementation or make better use of existing tools, such as the Pre-Export Notification Online (PEN Online) system, when invoking article 12, paragraph 10 (a), of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 to request pre-export notifications for imports of substances listed in Tables I and II of that Convention. Governments should also strengthen the application or make better use of existing tools for precursor control, such as the Precursors Incident Communication System (PICS).

Any action taken  YES  NO

Comments:

The PEN Online tool is frequently used by the Portuguese Authorities, especially by the Autoridade Tributária e Aduaneira [Tax and Customs Authority] in what concerns customs control regarding entries, exits and transit of goods through out the European Union Customs Territory.

There are procedures that must be complied regarding the intensive use of this tool, which are part of an integrated management of borders at an EU level. Resorting to the Common Risk Management System (CRMS), it is also possible to share, in a parallel and structured way, information with other EU countries on these matters, being a tool generally used by the Customs Services.

### **Recommendation 9**

Governments should, individually or through existing regional mechanisms, devise appropriate strategies to fill current knowledge gaps concerning trafficking trends and modi operandi used by traffickers to acquire substances for the illicit manufacture of drugs.

Any action taken  YES  NO

Comments:

The strategies for combating drug trafficking are adopted and adapted according to the reality and knowledge of the phenomenon at each moment.

### **Issue III Use of the darknet in the illicit trade in drugs and use of cryptocurrencies for money-laundering**

#### **Recommendation 10**

Governments should address the risks posed by the illicit use of cryptocurrencies through strengthening interagency and international cooperation.

Any action taken  YES  NO

Comments:

#### **Recommendation 11**

Governments should consider the provision of basic training to law enforcement officers and prosecutors, along with the creation of specialized units comprising highly trained experts, to undertake operations and investigations relating to criminal activity on the darknet.

Any action taken  YES  NO

Comments:

The increasingly use of crypto-currencies in the criminal world is a well-known reality and the crucial inter-agency and international cooperation is a constant reality as well.

### **Recommendation 12**

Governments should consider updating their legal frameworks related to investigations into the darknet and transactions with cryptocurrencies, allowing, inter alia, undercover operations on the darknet and the securing of related digital evidence.

Any action taken  YES  NO

Comments:

In Portugal, we conducted some successful investigations in the scope of the fight against drug trafficking through DARKNET, where bitcoins were apprehended, resorting to undercover operations. Portugal has, at Polícia Judiciária [Portuguese Criminal Police], a National Unit for Fighting Cybercrime and Technological Crime.

## **Issue IV Developing and implementing comprehensive and sustainable ~~alternative development programmes~~**

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### **Recommendation 13**

Governments should develop and implement alternative development programmes for communities in rural areas affected by or at risk of the illicit cultivation of drug crops. Such programmes should be aimed at alleviating poverty as well as at preventing and reducing the illicit cultivation of crops.

Any action taken  YES  NO

Comments:



**Recommendation 14**

Governments should report on efforts made to understand the drivers of the illicit cultivation, production and manufacture of drugs and to address underlying socioeconomic factors.

Any action taken  YES  NO

Comments:

**Recommendation 15**

In developing and implementing alternative development programmes, Governments should ensure the empowerment, ownership and responsibility of affected communities, taking into account their specific characteristics, vulnerabilities and needs.

Any action taken  YES  NO

Comments:

**Recommendation 16**

Governments should increase cooperation and coordination in the field of alternative development through the exchange of information, best practices and lessons learned, and create a repository for best practices and lessons learned in order to optimize the use of resources for alternative development.

Any action taken  YES  NO

Comments:

**Recommendation 17**

Governments should explore the possibility of using legal instruments such as extinction of domain to fund alternative development programmes.

Any action taken  YES  NO

Comments:
