

Crime prevention policy	
EU- priority	Drug trafficking
Country	Germany
Year	2018

1. Overview of the field

Definition of the crime

Drug trafficking is a punishable offence under Section 29 of Germany's Narcotics Act (*Betäubungsmittelgesetz, BtMG*). The provision stipulates that a term of imprisonment of up to five years or a fine will be imposed on any person who illicitly cultivates, produces or trades in narcotic drugs or, without engaging in their trade, imports, exports, sells, supplies, otherwise places them on the market or acquires or procures them in any other way.

Assessment of trends and developments

In 2017, drug crime has increased for the seventh year in a row. From the large individual amounts of illegal drugs seized we can conclude that supply and demand remain as high as ever.

In 2017, there was a major increase in particular in cocaine-related offences, and the amount of illegal drugs seized quadrupled.

By far largest number of drug offences – almost two-thirds – is related to cannabis. The steady increase in cannabis-related offences and the amounts seized continued in 2017. The overall number of cannabis plantations secured by the police in Germany has once again significantly dropped. Despite this drop, indoor cannabis cultivation in Germany, in addition to imports from abroad, continues to be highly relevant.

The smaller overall amount of heroin seized in 2017 should not be interpreted as a decline in heroin trafficking and use.

The steady increase in the overall amount of synthetic drugs seized and in the number of related trafficking offences shows that this area continues to be relevant. Amphetamines are the second most widespread narcotic after cannabis. The number of offences related to Ecstasy once again significantly increased in 2017 as well.

Also the amount of crystal meth seized in 2017 increased, reaching an all-time high. The drug continues to be most widespread in the eastern federal states close to the Czech Republic.

New psychoactive substances (NPS) keep emerging on the drugs market. The New

Psychoactive Substances Act (*Neue-psychoaktive-Stoffe-Gesetz*, NpSG) was adopted in 2016 to counter this development by introducing provisions governing specific groups of substances. However, there are still substances on the market which are subject to neither narcotics law nor the NpSG.

In Germany, the production of synthetic drugs remains at a low level.

Drug trafficking is mostly organized internationally. The Internet has become another common channel of distribution. Drug delivery by mail continues to increase accordingly.

Recent overview of statistics and research

In 2017, we registered 330,580 drug-related offences, which is an increase of 9.2% over the previous year.

The clearance rate of drug crime was 92.6%, which is about the same level as in previous years. Drug offences accounted for about 6% of the overall crime rate.

A total of 263,255 drug-crime suspects (+7.1%) were registered, of which about 88% were men, and 26% non-German.

Among the 68,773 non-German suspects, Turkish nationals were the largest group (about 13%), followed by Polish (7%) and Syrian (6%) nationals.

2. Crime strategy and coordination

Objectives of the crime strategy

In Germany, the federal states' police forces and the Federal Criminal Police Office (BKA) are responsible for combating drug-related crime in terms of persistent and effective law enforcement. In cases of international organized drug crime, the General Customs Administration/Customs Criminological Office (ZKA) is also involved in crime prevention.

Within the limits of available resources, the BKA investigates important cases of international organized drug trafficking. These investigations do not primarily target individual offences but focus on understanding the larger context to be able to take action against criminal organizations and effectively disrupt their business. This requires cooperation with other federal and state ministries and agencies as well international partners and organizations such as Europol.

The BKA also serves as a central office for identifying and analysing criminal offences and for coordinating cooperation between federal and state authorities and with foreign authorities in national and international bodies, working groups, initiatives and projects.

It also draws up an annual national situation report on developments and trends in the field of drug-related crime in Germany. The situation report summarizes current police findings on drug crime in Germany based on crime statistics compiled by the police (PKS), the Narcotics Case File (FDR), the police information system (INPOL

database on persons) and police information-sharing.

Role of prevention in the crime strategy on state/regional/local level

The 2012 National Strategy on Drug and Addiction Policy outlines the principles of the comprehensive national drug and addiction policy in Germany. In Germany's federal system, many parties are involved in addiction prevention and assistance, including local, state and federal authorities as well as doctors, addiction treatment centres and welfare organizations.

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

Based on applicable law as well as regional and supraregional priorities at federal, state and regional/local level, various administrative levels are involved in combating drug trafficking in Germany. Measures are taken in accordance with each party's area of responsibility and coordinated in the responsible bodies (e.g. Organized Crime Commission, KOK) for supraregional operational and strategic action (e.g. Eastern European criminal groups, clan crime). This commission is supported by the organized crime coordination office at the BKA responsible for coordinating and supporting priority-setting. In a systematic process, current organized crime priorities and potential organized crime hotspots are identified twice a year, also drawing on information available to the BKA. Organized drug trafficking is one of many areas covered. Projects on coordinated and joint action by federal and state authorities are proposed based on the detailed information provided in the related report. Finally, the KOK uses this information to decide on joint federal and state projects (evaluations and/or investigations). Project participants report on their results as needed.

Stakeholders (working groups, specialised agencies, partners, etc)

At national level, the BKA cooperates with the federal states' law enforcement authorities and with federal customs authorities and the Federal Police to combat drug trafficking. In addition, the federal states have joint police/customs investigation teams to carry out investigations in the area of organized drug trafficking.

There are individual strategic working groups that are either led by the BKA at federal level (e.g. the annual meeting of the heads of anti-drug bodies, RLT) or by a federal state at regional level (e.g. south-east working group - Bavaria).

One example of a special body is the Joint Customs / Police Precursor Monitoring Unit (GÜS) at the BKA. It serves as a central contact point for chemical and pharmaceutical companies and associations. It also liaises with national authorization, monitoring and investigation authorities and is the responsible national authority for international information-sharing on precursor substances.

Participation in European/ international networks, working groups, etc.

**EMPACT, Policy Cycle, Europol Programme Board, Pompidou Group, EU Group of Experts on Drug Precursors
CND, INCB Task Forces, HONLEA, Interpol**

3. Good practices

Overview of recent good practices, prevention programs, etc.

On its crime prevention website www.polizei-beratung.de (“Themen & Tipps” > “Drogen”) the police provide information about drug addiction and drug crime.

Additional information about drugs and addiction is available on the websites of the Federal Ministry of Health and the Federal Government Drug Commissioner.