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Drug Market and Crime

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Contents

0 Summary (T0)

Seizures

As a result of several sizeable individual seizures, the quantity of illicit drugs seized has risen sharply compared to the previous year. In comparison to the previous year, 57% more heroin has been seized (individual seizures of 81kg and 40kg). Quantities of marijuana seized rose by a similar amount (55%). In plantations as well as in small quantities for own use, 36% fewer cannabis plants were seized compared to the previous year.

Seizures of cocaine dropped by 40% compared to the previous year, amounting to around 1.9 tonnes in 2016.

The most significant increase among substances this year was for ecstasy tablets (+129% compared to the previous year). In 2016 over 2 million tablets (consumption units, CU) were seized. The key part of this increase was made up of three major seizures which demonstrated Germany's role as a transit country between the Netherlands and Turkey.

15 narcotics laboratories were found and seized, 3 more than in the previous year. 11 of these laboratories produced methamphetamine, the other 4 produced amphetamine.

Active ingredients and prices

With respect to prices of different drugs, in comparison to the previous year there no significant development is apparent. Only over a 10-year, long-term view, can an increase be seen in the prices of crystal meth (+35.7%), cocaine (+11.5%) and heroin (+10.9%).

The potency of cocaine in street-level dealing has almost doubled since 2011 and as of 2016 is at 74.1%. The trend for heroin is similar, whereby the average potency was significantly higher in the years prior to 2011.

The flowering tops of cannabis plants have reached a new peak value of 12.8% active substance content. Since last year, the potency of cannabis resin has for the first time been higher than for the flowering tops and has increased again this year to 14%.

The most marked increase this year, however, has been recorded for amphetamine. From 2015 to 2016, the purity quadrupled (2016: 42.1 mg/CU; 2015: 11 mg/CU). The average content of MDMD has increased from 101 mg/CU to 115 mg/CU in the last year.

Criminal offences

General violations of the German Narcotic Drugs Act (Betäubungsmittelgesetz, BtMG) have continued to rise since 2012, reaching 231,926 cases in 2016. The number of offences in the area of economic compulsive crime is now at a new record low of 1,834 offences since data started being collected in 2004.

Among dealing/trafficking offences, cannabis continues to play proportionately the largest role (62%; 2016: 31,861 offences) and the dealing/trafficking and smuggling offences in relation to that substance have fallen overall since 2007 (36,061). The proportion of heroin in dealing/trafficking and smuggling offences has been continuously falling since 2010 and in

recent years has dropped below cocaine (including crack). Both have increased in comparison to the previous year, however (heroin: +2.1%; cocaine: +19.2%). Both the proportion and the absolute number of dealing/trafficking and smuggling offences involving ecstasy have increased again in recent years, following a temporary decline, and are now at a level comparable to that of 2006.

The number of consumption-related offences has increased by 8% since the previous year, with 231,926 offences committed in 2016 (+36% increase since 2011). Cannabis continues to make up the largest proportion of consumption-related offences (36%), however it has only slightly increased compared to other substances and to the previous year (cannabis +10%; LSD: +36%, ecstasy: +22%; cocaine: +16%). The number of consumption-related offences involving ecstasy has seen the sharpest rise over the last five years, of 180%. The 44% increase of cannabis offences over the last five years is far behind.

Convictions

The total number of narcotic drugs offence convictions has fallen again, following a slight increase in 2014 (2015: 47,380 convictions) and therefore sits at a comparable level to that of 2012. Most convictions continue to be punished with fines (71.5%). Custodial sentences were for the most part commuted to probation (9192; 68% of all prison sentences).

Traffic accidents

The total number of drivers under the influence of intoxicating substances other than alcohol has increased again (+168 cases), however as in previous years they continue to make up only 0.59% of all accidents resulting in injury to persons (2015: 0.54%).

1 National profile (T1)

1.1 The drug market (T1.1)

1.1.1 Domestic production (T1.1.1)

Cultivation of cannabis

In Germany in 2016, a total of 98,013 cannabis plants were seized, according to the Federal Criminal Police Office (Bundeskriminalamt, BKA, 2017a). A cultivation is deemed to be a plantation from a number of 20 plants upwards. Plantations are then further subdivided into small, large and professional plantations. Table 1 shows the seizures by category in comparison to the previous year. It should be noted in this context that results in comparison to the previous year can vary enormously due to individual seizures. In the small number of cases of professional plantations in particular, one single seizure can greatly influence the data. The historical trend over several years can be found in Table 7.

Table 1 Number of seized cannabis plantations and plants in comparison to the previous year

		Outdoor plantations			Indoor plantations			Total	
		2015	2016	Difference	2015	2016	Difference	2015	2016
Small plantations (20-99 plants)	**Cases**	113	93	-18%	572	510	-11%	685	603
	Plants	3,427	3,150	-8%	16,695	17,777	6%	20,122	20,927
Large plantations (100-999 plants)	**Cases**	11	14	27%	182	178	-2%	193	192
	Plants	1,673	3,144	88%	50,292	42,661	-15%	51,965	45,805
Professional plantations (>1000 plants)	**Cases**	3	1	-67%	32	24	-25%	35	25
	Plants	4,036	0	-100%	68,938	19,661	-71%	72,974	19,661
Total All clients entering treatment	**Cases**	127	108	-15%	786	712	-9%	913	820
	Plants	9,136	6,294	-31%	135,925	80,099	-41%	145,061	86,393

BKA 2017a & 2017b.

Based on an online survey, Werse (2016) investigated the extent to which the different degrees to which cannabis is prohibited in different countries influences the extent of self-cultivation. According to the findings of the study, the motivation for self-cultivation is often to avoid the negative consequences of prohibition, whereby the perceived "illegality" of cannabis markedly affects, in the opinion of the author, the extent of concern in view of self-cultivation and the initiation of security measures.

Narcotics laboratories

In 2016, 15 illegal narcotics laboratories for manufacturing synthetic drugs were seized in Germany (2015: 12 laboratories). 11 of these laboratories produced methamphetamine, the other 4 produced amphetamine.

1.1.2 Routes of trafficking (T1.1.2)

The following information on trafficking routes for individual substances come from BKA communications to the DBDD.

Hashish

The majority of the hashish seized in Germany comes, as it has done in the past, from Morocco and was mostly brought into Germany through the Netherlands. In addition, Afghanistan has a significant role as the origin of hashish transported to Europe.

Germany is often used as a transit country for small and medium amounts of hashish to be transported to neighbouring countries.

Marijuana

For cases in which an indication of origin of the marijuana seized in Germany could be ascertained, imports from the Netherlands were by far the largest group, followed by Serbia and Spain.

Insofar as marijuana seized in Germany was intended for further transport to other countries, Great Britain and the Netherlands in particular were recorded as the destination countries.

Heroin

Smuggling activities involving heroin from Afghanistan, Pakistan and Iran, in particular via the classic Balkan route, continued last year. Both the "north Black Sea route" and the "south route" continue to have significance. However, in comparison to the Balkan route, these routes are of subordinate significance to Germany.

For cases in which an indication of origin of the heroin seized in Germany could be ascertained, imports from the Netherlands were by far the largest group, followed by imports from Belgium.

Insofar as heroin seized in Germany was intended for further transport to other countries, Italy and Norway in particular were recorded as the destination countries.

Opium

Opium seized in Germany was in particular smuggled in from the Netherlands, Turkey and Iraq.

Cocaine

Both of the most important cocaine delivery gateways into Europe were, by some margin, the port cities of Rotterdam in the Netherlands and Antwerp in Belgium.

The smuggling of cocaine into Germany was in most cases carried out from Brazil and Ecuador and the Netherlands respectively. Insofar as cocaine seized in Germany was intended for further transport to other countries, France in particular was recorded as the destination country.

Amphetamine

Amphetamine was in the main, as in previous years, imported from the Netherlands.

Amphetamine seized in Germany was destined mainly for the German drug market. If the drugs were to be transported to other countries, Sweden was in particular recorded as the intended destination.

Ecstasy

Seized tablets for which an indication of origin could be determined, originated almost exclusively from the Netherlands. In 2016, Germany was found to be a transit country for ecstasy deliveries, in particular into Turkey.

Crystal meth

Crystalline methamphetamine continues to come mainly from the Czech Republic. Seized crystal meth, which was in transit through Germany, was destined for, amongst other places, Malaysia.

1.1.3 Contextual information on trafficking (T1.1.3)

No information is currently available on this.

1.1.4 Wholesale drug and precursor market (T1.1.4)

Prices

At the end of 2002, the *Land* Criminal Police Offices (Landeskriminalämte, LKAs) and the BKA agreed on an expanded collection of information on domestic narcotics prices. Since then, in addition to the highest and lowest prices, the so-called "predominant market prices" at street and wholesale level have been recorded. Based on an agreement on data collection made at European level on the initiative of the EMCDDA, the BKA has, since 2010, differentiated for the first time by trafficked/dealt volume, from 0.5 to <1.5kg (respectively 500 to <1,500 consumption units (CU)), 1.5 to <10kg (1,500 to <10,000 CU) and 10 to <100kg (10,000 to <100,000 CU). To ensure the collection of data on prices is as representative as possible, data is generally collected at four to six selected locations across the *Laender* (by police offices in urban and rural areas) and then transferred to the respective LKA. The LKAs compile the data sent by the testing points and any further available information and report

the current market prices of narcotics in their *Land* to the BKA once a year in a standardised table. Based on this data, the BKA calculates the average narcotics prices for Germany.

The drug prices arrived at in this way can only be taken as approximate values, particularly since differences in the purity of the drugs is not taken into account and the quality categories can be different. A further difficulty is the fact that prices are only known in connection with relatively few cases, meaning that random effects are able to influence the figures.

In 2010, the EMCDDA published a manual with guidelines on data collection for narcotics prices at street level. In addition to describing methodological difficulties such as geographic coverage, representativeness and weighting, the manual also contains examples of narcotics price calculations from several European countries. In France, Norway and the Netherlands, for example, expert groups from the health sector and criminal prosecution, or from various social "scenes", provide estimates of current narcotics prices (EMCDDA 2010). An overview of the prices of different drugs in various quantity categories is shown in Table 2.

Table 2 Prices of various drugs in small and large quantities (€), 2016

	0.5 to <1,5kg or 500 to <1,500 CU	**1.5 to <10kg or 1,500 to <10,000 CU**	**10 to <100kg or 10,000 to <100,000 CU**
Heroin	30,500	20,000**	
Cocaine	42,380	35,000*	
Amphetamine	3,188	3,558	1,809*
Ecstasy/Tablets	2,961	2,300*	1,200**
Cannabis resin	3,110	3,400	2,500**
Herbal cannabis	5,122	4,067	
Crack			
LSD/Trip			
Crystal meth	33,938*	40,000**	
Raw opium	5,500**	4,000**	

* Mean value is based on a very small amount of data (less than five *Laender*)

** Value based on figures received from one *Land* only

BKA 2017, data delivery.

1.1.5 Retail drug and precursor market (T1.1.5)

In its annual Federal Situation Report on Narcotics, the BKA published the average prices of different drugs at street-level dealing (Table 3).

Table 3 Street-level prices of various drugs (€), 2016

Heroin	Cocaine	Amphetamine	Ecstasy tablets	Cannabis resin	Herbal cannabis	Crack	LSD trip	Crystal meth
47,50	75,80	11,80	7,80	8,60	10.00	83.3*	9,30	87,30

* Value based on figures received from one *Land* only

BKA 2017, data delivery

Purity

In addition to ascertaining prices, the BKA also investigates the purity of different drugs on the market. Samples taken from drug seizures serve as a basis for the analysis of purity and potency. For better comparability, the contents of psychotropic ingredients are related to the chemical form of the base, irrespective of the form in which the substance in the illicit preparation is found. All figures given may only be interpreted as approximate values because large fluctuations in purity levels of the individual seizures can lead to marked random effects. As the distribution of values diverges considerably from the normal distribution, median values are used instead of arithmetic means.

The figures presented are based on data provided by the BKA upon request of the DBDD. The purity is broken down into three areas, in line with the seized quantities: street level dealing (<1g), retail (1g to <1,000g) and wholesale (≥1,000g). Results are presented in a differentiated manner to the extent that a marked difference can be determined in purity at wholesale and street dealing levels. The reason for this is that in most cases the substances are increasingly cut from the wholesale to the street dealing level for profit maximisation purposes. In addition to data regarding purity, the most frequently found cutting agents are also reported. Insofar as these have a pharmacological effect (e.g. caffeine), they are categorised as adulterants, otherwise they are categorised as diluents (e.g. sugar).

Amphetamine

In 2016, 3,860 data sets (2015: 3.496) were reported and analysed. Amphetamine preparations usually arrive on the German drug market in cut form. Categorising by collective weight was therefore not undertaken.

The trend since 2012 of rising purity did not continue in 2016. The median value was 13.8%, representing a slightly decrease since the previous year (2015: 14.6%). As far as adulterants are concerned, caffeine predominated (96.1%) in the 3,350 samples analysed (2015: 2,911). In addition, amitriptylinoxide was reported with a frequency of 1.0%. Among diluents, lactose (12.5%), creatine/creatinine (2.7%), mannitol (1.6%) glucose (1.4%) and citric acid/citrate (1.4%) were the most significant. Furthermore with a proportion of less than one percent, the adulterants 3.4 methylenedioxy-N-methylamphetamine (MDMA), cocaine,

methamphetamine, ibuprofen, paracetamol, phenacetin, tetramisole/levamisole, ketamine, salicylic acid/salicylate, 3.4 methylenedioxypyrovalerone (MDPV), diprophylline, doxepin, N,N-dimethyltryptamine, methoxyamphetamine (PMA), sildenafil, trimethoprim were found along with the diluents taurine, sorbitol, sucrose, starch, cellulose, benzoic acid, inositol, azelaic acid, glutamine/L-glutamine, glutamic acid/glutamate, calcium carbonate, methylsulphonylmethane and fructose.

Cocaine

In 2016, 2,841 data sets (2015: 2,836) were analysed in respect of purity. On the illegal drug market, cocaine is found almost exclusively as cocaine hydrochloride. In 2016, once more only a very few cases of preparations containing a cocaine base were recorded.

The median values have increased from the previous year in all three weight categories.

In street-level dealing, the mean purity (74.1%) has significantly increased on the previous year (2015: 69.0%) and is nearly at the same level as the median value for wholesale quantities, which for 2016 was at 74.6%. This represents a 9.1% increase in purity on the previous year (2015: 65.5%), while the middle dealing/trafficking level has increased by 5.4% to 70.8%. Cocaine samples were less frequently cut than five years ago.

The analysis of the cutting agents produces the following picture:

Among adulterants in the 1,458 analysed samples (2015: 1,710) the following substances were most frequently found: tetramisole/levamisole (77.3%), phenacetin (21.8%), caffeine (9.9%), lidocaine (7.4%), and hydroxyzine (1.0%). The most common diluents were lactose (15.7%), mannitol (5.6%), inositol (2.4%), sorbitol (2.1%) and creatine/creatinine (1.3%). Furthermore, with a percentage rate of below one percent, the adulterants benzocaine, paracetamol, amphetamine, ketamine, tetracaine, iboprufen, salicylic acid/salicylate, N,N-dimethyltryptamine, Carphedon, heroin, piracetam, procaine and yohimbine were recorded along with the diluents glucose, sucrose, starch, citric acid/citrate, sodium bicarbonate, taurine, boric acid/borate, cellulose, talcum powder, calcium sulphate, glutamic acid/glutamate and isoleucin/L-isoleucine.

Heroin

1,779 (2015: 1,818) data sets were reported. At the wholesale level, the mean active substance content has significantly increased compared to 2015, to 45.1% (2015: 36.5%), a value which has not been exceeded since 2009. In contrast, the median values for the middle and lowest dealing levels (22.6% and 19.3%) have not seen a significant change compared to the previous year (22.7% and 19.1%). The following diluents were found in the 1,680 samples tested (2015: 1,691): Caffeine (98.2%) and paracetamol (97.4%) predominated, whilst griseofulvin (2.1%) and methorphan/dextromethorphan (1.3%) occurred markedly less often. The most frequent diluents reported were mannitol (4.8%) and lactose (1.3%). In addition, with a frequency of less than one percent, the adulterants diazepam, cocaine, phenolphthalein, and procaine were found, as well as the diluents sucrose, calcium carbonate, ascorbic acid, glucose and glutamic acid/glutamate.

Cannabis

Since 2006, all participating laboratories have differentiated in their analysis of marijuana between normal herbal cannabis and the flowering tops as the more potent flowering tops have been increasingly appearing on the illicit drug market without the leaves and stalks. The determination of THC-content[1] was carried out in 2016 on the basis of reported data sets pertaining to 3,109 samples of herbal cannabis (2015: 3,396), 8,646 samples with flowering tops (2015: 7,623 and 2,504 samples of cannabis resin (hashish) (2015: 1,851) in the laboratories of the BKA, the LKAs and the customs authorities. In 2016, the potency of the flowering tops was 12.8% (2015: 12.6%), herbal cannabis was 2.4% (2015: 2.3%) and cannabis resin had a potency of 14.0% (2015: 12.4%). The purity of 75 recorded hashish concentrate samples[2] was between 5.3% and 68.8% (2015: 41 samples between 9.5 and 77%).

Ecstasy

In 2015, the purity was reported for a total of 1,916,818 tablets and capsules (2015: 927,385) – referred to in the following as consumption units (CU). 99.6% of all CU (2015: 99.7%) contained one psychotropic active substance. Of these, 3.4 methylenedioxy-N-methylamphetamine (MDMA) dominated with a share of 99.8% (2015: 99.7%) followed by methamphetamine with 0.1% and amphetamine, 3,4-methylenedioxyamphetamine (MDA) and 4-bromo-2,5-dimethoxyphenethylamine (2C-B) with less than 0.05%.

Table 4 Purity of ecstasy in mg/CU in 2016

Active Substance	Quantity	Median
MDMA	8.0 - 462	115
Amphetamine	1.5; 42.1; 82.9*	42.1
Methamphetamine*	13.0; 17.8 **	15.4
2C-B**	11.6***	-

* Only three reported values

** Only two reported values

*** Only one reported value

Note: Purity values were calculated as base.

BKA 2017, data delivery.

The reported combination preparations contained mixtures of MDMA/amphetamine (87.8%), MDMA/MDA (11.7%), and methamphetamine/2C-B. The MDMA/amphetamine preparations contained on average 87mg MDMA and 3mg amphetamine. The mean individual levels of MDMA/MDA preparations were 31mg MDMA and 15mg MDA. Among single substance

[1] As far as the reported potency is concerned, the tetrahydrocannabinol (THC) additionally created through the application of heat is also taken into account.

[2] Cannabis concentrate is an umbrella term for preparations for which the THC content has been increased through an enrichment process (hashish oil, pollinate etc.).

preparations, cellulose, magnesium stearate and lactose were most often recorded as tablet binding agents, among combination preparations it was cellulose. Caffeine was represented in both categories as the most frequent adulterant.

1.2 Drug related crime (T1.2)

1.2.1 Drug law offences (T1.2.1)

Since, in addition to purchasing and dealing/trafficking, the possession of illicit drugs is also prohibited under the law, criminal sanctions are some of the more common associated effects of drug use. The BKA, in its statistical report on drug-related offences, distinguishes between criminal acts in connection with violations of the BtMG (narcotics offences) and cases of direct economic compulsive crime. The former are recorded according to the following three categories of offence:

- General offences under Sec. 29 BtMG (above all possession of, purchase of and supplying small amounts of, so called consumption-related offences),
- dealing/trafficking offences, which cover: illegal dealing/trafficking in and smuggling of narcotics as per Sec. 29 BtMG as well as the illegal import of narcotics in non-minor amounts as per Sec. 30 BtMG,
- other violations of the BtMG[3].

In 2016 a total of 302,594 narcotics offences were recorded in Germany, of which there were 231,926 general offences against the BtMG, 50,236 dealing/trafficking and smuggling offences as per Sec. 29 BtMG, 1,507 cases of importing "non-minor amounts" as per Sec. 30 BtMG and 18,925 other offences against the BtMG (BMI 2017).

Consumption-related/general offences according to Sec. 29 BtMG[4]

This section is about narcotics offences that are classified by police as "general offences"" – due to the surrounding circumstances (quantity, persons involved) - and are therefore considered as consumption-related offences.

The police crime statistics (Polizeiliche Kriminalstatistik, PKS) (BMI 2017) shows that cannabis plays a predominant role also in the case of consumption-related offences: 62.9% of all such cases are based on violations in connection with cannabis. Amphetamine (11.7%,

3 Other violations include illegal cultivation of narcotics (Sec. 29 (1) No. 1 BtMG), the cultivation of, manufacture of and dealing/trafficking in narcotics as a member of a gang (Sec. 30 (1) No. 1, Sec. 30a BtMG), making available financial means or similar assets (Sec. 29 (1) No. 13 BtMG), promotion of narcotics (Sec. 29 (1) No. 8 BtMG), supplying, administering or providing narcotics to minors (Sec. 29 a (1) No. 1, and possibly Sec. 30 (1) No. 2 BtMG), negligently causing the death of another by supplying, administering or providing narcotics for immediate use (Sec. 30 (1) No. 3 BtMG), illegal prescription and administering by doctors (Sec. 29 (1) No. 6 BtMG) and illegal dealing/trafficking in or manufacturing, supplying, possessing narcotics in non-small quantities (Sec. 29 a (1) No. 2 BtMG)

4 The term "consumption-related offences" is used to describe general violations of the BtMG. These consist of offences committed in violation of Sec. 29 BtMG, related to the possession, purchase and supply of narcotic drugs and similar offences.

cocaine (5.2%) and heroin (3.7%), together account for a further 20.7% of the recorded offences. The remaining proportion is split between ecstasy (3.5%), LSD (0.24%) and others (8.1%).

Dealing/trafficking offences[5]

Dealing/trafficking offences include violations committed in connection with commercial/professional dealing/trafficking in narcotic drugs or smuggling larger quantities or offences of illegal import of narcotic drugs. All drug dealing/trafficking crimes recorded by police are – just as with consumption-related crimes – included in this report, irrespective of the outcome of later legal proceedings.

Both in terms of proportion and in terms of absolute figures, cannabis was predominant in dealing/trafficking offences (31,861 offences, 61.6% of all 51,743 dealing/trafficking and smuggling offences), followed by, at some distance, (meth)amphetamine[6] (amphetamine: 5,253; of which methamphetamine: 2,556). 3,247 offences were recorded for cocaine (including crack), 2,634 for ecstasy, followed by 2,397 offences for heroin (BMI 2017).

Economic compulsive crime

Direct economic compulsive crimes are understood to refer to all criminal offences committed in order to obtain narcotic drugs, substitutes or alternative substances. It is mainly significant in relation to theft and robbery. In 2016, 1,834 cases of direct economic compulsive crimes were recorded in the PKS (Bundesministerium des Inneren 2017).

Users of hard drugs who have come to the attention of law enforcement for the first time (EKhD)

Alongside data on narcotics offences, the BKA also publishes statistics on persons who have come to the attention of law enforcement in connection with hard drugs for the first time. These statistics thus represent a sort of incidence measurement. However, the records on these persons as well as other suspects/accused persons, according to the guidelines for police records (Richtlinien über Kriminalpolizeiliche personenbezogene Sammlungen, KpS Guidelines) into the police register, have to be deleted after a certain, legally defined period of time. Provided the person has not come to the attention of law enforcement in the meantime due to a serious or equivalent offence, the length of time such records are kept on file may not exceed 10 years for adults and five years for adolescents, whereby a distinction should be drawn between the purpose of storage and the type and seriousness of the case. For minor cases, the length of time can also be only 5 years for adults. Children are completely excluded from having records kept, since they cannot have a culpability status. In this way, an unknown number of repeat offenders are wrongly classified as "having come to

5 The term "dealing/trafficking offences" encompasses all offences of illegal trading in and smuggling intoxicants as per Sec. 29 BtMG as well as offences of illegal import of narcotics as per Sec. 30 (1) No. 4 BtMG.

6 Up to 2013, crimes in connection with amphetamine and methamphetamine were only listed as a combined total in the PKS. Since 2014, a differentiation has been drawn and the values of amphetamine and methamphetamine specified separately.

the attention of law enforcement for the first time" and therefore the incidence rate can be an overestimate of the actual value. At the same time, however, it must be assumed that many users do not come to the attention of criminal authorities and the records of EKhD underestimate the actual number of first time users. Since in 2015 only 38% of drug-related deaths (of which the use of opioids/opiates alone or in connection with other drug types/substances was in 65% of cases the cause of death) were recorded as EKhD, the BKA assumes that the number of annual first time users of hard drugs should be significantly higher (BKA 2016, communication).

When analysing the trends, it needs to be taken into account that the number recorded for persons coming to the attention of law enforcement for the first time also depends on the intensity of law enforcement: narcotics offences are so-called crimes of low reportability - i.e. the more frequently the police perform checks, the higher the number of crimes become known or detected. A comparison with recorded trends in other areas, for example in the number of treated cases, can help to make a more reliable overall conclusion as to trends.

The recording modalities have been changed in some *Laender* due to data protection law provisions, which thus means that the recording of EKhD in the current reporting year can no longer be compared with those of previous years and thus are not included in the trend. The most recent information available is therefore that from the year 2015, in which the total number of EkhD was 20,890. Users of amphetamines and methamphetamine who have come to the attention of law enforcement for the first time accounted in 2015 for 68.4% of all first-time offenders (cocaine: 15.1%, ecstasy: 12.9%, heroin: 9.0%, other: 2.5%, LSD: 1.4% and crack: 1.1%)[7]. In this statistical documentation, cannabis users are not taken into account since only first-time users of hard drugs are recorded[8] (BKA 2015a).

Convictions under the BtMG

Data for 2016 on convictions under the BtMG is not yet available. According to the criminal prosecution statistics of the German Federal Statistical Office (Statistisches Bundesamt 2017) 55,863 persons were convicted in 2015 under the BtMG. Of those, 1,727 were convicted for illegal import under Sec. 29 (1) No. 2 as well as 46,241 for other violations as per Sec. 29 (1).

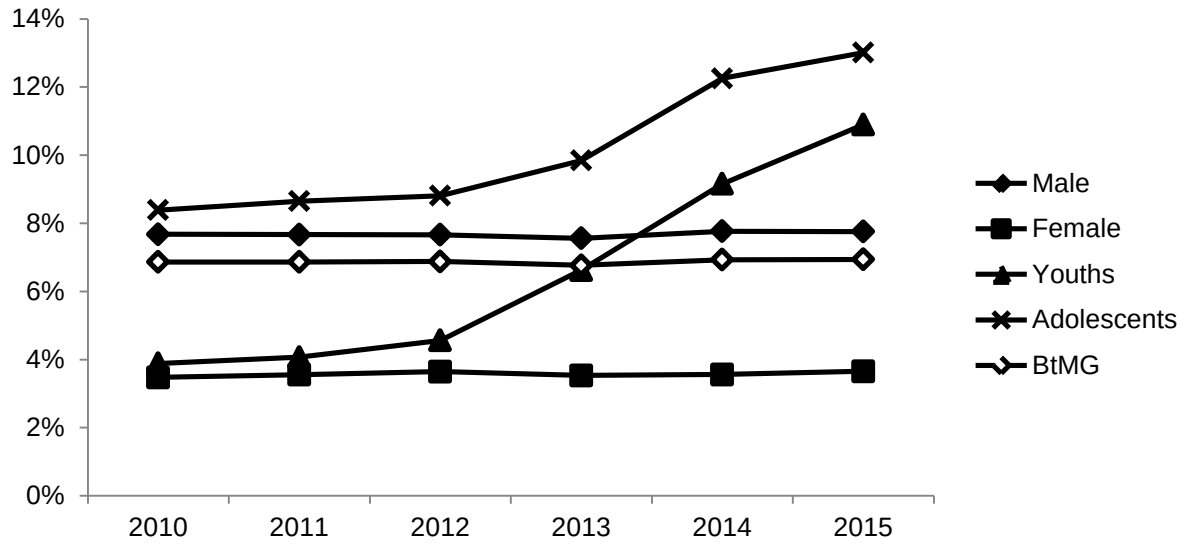
47,380 judgments were issued under general (adult) criminal law and 8,483 under criminal law relating to young offenders. As far as judgments issued in respect of general criminal law

7 Each person is only counted once in the overall figure as an "EKhD". However, to shed some light on the polytoxicomanic use behaviour, it is possible to count one person several times for several drug types, so the percentage breakdown by drug type exceeds 100%.

8 Consumers of hard drugs means consumers of substances and preparations listed in Schedules I - III of the BtMG with the exception of those who exclusively use cannabis products (hashish, marijuana, hashish oil), psilocybin (mushrooms) and of "Exempt preparations". In this context, it is irrelevant how the substances and preparations are taken into the body. Insofar as persons known as being users of hard drugs take so-called alternative substances - "exempt preparations" or other medicinal drugs or substances which do not fall under the BtMG - where narcotics are unavailable, such use is also deemed use of hard drugs.

are concerned, 13,506 prison sentences were handed down – of which 9,192 were suspended sentences - and 33,874 fines were imposed.

Convictions issued for violations of the BtMG in 2015 accounted, as in previous years, around 7% of all convictions (Figure 1), whereby the proportion of convicted males (7.8%) was considerably higher than that of convicted females (3.7%). Amongst adolescents, the proportion of convictions due to violations of the BtMG amounted to 10.9% of all convictions, which represents a clear increase from previous years (2014: 9.2%; 2013:6.6%). Among young adults between 18 and 21 years of age, the proportion of convictions related to narcotics offences was also a little higher, at 13.01%, than in the previous year (12.25%), continuing its growing increase from previous years. As a result, narcotics offences committed by this age group have an above-average, and growing, share of overall crime.



Destatis 2017

Figure 1 Proportion of convictions for narcotics among different groups of offenders

As in previous years, about eight and a half times more men than women were convicted for narcotics offences in 2015 (males: 40,579; females: 4,772). According to the Hamburg basic documentation system (Hamburger Basisdokumentation, BADO) (Martens & Neumann-Runde 2016), 43% of opiate clients in 2015 reported currently having problems with the criminal justice authorities. The highest proportion of people in treatment with criminal convictions could also be found in the opiate group (79%). Around two thirds have already been convicted of narcotics offences (63%), over half because of economic compulsive crimes (52%) and a quarter because of bodily injury offences (26%). Men are convicted more often than women in all offence categories and have on average more prison experience (61 months) compared to women (29 months).

One third of cannabis clients has been convicted at least once in their lives, men (35%) more often than women (5%). The most common types of offence in this context were physical assault (11%), narcotics offences (10%), economic compulsive crime (6%) and other

offences at 12%. 23% of male clients and 3% of female clients being treated in connection with cannabis reported having spent some time in detention.

Over half of cocaine users in care had been convicted at least once in their lives (males: 60%; females: 18%). 24% had been convicted for physical assault, 23% for narcotics offences, 22% for economic compulsive crimes and 6% for driving under the influence of alcohol or drugs. 48% of male and 10% of female cocaine users report having had experience of prison and 48% report having current problems with the criminal justice authorities (men 55%, women 11%).

Overall, 37% of all clients first documented by the BADO in 2015 had problems with the justice authorities (including those with an alcohol problem). This represents an increase of ten percentage points in comparison to the previous year and interrupts the downward trend which had stopped between 2007 and 2014. The number of clients with experience of prison also increased in 2015 to an average of 31% (2014: 17%) and is thus, after a considerable decline, once more at 2007 levels.

1.2.2 Drug related crime outside of drug law offences (T1.2.2)

Drug use and road accidents

Since 2003, the German Federal Statistical Office has also provided annual figures in its Report on Road Accidents on whether operators of motor vehicles involved in accidents were under the influence of intoxicating substances other than alcohol (Destatis 2017). Since 1998, driving under the influence of drugs has been legally classified as a regulatory offence[9]. This also applies to cases where lack of fitness to drive could not be proven. The recommendations of the so-called Commission on Legal Limits (Grenzwertkommission) can serve as a starting point for the thresholds of each substance. These are 1 ng/ml for THC, 10 ng/ml for morphine, 75 ng/ml for BZE, 25 ng/ml for ecstasy, 25 ng/ml for MDE and 25 ng/ml for amphetamine (Burhoff 2006).

In 2016, there were a total of 308,145 police-registered accidents on German roads with injury to persons, with 381,000 car drivers involved. In 55.4% of cases, the accident was self-inflicted.

Of these, 13,403 people involved in the accidents (3.5%) were under the influence of alcohol and 1,843 (0.48%) were under the influence of "other intoxicating substances" (Statistisches Bundesamt 2017). However, as there are considerable difficulties in detecting drug use in comparison to alcohol, one still has to assume that drug-related cases are under-represented in German road accident statistics involving intoxication.

The police need reliable and rapid methods in order to be able to carry out drug screening tests in a short time at the roadside on drivers who are suspected of being under the influence of drugs (Musshoff et al. 2014). Although oral fluids may be suitable for testing

9 A list of the relevant substances can be found at: http://www.gesetze-im-internet.de/stvg/anlage.html [accessed: 28 Aug. 2017].

drivers under the influence of drugs at the roadside, the testing equipment for oral fluids is still not yet sensitive enough (for example for methamphetamine, benzodiazepine) and too unspecific (for THC). The poor assessments of benzodiazepine tests could be due, among other things, to the low number of positive test results. Although the sensitivity of the test procedures for THC is somewhat higher than described in the literature, the test specificity (of <90%) still leaves a lot to be desired. Furthermore, the specificity of the tests suffers from reduced thresholds, which leads to many false positive test results.

Crime experienced by drug users themselves

The Hamburg BADO shows a proportion of approximately 55 % of new clients who have already had experience with physical violence (Martens & Neumann-Runde 2016). As for experience of sexual violence, the proportion was 19%.

Comparing the different substance groups, one finds that the clients who have sought help from the Hamburg outpatient addiction support system for opiate-related problems are particularly affected in this respect. Among these, almost three quarters stated in the current reporting year (2015) that they had already been victims of physical violence (73%; women 81%; men 70%) and more than one in four had been victims of sexual violence (26%; women 66%; men 10%).

Around half of cannabis clients (49%) reported having had experience with physical violence in their lives. 17% report experience of sexual violence, the frequency of which, as with opioid clients, varies greatly between women (42%) and men (11%). Violence perpetrated by the client themselves was reported by 42% of males and 22% of females (overall: 39%).

Over three quarters of female cocaine users (76%) and two thirds of the male clients (67%) have been the victim of physical violence at some point in their lives. Over half of the women (57%) reported experience of sexual violence (men 8%). Over half of the men (62%) and a third of the women (34%) had themselves been physically violent towards others (overall: 57%).

1.3 Drug supply reduction activities (T1.3)

1.3.1 Drug supply reduction activities (T1.3.1)

Drug related crime within the meaning of the police rules encompasses all crimes in connection with the misuse of substances and preparations which are subject to the BtMG, of other medicinal drugs or other substances which are used as substitute/alternative substances by drug users (violation of German Medicinal Products Act, Arzneimittelgesetz, AMG), the illegal handling of base materials under the German Precursors Monitoring Act (Grundstoffüberwachungsgesetz, GÜG), as well as of new psychoactive substances (NPS) as per the German New Psychoactive Substances Act (Neue-psychoaktive-Stoffe-Gesetz, NpSG), and direct economic compulsive crime (offences for direct obtaining of narcotics or substitute/alternative substances).

The police and customs authorities pursue the objective, with intensive, preventive and repressive measures, on the one hand of reducing the demand for drugs and on the other of reducing the supply and manufacture of drugs.

The prioritised tasks of the police, in connection with the prosecution of offences under the BtMG, can be outlined as follows:

- Prevention of the illegal cultivation or illegal production of drugs,
- Prevention of import, transit and export of drugs
- Breaking up international, organised illegal drug trafficking
- Seizure of illicit drugs
- Investigation and confiscation of illegal profits from drug trafficking.

2 Trends (T2)

2.1 Short and long term trends in the drug market (T2.1)

Indicators of the situation on the illicit drug market are, in addition to the perceived availability and supply of illicit substances, also the number and size of seizures, prices and potency or purity of the substances. In order to obtain a real understanding of new drugs, their structure and effects, considerable effort and expense in the form of complex chemical analyses is necessary. Such analyses are carried out, for example, by the Forensic Science Institute (Kriminaltechnischen Institut, KT 45) of the BKA. Information on seizures is also available from the BKA or from the LKAs.

One indicator for trends is the number of seizures, whereby a differentiation is made between the quantities involved (Figure 5) and the number of cases of seizures. Due to an adaptation data protection rules, the LKAs' data collection modalities have changed in a few *Laender*, which has affected the registration of cases of seizures last year, so that the data from the BKA's drugs data file from this year can no longer be compared with the data of previous years. For this reason, they will not be illustrated in the current reporting year. An overview of the trend in cases of seizure up to 2015 can be found in the Drug Market and Crime workbook from last year (Schulte et al. 2016).

57% more heroin has been seized in 2016 in comparison to the previous year. This is attributable to a number of individual seizures of which there were none in the previous year. Individual seizures of 81kg in Berlin and 40kg in Karlsruhe account for more than half of the total quantity of seizures for the entire previous year.

Seizures of cocaine dropped by 40% compared to the previous year, amounting to around 1.9 tonnes. According to the BKA, one striking factor was that considerably fewer "accidental finds" were recorded in comparison to the previous year.

The quantity of marijuana seized in comparison to the previous year increased by more than half (55%), a change also attributable to the increase in sizeable individual seizures. In comparison to previous years (with the exception of 2014) it was the largest quantity of marijuana seized since 2008.

The substance experiencing the largest increase this year is ecstasy tablets (129% compared to the previous year). With over 2 million tablets (CU) this is the highest value since 2002, with the exception of 2014 (3.2 million CU; 2014 4.5 million CU). The key part of this increase was made up of three major seizures which demonstrated Germany's role as a transit country between the Netherlands and Turkey.

Table 5 Quantity of illicit drugs seized in Germany, 5 year trend

						Change	
	2012	**2013**	**2014**	**2015**	**2016**	**2015-2016**	**2012-2016**
Heroin	241.7	270.2	779.1	209.6	330.0	57%	37%
Cocaine	1,258.4	1,314.5	1,569.4	3,114.4	1,870.6	-40%	49%
Crack	0,5	0,4	0,5	0,4	0,1	-61%	-73%
Amphetamine	1,120.6	1,261.8	1,335.8	1,356.1	1,470.9	8%	31%
Crystal meth	75.2	77.3	74.1	66.9	62.2	-7%	-17%
Ecstasy	313,179	480,839	702,439	967,410	2,218,050	129%	608%
Hashish	2,385.7	1,769.7	1,747.6	1,598.9	1,874.4	17%	-21%
Marijuana	4,942.0	4,827.1	8,211.8	3,851.9	5,954.5	55%	20%
LSD	36,988	35,823	28,596	61,991	35,933	-42%	-3%
Khat	45,270.1	22,794.7	10,227.8	8,231.2	2,367.2	-71%	-95%
Mushrooms	17,3	20,1	13,6	15,6	17,6	13%	2%

* All quantities in kg, except ecstasy and LSD which are in consumption units (CU).

BKA 2017b.

In 2016, 98,013 cannabis plants were seized, 36.6% fewer than the previous year. The increasing number of seized cannabis plants in recent years thus did not continue in the current reporting year. With respect to cannabis seizures, a case is only classified as a plantation where it involves over 20 plants, hence the absolute numbers of seized plants in Table 6 and Table 7 differ. In 2016, this difference amounted to 14,374 plants, significantly more than in the previous year (9,560), however comparable to the years preceding that (2014: 15,346; 2013: 11,119; 2012: 28,242). The number of seized cannabis plants has dropped both outside of plantations (-35.9%) and within plantations (-42.3%) (Table 6).

Table 6 Seizures of cannabis plants

	2011	2012	2013	2014	2015	2016	2015-2016	2012-2016
Total no. of plants	133,650	97,829	107,766	132,257	154,621	98,013	-36.61%	0.19%
Cases	1,804	2,204	2,026	2,400	2,167	n/a		
Plants in plantations	121,799	69,587	96,647	116,911	145,061	83,639	-42.34%	20.19%
Difference	11,851	28,242	11,119	15,346	9,560	14,374		

BKA 2017a.

The largest decline in seizures has been recorded in professional indoor plantations, where in total there were 25% fewer cases and 71% fewer plants seized (Table 7). As far as small plantations were concerned, there were 12% fewer cases of seizures last year, however a 4% increase in the number of plants seized. Thus, it can be assumed that small plantations occur less often but cultivate somewhat higher numbers of plants than previously. While small and large plantations have been seized more often over the years, the number of professional plantations seized has hardly changed in the last 6 years.

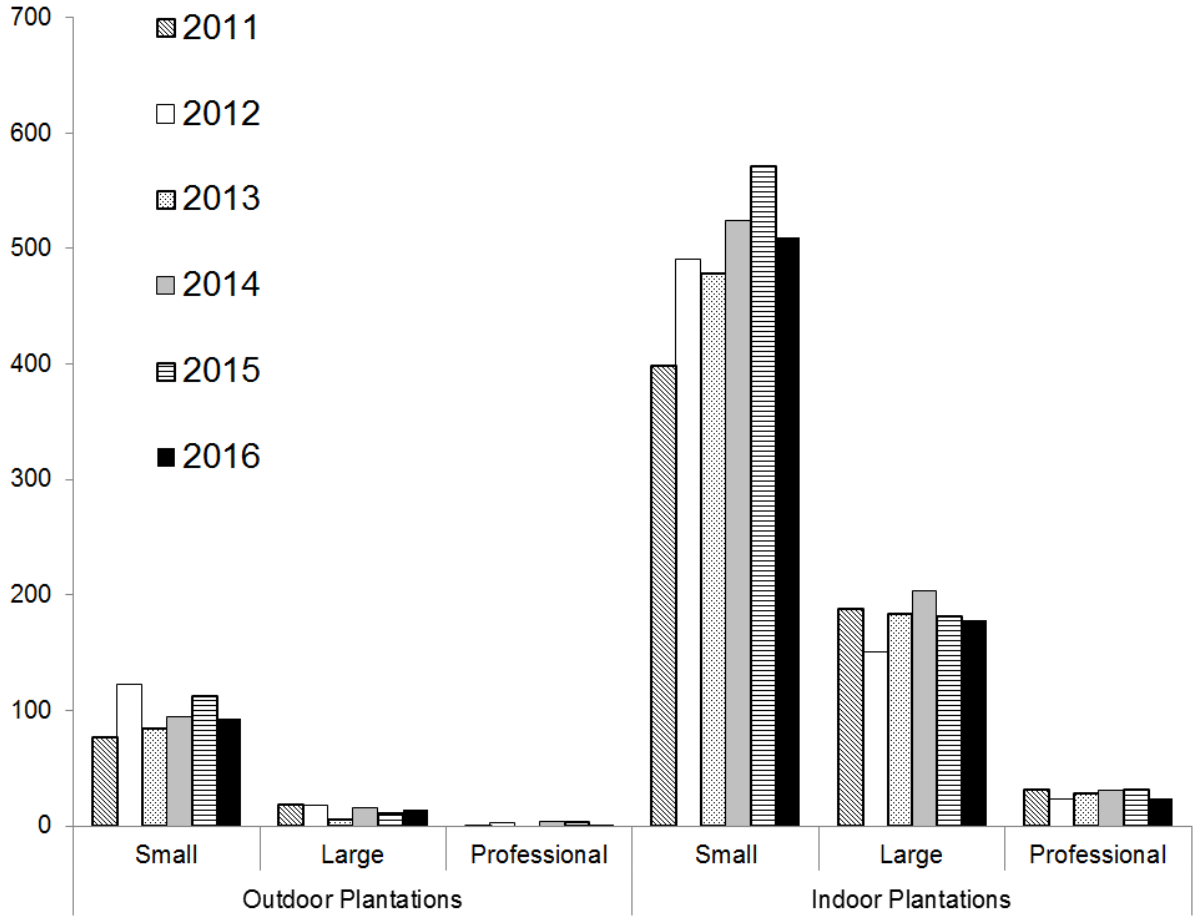
Cannabis plantations

Table 7 Seized cannabis plants in plantations in Germany

		Outdoor Plantations					
		2011	**2012**	**2013**	**2014**	**2015**	**2016**
Small plantations (20-99 plants)	**Cases**	77	123	85	94	113	93
	Plants	2,618	3,487	1,932	2,840	3,427	3,150
Large plantations (100-999 plants)	**Cases**	19	18	6	16	11	14
	Plants	4,043	1,318	944	4,362	1,673	3,144
Professional plantations (>1000 plants)	**Cases**	2	3	0	4	3	1
	Plants	1,000	*	0	146	4,036	0
Total All clients entering treatment	**Cases**	98	144	91	114	127	108
	Plants	7,661	4,805	2,876	7,348	9,136	6,294
		Indoor Plantations					
		2011	**2012**	**2013**	**2014**	**2015**	**2016**
Small plantations (20-99 plants)	**Cases**	399	491	479	524	572	510
	Plants	14,262	14,330	15,565	16,579	16,695	17,777
Large plantations (100-999 plants)	**Cases**	188	151	184	204	182	178
	Plants	46,648	33,494	47,007	48,724	50,292	42,661
Professional plantations (>1000 plants)	**Cases**	32	23	28	31	32	24
	Plants	53,228	16,958	31,199	44,260	68,938	19,661
Total All clients entering treatment	**Cases**	619	665	691	759	786	712
	Plants	114,138	64,782	93,771	109,563	135,925	80,099
		Total All clients entering treatment					
		2011	**2012**	**2013**	**2014**	**2015**	**2016**
Small plantations (20-99 plants)	**Cases**	476	614	564	618	685	603
	Plants	16,880	17,817	17,497	19,419	20,122	20,927
Large plantations (100-999 plants)	**Cases**	207	169	190	220	193	192
	Plants	50,691	34,812	47,951	53,086	51,965	45,805
Professional plantations (>1000 plants)	**Cases**	34	26	28	35	35	25
	Plants	54,228	16,958	31,199	44,406	72,974	19,661
Total All clients entering treatment	**Cases**	717	809	782	873	913	820
	Plants	121,799	69,587	96,647	116,911	145,061	86,393

*The plantations were either completely cleared, external circumstances pointed to the professional cultivation, or the plantation concerned was used to grow industrial hemp.

BKA 2017a.

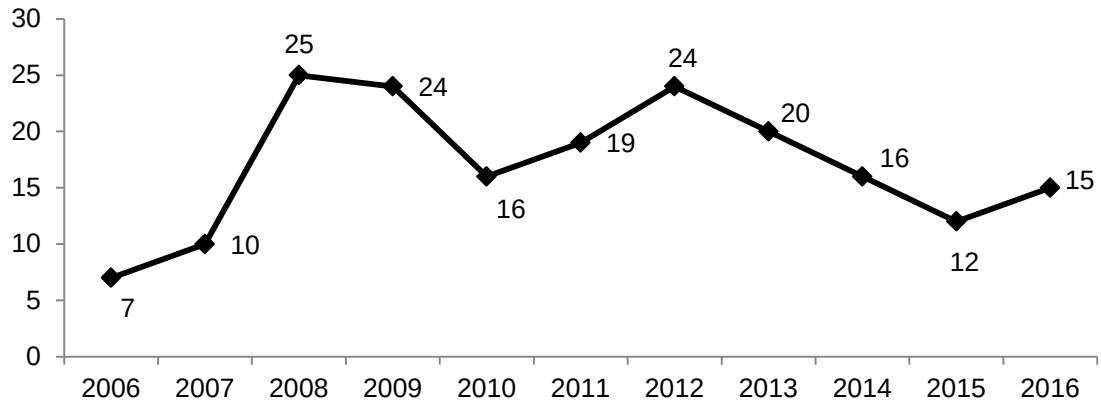


BKA 2017a.

Figure 2 Seized cannabis plantations in Germany

Narcotics laboratories

Figure 3 shows the number of narcotics laboratories seized since 2006, which has continuously dropped since 2012 and in the last year slightly increased again.



BKA 2017a

Figure 3 Number of seized narcotics laboratories

Narcotics prices

After an international expert group, overseen by the EMCDDA, initiated a harmonisation of the data collection procedures for wholesale drug prices in Europe, wholesale quantities have been divided, since 2011, into the categories 0.5 to <1.5kg (or respectively 500 to <1,500 consumption units, CU), 1.5 to <10kg (1,500 to <10,000 CU) and 10kg to <100kg (10,000 to <100,000 CU) and larger and implemented by the BKA (see also section 1.1.4). Thus, it has been possible to compare data since 2011.

A long term comparison (2007-2016) shows that the street price of crystal meth has increased the most (+35.7%), followed by crack (+27.3%, to be interpreted with caution as it is based on very small amounts of data), cocaine (+11.5%) and Heroin (10.9%). There have only been small changes recorded in the prices of amphetamines (-1.8%), cannabis resin (+1.8%), marijuana (+0.9%), ecstasy (+0.6%) and LSD (-0.5%).

In comparison to the previous year there have been no notable price differences at street-level dealing. Only the price of crack seems to have increased (+14%). As this value is only based on the data supplied by one *Land* however, this should be interpreted with caution (Table 8).

Table 8 Trend in average narcotics prices at street-level dealing (€)

	Heroin	Cocaine	Crack	Ecstasy	Amphetamine	Marijuana	Cannabis resin	LSD	Crystal meth
2007	35.6	63.3	55	6.2	12.6	8.1	5.8	8.8	50.6
2008	36.2	61.6	53.3	6.7	12.3	7.9	5.9	9.0	59.3
2009	36.9	62.4	58.3	6.6	10.5	7.9	6.8	8.4	71.3
2010	36.2	65.6	49.5	6.6	12.5	8.7	7.1	9	67.3
2011	42.4	65.7	58.5	6.6	13.1	8.9	7.2	9.8	78.7
2012	42.9	64.9	--	7.0	14.2	9.1	7.5	10.9	75.3
2013	49.1	68.7	77.5 **	7.9	11.6	9.4	8.0	10.5	79.6
2014	43.5	76.1	125*	7.7	13.1	9.2	8.1	9.2	90.7
2015	50.2	73.8	68.3	7.6	12.4	10.1	8.2	9.3	95
2016	47.5	75.8	83.5 %**	7.8	11.8	10	8.6	9.3	87.3
2007-2016 ***	10.9	11.5	27.3	0.6	-1.8	0.9	1.8	-0.5	35.7
2015-2016 ***	-3.7	1	14	-0.8	-1.6	-1.1	-0.6	-1	-8.7

* Mean value is based on a very small basis of data (fewer than five *Laender*)

** Value is based on figures received from one *Land* only

*** Percentage change to 2007

BKA 2017, data delivery

In the last six years, almost all narcotics wholesale prices (0.5 to <1.5kg) have increased (heroin +24%, cocaine +5%, ecstasy +6%, marijuana +20%, cannabis resin +10%). Only the prices of amphetamine (-34%) and crystal meth (-15%) have fallen (Table 9). Compared to 2015 however, all prices have fallen apart from ecstasy (+4%) and crystal meth (+2%). The largest changes are for cannabis resin and amphetamine, the prices of which have fallen by 14% and 10% respectively and thus are continuing their falling price trend.

Table 9 Trend in wholesale average drug prices (0.5 to <1.5kg or 500 to <1,500 CU)

	Heroin	Cocaine	Crack	Ecstasy	Amphetamine	Marijuana	Cannabis resin	LSD	Crystal meth
2010	24,548	40,383	--	2,797	4,832	4,285	2,836	--	40,000
2011	25,429	45,875	--	2,193	4,453	4,151	2,912	--	35,375
2012	27,444	38,786	--	2,642	4,052	4,488	2,942	--	33,750
2013	30,917	36,500	--	2,664	3,944	4,700	3,088	--	31,733*
2014	26,965	37,891	--	2,780	3,854	4,732	3,296	--	31,250*
2015	33,250	42,820	--	2,842	3,547	5,485	3,630	--	33,333*
2016	30,500	42,380	--	2,961	3,188	5,122	3,110	--	33,938*
2010 - 2016	24 %	5 %	--	6 %	-34 %	20 %	10 %	--	-15 %
2015 - 2016	-8 %	-1 %	--	4 %	-10 %	-7 %	-14 %	--	2 %

* Value based on figures received from one *Land* only

BKA 2017, data delivery

Table 10 Trend in wholesale average drug prices (0.5 to <1.5kg or 500 to <1,500 CU)

	Heroin	Cocaine	Crack	Ecstasy	Amphetamine	Marijuana	Cannabis resin	LSD	Crystal meth
2010	--	--	--	2,725**	3,627*	3,831	1,897	--	--
2011	--	35,400	--	2,808	3,050	3,889	1,929	--	--
2012	21,000*	30,900	--	2,150	3,146	4,120	2,625	--	--
2013	21,250*	35,250*	2,500**	1,567 *	2,500*	3,700	2,650	--	--
2014	22,500*	38,093*	--	2,601 *	2,906*	4,815	2,500*	--	--
2015	19,000*	37,500	--	1,783 *	2,422	4,529	2,488	--	--
2016	20,000*	35,000	--	2,300	3,558	4,067	3,400	--	40,000
2015-2016	5 %	-7 %		29 %	47 %	-10 %	37 %		

* Value based on figures received from one *Land* only

** Mean value is based on a very small basis of data (fewer than five *Laender*)

BKA 2017, data delivery

At wholesale level, from 1.5kg, (Table 10) the largest price increase is recorded for amphetamine, which was 47% more expensive in 2016 than in the previous year and has now reached 2010 price levels again. The second largest price increase was in cannabis resin, which in 2016 was 37% more expensive than in the previous year, followed by ecstasy tablets (+29%) and heroin (+5%). Only marijuana (-10%) and cocaine (-7%) have fallen in price this year.

Purity

Heroin, cocaine and amphetamine

Figure 4 provides an overview of the trend in purity levels for amphetamine, cocaine and heroin since 2005. The purity of amphetamine has continuously increased since 2012 (6.0%) and in 2015 reached the highest value at 14.6% since data collection began in 1997, from which peak it has dropped back in 2016 (13.8%).

At street-level dealing, an increase has been seen in the purity of both cocaine and heroin since 2011. At that time, cocaine came onto the market with a purity of 37.6%. Since then, this has almost doubled, to 74.1% today. A similar story can be seen over the last four years with heroin (an increase from 11.0% in 2011 to 19.3% in 2016), whereby the average purity was much higher in the years prior to 2011.

The purity of cocaine and heroin at wholesale level has shown little variation in recent years. Cocaine has fluctuated between 2010 (72.4%) and 2016 (74.6%), as has heroin similarly (2010: 34.1%, 2016: 45.1%), however in the last three years it has been continously rising again. What is unusual is that cocaine seems to have shown a sometimes higher level of purity at street-level dealing than at wholesale level in past years. This could be due to the fact that these are random samples which are not necessarily representative of the market as a whole and thus exhibit corresponding fluctuations.

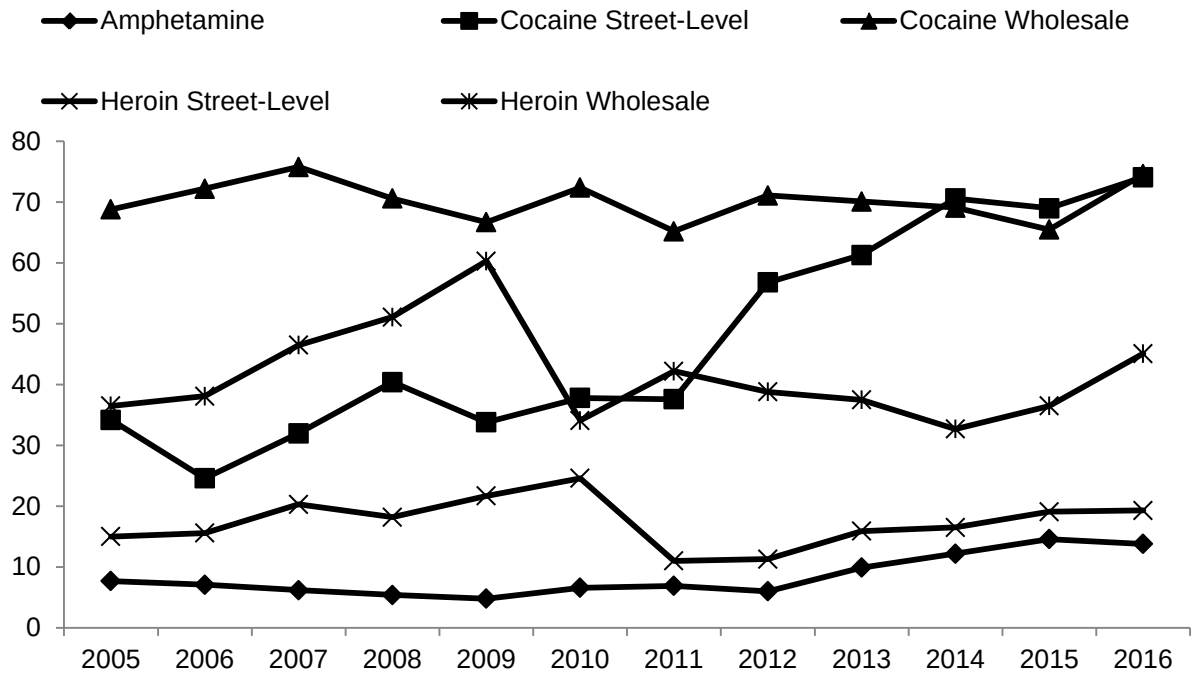


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Figure 4 Purity of heroin, cocaine and amphetamine 2005-2016

Cannabis

The potency of flowering tops has been continuously increasing since 2011 (10.9%) and today stands at its highest observed level of 12.8% (since data collection began in 2005).

Since 2010 (6.8%), the average potency of seized resin has also been increasing, to its current peak of 14%. For the first time since records began in 1997, cannabis resin is thus more potent than the flowering tops of the cannabis plant (Figure 5). The comparatively low potency of herbal cannabis has remained more or less constant, only increasing marginally from 2010 (2.0%) to today (2.4%).

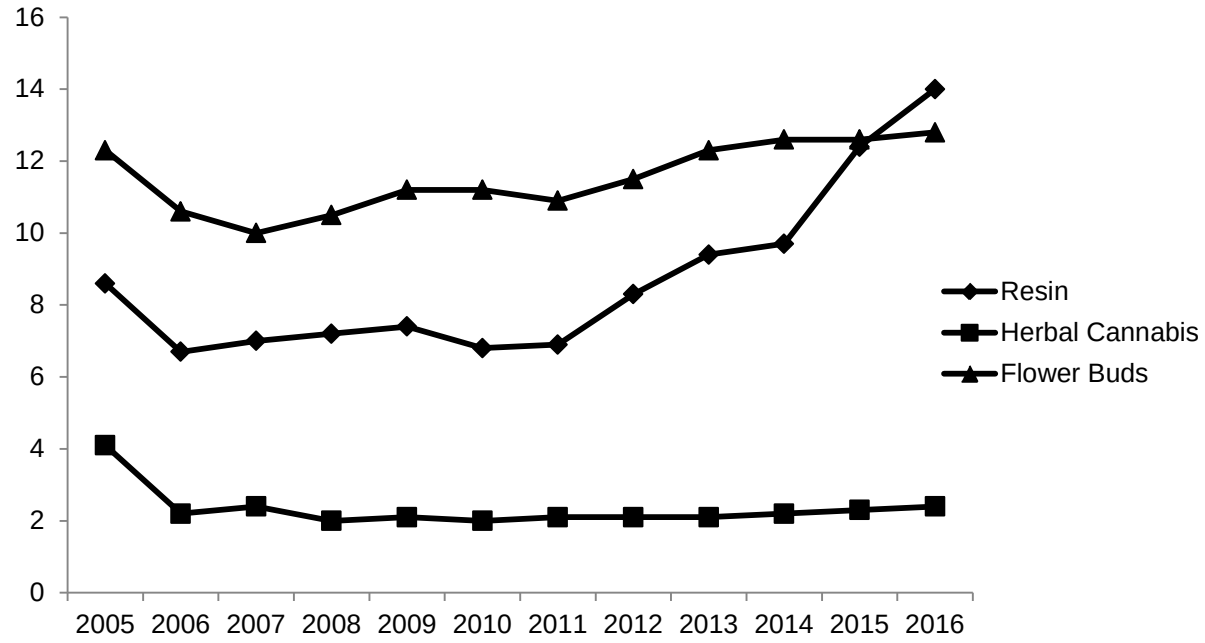

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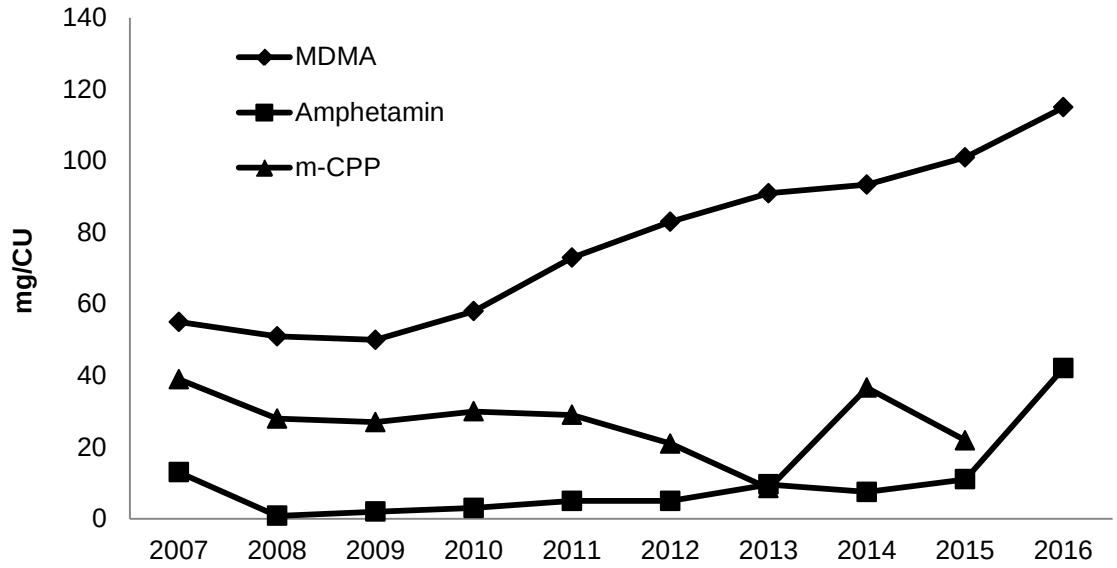
Figure 5 Potency of Cannabis 2006-2016

Ecstasy

Figure 6 shows the purity levels since 2010 calculated as a base for the individual psychoactive substances in single substance preparations. The mean active substance content of MDMA has almost doubled between 2010 (58 mg/CU) and 2016 (115 mg/CU). The most marked increase this year has been in the purity of amphetamine, which has quadrupled in comparison to the previous year (2016: 42.1 mg/CU; 2015: 11 mg/CU). The purity of mCPP in recent years initially fell steadily, with a sharp increase in 2014 (36.6 mg/CU), before in 2015 (21.9 mb/CU) being almost back to 2012 levels (21mg/CU). There are currently no figures to report for 2016.



Note: Purity levels are calculated as base.

BKA 2017, data delivery

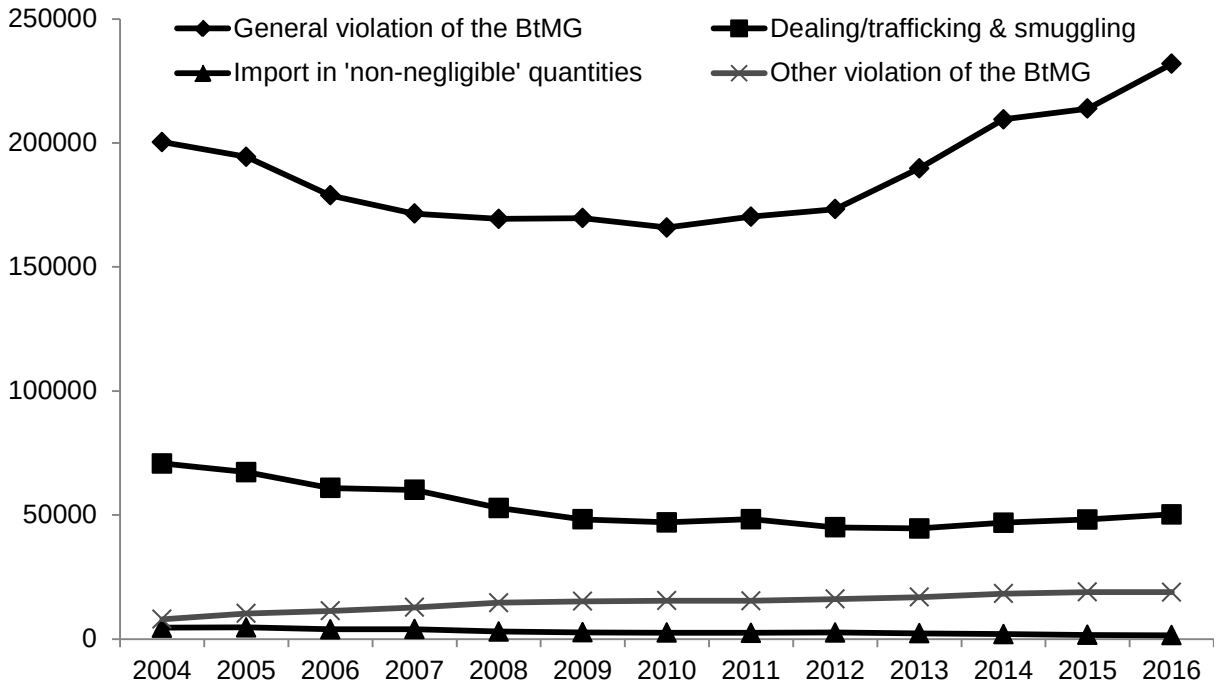
Figure 6 Trend in purity of ecstasy 2007-2016 in mg/CU (median)

2.2 Trends in other drug market data (T2.2)

There are currently no trends on other drug market data to report.

2.3 Short and long term trends in drug law offences (T2.3)

The trend in drug law offences since 2004 is illustrated in Figure 7. Except for general violations of the BtMG, which have increased steadily since 2012 (2016: 231,926; 2015: 213,850 cases) no significant changes can be seen in other narcotics offences in recent years.



BMI 2017

Figure 7 Trend in narcotics offences 2004 - 2016

Economic compulsive crime

The number of offences in the area of economic compulsive crime has fluctuated over the last 10 years (Figure 8) and is now at a new record low of 1,834 since data started being collected in 2004 (the peak was in 2011 at 3,013 offences). In particular, offences in relation to forgery in order to obtain narcotic drugs declined from 2005 (1,262 cases) to 2016 (961 cases), in spite of several fluctuations (hitting a peak of 1,949 cases in 2011). In contrast, theft of narcotic drugs from hospitals has more than doubled (2005: 162 cases; 2016: 359 cases).

In comparison to the previous year, economic compulsive crime has fallen by 1.82%, whereby the number of thefts of prescriptions (-24%) and thefts from doctors' practices (-10%) have fallen the most. In contrast, cases of theft from manufacturers and wholesalers (+16%) and from hospitals (+11%) have increased.

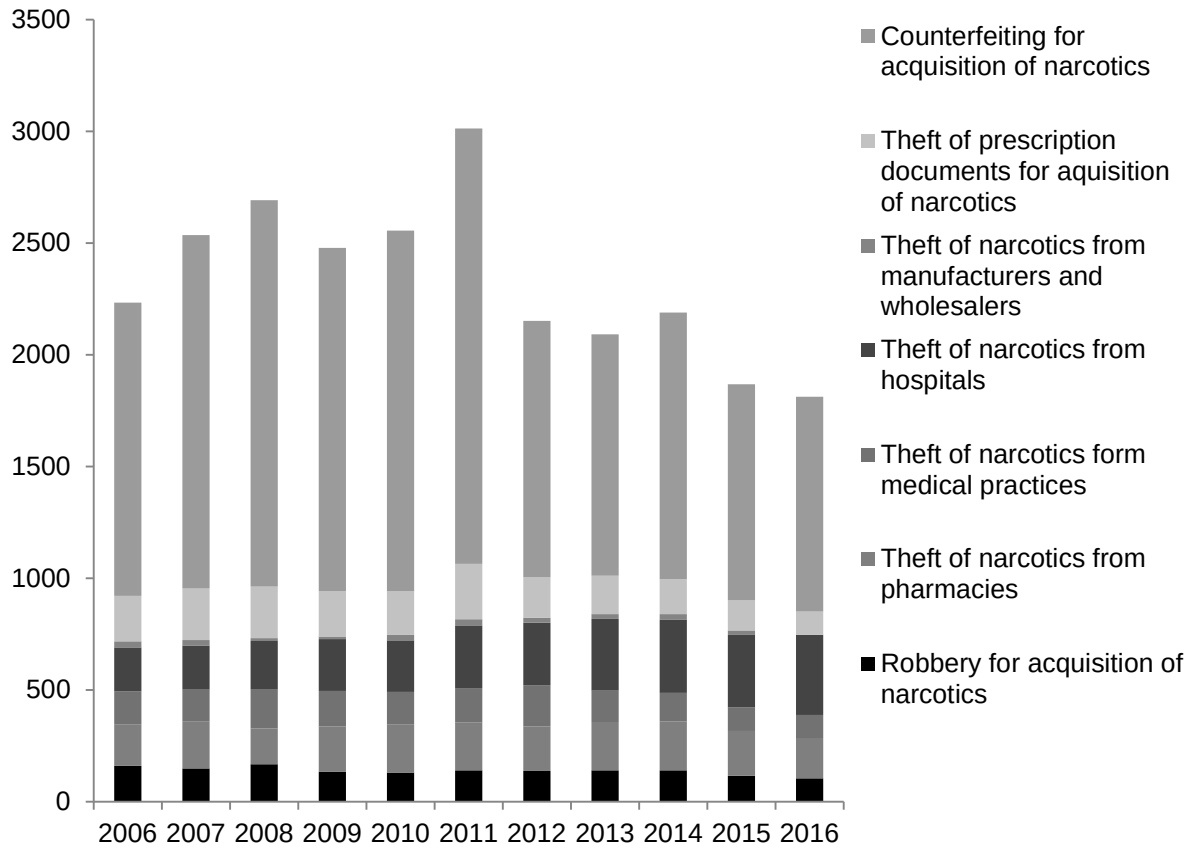


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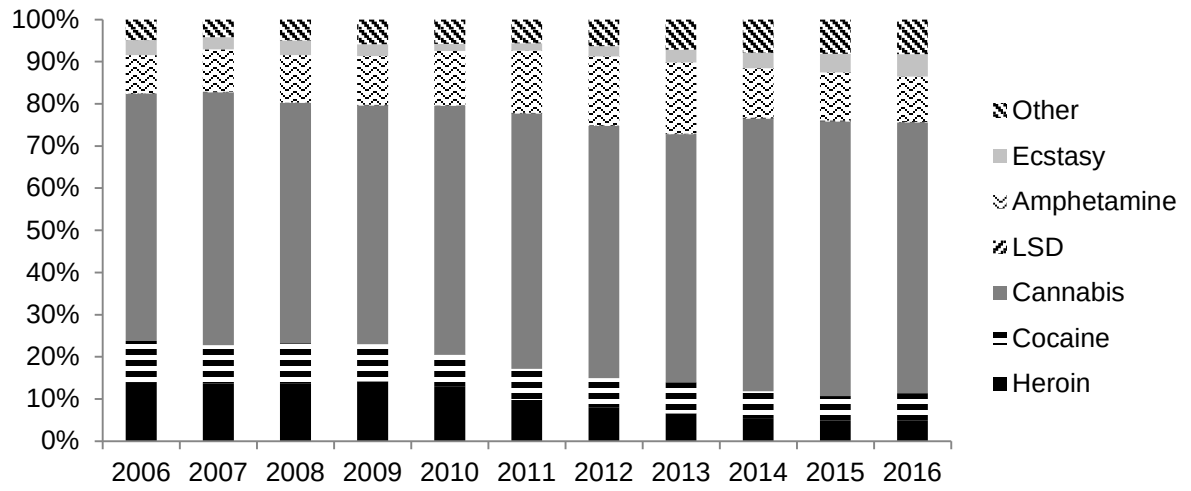
Figure 8 Trend in economic compulsive crime 2010-2016

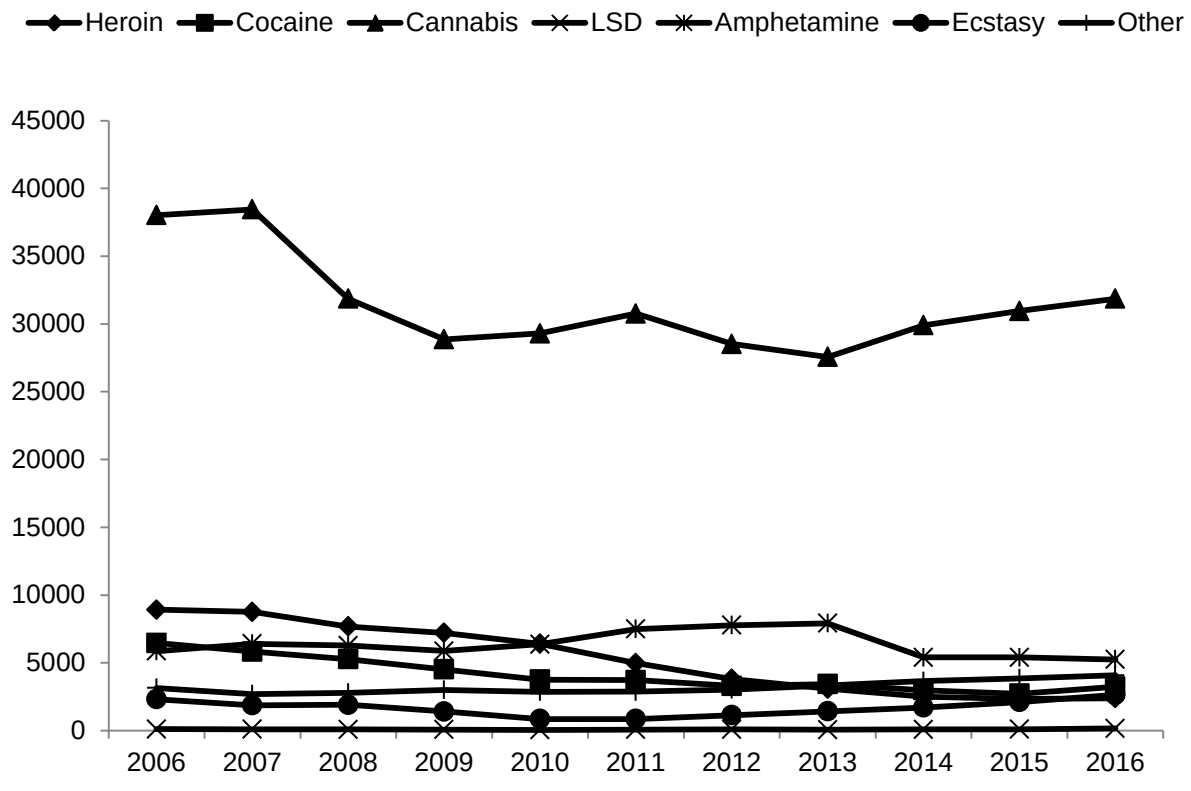
2.3.1 Dealing/trafficking offences (T2.3.1)

Among dealing/trafficking offences, cannabis has constantly played the largest role in recent years (61,6%; 2016: 31,861 offences) and has further increased in recent years (2013: 27,570 offences), although the dealing/trafficking and smuggling offences in relation to that substance have fallen since 2007 (38,029 offences) (Figure 10). The proportion of dealing/trafficking and smuggling offences which involved heroin has been continuously falling since 2010 (2010: 6,403; 2016: 2,397 individual offences) and has thus been behind cocaine in recent years (2016: 3,247 offences, including crack). Both have increased in comparison to the previous year, however (heroin: +2%; cocaine: +19%). Both the proportion as well as the absolute number of dealing/trafficking offences in connection with ecstasy have once again increased in recent years following a temporary fall and are now at a comparable level to that of 2006 (2,320; 2010: 859; 2016: 2,634 individual offences). The proportions of individual drugs in all cases of trafficking offences are illustrated in Figure 9, absolute numbers in Figure 10.



BMI 2017

Figure 9 Trend in dealing/trafficking and smuggling offences (2006-2016), proportions by drug



BMI 2017

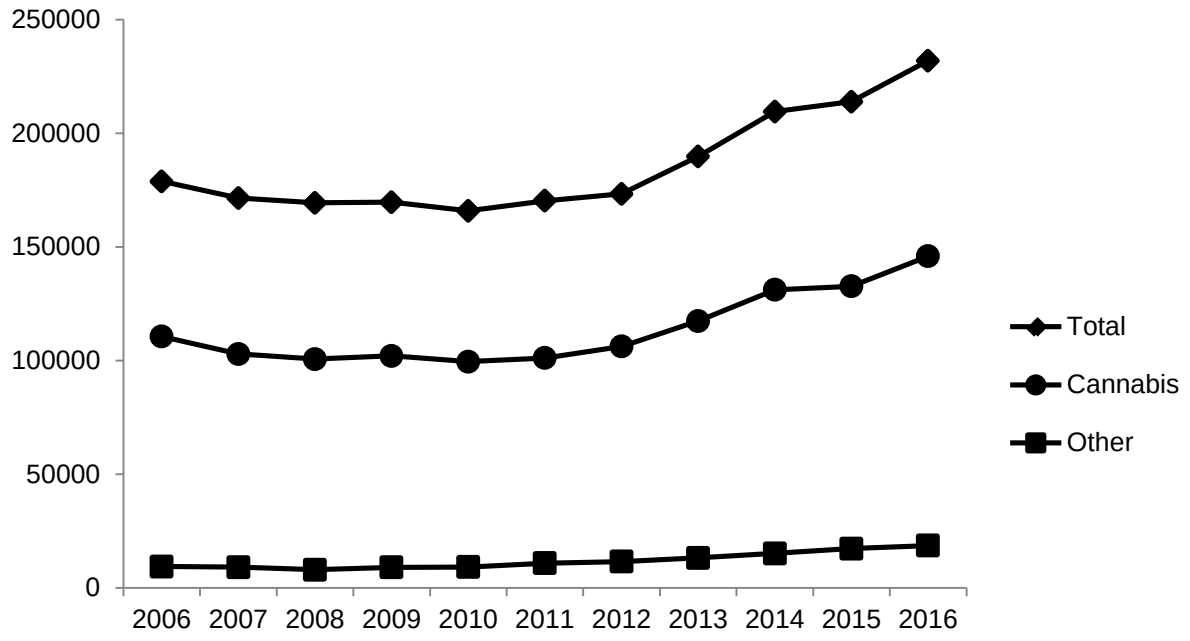
Figure 10 Trend in dealing/trafficking offences (2006 - 2016), absolute numbers

2.3.2 Consumption-related offences (T2.3.2)

In comparison to the previous year, the number of consumption-related offences has increased by 8% overall. In 2016 there were a total of 231,926 offences, with the increase of previous years (+36% compared to 2011) continuing. Cannabis (63%) continues to account for the largest proportion of consumption-related offences, however it only increased slightly in the previous year in comparison to other substances (Figure 12) (cannabis +10%; LSD: +36%, although there were only a small number of cases; ecstasy: +22%; cocaine: +16%).

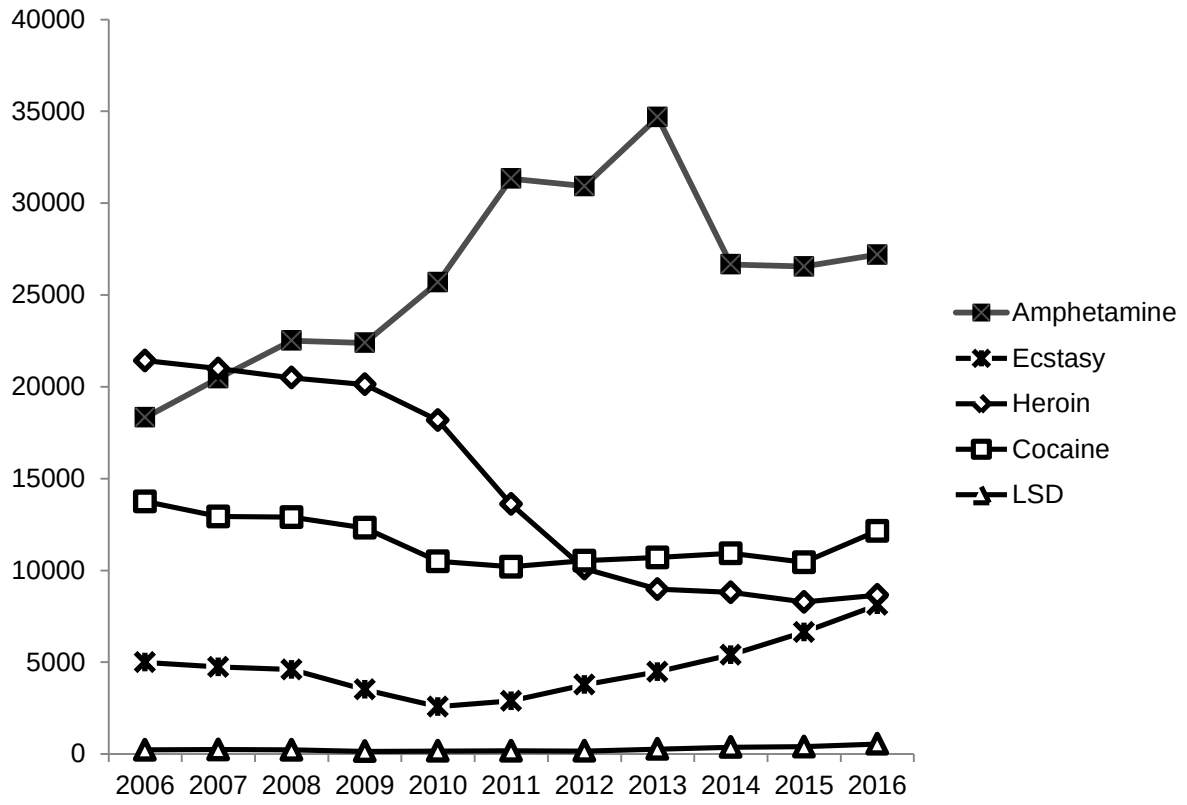
In the short-term 5-year trend, consumption-related offences involving the substances LSD (+216%), ecstasy (+180%), cannabis (+44%) and cocaine (+19%) have increased, while those in relation to heroin (-36%) and amphetamines (-13%) have fallen.

Over the last ten years, consumption-related offences have only fallen for heroin (-60%) and cocaine (-12%). The largest increases have been in consumption-related offences in relation to LSD (+148%), ecstasy (+62%), and amphetamines (+48%).



BMI 2017

Figure 11 Trend in consumption-related offences in relation to cannabis and other narcotic drugs (2006-2016)



BMI 2017

Figure 12 Trend in consumption-related offences in relation to other substances (2006-2016)

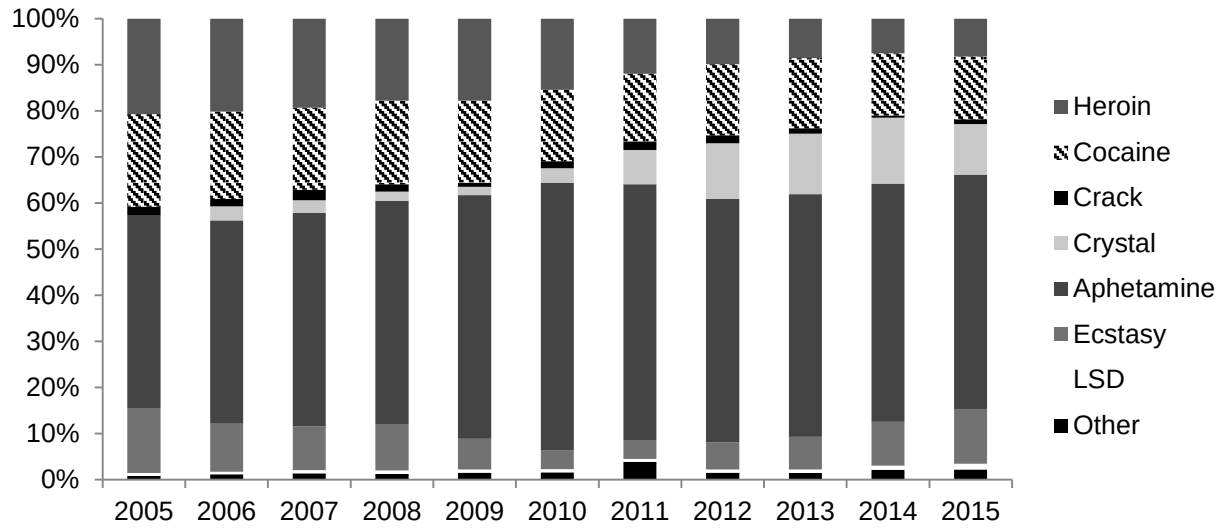
2.3.3 Users of hard drugs who have come to the attention of law enforcement for the first time (EKhD) (T2.3.3)

No conclusions on users coming to the attention of law enforcement for the first time can be made this year due to the above described change in data collection modalities in several *Laender*. The following findings are thus based on the figures from the previous year.

After a continual fall over several years, the total number of EKhD increased from 2010 to 2015 by 12.1% to a total of 20,890. The largest proportion of these (56.3%) is still accounted for by amphetamine users, whereby this proportion has slightly declined in the last five years (-2.3% since 2010, as a proportion of all EKhD: -8.4%). In second place are cocaine users with 3,149 cases (15.1%), followed at 2,705 cases by amphetamine derivatives or ecstasy users (12.9%), a number that has more than tripled since 2010 (840), however which has also been much higher in the past (3,907 cases in 2004). Crystal meth users now constitute a 12.1% share, which represents a slight decrease in comparison to the previous year (2014: 15.6%). The number of heroin users who have come to the attention of law enforcement for the first time has further decreased (from 2010: 17.2% to 2015: 9.0%) whilst crack users continue to represent a relatively low number (2015: 236 EKhD, highest value in the last five years 2011: 438 EKhD, lowest value 2014: 112 EKhD).

A long term comparison shows that the total number of EKhD has increased by almost 5% since 2005. The largest part of the increase is made up of amphetamines users who have come to the attention of law enforcement for the first time, the number of which has increased since 2005 and at 11,765 cases in 2015 represented approx. 56% of all EKhD, a 9.4% greater share than in 2005. The proportion of crystal meth users who have come to the attention of law enforcement for the first time has also considerably increased, accounting for 12.1% of all EKhD in 2015, the number of cases having increased since 2006 (N=681) to 2,532. An overview of the proportions of different substances in the total number of EKhD can be found in Figure 13.

The numbers of EKhD of heroin, cocaine and crack have significantly fallen since 2005 (59.3%, 29.85% and 45.73% respectively). In contrast, the number of EKhD of amphetamine has increased by 26%; an even more marked increase of 94.6% has been seen with LSD, however the overall numbers are considerably lower (2005: 147; 2015: 286).

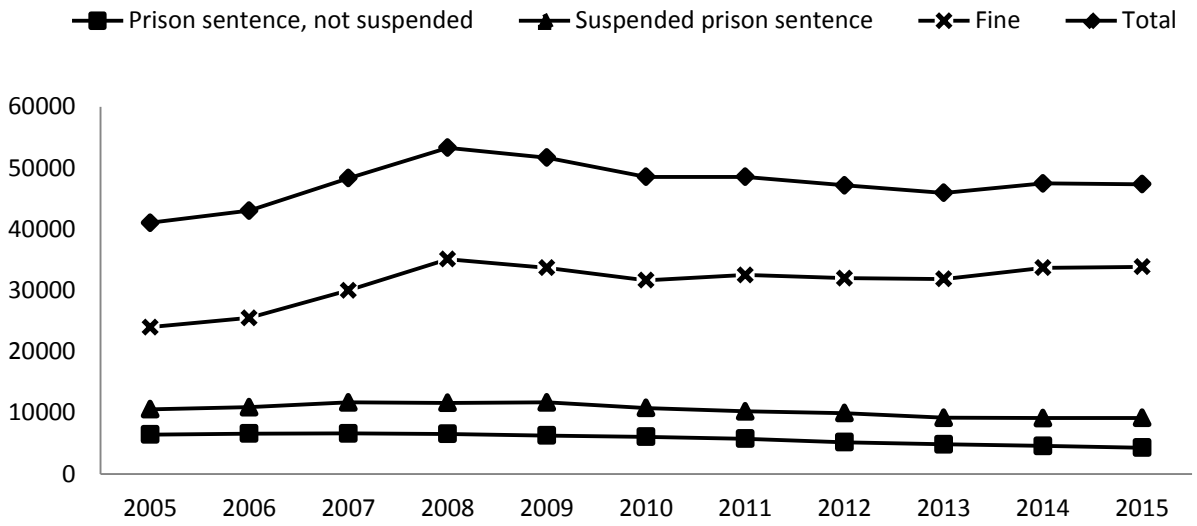


BKA 2017, data delivery

Figure 13 Trend in EKhD 2005-2015

2.3.4 Convictions under the BtMG (T2.3.4)

Following a slight increase in the previous year (47,502 convictions), the total number of persons convicted in 2015 under the BtMG has once again fallen to a comparable value to that of 2012 (2015: 47,380 convictions). The trend in the number of convictions is illustrated in Figure 14.



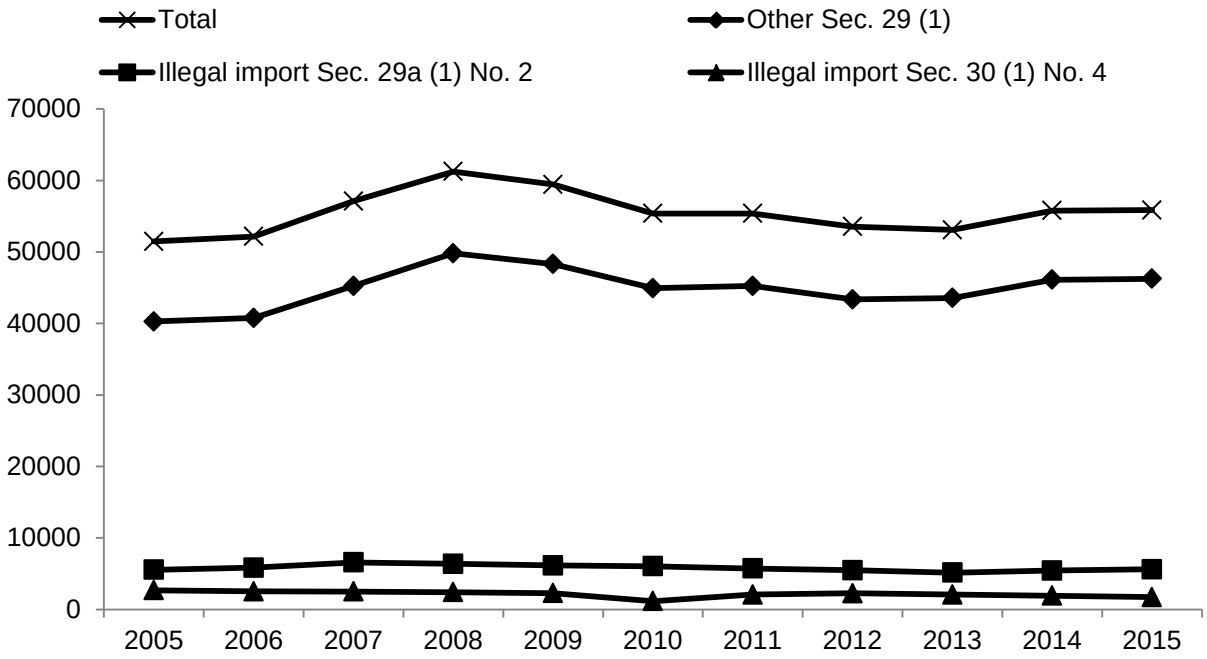
Destatis 2017

Figure 14 Trend in the number of convictions by type of sentence since 2005

Most of the judgments issued were, as in previous years, fines (71.5%). Custodial sentences were for the most part suspended (9,192; 68% of all custodial sentences). Custodial sentences as a proportion of all convictions have fallen sharply over the last ten years (2015: 28.5%; 2005: 41.5% of all convictions). In this context, the proportion of non-suspended custodial sentences fell the sharpest (2005: 15.7%; 2016: 9.1% of all convictions, change: -42%). In contrast, the proportion of judgments which were fines has increased (2005: 58.4%; 2015: 71.5% of all convictions, change: +22.4%).

The distribution across the various types of offence has remained constant over the last 10 years (Figure 15). In the area of the illegal import of narcotic drugs in non-minor amounts (Sec. 30 (1) No. 4 BtMG), a reduction of 35.6% in comparison to 2005 has been observed, in illegal dealing/trafficking, possession or manufacture of narcotic drugs in non-minor amounts (Sec 29a (1) No. 2 BtMG), there has been a reduction of 1.1%. The custodial sentences of up to five years or fines for offences as per Sec. 29 (1) BtMG ("more minor" violations in comparison to non-minor amounts), continue to make up the majority of convictions under the BtMG and have increased by 14.8% since 2005, although they have been even higher at some points during this period (2005: 40,281; 2008: 49,801; 2014: 46,119).

In a short-term comparison to the previous year, the total number of convictions under the BtMG is almost unchanged (+0.1%). Convictions for illegal dealing/trafficking, possession or manufacture in non-minor amounts increased, however, by 3.4% over the same period, while the number of persons convicted for the illegal import of narcotic drugs in non-minor amounts has fallen by 9.7%. Custodial sentences of up to five years or fines have remained unchanged (+0.2%).



Destatis 2017

Figure 15 Convictions under the BtMG

2.4 Trends in other drug related crime data (T2.4)

In relation to the number of police registered traffic accidents involving personal injuries, the downward trend in the number of accidents caused by drivers under the influence of alcohol, which had been apparent since 2003 (with a brief increase from 2010 to 2011) no longer continued (Table 11), instead increasing by 215 cases from the previous year. The proportion of all accidents involving injuries to persons is unchanged at 4.2% (2015: 4.1%).

The total number of vehicle drivers under the influence of other intoxicating substances increased again (+168 cases), however, as in the previous years, they continue to make up only 0.59% of all drivers involved in accidents (2015: 0.54%).

Table 11 Drug use and road traffic accidents, human causes

	Accidents with injuries to persons	Incorrect driving behaviour	Drivers under the influence of alcohol	Drivers under the influence of other intoxicating substances
2003	354,534	443,293	22,674	1,341
2004	339,310	417,923	21,096	1,457
2005	336,619	413,942	20,663	1,343
2006	327,984	403,886	19,405	1,320
2007	335,845	410,496	19,456	1,356
2008	320,649	388,237	18,382	1,440
2008	320,641	388,181	18,383	1,440
2009	310,667	377,371	16,500	1,281
2009	310,806	377,733	16,513	1,281
2010	288,297	350,323	14,237	1,151
2011	306,266	371,821	15,114	1,392
2012	299,637	362,993	14,380	1,393
2013	291,105	350,381	13,327	1,350
2014	302,435	361,935	13,011	1,509
2015	305,659	366,448	12,660	1,641
2016	308,145	369,242	12,875	1,809

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2.5 Trends and development in drug supply reduction activities (T2.5)

No further information is currently available on trends and developments in this area.

3 New developments (T3)

3.1 New developments (T3.1)

No further information is currently available on new developments. The current situation has been reported above in T1.

4 Additional information (T4)

4.1 Additional sources of information (T.4.1)

No additional sources of information are available on this.

4.2 Further aspects (T.4.2)

No information on further aspects is available.

5 Sources and methodology (T5)

5.1 Sources (T5.1)

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5.2 Methodology (T5.2)

German Federal Statistical Office

Administration of justice

The German Federal Statistical Office's data collection is ordered by the *Laender*'s justice administrations for the reporting offices. There is no legal basis for criminal prosecution statistical reports at EU and national levels. Their implementation and execution is based on standard federal administrative orders of the *Laender*. The German Federal Statistical Office combines the *Laender* prosecution statistical reports to create national results. The administrative data of the law enforcement authorities, on which the prosecution statistics are based, are extracted from the case files following the final rulings in criminal proceedings and generally forwarded to the relevant state statistical office at the end of each month.

The criminal prosecution statistical reports are a complete collection of data, which involves the full data collection of the reporting offices. Therefore, no estimates need to be made as to missing data - or reporting offices.

Traffic accidents

The legal basis for the collating of the available results is the "Act on the Statistics of Road Traffic Accidents" of 15 June 1990 (Federal Law Gazette I 1990 p. 1078 et seqq.), most recently amended by the First Act Amending the Road Traffic Accident Statistics Act of 23 November 1994 (Federal Law Gazette I p. 3491) as well as the Ordinance on the Detailed Determination of Serious Accidents Involving Material Damage within the meaning of the Road Traffic Accident Statistics Act of 21 December 1994 (Federal Law Gazette I page 3970) most recently amended by Art. 3 of the Ordinance on the Amending of the Annex to Sec. 24a of the Road Traffic Act and other Rules of 6 June 2007 (Federal Law Gazette I p. 1047).

Accordingly, federal statistics are produced on accidents causing death or injury to persons or damage to property, due to vehicle traffic on public roads and spaces.

The police stations whose officers have recorded the accident are obligated to report the information. Consequently, statistics are only recorded for such accidents which the police attend. The basis for the road traffic accident statistics is the information on traffic accident reports transferred on data storage media as well as the reports on any accidents involving damage to property, which as per the law are only recorded in terms of numbers by location.

BKA

The Federal Situation Report on Narcotics is an annual summary of current police knowledge of the situation and development of narcotics drugs crime in Germany. The situation report includes firstly the drugs data file which serves the BKA as the collection medium for the data from the LKAs. In 2016, the data collection modalities of several *Laender* were amended as per data protection law requirements, which thus means that some data, such as the number

of cases of seizures or the number of EKhD, is no longer comparable with that of previous years.

Moreover, the BKA publishes the police crime statistics (Polizeiliche Kriminalstatistik, PKS) annually, in which the individual constituent elements of criminal acts are coded according to a key. From this, the DBDD calculates the individual criminal acts for different substances.

6 Tables

7 Figures