



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 4 November 2010**

**15799/10**

**CORDROGUE 93**

**OUTCOME OF PROCEEDINGS**

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of: Meeting of the Horizontal Working Party on Drugs  
on: 12 October 2010  
Subject: Summary of discussions

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**1. Adoption of the agenda**

The meeting adopted the agenda set out in document CM 4604/10 with the addition of the following points under AOB:

- An information from COM on illegal drug supply
- An information from PL delegation on ‘legal highs’

**2. Prevention of harm associated with the use of illicit drugs in recreational settings:  
Council conclusions**

The meeting discussed the revised draft Council conclusions contained in doc. 12847/1/10 REV 1 CORDROGUE 68, commenting in particular the difference that could exist between the terms ‘prevention’ and ‘risk reduction’, the term ‘recreational use’ and the term ‘drug free’. As a consequence, a revised version of the text would be sent for final comments and approval via written procedure.

### **3. Mephedrone: Commission proposal**

The Presidency recalled the state of play of the procedure provided by Council Decision 2005/387/JHA regarding mephedrone and stated that at this stage, a COM proposal was expected. The COM representative informed the meeting that a proposal for Council Decision had still not yet been approved because of a delay in the procedure, in particular due to translation issues, but explained COM's intentions in this matter.<sup>1</sup>

Although most of the delegations welcomed the idea of classifying the substance, they were aware that other existing substances had similar structure and effects and still were not under control. Some Member States then informed the meeting that due to the cumbersome and especially the length of the procedure, they had already put mephedrone under control without waiting the COM's position, mainly because they estimated that a rapid response was necessary whenever a dangerous substance came into the market and they stressed that EMCDDA's reports should be enough to allow Member States to take individual national actions without waiting for a common proposal to be adopted. As a consequence, they pointed out that a revision of the procedure was to be considered.

In this regard, a COM representative informed that the COM was in the process of conducting an evaluation of the procedure provided by Council Decision 2005/387/JHA in order to check its efficiency and possibly make some changes and that they were planning to present their conclusions on the assessment in the first quarter of 2011.

### **4. Good practices for prevention, treatment, harm reduction and rehabilitation**

A Belgian expert presented the framework for minimum quality standards and benchmarks in drug demand reduction and informed that the basis for this initiative was Action 19 of the EU Drug Action plan 2009-2012. The expert also explained that an EU model of minimal quality standards was to be prepared and this implied drafting a proposal on the basis of the detailed inventories that would be provided for consultation to all project partners in the drug demand areas.

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<sup>1</sup> Subsequent to the meeting, the COM issued a proposal for a Council Decision on submitting 4-methylmethcathinone (mephedrone) to control measures, set out in doc. 15330/10 CORDROGUE 89.

A representative of EMCDDA presented a new portal on good practices for prevention, treatment, harm reduction and rehabilitation which was developed as a response to Actions 17 and 19 of the EU Drug Action plan 2009-2012. He explained that the portal compiled the best practises in the field and that information was divided according to the different groups of drug. He then added that three models for prevention, treatment and harm reduction had been developed on the portal so far and that information was constantly updated.

The BE delegation then informed the meeting about a recent study on evidence-based work in drug addiction care and explained that the findings demonstrated that guidelines on treating drug addicts were efficiently used. However, he stressed that the guidelines should be introduced gradually, using some training, because he noted that the individual needs of the patients were less taken into consideration while applying the guidelines and that clinical experience was necessary to use them.

The HU delegation also inquired if the estimated costs of the proposed best practises of treatment as well as a report on the cost/effectiveness of the guidelines were available. The meeting was informed that such data were not yet available, but will be collected and then reported.

## **5. Request by Bolivia concerning coca leaf**

The Presidency informed the meeting that USA was preparing a “friends of the convention” group to have a wide consultation forum on Bolivia’s request, gave an overview on the issue and recalled that the 31st of January 2011 was the deadline to present a position regarding Bolivia’s request to amend Article 49, §1, c) and §2, e) of the 1961 Single Convention on Narcotic Drugs.

The Presidency explained that the EU could only express a coordinated position and not a common position, since the EU was not a party to the 1961 Convention, so only the Member States who are the contracting parties of the Convention can notify their individual position to the UN. The Legal Service of the Council also added that although having a coordinated position of the EU was not mandatory, there was a need to coordinate the EU position so as not to express contradictory statements. The Presidency then underlined that a combination of the political, legal and health elements as well as the geo-political issues concerning growing coca leaf could bring a coordinated position of the EU.

The COM and the Presidency also explained that no South American country had so far raised any objections, which was a good sign.

A delegation noted that an update of the WHO 1994 report would be necessary to have sufficient scientific evidence regarding the health danger of chewing coca leaf in order to define its position regarding the Bolivian request. The Presidency agreed that there was a real need to update, but explained that there would certainly be no report before the deadline of the 31st of January 2011 even though any Member State as a contracting party to the Convention could seek for such a new report directly from the UN.

Some delegations stressed that beyond legal or health issues, there was also a major political problem as the legalisation request of Bolivia, if accepted, would create a precedent and jeopardize the 1961 Convention as well as the political credibility of the EU concerning its combat against drug and drug trafficking.

## **6. Follow-up to political dialogue with:**

### **- Russia (15 September)**

The Presidency gave an overview of the meeting and about the issues raised. The meeting was especially informed that drug addiction had reached a critical level in Russia and that it was the 3<sup>rd</sup> biggest consumer of drugs in the world after Afghanistan and Iran. The ongoing negotiations between Russia and the EU on the agreement on precursors were also highlighted.

### **- Ukraine (15 September)**

The Presidency gave an overview of the meeting and about the issues raised. The meeting was especially informed that Ukraine adopted a new strategy to fight against drugs for 2011-2015 to be complemented by an action plan.

### **- Andean Community (11 October)**

The Presidency gave an overview of the meeting and about the issues raised. It was pointed out that 12 EU Member States participated in this meeting which took place within the framework of the follow-up of the summit held in Madrid on 19 May 2009.

## **7. Preparation for dialogue with:**

### **- The USA (17 November)**

The Presidency informed the meeting about the draft agenda, which was sent to the US mission for comments. FR delegation asked to add the issue on Afghanistan to the agenda as the US changed their strategy towards Afghanistan. COM also informed the meeting about a video conference organized on 1 October 2010 with the US Department of State and reported about the US policy which consists of denying visas to people convicted but also to people only suspected of drug trafficking or corruption. During this video conference, COM explained to the US the Schengen visa system and why the US system could not be adopted at the EU level. Furthermore, the US was invited to a Schengen counsellors meeting held in Africa on an ad hoc level.

### **- The LAC countries (17 November)**

The Presidency outlined the possible issues to be discussed during the forthcoming meeting with the LAC countries and explained that this meeting was necessary to prepare the high level meeting to be held normally in Colombia during the HU presidency. The Presidency also informed that a draft agenda will be delivered after a meeting with the Columbian embassy.

## **8. Other business:**

### **- Information from COM on illegal drug supply:**

The COM made a presentation on how to improve the collection of data on drug markets, drug-related crime and drug-supply reduction measures in the EU

### **- Contribution by the Belgian Presidency at the Ministerial Conference of the Pompidou Group (Strasbourg, 3 and 4 November 2010):**

The Presidency asked delegations for comments or suggestions in order to integrate them into the speech of the Belgian Health Minister who will intervene during the opening session of the Conference.

- Information from PL delegation on 'legal highs':

The first information on 'legal highs' were given on internet in 2008. The product was available in very attractive packages on website as there was a special marketing aiming at targeting young people. Then, shops selling the substance started to be opened, so to solve the problem, the PL health minister initiated a two phase process: new legislation was being prepared on fighting the drug abuse and research was done to evaluate the substance. In May 2009, a new amendment was introduced regarding the law fighting the drug abuse in order to restrict the possibility to legally have this product on the market, but the expansion of the market did not stop. Therefore, in July 2010, a new piece of legislation was adopted by the Polish parliament which was aiming at enabling Poland to better monitor dangerous substances and not specifically only 'legal highs'. In parallel, campaigns are conducted and special web pages set up to trigger the awareness of the population at risk of the dangers of the substance.

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