



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 20 November 2012

16281/12

**CORDROGUE 88
USA 30**

OUTCOME OF PROCEEDINGS

of: Meeting of the Horizontal Working Party on Drugs and the USA
on: 9 November 2012
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. CM 5048/12.

2. Relevant developments in the drugs situation and policies in the EU and in the US

The Presidency informed the meeting about the preparation of the new EU Drugs Strategy to be adopted by the end of the year and the representative of the Commission gave an overview of the drug-related legislative proposals under preparation. The representative of the EMCDDA presented the findings of the latest EMCDDA annual report on the drug situation in Europe, explaining that traditional drugs were competing with the new drugs in the market.

The US delegation informed the meeting that their national antidrug strategy was issued in the summer and was focused on health and science-based approach with drug prevention, treatment, recovery and alternatives to incarceration as its pillars. The speaker expressed belief that such approach had yielded positive results concerning the decrease of drug abuse among youth and of cocaine consumption in the US.

He also noted that the US was confronted with a growth in the use of new psychoactive stimulants, in response to which legislation was passed adding a number of these substances to the list of prohibited drugs. The abuse of prescribed medication was still an issue, however, some progress with the pharmaceutical industry had been achieved as the prescriptions were controlled more efficiently (i.e. software was promoted to track the use of multiple prescriptions) and the medical community was becoming more aware about the risks.

As regards drug trafficking, large flows of synthetic drugs from the southern US border and from Canada continued to be observed, in addition to significant production of synthetic drugs within the US. A similar situation existed for marihuana. The speaker noted that for the first time the seizures of synthetic drugs at the southern border exceeded those of cocaine, which demonstrated that synthetic drugs were a growing problem.

The US delegation also informed the meeting that Washington and Colorado voted to allow the recreational use of marihuana, but this was subject to implementation. However, marihuana remained a scheduled substance under federal law and the speaker emphasised the US commitment to the three UN drug control conventions.

3. Thematic focus: drug demand reduction in prison settings

The representative of the Commission noted that drug users were overrepresented in prisons when compared to the general population and that drug services in prisons were poorer than those provided in society. Reminding that this issue fell within the national competence of the Member States, the speaker gave an overview of the EU initiatives related to prisons, including the Recommendation on reducing drug-related harms as well as the EU funded "Access" and "Health promotion for young prisons" projects. She also noted that this issue was covered by the current and was included in the new EU Drugs Strategy.

The representative of the EMCDDA informed the meeting about their recent publication concerning drug use in prison and emphasised a strong correlation between drugs and prisons. Data demonstrate that half of the prison population have used drugs at least once in their life (Zurhold, 2005), and that between one-third to three-quarter of problem drug users have ever been in prison (Ravndal & Amundsen, 2010).

The speaker reported on the prevalence of different drug use in prisons and the main health problems which inmates experienced, mentioning among them infectious diseases, psychiatric comorbidity and mortality in prison (suicide) and after release. The speaker noted that many Member States had improved health care in prisons, however, the gap between drug treatment provided in prisons and in community still existed. He added that only several Member States had a system where drug users could continue substitution treatment in prison. The representative of the EMCDDA concluded that data on the issue was still scarce and that they were working towards establishing common data collection indicators at European level in this respect.

The US delegation noted that the prison population in the US was much higher than that in the EU, but was divided among federal, state and local authorities. It shared the view that a strong correlation existed between using drugs and committing a crime. The speaker explained that drug abuse in prisons was a serious concern in the US and that during the 2011 fiscal year more than 18000 inmates were participating in the residential antidrug programme. The speaker noted that the states had to provide the same level of healthcare to prisoners as that to be provided outside prison and added that programmes aimed at reintegrating prisoners to communities were also developed.

The US delegation gave an overview of innovative programmes implemented at the state level, explaining that Ohio had an innovative nine-month treatment programme allowing prisoners who have completed the programme to reduce their incarceration time, which served as a model for other states. In Georgia a similar six-month programme for prisoners with a serious drugs abuse problem existed.

Also, the US has developed programmes to ensure drug treatment for prisoners operating in twenty countries around the world, with which the US was working. Mexico was named as the country where greatest success had been achieved in this respect.

4. Update on activities in West Africa

The US delegation informed the meeting that the planned G-8 Roma-Lyon group meeting in Washington did not take place, therefore they were expecting to reconvene it in January 2013 in Washington and to hold a discussion on West Africa. The speaker also suggested organising a more comprehensive expert meeting on West Africa in Europe in the first half of 2013 and invited the EU Member States to volunteer to organise such a meeting.

He also stressed that the US supported the involvement of the UNODC in West Africa and reminded that the US was the largest single donor to support the UNODC activities, a number of which were targeting West Africa. The delegation presented the activities dedicated to improve the situation in West Africa and hoped that in the future the resources for funding activities in West Africa would remain robust and would allow to continue their programming.

The representative of the EEAS stressed that the renewal and implementation of the Praia action plan continued to be the central element for the fight against drugs in West Africa. According to the speaker, the plan was good and included all the necessary elements. He expressed satisfaction that the deadlock with the implementation of the plan seemed to have been overcome and welcomed the US proposal to organise an expert meeting on West Africa in Europe. The speaker also agreed on the central role that the UNODC needed to play to fight against drugs in West Africa.

The representative of Europol informed the meeting about the development of the 2013 Operational Action Plan on West Africa, the implementation of which was led by the United Kingdom, co-lead by France and supported by a number of Member States.

5. Discussion on current drugs policy reform debate in Latin American countries

The US delegation informed the meeting that some CELAC states called for organising a UN special session on drugs to discuss possible drug policy reforms in 2014. The speaker reminded that the high level CND meeting was foreseen in Vienna in 2014. Also, financial implications of organising such an event should be considered, as some drug-related projects could be financed by the same funds. The speaker also informed the meeting that a study on different approaches to the drug problem, partly funded by the US, was initiated on the request of the Secretary of the OAS.

The representative of the EEAS named the EU initiatives taken in the region and stressed that the EU would continue to promote the EU approach on drugs calling for balanced, evidence-based and coordinated antidrug policies. The representative of the Commission noted that the EU should be ready to address the issue of the drug policy reform with the CELAC countries themselves and could invite them to use the existing structures, such as CND session in Vienna in 2014. Both sides agreed that the UN conventions were still relevant, but their better implementation could be discussed.

6. Any other business

- *Bolivian re-accession to the 1961 UN Single Convention on Narcotic Drugs*

The Presidency informed the US delegation that the EU Member States had not yet defined their positions, but they were worried about the negative precedent this case would set. The US delegation announced that they were the first ones to have submitted an objection to the Bolivian accession to the Single convention with a reserve. Delegations shared concerns that the results of the Bolivian coca leaf study were not being published.

- *International Conference on Alternative Development*

The delegations shared information on the preparation for the above-mentioned conference to be held on 15-16 November 2012 in Lima

- *UN/INCB synthetics projects*

The US delegation explained their concern about new psychoactive substances and increased movement of precursors around the world and informed the meeting that they were working to support the UNODC PEN online system and other initiatives relevant in this field. The speaker noted that they would introduce this topic in their dialogue with China, however, China together with India were referring to a difficulty to deal with precursors and pre-precursors as most of them were not listed.

The representative of the Commission shared these worries and insisted on the need to increase and strengthen the monitoring of movement of precursors over the world. The speaker informed the US delegation that the EU was in the final stage of closing the agreement on precursors with Russia and was working to revitalise drug precursor agreements with Latin American countries. The EU legislation on precursors was also being revised.