



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 15 November 2011**

**16890/11**

**CORDROGUE 75**

**OUTCOME OF PROCEEDINGS**

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of:	Meeting of the Horizontal Working Party on Drugs
on:	7 November 2011
Subject:	Summary of discussions

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**1. Adoption of the agenda**

The agenda set out in document CM 5120/11 was approved with postponement of the agenda item 8 and addition of the following points under AOB:

- COPOLAD conference;
- Praia action plan on drugs.

**2. Information concerning the proceedings of other EU bodies**

The Presidency informed the meeting that on 27 October 2011 the Council adopted the European pact against synthetic drugs and that on 20 October 2011 COSI adopted Strategic goals related to the EU's priorities for the fight against organised crime between 2011 and 2013, explaining that among seven suggested strategic goals on the priority "Synthetic drugs", two concerned new psychoactive substances. Operational plans will be drafted shortly for the implementation of these goals.

### **3. Commission Communication "Towards a stronger European response to drugs"**

A representative of the COM presented the above-mentioned communication, contained in doc. 15983/11 JAI 769 CORDROGUE 70 SAN 211, which summarises the current drug related threats and enumerates the legislative and other initiatives to be taken by the COM in the forthcoming years. In reply to a remark from one delegation that there was only a small number of initiatives concerning drug prevention, the speaker reminded that drug demand reduction fell within the Member State competence, therefore the Communication enumerated only these actions where the EU had competence. She also noted that all legislative proposals were accompanied by impact assessments. The meeting was informed that a public consultation on the Communication was launched on the website

[http://ec.europa.eu/justice/newsroom/anti-drugs/opinion/111027\\_en.htm](http://ec.europa.eu/justice/newsroom/anti-drugs/opinion/111027_en.htm)

the contributions to which could be provided by the end of January 2012. Delegations were asked to inform the stakeholders about this initiative.

The representative of the COM also noted that a debate was launched with the incoming DK Presidency on the procedure of drafting the new EU drugs strategy and action plan and that it would be a Presidency's decision on how to proceed.

### **4. Council conclusions on new psychoactive substances**

The Presidency presented the above-mentioned draft Council conclusions contained in doc. 16120/11 CORDROGUE 71 SAN 215 explaining that the Presidency's goal was to propose a number of measures to deal with new psychoactive substances efficiently rather than to point out one solution. A possibility to set a European wide definition for these substances was deliberated noting the current "legal highs" term had misleading positive connotations. However, a fear was expressed that it would be difficult to find a term which could be adequately translated into all EU languages and that the search for a common definition could slow down the general agreement on the new mechanism. Several delegations noted that the text should be more affirmative, emphasising the achievements of the current system. Some delegations also suggested replacing the term "ban" with "temporary restriction for the period of risk assessment" when talking about new substances entering in the market.

The delegations were invited to propose further changes to the document by 17 November 2011 at the latest. FR and NL delegations entered general scrutiny reservations on the document.

## **5. Council conclusions on the Road map of cooperation between the EU and Eastern Europe**

The Presidency reported on the EU-Eastern Europe conference "Combating drug crimes" held on 26-27 October 2011 in Warsaw saying that synthetic drugs posed a serious threat in Eastern Europe and that other shared problems were drug transit through Eastern Europe and transit of precursors. He also noted that due to big differences in drug demand reduction in the EU and Eastern Europe, much action should be taken in this field. The Chair informed the meeting that during the conference recommendations were drawn in the field of supply reduction of synthetic drugs and new psychoactive substances, promotion of international cooperation (with a special emphasis on Eastern European countries) and research and monitoring of drug markets.

These recommendations were also used for drafting the above-mentioned draft Council conclusions, contained in doc. 16123/11 CORDROGUE 72 COEST 382. The speaker presented the main provisions of the draft document and the delegations were invited to provide general comments on the text. Some delegations called for more balanced Council conclusions, as they mostly covered the drug supply reduction side. One delegation questioned if the recommendation to organise information campaigns on drugs should not be deleted from the text as its efficiency could be questioned and the Presidency explained that such a request came from the participants of the conference. The representative of the EEAS proposed including provisions on implementation of these recommendations to the document and also asking related Council working groups to examine the document. It was agreed to enumerate the tasks for EMCDDA and Europe in a separate paragraph. A deadline of 17 November 2011 was given to the delegations for proposing further changes to the document.

## **6. National Drug Coordinators' Meeting**

The Presidency presented the forthcoming National Drug Coordinators' meeting to be held on 21-22 November 2011 in Poznan informing the delegations that the main topic of the meeting would be the future of drugs and drug addiction in the EU.

## **7. Summary of the meeting of the liaison officers accredited in Moscow**

The Presidency reported on the above-mentioned meeting held on 12 October 2011 in Moscow which adopted a number of recommendations, including on a need

- to further enhance regional cooperation,
- to step up the degree of operational cooperation by making better use of liaison officers who should meet on a regular basis and not twice a year,
- to guarantee better coordination and exchange of information regarding new ways of drug smuggling and
- to secure a good level of training in fighting against the trade in precursors and synthetic drugs as these issues were not covered under the usual police training.

## **8. Political dialogues on drugs – state of play and the way ahead: discussion**

The Presidency presented the above-mentioned paper, contained in doc. DS 1665/11, aiming to sum up the experience of organising such meetings and to provide some guidelines for the future Presidencies. It was emphasised that these dialogues were expert meetings. Most delegations agreed on the usefulness of introducing thematic debates to these meetings, saying that they should reflect the interest of both sides, be practical and evidence-based, but did not agree that meetings should be held only in English. The need to ensure the continuity of meetings was emphasised, suggesting that several Presidencies could be involved in the process of organising these dialogues and not only the current Presidency. Some delegations stressed the importance of having a clear objective for such meetings before organising them. The representative of the COM also proposed linking more the discussions in the meetings with the EU financial instruments, structuring relations with relevant countries.

One delegation noted that the importance of the participation of the EMCDDA and Europol in the meetings should be emphasised in the document and also suggested tasking the SGC with keeping an up-to-date and complete file of dialogues on drugs. Another delegation reminded that in the past there were meetings organised with the Andean community every year and questioned why this practice was no longer continued. In reply to a remark from one delegation that the recommendations contained in the document should not be of binding nature, the Presidency assured that the Presidency did not have any intention to adopt a binding document.

The representative of the EEAS questioned the legal basis for such meetings after the coming into force of the Lisbon treaty noting that these meetings should stay within the HDG and should continue to be technical and not political meetings.

The Presidency promised to consult with the Legal service of the Council on that.

The Presidency informed the meeting that this document would also be discussed in the JAIEX meeting on 2 December 2011 and asked the delegations to send their written comments on the document by 25 November 2011 at the latest.

#### **9. Preparation for the dialogue on drugs with the US**

The Presidency presented the agenda of the forthcoming EU- US dialogue on drugs to be held on 8 November 2011, contained in doc. CM 5088/11, and mentioned the possibility of introducing thematic debates to these meetings. The Chair also expressed a wish to engage more in coordination of activities rather than a mutual exchange of information on activities.

#### **10. Preparation for the dialogue on drugs with the Russian Federation**

The Presidency presented the agenda of the forthcoming EU-Russia dialogue on drugs to be held on 9 November 2011, contained in doc. CM 4866/11. A representative of the COM reminded about the questions received from the Russian delegation concerning rehabilitation and about the Russian intention to organise study visits to the Member States rehabilitation centres as well as a TAIEX supported workshop on rehabilitation. The Presidency emphasised the importance of these initiatives and the EMCDDA welcomed the Russian interest in rehabilitation and noted that these issues should also be addressed in the future meetings.

#### **11. Responses to the Bolivian withdrawal from the 1961 UN Single Convention on Narcotic Drugs**

The Presidency reminded the delegations about Bolivia's intention for possible re-accession to the 1961 UN Single Convention on Narcotic Drugs but with a reservation and asked delegations if it would be feasible to prepare a coordinated EU position on this subject to be presented at the forthcoming EU-US meeting to be held on 8 November 2011.

Most delegations expressed their concerns about the situation and explained that they were still examining how to react, however, they doubted about a possibility to come up with a coordinated position. It was agreed to request the UN legal service to explain the legal provisions concerning Bolivia's intention.

The representative of the EEAS informed the meeting that the EU was moving towards a broader approach in Bolivia to support their antidrug policy. She pointed out that a recent UNODC report on coca crops in Bolivia indicated a 0,3 percent increase in cultivation and that by the end of the year the UNODC representative might leave Bolivia as it happened in 2009 because of the lack of funds. Therefore she encouraged Member States to examine the opportunity to support the presence of the UNODC in Bolivia.

The delegations were informed that the publication of the coca leaf study had been delayed and that although the EU provided funding for completing the study, it was the task of Bolivian government to publish this study. Some delegations expressed their disapproval with such a situation.

## **12. Drug experts' seminar "Regional cooperation as effective tool in combating of drug crime"**

The Presidency presented the above mentioned seminar to be organised on 15-16 November 2011 in Legionowo aiming at improving cooperation in fighting drug related crime, to which Europol representatives, liaison officers accredited in Poland and Polish officers accredited abroad were invited to participate.

## **13. AOB**

### **- *COPOLAD conference***

The ES delegation reported on the COPOLAD conference on synthetic drugs in Latin America held on 1-4 November 2011 in Cartagena de India, Colombia, in which participants from Latin American countries, EU Member States, international and EU bodies participated.

- *Praia action plan on drugs*

In reply to a question from one delegation why the funds allocated by the COM to implement the Praia action plan were still frozen and if it would be possible to transfer these funds to support other initiatives, the representative of the COM explained that this happened due to the problems related with management of the funds and that the situation concerning the transfer of the funds was not clear. The delegation noted that this issue should be further discussed at the forthcoming HDG meeting.

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