



**COUNCIL OF
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CORDROGUE 43

NOTE

from :	Horizontal Working Party on Drugs
to :	COREPER/Council
No. prev. doc. :	8926/2/03 CORDROGUE 40 REV 2; 12452/2/02 CORDROGUE 81 REV 2
Subject :	Progress in relation to the Implementation Plans on Demand and Supply Reduction of Drugs and the Supply of Synthetic Drugs

In December 1999, the European Council adopted the European Union Drugs Strategy (2000 – 2004), which lays down the overall guidelines and objectives for the European effort in the drugs sphere. The EU Action Plan on Drugs, which transposes the strategy into concrete actions, was adopted by the European Council in June 2000.

Since that time, the Justice and Home Affairs Council has agreed two implementation plans, one dealing with demand and supply reduction (Cordrogue 40 8926/2/03) and another specifically focused on actions to be taken in regard to the supply of synthetic drugs (Cordrogue 81 12452/2/02) in order to give impetus and direction to the implementation of the Strategy and Action Plan.

Implementation Plan on Synthetic Drugs (Cordroque 81 12452/2/02)

This plan stemmed from the discussion by Justice and Home Affairs (JHA) Ministers on 13–14 September 2002 in Copenhagen which concluded that European efforts against drugs should place more emphasis on synthetic drugs. It sets out a number of issues with regard to the supply of synthetic drugs that should be further addressed by the European Union over the following years. These are:

- the supply of precursors to the illicit industry;
- action against illicit laboratories and chemists;
- action against distribution networks and distribution at street level; and
- action against the production and distribution of synthetic drugs outside the European Union.

The document proposes actions to address the problems in these areas and identifies appropriate bodies to take the work forward within specified timeframes.

Implementation Plan on Demand and Supply Reduction (Cordroque 40 8926/2/03)

A note on the mid-term evaluation of the European Union Action Plan on Drugs was agreed at the Justice and Home Affairs Council meeting on 28-29 November 2002 in Brussels. It was endorsed by the European Council at its meeting in Copenhagen in December 2002. This note took forward the conclusions of the Commission Communication on the same subject. The JHA Council's note provided the guidance for the implementation of the EU Drug Strategy and EU Drugs Action Plan for the remaining two years of their term.

Building on the Commission's recommendations in its Communication, the JHA Council's note in particular expressed the need for a more 'outcome focussed' approach and 'more well defined priorities'. It went on to list the areas which should be considered priority areas for action at EU level. The Council considered that there was a general need to increase the application of target dates and defined deadlines in regard to the implementation of individual Union actions. For this purpose, it called on the Presidency to prepare an implementation paper defining timeframes, specific activities and responsibilities for the implementation of action in regard to each of the focus areas pointed out by the Council.

The implementation plan on demand and supply reduction which was agreed sets out actions in the demand reduction field between Member States, new Member States, candidate countries, the Council, the Commission, and the EMCDDA, and in the supply reduction field in order to encourage EU law enforcement co-operation to tackle supply.

Review of the State of Implementation

In accordance with commitment under Action 2.1 of Cordroque 40, that a note should be submitted to Coreper at the end of each Presidency on the state of play, on actions initiated and on actions needed and the call under Cordroque 80, Priority 4.3, that the Horizontal Drugs Group should review progress at a dedicated meeting during each Presidency with a view to monitoring the developments in the drugs field and ensuring the effective implementation of the Action Plan, the Irish Presidency has reviewed progress in relation to both implementation plans.

In this regard, a table outlining the current state of implementation in relation to both plans was produced, with the considerable assistance of the Commission, EMCDDA, Europol and the UK delegation, and circulated by the Presidency. Member States and the relevant institutions were requested to provide updates regarding the progress made in implementing the actions contained in the plans. In addition to providing information as to the state of implementation, the updates provided an opportunity to discuss any difficulties that were being experienced in progressing the plans. The discussion in this regard was held at the Horizontal Working Party on Drugs on 22nd-23rd April.

Outcome of review

Overall, the meeting concluded that the implementation plans have been useful in advancing work in many areas and that progress has generally been good but that further action is still required to complete the plans. In summary, work is ongoing on the Implementation Plan on Synthetic Drugs (Cordroque 81) on almost all actions. Progress is also proceeding well in relation to the Implementation Plan on Demand and Supply Reduction (Cordroque 40), although there are a number of issues outstanding. The details regarding the progress of each action are outlined in the attached documents.

The main outstanding issue relates to the incomplete returns to the Commission regarding anti-drug bilateral assistance called for under Action 11.1(a) of Cordroque 40. To date, only eight Member States have replied and this has hampered the implementation of the remainder of Action 11 which relates to the preparation of a report on anti-drug assistance. In addition, the follow-on actions in relation to tackling the heroin and cocaine routes (Actions 12 & 13) have also not been progressed as a result of these incomplete returns. In this regard, a fresh appeal encompassing all 25 Member States might be the most appropriate course of action.

There are a number of other issues where more progress is required, in particular under Action 7 concerning the collection of intelligence and operational collaboration. Under Action 7.1, relating to the collection of tactical information, Europol report that, although there are still several ongoing difficulties, particularly with national structures and the willingness of some Member States to provide relevant data, on the whole, they have noticed considerable progress with the implementation of this action. In relation to Action 7.2 (Strategic Information), Europol report that the Council Recommendation is still not fully implemented in all Member States and there are a number of operational difficulties. Thus, the overall implementation of this action has been hampered and it also hinders the work under Action 7.4, which calls for the drafting of a threat assessment based on this data.

Further details on a specific action by action basis are outlined in Annex 1 & 2; the summary reports on both implementation plans.

Horizontal Working Party on Drugs

25 May 2004

**Implementation Plan on Demand and Supply Reduction
(Cordroque 40) – Summary Report**

1. Co-ordination

Four actions – one of an ongoing nature, one completed, the remainder due to be completed later in 2004

Of the four actions under this heading, one is ongoing (national co-ordinators meetings) and another was fulfilled in May 2004 (Drugs Strategy Conference). The remaining two due for completion later in 2004, although the indications are that the strategy for co-operation with civil society called for under Action 1.4 will not be completed until early 2005.

2. Information

Eight actions – five of an ongoing nature, three completed

Under the heading of information, there are eight actions, of these, five are of an ongoing nature without specific target dates. The remainder were addressed in 2003 under the Greek and Italian Presidencies.

3. Evaluation

Four actions - all on track for completion later in 2004

There are four actions to be completed in this section of the implementation plan and all relate to the evaluation of the EU Drugs Strategy. These actions are all due for completion in 2004 and although there have been some delays, in particular in relation to the returning of the MS questionnaires, the actions are mostly on track.

4. Demand Reduction

Eight actions – all completed or of an ongoing nature

Demand Reduction is broken down into eight actions under three headings of Reduction of Risks – Treatment, Prevention and Research.

Under Reduction of Risks-Treatment, Actions 4.1 (a&b) relate to the adoption of the Council Recommendation on the prevention and reduction of risks associated with drug dependence (COM (2002) 201), which was adopted in 2003, and its ongoing implementation. Actions 4.1 (c&d) are of an ongoing nature and relate to an overview of treatment responses and establishment of evaluation mechanisms. Action 4.1 (e) relating to the training needs of medical and social professionals in the drug area was addressed by a Council Resolution during the Greek Presidency in the first half of 2003.

In relation to Prevention, Actions 4.2 (a&b) were addressed under the Greek Presidency in the first half of 2003. Under 4.2 (c) relating to early intervention strategies, the EMCDDA, with an expert group with focal point representatives, has developed and is currently assessing a structured questionnaire for information collection on selective and indicated prevention. It will be presented to the November 2004 meeting of the Heads of Focal Points for approval and implementation from 2005 onwards.

In relation to Research, the one action concerning the 6th Framework Programme is of an ongoing nature.

5. Synthetic drugs

Two actions – one completed, the other of an ongoing nature

The Commission has taken into account the external evaluation of the Joint Action on New Synthetic Drugs in drafting of its proposal (Cordroque 90 13821/03) and the remaining action, relating to the follow-up to Council Resolution on the prevention of the recreational use of drugs (Cordroque 2 5095/3/02), is ongoing.

6. Drug use and Social disadvantage

Two actions – one of an ongoing nature, work continuing on another action

The EMCDDA introduced its paper (Cordroque 92 14173/03) relating to the definition of drug-related crime in late 2003 and after discussion, the HDG requested that they continue to work on this issue. The other action in relation to use of Community programmes such as Leonardo and Socrates is ongoing.

7. Intra-European intelligence gathering and operational collaboration

Thirteen Actions – two of an ongoing nature, work progressing on the remaining eight and remainder not due until late 2004.

- 7.1 (Tactical information) – Europol reports that although there are still several ongoing difficulties, particularly with national structures and the willingness of some Member States to provide relevant data, but, on the whole, they have noticed considerable progress with the implementation of this action. 7.1(b) in relation to information storage has been met.
- 7.2 (Strategic information) – Europol report that the Council Recommendation is still not fully implemented in all Member States and there are a number of operational difficulties. Thus, the overall implementation of this action has been hampered and it also hinders the actions under 7.4. 7.2(b) in relation to information storage has been met.
- 7.3 (Forensic information) – The Irish Presidency held a brainstorming session in relation to profiling and the Joint Research Centre will host a follow-up seminar. The remaining actions depend in part on the outcome of these discussions.
- 7.4 (Analysis of intelligence) – The three actions in this regard are dependent on work under 7.1 and 7.2. Europol is in the process of drafting the European Union Situation Reports on Drug Production and Drug Trafficking and on Organised Crime, which will contain most of the elements required. However, not all Member States have yet provided their annual reports.
- 7.5 (Evaluation) – due for completion late in 2004.

8. Survey of training available to Member States law enforcement authorities

Three actions – work progressing on one, with the remaining actions following-on from that work

The CEPOL Governing Board has established a working group to take the work forward. Chaired by the UK, it also comprises representatives from France, Italy, Spain and Greece. It has become clear to the Group that a survey of training available to Member States law enforcement authorities would be a very large undertaking. Accordingly, as an interim step, the CEPOL Annual Programme Committee has agreed to include Drug Trafficking programmes in its plans for 2005, with the following objectives:

- To promote global analysis about organised crime linked to Drugs Traffic, structuring a multi-dimensional profile of the phenomena;
- To make an approach to the management of Police Drug Traffic Squads, looking for a horizon of good practices in a dimension of continuous co-operation among Member States; and
- To design a common plan of co-operation that sets up the mainstays for European police investigation strategies and techniques, such as joint investigation teams or undercover operations.
- The Working Group will continue to research means of defining the gaps in drug-related law enforcement training and will report progress to the CEPOL Management Board.

9. Actions against the proceeds of drug trafficking

Two actions – work progressing

A Target Group has been created in order to progress Action 9.1(a). In this regard, Europol has received proposals to implement and direct the work of the Target Group from France and Belgium and the UK has indicated that it is considering putting forward a proposal. The other action will follow on from this work.

10. Action against distribution at street level and drug related crime

Four actions – two completed with the remainder due for later in 04

The Greek Presidency hosted a seminar on best practice and a report was drawn up as required under the Action 10.1. In relation to Action 10.2, the UK are finalising a funding application to progress the remaining actions in relation to a conference tackling small scale drug distribution.

11. Co-ordination of supply and demand orientated measures in new Member States and candidate countries

Seven Actions – one has been completed, two are of an ongoing nature and work is progressing on another, on which a further three other actions are dependent.

The main issue here relates to the incomplete returns to the Commission regarding anti-drug bilateral assistance (11.1(a)) which has hampered the implementation of the follow-on actions. To date, only eight Member States have sent returns to the Commission which is insufficient for this action to proceed. As per Action 11.1 (c), the Commission has produced a biannual update of contact points on twinning/Phare/CARDS in Member States.

12. Tackling the heroin route

Five actions – one of an ongoing nature, the remaining four dependent on progress under 11.1(a).

The main issue here relates to the incomplete returns to the Commission regarding anti-drug bilateral assistance 11.1(a) which has hampered the implementation of the follow-on actions in this area.

13. Tackling the cocaine route

Six Actions – work progressing on two actions, four dependent on progress under 11.1(a).

Under Action 13.1, “Identifying actions against cocaine supply in the LAC region”, the four actions are dependent on progress under 11.1(a) regarding anti-drug bilateral assistance. In relation to Action 13.2, “Smuggling of Cocaine in the Caribbean”, work is progressing and a number of customs operations have taken place.

10. Tackling the cannabis route from the Maghreb regions and Albania

Two actions – work progressing on both

A Council resolution was agreed under the Italian Presidency in relation to the positing of drug liaison officers to Albania and Europol have included cannabis in its 2004 work programme. Further work is ongoing to develop these actions.

**Implementation Plan on Synthetic Drugs
(Cordroque 81) – Summary Report**

3. Actions regarding the supply of precursors to the illicit industry

Six actions – Work progressing or completed on five, not enough information to fully assess progress on Action 3.6

The expert meeting on the profiling of precursors, with the participation of forensic scientists from Member States, was hosted by the Commission on 13 March 2003 and conclusions of the meeting were presented to the HDG as per action 3.1. In this regard, Europol has developed the European Illicit Laboratory Comparison System (EILCS) and it is being used on an ongoing basis. In relation to Action 3.6, based on the responses received by the Presidency, training for law enforcement personnel to help combat the diversion of precursor chemicals seems to have been made more available, but a full picture of the situation in all Member States is not available.

4. Actions regarding illicit laboratories

Four actions – Work progressing or completed on all

A standard form for collecting information on illicit laboratories and equipment seized has been drawn up as called for under Action 4.1. The framework called for under Action 4.2 is being fulfilled on an ongoing basis through the exchange of information by Europol with Member States through ELOs (European Liaison Officers)/ENUs (Europol National Units) and the EJUP (European Joint Unit on Precursors). In relation to Action 4.3, the EELS (European Ecstasy Logo System) and EILCS systems have been developed by Europol. Finally, in relation to Action 4.4, the relevant meetings took place on 8-10 December 2003. Europol presented a report on the outcome of these meetings to the HDG on 8 January 2004.

5. Actions regarding illicit chemists

Two actions – Both completed

In relation to the common reporting framework under Action 5.1, information relating to illicit chemists is included in the reporting form on precursors, laboratories and equipment under the EILCS system. As per Action 5.2, Europol hosted a meeting on multilateral projects on 10 December 2003 and presented a report to the HDG on 8 January 2004.

6. Actions regarding the distribution networks of synthetic drugs

Three actions – one of an ongoing nature, two completed

The Commission and Europol have prepared the reports required under Action 6.1 and 6.2. Action 6.3 relates to the ongoing use by Member States of the information compiled in those reports.

7. Actions regarding the distribution at street level

Two actions – One is of an ongoing nature and the other has yet to be progressed

The Commission has informed the HDG that the EUCPN (European Crime Prevention Network) is not in a position to implement Action 7.1 and this has prevented further progress in this regard. Action 7.2 is ongoing.

8. Actions in regard to the production and distribution outside the EU

Five actions – Three of an ongoing nature, work progressing on one, another has not been progressed

In relation to Action 8.1, Europol are drafting an overview of drug trafficking within and to the EU which is planned for completion in June 2004. Actions 8.3, 8.4 and 8.5 relating to co-operation on synthetic drugs with candidate countries and Latin America are ongoing. Finally in relation to Action 8.2, Europol did not have the resources to progress this action, but will in any event be working with the new Member States, as they are now full members of Europol.