



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 May 2011

9527/11

CORDROGUE 26

OUTCOME OF PROCEEDINGS

of: Meeting of the Horizontal Working Party on Drugs
on: 5 April 2011
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda set out in document CM 1928/1/11 REV 1 with the addition of the following points under AOB:

- Drugs Coordinators meeting
- Meeting on drug prevention system held in Brussels on 15-17 June 2011

2. European level responses to new drugs trends

2.1. New psychoactive substances

A HU expert gave a presentation on ‘designer drugs’ and ‘legal highs’, their marketing, the main providers, the labelling and the prices. He stressed the growing number of new drugs, mainly coming from current medication for pain disorders and explained that this called for more control. However, effective control is difficult since there is no homogeneous approach in the EU.

The PL delegation reported about the adoption of a new legal definition of the 'legal highs' now called 'substitution substances' and explained the procedure followed to list a substance as a drug. He stressed that the trade of a banned product was penalised, but not the use of 'legal highs'. While 'legal highs' currently attract much media attention because of the existence of a large number of shops and the hospitalisation of around 200 users, legal actions and preventive measures have brought tangible results in terms of public health improvement. The UK delegation informed that legislation similar to the new PL legislation, was currently discussed in Parliament, which would imply the possibility to ban any new emerging substance for 12 months during which analysis would be done.

Some delegations as well as the COM underlined the need for a common approach at the EU level regarding new substances by sharing best practises in the area. One delegation stressed the need to nonetheless take immediate measures on national and local level because the phenomenon was developing swiftly and the market was adapting quickly.

EMCDDA presented the functioning of the Early Warning System regarding new psychoactive substances and outlined the necessity to improve the capacities of laboratories. A delegation expressed concerns regarding the time required in the early warning system to get the confirmation that a new substance is representing a real risk to health.

Another delegation referred to the US and its leading role in the production of designer drugs whereas the EU was leading the market concerning 'legal highs'. According to COM, this phenomenon could possibly be explained by the widespread problem of prescribed medication existing in the US.

2.2. Sharing best practices of drug analysis laboratories

A HU expert gave a presentation on drug analysis in Hungary and explained that seized drugs were analysed in the central laboratory in Budapest or in one of the five regional laboratories and then the results were fed into the nationwide database.

He informed the meeting about the process of sampling, the qualitative analysis and identification of drugs, noting that they had achieved an accuracy level of 95 % in the identification of drugs.

The speaker also pointed out that since HU laboratories proved to be able to provide one of the most accurate results of drug analysis during the Proficiency test of European laboratories in 2007, they were asked to organise the Proficiency test in 2009 for the next 4 years.

Another HU expert gave an overview of the international cooperation in forensic analysis of drugs and the involvement of Hungarian Drug Laboratories in this cooperation. He emphasised the importance of the identification of new psychoactive substances and explained the procedure of their identification. The speaker noted that such substances appeared in Hungary in a great speed with 5 new substances being identified in 2009 and 16 in 2010, among them mephedrone, which spread drastically in a few months. The expert also informed the meeting that mephedrone was put under control in Hungary in January 2011, but that similar substances were appearing in the black market.

3. Review of the West Africa matrix

The GSC presented document 6959/1/11 REV 1 COSI 12 JAIEX 17 CORDROGUE 20 CRIMORG 15 COAFR 70, which takes into account some of the Member States' observations made at or after the last meeting regarding the new format of the West Africa matrix. Some comments were made especially regarding the inclusion of projects related to the fight against terrorism, the definition of organized crime in the matrix and the budget details.

COM informed the meeting that some technical details regarding the hosting of the matrix on the CIRCABC website were still to be clarified. The COM would provide more information on these issues at the next meeting of the HDG.

4. Central Asia

4.1. Preparation for the political dialogue with Central Asia (6 April 2011, CM 2245/11)

The Presidency reminded the meeting about the organisation of the political dialogue with Central Asia on 6 April 2011 and presented the final agenda of the meeting contained in doc. CM 2245/11.

4.2. Drug situation in the Central Asian countries

A representative of CADAP presented the drug situation in Central Asian countries, stating that 91600 drug users were officially registered in the region in 2009 and that the majority of HIV cases were caused by drug injections. He explained that Kirgizstan was a pioneer in needle exchange programmes in 1999 with other countries following, but that these programmes were completely dependant on external donors. The speaker also elaborated on the current practices of drug demand reduction and treatment in the region, noting that the staff of treatment and rehabilitation centres was well qualified and highly motivated. However, a number of gaps exist such as the lack of a treatment assessment system, a limited number of social workers and a very limited access to opiate substitution treatment. The speaker enumerated the past and future CADAP initiatives taken to improve the situation.

The leader of the DAMOS component of CADAP elaborated on the history of drug use in Central Asia, the continuing biological and "infectious" concept of addiction and direct cooperation of the health system with police via non-anonymous "narcologic registers", the drug related HIV infections and cases of viral hepatitis B and C in the region. He indicated that drug prevention in these countries was mostly limited to awareness, raising mass media campaigns and discussions, while selective prevention was so far not introduced.

5. Outcomes of the 54th Session of the CND

The Presidency informed delegations about the resolutions adopted during the 54th Session of the CND and the proceedings of the Session. One delegation noted that thematic roundtable meetings organised during the Session were a step forward, but that more time should be allocated for them. The Presidency supported this position.

6. Aide-mémoire on the Bolivian proposal to amend Article 49 of the Single Convention on Narcotic Drugs of 1961

The Presidency informed the meeting about Bolivia's intention to withdraw itself from the Single Convention and join it again with a special request regarding the coca leaf. According to Bolivia, this compromise should avoid convening an international conference, amending the Convention and the derogation would only concern Bolivia. It was stated that Bolivia has indeed the right to leave the Convention as well as to ask for an exemption and one third of the members of the Convention would be required to reject Bolivia's special request. The latter procedure makes it more difficult to obtain an objection since the procedure foreseen in Article 47 (1) (b) of the Single Convention required only one objection from any member of the Convention to reject the amendment. Furthermore, a delegation stressed the risk of creating a precedent allowing similar opting-out and opting-in from international conventions.

EEAS underlined that Bolivia mainly wanted to find a compromise and not change the Convention, and that to get funding from the EU in fighting drugs, countries had to be a party to the Convention. Moreover, EEAS pointed out the fact that the study on coca leaf was to be finalised in June 2011 and that it would contact the New York delegation to check if other similar cases existed.

Since the request for withdrawal is to be expected on 1 July 2011, the Presidency recalled that the issuance of the study in June could constitute a basis on which EU Member States would be able to take a stand. Furthermore, a delegation reminded that since the EU is not part of the Single Convention, establishing a coordinated position remained important.

7. Preparation for the political dialogue with the Western Balkans (4 May 2011)

The draft agenda as set out in DS 1236/11 was presented by the Presidency, who recalled the meeting that it had been sent to delegations, but that no comments had been received.

8. Preparation for the political dialogue with Turkey (4 May 2011)

The draft agenda as set out in DS 1237/11 was presented by the Presidency, who recalled the meeting that it had been sent to delegations, but that no comments had been received.

9. Preparation for the EU-LAC Technical Committee meeting

The Presidency informed the meeting that the Embassy of Colombia confirmed that the XIII High level meeting of the EU-LAC Mechanism on Drugs would be hosted in Bogota on 28-29 June 2011. Therefore, the Presidency decided to hold an EU-LAC Technical Committee Meeting on Drugs on 2 May 2011.

The BE delegation recalled the proposals raised by the EU side, which consisted of discussions around the creation of drug monitoring observatories and information exchange whereas the LAC proposals were primarily focused on the principle of shared responsibility and on bi-regional partnership.

10. Drug trafficking through the Dominican Republic - information following a meeting of the Heads of Missions to Santo Domingo

COM presented doc. 7612/11 CORDROGUE 21 (RESTREINT UE) and explained that authorities from San Dominica requested last year the help of the EU because a significant increase in cocaine trafficking had been noted.

11. AOB

Russian plans for Afghanistan

In a resolution on a new strategy for Afghanistan adopted in 2010, which also contains a part on drugs, the EP called for drafting a five-year national plan for the elimination of illicit opium crops, promoted through cooperation between the EU and the Russian Federation and also for creating a commission for the implementation of this five-year plan.

EEAS also pointed out that the Russian side was advised not to create new strategies for the time being since other strategies on Afghanistan already existed.

Hungarian Drugs Coordinators meeting

The Presidency informed that the Drug Coordinators meeting was planned to be held in Budapest on 10 May 2011 and detailed the three main topics: dealing between prison and drugs, civil society role in this field and the opportunity for all Member States to evoke any recent developments in the drug field.

COM reported that the work on Action plan measure n° 19 was ongoing and that the Conference on drug prevention systems to be held from 15 to 17 June 2011 would examine inter alia the work done in setting minimum quality standards in treatment.
