

EU-CAN 7TH HIGH LEVEL SPECIALISED DIALOGUE ON DRUGS
BRUSSELS, 21 APRIL 2004

MEETING REPORT

This Dialogue, the 7th since 1995, was held in Brussels on 21 April. It was a very open and constructive meeting leading to the following main conclusions:

- The problem of synthetic drugs is on the rise and is no longer limited to the EU – the CAN side expressed its wish to receive technical expertise from the EU where know-how on the matter is more readily available; it also appreciated the Commission's intention to programme an initiative on synthetic drugs;
- The importance of and the need for an integrated approach to alternative development was underlined;
- The Europol/Colombia Agreement was said to be an encouraging sign of increasing cooperation – the hope was expressed that this first agreement could lead to even further enhanced operational cooperation and that it could also provide an incentive to increased cooperation between Europol and other CAN countries;
- Links between drug trafficking and terrorism would need further attention and would need to be very carefully analysed;
- Following the preceding meeting on precursors (on 20 April 2004), increased cooperation on this matter was noted; the CAN expressed its wish to have the precursor meetings on an annual basis, preceding the High Level Specialised Dialogue on Drugs;
- The CAN expressed its hope that the latest WTO's Appellate Body on the GSP Drugs scheme would lead to re-assuring tangible results as to the continuation of the preferential trade regime the EU has granted the CAN to support its fight against drugs.

It was agreed that the Irish presidency would orally report on the meeting to the EU's Horizontal Drug Group in its forthcoming meeting on 23 April 2004. The Commission on the other hand, would draft a report on the meeting to be presented to the EU-CAN Joint Committee, to be held in Quito on 28 April 2004, and to the EU-LAC Mechanism, to be held in Dublin on 18/19 May 2004.

1. Opening of the meeting and introductory remarks

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The meeting was opened with introductory statements from the co-chairs, Dr. Corrigan for the Irish presidency, representing the EU and Mr. Villagomez for the Ecuadorean presidency representing the Andean Community (the 'CAN' or 'Comunidad Andina des Naciones'). Mr. Duplá del Moral, Director for Latin America in the External Relations Directorate of the European Commission also made a presentation. These introductory speeches all underlined the importance of these frank and open discussions, already the 7th session since the start of the High Level Specialised Dialogue since 1995, illustrating the genuine concern for the global problem of drugs shared by both regions.

The agenda was approved by both sides without additions and the participants introduced themselves.

2. Policy efforts and initiatives in the fight against drugs

The CAN side provided a comprehensive overview of plans and recent events in the CAN's fight against drugs. Specific reference was made to the 2001 'Andean Cooperation Plan for the control of illegal drugs and related offences (CAN Decision 505) and to a recent CAN meeting (in Cuenca, 2/3 April 2004) from which the following priorities resulted: 1) the strengthening of cooperation between CAN countries to coordinate its positions in international fora, 2) the monitoring of chemical substances, 3) the decentralisation of demand reduction programmes and 4) the establishment and/or strengthening of national drug observatories.

The EU presidency provided information on the EU's drugs strategy and action plans existing and envisaged. Reference was made to the EU drugs strategy covering the period 2000-2004 and its corresponding action plan. It was explained that while the implementation of this strategy is currently under evaluation, work is undertaken in parallel to prepare for a new strategy which is intended to cover the period 2005-2012; this strategy would then be implemented through two action plans covering periods of 4 years. Input for the new strategy would be provided through the results of the ongoing evaluation exercise, the outcome of a Conference to be held in Dublin in May 2004, and several discussions scheduled to take place during the forthcoming NL presidency (2nd half of 2004). Adoption of the new strategy is foreseen for end-2004. The European Commission explained the methodology of the evaluation exercise and informed that on the basis of the evaluation, the European Commission intends to present a Communication to the Council and the European Parliament. This Communication should then be the first step towards a new Action Plan, to be developed to implement the expected new EU drugs strategy.

The CAN presidency emphasised the magnitude of the drug-fighting problem, the need to step up joint efforts and the continued need for a focus on demand reduction. It was further underlined that the traditional distinction between producer and consumer countries has disappeared.

3. Follow-up to the EU-CAN VIth High Level Specialised Dialogue on Drugs, Cartagena de Indias, 28th May 2003

The CAN side referred to the specific points discussed during last year's High Level Specialised Dialogue on Drugs in Cartagena and to activities which had been undertaken in these areas since: chemical precursors, money-laundering, alternative development, police cooperation, ... Specific reference was made to the suggestion of a revision of the EU's Regional Strategy Paper in order to focus drug cooperation activities on a series of specific subjects, inter alia on synthetic drugs. The Commission explained how it is

responding to this suggestion (cfr. hereunder, synthetic drugs). The NL delegation provided information on an ongoing project on airport security checks at Schiphol. The ES delegation explained the follow-up it had provided to the Cartagena meeting and referred in particular to an alternative development project in Bolivia, a pilot project in Ecuador and a drug prevention project in Peru. The ES delegation strongly emphasised the need to continue the EU-CAN High Level Specialised Dialogue on Drugs process. Also the IT delegation provided an overview of projects and initiatives launched since last years' meeting.

While thanking the Commission and the EU Member States' delegations and appreciating the follow-up given to last year's meeting, the CAN presidency underlined the need to free further resources in this area where the EU and the CAN have a shared responsibility. The Commission representative used this opportunity to indicate that the reflection on the new programming period (2007-2012) would soon start and that, because of the demand-driven character of the Strategies, the CAN should not omit to highlight in this process that the fight against drugs is one of its priorities for cooperation with the EU.

(a) Synthetic drugs

The Venezuelan delegation highlighted the growing importance of synthetic drugs, not only in Venezuela but in all of the CAN countries; in particular the increase in trafficking and consumption (not yet the production) was underlined. A plea was made for increased assistance from the EU in this area where the know-how of this new type of drugs is more advanced. The Bolivian delegation supported the Venezuelan intervention and confirmed that the same phenomenon is being perceived in Bolivia. Stressing that the drug fighting policy in the CAN had always been focused on traditional drugs, the need for technical assistance from the EU was also put forward.

The European Commission provided information on the Regional Strategy Paper 2002-2006 which, in its current version, recognises drugs as an important destabilising factor in the CAN region and renders cooperation to fight this phenomenon therefore eligible under the strategy. Because the cancellation of another initiative had freed resources enabling the Commission to respond to suggestions made at last year's High Level Dialogue, it was explained that the Commission is currently envisaging a modification of the Regional Indicative Programme (attached to the strategy) in order to programme an initiative on synthetic drugs. The arguments which have led the Commission to select this particular area for assistance were provided and it was appreciated that the CAN interventions were very re-assuring in this respect.

The Europol representative provided a very comprehensive overview of trafficking and abuse of synthetic drugs in the EU with figures on production, seizures, examples of production sites, pictures of production laboratories, industrial and custom-made production equipments, imports and exports and trends. The representative of Europol concluded that patterns of distribution are shifting, that there are changes in market domination, that market saturation is leading to decreased prices and that the global spreading of synthetic drug production is continuing. As a final advice, he stated that more emphasis should be laid on precursors in order to tackle the problem at its roots.

The EMCDDA (European Monitoring Centre on Drugs and Drug Addiction) explained the functioning of the monitoring centre and provided some insights on monitoring results in the EU: for example, it was noted that ecstasy had become the second most popular drug (after cannabis), that new substances were being developed (in order to avoid regulatory penalties) with increased risks as a result, that consumption patterns are similar all over the world and that repressive actions need to be complemented with preventive actions. He concluded by underlining the importance to exchange know-how.

(b) Alternative development

The CAN side provided four comprehensive presentations on alternative development policies, projects and initiatives. The first presentation was made by the Bolivian Vice Minister, Mr. Azad Ayala and focused on the recently adopted 'National Plan on Alternative Development 2004-2008'. The Peruvian Ambassador, M. Urrutia, provided an extensive overview of the results achieved in Peru in 2003 through its Alternative Development Programme and the Colombian Delegation explained its alternative development programme called 'Ranger Families'. Ecuador gave an overview of its recently adopted drugs programme 2004-2008. Most of the presentations were made on the basis of slides of which copies were distributed to the participants of the meeting.

The European Commission representative stressed the importance it is attaching to alternative development in its cooperation activities with the CAN and explained the main elements of its approach to alternative development. The latter was illustrated by an overview of ongoing and planned alternative development projects in Bolivia, Peru and Colombia.

The EMCDDA representative concluded with the suggestion that, after so many years of funding, there is an increasing need for evaluation and communication of results. It was emphasised that such evaluation should be part of any long term strategy.

4. Report on the Agreement between Europol and Colombia

The Colombian delegation and Europol provided information on the recently concluded Europol/Colombia Agreement, signed at the highest level. Both expressed their satisfaction with the signature of the Agreement and the first implementing steps, while underlining their wish to go beyond this rather 'strategic' agreement towards a more operational agreement which would allow for the exchange of personal data.

The CAN side stated its satisfaction with the agreement and expressed its hope that it would be an incentive for the other CAN countries to also start cooperating closer with Europol.

5. Links between drug trafficking and terrorism

Colombia provided an illustrated presentation on the alleged link between drug trafficking and terrorism in Colombia. This presentation was followed by an intervention of the Council Secretariat explaining the EU's activities in the field of the fight against terrorism. Specific reference was made to the EU's Declaration on

combating terrorism, adopted by the EU on 25 March 2004 (a copy was provided to the participants of the meeting).

6. Precursors

The European Commission representative provided a concise overview of the results of the precursor meeting which had taken place the day before on 20 April 2004. She referred to the different subjects of discussion: the 'Operation Purple' and the '6 Fronteras' programmes, the CAN's request for sodium carbonate monitoring and the EU's suggestion to start a voluntary pilot project for a 6 months period, an overview of regulatory developments both in the EU and in the CAN, a description of the new PRECAN project (an EU funded regional precursors project).

The EU presidency confirmed the results of the precursor meeting and praised the excellent cooperation. The wish of the CAN to have this meeting on a yearly basis, back to back with the EU-CAN High Level Specialised Dialogue on Drugs was strongly emphasised and it was regretted that this had not proven possible last year in Cartagena. The Irish presidency noted the request, expressed that this would indeed be desirable and suggested that it would encourage incoming presidencies to take account of his request.

7. State of play of the GSP Drugs scheme

The European Commission representative indicated that the GSP Drugs scheme had been challenged two years ago by India and that the EU had lost a WTO panel on this subject in December 2003. It was further explained that the European Commission launched an appeal against the panel's conclusions and that the Appellate Body had recently issued its judgement. This judgement continues to condemn the EU for the lack of objective criteria on the basis of which the preferential drugs regime is granted to some countries and not to others. It was stressed however that the judgement does allow for differentiation in case objective criteria were established. The Commission indicated that the recent issuing of the judgment has not allowed the Commission yet to formulate a conclusion on what the future of the GSP drugs scheme would be, but that reflections were under way which would be translated into a Commission Communication to be presented to the Council and the European Parliament in the very near future (on the future of the GSP as a whole, and the GSP drugs scheme in particular).

The CAN side expressed its hope that whatever conclusions the Commission would draw, this would lead to a more comprehensive and more permanent preferential trade regime than the one currently existing. By way of conclusion, it was stated that a positive sign was awaited at the forthcoming EU-LAC Summit in Guadalajara at the end of May 2004.

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As a final concluding remark, the EU presidency indicated that Luxembourg, who will be taking over the EU presidency from the Dutch in the first half of 2005, had already expressed its wish to continue this EU-CAN High Level Specialised Dialogue on Drugs next year.