



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 December 2002

15349/02

CORDROGUE 103

NOTE

From : Presidency
To : European Council

No. prev. doc. : 12451/3/02 CORDROGUE 80 REV 3

Subject : Note from the Council to the European Council in connection with the mid-term evaluation of the European Union Action Plan on drugs

1. On 6 November, the Commission presented its communication to the Council and Parliament on the mid-term evaluation of the European Action Plan on drugs (13853/02 CORDROGUE 91).
2. The Action Plan covers the period 2000-2004 and provides in paragraph 2.2 for a mid-term evaluation by the Commission. At its meeting of 14/15 December 2001 in Laeken, the European Council asked for the transmission of a report on the mid-term review.
3. At its meetings of 4 and 11 November 2002 the Horizontal Working Party on Drugs drew up a note from the Council to the European Council in connection with the mid-term evaluation of the European Action Plan on Drugs. Last problems were solved at a meeting of JHA Counsellors on 19 November 2002. The note is in annex.

4. At its meeting of 27 November 2002 COREPER confirmed the agreement on the report that was submitted to the Council on 28/29 November 2002.
5. At that occasion the Council agreed to forward the note to the European Council in view of its endorsement.

Draft note from the Council to the European Council in connection with the mid-term evaluation of the European Union Action Plan on drugs

§ 1. Introduction

1. 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 Unions efforts in the drugs field. The EU Action Plan on Drugs, which transposes the strategy into concrete actions, was adopted by the European Council in June 2000.
2. According to the Action Plan, the Commission is to conduct a mid-term evaluation of the EU Action Plan on Drugs. The Commission Communication accompanying this note constitutes the evaluation report for the Council and the European Parliament.
3. The Council recommends that the European Council welcomes the communication and endorses this note from the Council in which conclusions and proposals of the Commission have been reflected. Based on the findings in the Commission Communication and on the general indications made by Member States in the time since the Action Plan was adopted, the Council considers that the note should guide the implementation of the Strategy and the Action Plan in the remaining two years of their term.
4. In light of the need for a new integrated EU strategy and action plan after 2004 the Council will, in cooperation with the Commission, the EMCDDA and Europol, start to work hereupon, and continue and intensify where possible the cooperation with the Candidate Countries and relevant international and regional organisations with regard to the implementation of the priorities set out in this note.

§ 2. Summary

1. The Council is of the view that EU actions in the field of drugs needs a more outcome-focused basis and more well defined priorities than what follows from the Actions Plan it self. For this reason the Council expresses – inter alia – the following views:

- This document – inter alia, based on the findings in the Commission Communication – shall form the political guidance in the future implementation of the Action Plan.
- Future EU actions on drugs should be evidence based and guided by increased application of target dates, defined responsibilities and measurable success criteria.
- EU actions against drugs should be focused and based upon proactivity, continuity, coherence and efficiency. In regard to external relations actions should furthermore be based on the principle of shared responsibility.
- The EU should apply an integrated approach to the drugs problem by which efforts to reduce demand and supply are balanced and compatible.
- Heroin, cocaine and crack cocaine should remain at the centre of European efforts to combat drugs.
- Increased attention should be given to the growing threat posed by production and consumption of synthetic drugs.
- Attention should also be given to trafficking of cannabis.
- Operative actions involving joint investigative teams and cooperation between liaison officers should be further facilitated.
- Efforts to reduce demand should be particularly targeted at the nightlife cultures in which the abuse of synthetic drugs flourishes.
- In regard to drug prevention, treatment, and the reduction of risks associated with drug dependence efforts should be increased to exchange information on experiences, best practices and scientific research.
- The resources spent by the Union on drug related activities in any particular region outside the Union should reflect the significance of that region to the drugs problem in Europe, as well as the impact of drugs on the social and economic development of the region.

- Particular attention should be awarded the efforts to eliminate poppy crops in Afghanistan and providing poppy-dependent farmers with alternative livelihoods.

§ 3. General considerations

1. The Action Plan has proven a useful instrument in laying down a broad set of desirable actions to achieve the objectives set out in the Strategy. However, the Action Plan has left it to individual presidencies and the Council to consider on a case-by-case basis, what specific issues should be prioritised.
2. The Council considers that there is a need to strengthen political guidance on the implementation of the actions in the Action Plan, in order to ensure coherence, continuity and visibility in the Union's work against drugs. The Action Plan should therefore be supplemented by a set of political guidelines pointing out areas of particular concern and issues of specific importance in implementing the Action Plan.
3. European action against drugs should be evidence-based and focused, clear in profile and based on proactivity, continuity, coherence and efficiency. An integrated and multidisciplinary approach must be applied at the European level, to reduce demand, hinder supply, prevent abuse, treat abusers and punish the criminals involved in illegal activities.
4. The European Union should only engage in joint action when the objectives of such action cannot sufficiently or more appropriately be achieved at the national level. European Union action against drugs should focus primarily on problems of a cross-border nature, particularly supply reduction which requires joint action at the European level.
5. While some approximation of the national drug policies applied in the Member States of the European Union will support a Union wide approach, national drug policies should be allowed to reflect different approaches as to tackling the drugs problem, reflecting national differences in problems, culture, resources etc. However, efforts must be made to ensure, that national drug policies are compatible and that the national drug policy in one Member State does not undermine that of another. Furthermore, due to the cross-border nature of the drugs problem there is a need for overall political agreement at the European level on how to address the drugs problem most appropriately.

§ 4. Implementation

1. The Council considers that the guidelines set out in the following sections of this paper should be the basis for the future implementation of the Action Plan and that the specific priorities pointed out should be considered as focus areas in European actions against drugs until the end of 2004.
2. In line with the Commission Communication, the Council considers that there is 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 implementation papers defining timeframes, specific activities and responsibilities for the implementation of actions in regard to each of the focus areas pointed out in this note should be prepared by the Council Presidency in collaboration with the Commission by spring 2003 and agreed upon by the Horizontal Drugs Group as soon as possible thereafter.
3. With a view to monitoring the developments in the drugs field and ensuring the effective implementation of the Action Plan and the actions required by this paper, the Horizontal Drugs Group should review progress at a dedicated meeting during each presidency and, on the basis of this discussion and in close cooperation with the Commission, submit a note to Coreper on the state of play, on actions initiated and on actions needed.
4. The Council supports the measures of the Commission to carry out the final evaluation of the 2000-2004 Drugs Action Plan together with representatives from the Presidencies, the European Parliament, Europol and EMCDDA.

§ 5. Policy priorities

1. The Council is of the view that the main focus of the EU strategy should remain on the highly addictive substances heroin, cocaine, and crack cocaine. Special attention should continuously be given to these substances due also to the fatal health damages often associated with their abuse, the extensive links between abuse of these substances and widespread street level property crime. The links between trafficking in these substances and the financing of extensive criminal organisation and in turn the possible financing of terrorism must continue to be addressed. Furthermore special attention should also be given to cannabis, in particular trafficking in cannabis.

2. It is furthermore the view of the Council, that recent development in the patterns of production and consumption of synthetic drugs in the Union is alarming and that this development calls for immediately enforced concerted action. New and dangerous synthetic drugs are being introduced and new types of abuse among new types of abusers are experienced. It is thus the view of the Council that over the remaining two years of the present Action Plan on Drugs, the fight against synthetic drugs should be subject to particularly targeted actions and that these actions should be specially prioritised in regard to the implementation of the Action Plan. In this connection the Joint Action on New Synthetic Drugs should also in the future be considered an important mechanism. These prioritised actions on synthetic drugs should complement, and not detract from, the necessary focus of EU action on other drugs that cause considerable harm to our societies
3. The Council continues to consider that in tackling the drugs problem it is essential to also approach the problem in light of broader social disadvantages, and in that connection address the relationships between drug abuse and poverty, deprivation, unemployment, homelessness and exclusion. Furthermore, attention should continuously be given to the links between drug abuse, delinquency and crime.
4. Efforts to reduce supply and demand should be balanced and compatible. Attention should continuously be given to the possible adverse effects of targeted actions in other areas. Research on such effects as well as the exchange of experiences should be promoted as appropriate.

§ 6. ACTION PRIORITIES - SUPPLY REDUCTION

1. On an operational level the Council considers that co-operation between the law enforcement agencies dealing with drug trafficking should be further intensified. The various initiatives which have been developed by the Member States and Europol should be examined as a basis for further work in this area. There should also be a focus on the intensification of co-operation between liaison officers as well as on the prevention and combating of drug trafficking through international air- and seaports. Operational co-operation should be targeted on both export and import points.

2. The Council furthermore considers that Member States should make full use of all legal instruments that provide for Joint Investigation Teams in order to facilitate the establishment of such teams and maximise their effectiveness. Europol should play the fullest possible role in facilitating the establishment of such Joint Investigative Teams, and assisting them in their work.
3. In regard to the growing threat from synthetic drugs the Council considers that since synthetic drugs to a very large extent originate from illegal laboratories within the Union, targeted actions in this field should be directed at all aspects of production and distribution of these drugs. Thus, efforts should be directed at the illegal diversion of precursors, the illegal production facilities and the persons behind them, the organised distribution networks, as well as the distribution at street level.
4. The Council considers that the prevention and fighting of drug trafficking should be developed as an integrated element in the efforts to ensure a high and uniform level of control at the external borders of the European Union following the conclusions from the European Council in Seville in June 2002. The Implementation of the Seville conclusions will be concentrated on illegal immigration, but will also have to take into account the need to prevent and fight cross-border drug trafficking.

§ 7. Action priorities - Demand reduction

1. Increased efforts should be made to ensure the efficient exchange of information on experiences, best practises and scientific research especially in regard to drug prevention, treatment, and the reduction of risks associated with drug dependence. In order to facilitate this it should be considered whether there is a need to develop further the content and accessibility of existing databases or whether there is a need to set up new databases with immediate access for authorities, professionals and other interested parties in Member States. There should also be a further exchange of experience and best practices in relation to the prevention of drug related crime using, in particular, the European Crime Prevention Network as a tool.
2. Although it is emphasised in the Action Plan that efforts concerning demand reduction should also when relevant address the use of legal drugs, efforts should be made to ensure, that signals are not distorted, and that a clear distinction is made between legal substances like tobacco and alcohol on the one side and illegal substances on the other.

3. As a corollary to the focus on synthetic drugs in the field of supply reduction, the Council considers that efforts in demand and risk reduction should focus on youth cultures and especially on the recreational activities of young people. Increased efforts should thus be directed at the nightlife cultures in which the abuse of synthetic drugs flourishes. Particularly an increased cooperation with owners of nightlife facilities and other civil society actors should be developed in order to increase responsibility both among professionals and others.
4. Efforts should be made to identify EU programmes and instruments, which could have an impact on demand and risk reduction, drug prevention and the prevention of drug related crime. A main target should be to increase the amount of successfully treated drug addicts. Actions to fight drug related crime should generally be linked up more effectively with the overall EU action on crime prevention.
5. Work on further elaborating key indicators concerning demand reduction and drug related crime should be initiated and finalised within the near future.

§ 8. Action Priorities - International efforts

1. A high EU profile in tackling drugs outside the European Union must be based on clear objectives and priorities and the principles of shared responsibility. It must be ensured that the political influence of the European Union and its available drug programme resources achieve maximum impact in tackling drug production and trafficking outside the European Union. Drug cooperation clauses must continue to be included when appropriate in agreements concluded between the EU and third countries.
2. It is the view of the Council, that since the resources available – however seriously the drugs issue is taken – are limited, there is a need to identify those regions of the world calling for particular attention, and to focus the Unions efforts in those areas. The resources spent by the Union on drugs related actions in any particular region should reflect the significance of that region to the drugs problem in Europe, as well as the impact of drugs on the economic and social development of the region. The basis for considerations in this regard should be the production zones and transit routes of heroin, cocaine and their precursors as well as of cannabis, in particular the regions mentioned in the action plan, namely the Candidate Countries, North Africa, Latin America, The Caribbean and Central Asia, as well as the Balkans.

3. As a consequence of the recent increase in the production of opiates in Afghanistan particular attention should in this connection be awarded the efforts to eliminate poppy crops, provide poppy-dependent farmers in Afghanistan with alternative licit means of livelihood, and strengthen the Afghan Government's capacity to handle all aspects of the drugs problem.
4. Furthermore, there is a particular need to enhance the Union's cooperation with and efforts in the Candidate Countries both in regard to exchange of information and development of compatible information systems, in regard to demand reduction and in regard to production and transit of illegal substances.
5. Increased efforts should be made to ensure coordination between Member States and the Commission in regard to actions in third countries and in regard to their participation in work in other international forums, particularly within the UN.
6. Continuous attention should be given to indications of changes in consumption, production and trafficking patterns in order for the Union to respond quickly and adopt relevant actions responding to new patterns.
