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I. INTRODUCTION

- A.** The key elements for an EU post-1999 drugs strategy were endorsed by the Cardiff European Council in June 1998, outlined in the report submitted to it (7930/2/98 LIMITE Cordrogue 26/SAN 80/PESC 118/EUROPOL 70). The Cardiff European Council also called for a comprehensive plan to be developed.

Subsequently building on the European union drug strategy (1995–1999) (9012/99 CORDROGUE 33), the Vienna European Council in December 1998 invited the institutions to develop further an integrated and balanced post-1999 drugs strategy taking into account the new possibilities offered by the Amsterdam Treaty. According to the European Council, full use should be made of the expertise of the European Monitoring Centre for Drugs and Drug Addiction, as well as Europol in this context.

It is against this background and according to these orientations that the Commission has submitted the Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of Regions on the European Union Action Plan to combat Drugs (2000-2004).

The new drug strategy is now called for, since the existing EU drug strategy expires by the end of the year 1999. The treaty of Amsterdam has created numerous new possibilities which must be examined and utilised as well in the area of drug policy as a part of human health protection as in the area of police, customs and juridical co-operation.

The European Council special meeting held in October 1999 in Tampere underlined the importance of addressing the drugs problem in a comprehensive manner. It called on the Council to adopt the EU drug strategy 2 000–2004 before the European Council meeting in Helsinki.

On the basis of the guidance of the European Council, the work of the previous presidencies, the Commission Communication as well as contributions from the Member States and council working groups to the Commission Communication, the Presidency puts forward this proposal for an EU drug strategy (2000-2004) with due consideration to the views of the Parliament as well as before mentioned institutions and bodies and involving them fully in the implementation phase of the strategy.

- B.** The current drug situation as well as measures and achievements in drug-related action on the EU level as well as in Member States have been described in EMCDDA Annual report on the state of the drugs problem in the EU, and Europol's EU situation report on drug production and drug trafficking.

While the most serious health problems are caused by the use of opiates (and in particular by heroin), amphetamines, cocaine and multiple-drug use, cannabis is still the most commonly used illicit drug.

The new synthetic drugs as well as transmission of diseases through intravenous use of drugs require constant attention. Organised crime plays an increasingly dominant role in drug production and trafficking, necessitating enhanced customs, police and juridical co-operation and particularly action against money laundering.

Local and regional authorities as well as local communities play an important role in the planning and implementation of the EU drug strategy.

II. THE NEW POSSIBILITIES PROVIDED BY THE TREATY OF AMSTERDAM

Article 152 of the EC treaty stipulates that a high level of human health protection shall be ensured in the definition and implementation of all Community policies and activities. A specific reference to drugs is made in the Article, stipulating that the Community shall complement the Member States' action in reducing drugs-related harm, including information and prevention.

Title VI of the Treaty on European Union provides a new framework for co-operation in the field of Justice and Home Affairs. Article 29 describes the Union objectives being to provide citizens with a high level of safety within an area of freedom, security and justice. This objective must be achieved by preventing and combating crime. Illicit drug trafficking is mentioned in this context.

According to the Article 31, common action on judicial co-operation in criminal matters shall include progressively adopting measures establishing minimum rules relating to the constituent elements of criminal acts and penalties in the fields of organised crime, terrorism and illicit drug trafficking.

The Action Plan of the Council and the Commission on how best to implement the provisions of the Amsterdam treaty establishing an area of freedom, security and justice, adopted at the meeting of the European Council of December 1998 in Vienna (cf. document 13844/98 JAI 41), contains a timetable for law enforcement measures and judicial co-operation in criminal matters to be approved within two and five years after the Treaty's ratification. This lends itself to enhanced operational law enforcement co-operation. Improving co-operation between prosecuting and investigating authorities eg. by creating juridical authorities' network, is a major goal.

Implementation of the Customs Information System and Naples II Conventions will as well improve information exchange and law enforcement co-operation.

The new possibilities created by the Amsterdam Treaty include:

1. the requirement to ensure human health protection in all community policies and actions,
2. provision for wider, cross-sectoral activities in the field of drugs,
3. an overall direction of public health actions towards improving public health, prevention of human illness and diseases, and obviating sources of danger to public health,
4. the call for research into the causes and prevention of major health scourges, thus facilitating the full use of community research programmes,
5. co-operation through initiatives aiming at exchanges of experience and best practise in order to combat social exclusion,
6. support for co-operation at EU level between police, customs and other law enforcement services of the Member States,
7. enabling Europol within a period of five years after the date of entry into force of the treaty of Amsterdam to facilitate and support the preparations and encourage the coordination between Member States,
8. promoting new investigation techniques, co-operation between Member States' law enforcement agencies, and research and documentation of drug-related crime,
9. contributing to reinforcing the Justice and Home Affairs Acquis, which is of particular importance to the enlargement process,
10. considering conditions under which law enforcement authorities and juridical authorities may operate in an other state in liaison and agreement with the authorities of that state, in particular according to the Schengen convention,
11. Facilitating and accelerating juridical cooperation in criminal matters.

The aims laid down in the Amsterdam treaty were reinforced by the Tampere European Council. It called for joint investigative teams to be set up to combat cross-border crime and concrete steps to be taken against money laundering, including approximation of criminal laws and procedures on money laundering.

III. THE PRINCIPLES AND OBJECTIVES OF THE EU DRUG STRATEGY (2000–2004)

In line with the principle of subsidiarity the general aims of the EU Drug Strategy 2000–2004 are the following:

1. to ensure that the issue of drugs is kept as a major priority for EU internal and external action,
2. to ensure that actions against drugs are evaluated,
3. to continue the EU global, multidisciplinary, integrated and balanced strategy, in which supply and demand reduction are seen as mutually reinforcing elements, as underlined by the United Nations General Assembly Special Session on Drugs (UNGASS)
4. to give greater priority to drug prevention and demand reduction, particularly new recruitment to drug use, as well as the reduction of the adverse consequences of drug use,
5. to reinforce the fight against organised crime, illicit drug trafficking and related organised crime as well as other drug-related crime, and to step up police, customs and judicial co-operation between Member States,
6. to encourage multi-agency co-operation and the involvement of civil society,
7. to fully utilise the new possibilities offered by the Treaty of Amsterdam, particularly the articles on health protection and drug control, police co-operation and judicial co-operation as well as the common minimum standards in legislation. Article 31(e) foresees the progressive adoption of measures establishing minimum rules relating to the constituent elements of criminal acts and penalties in the fields of organised crime, terrorism and illicit drug trafficking,
8. To ensure collection, analysis and dissemination of objective, reliable and comparable data on the drugs phenomenon in the EU with the support of EMCDDA and Europol,
9. to progressively integrate the candidate countries and to intensify international cooperation with other countries and international organisations,
10. To promote international co-operation, integration of drug control into EU development co-operation and to support the efforts of the United Nations and of UNDCP in particular to develop international co-operation, based on the principles adopted at the UNGASS in June 1998,
11. To emphasise that the successful implementation of the strategy and actions mentioned in this Strategy will necessitate appropriate resources.

The main targets for the EU drug strategy are

1. to reduce significantly over five years the prevalence of illicit drug use, as well as new recruitment to it, particularly among young people under 18 years of age,
2. to reduce substantially over five years the incidence of drug-related health damage (HIV, hepatitis B and C, TBC, etc.) and the number of drug-related deaths,
3. to increase substantially the number of successfully treated addicts,
4. to reduce substantially over five years the availability of illicit drugs,
5. to reduce substantially over five years the number of drug related crime,
6. to reduce substantially over five years money-laundering and illicit trafficking of precursors.

IV. THE MAIN CHARACTERISTICS OF THE EU APPROACH

The European approach is balanced, multidisciplinary and integrated. In the spirit of the texts adopted in 1998 UNGASS Declaration on the guiding principles of drug demand reduction by and its corresponding Action Plan, it is aimed at:

- a) reducing the demand of drugs, through the prevention, particularly among the young, treatment and rehabilitation and the reduction of its adverse consequences,
- b) preventing drug supply through law enforcement action, with particular attention to police, customs and juridical co-operation and fight against drug-related organised crime and money laundering,
- c) reducing illicit cultivation by actions such as the promotion of alternative development.
- d) promoting international co-operation.

These measures shall complement and reinforce each other.

Co-operation between Member States in drugs policies should be encouraged, including exchange of information between the responsible authorities.

The problems linked to drug abuse are to be seen in context of broader social disadvantage such as poverty, deprivation, unemployment, homelessness and social exclusion. Improved social well-being, in particular support for families and those in most difficult circumstances, will be an effective shield against drug problems.

Tackling the drugs problem is a priority for co-operation in the fields of public well-being, health and education, Justice and Home affairs as well as in relations with non- member countries and relevant international fora. This reflects the horizontal nature of the problem.

Prevention of drug abuse and supply should therefore involve representatives of all appropriate authorities as well as the civil society. The various actors in the prevention field should develop a close co-operation. This requires a strong policy of multi-agency action and common agreements on strategies, measures and targets and consciousness of mutual benefits of such co-operation. Social and health sectors as well as educators and law enforcement agencies should work in close partnership in order to ensure appropriate services to drug offenders as well as in other areas of prevention.

The role of citizens, including risk groups themselves, is of paramount importance in drug-related action. Non-governmental organisations have a long tradition in raising public awareness and educating the young as well as helping drug addicts and their families, and coping with the damage caused. They are often in a pioneering position in developing visions and methods for our work. Citizen participation is also necessary to ensure the transparency of the EU strategy, since the development of drugs policy presupposes a special concern for open, frank and critical discussion. The European drug strategy will be devised and carried out in close co-operation with the civil society. International non-governmental networks and activities of cities, facing the drug problem, will be supported.

International co-operation is based on the principles of shared responsibility and partnership and carried out in adherence to the international conventions. The drug problem is viewed in the context of a broad set of human welfare issues addressing the social and economic dimensions of sustainable development.

V. ACTION ON DEMAND REDUCTION

A. Approach to demand reduction

Building on previous experience, gained from ie. implementation and mid-term evaluation of the first programme of Community action in the prevention of drug dependence, the European Union continues its action on drug demand reduction.

The Treaty of Amsterdam provides for wide, cross-sectional activities in the field of drugs. According to Article 152 the Community shall complement the Member States' action in reducing drugs-related harm, including information and prevention.

Declaration on the guiding principles of drug demand reduction adopted at the UNGASS covers all areas of prevention, from discouraging the initial use to reducing the negative health and social consequences of drug abuse. These Guiding principles and the Action Plan on Demand reduction need to be fully implemented by all Member States.

[Work also needs to be undertaken with regard to driving under the influence of illicit drugs and medicines; in particular further scientific review of the link between drugs and road accidents to enable Member States to develop evidence based strategies to address this problem and to promote the exchange of experiences in the approach to this problem.]¹

Inclusion of addiction prevention strategies and treatment of illnesses caused by use of legal and illegal drugs should be an integral part of community health policies.

It is necessary to develop and implement preventive measures and programmes for all age groups, particularly children and young people. Such measures should, instead of focusing exclusively on illegal drugs, rather address risk behaviour and addiction in general, including aspects of alcohol, medicine, [substances used for doping in sports]² and tobacco use.

¹ Scrutiny reservation by French delegation.

² The UK and French delegations have reserved their positions on this part of the phrase.

Children need to be made aware of the risks involved with the use of drugs, alcohol and tobacco just before they are confronted with these substances. Children and young people need both knowledge and skills to make responsible choices about their behaviour. Efforts directed at young people as well as other target groups should involve their own contributions to ensure peer influences and support.

Children and young people need to be provided positive alternatives and leisure time activities. Parents, educators and other adults must realise the strong influence they necessarily exercise through their own behaviour and attitudes. An early detection of children's and young persons' risk behaviour and possibly underlying problems, together with appropriate action to support them and their families, before any drug misuse has taken place, is an effective method of prevention. Programmes for parents, especially in areas where there is high prevalence of drug misuse, are also beneficial.

The general public should be informed on the effects of the social exclusion, particularly from the viewpoint of drugs problem. Media campaigns should be designed to support local and practical action.

Prevention should be seen as a broad cross-administrative issue involving all operators in society, and further co-operation and devising of common strategies and projects between different authorities should be encouraged as well as research-based design of demand reduction strategies and activities. Training of professionals from social, health, education, law enforcement and sports sectors is a prerequisite for effective action.

Multi-drug use, often accompanied with alcohol and other substances, should be handled more successfully as well as drug use related to mental health problems. There is an increasing number of ageing drug users who need specific attention in reducing drugs-related health damage.

Preventive measures should be developed for drug use in prisons and alternative measures to imprisonment as well as facilities for addicted prisoners should be further implemented.

Exchange of information should be encouraged on measures to counter the adverse health and social consequences of drug use. Such measures may include low threshold-services, if Member States find it appropriate, and measures to counteract the exclusion of drug addicts from social life. Exchange of information should also take place in the field of treatment, concerning experiences and best practices in i.e. drug substitution programmes.

B. Specific topics

To reduce the use and ill effects of new synthetic drugs, particularly following action is needed: research on the risks of new synthetic drugs and patterns of use, the prevention of abuse and the reduction of harmful consequences, and dissemination of relevant information to the public.

The new information technologies such as the Internet provide a powerful means for exchange of views and information. It is also a possibility when it comes to addressing young people and involving them directly in prevention activities, of which member States already have good experiences. The use of the Internet for the provision of objective, reliable and educational information-giving on drugs and the harmful effects of drug use should be promoted and facilitated.

VI. ACTION ON SUPPLY REDUCTION

A. Approach to drug-related organised crime

Effective combating of international organised drug trafficking requires increased and improved law enforcement and judicial co-operation between Member States and with third countries.

The international nature of organised drug trafficking calls for a dynamic, co-ordinated response by all Member States, a response that not only takes into account national strategies, but also seeks to become an integrated, multidisciplinary European Union strategy. Such a strategy requires action at different levels.

At the strategic level a reliable assessment is needed on the role of individual organised crime groups and the extent to which the different geographic levels in the European Union correlate and, for instance, drug trafficking functions as a whole. This requires operational and empirical data on the profile, motives and modus operandi of offenders, the dynamics of illicit markets, trafficking routes, the scope of, and trends in, organised crime and its impact on society. The assessment should be carried out and updated periodically, preferably by Europol, with the involvement of the academic and scientific world.

Furthermore, research is needed into the effectiveness of combating organised drug-related crime, including drug trafficking. Crime and policy indicators should be developed to assess progress in the control and the prevention of organised crime. Here, too, scientists should play a role.

An integrated and multidisciplinary European union strategy is also needed to ensure that limited resources in the Member States are deployed in order to achieve maximum results in the combating of international organised crime.

From a law enforcement perspective, the strategy should be made operational through the implementation of the project-based European Union law enforcement strategy against transnational organised crime, as laid down in the document Crimorg 167. This strategy takes into account the methods of co-operation in the field of Justice and Home Affairs, as foreseen in the Treaty of Amsterdam: Closer co-operation between Police forces, Customs and other competent authorities, directly or through Europol; closer co-operation between judicial and other competent authorities and approximation, when necessary, of the rules on criminal matters in the Member States.

In this respect, the European Judicial Network has established contact points in each Member State, which are available to judicial authorities to assist requests for judicial co-operation. In the future, the network may be linked to Europol. The creation of EuroJust decided by the European Council in Tampere should also be an important instrument for facilitating the cooperation and coordination of juridical authorities.

The integration of the Schengen aquis in the field of drugs will constitute an important element, taking into account the operational activities and measures undertaken in the Schengen framework. In this respect, consideration will be given to the arrangements under which law enforcement officers from one Member State can operate in the territory of another, as is foreseen under the Schengen Treaty.

The conclusions of the Tampere European Council give a strong foundation for the practical development of drug-related police, customs and juridical co-operation. Full integration of Schengen aquis will underline the importance of the effective control of the Union's future external borders.

B. Specific topics

B.1. Money laundering

According to the conclusions of the Tampere European Council, money laundering is at the very heart of organised crime. The European Council adopted a number of measures to intensify action against it to ensure that concrete steps are taken to trace, freeze, seize and confiscate the proceeds of crime.

The member States continue to take an active position against money laundering and seek to ensure that the financial sector meets its responsibilities set out in the Council directive of 1991. In order to approximate legislation, as far as the money laundering offences and provisions on confiscation are concerned, and to enhance co-operation in this respect, a joint action was adopted in December 1998.

Participation in the FATF and Council of Europe and Octopus Programme on control of organised crime and corruption shows the willingness of the EU to be a major player in co-ordinated international activity in this field. The conclusions 51–58 of the Tampere European Council show that a new impetus is given to action against money laundering.

Efforts to curb money laundering will be intensified by:

1. rapid adoption and subsequent implementation of the recently proposed amendments to the money laundering directive to update and extend the scope of the 1991 Directive,
2. helping non-EU countries and regions develop their anti-money-laundering systems and strengthening control of money laundering through EU's support for technical assistance projects in this area and in close co-operation with Financial Action Task Force and the UN efforts,
3. giving efforts against money laundering a priority in current and coming assistance and co-operation programs, notably TACIS and Phare,
4. developing a system for analysing and exchanging information between Financial Intelligence units of the Member States. Regardless of secrecy provisions applicable to banking and other commercial activity, juridical authorities as well as FIUs should become entitled, subject to juridical control, to receive information when such information is necessary to investigate money laundering,
5. extending the competence of Europol, as requested by the European Council of Tampere, to money laundering in general, regardless of the type of offence from which the laundered proceeds originate.

B.2 The control of chemical precursors

Precursors are an important area of the supply reduction side of the drugs problem as they are indispensable in the production of drugs. Many of these chemicals are widely traded and commonly used in legitimate pharmaceutical and industrial processes but a small part of this vast trade is diverted to the manufacture of illicit drugs. The basis in international law for controls of precursor chemicals is Article 12 of the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances to which the European Community is a party. Within the Community Council Regulation EEC 3677/90 (as amended) and Council Directive 92/109/EEC (as amended) give effect to the provisions of the Convention by setting up systems for control of the trade through licensing, registration and export authorisation.

In addition to the 22 chemicals currently controlled there is a growing number of non-scheduled precursors which are being used in illicit manufacture, particularly of synthetic drugs. It is not practical, nor would it be effective, to subject this growing and ever changing number of chemicals to strict formal controls and so new flexible systems are being sought. The establishment of voluntary monitoring mechanism for the new chemicals and enhanced co-operation with the trade is being pursued through stronger community approach and the production of guidelines to raise awareness of the new chemicals and to assist industry in the identification and notification of suspicious transactions.

Bilateral agreements on precursor control with third countries ensure a continuing dialogue and better co-operation and information exchange to combat diversion. Discussions on appropriate mechanisms for improving precursor control continue with the associate countries.

B.3 New Synthetic drugs

The emergence of new synthetic drugs has made it necessary to find ways to respond quickly to appearance of new substances and consumption trends. The enhancement of this capacity together with developing more efficient information gathering and management will constitute the major challenges in this area.

So far the Joint Action of June 1997 in which Europol and EMCDDA have a specific role and which created the Early Warning system for new synthetic drugs, has been a promising and effective tool in coping with this challenge, and such mechanisms should be reinforced.

Further measures to enhance the effectiveness of action against the illicit trafficking of new synthetic drugs are needed, especially as regards the assessment and possible improvement of the joint action, co-operation against production and trafficking, including improved co-operation between national authorities and the industry, international co-operation with a particular emphasis on the candidate countries.

B.4 Development co-operation and alternative development

In the context of shared responsibility the EU sees an important contribution to world wide drug control policies in an international co-operation aiming at social and economic development in developing countries, mainly those involved in growing of illicit crops (poppy, coca and cannabis). Development co-operation should assist population groups that are giving up illegal crops to create alternative sources of income. Particularly important in this context are programmes of alternative development in countries producing illicit drug plants in co-ordination with UNDCP when appropriate.

B.5 Use of new communication systems

While not wanting to limit legitimate use of the Internet, including free exchange of opinions on drugs and drug policies, attempts to use it for drug-related illicit purposes must be countered. These include particularly illicit marketing of drugs as well as information, material and equipment for promotion of illicit manufacture of drugs. The control authorities' efforts against illicit drugs trade via the Internet should be intensified.

VII. ACTION AT INTERNATIONAL LEVEL

The global nature of the drug problem calls for intensified international co-operation. In particular its destabilising influence to local economies, particularly corruption, should not be underestimated. The common threat that illicit drugs pose to all countries requires drug-related action to be kept high on the international agenda; this includes prevention of the use of drugs and reducing their harmful effects as well as tackling the illicit cultivation, production, processing and trafficking of drugs and their precursors. Other related organised crime, such as money laundering, also needs to be addressed.

Through the adoption of the Political Declaration at the UNGASS, the international community subscribed to the principles of shared responsibility and balanced approach, committing itself to reducing both the demand and supply of illicit drugs.

In the EU, international co-operation to tackle the drugs problem is seen as part of the Union's overall efforts to foster social and economic development; drug control efforts need to be integrated into mainstream development. Ownership of projects by partner countries, sustainability of projects and respect for human rights must be an underlying principle in all co-operation.

Whereas the Vienna European Council of December 1998 declared Latin America/Caribbean as well as Central Asia as priority regions, EU co-operation in the field of drugs should also be targeted on the associated countries, on other countries in Central and Eastern Europe (including Balkan countries), South and West Asia, SADC countries and other parts of Africa, particularly North and West Africa. Co-operation with developed countries needs to be enhanced both bilaterally and within multilateral fora.

The EU will intensify its efforts at the international level by:

1. implementing the various action plans and sets of measures adopted at the UNGASS, co-operating with the United Nations International Drug Control Programme (UNDCP).
2. intensifying its co-operation with international and regional organisations, in particular with the World Health Organisation and other United Nations organisations as well as with the Council of Europe.
3. integrating its efforts to tackle the drugs problem into the broader objectives of EU external relations, including development co-operation, in different multilateral and regional settings as well as through bilateral action.
4. making full use of the instruments of common foreign and security policy, including political dialogue, common positions and joint actions, common strategies as well as of trade policy instruments and technical and financial assistance.
5. intensifying co-operation with third countries in the fields of demand and supply reduction as well as justice and home affairs; the combined efforts of all relevant authorities will be needed here, with a particular role for Europol.
6. Designing a drugs strategy with specific objectives, which is in line with the integration process of the associated countries of Central and Eastern Europe.

VIII. INFORMATION AND EVALUATION

The EU drug strategy has to be based on a regular assessment of the nature and magnitude of drugs phenomenon and its consequences as well as on knowledge acquired from research and lessons derived from past programmes. The present strategy itself must also be evaluated.

The regular assessment produced by the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) and by Europol constitute valuable resources for the identification of any emerging trends and the improvement of the knowledge at EU level on the drugs phenomenon. The EMCDDA must develop an even closer relationship with the member countries through the National Focal Points.

It is the task EMCDDA to collect, analyse, compare and report existing data on the drugs phenomenon. It is of the utmost importance to ensure that the highest quality of information flows to and from it.

Actions:

1. Improving comparability of data is a central task of the EMCDDA. The national focal points will play a central role in this context.
2. Progressive harmonisation of key epidemiological indicators on the prevalence and health consequences of drug use is needed.
3. National authorities should reinforce their commitment to this challenge with political and institutional support.
4. Systematic and scientific evaluation of demand and supply reduction activities should be developed.
5. appropriate assessment of Community legislation and its implementation in the field of control in trade of precursors

In the past Member States and the Commission have given insufficient priority to evaluation of anti-drugs activity. This must change and evaluation must be an integral part of the EU approach. Programs should be evaluated wherever possible by independent experts. The results of these evaluations should be taken into account when designing new programs. In this field the EMCDDA has issued and will continue to issue guidelines for the evaluation of demand and supply reduction activities and models for the assessment of policies.
