



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 29 June 2012

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**CORDROGUE 49
USA 14**

OUTCOME OF PROCEEDINGS

of:	Meeting of the Horizontal Working Party on Drugs and the USA
on:	23 May 2012
Subject:	Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. CM 2922/12.

2. Relevant developments in the drugs situation and policies in the EU and in the USA

A representative of the COM presented the results of the evaluation of the EU Drugs Strategy and its Action plans and a representative of the EMCDDA gave an overview of their last report on the drugs situation in Europe. He informed the delegates that the EMCDDA would produce a major EU drugs market report in 2013.

The US delegation gave an overview of their drug situation, informing the meeting that both cocaine demand and supply were reducing, which was a continuing trend, that the heroin flow from Mexico might be increasing and that the potency of cannabis was rising, together with a number of cannabis treatment admissions.

The US delegation explained that they were required to draft a new drugs strategy every year and that the same chapters were kept as in the current strategy, which was aiming at the balanced approach. The speaker noted that three important issues in the strategy were drugged driving, recovery (a recovery month was celebrated every year and drug use was becoming less a stigma than before) and organised crime as it was no longer possible to talk only about drug cartels because drug trafficking organisations were turning to other criminal activities if they could not traffic drugs.

3. Thematic debates: new psychoactive substances - situation and solutions

The US delegation informed the meeting that the use of new psychoactive substances skyrocketed in the US, however, the process of scheduling substances was not quick as the DEA had to collect a lot of different data for this. She added that legislation allowed for a temporary ban of a substance for a year to conduct more research and to gather more statistics, after which the substance could be permanently banned. The speaker also explained that Congress could schedule a substance without using the same time-consuming procedure as the DEA, which was already used for liquid ecstasy.

The US delegation informed the meeting that prosecution for synthetic drugs was based on the Analogue act, but sometimes substances could be manipulated in such a way, that they would not be chemically similar to drugs (which was the requirement of the Act) so as to circumvent control, while mimicking the effects of controlled substances. The speaker explained that in addition to federal acts concerning synthetic substances there were state laws and that in case of collision, the stricter law was applied. She also noted that legislation was the best way to address the supply of synthetic substances, however, when it came to consumption, the line between legal and illegal was difficult to draw.

In response to a question from the EU delegations, the US delegation explained that the internet was not the major source of distribution of new psychoactive substances, as many of them could be purchased at gas stations and headshops.

A representative of the COM presented the EU measures taken to deal with new psychoactive substances. She explained that the problem was both the growing number and increasing variety of new psychoactive substances, which might also indicate an increased consumption of these substances. The speaker informed the meeting that the COM was working to improve the legislation at EU level by speeding up the identification process of unknown substances, speeding up the decision making process and having a broader range of measures to respond to this phenomenon. She also emphasised that the EU response should continue to be evidence-based and should avoid impeding the current or future legitimate use of substances.

During the discussion delegations stressed that one of the dangers of new psychoactive substances was that consumers were not sure what they were consuming and that they supposed that these substances were not harmful as they were legal. The representative of the COM noted that the same demand reduction measures as for illegal drugs could not be employed in the case of new psychoactive substances. The IE delegation shared its experience concerning the widespread consumption and a big number of headshops selling new psychoactive substances in Ireland in 2008 and the measures taken to fight against them, which resulted in the number of headshops dropping from 102 to 12. The PL delegation also explained that they had more than 1300 shops selling these substances in 2010, which became a serious concern in the country, but that in 2012 these were closed.

4. Update on activities in West Africa

- Mission to Abuja and meeting with ECOWAS

The US delegation informed the meeting about the foreseen mission to Abuja to meet with the representatives of ECOWAS, however, the date of the meeting was still unclear as the process of selecting the new ECOWAS commissioners was taking longer than expected. It was also noted that the situation in West Africa was not improving over time, especially as regards events in Mali.

The representative of the EEAS informed the delegates that all the commissioners of ECOWAS had already been replaced, except for the drugs commissioner, whose mandate had been extended for some time as the replacement was still being negotiated. However, the name of the new commissioner was expected to be known by the end of June. The FR delegation emphasised that this meeting should take place only after the replacement of all the commissioners.

- *Donor coordination with the existing EU matrix*

A representative of the SGC reported on the new developments concerning the West Africa matrix, explaining that the COSI tasked the Fontanot group with coordinating the activities concerning the matrix and that there was an initiative to create a network of contact points for analysing different actions in the matrix, which would be discussed during the next Fontanot group meeting.

5. Update on other regional initiatives

- *Central Asia: EU priorities and programmes*

A representative of the EEAS informed the meeting that the Progress Report on the implementation of the EU strategy for Central Asia was drafted, which would also give guidelines for the future actions, and that the ministerial EU-Central Asia meeting would be held in the second half of 2012, focusing on regional security issues, including drug trafficking. The speaker reported on a conference on Central Asia Border Security Initiative (CABSI) held in Vienna on 16-17 April 2012 and on the developments within the CADAP 6, which would include all the current elements, but would also focus on assisting Central Asian countries to revise existing and draft new drug strategies. The representative also announced that they were starting to implement the second phase of the heroin route programme.

- ***Central Asia: Central Asia Counternarcotics Initiative (CACI)***

The US delegation emphasised that Central Asia continued to be one of their major priorities and that substantial progress had been achieved in implementing CACI since its launch in April, 2011. He explained that their efforts to strengthen border security had contributed to stemming the flow of drugs and that they were working with different law enforcement and drugs authorities in Central Asian countries to try to target the networks which were trafficking drugs through these countries to other destinations. Concerning their activities on multilateral level, the US would support a specific UNODC programme aimed at helping the countries to put in place the legal basis necessary to establish the drug enforcement units. The speaker also mentioned that they were cooperating with Russia in the fight against drugs in Central Asia.

- ***Central America: Central America Regional Security Initiative (CARSI)***

The US delegation presented the developments concerning the CARSI initiative, informing the meeting that they were most focused on the northern triangular including Guatemala and Honduras, where they had implemented a number of programmes. The speaker reported on the operation conducted in Honduras, which was a unique example of cooperation and which the US authorities were willing to expand elsewhere: during this operation the helicopters from Guatemala were moved to Honduras using Guatemalan pilots and Colombian intelligence. He also explained that in Central America they were paying great attention to community policing and providing alternative development opportunities for youth, which were part of the US holistic approach in the region.

A representative of the EEAS explained that there was no specific drug related EU programme for Central America, however, a larger scale regional programme was under preparation, which would aim at dealing with some of the principal issues identified during the Guatemala Security Conference, including tackling violence and social unrest and strengthening the judicial system and the police sector. The speaker also explained that the EU was conducting a border security programme in the region and implementing an initiative concerning small guns control, which should also contribute to addressing the drug situation in Central America.

- *Situation in the Caribbean region*

The representative of the EEAS noted that cocaine trafficking to Europe through the Caribbean region had been increasing and that the EU was looking into a possibility of enhancing cooperation with the US in the region. The speaker informed the delegates about the 10th phase of the European Development fund, which would have around 10 million euro available and would focus on three priorities, including strengthening human resources, strengthening cooperation and increasingly using a crime focused approach.

The EU and US delegations expressed their concern that the implemented actions in the region did not lead to expected results and questioned how to improve the absorption capacity in the region, so that funds for implementation of the projects could be transferred to the local actors. Otherwise, other ways had to be found to carry on donor activities. The representative of the COM also pointed out that more focus on capacity building was needed in the Caribbean region, as it was possible that due to international efforts in Central America more drug trafficking activities would be transferred to the Caribbean region.

6. Any other business

- *Bolivian re-accession to the 1961 UN Single Convention on Narcotic Drugs*

The US delegation presented their position concerning the above-mentioned issue and the Presidency reported on the consultations held with the EU Member States. The representative of the EEAS emphasised that it was very important that Bolivia continued to implement the Single Convention.

- *Peru Conference on the World Drug Problem (Lima, 25-26 June 2012)*

The delegations shared information on the above-mentioned conference. The US delegation noted that the security policy and drug legalisation were possible topics for the conference and the Presidency informed that they were actively engaged in the negotiations on the declaration to be adopted during the conference. The representative of the COM regretted that the drug problem in the conference would be discussed without covering the drug demand reduction side.

- ***55th Session of the CND***

The Presidency gave an overview of the 55th session of the CND calling it one of the most efficient CND sessions and the US delegation expressed their satisfaction about the adopted resolution on alternatives to imprisonment.

- ***Paris Pact ministerial meeting***

The FR delegation reported on the above-mentioned meeting organised on 16 February 2012 with a view to renewing the commitment of international community in the field of the fight against heroin trafficking, during which four main areas were identified, where cooperation would be strengthened and outlined in the adopted declaration.

- ***Discussion of a systematic exchange of cocaine samples and forensic information between the USA and the EU***

The US delegation noted that they shared a common interest in understanding the cocaine market better and suggested to launch a discussion on how this could be put in practice. The representative of the COM expressed their interest in such an initiative and explained that they were looking into practical and legal solutions. The representative of Europol informed the delegates about their drug profiling system.
