



Council of the
European Union

Brussels, 27 June 2016
(OR. en)

10680/16

CORDROGUE 37
COLAC 48

NOTE

From: Presidency
To: Delegations

No. prev. doc.: WK 298 2016 REV 3

Subject: The Hague Declaration

Delegations will find below the Hague Declaration as adopted in the Hague on 17 June 2016 by the XVIIIth High Level Meeting of the Coordination and Cooperation Mechanism on Drugs between the European Union and the Community of Latin America and Caribbean States (CELAC).

THE HAGUE DECLARATION

1. Having met in The Hague on 16 and 17 June 2016, under the co-presidencies of the Netherlands and Mexico, at the XVIII High Level Meeting of the Coordination and Cooperation Mechanism on Drugs between the European Union and CELAC.
2. REAFFIRMING the importance of the Coordination and Cooperation Mechanism on Drugs between CELAC and the European Union, as a bi-regional forum for dialogue and cooperation built on mutual understanding on the basis of the principle of common and shared responsibility, a balanced, comprehensive, integrated and evidence based approach, in full conformity with the three international drug control conventions and other relevant international instruments that constitute the cornerstone of the international drug control system, and with the purposes and the principles of the Charter of the United Nations, international law, and the Universal Declaration of Human Rights and, in particular, with full respect for all human rights, fundamental freedoms, the inherent dignity of all individuals, as well as in full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States and the principles of equal rights and mutual respect among States.
3. WE WELCOME the positive results of the Cooperation Programme on Drugs Policies between Latin America and the European Union (COPOLAD) and its added value and we strongly support the continuation of its activities under COPOLAD II, with the full involvement of the Caribbean countries.
4. RECALLING the Declarations of the Heads of State and Government of Latin America and the Caribbean and the European Union at the Summits that were held in Rio de Janeiro (1999), Madrid (2002), Guadalajara (2004), Vienna (2006), Lima (2008), Madrid (2010) and Santiago de Chile (2013), Brussels (2015) and the EU-CELAC Action Plan adopted in 2010 and its continuity in which theme VI dedicated to the World Drug Problem was ensured, as well as the commitments made in the bi-regional Declarations adopted at the High Level Meetings of the Mechanism.

5. We TAKE NOTE of the negative impact on cooperation of unilateral lists and certifications on drug trafficking and other related matters that are contrary to international law.

6. RECOGNISING that after all the efforts made by States to counter the World Drug Problem and its consequences, it remains a challenge to public health, citizen security and the social fabric.

7. WE EMPHASISE that bi-regional cooperation should complement efforts undertaken at local, national, bilateral, sub-regional, regional and multilateral levels and recognise the importance of ensuring that such cooperation aligns with agreed priorities and objectives and that it should take place under the principle of common and shared responsibility.

8. UNDERLINING the positive cooperation between our regions in the preparations for and during the recently held United Nations General Assembly Special Session on the World Drug Problem (UNGASS 2016) and emphasizing in this regard that both regions commit themselves to the outcome document. We highlight our joint ambitions and priorities towards a balanced, comprehensive, and integrated approach to address the World Drug Problem in 2019, having in mind that there are important topics that need further discussion.

9. WE WELCOME the 2030 Agenda for Sustainable Development, and we note that efforts to achieve the Sustainable Development Goals and to effectively address the World Drug Problem are complementary and mutually reinforcing.

MAKE THE FOLLOWING DECLARATION:

On demand reduction and related measures, including prevention, and treatment as well as other health-related issues

10. WE WELCOME the UNGASS outcome document “Our joint commitment to effectively addressing and countering the world drug problem”, that further strengthens cooperation on all aspects of demand reduction and, in that regard, we recognize the importance of preventive and public health policies in full compliance with the national legislation, the three international drug control conventions, and other relevant United Nations instruments to promote the health, welfare, and well-being of all. We highlight and continue committing ourselves to the need of comprehensive, integrated and balanced drug policies with a human rights and public health based approach, as well as measures aimed at minimizing the adverse public health and social consequences of the World Drug Problem.

11. WE ENCOURAGE the development and adoption of policies, according to national legislation, that incorporate a holistic, strengthened, balanced, and multidisciplinary approach with the objective of reducing the impact of drug abuse on public health and preventing the stigmatization, marginalization, and discrimination of drug abusers.

12. WE SUPPORT the principle of equal access to public health services, which should guarantee broad coverage, as well as basic treatment, respecting human rights. We also welcome bi-regional cooperation respecting national legislation and in accordance with the three International Drug Control Conventions, and in the context of comprehensive and balanced drug demand reduction efforts, giving consideration, as appropriate, to effective measures aimed at minimizing the adverse public health and social consequences of drug abuse, including but not limited to appropriate medication-assisted therapy programmes, injecting equipment programs, as well as anti-retroviral therapy and other relevant interventions that prevent the transmission of HIV, viral hepatitis and other blood-borne diseases associated with drug use, as well as considering access to such interventions including in treatment and outreach services, prisons and other custodial settings, and promoting in that regard the use, as appropriate, of the WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users. We further agree to cooperate on and share and promote best practices and scientific evidence-based programmes on prevention, early intervention, treatment, and social reintegration and rehabilitation to address the World Drug Problem.

13. WE COMMIT ourselves to join efforts to further strengthen the cooperation between the United Nations Office on Drugs and Crime, as the leading entity in the United Nations system for addressing and countering the World Drug Problem, the International Narcotics Control Board and the World Health Organization within their treaty-mandated roles, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme, and other relevant organizations, as part of a comprehensive, integrated and balanced approach to the challenges posed by the World Drug Problem, while reaffirming the principal role of the Commission on Narcotic Drugs as the policymaking body of the United Nations with prime responsibility for drug control matters. We also agree to further strengthen our cooperation, as appropriate, in relevant multilateral fora.

14. WE UNDERSCORE the importance of strengthening education as a mean to prevent drug abuse as well as investing in effective prevention measures.

15. WE COMMIT ourselves to ensuring in full conformity with our internal legal framework improved cooperation between judicial, law enforcement and health care structures and facilities at local and national level.

On ensuring the availability of and access to controlled substances exclusively for medical and scientific purposes, while preventing their diversion

16. WE CONTINUE to bi-regionally support all efforts to promote, in line with the UNGASS outcome document, the availability of, affordability of and access to controlled substances for medical and scientific purposes including for the relief of pain and suffering, as required by the three international drug control conventions and defined by national legislation, while preventing their diversion, abuse and trafficking. We shall further focus our efforts by reviewing, as appropriate, domestic legislation and regulatory and administrative mechanisms, as well as procedures including domestic distribution channels, with the aim of simplifying and streamlining those processes and removing unduly restrictive regulations and impediments.

On supply reduction and related measures: effective law enforcement, responses to drug related crime, countering money laundering and promoting judicial cooperation

17. WE SHALL STRENGTHEN multidisciplinary measures at the international, regional, national, and local and community levels to prevent drug-related crime, violence, victimization and corruption and foster social development and inclusiveness, integrate such measures into overall law enforcement efforts and comprehensive policies and programmes.

18. WE STRESS the need to implement joint preventive and enforcement measures, where appropriate, to identify, disrupt and dismantle transnational organized criminal groups involved in drugs trafficking, as well as all other forms of criminal activity that may be linked to the trafficking in narcotic drugs and psychotropic substances. We will continue joint actions, where appropriate, aimed at sharing information and transferring technologies among law enforcement authorities in order to better trace international money laundering and precursors deviation routes, and we are committed to strengthening judicial cooperation and mutual legal assistance to better identify, investigate, prosecute and sanction individuals and organisations engaged in money laundering and other drug-related criminal activities in accordance with national and international legal frameworks including, where possible, the seizure and recovery of the assets involved.

19. WE REITERATE our commitment to protecting the safety and assuring the security of individuals, societies and communities by cooperating at all levels and focusing our efforts to prevent and counter the illicit cultivation, production and manufacture of and trafficking in narcotic drugs and psychotropic substances, as well as drug-related crime and violence.

20. WE EMPHASISE the need to strengthen bi-regional cooperation to prevent the diversion of precursors and chemical substances that could be used in the illicit manufacture of narcotic drugs and psychotropic substances, including amphetamine type stimulants and other synthetic drugs. To this end, cooperation between authorities and industry and interagency cooperation, which are essential for an effective control, should be further developed with the support of the existing and future programmes.

21. WE RECOGNIZE that each state faces different challenges that require a customized approach and reaffirm the continuing need for cooperation and support, with a continued commitment to working together to develop comprehensive capacities and strategies to counter the challenges posed by new and existing drug trafficking routes and new technologies and methods used by traffickers, including the provision of technical assistance, to, inter alia, enhance their capacities to effectively address and counter the World Drug Problem.

On drugs and human rights, youth, women, children, vulnerable members of society and communities

22. WE REITERATE our commitment to respecting, protecting and promoting all human rights, fundamental freedoms and the inherent dignity of all individuals and the rule of law in the development and implementation of drug policies. We also agree to ensure that our national drug policies, as part of a comprehensive, integrated and balanced approach fully respect all human rights and fundamental freedoms and protect the health, safety and well-being of individuals, families, vulnerable members of society, communities and society as a whole.

23. In line with the 2030 Agenda WE HIGHLIGHT the need to mainstream a gender perspective into and ensure the involvement of women in all stages of the development, implementation, monitoring and evaluation of drug policies and programmes, develop and disseminate gender-sensitive and age-appropriate measures that take into account the specific needs and circumstances faced by women and girls with regard to the World Drug Problem and, as States parties, implement the Convention on the Elimination of All Forms of Discrimination against Women.

24. WE WELCOME increased cooperation between the UNODC and other relevant UN bodies, within their respective mandates, on drugs, human rights, youth, women, children, vulnerable members of society and communities, as well as on the implementation of relevant UN Conventions addressing those issues.

25. WE WILL ENSURE the promotion of efforts to identify and address protective and risk factors, as well as the conditions that continue to make women and girls vulnerable to exploitation and participation in drug trafficking, including as couriers, with a view to preventing their involvement in drug-related crimes.

26. WE WILL ENSURE that measures to prevent the illicit cultivation of and to eradicate plants containing narcotic and psychotropic substances respect fundamental human rights, take due account of traditional licit uses, where there is historic evidence of such use, and of the protection of the environment, in accordance with the three international drug control conventions, and also take into account, as appropriate and in accordance with national legislation, the United Nations Declaration on the Rights of Indigenous Peoples.

27. WE NOTE that in our respective regions we have different legal systems with different sanctions for drug-related offences. However, we do note that we aim for proportionate sanctions, within national legislations and with full respect for the international framework.

28. WE RECOGNIZE that civil society, as well as the scientific community and academia, plays an important role in addressing and countering the World Drug Problem, and note that affected populations and representatives of civil society entities, where appropriate, should be enabled to play a participatory role in the formulation, implementation, and the providing of relevant scientific evidence in support of, as appropriate, the evaluation of drug control policies and programmes.

On proportionate and effective policies and responses, as well as legal guarantees and safeguards pertaining to criminal justice proceedings and the justice sector

29. WE AGREE to promote proportionate national sentencing policies, practices and guidelines for drug-related offences, in accordance with the provisions of the drug control conventions, whereby the severity of penalties is proportionate to the gravity of offences and whereby both mitigating and aggravating factors, including a gender perspective, are taken into account, while attaching great importance to human dignity and human rights.

30. WE ENCOURAGE, in line with national legislations, to consider the development, adoption and implementation of alternative or additional measures to conviction and punishment in the application of justice, consistent with the three United Nations drug control conventions, international law and relevant UN standards. We invite the participants of this bi-regional mechanism to consider evidence-based treatment, care, rehabilitation, and social re-integration practices and community-based support services for drug dependent persons in prisons, as appropriate, as well as the transition from penitentiary institutions to the community, securing continuum of care.

On alternative development on development-oriented balanced drug control policy, and on addressing socio-economic issues

31. WE COMMIT to continue efforts in the context of long-term and sustainable development programmes to address the most pressing drug-related socioeconomic factors, including unemployment and social marginalization.

32. WE ENCOURAGE the promotion of inclusive economic growth and support initiatives that contribute to poverty eradication and the sustainability of social and economic development, promote measures for sustainable development, the promotion of development orientated crop control strategies, including alternative development, and improving infrastructure and social inclusion and protection, addressing the consequences of illicit crop cultivation and the manufacture and production of narcotic drugs and psychotropic substances on the environment, with the incorporation and participation of local communities, and consider taking voluntary measures to promote products stemming from alternative development, including preventive alternative development, as appropriate, to gain access to markets, consistent with applicable multilateral trade rules and with national and international law, within the framework of comprehensive and balanced drug control strategies.

33. WE WILL STRENGTHEN subregional, regional and international cooperation to support comprehensive and sustainable alternative development programmes, including, as appropriate, preventive alternative development, as an essential part of successful prevention and crop control strategies to increase the positive outcome of such programmes, especially in the areas affected by and at risk of illicit cultivation of crops used for the production of narcotic drugs and psychotropic substances, taking into account the United Nations Guiding Principles on Alternative Development.

34. WE TAKE ACCOUNT OF the need to develop, as appropriate, drug policy indicators and tools for the collection and analysis of accurate, evidence-based, reliable and comparable data on all relevant aspects of the World Drug Problem taking into consideration the 2030 Agenda for Sustainable Development.

On changing reality, trends and existing circumstances, emerging challenges and threats, including NPS

35. WE RECOGNIZE that there are persistent, new and evolving challenges that should be addressed in conformity with the three international drug control conventions, which allow for sufficient flexibility for States parties to design and implement national drug policies according to their priorities and needs, consistent with the principle of common and shared responsibility and applicable international law.

36. WE REAFFIRM our commitment to increase the bi-regional dialogue and cooperation in order to address the main challenges, risks and opportunities that the two regions face, with specific attention paid to the misuse of Internet and the rise of new psychoactive substances. Sustained information exchange at the regional and bi-regional levels on effective prevention and treatment and related legislative responses to these threats to support the development of effective, evidence-based responses to the emerging challenge of new psychoactive substances with regard to their adverse social and health consequences is also required.

37. WE RECOGNISE and commit to address the challenges posed by new psychoactive substances and the involvement of organized criminal groups in their production and distribution. In this regard, we recognize the importance of capacity-building in order to address this matter.

38. WE COMMIT to further strengthen the bi-regional dialogue towards the year 2019.

39. WE AGREE to convene the XIX High-Level Meeting of the Coordination and Cooperation Mechanism on Drugs between CELAC and the European Union in 2017 under the co-presidencies of Argentina and Malta.