



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 25 November 2013
(OR. en)**

16708/13

CORDROGUE 120

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 14 November 2013
To: Horizontal Working Party on Drugs
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda as set out in doc. CM 4975/13 with the deletion of agenda item 6 and the addition of the following AOB points:

- Draft declaration updating the EU-Western Balkans commitment to fight against drugs;
- New Hungarian antidrug strategy;
- Spanish request for information on contact points for alternatives to imprisonment.

2. Information concerning the proceedings of other EU bodies

The Presidency informed the delegations about the progress achieved as regards the Justice programme, drug precursor legislation and Council Conclusions on improving the monitoring of drug supply in the European Union.

3. Proposal for a Regulation of the European Parliament and of the Council on new psychoactive substances

The representative of the GSC gave an overview of the different steps of the ordinary legislative procedure. The delegations inquired about the influence of the forthcoming European Parliament elections on the examination of the above-mentioned draft Regulation, outlined in doc. 13857/13 CORDROGUE 87 SAN 344 DROIPEN 110 CODEC 2068. A few delegations were concerned whether the draft Regulation respected the principles of subsidiarity and proportionality, claiming that it was not only for the national parliaments to judge that. In response to the proposals from several delegations to choose a different legal basis for the draft Regulation, the Commission explained again that it found the internal market legal basis to be the best way to achieve the objectives of the new instrument. The speaker also explained that if new psychoactive substances caused concern only in one of the Member States, national measures could be taken to tackle such a substance, as the draft Regulation only concerned substances posing risk at EU level.

The delegations examined chapters I and III of the draft Regulation, including the definition of new psychoactive substances. In response to delegations' comments, the representative of the Commission explained that medicines having a psychoactive effect also fell under the scope of the draft Regulation, as it was under the current instrument, but were excluded from the risk assessment. She explained that new psychoactive substances could also be provided free of charge, for example, for promotional activities.

Some delegations were concerned about the request to provide more information for drafting the joint reports compared to the current procedure. They were explained that as the draft Regulation proposed more options for dealing with new psychoactive substances than the current instrument, more information was needed so as to make a decision on the most appropriate measures to be taken. A deadline of 2 December 2013 was set for providing written comments on the chapters discussed during the meeting.

4. Discussion on misuse of prescription medicines

The Presidency presented the discussion paper outlining four questions on the above-mentioned issue and invited delegations to respond to them. As regards the definition of the misuse of prescription medicines, one delegation provided the national definition, describing the misuse as a case where legally prescribed medicine is not taken in line with the prescription or a case where such medicine is taken illegally.

In response to a question, which are the prescribed controlled medicines that should be discussed in the context of addressing misuse of prescribed controlled medicines, some delegations explained that they witnessed the misuse of benzodiazepines in their respective countries and another delegation noted that the problem could not be restricted to one specific group of medicines.

As regards the possible measures to be taken for tackling the problem, awareness raising among doctors and pharmacists concerning the prescriptions as well as provision of information to the patients were named. Also, one delegation proposed introducing the e-prescription tool so as to avoid "doctor shopping".

Some delegations noted that the HDG should deal with the topic of the misuse of prescribed medicines, if this was treated as an addiction and in the context of the abuse of other narcotics, but the Working Party on Pharmaceuticals and Medical Devices should also be involved. At the same time it was stressed that any duplication of the discussions in the working parties should be avoided.

The representative of the Commission informed the meeting about the project financed under the Seventh Framework Programme (FP7), dedicated to exploring the use and misuse of codeine in the UK, IE and South Africa, which have different prescription regimes and therefore would allow to compare the influence of the prescription regime.

A deadline of 27 November 2013 was set for providing written answers to the four questions indicated by the Presidency.

5. Preparation for the High Level CND session in 2014

The Presidency updated the delegations on the outcome of the intersessional meeting held on 5 November 2013 and informal meeting organised on 12 November 2013. The delegations examined certain provisions of the CND Chair's proposal for the draft Ministerial Statement of the 2014 High-Level Review and the alternative wording for paragraph 6 of the Statement proposed by the PT delegation. The Presidency recalled that the deadline for providing proposals for the CND resolutions was set at 2 December 2013 and the incoming EL Presidency mentioned their plans to present two proposals.

6. AOB

- *Draft declaration updating the EU-Western Balkans commitment to fight against drugs*

The Presidency presented the above-mentioned Declaration outlined in doc. DS 1389/2/13 REV 2 and the meeting endorsed the text, revised to take into account the Western Balkans comments. The Presidency explained that before the endorsement during the EU-Western Balkans Ministerial Meeting on 19-20 December 2013 in Montenegro, the Declaration would be submitted for approval to COREPER/Council.

- *New Hungarian antidrug strategy*

The HU delegation gave an overview of the new national Drug Strategy (2013-2020), adopted by the national parliament on 7 October 2013.

- *Spanish request for information on contact points for alternatives to imprisonment*

The ES delegation asked the HDG delegations to provide information on the national contact points for alternatives to imprisonment, explaining that this information would be used for the elaboration of a guide on various models of treatment of addictions which are alternative to prison. The delegations were also informed that this project was initiated in the framework of the COPOLAD programme.
