



**Brussels, 13 May 2015  
(OR. en)**

**8883/15**

**CORDROGUE 33  
SAN 144**

## **OUTCOME OF PROCEEDINGS**

---

From:	General Secretariat of the Council
On:	28 and 29 April 2015
To:	Delegations of the Horizontal Working Party on Drugs
Subject:	Summary of discussions

---

### **1. Adoption of the agenda**

The meeting adopted the agenda outlined in doc. [CM 2213/15](#) with the postponement of the AOB point "ERANID recommendations on drugs research under Horizon 2020" and addition of the following AOB points:

- Review of the Action Plan on Drugs 2013-2016 - information by the Commission;
- Interim Serious and Organised Crime Threat Assessment (SOCTA) for 2015;
- New Delegates' Portal.

### **2. Exchange of views with NGOs on the future global drugs policy**

The representative of the Global Commission on Drugs claimed that the war on drugs had failed, and among other recommendations called for adopting regulatory models as regards drugs, so as to ensure safety, quality and control of the market. He considered UNGASS a unique opportunity to recognise the urgent need for an adapted response to drugs, and, given Europe's large experience in regulatory systems for food, medicines, chemicals, alcohol and tobacco, called on Europe to consider pilot projects of drug regulation that would be assessed scientifically and would build the foundation for a new international drug control regime.

The representative of the European Initiative for Drugs Policy Reform presented four justifications for drug policy reform including the need to guarantee the supremacy of human rights treaties, the necessity to redefine “medical and scientific purposes” of drugs foreseen in the international drug conventions, the resource limitations of individual governments and internal inconsistencies within the Conventions.

The representative of the NGO Vienna Committee on Drugs gave an overview of the Civil Society Task Force aims for and roadmap towards UNGASS 2016. He also elaborated on the priorities for UNGASS as identified at the Civil Society Hearing at CND 2015, including strong involvement of civil society in the UNGASS preparation and the UNGASS session, widespread support to adopt a public health based approach in the context of drug control, securing global access to essential medicines, abolition of the death penalty and support for the principle of proportionality for drug related offences, scaling up of harm reduction services and finding a common definition of harm reduction among the Member States.

The representative of the European Cities Against Drugs (ECAD) explained that the ECAD was created to resist calls for legalisation of drugs and explained their answer to such calls. According to the speaker there are many different tools available apart from drug legalisation and a modern and ambitious drug policy among other things should emphasise prevention of non medical drug use, offer sound treatment and early intervention, recognise the value of harm reduction but not as an end goal and use law enforcement constructively to maintain societal norms, bring down availability and serve as an engine for recovery.

Delegations stressed the importance of civil society participation in the formulation, implementation, monitoring and evaluation of drug policies.

### **3. Preparation for UNGASS 2016**

The Presidency reported on the outcomes of the "Special Segment on UNGASS Preparation" held during the 58th CND Session and gave an overview of the preparation for the high level thematic debate in support of the process towards UNGASS 2016 to be held on 7 May 2015 in New York. Delegations provided further comments on the draft EU statement for this occasion, to be adopted through a silence procedure after the HDG meeting. Delegations further discussed the possibility to provide an EU contribution for UNGASS on enhancing public health approach, based on evidence-based interventions and best practices.

The incoming Luxembourg Presidency presented the roadmap for preparing the EU statement for the UNGASS preparation meeting to be held in the margins of the 59th CND session in 2016. The EL delegation informed the meeting that they would submit the revised text of the CND resolution on proportionality for sentences regarding drug-related offences in one of the forthcoming HDG meetings.

### **4. Outcomes of the ordinary 58th CND session**

The Presidency reported on the outcomes of the ordinary 58th CND session, including as regards scheduling of a number of new substances as proposed by WHO and United Kingdom. The Presidency also recalled that the HDG would have to address the issue of a common EU position on substance scheduling before the next CND session in Vienna.

## **5. Discussion on the draft Council conclusions on the implementation of the EU Action Plan on Drugs 2013-2016 regarding minimum quality standards in drug demand reduction in EU**

The representative of the EMCDDA gave an overview of the current data collection tools and the possibilities to use them for collecting information on the implementation of minimum quality standards in drug demand reduction. The expert recalled that standards are principles that set direction, not indicators able to measure interventions. He concluded that much information could be collected using the existing data collection tools, however, they will not cover all the information needs that might come relevant under the proposed standards. The representative also explained that some of the tools could be adapted, however, if there is will for full monitoring on the implementation of these EU standards, efforts should be deployed by Member States and the Commission while the reduced resources of the EMCDDA and Reitox network should be kept in mind.

The delegations examined the above-mentioned Council conclusions outlined in doc. DS 1222/15 and were asked to provide their written comments by 7 May 2015.

## **6. EU Action Plan 2013 – 2016 progress questionnaire on the misuse of and dependence from prescribed medicines**

The Presidency explained the aim of the above-mentioned questionnaire, the results of which would also be fed into the progress review on the implementation of the EU Action Plan on Drugs 2013-2016 to be prepared by the end of the year by the Commission, and recalled that a deadline of 4 May 2015 had been set for answering to this questionnaire.

## **7. Outcomes of the Meeting of the National Drugs Coordinators**

The Presidency gave an overview of the above-mentioned meeting held on 16 April 2015 in Riga (doc. DS 1223/15) and delegations congratulated the Presidency on a successful meeting.

## **8. Outcomes of the EU-Brazil dialogue on drugs**

The representative of the EEAS informed the meeting about the proceeding and outcomes of the above-mentioned meeting held on 18 March 2015 in Vienna, back to back to the 58th CND session.

## 9. Preparation for:

### – *EU-Eastern Partnership experts meeting on drugs*

The Presidency invited delegations to participate actively in the above-mentioned meeting to be held on 29 April 2015 (doc. CM 2214/15)

### – *Dublin Group meeting*

The FR delegation gave an overview of the agenda of the above-mentioned meeting to be held on 30 April 2015 (doc. CM 2202/15)

### – *EU-US experts meeting on drugs*

The Presidency gave an overview of the above-mentioned meeting to be held on 21 May 2015 (doc. CM 2215).

## 10. Draft legislation on the new psychoactive substances

The Presidency summarised the concerns expressed by the delegations regarding a mechanism to tackle new psychoactive substances based on Article 114 TFEU as in the original Commission proposal and regarding the alternative legal basis of Article 83 TFEU. Delegations further clarified their positions on this issue and the Presidency promised to inform the delegations about the next steps.

The representative of the CLS gave an overview of the European Court of Justice judgment of 16 April 2015 in the cases C-317/13 and C-679/13 on the annulment of Council Decision 2013/129/EU on subjecting 4-methylamphetamine to control measures and Council Decision 2013/496/EU on subjecting 5-(2-aminopropyl)indole to control measures, respectively, and the implications of this ruling. He explained that CJEU has confirmed that, in future, the Council would continue to be able to ban new psychoactive substances through decisions based on the existing mechanism but would have to consult the European Parliament prior to the adoption of those decisions.

## 11. AOB

### – *Review of the Action Plan on Drugs 2013-2016 - information by the Commission*

The representative of the Commission informed the meeting that by the end of the week they would send out questionnaires on the implementation of the above-mentioned action plan, the report on which should be issued by the end of 2015.

### – *Interim Serious and Organised Crime Threat Assessment (SOCTA) for 2015*

The representative of Europol informed the meeting that the above-mentioned report would be presented at the next HDG meeting.

### – *New Delegates' Portal*

The representative of the SCG presented a pilot project on the new Delegates Portal, intended to replace the Extranet and intended to make working papers available online. He explained that HDG was selected to participate in this pilot project (doc. DGF2A-DOCMA-15-006) and emphasised that the delegates' feedback in this pilot phase was essential.

---