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**CORDROGUE 53
SAN 202**

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 16 June 2015
To: Delegations
Subject: Summary of discussions

1. Adoption of the agenda

The meeting adopted the agenda outlined in doc. **CM 2903/15** with the addition of the following AOB points:

- Proposal for a **CND** resolution on proportionality for sentences regarding drug- related offences;
- Side event on prevention at **UNGASS 2016**;
- **Lisbon Addictions Conference 2015**;
- Review of the Action Plan on Drugs 2013-2016.

2. 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

Delegations further examined the revised version of the above-mentioned Council conclusions, and the Presidency invited the delegations to provide the written comments by 24 June 2015 with a view to Luxembourg Presidency finalising this document.

The PL delegation reported on the annual international conference on minimum quality standards in drug demand reduction held on 10-11 June in Poland with a focus on dissemination of good practices in this area and application of the standards in practice. PL noted that the key challenge was that existing standards were not always implemented on the ground.

3. European Drug Report 2015

The representative of the EMCDDA presented the European Drug Report 2015, explaining the latest trends as regards cannabis, heroin, stimulants and new drugs. Cannabis remained the most popular drug with 15 million young adults aged 15–34 having used it in the last year, the number of hospital emergencies increasing and cannabis being the most frequently reported drug by new treatment entrants. Use of opioids, mainly heroin, still accounted for the largest share of drug treatment demand and drug-related morbidity and mortality in Europe, although the number of new heroin users had been clearly decreasing since 2007. As regards cocaine, it was Europe's most commonly used stimulant, with about 2.3 million young adults aged 15-34 years having used it in the last year. The speaker also emphasised that during 2014 a record number of 101 new psychoactive substances was recorded, which represented a 25% increase compared with 2013.

4. Report on the implementation of the Council conclusions on improving the monitoring of drug supply in the European Union

The representative of the EMCDDA reported on the implementation of the above-mentioned Council conclusions. He explained that data collection tools were developed and that guidelines were produced for a number of drug supply sub-indicators, including "drug seizures", "drug law offences", "synthetic drug production facilities dismantled" and that data collection already was taking place or pilot projects being launched. The speaker also updated on progress made in developing other sub-indicators and informed the meeting that in 2015 the EMCDDA would develop market size estimates for the main drugs, using a demand-side approach to estimate the size of the EU illicit drug market. These would be published in the Second EU Drug Markets Report.

5. Discussion on the misuse of and dependence from prescribed medicines

The representative of the EMCDDA noted that there was only a limited picture on the misuse of prescribed medicines at European level and national level and that there was a need to monitor the misuse of psychoactive medicines by non-problem drug users. The speaker observed that in Europe opioids misuse had so far focused on the response to the "heroin problem" as a result of the diversion of methadone and buprenorphine by problem drug users.

The expert explained that the EMCDDA founding Regulation called for a better understanding of the misuse of medicines, particularly when these were used in combination with illicit drugs, and therefore a working definition of misuse of medicines was developed as well as main medicines groups and key populations were defined. The expert also gave an overview of the results of the first case study on misuse of benzodiazepines (BZDs) among high risk drug users.

The representative of the Presidency presented the results of the questionnaire on the misuse of and dependence on prescribed medicines contained in doc. DS 1361/15, noting that it demonstrated that indeed the situation in the EU as regards misuse of and dependence on prescribed medicines was largely unknown, that there was a lack of clarity on what misuse of and dependence on prescribed medicines encompassed and that delegations agreed that the most urgent priority was the development of common indicators to monitor the situation.

6. Preparation for UNGASS 2016

The Presidency and the representative of the Commission reported on the outcomes of the intersessional meeting held on 12 June 2015 in Vienna, informing the meeting that a deadline of 11 September 2015 was set for providing input for the UNGASS outcome document to be discussed at the next intersessional meeting foreseen on 24 September 2015.

The incoming LU Presidency informed the meeting that they were preparing a draft EU position on UNGASS for the reconvened 58th CND session in December, to be discussed at the July HDG meeting. They also informed the meeting that the EU proposal for UNGASS outcome document would be prepared for the discussion at the July HDG meeting.

The President of the International Narcotics Control Board (INCB) presented the views and priorities of the INCB in the lead-up to UNGASS 2016. The speaker stressed the importance of implementation of a comprehensive, integrated and balanced approach, noting that in many regions of the world this principle was often not implemented and that even in developed countries it could still be improved.

As regards the principle of proportionality, he emphasised that the Conventions requested “adequate” sanctions and in case of offences related to personal drug use that complete alternatives to punishment were possible and that unconditional imprisonment of drug abusers for lesser offences was disproportionate. The speaker also stressed that INCB encouraged the State Parties that still provided for the death penalty for drug-related offences to consider the abolition of the death penalty for drug-related offences.

He also elaborated on new challenges, such as new psychoactive substances, sales of drugs and illegal sale of pharmaceuticals containing narcotic drugs and psychotropic substances over Internet as well as availability of drugs for medical purposes. The President of the INCB concluded that the solution of the word drug problem was not just legalising drugs, but the serious, effective and sustainable implementation of the existing drug conventions.

Delegations encouraged the INCB to play an active role in explaining the true meaning of the Conventions so as to avoid misinterpretations.

The representatives of the Civil Society Forum on Drugs presented their recommendations for UNGASS and civil society participation, calling for a clear recognition of civil society during the UNGASS event itself and for an interactive formal civil society hearing to be held at least two months before the UNGASS 2016.

7. Preparation for:

– EU-Central Asian experts meeting on drugs

The Presidency informed the delegations about the above-mentioned meeting to be held on 17 June 2015, the agenda of which is contained in doc. [CM 2795/15](#).

– Technical Committee meeting of the EU/CELAC Mechanism on Drugs

The incoming LU Presidency informed the delegations about the above-mentioned meeting to be held on 10 July 2015, the agenda of which is contained in doc. [DS 1342/15](#).

8. Presentation of the priorities of the incoming LU Presidency

The incoming LU Presidency gave an overview of their priorities in the field of drugs and the foreseen calendar, explaining that during their Presidency the focus would be on the preparation for UNGASS 2016, preparation for the reconvened 58th session of the CND, discussion on legislation on new psychoactive substances, discussions on misuse of and dependence on prescribed medicines as well as progress review of the implementation of the EU drugs strategy and action plan.

9. Discussion on the draft legislation on new psychoactive substances: temporary ban

The representative of the EMCDDA gave an overview of the possibilities to shorten the preparation of the joint report and risk assessment report on new psychoactive substances, stressing the importance of the active and timely provision of relevant data by the Member States and noting that more rapid provision of this information could contribute to shortening the whole procedure of risk assessment.

Delegations discussed the possibility of introducing a temporary ban to tackle most dangerous new psychoactive substances at the EU level under the legal basis of Article 83(1) TFEU. Delegations raised a number of concerns as regards the introduction of this emergency measure, including that the new psychoactive substances were new substances and therefore little information was available to make evidence-based emergency decisions.

Representatives of the Civil Society Forum on Drugs (CSF) presented the results of the survey on new psychoactive substances, completed largely among the CSF members, which demonstrated that the prevalence of these substances had increased in all regions as had problems related to them, however. As the most important recommendations to governments on tackling new psychoactive substances, the CSF stressed the need for scaling up prevention, providing educational, social and public health services with adequate resources, and improving research and monitoring of the phenomenon to achieve greater success in responding to the threats of new psychoactive substances.

10. AOB

- *Proposal for a CND resolution on proportionality for sentences regarding drug-related offences*

EL delegation informed the meeting that the revised text of the above-mentioned proposal for a CND resolution would be provided for the discussion under the LU Presidency.

- *Lisbon Addictions Conference 2015*

PT delegation informed the meeting that the above-mentioned first European conference on addictive behaviours and dependencies would be organised on 23-25 September in Lisbon and encouraged the delegations to register soon.

- *Side event on prevention at UNGASS 2016*

FR delegation informed the meeting about the intention to organise a special event at UNGASS 2016 focusing on prevention.

- *Review of the Action Plan on Drugs 2013-2016*

The representative of the Commission recalled that delegations had to send their replies to the questionnaire on the implementation of the above-mentioned action plan and that the deadline was extended to 26 June 2015.