



**Brussels, 15 September 2015  
(OR. en)**

**11943/15**

**JAI 651  
CORDROGUE 69  
SAN 275**

## **OUTCOME OF PROCEEDINGS**

---

From: General Secretariat of the Council  
On: 3 and 4 September 2015  
To: Delegations  
Subject: Summary of discussions

---

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

The meeting adopted the agenda outlined in doc. **CM 3505/1/15 REV 1** with the deletion of point 4 "Misuse of and dependence on prescribed medicines: discussion on the scope of the phenomenon" and the addition of the following AOB points:

- Side event in the margins of the 58th reconvened CND session;
- Publication on drug trafficking;
- UNGASS on Drug Policy: European Parliament Event;
- Joint session with Civil Society Forum on Drugs;
- Request for risk assessment on a new psychoactive substance: 1-phenyl-2-(1-pyrrolidinyl)-1-pentanone ( $\alpha$ -PVP);
- Roadmap of the external mid-term assessment of the EU Drugs Strategy and final evaluation of the EU Drugs Action Plan in 2016.

## **2. Discussion on the draft legislation on new psychoactive substances**

The examination of the draft legislation on new psychoactive substances continued, and the delegations discussed the Presidency's text prepared under the legal basis of Article 83(1) TFEU for the first time (DS 1470/15). Delegations welcomed the text and pointed out that a number of issues, including the added value of introducing a temporary ban to tackle the most dangerous new psychoactive substances at the EU level, the threshold for starting the risk assessment procedure, the possibility to introduce generic classification of new psychoactive substances, the possibility to further cut the deadlines at different stages of the procedure should be further analysed. The Presidency informed the meeting that the article-by-article examination of the new draft text would start at the October HDG meeting.

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

The Presidency updated delegations on the submission of the EU contribution for the UNGASS outcome document (doc. 11374/15 CORDROGUE 63). Delegations hoped to have the draft UNGASS outcome document ready by the intersessional meeting in Vienna on 24 September 2015.

Delegations further discussed the EU common position on UNGASS (doc. DS 1369/1/15 REV 1) which will be used as a written annex to the EU statement for the reconvened CND session in December 2015. A deadline of 11 September 2015 was set for providing written comments on the document.

The NL delegation invited the meeting to discuss the possibility to establish an UNGASS expert advisory group, and delegations shared the initial ideas on this subject. Some delegations noted that the question of the establishment of the group should not be separated from the question of the mandate and composition of the group.

The NL delegation informed the meeting about the memorandum on Public health dimension of the World Drug Problem including in the context of UNGASS 2016, addressed to the WHO General Director (doc. DS 1475/15), initiated together with Sweden and other countries, and asked the delegates to draw the attention of their representatives in Geneva to this initiative.

#### **4. Preparation for 58th reconvened and 59th CND session**

– *EU competence as regards international scheduling of substances*

The representative of the CLS explained that the EU had external competence with regard to scheduling of new psychoactive substances by the CND, which covered both the substances already scheduled by the EU and those not scheduled by the EU but proposed for scheduling at the CND. The practical consequence of this was that the EU had to define its position to be presented at the CND, based on the proposal from the Commission in accordance with Article 218(9) TFEU.

The Presidency recalled that only 13 EU Member States were full members of the CND and therefore had a right to vote on new psychoactive substances proposed for scheduling at CND, stressing that the adoption of the common EU position would allow those Member States who will not be voting at the CND session, yet bound by its resolutions, also to be represented.

– *Draft CND resolution on proportionality for sentences regarding drug related offences*

The EL delegation presented the above-mentioned draft resolution, contained in doc. WK 50/2015 and the deadline of 21 September was set for providing comments on it.

#### **5. Preparation for:**

– *EU-Western Balkans expert meeting on drugs*

The Presidency informed the delegations about the above-mentioned meeting to be held on 4 September 2015, the agenda of which is contained in doc. [CM 3504/15](#).

– *EU-Russia expert meeting on drugs*

The Presidency informed the delegations about the above-mentioned meeting to be held on 8 October 2015, the agenda of which is contained in doc. DS 1466/1/15 REV 1.

**6. Report on the Technical Committee meeting of the EU/CELAC Mechanism on Drugs**

The Presidency reported on the above-mentioned meeting held on 10 July 2015 (doc. 11275/15 CORDROGUE 61 COLAC 84), noting that this meeting allowed to conclude that there was more convergence than divergence as regards the EU and CELAC approach to UNGASS.

**7. AOB**

– *Side event in the margins of the 58th reconvened CND session*

The PT delegation informed the meeting about the above-mentioned side event on the Portuguese drug policy to be organised on 9 December 2015 in Vienna.

– *Publication on drug trafficking*

The IT delegation informed the meeting about the recent publication on drug trafficking, among other issues covering the situation in Italy and its international cooperation on this issue.

– *UNGASS on Drug Policy: European Parliament Event*

The Presidency reminded about the above-mentioned event to be held at the European Parliament on 23 September 2015 and the delegations agreed on the representation of the HDG in this event.

– *Joint session with Civil Society Forum on Drugs*

The representative of the Commission informed the meeting about the practicalities related with the forthcoming joint Civil Society Forum on Drugs session with interested HDG delegations to be held on 6 October 2015.

– ***Request for risk assessment on a new psychoactive substance: 1-phenyl-2-(1-pyrrolidinyl)-1-pentanone ( $\alpha$ -PVP)***

The representative of the Commission informed the meeting that they had requested for a risk assessment to be conducted on the above-mentioned new psychoactive substance, and the Presidency informed the delegations that this request would be tabled at GAC Council on 14 September 2015.

– ***Roadmap of the external mid-term assessment of the EU Drugs Strategy and final evaluation of the EU Drugs Action Plan in 2016***

The representative of the Commission informed the meeting that the above-mentioned roadmap for evaluation had been published and invited delegations to provide comments on it.

---