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## OUTCOME OF PROCEEDINGS

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From: General Secretariat of the Council  
On: 15 January 2018  
To: Delegations

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Subject: Meeting of the Horizontal Working Party on Drugs

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### 1. Adoption of the agenda

The meeting adopted the agenda as outlined in CM 5576/1/17 REV 1.

### 2. Preparation for the 61<sup>st</sup> CND session

– *International scheduling of new psychoactive substances*

The representative of the WHO gave an overview of the WHO role within the international drug control conventions and explained the work of the WHO Expert Committee on Drug Dependence (ECDD) for the international review of the most prevalent, persistent and harmful psychoactive substances. He stressed the importance of the contribution of the EMCDDA in providing information on new psychoactive substances and noted that the EU expertise was crucial for expanding and improving the work on scheduling the most dangerous new substances.

The speaker also informed the meeting about the outcome of the 39th ECDD meeting, describing the various risks and forms of harm associated with the substances proposed for international scheduling at the forthcoming 61st CND session in March 2018. The representative of the Commission recalled that two of the substances recommended for international scheduling at the forthcoming CND session had already been scheduled at the EU level, while five others were under the advanced stage of the EU review, which could also result in the scheduling of these substances at EU level.

The representative of the Commission presented the proposal for a Council decision on international substance scheduling at the forthcoming CND session, as set out in 5260/17 + ADD 1, and a deadline of 24 January 2018 was set for providing written comments on this proposal.

– *discussion on the draft CND resolutions tabled by the Member States*

Delegations further examined and exchanged views on the revised version of the Greek proposal for the draft CND resolution on drugs and refugees, as set out in WK 13837/2017 REV 1. Emphasising the importance of the topic, delegations focused in their comments on the scope and the aim of the proposal. A deadline of 24 January 2018 was set for providing written comments on the document.

– *information on the EU and Member State side event to be held at the 61st CND session*

Delegations exchanged information on the side events to be organised by the EU and Member States at the forthcoming CND session, including on the darknet and drugs, COPOLAD, precursors, various EU drug-related programmes, human rights and drugs, alternative development, and the Dublin Group contribution on addressing drug issues.

### **3. Discussion on implementation of the EU common position on the process leading up to the 2019 global drug policy review**

The representatives of the Civil Society Forum on Drugs presented their work and shared ideas on the 2019 global drug policy review, noting that this was a critical opportunity to revise unrealistic and sometimes harmful objectives derived from the 2009 Political Declaration and stressing the need to align them with the UNGASS outcome document, which represented the latest consensus on drug policies and reflected the complexity and diversity of drug policy issues (WK 175/2018). The speakers also noted that new metrics and indicators for global drug control should be established as an outcome of the 2019 global drug policy review, and listed some issues to consider when reviewing the Annual Report Questionnaire (ARQ).

Delegations further discussed the preparation for the 2019 global drug policy review, especially as regards the global drug policy goals and the forthcoming revision of the ARQ.

- *preparation for the Expert Consultation on the Improvement of the Annual Report Questionnaire*

Delegations also prepared for the above-mentioned meeting, to be held on 29-31 January 2018 in Vienna.

### **4. Alternatives to coercive sanctions**

Delegations further examined the draft Council conclusions on promoting alternatives to coercive sanctions, as set out in WK 13479/2017 REV 1. A deadline of 24 January 2018 was set for providing written comments on the document.

### **5. Proposal for a Council decision on subjecting AB-CHMINACA, ADB-CHMINACA, 5F-MDMB-PINACA, CUMYL-4CN-BINACA, 4-fluoroisobutyrylfentanyl, tetrahydrofuranylfentanyl, and carfentanil to control measures**

The representative of the EMCDDA gave an overview of the risks and forms of harm associated with the above-mentioned new psychoactive substances, as outlined in the risk assessment reports completed on these substances (14685/17, 14704/17, 14723/17, 14728/17, 14729/17, 14730/17, 14738/17).

The representative of the Commission presented the proposals for Council decisions with a view to bringing these substances under national control measures at the EU level (15871/17, 15872/17, 15873/17, 15875/17, 15877/17, 15878, 15887/17), provided that the substances had been involved in a number of deaths and non-fatal intoxications in Europe. The working party endorsed the proposals and the European Parliament will be consulted on them subsequently.

## **6. Information from the Commission on the forthcoming EMCDDA evaluation**

The representative of the Commission informed the meeting about the forthcoming external EMCDDA evaluation, noting that this would be an inclusive consultation, in which Member States would be invited to participate and that the evaluation might lead to the revision of the Agency's mandate.

## **7. Drugs and the darknet: perspectives for enforcement, research and policy - presentation by EMCDDA/Europol**

The representatives of the EMCDDA and Europol presented the recently issued report on drugs and the darknet, explaining that darknet markets provided relatively easy access to a range of illicit and potent substances posing threats to the health and safety of individuals and communities across Europe. As the report demonstrated, the illicit drug trade is the mainstay of most major darknet markets and over 60% of the activity on prominent darknet markets is drug-related; almost any type of drugs is being offered on darknet markets.

The speakers also explained that the criminality on the darknet is now being addressed at EU level and is at the heart of the new 2018-2021 EU Policy Cycle for organised and serious international crime. There have also been a number of successful law enforcement operations, and this was one of the important reasons leading to the closure of numerous darknet markets. However, these markets are very flexible and pose new challenges to law enforcement.

## **8. Conference on Drugs in Europe: a bold law enforcement response**

The representative of Europol presented the outcomes of the above-mentioned conference held on 6-7 December 2017, at which a number of drug-related topics were discussed, including the presentation of the new Europol action plan on drugs. One of the conclusions of the conference was that Europol should host a similar drugs conference or experts' meeting on an annual basis.

## **9. Preparation for the EU-CELAC Technical Committee meeting and the XX High Level Meeting of the EU-CELAC Coordination and Cooperation Mechanism on Drugs**

The Presidency presented the draft Sofia declaration to be examined with CELAC delegations at the forthcoming EU-CELAC Technical Committee meetings and to be adopted at the EU-CELAC High Level meeting on 21-22 June 2018, in Sofia ( WK 15037/2017). Delegations welcomed the early provision in the text and exchanged some first comments on it. A deadline of 24 January 2018 was set for providing written comments on the declaration.

## **10. Preparation for the EU-US dialogue on drugs**

The Presidency updated delegations on preparations for the above-mentioned meeting to be held on 9 February 2018, the agenda of which is outlined in 15618/1/17 REV 1.

## **11. Preparation for the EU-Brazil dialogue on drugs**

The Presidency presented the proposed agenda for the above-mentioned meeting to be held in March 2018, in the margins of the forthcoming CND session, the agenda of which is outlined in 15945/17. Delegations were requested to provide any written proposals concerning the agenda by 24 January 2018.

## **12. Preparation for the EU-Western Balkans dialogue on drugs**

The Presidency presented the proposed agenda for the above-mentioned meeting to be held on 18 April 2018 and a deadline of 24 January 2018 was set for providing written comments on the agenda, as outlined in 5242/18. Member States were invited to inform the delegates at the meeting in April about any drug-related initiatives they had taken concerning the Western Balkans.

### **13. Report on the EU-Eastern partnership dialogue on drugs**

The former EE Presidency reported on the above-mentioned dialogue on drugs held on 29 November 2017 (15290/17).

### **14. Report on the HDG-Civil Society Forum on Drugs meeting**

The representative of the Commission gave an overview of the annual HDG meeting with the Civil Society Forum on Drugs held on 29 November 2017.

### **15. Information on relevant international events**

The representatives of the EEAS and the Commission reported on the bilateral meeting held with Russia on 6 December 2018 in Vienna, which was focused on the 2019 global drug policy review.

### **16. A.O.B: OSCE action on drugs**

The representative of the OSCE explained that the OSCE was an important regional platform for discussing drug-related issues and gave an overview of the organisation's drug-related activities, including training courses for law enforcement officials and annual conferences, which produce practical recommendations for policymakers on tackling drugs. The speaker also stressed that the OSCE had been increasing its focus on new psychoactive substances and on organising activities to address that challenge.

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