

5062/98

LIMITE

CORDROGUE 2

NOTE

from : the Presidency

to : Horizontal Drugs group

No. prev. doc. : 12647/96 ENFOPOL 213, 12898/97 CORDROGUE 81

Subject : **Follow-up to the joint action on the approximation of the laws and practices of the Member States of the European Union to combat drug addiction and to prevent and combat illegal drug trafficking**

I. Introduction

On 9 December 1996 the European Council adopted the joint action proposed by France on the approximation of the laws and practices of the Member States of the European Union to combat drug addiction and to prevent and combat illegal drug trafficking (12647/96 ENFOPOL 213). The first annual report to the Council was agreed by the Horizontal Drugs Group at its final meeting under the Luxembourg Presidency, and was approved by the Justice and Home Affairs Council. The Horizontal Drugs Group decided that the report should be confined to measures already taken, and that it would itself give further consideration to the various suggestions which had been made by Member States as to additional ways in which the joint action could be implemented. The Luxembourg Presidency's paper (12898/97 CORDROGUE 81) helpfully sets out all those suggestions for such future actions which had been made under the Dutch and Luxembourg Presidencies. In addition, the United Kingdom is proposing under its Presidency a joint action on improving co-operation on cross-border assets confiscation which should also be seen as part of follow-up to the earlier joint action (article 6).

II. Examination of the suggestions which have been made

2. Suggestions have so far been made by 5 delegations (Italy, France, Greece, Austria, United Kingdom). It will be necessary for the Horizontal Drugs Group to take a view on these. Some, of course, may be beyond this Group's remit - such as the Greek suggestion that standards be drawn up at EU level on the creation of a single judicial area. The Presidency thinks that, to assist consideration, the suggestions would benefit from further elaboration before being put to the Horizontal Drugs Group for full discussion, and that some prioritisation will be required. It therefore proposes to the Horizontal Drugs Group that it should invite those Member States which have made suggestions to prepare papers for consideration by the group, setting out in more detail what problem the suggestion is addressing and why it will improve the situation. (The United Kingdom has prepared such a paper which deals with its proposal for a joint action on asset confiscation).
3. Where a proposal would involve changes in the existing legislation in Member States, it would be particularly useful to have views on the way in which such proposals will be "necessary to prevent and combat illegal drug trafficking in the Union". France helpfully set out their detailed proposals in earlier papers (5426/97 ENFOPOL 15 and 6588/97 ENFOPOL 55); we would welcome an indication from France as to which of these proposals they would consider as their main priorities for action over the coming months. Other Member States may also wish to comment on what they see as the priority areas for further implementation of the joint action.
4. The Presidency proposes to invite Member States to give their initial views at the meeting of the Horizontal Drugs Group on 13 January, with the aim of holding a more substantive discussion at the meeting on 11 February. It would be helpful if those Member States intending to offer papers ensure, if possible, that these reach the Secretariat and the Presidency before the February meeting.