



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 16 October 2001**

**12695/01**

**CORDROGUE 60**

**OUTCOME OF PROCEEDINGS**

of : the meeting of the Horizontal Working Party on Drugs  
on : 17 September 2001

**1. Adoption of the agenda**

The group agreed on the agenda in telex n° 4086 it being understood that:

- point 9 be deleted;
- under new point 9 [any other business] following questions be examined;
- progress of PHARE program in Balkan (request of the Commission);
- implementation in second semester of point 1.1.3 of Action Plan on Drugs meetings of national drugs coordinators (request by the French delegation).

**2. Information on the work of the Union's other working parties concerned with drugs:**

- **European prevention network;**
- **working party on economic questions (precursors);**
- **working party on drug trafficking**
- **multi-disciplinary group on organised crime**

The Presidency informed the group on activities in aforementioned fora.

The French and Netherlands delegations felt that prevention issues should be examined not in the Drug Trafficking Working Party, but preferably in the European Prevention network (French delegation) or the Horizontal Drugs group (Netherlands delegation).

The Presidency emphasised that work on precursors should focus on operational items. The French delegation recommended the involvement of producer countries in every precursor initiative.

**3. Proposal for a Council Framework Decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking (doc.: 10372/01 DROIPEN 60, CORDROGUE 45, COMIX 494)**

The group pursued its reflection on the draft Framework Decision on the base of orientation of the meeting of the group on penal material law of 3 and 4 September 2001 and a meeting document of the Presidency.

- a) As regards article 1 the group broadly agreed with the approach of the Presidency to make a distinction between licit and illicit activities. Moreover, all forms of traffic that are in the UN Convention of 1988 should be covered and the references to marketing and profit in paragraph 1 should be deleted. The group welcomed the intention of the Commission to draw up a note on applicability of the framework decision to precursors, especially as regards national penalties.
- b) Various delegations (German, Austrian, Irish and French) spoke out in favour of a reference to serious traffic as in article 3 of the 1988 Convention. The Greek delegation insisted that trafficking for personal use is to be considered as a distinct category. Addicts are to be considered as patients. The Swedish delegation preferred a broad definition of articles 1 and 2 without exemption. Subsequent articles (e.g. 3 and 4) can limit the scope of the instrument.

- c) As regards article 5 (aggravating circumstances) various delegations (United Kingdom, Swedish and Greek) raised doubts on the usefulness of this article. The French delegation said that its position depends on the final text of article 1. The representatives of the Commission replied that this article is an effort to harmonise legislation.
- d) The Greek and Austrian delegations raised the issue of the definition of notions "large" and "small" amounts of drugs. They preferred that this should be done by national legislation.

#### **4. Evaluation of the EU-Strategy on drugs and Action Plan**

- a) Questionnaire addressed to the Member States.

The group agreed on the format that was available as a room document. National contributions have to be forwarded before January 2002.

- b) 5 EMCDDA Epidemiological indicators

The Presidency informed the group on ongoing work of EMCDDA, especially at the meeting of its Management Board on 6 September 2001 on definition of the indicators, that have to be subsequently adopted by the Council. The Presidency announced that it will present in the coming weeks draft Council conclusions on evaluation of Drugs strategy / Action Plan to the attention of the Council.

- c) Other indicators proposed by the EMCDDA and Europe.

The representative of Europe said that pursuant to a joint Europe / EMCDDA meeting in The Hague on 10 September 2001 a joint document on other indicators will be drawn up.

#### **5. Evolution in progress or pending.**

- a) Synthetic drugs: PMMA/PMA.

The representative of the EMCDDA informed the group that the Scientific Committee is meeting on 29 October 2001 to draw up its opinion on PMMA/PMA risks.

b) Evaluation of the Joint Action of 16 June 1997 and of Community measures on precursors

1. Joint Action on synthetic drugs

The representative of the Commission explained the approach of her Institution as regards the evaluation of the Joint Action on synthetic drugs. The hiring of consultants to evaluate the Joint Action was suggested. Delegations were invited to forward before 7 October 2001 possible comments on the tasks of the consultant as described in a meeting document provided by the Commission.

2. Community measures on precursors

The representative of the Commission announced that an expert will be hired in order to evaluate present precursor legislation.

**6. Preparation of the meeting with Iran (18 September 2001)**

a) As regards the drug situation in Iran the Presidency stressed the importance of law enforcement action. Recently, various missions had visited Iran. The agenda suggested in COREU of 14 September 2001 did not meet any objection.

b) Bilateral cooperation

Four Member States have cooperation agreements with Iran. Especially France and the United Kingdom give bilateral assistance to Iran, whereas other Member States give assistance through UNDCP.

The absence of a legal framework for cooperation between the European Union and Iran renders giving of Commission assistance impossible.

The Presidency noted that the general sum of assistance is still relatively modest.

The Finnish delegation wondered whether the issue of death penalty and respect of human rights should be raised in the meeting. Demand reduction and treatment should be discussed in some depth.

**7. Assistance for third countries report on Member States combination (doc. 11594/01 CORDROGUE 55)**

The Presidency invited Member States to forward the information requested in doc. 11594/01 CORDROGUE 55 before 30 September 2001 to the Commission services.

At the next meeting of the group on 24 October 2001, the procedure for candidate countries will be discussed.

**8. Implementation of the Central Asian action plan: Progress report**

The Presidency informed the group on its efforts to organise a formal endorsement ceremony of the Action Plan with Central Asian partners concerned. The Presidency drew the attention on the very sensitive situation in Tadjikistan.

**9. Other business**

a) Information on the conference of 19 November 2001 on synthetic drugs.

The Presidency gave information on the conference on amfetamines on 19 November 2001 in Brussels. Delegations were invited to return the inscription form before 15 October 2001 to the address listed in the room document on the Conference. The Conference is an occasion where national drug coordination could meet.

b) Commission:

- Preparatory action for a programme to combat drug trafficking (OJ of 9.8.2001) on a preparatory action for a programme to combat drug trafficking.
- Progress of negotiation on drugs with candidate countries and progress of PHARE programme in the Balkans.

The representative of the Commission informed the group on aforementioned items.