
Screening Serbia
**Chapter 24: Justice Freedom and
security**
Cooperation in the field of drugs

Brussels, October 3, 2013

International instruments

- Relevant UN Conventions (1961, 1971 and 1988), form a part of the EU *acquis in the drugs field*

EU Drugs Strategy 2013-2020

EU Drugs Action Plan (2013-2016)

- **Balanced, integrated approach between drug demand and drug supply reduction**
- **Based on the fundamental principles of EU Law**
- **Upholds the founding values of the Union:**
 - **respect for human dignity, liberty, solidarity, proportionality, the rule of law & human rights**
- **considerable added value to national policies**
- **“EU model” is influential and well-respected internationally, widely referred to as a blueprint for anti-drugs policy**
- **successful in integration processes of accession, candidate and potential candidate countries**

EU Drugs Strategy 2013-2020 structure

- **Two policy areas: drug demand reduction & drug supply reduction.**
- **Three cross-cutting themes:**
 - a) **coordination**
 - b) **international cooperation**
 - c) **research, monitoring and evaluation**
- **Two Action Plans (2013-2016 and 2017-2020) will translate the strategic priorities into specific actions, indicating timetables, responsible parties, indicators and data collection/assessment mechanisms.**
- **The Commission will launch a mid-term assessment of the Strategy by 2016 and an overall evaluation of the Strategy and Actions Plans by 2020**

EU Drugs Strategy added value

- **Provide for a common and evidence-based framework to tackle the drugs phenomenon both within the European Union and at international level;**
- **Promote a shared model with defined priorities, objectives, actions, and tools for evaluation on which Member States can build their own drugs policies; Third countries also increasingly get inspired by the EU model;**
- **Provide for a forum for consensus building and decision making and a platform for information sharing and mutual learning, in accordance with the external evaluation of the EU drugs strategy (2005-2012);**
- **Enhance the 'voice' of EU in international fora and promote a culture of harmonised data collection and best practices identification.**

EU Drugs Strategy objectives

- **Reducing the demand for drugs, drug dependence and drug-related health and social risks and harms;**
- **Reducing the availability of illicit drugs and contribute to the disruption of illicit drug markets;**
- **Encourage coordination through active cooperation and the analysis of developments and challenges in the field of drugs at EU and international level;**
- **Further strengthen dialogue and cooperation between the EU and third countries and international organisations on drug issues;**
- **Contribute of a better dissemination of monitoring, research and evaluation results and a better understanding of all aspects of the drugs phenomenon and the impact of interventions in order to provide sound and comprehensive evidence-base for policies and actions.**

Legislative instruments

- **Joint Action 96/699/JHA** on exchange of information on chemical profiling of drugs to improve combating illicit drug trafficking
- **Joint Action 96/698/JHA** on customs cooperation in combating drug trafficking
- **Joint Action 96/750/JHA** concerning the approximation of the laws of the MS to combat drug addiction and to prevent and combat illegal drug trafficking
- **Council Decision 2001/419/JHA** on the transmission of samples of controlled substances
- **Council Recommendation of 25 April 2002** on improving investigation methods in the fight against organised crime linked to organised drug trafficking
- **Council Recommendation of 25 April 2002** on the need to enhance cooperation and information exchange between MS in combating trafficking in precursors

Legislative instruments

- **Council Recommendation of 18 June 2003** on the prevention and reduction of health-related harm associated with drug dependence
- **Council Recommendation of 30 March 2004** on guidelines for taking samples of seized drugs
- **Council Regulation (EC) No 111/2005 & Council Regulation (EC) No 273/2004** on the monitoring and trade in drug precursors
- **Council Decision 2005/387/JHA** on the information exchange, risk assessment & control of new psychoactive substances – currently in the process of revision, a new legislative proposal to be presented by the EC in July 2012
- **Council Framework Decision 2004/757/JHA** laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking – currently in the process of revision, a new legislative proposal to be presented by EC mid-2013

Council Decision 2005/387/JHA

- Council Decision on the information exchange, risk assessment and control of new psychoactive substances
- The underlying idea is that scientific evidence should form the basis of decisions regarding the control of psychoactive substances
- Council Decision also includes new psychoactive substances that are not synthetic, as well as new uses of existing substances

Council Decision 2005/387/JHA

- The Commission's assessment of the functioning of the Council decision concluded that this instrument may not be sufficient for facing the **growing phenomenon of new psychoactive substances** appearing in the EU market
- **On Sept 17, 2013, VP Reding presented the EC proposal to strengthen the EU's ability to respond to NPS**
- Under the rules proposed by the Commission, harmful psychoactive substances will be withdrawn quickly from the market, without jeopardising their various legitimate industrial and commercial uses. The proposals follow warnings from the EU's Drugs Agency (the EMCDDA) and Europol about the scale of the problem and a 2011 report which found that the EU's current mechanism for tackling new psychoactive substances needed bolstering

Council Framework Decision 2004/757/JHA

- Provides an EU definition of drug trafficking offences and **minimum rules on levels of sanctions**
- Calls for **closer cooperation between various law enforcement authorities** in Member States to tackle the problem of illicit drugs trafficking
- EC proposed an amendment that widens the scope of application of criminal law provisions applicable to illicit drugs also to new psychoactive substances posing severe risks

Monitoring of the drugs situation

- **Council Regulation (EEC) No 302/93 and Regulation (EC) No 1920/2006 of the European Parliament and of the Council on the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)**
- **Monitoring of the drugs situation and drug problems is essential to effective policies**
 - **New drugs** emerge on the market on a frequent basis and need to be monitored
 - Information about **drug use in the population** helps to assess drug problems
 - **Trends in drug use** and of different substances may require different responses in e.g. treatment and harm reduction
 - Monitoring trends in **infection rates and drug-related deaths** is essential to responding rapidly to possible unexpected outbreaks

Drug demand reduction

- One of the two vertical pillars of the EU drugs policy (the other one being drug supply reduction)
- The objective is to reduce the demand for - and adverse health and social consequences of - drug use by improving the accessibility, quality and effectiveness of prevention, treatment, harm reduction, rehabilitation and reintegration
 - Universal and broadly targeting **prevention**
 - Drug **treatment options**
 - Improvement of treatment **retention and reduction of relapse rates**
 - **Opiate substitution treatment**
 - **Harm reduction**
 - **Reintegration and rehabilitation**
 - Provision of drug demand reduction services for **drug users in prisons**

Drug supply reduction

- **Improvement of law enforcement cooperation and exchange**
- **Improvement of judicial coordination and cooperation**
- **Rapid response to emerging threats**
- **Reduction of manufacturing and supply of drugs**
- **Reduction of diversion and/or trafficking of drug precursors**

Law enforcement and judicial cooperation

- **Enhance effective law enforcement cooperation in EU**
 - Intelligence-led approach
 - Multidisciplinary law enforcement cooperation,
 - Information exchange on investigations regarding serious organised crime
 - Training for senior police and customs officials
 - Making better use of MS liaison officers
 - Forensic profiling system

- **Enhance effective judicial cooperation between Member States**
 - Encourage full use of existing instruments on mutual assistance requests in criminal matters
 - Development of witness protection programmes
 - Strengthening EU cooperation to achieve full application of legal instruments relating to the mutual recognition of confiscation orders
 - Support the establishment of effective Asset Recovery Offices in MS

Law enforcement and judicial cooperation

- **Respond rapidly and effectively at operational, policy and political level to emerging threats**
 - Set up, where necessary, regional security platforms to counter emerging threats by means of coordinated operational responses (in line with existing legal and operational arrangements at EU level and based on specific threat assessments)
 - EU to focus on coordinated and joint efforts between MS and regions most highly exposed to particular drug production/ trafficking phenomena
- **Reduce the manufacture and supply of drugs**
 - MS to actively maintain law enforcement cooperation/ joint operations in this area and to share intelligence and best-practices
- **Reduce the diversion and trafficking in/ via the EU of drug precursors used for the manufacturing of illicit drugs**
 - Unified positions at international level
 - Customs and border control services to integrate precursor controls at a strategic level
 - Support for international (INCB) precursor control projects

Update on EU Drugs Policy

- <http://ec.europa.eu/justice/anti-drugs/>



■ **THANK YOU!**