

EUROPEAN PARLIAMENT

2004



2009

{LIBE} Committee on Civil Liberties, Justice and Home Affairs

December 2004

PROVISIONAL
2004/XXXX(INI)

RECOMMENDATION TO THE COUNCIL

on the European strategy on fighting drugs (2005-2012)

{LIBE} Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Giusto Catania

PROPOSAL FOR A EUROPEAN PARLIAMENT RECOMMENDATION TO THE COUNCIL

**on the European strategy on fighting drugs (2005-2012)
(2004/XXXX(INI))**

The European Parliament,

Recommends to the European Council, when defining the future European Drugs Strategy (2005-2012), and with general reference to EU policy on drugs, that they should:

- (a) redefine European cooperation on drugs policy aimed at tackling cross-border and large-scale drug trafficking, which takes account of all the implications of the problem, based on a scientific approach, respect for civil and political rights, protection of the lives and health of individuals;
- (aa) set clear, precise, quantifiable goals and priorities which can be translated into operational indicators and measures in future Action Plans, very clearly establishing responsibilities and deadlines for implementation, and taking account of the subsidiarity principle. In order to facilitate implementation, a multidisciplinary approach should be taken at European level in relation to these clearly defined goals (coordination, information, assessment and international cooperation);
- (b) take account of the fact that the assessments made to date of the six main objectives set by the EU Anti-Drug Strategy (2000-2004), show that none of them achieved favourable results and draw political and legislative lessons from this when devising the European Anti-Drug Strategy 2005-2012 and the related action plans;
- (c) base the new strategy more on scientific research and in-depth, structured consultation with those involved in this field in the Member States;
- (d) increase social and scientific research on illegal substances for relevant medical and social purposes;
- (e) produce an alternative to the current financial fragmentation by creating a new budget line, closely meshed with all the measures which will need to be provided for in future Action Plans to be adopted by the Commission, since otherwise, it will not be possible to achieve the objectives laid down in the Drugs Strategy;
- (f) create a specific budget line in order to facilitate an ongoing process of consultation with affected civil society organisations and independent professional experts about the impact of drug policies at the level of citizens;
- (g) carry out a detailed evaluation of the effectiveness of the implementation of the previous Strategy, with particular regard to :

prevention of use and dependence

a reduction in the supply of and the demand for illicit drugs,
the limitation of social damage (marginalisation),
the limitation of health damage,
a reduction in drug-related petty crime and organised crime and

not to adopt the new European Drugs Strategy (2005-2012) without knowing the real results achieved by the previous Strategy, as measured by the relevant technical and political assessments;

- (h) inform the European Parliament periodically in accordance with the principles of democratic legitimacy, transparency and sincere cooperation between the institutions, of the progress of the negotiations within the Council on the European Strategy on Fighting Drugs (2005-2012);
- (i) consult the EP in good time before adopting the European Drugs Strategy (2005-2012), so that Parliament's opinion can be taken into account;
- (j) improve the coordination and exchange of information within the Union on drugs policy following the accession of ten new Member States, inter alia through the European Monitoring Centre for Drugs and Drug Addiction and in particular in relation to combating crime, so as to achieve an integrated, multidisciplinary and balanced approach to the problem of drugs, which also takes account of the encouraging results achieved and fully documented by various Member States, and other European countries, that are implementing alternative drugs policies, and step up European cooperation mechanisms as EU 25's borders are closer to the countries of origin of drugs, so as to curb the drug traffic entering the Union;
- (l) clearly define and extend the new European coordination mechanism on drugs policy, inter alia through the European Monitoring Centre for Drugs and Drug Addiction, so as to achieve an integrated, multidisciplinary and balanced approach to the problem of drugs, which is now more necessary than ever following the accession of ten new Member States;
- (la) take adequate account of the new situation that has arisen following the accession of ten new Member States to the Union, which necessitates more intensive cooperation with the new border states;
- (m) establish minimum standards improving the availability and efficacy of action to prevent risks, and likewise minimum standards for rehabilitation measures, based on best practice in the Member States, with the goal of reducing the social impact caused by drugs;
- (n) lay much greater stress on harm reduction, information, prevention, care and attention to protection of the lives and health of people with problems caused by the use of illicit substances, and define measures to prevent them from being marginalised rather than implementing repressive strategies which verge on and had frequently led to violations of human rights;
- (na) increase the availability of harm reduction programmes (especially to prevent the spread of HIV and other blood borne diseases) among drug users;

- (o) set up rehabilitation programmes for offenders/users as alternatives to prison since such programmes have been found to be effective in countries which have implemented them;
- (p) stepping up and appropriate funding of the information measures required to provide information on illicit substances and prevent drug use, particularly in schools, as provided for in the 2000-2004 action plan, curb the negative repercussions of drug use and the associated risks;
- (pa) place the emphasis on stepping up information measures, which should be based on scientific knowledge, regarding the consequences of various types of drugs (above all synthetic drugs), so as to be able to warn everyone in clear, strong terms;
- (q) define and exponentially step up the involvement and participation of drug addicts and users of illicit substances, civil society, NGOs, the voluntary sector and the general public in resolving drug-related problems, in particular by involving organisations operating in this area more closely in the work of the Horizontal Drugs Group and by organising an annual European prevention initiative and by setting up, on an experimental basis, easily accessible informal centres pursuing an anti-prohibitionist harm reduction strategy;
- (r) establish assessment measures which will allow deviations from - and more appropriate measures and resources to achieve - the goals set out in the EU Drugs Strategy to be detected correctly and rectified in good time;
- (s) take appropriate steps to prevent the profits from illegal drug trafficking being used to fund international terrorism and apply current legislation on confiscation of goods and fighting money-laundering;
- (t) include in all international agreements, and particularly new cooperation agreements with third countries, a specific anti-drug cooperation clause, with 'essential clause' status;
- (u) significantly increase development aid to drug-producing countries, by means of programmes to fund sustainable alternative crops and the radical reduction of poverty, exploring also the possibility of promoting and safeguarding production for medical and scientific purposes, of opiates for example, and to take into consideration the possibility of launching pilot projects for the industrial manufacture of legal products derived from plants covered by the 1961 Convention, such as coca leaf and Indian hemp;
- (ua) provide and ensure access to substitution programmes, with particular reference to the prison environment, while encouraging alternatives to imprisonment for users of illicit substances or for related minor and non-violent offences;
- (ub) increase research into the use of plants that are currently illegal or in a grey zone, like hemp, opium or coca leaves, for medicinal applications, food security, sustainable agriculture, generation of alternative energy sources, substitution for tree- or oil-based products and other beneficial purposes;
- (uc) revise the framework decision on drug trafficking to take account of the views expressed by Parliament, ensuring that harmonisation applies only to trafficking in large quantities of

drugs affecting two or more Member States with due regard for the principles of subsidiarity and proportionality enshrined in the Treaties;

(ud) carry out a scientific study into the costs and benefits of current policies for the control of narcotic substances, including, in particular:

an analysis of cannabis and its various legal and illicit derivatives, inter alia to assess their effects, their therapeutic potential and the results of criminalisation policies and possible alternatives; an analysis of the effectiveness of programmes to distribute heroin under medical supervision for therapeutic purposes in terms of the objective of reducing drug-related deaths; an analysis of the economic, legal, social and environmental costs of prohibition policies in terms of the human and financial resources required to enforce the law; and an analysis of the impact on non-member countries of current policies under both the European Strategy and the global drug control system;

(ue) urge governments and national parliaments to take effective measures to prevent drugs entering prisons

2. Instructs its President to forward this recommendation to the Council and the European Council and, for information, to the Commission and the governments and parliaments of the Member States, the European Monitoring Centre for Drugs and Drug Addiction, the Council of Europe and the United Nations and its specialist agencies.