



Procedure file

The information here reflects the current status of the procedure

Existing summary

Identification

Reference	INI/2004/2221
Title	Draft European Union drugs strategy for 2005 to 2012
Legal Basis	REG 114-p3
Dossier of the committee	LIBE/6/24515
Subject(s)	7.30.30.04 action to combat drug-trafficking
Stage reached	<i>Procedure ended, publication in Official Journal pending</i>

Stages

Stages	Documents: references			Dates	
	Source reference	Equivalent references	of document	of publication in Official Journal	
Non-legislative initial document	EP B6-0070/2004		29/09/2004		
EP: draft report by the committee responsible	EP PE347.270		07/12/2004		
EP: tabled non-legislative report	EP A6-0067/2004		07/12/2004		
EP: non-legislative resolution	EP T6-0101/2004		15/12/2004	C 226 15.09.2005, p. 0073-0233 E	

Agents

European Parliament

Committee	Rapporteur / Co-rapporteurs	Political group	Appointed
Civil Liberties, Justice and Home Affairs (responsible)	Catania Giusto	GUE/NGL	13/09/2004
<i>Environment, Public Health and Food Safety (opinion)</i>			

European Commission and Council of the Union

Council of the Union	Agriculture and Fisheries	meeting : 2702	of : 20/12/2005
Council of the Union	Employment, Social Policy, Health and Consumer Affairs	meeting : 2627	of : 06/12/2004
Council of the Union	Justice and Home Affairs	meeting : 2618	of : 19/11/2004
Council of the Union	Justice and Home Affairs	meeting : 2613	of : 25/10/2004

Summaries

15/12/2004 - EP: non-legislative resolution
<p>The European Parliament adopted by 285 votes in favour, 273 against with 23 abstentions and own-initiative report by Giusto CATANIA (GUE/NGL, IT) making recommendations to the Council and to the European Council, on the European strategy on fighting drugs (2005-2012). (Please see the summary of 02/12/04.) They need to take account of the fact that the assessments made to date of the six main objectives set by the EU Drugs Strategy (2000-2004) show that none of them achieved favourable results and draw political and legislative lessons from this when devising the EU Drugs Strategy (2005-2012) and the related action plans.</p> <p>Parliament wanted them to establish assessment measures which will allow shortcomings in - and more appropriate measures and resources to achieve - the goals set out in the EU Drugs</p> <p>Strategy to be correctly detected and rectified. Parliament also wanted the Council and European Council to 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.</p>

06/12/2004 - Council's activities
<p>The European Council adopted the Drugs Strategy 2005-2012, which will be included in the Hague Programme. The Strategy will be a key instrument to effectively confront drugs use and trafficking with a view to ensuring a high level of health protection, wellbeing and social cohesion, as well as a high</p>

level of security for the general public.

The European Council invited the Commission to present to the Council a proposal for an Action Plan for implementation of the Strategy in 2005-2008 with a view to its adoption by the Council early in 2005 and to prepare an evaluation of its implementation in 2008.

02/12/2004 - EP: decision of the committee responsible, 1st reading/single reading

The committee adopted the own-initiative report by Giusto CATANIA (GUE/NGL, IT) on the European Strategy on fighting drugs (2005-2012). MEPs stressed that problems such as drug trafficking and drug abuse could not be solved by each country acting alone, and that the EU needed to adopt a common strategy to tackle drug problems. However, they also wanted national drug policies to be based on scientific knowledge about each type of drug, not on "an emotional response".

The committee formulated a series of recommendations ahead of the December 2004 EU summit which was set to adopt a new EU Drugs Strategy for 2005-2012. Existing European cooperation on drugs policy should be revamped in order to tackle cross-border and large-scale drug trafficking and to take account of all the implications of the problem, using a scientific approach. A detailed evaluation of the effectiveness of the previous strategy should be carried out, with particular regard to prevention of use and dependence, a reduction in the supply of and demand for illicit drugs, the limitation of social (i.e. marginalisation) and health damage and the reduction in drug-related petty crime and organised crime. The new drugs strategy should not be adopted until the real results of the previous strategy were known.

MEPs wanted the Council to propose measures totally different from those currently being used to achieve overall EU drugs strategy goals. For example, priority should be given to protecting the lives and health of users of illicit substances, improving their wellbeing and protection and preventing them from being marginalised. They added that the Council should make harm reduction programmes more widely available, especially to prevent the spread of HIV and other blood-borne diseases among drug users. MEPs also wanted the Council to set minimum standards for rehabilitation measures instead of placing too much emphasis on treatment with drug substitutes. The committee was keen for rehabilitation programmes to be set up for offenders and users as alternatives to prison and it urged governments to do more to prevent drugs entering prisons. Greater attention should also be focused on information and prevention measures: the Council was urged to boost funding for science-based information campaigns and to fund consultations with civil society organisations and professionals about the impact of drug policies. Moreover, following the arrival of ten new Member States, more cooperation was needed with the states on the EU's new frontiers as these were closer to the countries where drugs originate.

The Council was also urged to take steps to prevent the profits from illegal drug trafficking being used to fund international terrorism. Lastly, MEPs called for development aid to drug-producing countries to be increased through programmes to fund sustainable alternative crops and increase research into the use of plants like hemp, opium and coca leaves for medical applications, food security and other beneficial purposes.

19/11/2004 - Council's activities

The Council agreed on a new EU Drugs Strategy for the period 2005-2012 and will forward it to the European Council on 17 December 2004, for adoption. The framework and priorities established by the new Strategy are to serve as the basis for two consecutive four-year EU Action Plans on Drugs. While the Strategy stresses the importance of paying due regard to the principle of subsidiarity, it also acknowledges that consistent national prosecution policies in all Member States are the condition precedent to a common and credible drug enforcement policy of the EU. The Member States will make efforts towards consistency of the standards of the prosecution practices in the Member States. Furthermore, the evaluation of the functioning of the Framework Decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of illicit drug trafficking, including its effects on international judicial cooperation in the field of illicit drug trafficking, will form an integral part of the Strategy.

The new Drugs Strategy is based first and foremost on the fundamental principles of EU law and, in every regard, upholds the founding values of the Union: respect for human dignity, liberty, democracy, equality, solidarity, the rule of law and human rights. It aims to protect and improve the well-being of society and of the individual, to protect public health, to offer a high level of security for the general public and to take a balanced, integrated approach to the drugs problem. The Strategy is also based on the relevant UN conventions (the UN Single Convention on Narcotic Drugs of 1961 as amended by the 1972 protocol, the Convention on Psychotropic Substances (1971) and the Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)), which are major legal instruments for addressing the drugs problem. Furthermore, the UN General Assembly Special Session on Drugs of 1998 confirmed the importance of the integrated and balanced approach, in which supply reduction and demand reduction are mutually reinforcing elements in drugs policy.

The drugs problem is experienced primarily at local and national level, but it is a global issue that needs to be addressed in a transnational context. In this regard, action carried out at EU level plays an important role. At an overall level, EU efforts are geared towards a coordination of all the actors involved. In the field of public health, the Community complements Member States' action in reducing drugs-related health damage, including information and prevention.

As for chemical precursors, which can be diverted into the manufacturing of illicit drugs, the EC legislation provides a framework for control of trade in precursors both within the Community and with third countries. With regard to money laundering, Community legislation sets out a number of measures to also prevent the laundering of drugs proceeds. Concerning justice and home affairs, cooperation between police, customs and judicial authorities is an essential element in preventing and combating drug trafficking. In this context, the adoption of the framework decision on drugs trafficking is a major step laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking. Finally, in the area of external relations the EU takes international action with a combination of political initiatives, like the action plans and dialogue on drugs with various regions of the world, as well as assistance through development programmes.

To recall, the aim of this European Union Strategy is to add value to national strategies while respecting the principles of subsidiarity and proportionality set out in the Treaties. This Strategy stresses that Member States should consider the impact of their national strategies on other Member States, the ways national strategies of different Member States can be mutually supportive, and the contributions such strategies can make towards achieving the objectives of this European Union Strategy. It is also intended to allow scope for local, regional, national and transnational dynamics and potentialities and to make optimal use of the resources available. Account is also taken of the organisational and financial constraints of Member States and EU institutions.

Finally, this Strategy builds on the EU Drugs Strategy 2000-2004 and Action Plan on Drugs 2000-2004 and has taken into consideration these texts as well as the Mid-Term Evaluation of the Action Plan, the Council's response to this Mid-Term Evaluation and the results of the Final Evaluation.