

## THE ENCOD BULLETIN ON DRUG POLICY IN EUROPE

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### EUROPE AT CROSSROADS

Europe is a complicated continent. Each country represents a different world of values and attitudes. Therefore, there is no such thing as a European drug policy yet. In theory, all EU Member states are obliged to implement the UN Conventions on Drugs, and thus to criminalise and persecute the production and distribution of *some* drugs. In practice, this agreement is interpreted in a different manner in each city, even in each neighbourhood. Due to the increasing tension between what's written in the law and what happens in reality, European authorities need to choose: make laws that reflect reality, or the other way around.

With the edition of a new Action Plan on Drugs for the European Union for the coming 4 years (2005-2008), the European Commission is currently trying to melt the complex European realities, each of them characterised by their own history, economy, culture and political traditions, into one common approach. That is not necessarily a bad idea. It all depends on the question if this process of "harmonisation" will end with a *European* concept of drugs policy – one which will be essentially different from the US. And on the options we will have as involved citizens to feed and accompany this process.

The new Action Plan will be officially announced in June 2005. It is the instruction manual to various "anti-drug" programmes that are supervised by the European Commission (for several hundreds of millions of EURO per year), and at the same time, the concrete implementation of the guidelines established by the EU Drug Strategy for 2005-2012, which was approved by the Council of Ministers in December 2004. The plan covers the first half of this strategy, which consists of three years of "implementation" and one year of "evaluation".

There are two things that are crucial for a policy to be accepted by the population: it should be effective, and it should be just. If "justice" means to enable all interest groups to give their comment on the policy before it is decided upon, in order to ensure all their interests have been duly considered, the new EU action plan can hardly be called just. The "consultation of civil society" that the European Commission pretends to have done in the preparatory phase of the new plan, has taken place through a website which was so badly publicised, that not more than 35 persons managed to send their comments. Who these people are or what they have said continues to be a secret, but meanwhile the Commission maintains these were representative voices – with a wide range of "very diverse" opinions among them.

The new plan does not look very effective either. At least, no conclusion has been drawn from the evaluation of the former EU Action Plan (covering the years 2000 to 2004). This evaluation, published by the European Monitoring Centre on Drugs and Drug Addiction (EMCDDA) in October 2004, clearly demonstrates that the strategy failed in all its six objectives that were established at the start of the plan, at the end of 1999. The new Action Plan however, continues with exactly the same objectives.

The conclusion must be that it is political and not technical or administrative motives that produce the decision to continue with measures that are proven to be ineffective by the institute whose task it is to feed the official debate on drug policy with scientific data on its impact.

No, the importance of this plan is not inside its pages. It is in its *timing*, the moment of its appearance. This Action Plan was elaborated two months after the approval of the Catania report by the European Parliament on 15 December 2004. This report is historical, in the sense that for the first time a parliament of such a high reputation (the direct representation of 450 million EU citizens) expresses the need to change the fundamental course of drug policy. The report recognises that the basis of drug policy needs to be in the promotion of health, and not in the restriction of rights. It does not hide the fact that conventional policies have failed, and proposes to revise them with objective criteria. It even proposes to increase research into the beneficial applications of illegal substances. And finally the report clearly mentions the need to create a new forum for discussing alternatives to drug prohibition, and the urgent need to involve affected citizens in this forum. The same people whose voices have been ignored by authorities for many years – so this is an interesting challenge to EU authorities.

We will soon see if this new forum is virtual reality or not. On 21 April 2005, from 9.00 to 12.30, the Civil Liberties Committee of the European Parliament will organise a Public Hearing on the new Drugs Action Plan. According to the spirit of the Catania report, which was produced in this Committee, the hearing will be a meeting between authorities (from both the Commission and the Member States) and civil society, represented by various organisations and experts. The large majority of the latter will support the recommendations of the Catania report, so it will be very difficult for EU authorities to continue ignoring the message.

But let's be careful with our expectations. We already understood from the civil servants inside the European Commission who are responsible for the draft version of the Action Plan that they are not impressed by the European parliament. In a telephone conversation at the end of February, Carel Edwards, Head of the Anti-drug Coordination unit of the Justice Directorate of the EC, told me that he considered the Catania report to be "not very consistent" and "useless". If this is the attitude with which the Commission looks at the European Parliament, what will their respect towards the opinion of normal citizens be like?

Thus, the drugs issue represents more and more the increasing democratic deficit between authorities and citizens in the EU. We are trying to bridge that deficit with concrete actions. Since 17 March, ENCOD has put a petition online on < <http://www.action.encod.org/>>, where people can sign a support declaration of support to the Catania report, which should be signed by as many European citizens as possible before 21 April, declared European Day of Citizen Action for Just and Effective Drug Policies. Likewise ENCOD will participate at the Hearing at the European Parliament, which is open to the public (registration is necessary). For more information, please contact us.

Joep Oomen  
[www.encod.org](http://www.encod.org)