



***EUROPEAN COALITION FOR JUST AND EFFECTIVE DRUG
POLICIES – ENCOD vzw***

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A PROPOSAL FOR DIALOGUE ON DRUG POLICIES

To Mr. Carel Edwards, Head of Drug Unit
European Commission, Brussels

Antwerpen, 17 December 2004

Dear Carel Edwards,

Herewith, ENCOD wishes to remind the European Commission of its proposal, done on 8 November 2004, to co-organise a broad conference involving authorities, parliamentarians and civil society representatives from all EU Member States in the first half of 2005.

Aim of this conference should be to discuss the course of drug policies in the EU in the coming 4 years, the period of the new EU Drug Action Plan that the Commission is expected to produce soon.

History

In the autumn of 2004, the EU Horizontal Drugs Group, the formal decision-making body in the European Union when it comes to drug policies, had the task of elaborating a new EU drug strategy (2005-2012). On different occasions, the official documents of the EU institutions have stressed the importance of consultation with civil society organisations in the elaboration of drug policies. This motivated ENCOD to send a letter to the Chairperson of the EU HWPD on 30 August, containing a proposal for a sincere dialogue on the new strategy. We received no formal answer, despite repeated efforts to insist on the need for dialogue on 28 September and 22 October.

The decision not to organise the dialogue ignores one of the eleven aims of the EU Strategy on Drugs for 2000-2004, agreed upon in the Helsinki European Council in December 1999, which called for encouraging the involvement of civil society.

It also ignores one of the key recommendations of the mid-term evaluation of the current Action Plan in 2002, which called for a conference to be organised in 2004 to involve civil society in the future development of EU Drug Policy.

It ignores the draft version of the new strategy issued by the Dutch presidency on 30 June 2004, which mentioned that “a balanced approach to the drugs problem also requires adequate consultation with a broad group representative of the relevant NGOs and civil society”.

And finally, if the new European Constitution would be in force already, it would violate this Constitution, as according to this Constitution, authorities should "engage in an open and transparent dialogue with civil society, and conduct hearings with affected groups".

In the mean time, the European Parliament has approved, on 15 December 2004, a report concerning the new EU Drug Strategy. The EP members were informed about the lack of response on behalf of the EU authorities and adopted, among others, the following recommendation:

“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”

The report also recommends to *“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”*.

Lessons from the past

The current 5 year European Union Action Plan to Combat Drugs, that was adopted by the Council of Ministers in 1999, articulated some clear objectives. Therefore, it is now possible to measure the progress made by EU institutions and member states in their policies towards the drug issue..

The announced objectives in 2000 were:

1. a significant reduction in prevalence of illicit drug use,
2. a significant reduction of drug related health damage and drug related deaths,
3. an increase in the number of successfully treated drug addicts
4. a significant reduction of availability of illicit drugs,
5. a significant reduction of drug related crime,
6. a significant reduction of money laundering
7. a significant reduction of trafficking of precursor chemicals

According to the official evaluation report, elaborated by the EMCDDA concerning the current EU Action Plan on Drugs, there is no convincing evidence of any favourable result in any of these objectives.

Both the official data (from UNODC or EMCDDA or national agencies) and the non-official data (collected from health practitioners or consumers) show the same trend: drug use in Europe is increasing, although the level of increase and the range of products involved may vary considerable among the Member States. Concerning drug availability, it is enough to refer to a survey of the 'Eurobarometer' carried out in 2002, which points out that a large majority of people (62 %) between 15 and 24 considers it 'easy' to obtain drugs near they live or go to school.

In our view, what has to be avoided is that the new EU Drug Strategy will repeat the mistake of the former ones. We should not continue with policies that we know do not work. We should not talk about evaluation if we lack the common instruments to evaluate. The drug strategy should be taken seriously, among others because of the following problems that are largely related to ill-conceived drug policies:

- ◆ The illegal drug industry generates huge profits that are used for other criminal activities, including terrorism. According to UN figures, these profits could amount 400 billion euros/year (12.500 euro/second)
- ◆ Drug consumption is taking place in unsafe conditions, in irresponsible ways, involving chaotic lifestyles, generating significant harm to public health and safety.
- ◆ The 'war on drugs' in developing countries is leading to massive environmental and human rights disasters.
- ◆ Legal and policing costs in order to maintain drug policies are significant, while their impact on the capacity of drug trafficking organisations may be irrelevant.

The way out of the drug policy dilemma

The decision-making process on drug policies needs to be done in a transparent way, involving physical encounters with real voices of people who are aware of the problem. The process should take into account experiences that are gained on the street level in Europe on a daily base, and not on data and evaluations that are referring to realities that have passed or controlled by agencies with an own agenda.

The clue to a solution in the current dilemma is to facilitate a process of dialogue with relevant civil society organisations, to enable them to take part in the design and the implementation of new Drug Strategies, in order therewith to improve their impact.

We are within ENCOD entirely dedicated to that purpose. Therefore, we have proposed the European Commission to organise a conference before March 2005, in the framework of the elaboration process of the new Drug Action Plan, involving European Union Member States and Institutions, and a decent representation of civil society represented by 3-4 NGO spokespeople by country, with observers from the European Parliament and non-EU countries.

The subject of the conference could be the involvement of civil society in the elaboration of European drug policy (and specifically in case of the European Union Action Plan), in four areas:

1. Political level: how to develop models for drug policy control, within and outside the margins of current legislation, aiming at creating less harm for users and non-users
2. Peer Support: how to increase the role of users in harm reduction initiatives
3. Treatment and prevention: how to increase their long term efficacy in reducing / avoiding problems.
4. Information: how to set up a permanent consultation procedure between authorities and civil society organisations on the drug issue.

To increase the transparency of this conference, it would be wise to actively involve at least one representative from civil society organisations in the preparation of this conference, just as other actors such as the Pompidou group, the European Parliament and others.

A meaningful debate on drugs will surely put some sensible issues on the table. Considering the great public impact and interest of the drug phenomenon on the European public, however, it is urgently necessary to enable authorities to learn from the lessons of the past.

We look forward to your comments and suggestions.

Best wishes, on behalf of ENCOD,

Joep Oomen