

EUROPEAN COALITION FOR JUST AND EFFECTIVE DRUG POLICIES – ENCOD

VZW

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**Minutes of the 2006 General Assembly
ENCOD offices, Antwerpen, Belgium
June 23th, 24th and 25th, 2006.**

(by Andria Efthimiou-Mordaunt and Joep Oomen)

Participants:

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Invited speaker: Theo van Dam / ex-LSD / Netherlands / lsd-mdhg@inn.nl

Apologised: Martí Canares (DMT AVOCATS, Spain), Wernard Bruining (Netherlands) and Filomena Aguiar (A COMUNIDADE, Portugal). The membership of Peter Sarosi (HCLU, Hungary) has been suspended.

1. COUNTRY REPORTS

The meeting started with a series of presentations on the situation of drug policies in the 13 countries represented. These reports have been recorded on film. Sokrates from Germany has promised to see if he can put some parts on a website in the coming months.

Austria:

Since last year there is a serious offensive going on against the growshops, directed against the selling of clones. When they then go to court it depends if they can prove an amount of THC. If there is not a lot of plants involved people generally do not go to jail.

Belgium:

The climate is a bit more liberal in the Frenchspeaking part in the South than in Flanders. There are programmes of heroin prescription, pill testing, proposals to legalise cannabis. In Flanders the debate is difficult, a programme as Breakline (harm reduction at dance events) recently lost its funding from the city government of Antwerp. At the same time, cannabis consumers unite in an association (Trekt Uw Plant), which organises collective cannabis cultivation for its adult members (who can have 1 plant according to Belgian law).

France:

The government is aggressive, acts against any effort to "promote" drugs – this leads to fear among the movement, people do not dare to speak out as user. Growshops are being closed. People are losing their jobs and driving licenses because of positive pot tests. But there is lots of polydrug problems. Official figures are 300.000 daily users of cannabis, but really it is more than a million. The Socialist Party have said they want to reform drug laws in a progressive direction. But the debate is closed: human rights abuses are considered as normal due to the influence from the USA.

There is too much selfishness in the grow-shop's workers and this attracts cops. They do not think about others; where there is \$\$, they go for the black money and this has not helped at all.

Germany:

We have a new government, conservative but not totally closed to drug policy reform; in the near future it may become legal to prescribe heroin as a programme, as research shows heroin functions better than methadone or Subutex. HIV/HCV prevention needs to be improved. Cocaine use is on the rise, this is concluded from research in rivers. Cannabis laws (minimum amount of possession for personal use) are interpreted differently in different states. The supreme court has said that these differences should disappear. Pill testing is legal, but police makes problems if they see it. We are disappointed in the Green party, they promised a lot, then they came to power and forgot everything.

Iceland:

Drug policies in Iceland are based on a mixture of authoritarianism, paternalism, protestantism, puritanism, protect people from themselves. There is not really an antiprohibitionist movement in Iceland. But now even some harm reduction has arrived. Drug use became popular in Iceland after WW 2, from the US military bases, in the music field.

Italy:

The recent law changes in Italy have made drug use a criminal offence, with a threshold for each substance, if people pass, they are accused for drugs dealing, with a max. of 6 to 20 years in prison. People with 1 or 2 plants can be put in jail. The new government will probably increase the thresholds, and change the law, but nobody knows when. The immediate goal for us is to change this law. The Minister of Social Affairs said he thought Safe Consumption Rooms were OK but then had to take it back again. MDMA was forbidden to organise their streetrave in the centre of Bologna.

Netherlands:

Recently, Minister of Justice Donner has put his own position at stake in an effort to stop the Dutch parliament from proposing an experiment on regulated cannabis cultivation. Perhaps this is not negative, as there is no decent proposal yet for this regulated cultivation. We will have to wait what the elections bring in May 2007, we are working with socialdemocrat party.

There has been an informal debate on cocaine prescription, the newest proposal is to give people in a heroin programme money if they can prove they have not been using cocaine. It seems some local authorities are in favour of this, but as long as Donner is in place, national authorities will not allow it.

Norway:

We have a long tradition of prohibition, and a long tradition of harm reduction as well. Needle Exchange is functioning since 30 years, two years ago a safe consumption room was opened in Oslo. Two government commissions have recommended depenalisation of use, but without impact. People are fined 500 euros for small possession, 50 % of jail population is drugs related. But we also have a large cannabis movement, 1000 people in our manifestations. I participate now in a new association, for humane drug policies, an effort to build a cross-sector movement: users, HR experts, cannabis.

Poland:

Before 1985 we had a liberal drug law, then we changed to repressive laws, from 1997 cultivation of cannabis is illegal, but in 2001 came depenalisation of personal use. In practice the police acts selectively: the marginalised are being taken first. People are happy with the EU, they hope it brings drug policy reform.

Spain:

Zapatero arrived in the government in 2004, drug policy changes to health ministry, which is good, although Minister of Interior, Alamo, had signed an antiprohibitionist manifest. PANNAGH an association with a collective plantation for our members in the Basque country was caught last year but the case was dismissed by the judge.

This is a precedent that can be followed in the whole of Spain. Local authorities have adopted harm reduction, heroin distribution is effective, safe consumption rooms, allows for cocaine use also.

There are many ENCOD members in Spain. People have formed an own mailing list in Spanish, where now proposal for regulation are discussed. Xavier and Antonio presented FAUDAS: National Federation of Drug User Organisations since the beginning of 2005 and ENLACE in Andalucia: Users & Families group, even though some are not very radical, they are against prohibition.

Sweden:

Policy reform goes slowly according to European standards, laws are enforced very strictly. There is no division between soft and hard. Since 1994 some movement: starting in the rave scene. Lately we can organise million marijuana marches in Stockholm with approx. 300 participants, the police acts OK. Sweden is now where Europe was 5 years ago.

Switzerland:

Since 10 years ago, non-criminalising drug policies are well based, well accepted in the population. The government has changed laws but did not take into consideration the situation of cannabis. This situation has to be solved still.

Legalisation has been close, so the mafia responds. The past years there is re-criminalisation of cannabis, but harm reduction goes on.

United Kingdom:

CLCA (a political party) is a vehicle for cannabis campaigning, we have shown that there were votes in cannabis, and achieved the de-classification to class C. Police uses mostly a policy of allowing people 'a little bit of personal'. We see also a backlash: increased repression of cannabis cultivation, punishable with 14 years max., we now do a lot of legal help to people arrested.

The latest news in drug treatment is the distribution of pills to female methadone users which prevents them from becoming pregnant. Authorities also question the concept of heroin prescription, but spread synthetic products (Chiron and Subutex) allover. And the crystal methamphetamine madness is on its way..

2. BUREAUCRATICAL DECISIONS

a. Annual report 2005

The Annual report 2005 was approved with one suggestion for change. The members of the Steering Committee were relieved of their financial responsibilities.

b. Membership

The Steering Committee has suspended 7 members because they did not respond to requests for paying their membership. The GA confirms this but asks the SC to contact the suspended members later in the year to ask if they can consider to become a member again.

We now have 10 "effective members": Andria, Farid, Bruno, Marina, Joergen Kjaer, Joep, Artur, Jan, Christine and Virginia.

c. Steering Committee

Artur decided to suspend his membership of the SC. Therefore, the Steering Committee consists of the following people:

Christine Kluge - Secretary

Farid Ghehiouche - Chair

Joep Oomen - Treasurer

Virginia Montañes
Jan van der Tas
Marina Impallomeni

Only SC members can represent ENCOD, and only the chairperson or someone appointed by him can sign legally binding documents.

d. Financial Situation

Again, the situation is critical: we have not enough funds to create stability around the secretariat. An association with 140 members from 24 different countries needs a professional secretariat. This secretariat costs at least 40.000 euros/year, membership fees have given 25.000 euros until now. We need urgently perspectives for another 15.000 euros. If not we need to dismantle the coordination and the association too. We can then continue as an informal network. This would mean that the fundraising would have to stop as well.

Decisions:

We delegate to the steering committee the competence to dissolve the association, so no new GA needs to be organised in case funds are not found. If there is a surplus left this will be given in principle to people who want to continue the ENCOD coordination informally, if not it could be given to IACM or to the coca growers movement in South America.

We continue the coming months with a massive fundraising campaign: we ask every member to get involved, with a reward of 10 % of the paid fee of the newly recruited member. Members are asked to think of benefit events that can be profitable for their associations and for ENCOD too. When they have contacts to VIPs they should ask them to give their (public) support to ENCOD. In August Joep will make a new effort to talk with coffeeshops in Amsterdam, possibly together with someone from Legalize!

We have merchandising materials: posters, buttons, DVD's, T-shirts that can be sold on happenings.

We will improve our website, with a new design and more interactiveness and user-friendliness.

On the long run, we need to think of other income generators that can easily be made by us: for example a tourist guide for consumers to all main European cities ("a 'michelout' guide on how to survive overseas"), a tax on cannabis produced by Cannabis Social Clubs (10 euros/kilo) etc.

The Cannabis Social Clubs could also be an income generating model: we could ask every CSC for a contribution to set up a Defense Fund, for example to prepare a lawsuit at the European Court of Human Rights that could be helpful to all EU countries where cultivation is not tolerated..

We will form an emergency group that will look into the funding issue together with the steering committee. This group should consist of people with practical skills in the financial field and creative ideas around fundraising. Every ENCOD Member is very wellcome to enter this group. For the moment, Thorri, Steve and Jonas will enter it.

3. WORKING GROUPS

On Saturday 24 June, the Assembly split up in two working groups, one dedicated to the dialogue with the European Commission, the other to the generation of common action proposals towards 2008. After, their reports were presented and discussed.

WG a. Dialogue with European Commission

Rumours have been spread according to which the EC was preparing to "cut off both extremes" and lock ECAD and ENCOD out of the dialogue process. Possible reasons: we are not representative, we are not professional, we are too radical, and too ideological. In the coming days the Green Paper will come out, we will have to re-act on it until late september. If people re-act, they should ask for a confirmation of reception of their comment. ENCOD SC members are already preparing a Green Pepper that will be sent to Member List in draft early september. What should be our position?

The WG agrees that we should lobby for all possible associations to be allowed, not focus too much on ENCOD, and not on substances. We should make clear our willingness to co-operate, so also amongst ourselves we should unite. We should not be afraid to be extreme, we react on something which is extreme. We should show the expertise that is in ENCOD, with health professionals, user activists, policy experts, and we should not be ashamed to apply for funding, but in concrete it will depend on the criteria of application and will probably take a long time before the money arrives.

Our Conference in the European Parliament (planned for 6 & 7 november) is a very good opportunity to present us. The programme is divided over Monday afternoon and Tuesday morning, with a possibility to make a special ENCOD session on Tuesday afternoon. The WG proposes to reduce the amount of speakers to 2 per session, and divide the sessions according to themes: harm reduction,

cannabis regulation, dialogue with citizens, Europe's role in 2008 – every time with a prominent speaker and an activist. We will have to discuss this first with the people in the European Parliament. 6 & 7 November could be proposed as European Action Day for Drug Policy Reform.

The fact that we organise this conference can be used for fundraising purposes: it is a concrete output of our work. We can also ask OSI to fund Eastern European delegates to the Conference. Members could ask their local authorities / parliament members to finance their travel costs, and send one representative as well;

WGb. Common action

There is the proposal to start stimulating the formation of Cannabis Social Clubs around Europe. There are different models that work already (Spain), or are starting up (Belgium, Switzerland). We could elaborate a set of simple guidelines how to create such an association, and distribute it in a flyer such as Freedom to Farm. First deadline: end of september, it could then be finished before the EP Conference hopefully in flyers if we have the money.

Also a proposal to elaborate a regulation proposal for all drugs. People are wellcome to send their own texts or other texts about this to Laurent at info@chanvre-info.ch Chanvre-Info until the end of july/ translated end of august. Laurent can start translating and editing but will then need our help to finish this work, so a common regulation proposal can be discussed in the months after. First deadline: February 2007, it could then be finished before the UN Meeting in Vienna in March 2007.

The social clubs could produce money (tax of 10 euro on each kilo). The model could also be proposed together with a Defence Fund (ENCOD promises to take one case of cannabis prohibition to the European Court of Human Rights)

Decision: a working group will elaborate both regulation proposals: consisting of Sokrates, Steve, Virginia, Martin, Andre, Laurent, Bruno, Joep, Artur, Farid, Jan vd T.

4. FUTURE PLANS

Vienna 2008

In March 2008, we should be able to organise a massive expression of the message to the EU and UN that the Conventions must be modified. We envisage this to be a combination of a Hemp Fair, a Conference Programme and a Street Parade.

There will be enough time to start organising this logistically until the summer of 2007. But we need to look for partners already now. In the commercial sector

when it concerns the Fair (followed up by Wolfgang), in the US and Latinamerica when it concerns the conferences (many reform organisations seem to prepare for 2008), and in Vienna itself for local groups who could organise the street parade.

We have applied for ECOSOC membership, this will take years but eventually we may obtain it. It is important that we have our own delegation inside.

Europe 2009

Some of us have been or consider running for elections under the drug policy reform flag. Sometimes this ended as a folkloric issue (cannabiparty in Spain) sometimes they get 2% of the votes (party in Greece). There is disadvantages and advantages: competence with the GREENS (however not so much with EP elections because nobody goes to the election anyhow). It still remains a way to get a message across.

In 2009 the current basis for the EU (Treaty of Nice) runs out, so new constitution is necessary. It is also the year where the new 4 year Drug Action Plan will start (the first sign after Vienna 2008). And there will be elections for the European Parliament.

ACTIVITY CALENDAR 2006/2007

From now to at least september: Fundraising campaign. Every member is requested to find new members and supporters, organise benefit events, other ideas about a possible 'defence fund' are wellcome (Follow up: emergency group, consisting of Steering Committee and other interested members, until now this is Jonas, Thorri and Steve)

21 July: Day of the Victims of the Drug War

28 – 30 July: Coventry; UK Hemp Fair (follow up: Joep, Steve)

31 August: deadline for sending texts on regulation model of drugs market (Follow up: Laurent, Virginia, Martín)

30 september: deadline for comments to the European Commissions Green Paper (see website)

Publication ENCOD Green Pepper (Follow up: Joep)

1 October: Draft set of guidelines for Freedom to Farm flyer part 2: Cannabis Social Clubs (Follow up: working group on regulation)

1 November: International Drug User Day

6/7 November: EP Conference on European Alternatives in Drug Policy, Brussels
(follow up: Steering Committee)

November: Cannabis Cup, Spain (Follow up: Martin y Virginia) and Amsterdam
(Follow up: Joep)

November: Synthesis proposal for guidelines regulation (Follow up: working
group)

January 2007: Hemp fairs in Barcelona and Madrid

February 2007: Highlife Fair, Amsterdam

March: Launch campaign Freedom to Farm part 2: another regulation is possible.
(follow up: working group)

March 2007: Cannatrade, Switzerland

April 2007: Commission on Narcotic Drugs meeting, Vienna

May 2007: MMM

May 2007: International Harm Reduction Conference, Warsaw

Around 24 June 2007, probably in Italy: Next General Assembly