



# THE FUTURE OF EUROPEAN DRUG POLICY:

A BRIEFING PAPER FOR MEMBERS  
OF THE EUROPEAN PARLIAMENT

*Background paper in preparation for the CSFD  
seminar planned for 5th December 2019*



**'The future of European drug policy – Seminar organised by the EU Civil Society Forum on Drugs' will be held on Thursday 5th December 2019, from 9:00 to 12:00 in Room PHS 1C51, in the European Parliament, Brussels, Belgium.**

For further information about the seminar, or to confirm your attendance, please contact Lola Capdepon at [lola.capdepon@unad.org](mailto:lola.capdepon@unad.org).

For further information about the CSFD:

- Visit our website: <http://www.civilsocietyforumondrugs.eu/>
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Front page image: CSFD annual meeting, October 2018. Credit: CSFD  
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# INTRODUCTION

On 5th December 2019 the Civil Society Forum on Drugs (CSFD) will host a seminar for Members of European Parliament (MEPs), along with other European policy makers on ‘The Future of European Drug Policy – Seminar organised by the Civil Society Forum on Drugs’ at the European Parliament. The seminar is specifically targeted at MEPs that have a clear interest and mandate in the area of drug policy, such as members of the LIBE, DROI and ENVI Committees. Through its legislative, budgetary and political oversight powers, the European Parliament has a critical role to play in policy formation and support (see Box 1), including on key issues related to drug policy.

Historically, the European Parliament has played an active role in the area of drug policy. It was instrumental in the creation of both the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), and the Drugs Prevention and Information Programme (DPIP) which marked the first time that funding was ringfenced for drug-related issues. This programme has existed for the previous two financial frameworks, but is scheduled to end in 2020.

As European policy makers move towards 2020 in a Europe that faces significant political, social and economic challenges, and in the context of global drug policy challenges, this event aims to:

1. Highlight why drug policy should remain a key priority for Europe and why MEPs and other European policy makers need to keep it on their political agendas, and
2. Help MEPs navigate the implications of the new phase of global and European drug policy.

With these aims in mind, this event will highlight ongoing challenges in drug policy at European and global levels and provide insight into how civil society can assist policy makers and legislators in tackling these issues. Speakers will provide inputs on the contributions of civil society to the EU and European Commission (EC) on current drug policy issues, and raise awareness of the value of civil society participation – and in particular the CSFD – in drug policy processes.

This briefing paper has been prepared for participants to provide background and context to the seminar.

## **Box 1. The role of the European Parliament in drug policy: A call for action for MEPs**

Given its triple role as co-legislator, a budgetary authority and the main entity responsible for political oversight, the European Parliament plays a key role in shaping European drug policy.

**1. Political oversight:** A good deal of the EU's influence on European and global drug policies is carried out through instruments that are not subject to the European Parliament's decision-making powers, such as European Council's Drugs Strategy, or EU external action. However, MEPs can wield significant influence over these instruments through public positions and resolutions that will provide political legitimacy and policy guidance to civil society advocates and policy makers across Europe. MEPs could undertake two strategic actions in the first semester of 2020:

- **Pass a resolution recommending the adoption of a 2021-2027 EU Drugs Strategy, and laying down the guiding principles of this document:** The EU Drug Strategy is a non-binding Council recommendation, but broadly influences the actions of the different EU stakeholders on drug policy. Given that it is not guaranteed that the Council will approve a new Drugs Strategy beyond 2020, it is critical that MEPs step in to provide momentum for a new and ambitious document. Such an action is not new – in 1995, the European Parliament passed ‘Resolution on the communication from the Commission to the Council and the European Parliament on a European Union action plan to combat drugs (1995-1999) (COM(94)0234 - C4-0107/94)’, in which it emphasized the need for person-centred and human rights-based drug policy choices.<sup>1</sup>
- **Ensure that human rights violations committed in the name of drug policy are highlighted within the DROI, AFET and INTA Committees:** The EC is going to issue its biannual report on the GSP+ trade preferences in late 2019-early 2020. Given that current beneficiaries include the Philippines, MEPs at the DROI and INTA Committees should conduct public hearings including civil society before deciding to renew existing trade agreements.

**2. Budgetary authority:** EU funding in drug policy is determined by two pieces of legislation that require the approval of the European Parliament: the Multiannual Financial Framework (MFF), which is currently under negotiation for the 2021-2027 period, and the EU's yearly budget.

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<sup>1</sup> European Parliament (1995), Resolution on the communication from the Commission to the Council and the European Parliament on a European Union action plan to combat drugs (1995-1999) (COM(94)0234 - C4- 0107/94), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A51995IP0136>

Drug policy investment may not be included in a high-level budget such as the MFF, but it is defined in detail in the EU's annual budgets. Under the budget's current format, this is done under Chapter 18.6 of the EU's budget, under the rubric 'Anti-Drug Policies'. We recommend that:

- **MEPs approve a resolution in support of a 2021-2027 EU Drugs Strategy, with strong language on the need to increase funding for evidence-based drug policy services, research and advocacy.**
- **MEPs ensure that funding is once again ringfenced for drug-related projects within the upcoming MFF and associated annual budgets.** In particular, MEPs in the LIBE and ENVI Committees should call for future EU's annual budgets to include a drug policy component.

**3. Legislative power:** EU legislation on drug policy has been historically restrained. Whenever enacted, it has been passed on the basis of the EU's competence to establish minimum rules concerning the definition of criminal offences<sup>2</sup> (Article 83 TFEU), or on the basis of the EU's competence to adopt incentive measures designed to protect and improve human health<sup>3</sup> (Article 168(5) TFEU). In both cases, MEPs in the LIBE and ENVI Committees have led the legislative effort. Although legislative initiatives are vested within the European Commission, we call on MEPs to:

- **Consider creating an informal group of MEPs interested in European drug policy, which would track key developments in European drug policy initiatives and follow up with the European Commission on the drafting and adoption of the EU Drugs Strategy for 2021-2027.**

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2 Official Journal of the European Union (21 November 2017), Directive (EU) 2017/2103 of the European Parliament and of the Council of 15 November 2017 amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of 'drug' and repealing Council Decision 2005/387/JHA, [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2017.305.01.0012.01.ENG](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2017.305.01.0012.01.ENG)

3 Official Journal of the European Union (21 November 2017), Regulation (EU) 2017/2101 of the European Parliament and of the Council of 15 November 2017 amending Regulation (EC) No 1920/2006 as regards information exchange on, and an early warning system and risk assessment procedure for, new psychoactive substances, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017R2101>

# DRUG POLICIES IN EUROPE

## The state of the illicit drug market in the EU

Illicit drug markets bring with them complex health, security, social and criminal justice issues that affect millions of people within the EU. Drugs and drug use generate costs for public health (on drug prevention, risk and harm reduction, treatment, care, recovery healthcare and hospital treatment), public safety, the environment and labour productivity. In many countries around the world, drug trafficking also affects national stability and governance. Drug trafficking and drug production remain among the most profitable criminal activities for organised crime groups active in the EU.<sup>4</sup>

The EU estimates that over one in four people aged 15-65 in the EU have used cannabis – the most commonly used drug – at some point in the lives, with nearly 15% of young Europeans (aged 15-34) reporting cannabis use in the last year.<sup>5</sup> The value of the European opiates market has been estimated at approximately EUR 12 billion,<sup>6</sup> and there are an estimated 1.3 million people in Europe who are engaging in high-risk opioid use. The number of drug-related deaths in the EU was estimated by the EMCDDA to have reached 8,238 in 2017, 85% of which implicated opioids.<sup>7</sup> This represents 22 deaths per day, most of which are preventable. The proliferation of online drug markets means that access to controlled substances through non-llicit sources is increasingly no longer based on physical location, but on access to the internet. The nature and types of available drugs are also changing – between 2015 and 2018, a record 270 new psychoactive substances were notified to the EU early warning system.<sup>8</sup>

## The EU's coordinated strategy on drugs

Given the scale and nature of the challenges posed by drugs and drug markets, the EU has long sought to support a coordinated response. On 7 December 2012, the EU Justice and Home Affairs Council endorsed a Drugs Strategy for the period 2013–2020,<sup>9</sup> the implementation of which was set out in two Action Plans (2013-2016 and 2017-2020). The current Action Plan 2017-2020 established 55 actions across 15 objectives.<sup>10</sup> The EU Drugs Strategy is now reaching the end of its cycle, and is currently being evaluated. The results of the evaluation will be published in February 2020 and will determine future EU developments/involvement in drug policy.

4 European Commission Migration and Home Affairs, Drugs policy, [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control_en) (accessed 25 November 2019)

5 European Monitoring Centre on Drugs and Drug Addiction, Statistical bulletin 2019 – Prevalence of drug use, <http://www.emcdda.europa.eu/data/stats2019/gps>

6 European Commission Migration and Home Affairs, Drugs policy, [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control_en) (accessed 25 November 2019)

7 European Monitoring Centre on Drugs and Drug Addiction, Statistical bulletin 2019 – Prevalence of drug use, <http://www.emcdda.europa.eu/data/stats2019/gps>

8 European Monitoring Centre on Drugs and Drug Addiction, Statistical bulletin 2019 – Seizures of drugs <http://www.emcdda.europa.eu/data/stats2019/szr>

9 Official Journal of the European Union (29 December 2012), Eu Drugs Strategy (2013-20), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52012XG1229%2801%29>

10 Official Journal of the European Union (5 July 2017), EU Action Plan on Drugs 2017-2020, [http://www.emcdda.europa.eu/drugs-library/eu-action-plan-drugs-2017-2020\\_en](http://www.emcdda.europa.eu/drugs-library/eu-action-plan-drugs-2017-2020_en)

## The role of the EU in global drug policy

Internationally, the global response to drugs is informed by the three UN drug conventions adopted in 1961, 1971 and 1988,<sup>11</sup> and a number of successive high-level political documents aiming to facilitate their implementation. 2019 was a critical moment in global drug policy, with the expiry of the goals set out in the 2009 UN Political Declaration and Plan of Action on drugs. The Political Declaration had set out '*2019 as a target date for States to eliminate or reduce significantly and measurably*' illicit drug demand and supply, as well as drug-related organised crime and money laundering.<sup>12</sup> However, the 2019 World Drug Report highlighted how both global illicit supply and demand have reached record highs.<sup>13</sup>

Already in 2016, the UN General Assembly Special Session (UNGASS) on the world drug problem explicitly linked drug control efforts to achieving the Agenda for Sustainable Development, highlighting both the urgency and the global nature of both sets of actions.<sup>14</sup> The UNGASS Outcome Document also highlighted the need to protect human rights, health and criminal justice standards in drug control efforts. All these elements were reiterated in the 2019 Ministerial Declaration, adopted at the Ministerial Segment aiming to take stock of the past decade of global drug policy. The Ministerial Declaration also identified a number of ongoing health, development, human rights and security challenges to be addressed for the next decade.<sup>15</sup>

Both the 2016 and 2019 UN drug control debates were marked with significant divisions between different UN member states on fundamental drug control issues – including on whether to adopt a zero tolerance towards drug use, or to promote health services and alternatives to incarceration; whether to put human rights at the centre of the drugs response or to impose the death penalty and arbitrary detentions against drug offenders, among other issues. Within these polarised debates, the EU played a leading role – speaking with one voice, emphasizing the importance of sustainable development, underlining the importance of human rights protecting health and ensuring strong civil society participation in the debates.

It is mainly thanks to the EU's leadership that the UNGASS Outcome Document and 2019 Ministerial Declaration contained strong progressive, humane and development-oriented language.

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11 All three conventions are available here: <https://www.unodc.org/unodc/en/commissions/CND/conventions.html>

12 Commission on Narcotic Drugs (March 2009), Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, p. 14, [https://www.unodc.org/documents/commissions/CND/CND\\_Sessions/CND\\_52/Political-Declaration2009\\_V0984963\\_E.pdf](https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_52/Political-Declaration2009_V0984963_E.pdf)

13 United Nations Office on Drugs and Crime (June 2019), 'Booklet 1: Executive summary: Conclusions and policy implications', World drug report 2019, [https://wdr.unodc.org/wdr2019/prelaunch/WDR19\\_Booklet\\_1\\_EXECUTIVE\\_SUMMARY.pdf](https://wdr.unodc.org/wdr2019/prelaunch/WDR19_Booklet_1_EXECUTIVE_SUMMARY.pdf)

14 United Nations General Assembly (April 2016), Outcome document of the 2016 United Nations General Assembly Special Session on the world drug problem, <https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf>

15 Commission on Narcotic Drugs (March 2019), Ministerial declaration on strengthening our actions at the national, regional and international levels to accelerate the implementation of our joint commitments to address and counter the world drug problem, [https://www.unodc.org/documents/commissions/CND/2019/Ministerial\\_Declaration.pdf](https://www.unodc.org/documents/commissions/CND/2019/Ministerial_Declaration.pdf)



*Adoption of the UNGASS Outcome Document, April 2016. Credit: Marie Nougier, IDPC*

The UN System Common Position on drug policy – another key political document, adopted in November 2018 by the UN's Chief Executives Board gathering the heads of 31 UN agencies – greatly reflects the EU's stance in drug policy.<sup>16</sup> In particular, the Common Position aims at ‘developing and implementing truly balanced, comprehensive, integrated, evidence-based, human rights-based, development-oriented and sustainable responses to the world drug problem, within the framework of the 2030 Agenda for Sustainable Development’.<sup>17</sup> The Common Position will no doubt constitute a key reference document in the coming decade of global drug control, enabling the entire UN family to ‘guide approaches across the UN system’, and ‘speak with one voice and raise awareness of the multifaceted nature of the world drug problem’.<sup>18</sup> Here again, the EU has been instrumental in disseminating the Common Position widely with high-level events in Vienna and Geneva, and in promoting the role of the Task Team established to implement the Common Position.

### **The next phase in European drug policy: Risks and opportunities**

As the expiry of both the current EU Drugs Strategy and Plan of Action draws near, the EU's approach to drugs is at a critical point. This is a key opportunity – a chance to build on the learnings, insights and challenges from the last decade. Both the 2016 UNGASS and the 2019 Ministerial Segment were key opportunities to review successes and failures in global and European drug policy, as well as to give unprecedented prominence to evidence, human rights, development, health and criminal justice reform.

<sup>16</sup> Chief Executives Board of Coordination (November 2018), United Nations system common position supporting the implementation of the international drug control policy through effective inter-agency collaboration, [http://file-server.idpc.net/library/CEB-2018-2-SoD\\_Common-position.pdf](http://file-server.idpc.net/library/CEB-2018-2-SoD_Common-position.pdf)

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

As mentioned above, the EU played an instrumental role in both UN processes in 2016 and 2019, and is now one of the strongest defenders of the UN System Common Position and its implementation task team. These high-level documents can be leveraged by the EU to continue to promote humane and evidence-based drug policies, both in Europe and globally.

However, there is also great risk in this new phase of drug policy – the risk for the EU of failing to work in unison, of failing to recognise the strategic importance and cross-cutting nature of drug policy at this vital juncture, and to deprioritise the issue of drug policy at a moment where many governments are reverting back to a war on drugs approach nationally and internationally. It is critical that EU policy makers seize the opportunity that the new cycle in drug policy within the EU represents, to continue prioritising drug policy issues both within the region and globally.

## **The future of EU drug policy**

As with any policy area, the drug policy landscape is constantly evolving and there are always new challenges to be met. In recent years, we have seen drastic drug policy change across the world from regulated cannabis markets in Uruguay, Canada and various US states, to the tragedy of extrajudicial killings and the death penalty in the name of drug control in the Philippines, Bangladesh or Sri Lanka. And this flux has been reflected in international drug policy debates – especially at the 2016 UNGASS and 2019 Ministerial Segment – and, to a certain extent, within the EU itself.

Drug policy is cross-cutting, relevant to issues associated with health, criminal justice, security, cross-border cooperation, human rights, gender equality, social justice, social inclusion, among others, impacting directly upon millions of European constituents. For any MEP concerned with any of these policy areas, it is vital to stay in touch on key drug policy developments and challenges requiring expert insight. These include:

- 1. The formulation of the new EU Drug Strategy for 2021-2027** and in particular, ensuring that it reflects the progressive elements of the UNGASS Outcome Document, the UN System Common Position on drugs, and strongly links to the SDGs – and the allocation of necessary budget, within the new MFF, to ensure its implementation. The new strategy should be accompanied by a new set of indicators that are truly able to assess its impacts on key EU priorities: improved health outcomes, human rights protection, access to justice, social inclusion for those most marginalised, improved security for EU citizens, among others.
- 2. The need to ensure the strong and continued participation from civil society** – in particular the CSFD – at all levels of policy making, implementation, monitoring and evaluation, especially in the context of shrinking civil society space in some European countries.
- 3. The need to prioritise health challenges associated with drug use**, especially the resurgence of HIV in Eastern Europe, ongoing issues in relation to hepatitis C and other communicable diseases, and the rising number of overdose deaths across the region.

**4. The need to discuss ongoing debates and policy shifts associated with cannabis regulation** in a range of jurisdictions, including within the EU, and in particular what these movements mean for the international drug control regime and the EU credo of ‘speaking with one voice’ on drug policy issues.

**5. The urgency of upholding human rights above all.** The resurgence of populist ‘war on drugs’ rhetoric and punitive policy choices around the world, despite the failure of such approaches to reduce the prevalence of drug use and their incompatibility with health and human rights obligations; as well as the role of the EU in condemning these approaches and holding states accountable via a reconsideration of trade agreements, preferential tariff rates, etc.

## WHY INVOLVE CIVIL SOCIETY IN DRUG POLICY?

Strong links between policy makers and civil society organisations (CSOs) are essential, and there are many reasons as to why the inclusion of CSOs in the process of developing and implementing drug policy should be promoted. One of the key benefits is that civil society can bring new information to decision makers through research, lived experiences and through bringing diverse opinions and ideas to the table.<sup>19</sup> Crucially, civil society can ensure the direct involvement of people most affected by current drug policy at every stage of the policy process. The Pompidou Group, the Council of Europe’s drug policy cooperation platform, notes that Civil Society Organisations (CSOs) bring ‘*knowledge and independent expertise to the process of decision making and policy making*’.<sup>20</sup> Improving the processes in which CSOs can be involved in drug policy can add to policy makers’ understanding of an ‘on the ground’ environment which is often in flux.<sup>21</sup>

This became all the more relevant at global level as the 2019 Ministerial Segment drew near, and it is becoming increasingly important at EU level as the current EU Drugs Strategy is coming to an end.

As highlighted above, drugs and drug policies impacts on the lives of one in four EU citizens who reported having used drugs at some point in their lives.<sup>22</sup> Furthermore, how states deal

<sup>19</sup> See, for example: Greer, S., Wismar, M. and Kosinska, M. (2017), ‘What is civil society and what can it do for health?’. In: S. Greer, M. Wismar, G. Pastorino and M. Kosinska, ed., Civil Society and health – contributions and potential (World Health Organisation), pp. 15-16, [http://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0011/349526/Civil-society-web-back-cover-updated.pdf?ua=1](http://www.euro.who.int/__data/assets/pdf_file/0011/349526/Civil-society-web-back-cover-updated.pdf?ua=1)

<sup>20</sup> Pompidou Group (2016), Policy paper on government interaction with civil society on drug policy issues. Principles, ways and means, opportunities and challenges, p. 1

<sup>21</sup> Greer, S., Wismar, M. and Kosinska, M. (2017), ‘What is civil society and what can it do for health?’. In: S. Greer, M. Wismar, G. Pastorino and M. Kosinska, ed., Civil Society and health – contributions and potential (World Health Organisation), p. 14, [http://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0011/349526/Civil-society-web-back-cover-updated.pdf?ua=1](http://www.euro.who.int/__data/assets/pdf_file/0011/349526/Civil-society-web-back-cover-updated.pdf?ua=1)

<sup>22</sup> European Monitoring Centre on Drugs and Drug Addiction (2019), European drug report: Trends and developments, p. 41, [http://www.emcdda.europa.eu/system/files/publications/8585/20181816\\_TDAT18001ENN\\_PDF.pdf](http://www.emcdda.europa.eu/system/files/publications/8585/20181816_TDAT18001ENN_PDF.pdf)

with controlled drugs can severely restrict their access for legitimate purposes for pain relief and treatment for drug dependence; indeed, it is estimated that 75% of the world population suffer needlessly because of inadequate access to pain relief.<sup>23</sup>

Additionally, research from other policy areas indicates that civil society involvement can bring a better acceptance of policies – when civil society is involved, popular legitimacy increases.<sup>24</sup> The process can be perceived as more transparent and accountable, both key features of good governance.<sup>25</sup> Structured and formal CSO involvement can better equip states to plan, implement and measure policy initiatives, thus directly contributing to national and EU Drugs Strategy objectives.

In the European context, the involvement of civil society in policy making processes is not an option, but an imperative, stemming from Articles 10 and 11 of the European Convention on Human Rights, whereby '*Civil society involvement in policy planning and delivery is an obligation in a democratic society*'.<sup>26</sup> Critically, the EC recognises that '*the involvement of civil society, in particular non-governmental organisations (NGOs), is one of the cornerstones of European drugs policy*',<sup>27</sup> enshrined in the EU Drugs Strategy in which EU member states agreed to:

*'Promote and encourage the active and meaningful participation and involvement of civil society, including non-governmental organisations as well as young people, drug users and clients of drug-related services, in the development and implementation of drug policies, at national, EU and international level. Also to ensure the engagement with the EU Civil Society Forum on Drugs at EU and international level'.*<sup>28</sup>

At the UN level, it is critical that policy makers have strong input not only from formal state structures, but also directly from affected populations and CSOs, so that they can better understand how current policy approaches impact on people's lives. In recent years, civil society inputs in global drug policy have become more visible, with CSOs contributing to the 2016 UNGASS, advocating for a drug policy approach that is grounded in the SDGs. The UN Commission on Narcotic Drugs (CND) – the UN policy making body on drugs – is now marked by vibrant civil society engagement, with almost 500 civil society delegates in attendance at the 2019 session, several countries including civil society representatives on their country delegations, over 40 side events co-organised by CSOs, and various civil society delegates

23 International Narcotics Control Board (2015), Availability of internationally controlled drugs: Ensuring adequate access for medical and scientific purposes – Indispensable, adequately available and not unduly restricted, [https://www.incb.org/documents/Publications/AnnualReports/AR2015/English/Supplement-AR15\\_availability\\_English.pdf](https://www.incb.org/documents/Publications/AnnualReports/AR2015/English/Supplement-AR15_availability_English.pdf)

24 See, for example: Bernauer, T. (April 2013), 'Effects of civil society involvement on popular legitimacy of global environmental governance', *Global Environmental Change*, 23(2): 439-449, [https://www.researchgate.net/publication/257408083\\_Effects\\_of\\_civil\\_society\\_involvement\\_on\\_popular\\_legitimacy\\_of\\_global\\_environmental\\_governance](https://www.researchgate.net/publication/257408083_Effects_of_civil_society_involvement_on_popular_legitimacy_of_global_environmental_governance)

25 Pompidou Group (2016), Policy paper on government interaction with civil society on drug policy issues. Principles, ways and means, opportunities and challenges, p. 2

26 Ibid., p.1

27 European Commission Migration and Home Affairs, Drugs policy, [https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/organized-crime-and-human-trafficking/drug-control_en) (accessed 25 November 2019)

28 Official Journal of the European Union (29 December 2012), Eu Drugs Strategy (2013-20), p. 21, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52012XG1229%2801%29>

delivering statements during the main debates.<sup>29</sup> The UNGASS Outcome Document itself stresses the importance of civil society engagement, recognising that ‘*civil society, as well as the scientific community and academia, plays an important role in addressing and countering the world drug problem*’,<sup>30</sup> while in the 2019 Ministerial Declaration member states ‘*underscore the important role played by all relevant stakeholders, including... civil society*’.<sup>31</sup> Similarly, CND resolution 54/11 aims to improve the participatory role of civil society in drug policy.<sup>32</sup>

## UNDERSTANDING THE ROLE OF THE CSFD

### Role and structure

The CSFD is an expert group of the European Commission<sup>33</sup> that was created in 2007 on the basis of the Commission Green Paper on the role of civil society in drugs policy in the EU.<sup>34</sup> Its purpose is to provide a broad platform for a structured dialogue between the EC and the European civil society which supports drug policy formulation and implementation through practical advice. The CSFD membership comprises 45 CSOs from across Europe and representing a variety of fields of drug policy, and a variety of stances within those fields. A list of current members is available on the CSFD website<sup>35</sup> and is included as an annex to this paper.

In carrying out its work, the CSFD is supported by the EC both directly and through funded projects which are operated by a consortium of CSFD members. The CSFD structures itself into four working groups focusing on:

- The EU Action Plan on Drugs
- The EU and international drug policy issues
- Civil society involvement with national drug policies
- The Minimum quality standards for drug demand reduction interventions

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29 International Drug Policy Consortium (June 2019), The 2019 Commission on Narcotic Drugs and its Ministerial Segment: Report of proceedings, <https://idpc.net/publications/2019/06/the-2019-commission-on-narcotic-drugs-and-its-ministerial-segment-report-of-proceedings>

30 United Nations General Assembly (April 2016), Outcome document of the 2016 United Nations General Assembly Special Session on the world drug problem, p. 4, <https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf>

31 Commission on Narcotic Drugs (March 2019), Ministerial declaration on strengthening our actions at the national, regional and international levels to accelerate the implementation of our joint commitments to address and counter the world drug problem, [https://www.unodc.org/documents/commissions/CND/2019/Ministerial\\_Declaration.pdf](https://www.unodc.org/documents/commissions/CND/2019/Ministerial_Declaration.pdf)

32 Commission on Narcotic Drugs (2011), Resolution 54/11. Improving the participatory role of civil society in addressing the world drug problem, [https://www.unodc.org/unodc/en/commissions/CND/Resolutions\\_Decisions/Resolutions-Decisions\\_2010-2019.html](https://www.unodc.org/unodc/en/commissions/CND/Resolutions_Decisions/Resolutions-Decisions_2010-2019.html)

33 European Commission, Register of Commission Expert Groups and other similar entities, ‘Expert groups explained’, <http://ec.europa.eu/transparency/regexpert/index.cfm?do=faq.faq&aide=2>

34 Available here: <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52006DC0316>

35 Membership is renewed every three years, and the last call was in March 2018: <http://www.civilsocietyfor-mondrugs.eu/actual-members-2018-2020/>

## **Box 2. How the CSFD can support MEPs**

For MEPs who are interested in prioritising drug policy issues as part of their mandate, the CSFD can provide:

- Balanced, expert insight from CSOs working across the drug policy continuum
- Cogent, well researched papers on contemporary drug policy issues. Useful tools, connections and networks to help analyse and understand a complex, cross cutting policy area with components related to health, security, public liberty, social justice, criminal justice and a host of other policy areas.

## **CSFD work and contributions**

The CSFD has made various concrete contributions to drug policy in the European context since the renewal of its mandate in 2018, generally carried out within the remit of each of its working groups. For example, the CSFD working group on the EU Action Plan on drugs drafted a detailed report on the implementation of the Action Plan from a civil society perspective,<sup>36</sup> alongside case studies highlighting the impact and importance of a strong, coherent focus on drug policy at EU level.<sup>37</sup>

These contributions are complemented by those of the CSFD working group on national-level policies, which aims to connect the EU policy context with national policies. This working group delivered a roadmap for civil society to engage in drug policy advocacy and building constructive relations with their government officials,<sup>38</sup> and held a civil society training in September 2019 to support this work.

The CSFD working group on minimum quality standards is working on a tool to help organisations assess how well they are implementing the EU ‘Minimum quality standards for drug demand reduction interventions in the EU’ in their daily work.<sup>39</sup> These efforts can assist MEPs with linking drug policy at European level with the drug policies that are operational in their own constituency.

In terms of broader European and global policy considerations, MEPs will find the focus of the CSFD working group on EU and international drug policy issues particularly informative, and this seminar is hosted under the auspices of this working group. The working group makes

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36 Kender-Jeziorska, I. & Sarosi, P. (2018), Civil society views on the implementation of the EU Action Plan on drugs: Report by the Civil Society Forum on Drugs, <https://drive.google.com/file/d/1aZJaUpUB7iVrxoc39Dz8XfCOg-Dkk-Q9B/view>

37 Carbon, X., Devaney, E., Galvin, M., Mir, G., Ollero, J. & Nave, A. (2019), Civil society actions at the national level: Good practices in the drug policy field – Study of the Civil Society Forum on Drugs, <http://www.civilsocietyforumdrugs.eu/wp-content/uploads/2019/10/2019-civil-society-actions-at-the-national-level.pdf>

38 Civil Society Forum on Drugs (2018), Briefing paper on EU drug policy, the EU Drug Action Plan and the need for civil society involvement, [https://www.correlation-net.org/wp-content/uploads/2018/12/CSI-policy\\_paper.pdf](https://www.correlation-net.org/wp-content/uploads/2018/12/CSI-policy_paper.pdf)

39 European Council (2015), Council conclusions on the implementation of the EU Action Plan on Drugs 2013-2016 regarding minimum quality standards in drug demand reduction in the European Union, [http://www.emcdda.europa.eu/news/2015/eu-minimum-quality-standards\\_en](http://www.emcdda.europa.eu/news/2015/eu-minimum-quality-standards_en)

inputs at strategic moments to key EU stakeholders on UN drug policy processes,<sup>40</sup> and is a consistent and reliable source of quality policy analysis by civil society. The following section provides a detailed overview of the working group's contributions.



*Bilateral meeting between the CSFD and the EU delegation at the 62nd session of the CND, March 2019. Credit: Proyecto Hombre*

### **Case study: CSFD engagement with the EU on international drug policy**

Over the years, the members of the CSFD – driven by the working group focusing on 'international drug policy issues' – have worked with the EC and EU member states through the Horizontal Working Party on Drugs (HDG), providing feedback and recommendations on drug policy issues, input and support to feed into the European voice in international debates, sharing key information and insights from our work and affected populations. Maintaining and fostering this strong level of engagement is especially critical at this juncture as the EU is currently facing a number of challenges which are relevant to any MEP concerned about drug policy.

Throughout the 2019 Ministerial Segment process, the CSFD provided regular recommendations relevant to the EU position, including on the modalities of the event,<sup>41</sup> the need for an evaluation of progress made since 2009, and the contents of the 2019 Ministerial Declaration.<sup>42</sup>

The CSFD also engages with the EU on a range of other drug policy issues – providing information and support that are not always available from other sources. Examples of these engagements include supporting the key role of EU in promoting and protecting human rights in drug policy worldwide, including via engagement with third countries,<sup>43,44</sup>

<sup>40</sup> For more information, visit: <http://www.civilsocietyforumondrugs.eu/wg-2-working-group-on-relations-with-international-institutions/>

<sup>41</sup> Civil Society Forum on Drugs (September 2018), Recommendations of the Civil Society Forum on Drugs for the 2019 Ministerial Segment, <https://drive.google.com/file/d/1n3qWFo286VWhztN1gwmjLSHqglMDZIXf/view>

<sup>42</sup> Civil Society Forum on Drugs (February 2019), Key recommendations to the HDG on the draft declaration of the 2019 Ministerial Segment, [https://drive.google.com/file/d/1I7t3t-50BCes5wl\\_O0uRwpoj\\_3BLmrw0/view](https://drive.google.com/file/d/1I7t3t-50BCes5wl_O0uRwpoj_3BLmrw0/view)

<sup>43</sup> Civil Society Forum on Drugs (September 2019), Contributions from the Civil Society Forum on Drugs to the EU-USA bilateral dialogue on drugs, <http://www.civilsocietyforumondrugs.eu/wp-content/uploads/2019/09/2019-09-CSFD-submission-for-2019-EU-US-Dialogue.pdf>

<sup>44</sup> Civil Society Forum on Drugs (September 2018), Contributions from the Civil Society Forum on Drugs to the

or raising awareness of broader issues which have a clear drug policy angle, such as gender equality.<sup>45</sup> The European Parliament plays a critical role in this regard, as the one directly-elected body of the EU. In the past, the European Parliament's condemnation of the war on drugs in the Philippines<sup>46</sup> and ongoing incarceration of Senator De Lima<sup>47</sup> were of critical importance to the CSFD<sup>48</sup> and CSOs working on the ground. As such, the CSFD has also directed some of its advocacy activities towards the European Parliament, in addition to other actions targeted at the Commission and the HDG, including a letter regarding the death penalty for drug offences in Sri Lanka.<sup>49</sup>

## **ANNEX 1: LIST OF CSFD MEMBERS FOR THE PERIOD 2018-2020**

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| 1. ABD - Associació Benestar i Desenvolupament             | 21. Federation Addiction                                  |
| 2. AFEW International                                      | 22. FEDITO BXL 23. Forum Droghe                           |
| 3. AIDES   | 24. FUNDACIÓN ATENEA                                      |
| 4. Ana Liffey Drug Project                                 | 25. GAT - Grupo de Ativistas em Tratamentos               |
| 5. APDES - Agência Piaget para o Desenvolvimento           | 26. HRI - Harm Reduction International                    |
| 6. APH - Association Proyecto Hombre                       | 27. IDPC - International Drug Policy Consortium           |
| 7. ARAS - Romanian Association Against AIDS                | 28. INPUD - International Network of People who use Drugs |
| 8. Citywide Drugs Crisis Campaign                          | 29. IREFREA - Instituto Europeo de Estudios en Prevención |
| 9. De Regenboog Groep                                      | 30. MAT - Magyar Addiktológiai Társaság                   |
| 10. Dianova International                                  | 31. Médicos del Mundo España                              |
| 11. Diogenis Drug Policy Dialogue                          | 32. PARSEC Consortium                                     |
| 12. EAPC - European Association for Palliative Care        | 33. Polish Drug Policy Network                            |
| 13. EATG - European AIDS Treatment Group                   | 34. Prekursor Foundation for Social Policy                |
| 14. ECAD - European Cities Network for Drug Free Societies | 35. Proslavi Oporavak                                     |
| 15. EFSU - European Forum for Urban Security               | 36. Romanian Harm Reduction Network                       |
| 16. ENLACE   | 37. Rights Reporter Foundation                            |
| 17. EURAD  | 38. San Patrignano  |
| 18. EuroTC - European Treatment Centres for Drug Addiction | 39. SANANIM   |
| 19. EUSPR - European Society for Prevention Research       | 40. SDF - Scottish Drugs Forum                            |
| 20. FAD - Fundación de Ayuda contra la Drogadicción        | 41. UNAD  |
|  | 42. UTRIP   |
|  | 43. WFAD - World Federation Against Drugs                 |
|  | 44. WOCAD   |
|  | 45. YODA - Youth Organisations for Drug Action            |

EU-Russia bilateral dialogue on drugs, <https://drive.google.com/file/d/1qKFII6MEgqbvcGk3SGnx1FEr6q-ZsPT0/view>

45 [https://drive.google.com/file/d/1kp-SYZV\\_P8uFH-qZ-GVHORvFCVdvocabK/view](https://drive.google.com/file/d/1kp-SYZV_P8uFH-qZ-GVHORvFCVdvocabK/view)

46 European Parliament resolution of 15 September 2016 on the Philippines (2016/2880(RSP)), [https://www.europarl.europa.eu/doceo/document/TA-8-2016-0349\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-8-2016-0349_EN.html)

47 European Parliament resolution of 16 March 2017 on the Philippines – the case of Senator Leila M. De Lima (2017/2597(RSP)), [https://www.europarl.europa.eu/doceo/document/TA-8-2017-0088\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-8-2017-0088_EN.html?redirect)

48 In 2016, the CSFD sent a letter to the European Parliament and other EU institutions to raise concerns about the Philippines' war on drugs and its impacts on fundamental human rights: [https://www.dropbox.com/s/1w0y0wdw-8myxrjv/CSFD%20Letter\\_Philippines.pdf?dl=0](https://www.dropbox.com/s/1w0y0wdw-8myxrjv/CSFD%20Letter_Philippines.pdf?dl=0)

49 Civil Society Forum on Drugs (11 February 2019), Letter by the CSFD requesting the EU to take urgent action on the intent, by Sri Lanka, to execute convicted drug offenders, <https://drive.google.com/file/d/1LGUeR5GawdRdGI-WbncH17BMLqXMu3hB6/view>

**About this policy brief:** On 5th December 2019 the Civil Society Forum on Drugs (CSFD) will host a seminar for Members of European Parliament, along with other European policy makers on ‘The Future of European Drug Policy’ at the European Parliament. This briefing paper has been prepared for participants to provide background and context to the seminar.

**About the CSFD:** The CSFD is an expert group of the European Commission created in 2007 which provides a broad platform for a structured dialogue between the EC and European civil society, supporting drug policy formulation and implementation through practical advice. The CSFD comprises 45 CSOs from across Europe and representing a variety of fields of drug policy.

