



European Union
Statement on the occasion of the
Intersessional Meeting of the 59th Session of the Commission on Narcotic Drugs
Vienna,
27 October 2016

Topic: Evolving reality, trends and existing circumstances, emerging and persistent challenges and threats; including new psychoactive substances, in conformity with the three international drug control conventions and other relevant international instruments

Mr Chairman,

The EU and its Member States recognise the need to proactively respond to developments, new challenges and threats in order to address all aspects of the world drug problem.

We are concerned with the emergence and spread of new psychoactive substances. As indicated in the last World Drug Report, there are no signs of a slowdown of the massive growth in new psychoactive substances at global level and in European Union Member States. The European Monitoring Center for Drugs and Drug Addiction currently monitors more than 600 new substances, 80% of which were detected in the last 6 years. In 2015 alone, approximately 100 new psychoactive substances were detected in the EU for the first time.

Since 1997, the EU has developed capacity to detect, identify, assess the risks associated and respond rapidly and effectively to the emergence of new psychoactive substances. The EU system designed to tackle new psychoactive substances is a three-step approach composed of an early warning system (EWS) that allows for the exchange of information and identification of new substances appearing in the illicit drugs market; a mechanism for assessing the risks

associated with these substances; and finally a decision-making process through which these substances may be placed under control in the EU Member States.

The active participation of forensic laboratories, customs authorities, law enforcement and public health services, along with Europol, the EU's law enforcement agency, and the European Monitoring Centre for Drugs and Drug Addiction allow for a dynamic process of exchange of information and knowledge that enables us to respond effectively to this threat.

This framework for addressing new psychoactive substances has inspired and contributed to the development of the UN Early Warning Advisory system. The EU actively contributes to the UN efforts by providing data, risk assessments and health alerts on new psychoactive substances to the WHO Expert Committee on Drug Dependence, UNODC Early Warning Advisory system and the INCB Project ION. We are pleased to see that the EU early warning system has become a reference for the development of monitoring tools in other regions of the world. In Latin America and the Caribbean the EU is providing assistance and capacity building mainly through the programme COPOLAD, one of whose 4 components is specifically devoted to the Consolidation of National Observatories.

We recognise the importance of a balanced and evidence-based approach to new psychoactive substances, which also call for demand reduction measures including prevention, risk and harm reduction and treatment responses. The European Monitoring Centre for Drugs and Drug Addiction plays an important role in alerting Member States authorities and stakeholders on the public health threats related to the use of NPS. Between 2015 and 2016, the agency issued 26 such alerts.

The EU has been active in enacting legislative decisions to ban harmful substances from its market. Since 1999 seventeen new psychoactive substances were subjected to EU wide control measures. At present we are working on the revision of the EU legislative framework for addressing new psychoactive substances to enable more efficient and faster decisions at EU level.

Turning to precursors, the EU completed in 2015 an important revision of its drug precursors monitoring and control legislation. It strengthened, among others, the powers of the

competent authorities to respond to the increasing use of non-scheduled substances, including pre-precursors, in the illegal drug manufacture. It is now possible to schedule new substances via a 'fast-track' procedure. The EU has introduced a 'catch-all' provision through which it is possible to seize non-scheduled substances if the authorities have sufficient evidence that the substances will be used for illegal drug manufacture.

The EU and its Member States are also actively engaged in the work of the International Narcotics Control Board projects Prism and Cohesion. All EU Member States use the Pre-Export Notification (PEN Online) system and the EU and its Member States are the largest contributors to the Precursor Incident Communications System (PICS).

Voluntary cooperation with industry continues to remain a cornerstone of the EU's approach on the prevention of diversion of drug precursors. By the end of 2016 the EU will publish new guidelines for economic operators aimed at facilitating and strengthening this cooperation, in which particular attention is given to non-scheduled precursors including 'designer' or 'made-to order' precursors.

The EU and its Member States acknowledge that it is important to address the emerging challenge of the use of the internet in relation to drug-related activities. The number of illicit transactions of drugs on cryptomarkets has tripled, with revenues doubling since 2013. Total drug revenues on cryptomarkets during January 2016 were estimated to be between €10.5 and €18.5 million.

The EU organised in June 2016 an expert meeting with participants from all EU Member States as well as from third countries and relevant international organisations to look at the scope of the problem, take stock of current responses, including the use of the internet for awareness raising and prevention, and suggest possible ways forward. A number of possible actions were identified: the EU will seek to work on an inventory of existing tools for monitoring the internet (web and darknet) for online sales of drugs and a common terminology for drug-related issues in the online environment, possibly via a glossary of terms. Closer cooperation with the industry will also be explored, both for the illegal sales of drugs online and for preventive actions targeted especially at young people.

The EU and its Member States also recognise the need to address obstacles for law enforcement and judicial authorities to obtain cross-border access to electronic evidence. In the EU Communication on Delivering on the European Agenda on Security of April 2016, the EU committed to propose solutions, including legislation if required, to address the problems of obtaining digital evidence in relation to criminal investigations.

We would like to take this opportunity to encourage other countries to take proactive measures as a response to developments and new challenges and threats of all aspects of the world drug problem and stand ready to share our experience.

Thank you, Mr Chairman.