Procedure file

Basic information

COS - Procedure on a strategy paper (historic)	1997/2130(COS)	Procedure completed
Control of new synthetic drugs, designer drugs Subject 7.30.30.04 Action to combat drugs and drug-trafficking		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties and Internal Affairs		19/06/1997
		PPE PIRKER Hubert	
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets		
	ENVI Environment, Public Health and Consumer Protection		22/07/1997
		PPE BURTONE Giovanni M.S.	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	2016	17/06/1997
	Justice and Home Affairs (JHA)	2008	26/05/1997

Key events

06/05/1997	Non-legislative basic document published	07071/1/1997	
26/05/1997	Debate in Council	2008	
13/06/1997	Committee referral announced in Parliament		
17/06/1997	Resolution/conclusions adopted by Council		
23/04/1998	Vote in committee		Summary
23/04/1998	Committee report tabled for plenary	A4-0157/1998	
12/05/1998	Debate in Parliament		
12/05/1998	Decision by Parliament	T4-0253/1998	Summary
12/05/1998	End of procedure in Parliament		
01/06/1998	Final act published in Official Journal		

Technical information

Procedure reference	1997/2130(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/09005

Documentation gateway

Non-legislative basic document		07071/1/1997	06/05/1997	CSL	
Document attached to the procedure		COM(1997)0249	23/05/1997	EC	Summary
Committee report tabled for plenary, single reading		A4-0157/1998 OJ C 167 01.06.1998, p. 0004	23/04/1998	EP	
Text adopted by Parliament, single reading		T4-0253/1998 OJ C 167 01.06.1998, p. 0019-0029	12/05/1998	EP	Summary
Document attached to the procedure		COM(2000)0737	16/11/2000	EC	Summary
Follow-up document		COM(2003)0258	13/05/2003	EC	Summary

Control of new synthetic drugs, designer drugs

OBJECTIVE: to present an action plan to combat the production and sale of synthetic drugs (amphetamines, ecstasy, LSD etc.) at European level. CONTENT: the fight against drugs was at the top of the agenda of the Irish presidency and both the Council and the European Parliament expressed the wish for priority action to be implemented in this sector. This communication is the contribution by the European Commission to these recommendations. Given the scale of the problem, the fact that these drugs are easy to produce from readily- available substances and the relatively poor national response to the growth of this phenomenon, the Commission has proposed a series of actions at Community level with a view to curbing the production and sale of drugs. A list of drugs which are banned in the Community has already been drawn up under the 1971 United Nations Convention on psychotropic substances. It lists 22 substances covered by Council directive 92/109/EEC, in application of the Convention, which it is prohibited to sell. Although amended on several occasions, the directive only bans 8 substances which relate specifically to synthetic drugs (such as methaqualone and LSD) and therefore needs to be strengthened. In addition, the products on these "black" lists have a chemical structure which is very easy to reproduce in order to obtain authorized finished products with the same psychoactive effect. This is why the Commission has proposed a three-pronged response: 1) action on chemical precursors (basic ingredients of synthetic drugs): what is needed is a new list of precursors which will be monitored using an efficient system for updating the lists. In addition, new monitoring methods will need to be introduced. The Commission proposes to do this by strengthening existing legislation on the production and sale of sensitive chemical substances in the European Union and to review the regulation on the international trade in these substances; 2) the introduction of an early warning system for synthetic drugs, so that the drugs themselves (final products) can be tackled as soon as they appear on the market. Thus, as soon as a new drug is discovered in a Member State, the other countries will be warned. The information required will come from national sources (police, health services, social services). The European Drugs Monitoring Centre and the EUROPOL drugs unit may be asked to help. The Commission considers that a technical committee would be the best place for an efficient evaluation of the risks of new drugs identified on the market. The committee would be made up of representatives from the Member States, the EUROPOL drug unit, the European Drugs Monitoring Centre and the European Agency for the Evaluation of Medicinal Products; 3) increased cooperation between Member States, which will undertake to criminalize the production of and traffic in new synthetic drugs which have been declared dangerous. What is needed are "flexible and rapid" measures to be taken by common agreement. Provision will also be made for an international approach within the framework of this strategy, since the drug problem goes well beyond Community frontiers. The communication points out in this respect that a special session of the United Nations has been planned on this problem in 1998. The Commission trusts that the Union will speak with one voice at this conference and will coordinate its policy with its American, Canadian and Japanese partners. At the same time, the fifteen have already concluded agreements on precursors with the Andean countries, Mexico and the USA. Other agreements with MERCOSUR, Chile and ASEAN should follow. The Commission also emphasizes the need for the countries of central and eastern Europe and the Baltic countries to cooperate with the European Union in order to control the production and effectively combat the traffic in synthetic drugs.?

Control of new synthetic drugs, designer drugs

The Committee has adopted a report by Hubert PIRKER (EPP, A) on the control of new synthetic - or designer - drugs, such as ecstasy, LSD and amphetamines. Some of the votes were extremely close. The report was drawn up as part of the consultation of Parliament on a Commission paper on this subject. The committee on the whole endorsed its rapporteur's approach, which chiefly advocates repressive

measures. However, it draws attention to the differences between the Member States with regard to penalties for traffic in and possession and consumption of synthetic drugs and believes harmonization of the relevant criminal laws in the Member States to be desirable. The report also claims that the threat of penalties for the consumption of synthetic drugs can have a deterrent, and thus preventive, effect on potential consumers. According to the committee, once the Amsterdam Treaty has been ratified the Member States should develop operational cooperation between the competent authorities, including the police, on the prevention, detection and investigation of criminal offences, as well as arrangements for the prosecution of organized criminal groups dealing in synthetic drugs. The committee held a wide-ranging debate on this issue at a public hearing on 27th November 1997. Mr Pirker has taken on board most of the conclusions of the hearing, in which it was claimed that consumption of designer drugs has grown considerably in the EU and that the main consumers are young adults, who use them for recreational purposes. Consumers of designer drugs are to be clearly distinguished from consumers of opium derivates in terms of their social situation and consumption habits, since they usually only consume their drugs at weekends. The effects on health of consuming designer drugs are as yet unclear, particularly as they are often consumed in special circumstances, involving strenuous physical effort (dancing), dehydration and overheated, poorly ventilated premises. In connection with this politically sensitive issue, it is useful to recall that a report by Hedy d'ANCONA on so-called "classic" drugs (cannabis, cocaine and heroin) was adopted by the Committee on 3rd November 1997 but referred back to committee by Parliament's plenary on 15th January. It will be debated anew by the committee in the near future.?

Control of new synthetic drugs, designer drugs

In adopting the report by Mr Hubert PIRKER (EPP, A) on the control of new synthetic drugs, Parliament considered that the growing consumption of these drugs by young people was a matter of concern. It considered that there was an urgent need to gather information on the side-effects and long-term effects of these drugs and called on the Member States and the Commission to encourage relevant research. It called for steps to be taken without delay on these new drugs through close cooperation with the countries of central and eastern Europe and more effective involvement of these countries with the existing information systems and those to be developed (Europol, contacts with the chemical industry, control of precursors, etc.). Priority should be given to the development of efficient structures to combat the criminal organizations which underlie the traffic in synthetic drugs in Europe and in the applicant countries, whether in the police or health sectors. It considered, however, that a harmonization of the national criminal law provisions on traffic in, possession and consumption of synthetic drugs to be impracticable as the differences in this area between the Member States were still too great. The communication had suggested such harmonization. With regard to repressive measures Parliament considered that the diversion of precursors of synthetic drugs and the production of and traffic in these substances should be a criminal offence and should be prosecuted in all Member States. Member States should ensure that their legislation was sufficiently comprehensive to prevent producers from circumventing the law by altering the chemical composition of the drugs. Parliament also called for club operators, in order to retain a licence, to ensure that drugs were not available at events, that the premises had proper ventilation, a free supply of cold drinking water and cooling off areas available. It called in particular for repressive measures against dealers to be enshrined in the law and for these measures to be applied effectively. The penalties for trafficking, pushing and consumption of synthetic drugs should also be proportional to the seriousness of the offence. With regard to cooperation, the Member States should ensure the closest possible cooperation of the national authorities concerned and should examine whether the organized criminal groups behind the traffic in drugs could not be countered effectively through special supra-institutional units. It proposed that the possibilities offered by the Falcone programme should be used fully to this end. Parliament also called on the Member States, following ratification of the Amsterdam Treaty to develop operational cooperation between the competent authorities of the Member States in relation to the prevention, detection and investigation of criminal offences with a view to prosecution of organized criminal groups. Parliament considered that the threat of penalties for the consumption of this type of drug could have a deterrent effect on potential consumers. With regard to information on and control of precursors, Parliament recommended the establishment of a common system for detecting new synthetic drugs and the adoption of a single method for placing them into generic categories. It called for a report on the implementation to date and success in controlling precursors through the relevant Community directives. Effective information systems should also be established to ensure full communication between the competent services of the Member States. A control system for precursors should also be established with a list of substances to be controlled and also including the countries of eastern Europe. Contacts should be developed between the police authorities of those countries and the Member States so that information was obtained as early as possible on possible suspicious transactions. With regard to prevention it suggested the introduction of 'anti-drugs discotheques', a system whereby the police cooperating with drug advisory centres, parents and schools presented information at disco events on the risks of drug use. It invited the Member States to recommend to schools that, on a voluntary basis, they declared themselves drug-free zones and called on the Commission to back such initiatives with an appropriate proposal. It also proposed that the Internet should be used to communicate the prevention message in a language familiar to the target group. Lastly, it called on the Commission to ascertain whether the consumption of synthetic drugs affected the ability of drivers to drive and, if so, to propose appropriate initiatives. ?

Control of new synthetic drugs, designer drugs

This document consists of the reports from the Commission to the Council called for by the Joint Action on New Synthetic Drugs (97/396/JAI) concerning : - TMA-2 (2,4,5-trimethoxyamphetamine); - 2C-I (2,5-dimethoxy-4-iodophenethylamine); - 2C-T-2 (2,5-dimethoxy-4-ethylthiophenethylamine); - 2C-T-7 (2,5-dimethoxy-4-propylthiophenethylamine). On the 8th of April 2003, the European Commission received from the EMCDDA the report on the risk assessment of these 4 substances. At present there are a few animal and no human data concerning general toxicity, reproductive toxicity, neurotoxicity or the mutagenicity and carcinogenic potential of these 4 substances. There is currently no evidence of negative social consequences nor is there specific evidence on the consequences of the use of these substances that could be linked to disorderly conduct, acquisitive crime or violence. Basing itself solely on the risk assessment report on TMA-2, 2C-I, 2C-T-2 and 2C-T-7 and the principle of proportionality, the Commission concludes that it is not appropriate to present an initiative to the Council to propose that these substances be submitted to control measures at the EU level, as provided for by Article 5(1) of the Joint Action on New Synthetic Drugs. But the Commission will encourage the EMCDDA and Europol to continue monitoring trends in recreational use of these substances as part of the early warning system provided for in the Joint Action, and to inform the Horizontal Drugs Group should they find new elements, particularly evidence of a threat to public health or a social risk.?