

## E. Europe

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Record amounts of high-purity cocaine seized, together with the increasing prevalence of cocaine use among adults, suggest that cocaine use is on the rise in Europe.

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The discussion of different approaches to regulating cannabis has figured prominently in the policy debate on drug control across Europe.

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### 1. Major developments

709. A recent surge in the availability of high-purity cocaine across Europe, now also including Eastern European countries that had been targeted to a lesser extent in the past, appears to have made the drug an affordable commodity and the preferred stimulant for many drug users in the region. Record seizures of cocaine in several European countries in 2018 and 2019 may also indicate an increasing trend in cocaine trafficking, with European overseas territories increasingly being used as transit points, according to EMCDDA.

710. An increasing number of European countries were in the process of exploring regulatory approaches to the cultivation of cannabis for medical purposes during the reporting period, or had already set up cannabis agencies and instituted medical cannabis programmes by 2019. In a few countries, there were indications of steps being taken towards legalization of the non-medical use of cannabis at the national level. However, the majority of European countries allow cannabis to be used only for medical and scientific purposes, in keeping with their obligations under the 1961 Convention as amended by the 1972 Protocol, while many continue not to permit medical uses of the substance at all. An EMCDDA paper entitled “Developments in the European cannabis market”, published in 2019, presents the diverse range of cannabis-based products available in Europe and highlights the complexity of regulatory frameworks necessary to manage their appropriate distribution.

711. The Russian Federation, in July 2019, passed legislation authorizing the cultivation on its territory of opium poppy plants (*Papaver somniferum*) for the purpose of extracting alkaloids. More specifically, the new law allows for the cultivation of varieties of opium poppy rich in morphine, thebaine and codeine and the processing of poppy straw for the purpose of manufacturing pharmaceutical or veterinary preparations containing these opiates.

## 2. Regional cooperation

712. A number of well-established regional cooperation frameworks and intergovernmental organizations of varied composition and geographical scope, such as the European Union, EMCDDA, the Pompidou Group of the Council of Europe, OSCE, Europol, the European Border and Coast Guard Agency (Frontex), and others have continued to act as the primary vehicles for regional cooperation in Europe. In addition, a multitude of multilateral law enforcement operations involving several European countries were undertaken, many of which resulted in considerable drug seizures.

713. In an effort to evaluate the effectiveness of European precursor control legislation, the European Commission conducted an in-depth review of the implementation and functioning of four legislative documents, which reflect the exclusive competence of the European Union to regulate the trade in chemicals in all of its member States. The last phase of the process, which started in 2017, involved a public consultation that concluded in November 2018. The results of the evaluation and any necessary amendments to existing European Union regulations were expected to be published in the last quarter of 2019.

714. In November 2018, the Pompidou Group of the Council of Europe adopted its new work programme for the period 2019–2022. Its three thematic priorities are centred on good governance; international drug policy development for 2019 and beyond, with particular focus on contributing to the achievement of the Sustainable Development Goals; and new psychoactive substances. A new element under the good governance pillar is aimed at reducing drug-related stigmas in order to remove some of the barriers to drug users' access to health care and social services.

715. In December 2018, new formal cooperation agreements were signed between EMCDDA and two European agencies, the European Chemicals Agency and the European Food Safety Authority, in the context of the European Union early warning system to respond to new psychoactive substances. Existing agreements between EMCDDA and Europol, the European Centre for Disease Prevention and Control and the European Medicines Agency were updated at the same time.

716. In July 2019, the Thirteenth Meeting of Heads of National Drug Law Enforcement Agencies, Europe, was held in Lisbon, bringing together some 70 participants from 24 Member States and 7 organizations. The recommendations addressed a range of issues. In one of the recommendations, it was recommended that Governments

should consider the use of artificial intelligence in analysis, profiling, cross-checking information and other investigative efforts with a view to adapting to the changing criminal environment.

## 3. National legislation, policy and action

717. On 3 July 2019, the Russian Federation passed a federal law permitting on its territory the cultivation of the opium poppy plant (*Papaver somniferum*) for the production of poppy straw. More specifically, the law allows for the cultivation of varieties of opium poppy rich in morphine, thebaine and codeine and the processing of poppy straw for the purpose of manufacturing pharmaceutical or veterinary preparations containing those opiates. According to government authorities, the rationale for this step was to satisfy domestic demand for life-saving medications containing opiates. In addition, the law provides a legal basis for the cultivation of opium poppy to produce poppy seeds for culinary purposes.

718. Belgium paved the way for the creation of a national cannabis agency by providing a legal basis for the establishment of a cannabis office within its Federal Agency for Medicines and Health Products. A bill passed in April 2019 requires further executing regulations in order for the cannabis office to become operational and start overseeing the cultivation of cannabis for medicinal purposes. Similarly, Croatia (in April 2019) and Malta (in April 2018) permitted cultivation of cannabis for medical purposes. In Portugal, where cultivation of cannabis for medicinal purposes had been authorized since 1994, legislation was passed in July 2018 and additional implementing regulations were adopted in January 2019 regarding the prescription, use and dispensation of cannabis for medical use through pharmacies, thereby achieving control of the full production chain from cultivation to distribution. **The Board wishes to remind all States that have established medical cannabis programmes or that are considering doing so of the control measures set forth in articles 28 and 23 of the 1961 Convention as amended by the 1972 Protocol.**

719. Short of permitting the cultivation of cannabis for medicinal purposes, many European countries for the first time allowed the use of cannabis-based medicinal products or were in the process of creating the necessary legal framework to do so during the reporting period. Following the approval of its National Agency for Medicines and Health Products Safety in July 2019, France was in the process of devising the regulatory framework for an experiment on the use of cannabis-based medicinal products to

treat certain medical conditions under strictly defined conditions. The experiment was expected to be launched in 2020. With effect from 1 November 2018, the United Kingdom introduced legislative changes providing a definition of the type of products falling within the category of “cannabis-based products for medicinal use” and permitting their prescription by registered specialist doctors based on clinical need, not limiting prescriptions to any particular medical condition. Raw cannabis (whether plant or resin) was unaffected by the change and remained a class B drug under the Misuse of Drugs Act of 1971.

720. In the course of 2019, the Netherlands has taken steps to introduce a pilot programme for the production and commercial distribution of cannabis for non-medical purposes, referred to as the “closed cannabis supply chain experiment”. Under the programme, the cultivation and wholesale supply of cannabis to so-called “coffee shops” was expected to be legalized in up to 10 municipalities for a trial period of four years, followed by an evaluation of the “experiment” and its effects on public health, public order, safety and crime. As of August 2019, 10 municipalities (not including the 4 largest ones: Amsterdam, Rotterdam, The Hague and Utrecht) had been selected from among some two dozen that had expressed an interest in participating in the programme. As of 1 November 2019, the legislation necessary to enable the official “preparation phase” of the experiment to be launched in 2020, commencing with a public tender to select a limited number of local producers, had been partially approved in January 2019. Municipalities not selected to participate in the trial will continue to enforce the applicable national laws, which generally prohibit the cultivation, distribution and use of cannabis, with the option of tolerating (i.e., not enforcing the prohibition of) the sale and purchase of small amounts for personal use in “coffee shops” under certain conditions.

721. In late 2018, Luxembourg announced its intention to legalize the cultivation, distribution, possession and use of cannabis for recreational purposes within five years. An interministerial task force was reported to be in the process of drafting a corresponding legislative proposal. The use of (imported) cannabis for medical purposes, prescribed by specially trained medical professionals and distributed exclusively through hospital pharmacies, was permitted in August 2018 for a trial period of two years.

722. **The Board wishes to remind all parties to the 1961 Convention as amended by the 1972 Protocol that article 4 (c) of that Convention limits exclusively to medical and scientific purposes the production, manufacture, export, import and distribution of, trade in and**

**use and possession of drugs and that any measures allowing for the non-medical use of cannabis are in violation of the legal obligations incumbent upon parties to the Convention.**

723. A number of countries in the region amended their national laws to subject new psychoactive substances and other substances of concern to national control in 2018 and 2019. Those countries included Germany (new substance groups were added and existing ones were amended or enlarged in its generic schedules under the New Psychoactive Substances Act, which entered into force in 2016), the Russian Federation (47 new psychoactive substances scheduled at the national level), Serbia (15 substances scheduled, including tramadol), Spain (6 new psychoactive substances scheduled) and Sweden (36 new psychoactive substances scheduled, 15 as narcotic drugs and 21 as goods endangering health). Malta brought its laws in line with European Parliament and Council of the European Union directive 2017/2103, which defines new psychoactive substances as substances in pure form or in a preparation that are not covered by the 1961 Convention as amended by the 1972 Protocol or by the 1971 Convention but may pose health or social risks similar to those posed by the substances covered by those Conventions. The United Kingdom also classified pregabalin and gabapentin as class C drugs under the Misuse of Drugs Act of 1971 with effect from 1 April 2019.

724. Since February 2019, Croatia has applied a generic approach to controlling new psychoactive substances at the national level, targeting groups of substances and chemical compounds rather than individual substances. Poland also introduced generic definitions for four groups of new psychoactive substances that now fall under the act counteracting drug addiction and State sanitary inspection as a result of a comprehensive amendment passed in August 2018. The groups include derivatives of fentanyl, cathinone and 2-phenylethylamine, as well as synthetic cannabinoids. The amendment also redefined new psychoactive substances, putting them on a par with narcotic drugs and psychoactive substances and thereby attaching criminal sanctions to their use and possession; previously, sanctions had been administrative in nature for that category of substances.

725. In 2018, the United Kingdom conducted a mandated review of its Psychoactive Substances Act 2016, covering the first 30 months since the Act had entered into force, with a view to assessing whether its aims were being achieved. The results of the review were published in November 2018. The review found that open retail sale of new psychoactive substances had been largely eliminated in the wake of the entry into force of the Act and

that there had been a significant drop in their use in the general population, particularly among youth, with an associated reduction in health-related harms. At the same time, the Act was found not to have had any significant impact on the emergence of new psychoactive substances or on their online sale, neither through the clear web nor through the darknet, and it appeared that street dealers had replaced retail shops as the main source of supply for users.

726. The Russian Federation placed seven precursors under national control in 2018, including the internationally controlled fentanyl precursor *N*-phenethyl-4-piperidone (NPP) and six precursors not under international control. 4-Anilino-*N*-phenethylpiperidine (ANPP), another internationally controlled precursor of fentanyl, was moved from catalogue I to catalogue IV of the relevant national schedules in 2018. In February 2019, the requirements regarding thresholds for precursors of fentanyl under catalogue I of the relevant national schedules were removed and five more substances were added to that catalogue.

727. In addition to amending its existing legislation on psychotropic substances and precursors (in July 2018 and April 2019), Serbia adopted in 2019 a comprehensive set of by-laws concerning procedures related to precursor control, including by-laws on licensing, import and export authorizations, and statements concerning the end user of a traded precursor.

728. Since 1 January 2019, French customs authorities have been entitled to request and be provided with data stored and processed by hosting and Internet service providers, as well as telecommunication operators, in order to ascertain whether, according to the Customs Code of that country, a drug offence may have been committed.

729. Spain finalized its first plan of action for the period 2018–2020 under the national strategy on addictions covering the period 2017–2024. Social reintegration features prominently as one of the areas to be strengthened in the context of the comprehensive care approach adopted in the national strategy. In January 2019, Croatia published a comprehensive report on the implementation of activities undertaken under its National Strategy on Combating Drug Abuse for the period 2012–2017 and the two three-year action plans covering that period. The report contains detailed statistics and findings on the drug abuse situation in the country during that period.

730. In the United Kingdom, a prison drug strategy was published in April 2019; it builds on the *2017 Drug Strategy*, published by the Home Office. According to the

prison drug strategy, the number of incidents where drugs were found in prisons increased by 23 per cent in the period 2017/18 compared with the previous 12-month period. The prison drug strategy mirrors the three objectives of the 2017 drug strategy: restricting supply, reducing demand and building recovery. The prison drug strategy is not time-bound, it focuses on improving capacity in five areas, it comes with a catalogue of continually updated good practice guidance for prison governors and staff and it requires prisons at the national and subnational levels to implement their own tailored drug strategies by September 2019.

731. The Russian Federation passed new legislation on palliative care in March 2019. The law is to provide improved access for terminally ill patients to pain relief medications, in particular preparations containing narcotic drugs and psychotropic substances, alongside other support services.

732. In March 2019, Greece became the most recent European country to provide a legal framework for “drug consumption rooms” or supervised drug use areas to operate on its territory. To access such areas, which are to be authorized by the Ministry of Health, and to make use of the care and services provided in those areas, inclusion in the government-maintained register of recipients of such services will be a prerequisite. “Drug consumption rooms” are already operating, on a trial or permanent basis, in Belgium, Denmark, France, Germany, Luxembourg, the Netherlands, Norway, Portugal, Spain and Switzerland, while a legal basis for their operation exists in Ireland (since 2017), and governmental initiatives seeking to introduce supervised drug injection facilities are under way in several other European countries, including Finland and Iceland.

733. **In line with its earlier observations on the operation of “drug consumption rooms” in different countries, the Board wishes to reiterate that the ultimate objective of such measures is to reduce the adverse consequences of drug abuse without condoning or encouraging drug trafficking. Accordingly, any such facility must provide, or refer recipients of its services to, treatment, rehabilitation and social reintegration services.**

#### 4. Cultivation, production, manufacture and trafficking

734. Drug trafficking trends and patterns generally remained stable in Europe, with minor changes observed in relation to individual substances. Cannabis (including both herb and resin) remained the most frequently seized

drug and the substance seized in the highest quantities in 2017 in the member States of the European Union. However, the figures for cannabis herb almost doubled in 2017 compared with the figures for 2016 (210 tons were seized in 2017 compared with nearly 124 tons in 2016 in about the same number of seizures as in 2017), while the figures for cannabis resin remained relatively stable, both in terms of the number of seizures and the quantities seized (466 tons were seized in 2017 compared with some 424 tons in 2016). Italy alone accounted for some 43 per cent of the total amount of cannabis herb seized in the European Union in 2017 (more than 90 tons); it was followed by Spain (about 34.5 tons). At the same time, Spain accounted for almost 72 per cent of the total amount of cannabis resin seized in the European Union member States (almost 335 tons); that country was followed by France, where a significantly smaller amount of that drug was seized (some 67 tons).

735. Cannabis was also the most frequently encountered drug in both drug possession and supply offences reported in the European Union in 2017, with 75 per cent of an estimated total of 1.2 million cases involving the use or possession of cannabis and 57 per cent of an estimated 230,000 cases involving the supply of cannabis.

736. The amount of heroin seized in Europe has also been stable for a number of years. Illicit heroin manufacturing sites discovered in recent years in Bulgaria, Czechia, the Netherlands and Spain, in combination with higher amounts of opium and morphine seized, indicate that some manufacturing of heroin from morphine may be taking place closer to European consumer markets. Of all the European Union member States, the Netherlands seized the highest quantity of heroin in 2017 (1.1 tons), representing about a fifth of all heroin seized within the European Union that year; that country was followed by the United Kingdom (844 kg) and Bulgaria (698 kg).

737. Opioids other than heroin (including prescription opioids such as methadone, buprenorphine, tramadol, fentanyl derivatives, codeine, dihydrocodeine and oxycodone, as well as opium and morphine) were seized in markedly increased quantities in 2017, although those seizures accounted for a small share of the total quantity of seized opioids. Seized amounts of tramadol and fentanyl derivatives increased in 2017 for the second year in a row.

738. Record seizures of cocaine were reported in 2018 and 2019 in several countries, including Belgium (a total of 53 tons seized in 2018, up from nearly 45 tons in 2017), France (individual seizures of about a ton and a half in 2018, as well as in 2019) and Germany (4.5 tons in a single seizure in 2019, representing the largest single seizure of cocaine ever made in the country). Since at least 2011,

the same four countries – Belgium, France, the Netherlands and Spain – have seized the highest amounts of cocaine in the European Union. In 2017, the total amount of cocaine seized in the European Union was more than 140.4 tons, the highest amount ever recorded (almost double the amount seized in the previous year (70.8 tons)).

739. Cocaine trafficking has recently been linked to the activities of numerous organized criminal groups from Colombia, Morocco, Spain and the Balkan countries, most of which are operating out of major European ports. An EMCDDA trendspotter study entitled “Recent changes in Europe’s cocaine market”, published in 2018, found that European overseas territories such as French Guiana and the French West Indies (Guadeloupe, Martinique, Saint Martin and Saint-Barthélemy) are increasingly being used as transit areas between producing countries in South America and the European mainland. In addition, according to the study, traffickers are making increased use of online drug markets to manage low-volume cocaine sales and are supplying the drug directly to consumers.

740. Europe continues to be a major source of the world’s supply of amphetamine-type stimulants, including amphetamine, methamphetamine and MDMA, and a significant share of the manufacture of such stimulants takes place in Belgium and the Netherlands.

741. Greek authorities effected the largest seizure of “captagon” (amphetamine) pills ever recorded in Europe in June–July 2019 in the port of Piraeus: some 33 million “captagon” pills – more than five tons of tablets. According to government sources, the shipment, concealed in three containers carrying medium-density fibreboard, originated in the port of Latakia, in the Syrian Arab Republic, and the suspected destination was China.

742. Within the European Union, 55 new psychoactive substances emerged and were reported through the early warning system of the European Union in the course of 2018; that represents an average of about one new substance per week. According to EMCDDA, the emergence of new psychoactive substances appeared to have slowed down in the European Union since the period 2013–2014. However, a considerable number of substances identified in earlier years have remained. New synthetic opioids (including fentanyl derivatives) continued to play a limited role in the European drug market, while the number, type and availability of benzodiazepines not under international control appeared to have increased in the past few years.

743. Seizures of precursors and pre-precursors (including both scheduled and non-scheduled substances that can be easily converted to internationally controlled precursors,



usually through a simple chemical synthesis step), especially those used in the manufacture of amphetamine-type stimulants such as methamphetamine or MDMA (“ecstasy”), continued to be effected in large quantities in European countries during the reporting period. A fully equipped illicit drug laboratory, including several tons of precursor chemicals used in the large-scale manufacture of crystalline methamphetamine, was discovered in Belgium, and a “floating” illicit methamphetamine laboratory was discovered in the Netherlands (an unprecedented occurrence in that country) on board a large cargo ship, where more than 300 litres of methamphetamine oil and drug-manufacturing equipment were seized.

744. At the same time, there has been a significant increase in seizures of acetic anhydride (a key substance frequently used in the illicit manufacture of heroin) in Europe in the past two years, along with an increase in the detection of sites using that precursor for illicit heroin manufacture.

745. A comprehensive review of the situation with respect to the control of precursors and chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances in the region can be found in the report of the Board for 2019 on the implementation of article 12 of the 1988 Convention.

## 5. Prevention and treatment

746. Overall, the situation with respect to the prevalence of drug abuse within the European Union remained largely unchanged in 2018 compared with the previous year. Based on 2017 data, EMCDDA estimated that about 29 per cent of the adult population, or some 96 million adults, had used illicit drugs at least once during their lives, while five years earlier about a quarter of the adult population in the European Union (over 80 million adults) was estimated to have used such drugs at least once. Data on the prevalence of drug use are generally available and of high quality in many parts of Europe.

747. In 2018, cannabis continued to be the most commonly used illicit drug in European Union member States, its prevalence having remained five times higher than that of other drugs for at least the past four years, with a number of countries having reported increased use of cannabis among youth.

748. Among stimulants, cocaine continued to be the most commonly used illicit drug, albeit more prevalent in countries in Southern and Western Europe, while, based on 2017 data, EMCDDA reported growing evidence of a

potential increase in the injection of stimulants, including cocaine, amphetamines and synthetic cathinones. The findings of the largest European wastewater analysis project focusing on stimulants and covering some 70 cities and towns in 2018 showed that patterns of use varied significantly in the region by type of drug, timing and location of use. For example, cocaine and MDMA (“ecstasy”) use appeared higher in large cities than in smaller urban areas, and the highest levels of those drugs and amphetamine (so-called “party drugs”) were detected in the wastewater during the weekend; furthermore, the highest levels of MDMA and cocaine appeared in the wastewater of cities in countries in Western Europe (MDMA in cities in Belgium, Germany and the Netherlands and cocaine in cities in Belgium, the Netherlands, Spain and the United Kingdom), while the highest levels of amphetamine were concentrated in the wastewater of cities in countries in Northern and Eastern Europe.

749. In 2017, Europe was the region with the second highest prevalence of opiate use in the world (0.59 per cent, second to Asia with 0.72 per cent). Heroin has also remained the most commonly used opioid in European Union member States, although the abuse of other synthetic opioids such as fentanyl, methadone and buprenorphine appears to be on the rise. In Estonia, fentanyl has overtaken heroin as the primary opioid reported as the basis for seeking specialized treatment; and in Finland, the majority of opioid users sought treatment primarily for the use of buprenorphine. In fact, 22 per cent of all persons seeking treatment for opioid-related health issues in the European Union now cite as their primary drug opioids other than heroin (including codeine, morphine, tramadol and oxycodone, in addition to the above-named substances).

750. In June 2019, OECD published a report entitled “Addressing problematic opioid use in OECD countries”. The report found that the average number of opioid-related deaths among the 25 OECD members for which data were available had increased by 20 per cent in the period 2011–2016. Although that average includes data for the United States, where the opioid crisis has hit the hardest in recent years, the report also found a pronounced rise in opioid-related deaths in many areas in Europe, including (in decreasing order, from the most to the least pronounced rise) Sweden, the United Kingdom (England and Wales), Lithuania, Norway and Ireland. The data include deaths associated with the abuse of heroin and other opioids, as well as the abuse of prescription opioids. Overall, deaths associated with fentanyl and its analogues were likely to have been underestimated according to the EMCDDA report entitled “Drug-related deaths and mortality in Europe”. With regard to general drug-induced

mortality, Estonia and Sweden reported the highest death rates in Europe in 2017 (130 and 92 deaths per million inhabitants aged 15–64, respectively).

751. According to official statistics released in July 2019, the United Kingdom (Scotland) recorded an increase of 27 per cent in drug-related deaths in 2018 compared with the year before, the highest number of drug-related deaths since the recording of such deaths began (i.e., since 1996) and more than double the number recorded in 2008. Of the 1,187 drug-related deaths registered in 2018 in Scotland, most (i.e., about two thirds) were among the age group 35–44 (37 per cent) and the age group 45–54 (29 per cent), and 72 per cent of the deceased were male. In 86 per cent of all drug-related deaths, one or more opiates or opioids (including heroin/morphine and methadone) were involved. Benzodiazepines were implicated in, or potentially contributed to, 67 per cent of the cases recorded, indicating a high proportion of polydrug use. In Scotland, the drug-death rate (relative to the number of people aged 15–64) was found to be higher than that reported for all European Union member States and (per head of population) appeared to be almost three times that of the United Kingdom as a whole.

752. In absolute terms, Europe is also the region with the second highest prevalence of “ecstasy” use, with an estimated 4 million users (second to Asia, with an estimated 11.5 million users, and followed by the Americas, with an estimated 3.5 million).

753. Several countries have undertaken comprehensive efforts to further improve their datasets and provide a detailed picture of the drug use situation during the reporting period. In Poland, the National Bureau for Drug Prevention conducted or commissioned more than a dozen studies in the course of 2018 and 2019 to examine different aspects of drug use patterns among various population groups in the country. Apart from collecting national samples for prevalence studies involving different target groups, including substance abuse among youth, needle-and-syringe clients, in schools and in prison settings, numerous data collection efforts were dedicated to better understanding the specific threat posed by new psychoactive substances. In the same period, Belgium conducted Health Interview Survey 2018, studying the general condition of health of its population and identifying main health issues, including drug use, as well as factors and behaviours that might be determinant in this regard. The results were published in October 2019.

754. A variety of drug abuse prevention efforts were initiated or ongoing in many European countries in 2018 and

2019. In Serbia, for example, the Ministerial Commission for the Prevention of Drug Use launched a six-month awareness-raising campaign that ended in February 2019 and saw the participation in interactive forums of over 31,000 students, more than 5,400 teachers and some 1,500 parents, as well as health professionals, social workers, judges, prosecutors, police officers and other relevant stakeholders, to increase understanding of the harmful effects of drug use on young people. The forums followed a methodology developed by the Ministerial Commission, comprised of seven ministers whose work programme also is aimed at strengthening young people’s self-confidence, resilience and their capacity to resist in the face of drug-using peers, and identifying meaningful alternatives to drug use. In Italy, among the numerous prevention activities undertaken during the reporting period, two areas of focus were the prevention of road accidents caused by driving under the influence of drugs and alcohol and a more responsible use of the Internet by minors to limit exposure to dangerous psychoactive substances.

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