

Comments regarding the Green paper of the European Commission on the role of the Civil Society in Drug Policy in the European Union

1. Introduction

The European Alliance for Drug Policy and Practice (EADPP, www.eadpp.eu) is an alliance of currently 8 major European networks (CORRELATION, ELISAD, ENDIPP, ERIT, EURO-TC, FESU-DC&D, ITACA, T3E). All alliance members are stakeholders in drug related interventions, methodologies and policies at the European level with many years of experience and representing diverse backgrounds from across all European Union Member States (see attachment). They are committed to a pragmatic, non-ideological approach towards the global and multi-faceted drug phenomenon. All the networks concerned were present at the EC Brussels conference in January 2006 in their individual capacity and are interested in following the process closely.

The initiative to form a united alliance arose on the basis of:

- A commitment to reducing the drug problem in Europe A desire to see resources devoted to the problem used to best effect;
- A strong desire to promote and improve dialogue amongst themselves and thereby to strengthen the role of civil society in having a say in drug policy;
- a heightened feeling of responsibility as actors on a European stage to contribute to the dialogue with European authorities;
- an intention to create a complementary voice to European authorities;
- to render effective and coherent the shared experiences and expertise established at the transnational level over a number of years;
- to strive to avoid unnecessary overlaps amongst themselves as well as towards others.

The need for the civil society dialogue on European level

Policy making at the European level is a complicated and complex issue. Additionally, drug policy is also a very sensitive and emotionally charged theme. Member States have arrived at their own historically grounded approaches based on a complex web of local ideological issues and interpretations of international treaties to which they are signatories. Meanwhile, there is a growing convergence amongst European authorities to develop common strategies and plans, for tackling problems on a transnational level and to stimulate national drug policies. Further, there appears to be an emergent desire to speak with one voice on other international platforms like the United Nations sessions.

From our point of view, these kinds of developments initiated by European authorities are necessary and useful, as far as they respect the different approaches of individual Member States. The added value for Europe in all this is the comparative dimension of different national policies, the exchange of expertise and experiences in different settings, the cross border information exchange and the opportunity to learn from each other.

The social and health care providers, the prevention workers, the treatment facilities (the public and the private services, and non profit organisations as Therapeutic Communities), the volunteers and families organisations, the drug users in the street, the outreach workers and also the law enforcement and justice bodies. all of them are involved and confronted with the visible problems on a daily basis.

However, to organize this process effectively and successfully, the involvement and contribution of civil society is a must. The drug user in the street, the outreach worker, the service provider or prevention worker, and also the police and other officials in health, social care and criminal justice are all confronted with the visible problems on a daily basis. They all have to deal with policy decisions, which are made far above their heads but which affect them in their everyday settings. They do not feel that they are consulted or involved as stakeholders in a decision making process, generally not on national and assuredly not at a European level. This observation has been fairly widely shared over a number of years. However, now the need to involve the civil society is postulated by the Commission since the last couple of years. With the publication of the Green Paper of the European Commission there is now evidence that the Commission will initiate serious action on this issue. That why we welcome this initiative very much and wish to offer a constructive contribution to this development putting on your disposal our wide experiences, knowledge's and know how on the drug field

2. Comments on the proposal of Civil Society Forum on Drugs

Object of the forum:

- We fully agree that the forum should not be a *platform for various ideologies* and should be a *practical instrument to support policy formulation and implementation through practical advice*. But at the same time the forum should be able to register other opinions than the official EU position;
- We also agree that the *themes of discussions would mainly be defined by the EU Action Plan* and we add that the forum should be involved in the designing and evaluation of the EU strategies and action plans;
- The forum should be given the opportunity for sustainable dialogue with high profile EU decision makers and civil society; it should provide a channel for gathering intelligence and disseminating information between civil society and relevant agencies;

Structure of the forum:

- The Green paper says that the *forum would not be a formal structure within the Commission* but at the same time this forum *would be chaired by the Commission which would also be responsible for certain practical aspects and for ensuring continuity of the work*. This is a little bit unclear for us. Concretely, who is going to coordinate the work? The services of the Commission or an external resource? How is this going to impact on the independency of the forum?
- By being managed directly by the European Commission, the forum would have more legitimacy but will be less independent and become a mere tool for the Commission.
- Anyway, the structure of the forum has to be transparent and it should be agreed by the members.
- To be efficient, the forum should have a permanent administration office.
- The issue of financial resources needed for sustaining the activities of the forum should be addressed, as it is the case for other consultations with the civil society, organised by the EC.

Membership:

- the issue of membership is fundamental because in order to ensure credibility and representativeness of the forum;
- The proposal of selection based on an open call is fair from a formal point of view but in fact, only the potential members already in touch with the European institutions will apply and be selected;
- The duration of membership should be in coherence with the EU strategy agenda;
- the criteria for membership should be transparent and verifiable;
- selection criteria for membership of the forum should include regional and thematic aspects;
- the relevant European networks not having a legal entity should be eligible;
- it is also important to involve drug user organisations.

Advantages of the forum:

- the forum seems a clear and practical way to carry out the consultation process;
- such a forum could appear as credible, legitimate and representative;

- The forum responds to the needs of the EU institutions.

Disadvantages of the forum:

- the forum is not based on the needs of the civil society;
- The necessary limited number of members reduces its potential proposal capacity.

The impact that the work of the forum can have on EU policy development depends very much on the level of involvement that the EC foresees for such a forum in terms of commenting policy papers and institutional documents. It will also depend on the level of involvement that the EC foresees for the forum in the implementation and evaluation of the present Action Plan and in the drafting of future ones. If and how this will be done by the EC is not yet clear from the text of the Green Paper

3. Comments on the proposal of thematic linking of existing networks

We are very pleased that the green paper already mentions the possibility of involving existing networks in this process. From our point of view this is an obvious, reasonable and practicable option. Existing European network can provide value added in the sense that they:

- know EU structures and decision making processes;
- have a broad geographic coverage and are represented in most EU Member States and acceding countries
- have the infrastructure to reach and consult with local civil society rapidly;
- can function as a link between civil society and EU authorities and can transmit and disseminate ideas and discussions very effectively;
- can be a partner for national governments in discussions around drugs policies;
- are involved in service delivery and work in the field and can, therefore, deliver more concrete tasks than a forum can do; (*Eberhard, I am not sure this is what you wanted to say, but this phrase sounded a bit vague to me*)
- have built up a lot of expertise in cross border work;
- cover many thematic and regional aspects;

Condition of success:

To be efficient, this linkage should have a structure with a permanent operational budget to warrant continuity of the process; the specific programme “Drugs prevention and information 2007-2013” seems a good financial tool to support the development of such a structure.

Advantage of the linkage:

The linkage of European networks is

- cost effective,
- possible to organise on short term,
- effective in gathering concrete results,
- has added value for European authorities and the networks in charge.

Disadvantage of the linkage:

- Doesn't provide a proper representation of the Civil Society and therefore has reduced authority to provide a general overview and comment on policy development at EU level, like it is the case for the Action Plan

4. Comments on the interactions between the two proposals

The two proposals do not seem to exclude each other, on the contrary, could be complementary. Nevertheless, to be effective, this complementarily has to be well-defined: role of each structure, relationship between them, etc.

5. Comments on the example of consultation practices

- Consulting through Internet and open consultation via registration present the great inconvenience to gather only the organisations still in touch with the EU institutions: always the same stakeholders, big involvement of the lobbying organisations (so the most ideologically oriented). Moreover this solution risks to bring to the EC lots of very different opinion and the EC would face difficulties in utilising concretely the information collected for the scope of punctual policy drafting and commenting.
- The Representative civil society network and the HIV Think Tank and Civil Society Forum present the interest to gather representatives of national and local organisations (not only European networks). The forum should do the same thing: to create a balance between local, national and trans-national representatives.
- The combination of two-level fora is very interesting but would need to be considered at a later date. ...

6. Comments on our participation in the structured dialogue with the European Commission

As stated before, The European Alliance for Drug Policy and Practice represents 7 major networks, each with member representatives and organisations from all countries of the European Union. These networks work in different areas of drug policy. One of the main aims of the Alliance is to coordinate the dialogue with European authorities and to improve the collaboration among themselves in order to avoid unnecessary overlapping and ineffectiveness. It is not intended to fuse the networks together into one mega-network, but to coordinate the expertise of each particular network in order to reach more efficiency and added value. The Alliance is open to other European networks with a pragmatic and professional approach.

Even at this point, we do not intend to provide a finalized concept. Just to mention some points, the Alliance could:

- be the body to organise the linkage of existing European networks;
- be a constructive counterpart for a broad range of activities and topics;
- be a reliable partner with proven competence;
- facilitate dialogue between a large number of civil society representatives and the Commission;
- carry out tasks related to the implementation, evaluation, drafting of EU policy such as the Action Plans;
- implement aspects of the civil society dialogue in their own work programmes
- point out new developments in the field which are relevant in addressing new threats and therefore in pursuing the objectives of the EU for high levels of security and health for EU citizens.

We are open to discuss additional aspects and all other details of collaboration after the Commission has evaluated the contributions of other stakeholders and we look forward to joining this discussion.