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For a European convention on promoting public health policy in drug control

Reply to Recommendation[1]: Recommendation 1813 (2007)
Committee of Ministers

1. The Committee of Ministers has examined with interest Parliamentary Assembly Recommendation 1813 (2007) for a European convention on promoting public health policy in drug control, together with Resolution 1576 (2007) referred to therein. It has transmitted the recommendation and the resolution to member states and to the Co-operation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group) and to the European Health Committee (CDSP).

2. The Committee of Ministers welcomes the thorough consideration that the Parliamentary Assembly has given to the challenges that all member states face in the fight against drugs. It would encourage member states, where appropriate, to bear in mind Resolution 1576 (2007) when developing their national drug policy strategies.

3. With regard to the issues raised by the Assembly, the Committee of Ministers recalls that at the 3rd Summit, the heads of state and government of the Council of Europe agreed that "the protection of health as a social human right is an essential condition for social cohesion and economic stability" and supported "the implementation of a strategic integrated approach to health and health-related activities. In particular, the work on equity of access to care of appropriate quality and services which meet the needs of the population of our member states will be intensified. Identifying standards for patient-oriented care will be a key component of this activity". In line with these priorities, the Committee of Ministers therefore considers it essential that drug addicts have access to appropriate health care services. It draws the attention of the Assembly to the opinions received from the Bureau of the Pompidou Group and the CDSP which give a sound indication of the work already accomplished or under way in the Council of Europe in this field.

4. With specific reference to the recommendation "to formulate and adopt a new framework convention on drug policy which consolidates existing scientific and medical knowledge and which may subsequently form the basis of member states' national drug policies", the Committee of Ministers has taken note with particular interest of the comments submitted by the bodies mentioned above. In the light of these opinions, it considers that it would be appropriate for the Pompidou Group to consider carrying out a feasibility study, in close collaboration with the CDSP, with a view to examining the advisability of drawing up a new framework convention on drug policy, or some other legal instrument, with particular account being taken of existing instruments and the work being carried out in other international organisations, and of the added value of such a possible instrument for public health policy in drug control.

1. Adopted by the Committee of Ministers on 21 May 2008, at the 1027th meeting of the Ministers' Deputies.

Appendix 1 – Opinion of the Pompidou Group on Parliamentary Assembly (PACE) Recommendation 1813 (2007)

The Pompidou Group Permanent Correspondents examined, at their meeting on 16 April 2008, in the light of the intervening discussion in the Rapporteur Group on Social and Health Questions (GR-SOC), the comments adopted by its Bureau on 26 February 2008 concerning PACE Recommendation 1813 (2007) and adopted the following revised version for the attention of the Committee of Ministers.

1. The Pompidou Group notes with interest PACE Recommendation 1813 (2007) and Resolution 1576 (2007) to which it refers noting that many of the concerns and measures outlined in the latter reflect issues and approaches which have and continue to be priorities for the group and its work programme.

2. The group reaffirms that the right to health care is a fundamental human right and that authorities such as the World Health Organization have recognised drug addiction as an illness. The access of drug addicts to appropriate health care services is therefore essential.

3. It also recognises that drug addiction and non-addictive use of psychoactive substances are extremely complex phenomena which demand that social and environmental factors are taken into full account, that service responses also include social and practical assistance and care and that due account is taken of the legal consequences deriving from the status of controlled substances.

4. In respect of issues raised by the resolution, the group wishes to draw attention to:

– its recent publication on treatment services for young persons;

– the on-going work on the adaptation of treatment systems to the needs of specific groups of drug user and to the evolution of trends in drug use;

– the prevention programmes in schools based on the life skills principles it has helped implement in several countries;

– the EXASS Network which enables the exchange of experience between projects exemplifying co-operation at local level between different services and stakeholders in addressing drug use issues;

– the work being developed on the ethical issue raised by drug services;

– the central place of evidence-based policies in the approaches recommended by the group.

5. As regards the proposal to develop a European convention on promoting public health policy in drug control, the group considers that a feasibility study on whether to formulate and adopt such an instrument could be undertaken.

6. The Pompidou Group would be well placed to undertake this work, if the Committee of Ministers so desires, in collaboration with other relevant Council of Europe bodies such as the CDSP and taking into account the views of civil society.

Appendix 2 – Opinion of the European Health Committee (CDSP) on Parliamentary Assembly Recommendation 1813

The European Health Committee (CDSP) examined (by correspondence) Recommendation 1813 (2007) of the Parliamentary Assembly of the Council of Europe and submits the following comments:

1. The CDSP welcomes Recommendation 1813 (2007) "For a European convention on promoting public health policy in the fight against drugs", referring to Resolution 1576 (2007).

2. The CDSP recalls that the right to protection of health, as reflected in the objectives set out under Article 8 of Resolution 1576 is a cornerstone of all CDSP strategic documents (terms of reference, statement on the role and scope of future activities of the European Health Committee).

3. The Schools for Health in Europe network (SHE), previously the European Network of Health Promoting Schools (ENHPS), supported by the CDSP, is a model framework for spreading important educational messages to young people with regard to drug prevention. The CDSP believes that close ties should be maintained with the network, particularly as regards drug prevention issues in the school setting and that the network could continue to be put to good use as a forum for exchange of information and collection and exchange of good practices.

4. The CDSP also recalls two recommendations in the context of drug policy:

a. Committee of Ministers' Recommendation Rec(2001)12 on the adaptation of health care services to the demand for health care and health care services of people in marginal situations, which proposes "measures targeting the special needs of marginalised and vulnerable groups", including drug users;

b. Committee of Ministers' Recommendation No. R (98) 7 concerning the ethical and organisational aspects of health care in prison, which contains measures "to develop further alternatives to imprisonment for drug addicts and the setting up of prevention, treatment and reintegration services for prisoners".

5. The CDSP recalls that already existing United Nations conventions could eventually be revised to take into account recent developments in the field of public health. The question whether this approach offers comparative advantage over adopting a new framework convention shall be carefully studied, in close collaboration with the Pompidou Group.

6. In conclusion, the CDSP considers that a feasibility study on whether "to formulate and adopt a new framework convention on drug policy" deserves serious consideration.