EU/Russia agreement: drug precursors

2013/0005(NLE) - 21/01/2013 - Preparatory document

PURPOSE: the conclusion of an agreement between the European Union and the Russian Federation on drug precursors.

PROPOSED ACT: Council Decision.

PARLIAMENT'S ROLE: Parliament's consent is required for the Council to conclude the agreement.

BACKGROUND: on 23 March 2009, the Council authorised the Commission to open negotiations with the Russian Federation for an Agreement on drug precursors. Following the launch of negotiations in September 2009, four negotiating rounds took place.

In September 2012, the text of the Agreement was finally agreed between the Parties.

It is now appropriate to conclude this Agreement on behalf of the European Union.

IMPACT ASSESSMENT: no impact assessment was undertaken. The Member States were, however, kept regularly informed on the negotiations at the most appropriate level of the Council on the Draft Agreement.

LEGAL BASIS: Article 207 (4) first indent in conjunction with Article 218 (6) (a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this Decision seeks to conclude an agreement between the European Union and Russia on drug precursors.

Purpose of the Agreement: the Draft Agreement aims to strengthen the cooperation between the European Union and Russia to **prevent diversion of drug precursors from the legal trade to counter illicit manufacture of narcotic drugs and psychotropic substances**.

Scope: from a technical point of view, it is stipulated that the Parties shall assist each other in the form and under the conditions provided for in the Agreement, in particular by:

- monitoring the trade between the Parties in the precursors with the aim of preventing their use for illicit purposes,
- providing mutual assistance for the purpose of prevention of diversion of such precursors.

The measures shall apply to the precursors listed in Annex I of the Agreement (referred to as "scheduled precursors").

Exceptions to the obligation to provide mutual assistance: provisions are made in the Agreement for derogations from the principle of mutual assistance in cases where a Party is of the opinion that assistance under this Agreement would be likely to prejudice the sovereignty the security, the public policy or other essential interests.

Exchange of personal data: as this Agreement may occasionally imply an exchange of personal data, it includes specific provisions on data protection in order to provide sufficient protection for citizens in the use of their data. An annex clarifies certain definitions or principles relating to data protection.

Scientific and technical cooperation:

Provisions are made to facilitate cooperation between the Parties with a view to the identification of new diversion methods, as well as appropriate counter-measures.

Institutional framework: a Joint Follow-Up Expert Group is established which consists of the representatives of competent authorities of the Parties. It shall be responsible for the management of the Agreement and its proper implementation.

It should be noted that unless otherwise provided by this Agreement, its provisions shall not affect the obligations of the Parties under any other international agreement.

BUDGETARY IMPLICATION: the proposal has no budgetary implications for the Union budget. Nevertheless, it is stipulated in the Agreement that each Party shall shall bear the costs it incurs arising from the measures to implement the Agreement.