EU/Russia agreement: drug precursors

2013/0005(NLE) - 17/02/2014 - Final act

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

NON-LEGISLATIVE ACT: Council Decision 2014/318/EU on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the Russian Federation on drug precursors.

BACKGROUND: the European Union and the Russian Federation should strengthen their cooperation to prevent diversion of drug precursors from the legal trade, in order to counter the illicit manufacture of narcotic drugs and psychotropic substances.

In accordance with Council Decision 2013/263/EU, the Agreement between the European Union and the Russian Federation on drug precursors was signed on 4 June 2013, subject to its conclusion at a later date.

The Agreement should ensure full respect of fundamental rights, in particular a high level of protection for the processing and transfer of personal data between the Parties to the Agreement.

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

CONTENT: by means of this decision, the Council approves on behalf of the European Union, with the consent of the European Parliament, an agreement between the European Union and the Russian Federation on drug precursors.

Objective of the agreement: the 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").

Implementing measures: it is envisaged that the Parties shall inform each other in writing about their respective competent authorities. These authorities shall communicate directly with one another for the purposes of this Agreement. The competent authorities of the Parties shall inform each other on their own initiative whenever they have reasonable grounds to believe that scheduled precursors in legitimate trade between the Parties may be diverted to the illicit manufacture of narcotic drugs or psychotropic substances.

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.

Duration of the agreement: the agreement is concluded for a period of 5 years at the end of which it will be automatically/tacitly renewed for successive new periods of 5 years, until one of the Parties notifies the other in writing of its intention to terminate the agreement. It may be amended by common agreement.

ENTRY INTO FORCE: the decision enters into force on 17.02.2014. The agreement enters into force on 1 April 2014.