Fight against drugs: transmission of samples of illegal narcotic substances. Initiative Sweden

2000/0826(CNS) - 28/05/2001 - Final act

PURPOSE : to allow for the legal transmission of samples of controlled substances. COMMUNITY MEASURE : Council Decision 2001/419/JHA on the transmission of samples of controlled substances. CONTENT : the fight against the illicit production and trafficking of drugs is a matter of common concern for law enforcement and justice authorities in the Member States. The possibility of transmitting samples of seized controlled substances between the authorities of the Member States for the purpose of detection, investigation and prosecution of criminal offences or for the forensic analysis of samples would increase the effectiveness of the fight against illicit production and trafficking of drugs. At present no legally binding rules exist regulating the transmission of seized controlled narcotic substance samples between the authorities of the Member States. This Decision has been adopted as it establishes a system for the transmission between Member States of samples of controlled substances. In addition, each Member State shall designate a national contact point for the purposes of implementing this Decision. The national contact points shall, if appropriate in association with other relevant national bodies, be the sole bodies competent for authorising the transmission of samples uner this Decision, notwithstanding relevant provisions on mutual legal assistance in criminal matters. The national contact point of the Member State intending to send a sample and the national contact point of the Member State intended to receive a sample shall agree on the transport before the transmission takes place. For this purpose they shall make use of the Sample Transmission Form. The receiving Member States shall acknowledge to the sending Member State the receipt of the sample. Lastly, this Decision shall be subject to evaluation within the Council after at least two and no more than five years after its entry into force. For the purpose of the evaluation the national contact point of each sending Member State shall hold in its archives a copy of every Sample Transmission Form issued during at least the previous five years. ENTRY INTO FORCE : this Decision shall take effect on 1 July 2001.