European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). Recast

2005/0166(COD) - 31/08/2005 - Legislative proposal

PURPOSE: To recast the legislation governing the European Monitoring Centre for Drugs and Drug Addiction.

PROPPOSED ACT: Regulation of the European Parliament and of the Council

CONTENT: Since its inception the European Monitoring Centre for Drugs and Drug Addiction has been amended three times. In addition, recent trends in drug use involving the combination of licit and illicit psychoactive substances requires that the role and scope of the Monitoring Centre needs to be extended and revised yet again. Given the frequent changes to the 1993 Regulation establishing the Centre, combined with the need to make further changes, the Commission proposes, in the interest of clarity, to recast the Regulation.

In 2003 the Commission presented a similar recast proposal (COD/2003/0311). Following a consultation process, however, it was decided to re-propose the Regulation under article 152, which requires the co-decision procedure. This present proposal, therefore, cancels and replaces the former Commission proposal.

Specifically speaking, the proposed amendments can be summarised as follows:

- Those, which have been designed to boost the Centre's role, in particular to take account of new drug patterns. Additional amendments are proposed, which improve upon the instruments helping both the Member States and the Commission to monitor and evaluate their respective drugs policies and strategies.

- Those, which have been designed to adapt the operation of the EMCDDA bodies in order to take account of enlargement. The Regulation sets up an Executive Committee to assist the Management Board.

- Those, which have been designed to bring the EMCDDA in line with the Commission's draft inter-institutional agreement in the framework for European regulatory agencies.

- Those, which codify the three amendments to the basic Regulation already adopted by the Council.

- Those, which have been designed to remove a number of uncertainties arising when the initial Regulation was applied – this refers in particular to the Recitox focal points, instead of the specialised centres.

The more technical modifications to the recast Regulation include:

- Extending the list of tasks the EMCDDA is expected to undertake. For example, in future, the EMCDDA will be responsible for collecting and analysing work on emerging trends in poly drug use, such as the combined use of licit and illicit psychoactive substances. It also requires improved synergies in the methodology for data collection and monitoring and it also extends the scope of the Centre's technical assistance to all countries authorised by the European Council to take part in Community programmes and agencies.

- The Priority Activities of the EMCDDA are adapted in accordance with the new revised tasks outlined above.

- The European Information Network on Drugs and Drug Addiction, Recitox, is amended in order to give it national legal status as well as clarifying their exact functions.

- The legal status of the Centre has been adapted in view of the fact that it has a seat.

- Changes to the Management Board are outlined, including its composition. For example, a new vice chairperson is created and the non voting status of the Management Board members are specified. In addition a new article proposes the creation of an Executive Committee, whose main role is to prepare the decisions of the Management Board.

- A new Article has been introduced relating to fraud. It stipulates that investigations conducted by OLAF will apply the EMCDDA.

- The EMCDDA will be subject, every six years, to external evaluation. On the basis of this evaluation, the Commission may, if appropriate, present proposals amending the EMCDDA Regulation.

This proposal has no budgetary implications.