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REPORT

on the proposal for a Council decision on the conclusion of an agreement between the European Community and the Kingdom of Norway on the participation of Norway in the work of the European Monitoring Centre for Drugs and Drug Addiction
(COM(1999) 496 – C5-0054/2000 – 1999/0203(CNS))

Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Rapporteur: Maurizio Turco

Symbols for procedures

*	Consultation procedure *majority of the votes cast*
**I	Cooperation procedure (first reading) *majority of the votes cast*
**II	Cooperation procedure (second reading) *majority of the votes cast, to approve the common position* *majority of Parliament's component Members, to reject or amend the common position*
***	Assent procedure *majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty*
***I	Codecision procedure (first reading) *majority of the votes cast*
***II	Codecision procedure (second reading) *majority of the votes cast, to approve the common position* *majority of Parliament's component Members, to reject or amend the common position*
***III	Codecision procedure (third reading) *majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

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PROCEDURAL PAGE

By letter of 28 January 2000 the Council consulted Parliament, pursuant to Article 308 and the second sentence of the first subparagraph of Article 300(2) of the EC Treaty on the proposal for a Council decision on the conclusion of an agreement between the European Community and the Kingdom of Norway on the participation of Norway in the work of the European Monitoring Centre for Drugs and Drug Addiction (COM(1999) 496 - 1999/0203 (CNS)).

At the sitting of 2 February 2000 the President of Parliament announced that she had referred this proposal to the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs as the committee responsible (C5-0054/2000).

The Committee on Citizens' Freedoms and Rights, Justice and Home Affairs had appointed Maurizio Turco rapporteur at its meeting of 23 November 1999.

It considered the Commission proposal and draft report at its meetings of 21 March, 19 April and 23 May 2000.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Graham R. Watson, chairman; Robert J.E. Evans, vice-chairman; Maurizio Turco, rapporteur; Maria Berger (for Margot Keßler), Marco Cappato, Charlotte Cederschiöld, Carlos Coelho, Giuseppe Di Lello Finuoli, Jorge Salvador Hernández Mollar, Anna Karamanou, Timothy Kirkhope, Ewa Klamt, Baroness Sarah Ludford, Hartmut Nassauer, Gerhard Schmid, Sérgio Sousa Pinto, Anna Terrón i Cusí and Jan-Kees Wiebenga.

The report was tabled on 30 May 2000.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

LEGISLATIVE PROPOSAL

Proposal for a Council decision on the conclusion of an agreement between the European Community and the Kingdom of Norway on the participation of Norway in the work of the European Monitoring Centre for Drugs and Drug Addiction (COM(1999) 496 – C5-0054/2000 – 1999/0203(CNS))

The proposal is amended as follows:

Text proposed by the Commission[1]	Amendments by Parliament
(Amendment 1) Citation 2a (new)	
	Having regard to the European Union Action Plan to Combat Drugs (2000-2004), contained in communication COM(1999)239,
Justification:	
In this communication the Commission stresses the need for radical improvement in the evaluation and the follow-up of the instruments and programmes covered by the European Union Action Plan to Combat Drugs.	
(Amendment 2) Citation 2b (new)	
	Having regard to the resolution of the European Parliament of September 1998[2] on the 1997 annual report of the EMCDDA on the state of the drugs problem in the European Union,
Justification:	
In this resolution, the European Parliament called on the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) to make efforts not merely to ensure the availability of harmonised data that is comparable at European-level but also to broaden its activities so as to include the assessment of the information gathered.	
(Amendment 3)	

[1] OJ C 376, 28.12.1999.
[2] OJ C 313, 12.10.1998.

Citation 2c (new)

Having regard to the resolution of the European Parliament of 19 November 1999 on the aforementioned communication,

Justification:

In this resolution, the European Parliament called on the EMCDDA to become fully involved in the systematic monitoring of the European Union's anti-drugs actions and to increase the assistance it gives to the Member States in assessing their actions.

(Amendment 4)
Citation 2d (new)

Having regard to the Action Plan to Combat Drugs adopted by the European Council meeting in Helsinki,

Justification:

It is useful to refer to this action plan because it contains strategic guidelines for the actions of the Community institutions and the Member States in area of the fight against drugs for the period 2000-2004.

(Amendment 5)
Citation 2e (new)

Having regard to the 1999 annual report of the European Monitoring Centre for Drugs and Drug Addiction,

Justification:

In its last report, the EMCDDA described the difficulties it has encountered in gathering reliable, comparable and objective information at European level concerning drugs and drug addiction and their consequences.

(Amendment 6)
Citation 2f (new)

Having regard to the evaluation report on the EMCDDA submitted in March 2000,

Justification:

The evaluation report draws attention to shortcomings in the workings of the European Information Network on Drugs and Drug Addiction (REITOX) and of the Management Board of the Centre. The report states that REITOX, which is supposed to provide European added value in the area of the political strategy implemented to combat drugs, is currently more a virtual network than an operational one (see paragraph 1.2.1.3.). Similarly, the report highlights the ineffectiveness of the Management Board (see paragraph 8.4.2. and the conclusions relating to the Board).

(Amendment 7)
Recital 1a (new)

Whereas, on the occasion of the conclusion of an agreement with the Kingdom of Norway, the Centre's operations should be relaunched along the following lines.
Regulation (EEC) No 302/93 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction should be comprehensively revised in order to take account, inter alia, of the relevant opinions and resolutions of the European Parliament and the aforementioned evaluation report;

Justification:

In view of the organisational and operational problems undermining the effectiveness of the EMCDDA, the involvement of third countries (such as Norway) in the work of the EMCDDA should be conditional on a comprehensive revision of the regulation establishing the Centre.

(Amendment 8)
Recital 1b (new)

The rules governing the operation of the Management Board of the Centre must be comprehensively revised in order to ensure that the Board plays an effective

part in the performance of the main tasks assigned to the Centre;

Justification:

This amendment is aimed at highlighting the need for substantial improvement in the effectiveness of the Management Board, which was seriously criticised in the evaluation report on the Centre submitted in March 2000 (see paragraph 8.4.2. and the conclusions relating to the Board).

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a Council decision on the conclusion of an agreement between the European Community and the Kingdom of Norway on the participation of Norway in the work of the European Monitoring Centre for Drugs and Drug Addiction (COM(1999) 496 – C5-0054/2000 – 1999/0203(CNS))

(Consultation procedure)

The European Parliament,

– having regard to the Council decision (COM(1999) 496[3]),

– having regard to the draft agreement between the European Community and the Kingdom of Norway on the participation of Norway in the work of the European Monitoring Centre for Drugs and Drug Addiction,

– having regard to the first subparagraph of Article 300(3) of the EC Treaty,

– having been consulted by the Council pursuant to Article 308 and the second sentence of the first subparagraph of Article 300(2) of the EC Treaty,

– having regard to Rules 67 and 97(7) of its Rules of Procedure,

– having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0157/2000),

1. Approves the Council decision as amended;

2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;

3. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;

4. Asks to be consulted again if the Council intends to amend the Commission proposal substantially;

5. Instructs its President to forward its position to the Council and Commission, and to the governments and parliaments of the Member States and the Kingdom of Norway.

[3] OJ C 376, 28.12.1999.

EXPLANATORY STATEMENT

The proposal for a Council decision

Article 13 of Regulation (EEC) No 302/93 establishing the EMCDDA allows third countries, which share the interests of the Community and its Member States, to participate in the Centre's work. Following a request for participation by Norway, the Commission submitted a draft agreement between the EMCDDA and Norway, allowing Norway to participate in the REITOX network (European Information Network on Drugs and Drug Addiction) and to be represented on the Management Board of the Centre (without voting rights) as well as on its scientific committee). Norway must notify, within 28 days of the entry into force of the agreement, the main elements of the National Focal Point which will be responsible for collecting information on the Norwegian drugs and drug addiction situation and for forwarding it to the EMCDDA as well as to the other National Focal Points that make up the network.

The evaluation report on the Centre

In March 2000, an evaluation report on the activities of the EMCDDA was submitted to the Centre's Management Board, on which Parliament's newly appointed representatives were sitting for the first time. The report contains an exhaustive review and analysis of all the problems which the Centre faces. In the rapporteur's view, some of the report's conclusions deserve to be taken into consideration[4], in particular those dealing with the shortcomings of the REITOX network, one of the fundamental components of the Union's anti-drugs strategy, and those relating to the Management Board of the Centre itself.

Your rapporteur has therefore decided to incorporate, in the form of amendments, some of the lessons to be learnt from the conclusions of the report (amendments 6, 7, 8, 9 and 10).
The amendments are justified by the aim of the proposal for a Council decision: the broadening of the Centre's work arising from the participation of a third country, Norway, in the work of the EMCDDA. In order for Norway to be integrated effectively into the REITOX network and for it to participate in the work of the Management Board, the REITOX network must actually be fully operational and the Management Board must be effective. Unless there is a comprehensive reform of the way in which REITOX and the Management Board operate, as a *sine qua non* condition of any increase in the scope of the Centre's activities, Norway's contribution is likely to be more virtual than real.

The draft agreement with Norway on participation in the EMCDDA's work is therefore an opportunity, together with the proposal for a Council Regulation aimed at adapting the regulation governing the Centre with a view to the participation of applicant states in its work, to stress the need to carry out a comprehensive overhaul of the regulation governing the Centre in order to ensure its effectiveness and the reliability of its work. This is reflected in amendment 7 which refers to the need to revise the basic regulation.

[4] See in particular conclusions 1.2.3.1. (Reitox) and 8.4.2.1. (Management Board)

The amendments

(a) The role of the Centre

The Commission, in its communication on the European Union Action Plan to Combat Drugs (2000-2004), and Parliament, in particular in the two resolutions referred to in amendments 2 and 3, have stressed the need for the Centre to increase the evaluation of action taken.

The role of the EMCDDA, as laid down in Article 2 of the regulation establishing the Centre, is to gather, analyse and disseminate objective, reliable, and comparable information at European level concerning drugs, drug addiction and their consequences. In order to do this it is necessary to develop an optimal methodology for the processing and comparison of statistical, documentary and technical data relating to drugs. But since the establishment of the Centre, serious deficiencies have prevented this requirement from being met. Without standardised definitions and uniform criteria for the gathering of data, the information collected at national level by the various focal points of the REITOX network and collated at European level by the EMCDDA will not be sufficiently harmonised to be really comparable.

The aim of data comparability is of fundamental importance because comparability enables the Member States and the EU institutions to assess the effectiveness of the various arrangements, instruments and pilot-projects which they operate.

Although the 1999 report contains some interesting information, once again, it fails to provide a real basis for assessing national anti-drugs policies. In your rapporteur's view, there is therefore an urgent need for the EMCDDA to lay down common definitions and indicators with a view to carrying out a cost-benefit assessment of the drugs policies and pilot-projects operated in the various Member States of the Union, in terms of public health, socio-economic considerations and law and order. It should be possible to say exactly what the effects of the strategies implemented are on the health of drug addicts, public health in general, the economic situation and the workings of the criminal justice system. Armed with a serious and objective assessment, the Member States and the Community institutions would be able to draw up effective anti-drugs policies for the future on a rational basis.

In other words, the EMCDDA should not restrict its work merely to describing the situation and producing an annual report on the state of the drugs problem. Instead, it must carry out in-depth analysis of the issues referred to above. Similarly, the Member States, many of the policy shortcomings of which can be traced to inadequate research and assessment, must collaborate fully in performing this task. It is not enough merely to oblige the Centre to supply reliable and comparable data, the Member States themselves – and the third countries which wish to participate in the REITOX network – must cooperate fully with the Centre. The importance of this point is made forcefully in the evaluation report on the EMCDDA referred to earlier, which recommends that the relevant legislation be amended in order to reflect this need.

Given that there is a consensus on this point (the interinstitutional conference of 28 and 29 February 2000 laid considerable emphasis on the need to assess the results of the European Union's anti-drugs strategy), it would appear that the draft agreement authorising the participation of Norway in the work of the EMCDDA represents an opportunity to spell out what is meant in Article 1(2) of the basic regulation of 1993 by the objective consisting of 'to

provide … objective, reliable and comparable information … concerning drugs and drug addiction…'. In the rapporteur's view, this objective should be interpreted broadly and should include the assessment of the outcome of action taken since information on the results of action taken cannot be separated from information on the actions themselves and their assessment.

If, on the other hand, the objective of providing information were to be interpreted narrowly, so as to rule out any assessment, this would turn the Centre into a mere database with no critical role. This cannot be what the Community legislators intended.

It would therefore be useful to spell out the meaning of the EMCDDA's objective of providing 'information' (see amendments 12 and 13).

(b) The development of the REITOX network

The purpose of REITOX is to further the dissemination and distribution of information between its different components and to provide European added value to the various national anti-drugs policies. The evaluation report concluded that the REITOX network is currently more virtual than operational. This is because the bilateral and multilateral relations between the National Focal Points are under-used and the National Focal Points' contacts with the Centre are far from being systematic in nature. Furthermore, the National Focal Points are not provided with adequate scientific support despite the fact that they are supposed to implement most of the work planned by the Centre and thereby to make a decisive contribution to the reliability of the Centre's work. Amendments 7, 8 and 9 are aimed at stressing the need to remedy this situation by amending the basic regulation so as to take account of the problem.

(c) The responsibility of the Management Board

The conclusions of the evaluation report which relate to the Management Board are particularly severe: the Board does not meet its key objectives, meetings are often conducted without a pre-established agenda and involve no discussion of strategies aimed at directing the Centre's work (8.4.2.1.). It should also be noted that the report criticises the lack of any clear role for the scientific committee and the inadequate levels of active coordination and communication between the Centre's various departments.

Amendment 10 therefore stresses the need to revise the rules governing the operation of the Management Board in order to turn it into a body worthy of the name.