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

THE CONTRACTING PARTIES,

Aware of the need for international cooperation to combat the threat of drugs and drug addiction in society,

Reaffirming the very close cultural, commercial and social links historically established between the European Union and Norway, especially the economic, political and juridical links established through the European Economic Area Agreement,

Considering that the European Community concluded, by Decision 90/611/EEC ([1]), the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, hereinafter referred to as the 'Vienna Convention', and deposited a declaration of competence regarding Article 27 thereof ([2]), and considering that Norway ratified the Vienna Convention on 14 November 1994,

Considering that the European Community has established, by Council Regulation (EEC) No 302/93 ([3]) ('the Regulation'), the European Monitoring Centre for Drugs and Drug Addiction ('the Centre'),

Whereas:

(1) The Regulation provides in its Article 13 that the Centre shall be open to the participation of those non-Community countries which share the Community's interests and those of its Member States; whereas Norway has made a request to participate.

(2) Norway shares in the aims and objectives laid down for the Centre in the Regulation.

(3) Norway subscribes to the description of the tasks of the Centre and to its work method and priority areas as described in the Regulation.

(4) There exists in Norway an institution suitable to be linked to the European information network on drugs and drug addiction,

HAVE DECIDED TO CONCLUDE THE FOLLOWING AGREEMENT:

Article 1

Norway shall participate fully in the work of the Centre, on the terms set out in this Agreement.

Article 2

European information network on drugs and drug addiction (Reitox)

1. Norway shall be linked to the European information network on drugs and drug addiction (Reitox).

2. Norway shall notify the Centre of the main elements of its national information network within 28 days of the entry into force of this Agreement, including its national monitoring centre, and name any other specialised centres which could make a useful contribution to the Centre's work.

3. A specialised centre shall be designated in Norway as a national focal point, by a unanimous decision of the members of the Management Board.

Article 3

Management Board

The Management Board of the Centre shall invite a representative of Norway to participate in its meetings. The representative shall participate fully without the right to vote. Nevertheless, the Management Board may convoke exceptionally a meeting restricted to representatives of Member States and of the European Commission on issues of interest particular to the Community and its Member States.

The Management Board, in session with representatives of Norway, will lay down the detailed arrangements concerning the participation of Norway in the work of the Centre.

Article 4

Scientific Committee

The Management Board of the Centre shall invite a representative of Norway to participate fully in the meetings of the Scientific Committee without the right to vote.

Article 5

Budget

Norway will make a payment to the Centre equivalent to 5,5 % of the European Union's subsidy excluding the subsidy to the National focal points of the Reitox network.

Article 6

Protection and confidentiality of data

1. Where on the basis of this Agreement personal data which do not enable natural persons to be identified are forwarded by the Centre to Norwegian authorities in accordance with national law, such data may be used only for the stated purpose and under the conditions prescribed by the forwarding authority.

([1]) OJ L 326, 24.11.1990, p. 56.
([2]) OJ L 326, 24.11.1990, p. 57.
([3]) OJ L 36, 12.2.1993, p. 1.

2. Data on drugs and drug addiction provided to the Norwegian authorities by the Centre may be published subject to compliance with Community and Norwegian rules on the dissemination and confidentiality of information. Personal data may not be published or made accessible to the public.

3. Designated specialised centres in Norway shall be under no obligation to provide information classified as confidential under Norwegian legislation.

4. In relation to data supplied by the Norwegian authorities to the Centre, the latter will be bound by the rules laid down in Article 6 of the Regulation.

Article 7

Legal status

The Centre shall have legal personality under Norwegian law and shall enjoy in Norway the most extensive legal capacity accorded to legal persons under Norwegian law.

Article 8

Liability

The liability of the Centre shall be governed by the rules laid down in Article 16 of the Regulation.

Article 9

Court of Justice

Norway recognises the jurisdiction of the Court of Justice of the European Communities over the Centre, as laid down in Article 17 of the Regulation.

Article 10

Privileges

Norway shall grant privileges and immunities to the Centre equivalent to those contained in the Protocol on the Privileges and Immunities of the European Communities.

Article 11

Staff regulations

By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities. Norwegian nationals enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Centre.

Article 12

Entry into force

This Agreement shall enter into force on the first day of the second month following the date of receipt of the latter diplomatic note confirming that legal requirements of the respective Contracting Party concerning the entry into force of the Agreement have been fulfilled.

Article 13

Validity and termination

1. This Agreement is concluded for an unlimited period.

2. Either Contracting Party may denounce this Agreement by a written notification to the other Contracting Party. The Agreement shall cease to be in force 12 months after the date of such notification.