

**Opinion of the European Economic and Social Committee on the 'Proposal for a Regulation of the European Parliament and of the Council on the European Monitoring Centre for Drugs and Drug Addiction'**

(COM(2005) 399 final — 2005/0166 (COD))

(2006/C 69/05)

On 18 January 2006 the Council decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the abovementioned proposal.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 14 November 2005. The rapporteur was **Mr Olsson**.

At its 423rd plenary session, held on 18-19 January 2006 (meeting of 18 January), the European Economic and Social Committee adopted the following opinion *nem. con.* with 33 votes in favour and 1 abstention.

## 1. Introduction

1.1 At the end of October 2003 the Commission presented a recast proposal for Council Regulation (EEC) No 302/93 (COM(2003)808) on the establishment of a European Centre for Drugs and Drug Addiction.

The legal basis was Article 308 of the Treaty.

1.2 After discussions at the Council it was decided to change the legal basis of the proposal to Article 152, which implies use of the co-decision procedure with the European Parliament. At the same time, on the basis of the discussions at the Council, minor changes were made to the proposed Regulation, which were presented at the end of August 2005.

## 2. General comments

2.1 The EESC issued an opinion on the first proposal in October 2004<sup>(1)</sup>. The standpoints taken then form the basis for the present opinion, in particular the view that civil society organisations that deal with drug issues should be involved in the work of the EMCDDA.

2.2 The EESC welcomes the changed legal basis for the proposal. Proper consultation with the European Parliament is natural here, not least in order to guarantee public transparency in the EMCDDA. Under the new proposal<sup>(2)</sup>, the Parliament is given an enhanced role, including the right to designate two independent experts with specialist knowledge in the field of drugs as members of the Centre's management board. The Committee strongly recommends that the two independent experts should be from NGOs with expertise in the field of drugs.

<sup>(1)</sup> Opinion on the *Proposal for a Council Regulation on the European Monitoring Centre for Drugs and Drug Addiction*, rapporteur-general: Mr Olsson, OJ C 120, 20.5.2005.

<sup>(2)</sup> COM(2005) 399 final, Article 9.

2.3 The EESC also draws attention to the draft inter-institutional agreement on the operating framework for European regulatory agencies, which states that the agencies must be organised in such a way as to guarantee the participation of interested parties and a high level of transparency<sup>(3)</sup>. Among other things, it calls for representatives of interested parties to be designated as members of the management board. In addition, reference is made to the White Paper on European governance.

## 3. Specific comments on some Articles of the proposal

### 3.1 Article 5 — European Information Network

The European Information Network consists of national focal points which form an interface between the participating countries and the Centre. The focal points would collect and analyse information at national level in accordance with guidelines issued by the Centre. Each focal point would also receive an annual grant from the EU for its work, which would be regulated through a 'grant agreement for action'.

The Committee recommends that the Centre's guidelines and agreements with Member States should require the focal points to work together with national organisations, including NGOs, which are active in the drugs field.

This should also be made clear in Article 5(2) by amending the third sentence to read as follows: 'They shall collect and analyse at national level, *in cooperation with experts and organisations in the field*, all relevant information on drugs and drug addiction, as well as on policies and solutions applied'.

<sup>(3)</sup> COM (2005)59 final and COM(2002) 718 final.

3.2 Article 20 — *Cooperation with other national and international organisations and bodies*

According to the Regulation, the Centre would actively seek the cooperation of international organisations and other, particularly European, governmental and non-governmental agencies competent in the sector of drugs. Such cooperation would be based on working arrangements concluded with the aforementioned authorities and which are the subject of an opinion by the Commission. In addition, the management board would

be able to invite representatives of international organisations to participate as observers.

With a view to ensuring that these organisations participate on a more systematic and regular basis, the Committee proposes that a cooperation body be set up through the addition to Article 20 of the following text: *'The Centre shall appoint a contact group comprising representatives of organisations competent in the field of drugs in order to examine how cooperation shall be arranged'*.

Brussels, 18 January 2006.

The President  
of the European Economic and Social Committee  
Anne-Marie SIGMUND

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