



DRAFT MINUTES OF THE THIRTY-THIRD MEETING OF THE MANAGEMENT BOARD (5-7 JULY 2006)

Introduction by the Chairman

The **Chairman** welcomed the new members representing Member States at the Management Board: Ms Susanne Wackers, member (DE), and Ms Margit Kuus, alternate member (EE).

The **Chairman** excused the absence of Ms Elfriede Koller (DE), and of Mr Costis Ballas (EL), who recently was nominated President of the organisation O.K.A.N.A. Ms Johanna Schopper (AT) was replaced by Mr Raphael Bayer for this meeting. Norway was represented, in the absence of Ms Inger Gran, by Ms Lilly Sofie Ottesen. Mr Pavel Abraham was officially nominated as observer at the Management Board for Romania. Ms Tsveta Raicheva, observer from Bulgaria, was unable to attend the meeting.

Furthermore, the **Chairman** introduced the newly nominated Chair and Vice-Chair of the Scientific Committee, Mr Henk Garretsen (NL) and Mr Girts Brigis (LV).

The **Chairman** thanked the interpreters for their presence and informed that the passive languages were Greek, Polish and Swedish. He drew the attention to the decision taken by the Bureau on 18 May concerning simultaneous interpretation during statutory bodies meetings. Mr Reimen thanked the Director and the staff for the quality of the documents, emphasizing that for the first time, most working documents for the Management Board meeting – and among them the draft three-year work programme for 2007-2009 - had already been prepared for the Bureau meeting of May.

I. Adoption of the agenda

EMCDDA/17/06 rev 1

Further to the decisions of the Budget Committee and the Bureau, the **Chairman** proposed to add the following items to the draft agenda:

- under point V:
contractual situation of the Director (*restricted session*)
- under point VI:
amendment to the 2006 budget (for adoption)
- under point VIII:
information on the external evaluation of the EMCDDA
information of the Director on the general report of activities and financial report 2005.

Decision: The Management Board adopted unanimously the modified agenda of the meeting.

II. Brief presentations on the conclusions of the Austrian Presidency (including state of progress of the recast of the EMCDDA founding regulation) and the programme of the Finnish Presidency

AT gave a detailed presentation on the conclusions of the Austrian Presidency, and on the achievements concerning the recast of the founding regulation.

FI briefly introduced the main features of the programme for its Presidency (research activities in the EU, relationship with Russia, presentation by the European Commission of its first annual report on the implementation of the EU Action Plan on drugs in November).

DE announced that its Presidency during the first semester of 2007 will focus on the outcome of the EU Action Plan on drugs. It will organise a conference on HIV prevention at Ministerial level which will take place in Bremen on 12 and 13 March 2007. Besides, the German focal point was planning a conference on cannabis, to which all Reitox focal points will be invited. The National Drug Coordinator meeting will be held in Berlin on 14 and 15 May 2007.

A summary of the AT presentation is annexed (see annex IV).

The **Chairman** congratulated **AT** in particular for the progress achieved on the “recast” of the EMCDDA founding regulation, and transmitted his best wishes for success to the **FI** Presidency. The **European Commission** added that the commitment and quality of the **AT** Presidency and of Mr Pietsch were remarkable and contributed to enhance the importance of the HDG of the Council. The **Director** also underlined the achievements of the **AT** Presidency and the good communication already established with the **FI** Presidency. The EMCDDA increasingly is requested to contribute to thematic debates, external activities, participation in national coordinators meetings. This approach being positive for the Centre, requests should be made as early as possible for a better preparation of its contributions.

III. Report on the activities of the Chairman and Bureau

EMCDDA/19/06

The **Chairman** informed that the meeting scheduled with the Chairman of the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament on 16 June, as mentioned in the report of activities of the Chair and of the Director, had to be postponed. The objective of the meeting will be the preparation of the launch of the Annual Report 2006 at the European Parliament.

IV. Report on the external activities of the Director

EMCDDA/20/06

At the Bureau meeting of 11 January 2006, the Director proposed to regularly report on his external activities to the Management Board. He introduced the report covering the period from January to June 2006. The Management Board welcomed the document.

V. Points for decision/adoption by the Management Board

- **Three-year work programme of the EMCDDA for 2007-2009**

EMCDDA/21/06

The **Chair** stated that the opinions of the European Commission and the Scientific Committee were extremely positive, and thanked the Director and his staff for an excellent strategic document.

The **Director** presented the priorities and transversal principles of the programme. It relies on the objectives to concentrate on core business, to invest more efforts in analysis, and to ensure that the information is effectively disseminated. The document took into consideration the result of the ranking of 2005 EMCDDA activities by Management Board members. The annual work programme for 2007, which will identify specific projects and budgetary resources, will be prepared for the Bureau meeting of 26 October.

Mr Sant’Ana Calazans, representative of the European Commission, reiterated the European Commission’s positive opinion voiced by Vice-President Frattini, and stressed the quality and timely transmission of Management Board documents in general. The European Commission took note of the new management, the improved management of resources, the efficiency of the Centre and encouraged the Director to continue his efforts. He supported the development of data analysis about costs and expenditure of drug use, and its consequences not only on public expenditure but also on productivity and economy. **Mr Carel Edwards, representative of the European Commission**, added that the EU Action Plan on drugs also will to some extent provide for further understanding in this issue. **FI** stated that quality research had been undertaken in Finland in the 80’s on alcohol consumption and expenditure linked to it, which had been very useful politically. **FI** would be pleased to see the topic being enlarged.

The Chair of the Scientific Committee summarised the opinion of the Scientific Committee, which appreciated the priorities and transversal principles of the work programme. He stressed that the Scientific Committee committed itself to support the EMCDDA's staff in its work.

NL was of the opinion that the document was excellent. Yet it did not sufficiently link with the outcomes of the previous three-year work programme.

MT suggested to add the indication of an overall budget for each priority, to give a sense of continuity to the exercise by Board members on priorities. As stated by **the Director**, projects and budgets will be detailed in the annual work programmes.

DE proposed that the data quality collected by Member States should find a stronger expression throughout the document.

The Chairman proposed to proceed chapter by chapter for the adoption of the work programme:

I. A better understanding of Europe:

DK insisted on the fact that policy makers are the main target audience of the EMCDDA, as mentioned in the founding regulation. This should be made clearer on page 6 (text and table) and on pages 20-22. Also, under 'commitment to scientific excellence' on page 7, some consideration should be expressed about the financial constraints of the NFP's.

Ms Zimmermann, representative of the European Parliament, underlined the importance of addressing the citizens in Europe. The **Director** recognised that only some of the EMCDDA publications were tailored to the large public, but that the Member States and national focal points should share this responsibility. Besides, the EMCDDA answers numerous individual requests by citizens. **Ms Rossi, representative of the European Parliament**, shared the opinion that the role of the NFP's was to communicate with the citizens. The scientific community should not be neglected by the agency in its dissemination efforts, as the improvements in data analysis and presentation in EMCDDA reports in the future needed the cooperation of the scientific community to assure methodological developments. **The Chair** referred to Article 2, paragraph 5 of the founding regulation: "The Centre shall...facilitate exchanges of information between decision-makers, researchers, specialists and those involved in combating drugs in governmental and non-governmental organisations."

BE stressed that table 1 on page 9 should refer to the validation of data, and the importance of the synergies between the EMCDDA and Europol.

The **spokesperson of the national focal points** reminded about the potential increase of workload for the NFP's due to the recast of the regulation (accents on polydrug use, combined use of licit and illicit substances, information exchange, risk assessment of new psychoactive substances).

II. Building on achievements and adapting to changing circumstances:

FR proposed to stress polydrug use, in particular by a reference in the tables.

III. Goals and outcomes:

MT wondered if a column on measurable outputs could be added to table 2 on page 16. The **Director** suggested to leave detailed outputs to the annual work programme, since this document was meant to outline a strategy. Nevertheless, a series of outputs are already listed on page 6.

The **spokesperson of the national focal points** stated that the high priority of the FONTE project for the EMCDDA and the NFP's should be better reflected, namely in table 4.

IV. Means and resources – adequacy and efficiency:

In the first paragraph on page 25, **DK** proposed to add “and prioritisation” after “possible revision”, and “or necessary savings” after supplementary resources.

The **spokesperson of the national focal points** recommended to mention enlargement and the status quo of the Reitox financing.

Decision: The three-year work programme for 2007-2009 was adopted by unanimity in the light of the above mentioned comments, and subject to the positive opinion of the Council. The amended document will be sent to the Management Board members for agreement. Should a delegation wish to modify any formulation, it should contact the Direction bilaterally.

- Implications of the recast of the EMCDDA regulation

EMCDDA/22/06

AT informed that the European Parliament voted on 14 June in plenary session amendments to the proposal of the Council. The final text should be adopted by the Council of Ministers in September or October.

The **Director** outlined the main changes introduced by the recast concerning the functioning of the Centre, in particular in relation with Reitox NFP's, the Executive Committee (former Bureau), the composition of the Scientific Committee and the external evaluation of the EMCDDA. Regarding the Scientific Committee, which should consist of at most 15 well-known scientists, the selection procedure and working conditions will have to be discussed at the Bureau and decided by the Management Board after the new recast has come into force. A call for expression of interest will be published in the Official Journal of the European Communities. The results of the selection procedure will most probably only be achieved in 2007, so that the timing should fit with the end of the mandate of the actual Scientific Committee, end of 2008.

BE, DK, DE and **Ms Wilmya Zimmermann, representative of the European Parliament**, shared the Director's view on the Scientific Committee.

Ms Carla Rossi, representative of the European Parliament, thought that the change in the composition of the Scientific Committee was positive as it helped to avoid political influences and stress the independency of its members. Above all, all areas of disciplines of the EMCDDA should be represented at the highest level in Europe, to allow work in the interest of the EU.

BE, DE and **MT** raised the issue of the relevance of an adequate remuneration of Scientific Committee members and the risk of loss of independence due to the changes in the system.

AT recalled the negotiations concerning the composition of the Scientific Committee, and pointed out that the independency of its members had always been considered as key aspect, even when the nomination had been made by a Member State.

- Risks associated with the delivery of the three-year work programme

EMCDDA/23/06

Potential risk factors likely to influence the feasibility and implementation of the three-year work programme were presented by the **Director**. He announced the leave of Mr Henri Bergeron, Head of Unit for 'Interventions, law and policies'. The European Commission and the Chair thanked Mr Bergeron for his excellent work.

UK underlined the importance for the EMCDDA and its Management Board to monitor such risks and preventing measures, which should be reported regularly to the Bureau or the Board.

Mr Carel Edwards, representative of the European Commission suggested to clarify that risks 3 and 4 had to be considered at the same level.

Upon request by **Mr Jacques Sant'Ana Calazans, representative of the European Commission**, the title of the first bullet point should refer to the 'financial programming of the EC' instead of 'financial perspectives'.

Ms Wilmya Zimmermann, representative of the European Parliament, added that such a control also would allow to better make use of human resources.

- **Functioning of the Management Board** (*restricted session*) **EMCDDA/24/06**

Decision: The Management Board adopted the document in the light of the comments made. The revised text will be forwarded to the Board members for adoption by written procedure. The final text will be sent to the Board members and the EMCDDA staff. It will be revised after the recast of the founding regulation will enter into force, and transmitted to the Management Board for its meeting in December 2006.

- **Arrangements for the future selection of the Chairman and Vice-Chairman** (*restricted session*) **EMCDDA/25/06**

Decision: The Management Board adopted the document with two amendments. It will be annexed to the rules of procedure (EMCDDA/43/04 final).

- **Election of two Bureau members from July 2006 to July 2007** (*restricted session*) **EMCDDA/26/06**

Decision: The mandates of Mr Franz Pietsch (AT) and Mr Kyriakos Veresies (CY) were at unanimity renewed and exceptionally extended from one year to one year and a half, so that elections will from now on always take place during the December Management Board meeting.

- **Contractual situation of the Director** (*restricted session*)

Decision: The Management Board decided at unanimity to reclassify the Director, Mr Wolfgang Götz, from grade AD 14 to AD 15, subject to conformity with the statutory rules in force at the European Institutions. The Chairman will consult to this effect with DG Admin of the Commission.

- **Classification of documents** **EMCDDA/27/06**

Mr Carel Edwards, representative of the European Commission warned about the system in force within the Commission, and advised not to focus beyond 'restricted' documents. **DK** supported this view. **BE** reminded that the adopted EMCDDA rules for public access to documents already mention 'restricted' information, which should not be made accessible to the public.

Decision: The Management Board endorsed the proposed approach. Procedures for the handling of classified documents will be submitted to the Management Board in relation with the new building.

- **Draft MoU between the EMCDDA and the WCO** **EMCDDA/28/06**

The **Director** introduced the text, and specified that it will be complemented by a detailed work plan.

Decision: The Management Board took full note of and agreed at unanimity with the draft Memorandum of Understanding between the EMCDDA and the World Customs Organisation.

- **Future cooperation between the EMCDDA and the FDSC of the Russian Federation**

BUR/07/06

The **Chair** informed that the President of the European Commission supported the President of the Council in exercise for according a high priority to the relations with Russia during the Finnish Presidency. The agency should take into account the opinions of the European Commission and the Council.

The **Director** explained the background and contents of the cooperation between the EMCDDA and the FDSC and asked for a mandate by the Management Board to start negotiations for formalising this cooperation. A visit of the FDSC to the EMCDDA in September had been agreed.

PT expressed interest in establishing cooperation between the FDSC and Portuguese authorities on this occasion.

Mr Carel Edwards, representative of the European Commission mentioned that the consistency of the coordination of the Centre with the European Commission on this subject was very much appreciated.

PL expressed strong interest in contacts with Russia, and referred to a programme between Russia and Poland including a module on monitoring the drugs situation in both countries, for which support would be expected from the EMCDDA.

SK also supported an intensification of the relations with Russia. Official drugs data were improving, yet the government defended strong opposition towards methadone treatment.

DK stressed the necessity to take into account the budgetary constraints.

Decision: The Management Board mandated the Director to explore further the options for formalising the cooperation between the EMCDDA and the FDSC of the Russian Federation, in close consultation with the Board and the relevant Commission services.

VI. Points for discussion

- **Management Board opinion on the EMCDDA 2005 annual accounts**

EMCDDA/29/06

The **Chairman of the Budget Committee** reported that the Budget Committee positively stressed the budget execution of titles 1 and 2, which showed an implementation rate in terms of commitments of 96%, and encouraged the EMCDDA to continue its efforts to improve the overall execution rate of its annual budget.

It was reminded that in accordance with Article 83 of the financial regulation applicable to the EMCDDA, on receipt of the observations made by the Court of Auditors on the provisional accounts of the EMCDDA, the Director draws up the final annual accounts of the EMCDDA and forwards them to the Management Board of the EMCDDA for opinion. The Director then forwards the final accounts, together with the views of the Management Board, to the Accounting Officer of the European Commission and to the European Court of Auditors, as well as to the European Parliament and to the Council, by 15 June. The delay incurred in the procedure should be explained to the Management Board.

The Director stated that the observations of the Court of Auditors, dated 15 June, reached the Centre on 19 June, date at which the French version was sent to the Management Board members. The alternatives of asking the opinion of the Management Board by written procedure (with a deadline of two weeks) or at its meeting had been discussed with the Chairman of the Budget Committee and the Chairman of the Management Board. It was suggested that the timing

for the transmission of the annual final accounts should be discussed at a meeting of directors of agencies with the Budget Committee of the European Parliament, as financial regulations and procedures of the Court of Auditors possibly needed to be reviewed.

Mr Jacques Sant'Ana Calazans, representative of the European Commission, noted that in spite of 2005 being a transition year, the accountancy and financial management of the EMCDDA had clearly improved in comparison with previous years. The document could refer to the Internal Audit Service of the European Commission and mention the analysis and management of risks in general. Dissociated credits allowed pluri-annual projects. The European Commission offered technical support for the establishment of the 2006 final accounts.

Decision: The Management Board gave a favorable opinion on the EMCDDA 2005 final accounts.

- **Amendment 2006 budget n° 1 (AB/1/2006) COBU/03/06**

The Chairman of the Budget Committee presented the amendment proposed to the 2006 budget adopted by the Management Board in January 2006. Further to the conclusion of a financing agreement between the European Commission and the EMCDDA for a financing of 500.000 Euro for a project of technical assistance to Croatia and Turkey under the PHARE programme, a breakdown of these appropriations earmarked as p.m. in the 2006 budget needed to be adopted.

Decision: Further to the recommendation by the Budget Committee, the Management Board adopted the amendment to the 2006 EMCDDA budget on the basis of document COBU/03/06.

- **2007 budget procedure: state of the play**

The European Commission updated the Management Board on the situation of the 2007 budget. The Commission proposed a preliminary draft budget (PDB) for the EMCDDA for 2007 based on a Community subvention of 13 Mill. Euro to the Council. The Budget Committee of the Council established a distinction between 'old' and 'new' agencies, arguing that the 'new' ones needed more support and that the 'old' ones, amongst them the EMCDDA, should function with the same budget as in 2006. As a consequence its position is that the 2007 community subsidy to the EMCDDA should still amount to 12.100.000 Euro. No reference is made to the establishment plan. The European Commission underlined that it opposed to the formalistic approach taken by the Council, disregarding the execution rate of each agency. It also does not take into account the inflation rate and the integration of two new countries into the EU.

The European Parliament has the right to propose an amendment of this amount.

The Chairman of the Budget Committee added that the Management Board will have to adopt the 2007 budget and 2008 preliminary draft budget at its next meeting.

DK encouraged the Director not to forget the ranking exercise of 2005 EMCDDA activities.

- **Report on the achievements foreseen in the 'Action Plan' following the recommendations of the internal audit report until mid 2006 EMCDDA/30/06**

The Director informed that the Internal Audit Service of the European Commission will undertake a second mission to the EMCDDA in December 2006, in particular for checking the measures concerning human resources management and control environment. He added that the implementing rules of the staff policy guidelines adopted by the European Commission on 16 December 2005 will have to be adopted by the Management Board of each agency.

The European Commission welcomed the progress report and informed that Commissioner Frattini was taking a close interest in this file.

Decision: The Management Board took note of the report on the achievements foreseen in the 'Action Plan' following the recommendations of the internal audit report until mid 2006. The Director will present a second progress report to the Board in December 2006.

- **External evaluation of the EMCDDA**

Mr Francisco Fonseca-Morillo, representative of the European Commission, presented the objectives and scope, as well as the workplan, methodology, evaluation questions and calendar of the evaluation exercise. The EMCDDA would contribute with a max. of 30.000 Euros (23%) out of title 3 of its 2006 budget, while the European Commission will cover a max. of 100.000 Euros. No costs will be entailed for the EMCDDA for 2007.

The Bureau discussed the composition of the steering committee and of the evaluation committee for the external evaluation exercise. The Chairman proposed that the Vice-Chair of the Management Board, Mr Ralf Löfstedt, and the Chair or Vice-Chair of the Scientific Committee should represent the statutory bodies at the steering committee. He further proposed Mr Franz Pietsch as representative of the Management Board at the evaluation committee.

Decision: The Management Board agreed with the proposal by the Chair concerning the representatives of statutory bodies at the steering committee and evaluation committee. The Director will inform the European Commission of the names of the representative of the Scientific Committee as well as of the concerned EMCDDA staff members.

VII. Points for information

- **Preparation and launch of the Annual Report 2006**

The Director gave an overview on the comments about the draft Annual Report 2006 (22 Member States, European Commission and European Parliament reacted), to which a detailed feedback will be given by the Centre. The scenario for the presentation and launch of the Annual report, to take place in principle on 22 and 23 November at the European Parliament in Brussels, will be the same as the previous year. The EMCDDA will endeavor to have the report in 23 languages (including Bulgarian, Romanian and Turkish) ready some days earlier than last year.

The Chair added that nine Member States had already expressed their interest in organising a national launch of the Annual Report (Portugal, Denmark, Czech Republic, Luxembourg, the Netherlands, Latvia, Austria, Estonia, Cyprus).

BE reiterated its suggestion of last year to present the Annual Report to the Council, to a meeting of the Health or JLS Ministers and possibly at the HDG meeting on 22 November.

Decision: The President of the HDG will be approached by the Chair with a request to include the presentation of the Annual Report at a Health or JLS Council meeting and possibly at the HDG meeting of 22 November.

- **Building**

The Director presented the latest developments concerning the future common installations with the European Maritime Safety Agency.

- **Draft general report of activities and financial report 2005**

The draft general report of activities and the annual report of the authorizing officer of the previous year has to be sent no later than 15 June to the European institutions, and to the budgetary authority and Court of Auditors respectively, after adoption by the Management Board. **The Director** informed that for the first time, these two reports had been merged in one single document, and that the financial report would only be finalised after reception of the observations of the Court of Auditors received on 19 June.

The European Commission took note of the reasons for the delay, and stated that a solution will have to be found in the institutional context.

Decision: The draft general report of activities 2005 will be sent to the Management Board for adoption by written procedure.

- **Presentation of the work programme of the EMCDDA Staff Committee**

Mr Norbert Frost, member of the Staff Committee, briefly presented the work programme of the Staff Committee for 2005 to 2008.

Ms Wilmya Zimmermann, representative of the European Parliament, wondered about the feasibility of a training activity once a month, and underlined the importance of equal rights for handicapped and elderly workers.

The Director reminded that a human resources policy had to be set up. So far, the cooperation of the Staff Committee with the Direction or Heads of Unit has been constructive.

VIII. Any other business

The **Chair** thanked the Management Board members for the constructive atmosphere of the meeting, and thanked the Director and his staff for the quality of the documents. The next meeting will take place from 13 to 15 December 2006 in Lisbon.

(s.) Marcel REIMEN
Chairman of the Management Board

Annexes: I List of participants
II List of decisions
III List of action points
IV Conclusions Austrian Presidency

Copy: members, alternate members and observers of the Management Board