European Union Drugs Agency

2022/0009(COD) - 13/06/2023 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 592 votes to 12, with 23 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council on the European Union Drugs Agency.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission proposal as follows:

General task of the Agency

In order to provide evidence-based, objective, reliable, comparable and meaningful data and assessment at EU level, the Agency will address the drugs phenomenon through an **evidence-based, integrated, balanced and multidisciplinary approach** to drugs, drug use, drug-related disorders and dependencies, prevention, treatment, care, harm reduction, rehabilitation, social reintegration and recovery, drug markets and supply, including illicit production and trafficking, and other relevant drug-related issues and their consequences.

The Agency's approach should integrate human rights, gender and gender equality, age, health, health equity and social perspectives.

Monitoring of the drugs phenomenon and sharing of best practices

According to the text, the Agency will monitor:

- the **drugs phenomenon in the Union in a holistic manner**, using epidemiological and other indicators, covering the health, human rights, social, safety and security aspects thereof, including the implementation of the applicable Union drug-related strategic documents;

- **evidence-based best practices and innovative approaches** regarding health, human rights, social, safety or security responses;

- drug use, drug use disorders, drug addictions and related health risks, drug-related harm, risk behaviours associated with drug use and emerging trends in those fields;

- **poly-substance use** and its consequences, in particular the increased risks of health and social problems, the social determinants of drug use, drug use disorders and addictions, and the implications for policies and responses;

- drug and poly-substance use and its consequences from an **age and gender perspective**, in particular its impact on gender-based violence;

- **emerging trends** in the drugs phenomenon in the Union and internationally in so far as they impact the Union; monitoring under this point shall include the monitoring of drug supply, including illicit production, trafficking and other related crimes and the use of new technologies, without prejudice to the mandates of other Union bodies, offices and agencies.

Based on its monitoring activities, the Agency will identify, support and, where appropriate, co-develop evidence-based **best practices** and innovative approaches. The Agency will share such best practices and

approaches with the Member States and facilitate the exchange of such best practices and approaches between them.

European drug alert system

The Agency will set up and manage a rapid European drug alert system, complementing and without prejudice to the relevant national alert systems. The European drug alert system will be complementary to the early warning system. The national focal points, in cooperation with the relevant national competent authorities, will immediately notify the Agency of any information relating to the appearance of a serious direct or indirect drug-related risk to health, social aspects, safety or security.

Administrative and management structure

The members of the Agency's administrative and management structure **will not have any financial or other interests** that could affect their impartiality. They will act in the public interest and carry out their activities in an independent, impartial and transparent manner. They will make an annual declaration of their interests, which may be accessible upon request.

The Management Board will include two independent experts appointed by the European Parliament. The Management Board will appoint the Executive Director on the basis of a list of at least three candidates proposed by the Commission in an open and transparent selection procedure.

Before appointment by the Management Board to the post of Executive Director, the shortlisted candidates proposed by the Commission may be invited, without delay, to make a statement before the competent committee or committees of the European Parliament and answer questions from the committee members. After hearing the statement and the responses, the European Parliament may adopt an opinion setting out its views and submit it to the Management Board.

National focal points

The national focal points must be **scientifically independent** and ensure the quality of their data. They will plan their activities and have sufficient budgetary and human resources allocated from national budgets and co-financed by the Agency to fulfil their mandate and sufficient equipment and facilities to carry out their day-to-day activities.

The National Focal Points provide the **interface and facilitate interaction between the participating countries and the Agency**. They will, inter alia, (i) contribute to the monitoring and reporting of drugs and drug use, including to international organisations; (ii) contribute to the exchange of information on new psychoactive substances and to the early warning system on them. The Agency will assess whether each National Focal Point, in carrying out its tasks, assists the Agency in fulfilling its missions.

Additional services

In order to further support Member States and other stakeholders in understanding and addressing the drugs phenomenon, the amended text introduces the possibility for the Agency to deliver additional services, beyond its core tasks laid down in this Regulation, **against the payment of fees** should be introduced. The method by which fees levied by the Agency are calculated will be transparent.

Lastly, the Agency will have to **cooperate at international level** with the competent authorities and bodies of third countries, in particular the candidate countries, and in support of the action of the Union and the Member States at United Nations level. This cooperation must comply with human rights standards.