



FINAL MINUTES OF THE THIRTY–EIGHTH MEETING OF THE MANAGEMENT BOARD (3–4 DECEMBER 2008)

Introduction by the Chair

The **Chair** welcomed the new members representing Member States at the Management Board. Mr Giovanni Serpelloni and Ms Elisabetta Simeoni were nominated as member and substitute for Italy (IT). Mr Lucian Fuica was nominated member for Romania (RO), and Mr John McCracken member for the United Kingdom (UK).

In the absence of Mr Etienne Apaire, member, and Mr François Poinot, substitute, France was represented by Mr Julien Emmanuelli (FR). The Scientific Committee was represented by Mr Fernando Rodriguez da Fonseca, replacing the Chair and Vice-Chair unable to attend the meeting.

The **Chair** thanked the interpreters and informed that the passive languages were Greek, Italian and Polish. He also thanked the Director and his staff for the preparation of the meeting and the documents.

I. Adoption of the agenda

EMCDDA/17/08 rev 1
EMCDDA/18/08 rev 1

Further to the decision of the Executive Committee, the **Chair** proposed to take the building issue under points for decision/adoption as agenda item V.8. The Chair of the Budget Committee will report to the Management Board on the various items discussed at the Budget Committee meeting of 3 December 2008.

DE suggested to discuss under point VIII (Any other business) the 'spice' or 'legal highs' phenomenon, and the joint UNODC-WHO action programme on drug dependence.

AT proposed to briefly address the conclusions of the Insights publication on wastewaters recently launched by the EMCDDA.

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

II. Report on the activities of the Chairperson and the Executive Committee

EMCDDA/19/08

The Management Board welcomed the document.

III. Reports from the Director

III.1. External activities

EMCDDA/20/08

The **Director** highlighted some elements of the overview on his external activities from July to December 2008. He stated that the document will be corrected, since he did not participate in the Pompidou Group Mid-term Conference in Warsaw on 26 November.

Considering the expected increase of requests for technical collaboration with the EMCDDA from countries such as possibly Israel, Morocco and Moldova, the **Chair** suggested that a document be prepared about the implementation of the strategy on international cooperation (EMCDDA/08/07) endorsed by the Management Board in July 2007 for the next Management Board meeting in July 2009, in consultation with the European Commission.

Decision: The document will be revised. A document about the implementation of the strategy on international cooperation (EMCDDA/08/07), endorsed by the Management Board in July 2007, will be prepared in consultation with the European Commission for the next Management Board meeting in July 2009.

III.2. EMCDDA Presidency on coordination of Agencies

EMCDDA/21/08

The **Director** informed the Management Board about his tasks during the second half of the EMCDDA Presidency of the network of Heads of the 29 regulatory EU Agencies.

The main topic of common interest is the Communication on Agencies launched by the European Commission in March 2008, calling on the European Parliament and the Council to develop a clear and coherent vision on the place of the Agencies in European governance. The EMCDDA prepared a document on "The experience of the agencies: a contribution to the debate on the future of the agency model – learning with the past, building the future", which was discussed at the Heads of Agencies' meeting on 23–24 October 2008 in Lisbon. The paper focused on the key topics of governance, management and operations of agencies; resources of agencies and accountability, transparency and control of agencies. This contribution by Agencies to the debate will be forwarded to the EU institutions.

Mr Jacques Sant'Ana Calazans, representative of the European Commission, congratulated the EMCDDA for the efficiency of its Presidency.

IV. Presentations by Presidencies

IV.1. Presentation on the first conclusions of the French Presidency

Mr Julien Emmanuelli summarised the first conclusions and basic outcomes of the **FR** Presidency.

The new EU Drugs Action Plan for the period 2009 to 2012 will be adopted under **FR** Presidency. The Presidency also prepared a EU position document for the high-level meeting at the United Nations in Vienna on the UNGASS evaluation in March 2009.

In terms of external relations, dialogue was established and/or continued through Troika meetings and cooperation mechanisms with Latin American and Caribbean countries, countries of the Andean Community, West African countries/ECOWAS, and also Central Asia, the United States and Russia. The meeting with Morocco unfortunately had to be postponed.

The meeting of national drug coordinators took place on 22 October 2008 in Paris. It allowed to discuss the problem of alcohol consumption linked to illicit drug use in Europe, as well as best practice in terms of communication to the wider public on drugs and drug addiction. Two thematic conferences were organised on "Underground economy and seizing of criminal assets in Europe" and "Challenges linked to treatment of addictions".

The **Chair** congratulated the French Presidency for its achievements.

IV.2. Presentation on the programme of the Czech Presidency

Mr Kamil Kalina presented the main objectives of the **CZ** Presidency during the first half of 2009.

The main priorities will be the implementation of the new EU Action Plan on Drugs and the EU joint position concerning the UNGASS evaluation. Specific priorities are: a) migration integration and drugs; b) production, trafficking and use of metamphetamines; and c) the evaluation of supply reduction interventions. In the area of coordination in relation with third countries, the **CZ** Presidency will focus on Eastern and South-Eastern Europe (Ukraine, Belarus, Western Balkans, Georgia, Moldova). It will also pay attention to the completion of the new Action Plan for Central Asia and follow up from the FR Presidency's initiative about West Africa.

The Horizontal Drugs group (HDG) meetings will include thematic debates. The meeting of national drug coordinators will take place on 29 April 2009 in Prague. It will be followed by a conference of national experts on metamphetamines, and a conference about "Municipal drug policies in the global world" will take place in Prague towards the end of the Presidency. In cooperation with the EMCDDA, Prague will organise

exceptionally the next meeting of Heads of Reitox national focal points in May 2009, in celebration of their 40th meeting.

UK warmly welcomed the focus on West Africa as an important priority for Europe.

The **Chair** transmitted his best wishes for success to the Czech Presidency for its ambitious programme, and expressed the EMCDDA's full commitment to support the Czech Republic in this exercise.

V. Points for decision/adoption/endorsement by the Management Board

V.1. EMCDDA budget for 2008: amending and supplementary budget no2

EMCDDA/22/08

The **Chair of the Budget Committee** summarised the modifications to the 2008 budget. The Budget Committee recommended to the Management Board to adopt the amended budget.

Mr Jacques Sant'Ana Calazans, representative of the European Commission, agreed with the amendment to the budget proposed, but stated that according to article 16 of the Financial Framework Regulation, it should be entitled "amending budget".

DE and **Ms. Wilmya Zimmermann, representative of the European Parliament**, asked the Director for additional information concerning the IPA-EMCDDA project for a joint EU Agencies and candidate and potential candidate countries high-level conference.

The **Director** informed that in late 2008, the European Commission (DG Enlargement) proposed the EMCDDA to organise a conference in 2009 to raise awareness and exchange information on the means for candidate countries and potential candidate countries to participate in the work of EU agencies. The European Commission assigned EUR 250 000 to the EMCDDA's 2008 budget under the IPA (Instrument for Pre-Accession) programme, to finance the organisation of this conference. The level of the conference and more details have still to be decided jointly with the European Commission.

Decision: The Management Board adopted at unanimity the amending budget no2 for 2008, with the amendment proposed by the European Commission.

V.2. Budget for 2009

EMCDDA/23/08

The **Chair of the Budget Committee** summarised that the EMCDDA draft budget for 2009 enters EUR 14 400 000 as main revenue. This amount should be provided by the 2009 EC subsidy to the EMCDDA (EUR 14 150 000) and for the remaining part by means of the appropriations deriving from the surplus of this subsidy as resulting from the 2007 exercise (in accordance with the relevant EMCDDA's final accounts, this surplus amounts to a total of EUR 362 361 92). The 2009 budget reflects in real terms a 'status quo' compared to the 2008 budget, and takes into account the increase of the EMCDDA financing to the Reitox national focal points, in accordance with the decision of the Management Board of July 2008 (annual indexation of 2 %). The budget is based on the so called alternative scenario for the Conference facilities (use of the Mascarenhas building for conference purposes).

The Budget Committee recommended to the Management Board to adopt the 2009 budget, depending on the decision taken on the Mascarenhas building.

UK asked supplementary information about the increase of appropriations for social contacts between staff between 2008 and 2009 by one third.

DK congratulated the EMCDDA for the excellent document, and enquired about the ratio between scientific and administrative staff.

Ms. Wilmya Zimmermann, representative of the European Parliament, asked about energy related costs and if measures for economies had been planned for the new building in this field.

The **Director** replied that the EMCDDA requested solar panels and insulation measures for the new office building, but that the Lisbon Port Authority had not followed this request. The EMCDDA staff includes about 70% of 'operational' staff and about 30% of 'administrative' staff (ICT, Administration, Directorate). Figures on the relevant expenditure can be found in annex 4 of the budget under salaries and in the Court of

Auditors' reports on EMCDDA accounts. Finally, the appropriations for the social contacts between staff increased mainly due to the organisation of an annual team-building exercise.

Decision: The Management Board adopted at unanimity the EMCDDA budget for 2009.

V.3. Work programme for 2009

EMCDDA/24/08

In general, the work programme was very well received and viewed as comprehensive and ambitious.

Mr Carel Edwards, representative of the European Commission, thanked the EMCDDA for the early transmission of the draft 2009 work programme. He highlighted some points of the European Commission's opinion of 24 November 2008, which is very positive. Nevertheless, the EMCDDA's core task must take priority over the development of new activities which are still to be discussed within the context of the new Action Plan 2009-2012. The work programme should also clarify that the Centre will provide only technical assistance to other third countries at the request of the Commission and with the approval of the Management Board.

Mr Fernando Rodriguez da Fonseca, representative of the Scientific Committee, presented the formal opinion by the Scientific Committee. The Scientific Committee particularly recognised the wide range of types of outputs produced by the EMCDDA which would benefit its early involvement. It pointed out the importance of the scientific support to the work of the national focal points, and of strengthening the scientific quality of the work of the EMCDDA and its support of research.

Mr Alan Lodwick, spokesperson of the Reitox national focal points, reminded that national focal points were consulted on the draft work programme. He pointed out that the 2009 work programme included an ambitious set of 150 actions, of which the Annual report is only one. Nevertheless, the role and contribution of the national focal points could be better acknowledged.

Ms. Wilmya Zimmermann, representative of the European Parliament, recalled that members of the European Parliament expressed their interest in drug use in schools, and among youth, as well as in poly-drug use. The work programme or the next Annual report could focus more in depth on these issues.

DE commented that cannabis markets, as well as treatment and prevention measures for cannabis consumption and should be examined more closely. **DE** wondered if the release of the EMCDDA monograph on harm reduction could be advanced in time, as this topic is being discussed at UN level, and what was the meaning of conceptual framework for illicit drug markets. Stakeholders could be more involved in measures against drug use in prisons.

UK supported the remarks made by the Scientific Committee, and the proposal to describe more extensively the role of the national focal points. **UK** particularly welcomed the work to be undertaken by the Centre to strengthen understanding of the effectiveness of supply reduction measures.

NL shared the concerns of the national focal points, and welcomed the development of indicators in the field of supply reduction. Qualitative research could be emphasised more, and an indication of the number of scientific publications by EMCDDA staff could be useful. All new products should be combined with scientific quality.

Ms. Carla Rossi, representative of the European Parliament, recommended to explore more the new trend of illegal use of legal substances for sale on the Internet ('illegal market of licit substances') and its economic aspects, within the context of the analysis of drug markets. In addition, the EMCDDA should include supply and supply reduction measures more explicitly in its work programme and next three-year work programme, as well as in the topics of the Scientific Conference in May 2009.

PL supported this view, as the trend recently also emerged in Poland, and where no clear risk assessments for public health have been undertaken so far.

CZ underlined the importance of poly-drug use, and suggested a change in the structure of the Annual report, since the problem of injecting opioid users might be less relevant in comparison to the use of other drugs.

HU recognised the importance of the topics covered by the Selected Issues, the drugs profiles, and treatment in prisons.

ES wondered about the date of the release of the harm reduction monograph and warned about the risk factor of the move to the new building for the implementation of the work programme.

The **Chair** stressed the importance of the analysis of economic aspects and implications for the drug phenomenon.

The **Director** thanked the members for their constructive comments and positive feedback. The work programme intends to balance core objectives and development of new areas, and reflects a realistic attempt to use available resources to the best extent. In his view the technical assistance to third countries is already covered by the EMCDDA Regulation, the EMCDDA will discuss this point with the European Commission bilaterally. The Director stated that young people and poly-drug use were priority areas for the EMCDDA, for which e.g. methodological guidelines for data collection are being finalised by national focal points; young people are the main group of concern together with problem drug users. The EMCDDA can make available more details about its contacts with stakeholders in the area of drugs in prisons. Drug markets are a significant element to examine. The preparation of the Harm Reduction monograph, to come out beginning of 2010, lasts two years as it is an in-depth scientific publication implying peer-reviewing to ensure quality. The EMCDDA is going to put more efforts into the supply and supply reduction area, even if data collection faces some constraints and limitations. Collaboration with experts in Member States to set up methodologies in this field is most welcome. The issue of misuse of prescription drugs is a serious issue, which should be discussed with the EMCDDA staff and the Scientific Committee, and taken into account in the next three-year work programme. The annual General Reports of Activities of the EMCDDA include a list of publications in scientific journals by EMCDDA staff.

Finally, a chapter is dedicated to injecting heroin drug use in the Annual report as heroin is the most harmful drug in terms of public health and social costs. The EMCDDA tries to cover all drugs in the drugs profiles, and will endeavor to broaden the view in the Annual report.

Decision: A paragraph will be added to the beginning of the document on the role of the national focal points. The Management Board adopted at unanimity the revised EMCDDA work programme for 2009.

V.4. Preliminary draft budget for 2010

EMCDDA/25/08

The **Chair of the Budget Committee** summarised the main features of the EMCDDA preliminary draft budget (PDB) for 2010. If the budget increase for the new premises is not taken into consideration, the proposed PDB reflects in real terms a 'status quo' compared to the 2009 budget. Two supplementary posts are requested for 2010. The Budget Committee suggested to better clarify the costs for the new premises and tasks requested by the European Commission for external activities, as well as to include the information about the subsidy by Norway on the cover page of the document.

Mr Jacques Sant'Ana Calazans, representative of the European Commission, noted that the EC subsidy for 2010 reflected an increase in comparison with the 2009 budget. He stated that the contacts established between the EMCDDA and DG JLS of the European Commission to draft the document had been very positive. In line with the usual approach adopted by the European Commission's representatives, the European Commission abstained from taking any position on the amounts of the EC subsidy for 2010.

DE informed that its Finance Ministry advised to closely examine the budgets of EU Agencies.

The **Chair** agreed that the Management Board was responsible, in particular within the context of the global crisis, for checking the sound expenditure of public funds.

Mr Jacques Sant'Ana Calazans, representative of the European Commission, assured that, notwithstanding the rationalisation due to the ongoing crisis, the European Commission will analyse the amount of the EC subsidies to Agencies in order to ensure that Agencies are provided with the resources required to accomplish their tasks.

UK pointed out that the calculation of some figures in Annex 3 (Establishment Plan) should be corrected.

Decision: The Management Board adopted, with 29 votes in favour and 2 abstentions, the EMCDDA preliminary budget for 2010. The cover page and annex 3 (Establishment Plan) will be revised as suggested.

V.5. Procedure for the renewal of the mandate of the Director (restricted session) EMCDDA/26/08

Decision: The Management Board decided that a decision on the renewal of the mandate of the Director will be taken by the Management Board at its meeting of 1 to 3 July 2009. The draft evaluation report on the performance of the Director will be prepared by the Chair and a representative of the European Commission and submitted for the Executive Committee meeting of 6 May 2009.

V.6. Staff Policy Plan 2010-20 EMCDDA/27/08

The opinion of the European Commission services of 2 December 2008 was distributed.

The representatives of the European Commission stressed that the opinion was very positive, and suggested only some technical adjustments. It was well in line with the budgetary procedure for 2010.

DK congratulated the EMCDDA for the excellent document and the highly qualified EMCDDA staff.

Ms. Wilmya Zimmermann, representative of the European Parliament, stressed that the document took well into consideration the recommendations of the external evaluation of the Centre.

Decision: The Management Board adopted at unanimity the EMCDDA staff policy plan for 2010-2012.

V.7. Draft Memorandum of Understanding with Ukraine EMCDDA/28/08

At its meeting of July 2008, the Management Board gave the Director the mandate to negotiate a Memorandum of Understanding formalising the cooperation between the EMCDDA and Ukraine. The Director informed that the EMCDDA had sent its comments on the draft Memorandum of Understanding and was awaiting the reaction by Ukraine.

Decision: The agenda item was postponed.

V.8. Building EMCDDA/29/08

The Chair of the Budget Committee informed the Management Board about the discussions of the Budget Committee on the pending issues with budgetary implications.

The problem of the calculation of the number of m² surface for the purpose of estimating the rent to be paid is practically solved. Concerning the yearly indexation of the rent, the Port Authority of Lisbon (APL) insists that the rent must be indexed to the date of signature of the Memorandum of Understanding (MoU), i.e. 2004, and the agencies defend the position that the indexation should start from the date of signature of the lease agreement (i.e. 2008 or 2009). A meeting with APL will take place during the week after the Management Board meeting on this point. If the EMCDDA signed the lease contracts for the new office building before the end of the year, some parts could still be financed from the 2008 budget, otherwise a carry over of credits to the financial year 2009 will have to be adopted by the Management Board.

The Budget Committee was informed about a letter to the Chair and the Director by the Directors General of DG JLS and DG Budget of the European Commission on the EMCDDA new premises – solution for meeting facilities. The European Commission advised the EMCDDA to inform the Budget Authority if the Management Board decided to keep the Mascarenhas building in addition to renting the new building.

The Chair of the Budget Committee also referred to a second letter, addressed by the Directors General of DG JLS and DG TREN of the European Commission on the new premises for EMSA and EMCDDA in Lisbon to the EMCDDA Director. In this letter the European Commission “strongly urges EMSA and EMCDDA to move forward with the appointment of a mediator, if the dispute remains unresolved in the immediate future and in the spirit of the Memorandum of Understanding agreed in 2004”, further to the recommendation by its Internal Audit Service. Both letters were circulated to the Management Board members.

The Budget Committee recommended the Management Board to mandate the Director to sign the lease contracts for the new office building and the 'Clock' building if possible before the end of the year for budgetary reasons, to move as soon as possible and to accept the recommendation by the European Commission to both Agencies to appoint a mediator. While awaiting the solution proposed by the mediator, the EMCDDA could keep the Palacete Mascarenhas without prejudice of the future.

The **Chair** thanked Mr Claude Gillard for his report and collaboration. He stated that the EMCDDA could either co-lease the Conference Centre along with EMSA or keep for the time being the Mascarenhas building for the organisation of its main meetings. The second option would be best as considered by the Executive Committee at its meeting of 28 October 2008, subject to the reserve of the European Commission.

Mr Francisco Fonseca-Morillo, representative of the European Commission, urged the EMCDDA to find a solution to the issue of the common use of the Conference Centre. He conveyed to the EMCDDA and its Management Board the recommendation to start as soon as possible a mediation between both Agencies. The European Commission opposes to keeping the Mascarenhas building, which would be incompatible with the financial interests of the Community. Every effort should be made to sell the Mascarenhas building.

The real problem lies in the need to have equal rights to ensure an effective common use of the Conference Centre (this relates particularly to the decisions on the layout of the Conference Centre, the arrangements for the common use and the problem concerning the unilateral change of the access to the Conference Centre via the EMSA entrance). A mediator could be mandated to propose a balanced system for the common use of the Conference Centre, measures to adapt the meeting room to the necessities of both Agencies and equal conditions for its access. Mr Fonseca clearly stated that the European Commission is not in the position to nominate a mediator, as Agencies are fully independent and autonomous bodies.

He proposed that the Chair should address a letter to the Chair of the EMSA Administrative Board, with copy to the Port Authority of Lisbon, Portuguese authorities and members of the Management Board, to ask for an urgent meeting to appoint a mediator. Mr Fonseca urged for a renewal of the confidence in both Directors of Agencies to take up again the negotiations to reach an agreement in the spirit of the Memorandum of Understanding. Should they not succeed within two weeks, a mediator should be appointed.

The **Chair** reminded that the EMCDDA had actively sought to sell the Mascarenhas building, and that the Centre received in July 2008 an offer for its purchase, amounting to EUR 4,000,962. On 19 November 2008, the Centre was informed that the offer to purchase the Palacete Mascarenhas had been withdrawn.

SE agreed that fast action was needed, and that the Management Board should give the Director the mandate to negotiate the lease contracts. As stated in document EMCDDA/29/08, an agreement seems to have been reached with EMSA to leave the Conference Centre to EMSA for renting and maintenance, while the EMCDDA would rent the Clock building (Palacete). This agreement implies that there is no need anymore for a mediator. The alternatives for the EMCDDA as a matter of business are the following:

- 1) to agree with the EMSA Director to rent the Conference Centre on a day-to-day basis;
- 2) to rent meeting spaces outside in town; or
- 3) to keep the Mascarenhas building.

SE proposed to postpone the decision on the mediator and investigate in these three options.

DE wondered why the European Commission did not propose a mediation in July 2008, when the construction of the buildings was achieved. **DE** agreed with the need for a mediation, and informed that the German member of the EMSA Administrative Board raised the point of the synergies with the EMCDDA at its meeting of 21-22 November. The Executive Director of EMSA did not make any statement about the issue. **DE** expressed the view that the EMCDDA should move as early as possible and should endeavor to come to a solution concerning the common use of the Conference Centre.

Ms Wilmya Zimmermann, representative of the European Parliament, also wondered why the European Commission had not intervened earlier in time to find a solution. She recalled that the EMCDDA Director had made all efforts to come to a solution, and that the Management Board had always been informed in a transparent manner. Ms Zimmermann agreed with the proposal of a mediator, while the EMCDDA should move as soon as possible. The Conference Centre should be kept separate between both Agencies.

UK raised the question of the timing of the mediation process the feasibility to appoint a mediator and reach a joint agreement given the urgency of the situation. Furthermore, the Management Board has the responsibility to look at the revenue consequences of any decision for the EMCDDA. Finally, UK wondered

about the position taken by the European Commission representative at the EMSA Administrative Board meeting.

The **Chair of the Budget Committee** drew the attention to the fact that the issue of indexation still has to be solved before signing the lease contracts. The EMCDDA needs to reply to the two letters by the European Commission, accepting the mediation. Mr Gillard suggested to examine the situation of the Mascarenhas building at the next Executive Committee meeting on 6 May 2009.

LU agreed that an agreement has to be found rapidly between both Agencies and the Mascarenhas building should be sold. Should the mediator not come to a conclusion, the EMCDDA should look for alternatives on the local market.

AT agreed that the move to the new office building should take place very soon, and that an agreement should be found for the use and renting of Conference Centre.

Mr Francisco Fonseca-Morillo, representative of the European Commission, informed that the European Commission representative at the EMSA Administrative Board equally received the mandate to strongly recommend a mediator to draw binding conclusions. He pointed out that if it was confirmed that the original lay-out of the meeting room was altered in comparison with the agreement reached in the Memorandum of Understanding and the legitimate expectations arising from it, the modifications could be considered as irregular.

Mr Jacques Sant'Ana Calazans, representative of the European Commission, clarified that the scenario which was communicated to the Budget Authority in 2004 was the sale of the Mascarenhas building. In the event of a change of scenario, the EMCDDA should inform the Budget Authority accordingly.

The **Director** agreed to follow the recommendation of a mediation, even if the distinction between mediation and arbitration was not clear. In his view, the move to the new office building should not be delayed after the beginning of 2009. He informed that a meeting between the EMCDDA and the Port Authority of Lisbon would take place on 9 December, and that the EMCDDA had invited EMSA to also participate in it.

He confirmed that the Mascarenhas building was on the real estate market for sale since March 2008. The EMCDDA would need a meeting room for approximately 90 days a year. The main problem lies in the fact that the Memorandum of Understanding only mentions the Mascarenhas building and the Conference Centre in the 'Clock' building, and that the architectural lay-out of the Conference Centre was changed without consultation of the EMCDDA. EMSA does not put into question the co-use of the Conference Centre, but its co-ownership in terms of co-renting by both Agencies. This principle was agreed until April 2008 between both Agencies.

Decision: The Management Board regretted the unnecessary negotiations about the common use of the Conference Centre, but welcomed the future existence of a 'House of Europe' of two Agencies based in the same European capital.

The Management Board mandated the Director to sign the lease contract for the new office building of the EMCDDA and the 'Clock building', with co-use by EMSA, and to move the EMCDDA staff to the new building as soon as possible.

The Management Board mandated the Director to continue the discussion about the co-ownership/co-use of the Conference Centre, and the Chair of the Management Board will address this issue in a letter to the Chair of the EMSA Administrative Board.

The Management Board agreed on the recommendation by the European Commission for both Agencies to appoint a mediator, if necessary, to arrive at a mutually beneficial solution and ensure synergies.

The Management Board decided that the Mascarenhas building should remain for sale, but can be used as long as available.

VI. Points for information:

VI.1. Development of guidelines for evaluating programmes and interventions relating to national and EU strategies

EMCDDA/30/08

UK was pleased to see the issue taken up in the new Action Plan on Drugs and in the EMCDDA 2009 work programme, as this reflected the UK Government's wish to see the Centre helping to find solutions to Member States' policy problems.

Mr Carel Edwards, representative of the European Commission, welcomed the work of the EMCDDA to establish guidelines to support the work of the Member States.

VI.2. Collaboration with the EMCDDA Scientific Committee

EMCDDA/31/08

UK, which had asked at the previous Management Board meeting for a paper on the relationship between the Centre and its Scientific Committee, was content that its concerns were being addressed through the work programme. The indications are of the development of a fruitful relationship between the EMCDDA and its Scientific Committee. Both sides should however recognise their strengths and weaknesses.

DE welcomed the fact that the Scientific Committee aims to be more proactive and will be involved in an earlier stage by the EMCDDA. Its main tasks could be given more visibility to the outside, e.g. in conferences. It would be useful for Management Board members to receive the minutes of the Scientific Committee meetings earlier.

The Director thanked the new Scientific Committee for the inputs it has given so far. The Scientific Committee is a unique body composed by high-level experts, and the EMCDDA strives to find different ways to fully make use of it.

VI.3. EMCDDA Scientific Conference 6–8 May 2008

EMCDDA/32/08

The Director provided information about the EMCDDA Conference on 'Identifying Europe's future information needs for effective drug policy', which will take place from 6 to 8 May 2009 in Lisbon. All Management Board members will be invited to the event.

VI.4. Launch of the Annual report 2008

EMCDDA/33/08

The Chair informed the Management Board members about the presentation of the 2008 Annual report to the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament on 5 November and to the international press on 6 November. Fifteen Member States organised national launches of the Annual report. The Chair encouraged the members of the Management Board to contact their Ministers in view to organise next year a presentation of the Annual report to a meeting of Council of Ministers of Health or Justice.

PT thanked the EMCDDA for its presence at the Portuguese Parliament session on the Annual report.

AT thanked the EMCDDA for the timely transmission of the press releases.

DE thanked the Director for his presence at the press conference with the German drug coordinator.

VI.5. Planning of forthcoming meetings

EMCDDA/34/08

The Chair of the Budget Committee proposed to change the date of the Budget Committee meeting from 14 October 2009 to 7 October 2009.

Decision: The Budget Committee and Executive Committee will take place on 7 October 2009 instead of 14 October. A revised version of the planning of 2009 meetings was distributed.

VII. Any other business

'Spice' or 'legal highs' phenomenon:

DE alerted about the current growing phenomenon of herbal mixtures, some of them probably including chemical substances ('spice' or 'legal highs') on sale through the Internet in Germany.

AT, PL and FR reported similar occurrences and expressed their readiness to cooperate with other countries to exchange experience.

Decision: The EMCDDA will launch a survey among national focal points. The Management Board decided to ask the Scientific Committee to discuss the issue at its next meeting.

Joint UNODC-WHO action programme on drug dependence:

The **Director** informed that the EMCDDA had not been involved in this joint programme. It mentions EU developments and the EMCDDA as data provider, but so far the EMCDDA has received no further information.

Insights publication on wastewaters:

AT informed that media were showing a great interest in the publication about 'Assessing illicit drugs in wastewater: Potential and limitations of a new monitoring approach', and asked about more details about the method.

The **Director** explained that the EMCDDA decided to seriously examine this method after sensational press headlines two years ago by German and Italian experts. The publication informs among other issues about the outcome of an expert meeting in April 2007.

The next meeting will take place from 1 to 3 July 2009 in Lisbon.

(s.) Marcel REIMEN
Chairperson of the Management Board

Annexes: I List of participants
II List of decisions
III List of action points

Copy: Members, substitutes and observers of the Management Board