



EMCDDA/45/09

**FINAL MINUTES OF THE FORTIETH MEETING OF THE  
MANAGEMENT BOARD (3–4 DECEMBER 2009)**

**Introduction by the Chair**

The **Chair** welcomed the Management Board members for the last Management Board meeting under his Chairmanship, taking place for the first time in the Conference room of Cais do Sodré.

The Chair welcomed the new members representing Member States at the Management Board. Romania (RO) nominated Mr Doru Dumitrescu, Deputy Secretary of State at the Ministry for Administration and Interior as member, and Mr Maximilian Nicolae, Director of the Anti-Drugs Agency and present at the meeting, as substitute. The United Kingdom (UK) nominated Mr Gabriel Denvir as member and Mr John McCracken as substitute.

Mr Aurel-Viorel Ciobanu-Dordea, Director at Directorate General JLS (Justice, freedom and security) of the European Commission, and Mr Carel Edwards, Head of the Unit for drug coordination at DG JLS, have been designated members at the Management Board. Mr Michael Hübel, from DG SANCO, and Ms Caroline Hager, from DG JLS, are substitutes. Mr Ciobanu-Dordea expressed his regrets not be able to attend the meeting.

Greece (EL) apologised for not being represented at the meeting, and gave a proxy vote to Cyprus for the elections. Mr Giovanni Serpelloni, member for Italy (IT), could not participate in the meeting. Ms Elisabetta Simeoni was accompanied by Ms Silvia Zanone. Ms Katrine Schjonning accompanied Mr Mogens Jørgensen, member for Denmark (DK).

The Chair announced that Mr Mogens Jørgensen, founding member like himself, will change functions within his Ministry and will not be responsible for the drugs issue anymore. The Management Board will pay tribute to Mr Jørgensen at a reception offered by the Danish authorities before lunch. The Chair also informed that the mandate of Ms Wilmya Zimmermann, who was designated twice by the European Parliament as independent expert in the field of drugs within the Management Board, will come to an end in December. On the same occasion the Chair congratulated Ms Carla Rossi for her re-election by the LIBE Committee of the European Parliament as member of the Management Board for another three-year term.

The **Chair** thanked the interpreters of DG Interpretation of the European Commission, and informed that members could speak – in addition to English, French and German – Greek, Spanish and Polish. Mr Reimen thanked the Director and his staff for the preparation of the meeting and the working documents. He informed that the Vice-Chair, Mr Ralf Löfstedt, will chair the meeting on 4 December.

**I. Adoption of the agenda**

EMCDDA/22/09  
EMCDDA/23/09

At the request of the European Commission, the **Chair** suggested to advance the agenda item on the Memorandum of Understanding between the EMCDDA and the Ukraine to Thursday 3 December, as first point for adoption after the presentations by Presidencies. A possible adoption of the Memorandum of Understanding could be announced at the EU-Ukraine Summit taking place in Kiev on 4 December.

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

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

**EMCDDA/24/09**

The **Chair** reported about the main conclusions of the Executive Committee at its meeting of 7 October. He informed the Management Board members that he was unable to participate in the presentation and launch of the 2009 Annual report to the LIBE Committee and to the press on 4–5 November, for reasons of train strikes and for serious family reasons.

## **III. Report on the activities of the Budget Committee**

**EMCDDA/25/09**

The Chairperson of the Budget Committee briefly introduced the document. He will provide detailed feedback on the recommendations by the Budget Committee meeting concerning the budgetary issues to be discussed at the Management Board meeting.

## **IV. Report on the external activities of the Director**

**EMCDDA/26/09**

The **Director** highlighted some elements of the overview on his external activities from July to December 2009. He met with representatives of the different EU institutions at different levels. He underlined the closer relationship with the Council's Secretariat, thanks also to a visit to the EMCDDA of Mr Roland Genson, of the Council's Secretariat, and an informal meeting of Mr Genson with the Executive Committee meeting.

In particular, the intervention by Mr Aurel-Viorel Ciobanu-Dordea, Director at Directorate General JLS, marked a highlight at the Conference organised by the EMCDDA on 25-27 November on the cooperation between Community Agencies and IPA (Instrument of pre-accession) beneficiaries. The Director also stressed that he very much appreciated the invitation by the Swedish Presidency of the Directors of Europol, Eurojust and himself to present and discuss the drug situation in Europe at the Horizontal Working Group on 30 November.

## **V. Presentations by Presidencies**

### **V.1. Presentation on the first conclusions of the Swedish Presidency**

**EMCDDA/27/09**

Mr Ralf Löfstedt presented a brief overview of the achievements of the Swedish Presidency. The Presidency was based on the implementation of the current EU Strategy and Action plan on drugs.

The first priority concerned initiatives to prevent the delay of drug use among young people. Council conclusions were taken on universal prevention and prevention was the topic for national drug coordinators meeting in November in Stockholm. The second priority was a more effective fight against crime at EU level to reduce drug supply. In this area cooperation with West Africa were continued to be developed and Council conclusions on strengthening the fight against drug trafficking in West Africa were adopted. Another priority was the establishment of a more extensive knowledge base on drug-related research. Based on Conference Commission in September, Council conclusions were developed to be adopted before the end of the year, and the EU-UN reporting systems were discussed. Finally, an important priority was international cooperation.

The **Chair** qualified the Swedish Presidency as a very successful one, which entered into history by having reached important agreements on the composition of the Commission in October at the European Parliament, and on the Treaty of Lisbon after the vote of Ireland and its signature by the President of the Czech Republic. Finally it was under the Swedish Presidency that a consensus was found on the first President of the European Council, Mr van Rompuy, and the first High Representative of the Union for Foreign Affairs and Security Policy, Baroness Ashton.

### **V.2. Presentation on the programme of the Spanish Presidency**

**EMCDDA/28/09**

Ms Carmen Moya introduced some elements of the programme for the Spanish Presidency. The programme will be communicated by the Spanish government at a later stage.

The issues which will be emphasised by the Spanish Presidency are the improvement of information systems, the follow-up to the draft Council conclusions on research, the improvement of cooperation and coordination mechanisms between the EU and Caribbean countries. Police cooperation and efficiency in police against drug crime will also be on the agenda. Furthermore, Troikas will be organised with the USA, with Western Balkans,

West Africa, and Mediterranean countries. The drugs coordinators meeting to take place in April 2010 will be place under the theme of alcohol and polydrug use.

Ms Moya thanked all Member states, the SE Presidency and the EMCDDA for their input.

The **Chair** emphasised the growing importance of the Mediterranean region and suggested for the future that a conference be organised, under the auspices of the European Commission and the European Parliament, at the EMCDDA with countries from the Mediterranean including the Maghreb.

## **VI. Points for decision/adoption by the Management Board:**

### **VI.1. Amendment n° 2 to the 2009 budget**

**EMCDDA/29/09**

The **Chair of the Budget Committee** presented the main figures of the amendment n° 2 to the 2009 budget, which corresponds to a slight reduction of the adopted budget.

Five national focal points could not use or could only partially use the 2009 maximum available grant. After having consulted the Budget Committee, the Director re-allocated most of the non-used appropriations. The Director informed that one national focal point only informed the EMCDDA in November about its difficulties to use the full Reitox grant this year. Pursuant to an assessment of the EMCDDA's actual capacity to effectively re-use (i.e. commit and pay) these unused appropriations before the end of 2009, the remaining amount of these appropriations of EUR 63 488 cannot be effectively re-used before the end of 2009. This amount will go back into the Community budget, instead of asking the Management Board to agree on a non-automatic carry-over, which might be criticised by the Court of Auditors.

The EMCDDA will provide a breakdown of figures concerning the EC subsidy in Annex 1 of the document.

The Budget Committee asked recommended to the Management Board to adopt the amendment n° 2 to the 2009 budget.

The **Chair** stressed the rigor and sincerity of the EMCDDA's financial management, as praised by the Court of Auditors in its report on the EMCDDA's 2008 final accounts.

**Decision:** The Management Board adopted by unanimity the amendment n° 2 to the 2009 budget.

### **VI.2. EMCDDA budget for 2010**

**EMCDDA/30/09**

The **Chair of the Budget Committee** presented the main figures of the budget for 2010. The EMCDDA budget for 2010 enters EUR 15 000 000 as main revenue to be provided by the EC 2010 subsidy. The sale of the Mascarenhas building is marked as p.m., the contribution by Turkey as a first year's contribution amounting to EUR 100 000 and the contribution by Croatia as p.m. Two new posts are foreseen for 2010.

The Chair reminded that Mr Reimen, Chairman of the Management Board, addressed a letter to the Turkish authorities on 10 July 2009 to inform that the participation of the Turkish representative as observer in the Management Board could be affected by a further delay of the ratification process. No reply was received so far to this letter. The European Commission stated that a meeting of a subcommittee of DG JLS with the participation of the Turkish focal point took place on 2 December. Turkey informed at this meeting that 150 agreements were waiting for ratification by the Parliament. The Budget Committee discussed if the contribution by Turkey for 2010 should rather be marked as p.m. given the difficulty to foresee the date of the ratification of the agreement. The Budget Committee expressed the opinion that it was important to maintain a first year contribution in the budget as a political sign.

In order to be more consistent in terms of budget presentation and management, the draft 2010 budget enters 95% of the total amount of the Reitox appropriations. This reflects the actual average annual rate of commitments between 2005–2009 and assumes that this trend is confirmed in 2010. The remaining 5% has been at the moment earmarked under title 3 for other activities aimed at implementing the EMCDDA's work programme (publications and dissemination, technical meetings, studies). If at a later stage it is necessary to commit this remaining 5%, as a result of the requests to be presented for the 2010 Reitox grant, the required appropriations will be transferred to the budget line for Reitox grants. The global amount for Reitox appropriations are annually indexed by 2%, in accordance with the system adopted by the Management Board.

The Budget Committee acknowledged the structural solution proposed by the EMCDDA in the 2010 budget for the budget presentation and management of the Reitox appropriations. The Chair of the Budget Committee drew

the attention to the fact that the information on the Reitox financing was described in the document but should also be referred to on the cover page. In addition, the Budget Committee proposed to move the bullet point on the tasks the European Commission may request within the framework of cooperation with third countries, namely of the neighbourhood policy area and Russia to the bottom of the cover page, after the IPA 3 project, since such eventual activities are subject to the availability of external resources and are not part of the EMCDDA core business activities.

DE inquired if the main revenue of EUR 15 000 000 to be provided by the EC 2010 subsidy was confirmed by the European Commission, and why the expenditure for the new premises was increasing.

Ms Caroline Hager, representative of the European Commission, informed that the amount of the EC subsidy proposed by the European Commission was expected to be approved by the Budget Authority on 17 December 2009.

The Director reminded that the figures for the new building were provided in all documents on the building for previous meetings.

The Chair of the Budget Committee added that the Budget Committee paid particular attention to the costs of the new premises. The move and installation into the new premises was covered entirely by the 2008 budget. The rent for the new building is due only from 1 May 2010 onwards, as the conclusion and entry into force of the lease agreement took place on 1 May 2009 and the first year is free of rent. Currently the Conference Centre of the Ribeira das Naus is used by the EMCDDA by daily lease upon payment to EMSA of usage fees by daily use. These fees amount to EUR 2 500/day at 2009 prices and are subject to annual revision based on the indexation of the rent, the development in costs for services and actual cost per day of usage. For the first year of occupation, until May 2010, these fees amount to EUR 450/day, taking into account that no rent will be due to the Port Authority of Lisbon for the use of the Conference centre during this period. The total estimated cost for this option amounts to about EUR 192 000 (including the yearly cost for the maintenance of the Mascarenhas building with a reduced security service for 12 hours per working day and a remote alternative site for business continuity purpose).

**Decision:** The Management Board adopted the 2010 budget with the abstention of the European Commission. The final document, with the two modifications proposed by the Budget Committee, will be circulated to the Management Board members.

### VI.3. Work programme for 2010

EMCDDA/31/09

The Director briefly outlined the content of the EMCDDA work programme for 2010, the first to fall under the new EMCDDA 2010–2012 strategy and work programme.

In accordance with article 9 of the EMCDDA regulation (recast), the EMCDDA Scientific Committee and the European Commission have been consulted. The Director apologised for the fact that the Reitox national focal points have not been involved as usual in the preparation of the document, but received the work programme as room document only at their Heads of focal points meeting on 18–20 November.

The work programme includes annexes such as risk factors, but also documents requested by the Internal Audit Service of the European Commission such as the list of national focal points and the model of the Reitox grant agreements.

The Chair of the Scientific Committee stated that the Scientific Committee strongly endorses the 2010 work programme. The Scientific Committee was deeply impressed with its scale of commitment and in particular the objectives to improve the quality of data collection in the area of supply reduction. The Scientific Committee welcomed the emphasis on upscaling and further development of good quality data collection and critical analysis in the area of supply and supply reduction. It fully supports the important and timely focus on best practices and evidence-based standards and guidelines in the 2010 work programme. In the view of the Scientific Committee, the EMCDDA can make an important contribution to the development of drug research, and a significant improvement in a number of areas can be noted.

Mr Alan Lodwick, spokesperson of the national focal points, was very pleased to note that the role of the Reitox focal points was fully acknowledged at the beginning of the work programme. Given the ambitious nature of the work programme, prioritisation and allocation of the necessary resources will have to be ensured. The national focal points would agree with a closer monitoring of the implementation of the work programme.

The spokesperson raised the following three specific remarks:

- 1) The national focal points acknowledge as inevitable the need for the Centre to use expertise elsewhere in the Member States which are not based within focal points. They are nevertheless concerned about their coordinating role at national level, and hope for the establishment of a protocol and guidelines for the use of other national sources and expertise by the EMCDDA in the next months.
- 2) National focal points recognised the respected roles of the EMCDDA and the European Commission in matters of drugs research, but wished to be assured of a continuing dialogue, of coordination and dialogue should be kept between both bodies in this area (cfr. page 6 'To ensure effective working, the EMCDDA's activities will be closely synchronised with those planned by the European Commission and will be sensitive to the need to benefit from the ongoing expertise and experiences in the Member States').
- 3) National focal points fully understand the new planning for Reitox appropriations as described in the 2010 budget. Nevertheless, they commented that in previous years any reallocation of unused Reitox appropriations have been used to support Reitox activities such as Reitox Academies, training, workshops. Focal points asked if the EMCDDA could give consideration to use the appropriations for similar activities in 2010 and beyond.

Finally Mr Alan Lodwick underlined the importance of the Reitox development strategy mentioned in the new three-year work programme, which will strengthen the position of the focal points nationally and the cohesion of the Reitox network, and emphasised the commitment of the national focal points to contribute to the implementation of the EMCDDA's 2010 work programme.

The **Chair** thanked the Chair of the Scientific Committee, which provides the scientific background for the EMCDDA and Management Board work, and the national focal points, which are key to the quality of data and activities of the Monitoring Centre.

**Mr Carel Edwards, representative of the European Commission** congratulated the Director on the excellent work programme. The draft opinion of the Commission reflects this positive assessment, but invites the EMCDDA to link the planned activities to resources, according to the position of the Court of Auditors. The Commission welcomes the Centre's technical support to improve the reliability and accuracy of drug supply reduction data. The Commission calls for a close cooperation of the EMCDDA with the ongoing work in the European Commission. The importance of a close cooperation also concerns the development of minimum quality standards and benchmarks in demand reduction.

The adoption of the formal opinion by the College of Commissioners will not take place before 10 December 2009. The delay is due to the transition period the Commission is undergoing. The European Commission suggested that the work programme be adopted by simplified written procedure after the adoption of its final opinion.

**DE** congratulated the EMCDDA on the ambitious 2010 work programme of high quality, and underlined the importance of the transversal work through the cross-unit projects, in particular the one set up to improve and better integrate EMCDDA activities to report on drug use and interventions within the prison setting. DE wondered about the state of play of the collaboration with the 'European prison databank' of WHO and with UNODC.

**Ms Wilmya Zimmermann, representative of the European Parliament**, thanked the Director and his staff for the comprehensive work programme. She remarked that the quality of the work programmes of the EMCDDA increased consistently over the last years.

**UK** welcomed the ambitious work programme for 2010, which demonstrates how well the Centre is moving forward. UK suggested that driving issues be indicated for future work programmes. It would be helpful for the Management Board to understand the justification of each activity, what priority does it have and what resources are absorbed by it. UK expressed the view that further to the remark by the Court of Auditors in its draft report on the EMCDDA's 2008 final accounts on the need of performance indicators, it should be desirable for the oversight of the Agency's activities to see what costs are attached to which measurable outputs of the EMCDDA.

**NL** described the work programme as comprehensive but ambitious. NL especially welcomed the more complex analysis of data sets, the emphasis on supply reduction and the focus on trend analysis. The work programme reflects the multifaceted drugs problem. Nevertheless, it would be valuable to see a prioritisation in the 2011 work programme. NL wondered if the analysis of replacement substances on page 14 meant substitution substances. Finally NL drew the attention to a possible increase of workload for national focal points as additional risk factor for the implementation of the work programme.

**DK** considered the work programme as very clear and well structured, but supported the request or prioritisation. As also in previous years a general feeling prevailed that work programmes should be less loaded, DK

encouraged the Director to find ways of making it possible for Management Board members to set priorities in the next annual work programme, identify which issues could be dropped, in order to enable the EMCDDA to concentrate on less issues. DK wondered about the analysis of the legal basis of selected harm reduction responses, a very sensitive issue, proposed on page 20. It might be reformulated as analysis of the national legal bases, and not questioning the legal bases related to conventions.

CZ supported the idea on setting priorities, and underlined the importance of the development of activities in the supply reduction area. CZ wondered if the EMCDDA will establish a working group as it is the case for the five key epidemiological indicators.

The Director thanked the Scientific Committee and the national focal points of their positive comments on the work programme. He recognised that the Reitox national focal points are the EMCDDA's key partners in the Member States. As regards research, the dialogue between the EMCDDA and the Commission will continue, and the Horizontal Drugs Group adopted on 30 November a resolution where the roles of the EMCDDA and its links with the European Commission are well described. The reallocation of Reitox appropriations should in fact be given primarily to Reitox activities, but the information on the non-use of the Reitox grants sometimes comes very late, which make it difficult to launch procurement procedures for studies or training at the end of the year.

The Director stated that point (10) of the draft opinion of the European Commission ('The Commission requests that the EMCDDA adds its budget forecast for the implementation of the annual work programme to its proposal together with the details of its establishment plans for 2010-12') is legally not possible, as it is not possible to foresee the detailed establishment plan for 2012 for the time being.

The EMCDDA works in close cooperation with WHO and UNODC on the issue of prisons, and the WHO's databank will possibly move to EMCDDA. Best practice is key element in the 2010 work programme, and also best practice in prisons will be tackled at some point in time.

Concerning prioritisation of the activities of the work programme, the Director defended that for reasons of staff motivation he would not wish to divide the activities and outputs into different priorities. The basis for actions listed in the work programme can be found mainly in the recast, the EU Action plan on drugs and the current three-year work programme.

The EMCDDA will give more theoretical background to the area of supply reduction. A working group on prices and purity is already set up, the EMCDDA is further working towards standardisation and possibly future indicators for demand reduction and supply reduction data. The Director agreed that the analysis of replacement substances on page 14 should be reformulated.

Finally, the Director explained that the observation by the Court of Auditors in its report on the annual accounts 2008 is a standard remark to all Agencies. The EMCDDA provides a budget breakdown in each annual work programme. The objectives of the work programmes become more and more concrete, but the Director advised to adopt a pragmatic approach avoiding details of measurable details, by identifying all costs on a specific output.

**Decision:** The Management Board adopted the 2010 work programme subject to a formal opinion of the European Commission which will not request substantial changes to the document. Should this be the case, the revised 2010 work programme will be submitted to the Management Board for adoption by simplified written procedure before the end of December 2009.

#### VI.4. Preliminary draft budget for 2011

EMCDDA/32/09

The Chair of the Budget Committee introduced the preliminary draft budget for 2011. It enters EUR 15,550,000 as main revenue to be provided by the EC 2011 subsidy to the EMCDDA, in line with the current financial programming of the European Commission. The EMCDDA PDB for 2011 foresees a contribution by Norway of EUR 414 759, by Turkey of EUR 150 000 (second year) and by Croatia of EUR 100 000 (first year). The scenario for the Reitox financing is the same as in 2010, including the application of the annual 2% increase of the total concerned budget appropriations. Two new posts are foreseen for 2011.

The Budget Committee proposed to earmark the contribution by Croatia for 2011 as 'p.m', and to delete the reference to an 'EC subsidy for new premises' in Annex I.

**Decision:** The Management Board adopted the preliminary draft budget for 2011 with the abstention of the European Commission. The final document, with the two modifications proposed by the Budget Committee, will be circulated to the Management Board members.

## VI.5. Staff policy plan 2011–13

EMCDDA/33/09

The Management Board adopted the EMCDDA staff policy plan for 2010–12 at its meeting of 3–5 December 2008. The present document updates the EMCDDA staff policy plan for the 2011–13 period in line with the new EMCDDA 2010–12 strategy and work programme.

The draft opinion by the European Commission on the staff policy plan for 2011–13 was circulated. **Ms Caroline Hager, representative of the European Commission**, greatly appreciated that the EMCDDA usually is the first EU agency to present the multi-annual staff policy plan to the Commission, and stated that the overall plan was acceptable. Nevertheless, the financial programming of the European Commission for 2011–13 will be revised at the beginning of 2010, and the current position of the Commission is a zero growth for posts in EU Agencies from 2011 on without detailed justification. The European Commission could therefore not agree with the funding of two new posts for 2011.

**Decision:** The staff policy plan for 2011–2013 was adopted subject to the final opinion of the European Commission.

## VI.6. Election of Vice-Chair of the Management Board (2010–2012) (restricted session)

EMCDDA/34/09

The second mandate of Mr Ralf Löfstedt (SE), Vice-Chair, comes to an end on 31 December 2009, and can not be renewed. In conformity with Article 9 of the EMCDDA Regulation, the Vice-Chairperson of the Management Board was elected among and by its members for a three-year period, by secret vote and two-thirds majority.

Mr Marcel De Kort (NL) and Mr Claude Gillard (BE) were candidates.

**Decision:** The Management Board elected Mr Claude Gillard in the fourth voting round by 25 votes for and 6 abstentions for a first mandate as Vice-Chair of the Management Board.

## VI.7. Election of Chair of the Management Board (2010–2012) (restricted session)

EMCDDA/35/09

The second mandate of Mr Marcel Reimen (LU), Chair, comes to an end on 31 December 2009, and can not be renewed. In conformity with Article 9 of the EMCDDA Regulation, the Chairperson of the Management Board was elected among and by its members for a three-year period, by secret vote and two-thirds majority.

Mr Gabriel Denvir (UK), Mr João Goulão (PT) and Mr Franz Pietsch (AT) were candidates.

**Decision:** The Management Board elected Mr João Goulão in the fourth voting round by 27 votes for and 4 abstentions for a first mandate as Chair of the Management Board.

The **Chair** advised that a good relationship between the Chair of the Management Board and the Director is essential. The competences of the Chair and the Director are clearly established in the recast regulation, and it is fundamental that the Chair does not interfere with the daily tasks of the Centre. It is also important that the Chair listens to the Member States, the European Commission, which plays a crucial role, and the European Parliament. But above all, keeping the European spirit is important and supreme, despite of national interests.

The **Chair** stated that the Directorate greatly facilitates the Chair's work, by preparing excellent documents, holding briefings, and giving exemplary assistance, and thanked the EMCDDA staff involved.

**Mr João Goulão** thanked the Management Board for its support and thanked Mr Reimen for his Chairmanship, to which he promised to give continuity. He informed the Management Board about some ideas for his governance. He wished to establish a close relationship with the Management Board as decision-making body, but also with the Executive Committee, the Budget Committee, the Directorate, the Scientific Committee and the Reitox network. During his mandate he will lead the Centre through the full implementation of the recast regulation, putting emphasis on the development of data collection in the supply reduction area and polydrug use, as well as new psychoactive substances. The EMCDDA will be influenced by the possible impacts of the Lisbon Treaty and the Stockholm programme. Mr Goulão intends to continue the good relationship with the European Commission and the European Parliament, and other EU institutions or bodies and international organisations.

**VI.8. Election of one member of the Budget Committee (2010–2012)  
(restricted session)**

The second mandate of Mr Claude Gillard (BE) comes to an end on 31 December 2009, and can be renewed.

**Decision:** The Management Board renewed by unanimity Mr Claude Gillard as Budget Committee member. Upon proposal of the Budget Committee, the Management Board elected at unanimity Mr Claude Gillard as Chair of the Budget Committee.

**VI.9. Memorandum of Understanding between the EMCDDA and Ukraine**

EMCDDA/37/09

At its meeting of 2–4 July 2008, the Management Board gave the Director the mandate to negotiate a Memorandum of Understanding for formalising the cooperation between the EMCDDA and Ukraine. The Ukrainian authorities endorsed the draft Memorandum of Understanding proposed by the EMCDDA on 20 August 2009. The Director asked the Management Board to agree with the text and mandate him to sign the Memorandum of Understanding.

**Ms Caroline Hager, representative of the European Commission,** reminded that the European Union will urge the Ukraine at the EU-Ukraine Summit on 4 December to fight corruption, trafficking of human beings and drugs and that the Memorandum of Understanding between the EMCDDA and the Ukraine was welcomed as a timely and concrete deliverable for cooperation.

The **Chair** informed that the Ukrainian authorities had been urging the Management Board to adopt the text, but that he refused a written procedure for an essential issue that should be discussed by the Management Board.

**DK** acknowledged the result of the negotiations, and expressed the view that the Director managed to limit the relationship with the Ukraine to a fully acceptable level. It therefore agreed with the Memorandum of Understanding.

**DE** welcomed the cooperation with the Ukraine. DE asked about the situation of HIV infections among drug users in the Ukraine and the cooperation between the EMCDDA and WHO, UN-Aids, as well as NGOs to improve a better data collection in this area.

The **Director** informed that the cooperation with the EMCDDA will mainly consist in helping to develop the Ukrainian Monitoring Centre for Drugs through methodological support, participation of experts in EMCDDA meetings and possibly training activities.

**Decision:** The Management Board agreed by unanimity with the Memorandum of Understanding between the EMCDDA and Ukraine and mandated the Director to sign it.

**VI.10. Appointment of members of the Scientific Committee**

EMCDDA/38/09

The mandate of the current Scientific Committee members comes to an end in December 2010. Upon recommendation of the Executive Committee, the Management Board may decide to renew the members for a new three-year term. The members of the Scientific Committee were consulted in November about their interest in being renewed for a second term, and expressed their interest in a renewal.

**DK** expressed the opinion that it would be fair to give new experts from other countries the opportunity to present their candidatures for membership in the Scientific Committee.

**MT** supported the opinion of DK.

**BE** however considered that the involvement in the work of the Scientific Committee needed some time, and that an experience of several years could be an added value. BE proposed to renew the Scientific Committee once and to launch a new call for interest after the second mandate.

**SE** and **PL** aligned with the proposal made by BE, but would prefer ideally a rotation of some Scientific Committee members.

**NO** supported the renewal of the Scientific Committee for another three-year term.



**Ms Wilmya Zimmermann, representative of the European Parliament**, suggested to set up a working group to better define the rules for the appointment of the Scientific Committee members, preferably at the end of 2012 as the selection procedure takes a long time.

**Decision:** Upon recommendation of the Executive Committee, the Management Board renewed all members of the Scientific Committee for the next mandate from 2011 to 2013 and extended the validity of the reserve list for the same period. The Management Board will discuss the selection procedure for the next Scientific Committee at the end of 2012.

## VII. Points for information:

### VII.1. Monitoring of implementation of the EMCDDA work programmes

EMCDDA/39/09

In the framework of the new EMCDDA's three-year strategy and work programme for the period 2010–12, the Management Board suggested at its last meeting in July 2009 to discuss the monitoring of the implementation of EMCDDA work programmes. A reporting tool to enable effective monitoring and follow up of the implementation of the adopted three-year work programme, by also assessing the achievements and possible risk factors, was elaborated between the EMCDDA and an informal group of Management Board members (DK, FR, NL, UK).

**UK** suggested to monitor the three-year work programme on an annual basis to link it to the annual work programmes, instead of a mid-term review after 1,5 years.

The **Director** declared that the option elaborated by the working group was the most feasible once, otherwise a second staff member would be needed.

**MT** agreed with the Director's proposal.

The EMCDDA will provide a mid-term review on the monitoring of the implementation of the EMCDDA three-year work programme for 2010-12.

### VII.2. State of play of the inter-institutional debate on EU agencies

EMCDDA/40/09

The European Commission congratulated the EMCDDA for the summary on the follow-up to the inter-institutional debate launched in March 2008 about the future of the EU agency system. The process will probably last until the beginning of 2011, the political outcome being unknown yet.

The EMCDDA will forward the final evaluation report on EU decentralised agencies, which will be addressed to the EU Institutions (European Parliament, Council and European Commission), agencies and Member States, to the Management Board members.

### VII.3. Overview on the implementation of key indicators in Europe

EMCDDA/41/09

A first overview on the implementation of the five key indicators in the Member States had been discussed at the Management Board at its meeting of 5–6 December 2007. **Mr Paul Griffiths, Scientific Coordinator and Head of the Epidemiology Unit**, presented an updated overview report about the assessment of the implementation of the five key indicators (KI). In addition, a country specific analysis, elaborated together with and validated by the national focal points, was provided to each Member State and Norway. He stressed that the overview did not consist of a performance assessment of national focal points, but summarised the Member States activities and accessible information. The overview will be updated every year.

**DE** and **NO** thanked the EMCDDA for the overview and detailed country report, which gives information on what is needed to improve the situation and may help to put pressure at national level.

**Mr Alan Lodwick, spokesperson of the national focal points**, congratulated the EMCDDA, and in particular the Reitox Unit, for this very helpful exercise, during which the national focal points very closely collaborated with the EMCDDA.

**VII.4. Conference on 'Community Agencies: partners in accession'  
(25–27 November 2009)**

**EMCDDA/42/09**

The **Director** briefly informed about the conference of European Agencies and Candidate and Potential Candidate countries, organised by the EMCDDA at the request of the European Commission's DG Enlargement from 25 to 27 November 2009, in Sintra. The conference counted with 120 participants, including EMCDDA staff, and about 10 Directors of EU agencies running IPA programmes. Mr Aurel-Viorel Ciobanu-Dordea shared his experience with the conference participants having led the enlargement process in Romania.

**Mr Carel Edwards, representative of the European Commission**, expressed the Commission's appreciation for the successful event and the quality of the discussions.

**VII.5. Launch of the Annual report 2009 on 4–5 November 2009**

**EMCDDA/43/09**

The **Director** informed the Management Board members about the outcome of the presentation of the 2009 *Annual Report* to the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament on 4 November, of the official launch to the European press on 5 November, as well as of the national launches. He thanked Ms Wilmya Zimmermann and Mr Claude Gillard at both events.

The presentation to the LIBE Committee of the European Parliament was fully attended, and several questions were raised. In 2010, the Annual report will be presented to the European Parliament and to a Council of Ministers.

Mr João Goulão and the Director will participate in the national launch scheduled for 21 December at the Portuguese Parliament.

**VII.6. Planning of forthcoming meetings**

**EMCDDA/44/09**

The **Chair** informed the Management Board members of the dates foreseen for the meetings of the Management Board, the Executive Committee and the Budget Committee in 2010.

**VIII. Any other business**

**Mr Ingo Michels (DE)** announced that further to the elections of September, Ms Mechthild Dyckmans had been nominated drug coordinator for Germany, and will replace Ms Sabine Bätzing as member at the Management Board. He thanked the Chair for his activities within the Management Board.

**Ms Wilmya Zimmermann, representative of the European Parliament**, thanked the Management Board members for their good collaboration during her seven years of participation, and expressed her gratitude in particular for the Chair and the Director. MEP Barbara Dührkop Dührkop will replace Ms Wilmya Zimmermann.

**Mr Gabriel Denvir (UK)** stated that he will leave the Management Board. He qualified his membership as an exiting experience watching the EMCDDA going from strength to strength, under the skilled Chairmanship of Mr Reimen and the able leadership of Mr Götz.

**Mr Ralf Löfstedt (SE)** expressed his special thanks to Mr Reimen and wished the leaving members all the best.

The next Management Board meeting will take place on 1–2 July 2010.

João GOULÃO  
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

**40<sup>th</sup> meeting of the EMCDDA Management Board**
**Lisbon, 3–4 December 2009**
**LIST OF PARTICIPANTS**

<b>Belgium</b>	Mr Claude GILLARD
<b>Bulgaria</b>	Ms Tzveta RAYCHEVA
<b>Czech Republic</b>	Ms Lucia KISSOVA
<b>Denmark</b>	Mr Mogens JÖRGENSEN
	Ms Katrine SCHJØCHJØNNING
<b>Germany</b>	Mr Ingo MICHELS
	Mr Dirk LESSER
<b>Estonia</b>	Mr Andri AHVEN
<b>Ireland</b>	Mr Alan BELL
<b>Spain</b>	Ms Carmen MOYA GARCIA
	Ms Isabel NOGUER ZAMBRANO
<b>France</b>	Mr Julien EMMANUELLI
<b>Italy</b>	Ms Elisabetta SIMEONI
	Ms Silvia ZANONE
<b>Cyprus</b>	Mr Stelios SERGIDES
<b>Latvia</b>	Mr Maris TAUBE
<b>Lithuania</b>	Ms Audronė ASTRAUSKIENĖ
<b>Luxembourg</b>	Mr Marcel REIMEN
	Mr Mike SCHWEBAG
<b>Hungary</b>	Mr Peter PORTÖRÖ
<b>Malta</b>	Mr Richard MUSCAT
<b>The Netherlands</b>	Mr Marcel DE KORT
<b>Austria</b>	Mr Franz PIETSCH
	Ms Christina KRAL
<b>Poland</b>	Mr Piotr JABŁONSKI
<b>Portugal</b>	Mr João GOULÃO
	Mr Manuel CARDOSO
<b>Romania</b>	Mr Maximilian NICOLAE
<b>Slovenia</b>	Mr Joze HREN
<b>Slovakia</b>	Ms Dana LÓZIOVÁ
<b>Finland</b>	Mr Tapani SARVANTI
<b>Sweden</b>	Mr Ralf LÖFSTEDT
<b>UK</b>	Mr Gabriel DENVIR
	Mr John McCracken
<b>Norway</b>	Ms Lilly Sofie OTTESEN
	Mr Carel EDWARDS
<b>EUROPEAN COMMISSION</b>	Ms Caroline HAGER
	Mr Michael HÜBEL (DG SANCO)
	Ms Carla ROSSI
<b>EUROPEAN PARLIAMENT</b>	Ms Wilmya ZIMMERMANN
	Mr Thomas KATTAU
<b>POMPIDOU GROUP</b>	Mr Michael FARRELL
<b>SCIENTIFIC COMMITTEE</b>	Mr Alan LODWICK
<b>REITOX</b>	Mr Wolfgang GÖTZ
<b>EMCDDA</b>	Mr Gonçalo FELGUEIRAS
	Ms Monika BLUM

**LIST OF DECISIONS**

**I. Adoption of the agenda**

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

**IV. Points for decision/adoption/endorsement by the Management Board:**

**VI.1. Amendment n° 2 to the 2009 budget** **EMCDDA/29/09**

The Management Board adopted by unanimity the amendment n° 2 to the 2009 budget.

**VI.2. EMCDDA budget for 2010** **EMCDDA/30/09**

The Management Board adopted the 2010 budget with the abstention of the European Commission. The final document, with the two modifications proposed by the Budget Committee, will be circulated to the Management Board members.

**VI.3. Work programme for 2010** **EMCDDA/31/09**

The Management Board adopted the 2010 work programme subject to a formal opinion of the European Commission which will not request substantial changes to the document. Should this be the case, the revised 2010 work programme will be submitted to the Management Board for adoption by simplified written procedure before the end of December 2009.

**VI.4. Preliminary draft budget for 2011** **EMCDDA/32/09**

The Management Board adopted the preliminary draft budget for 2011 with the abstention of the European Commission. The final document, with the two modifications proposed by the Budget Committee, will be circulated to the Management Board members.

**VI.5. Staff policy plan 2011–13** **EMCDDA/33/09**

The staff policy plan for 2011–2013 was adopted subject to the final opinion of the European Commission.

**VI.6. Election of Vice-Chair of the Management Board (2010–2012)  
(restricted session)** **EMCDDA/34/09**

The Management Board elected Mr Claude Gillard in the fourth voting round by 25 votes for and 6 abstentions for a first mandate as Vice-Chair of the Management Board.

**VI.7. Election of Chair of the Management Board (2010–2012)  
(restricted session)** **EMCDDA/35/09**

The Management Board elected Mr João Goulão in the fourth voting round by 27 votes for and 4 abstentions for a first mandate as Chair of the Management Board.

**VI.8. Election of one member of the Budget Committee (2010–2012)  
(restricted session)** **EMCDDA/36/09**

The Management Board renewed by unanimity Mr Claude Gillard as Budget Committee member. Upon proposal of the Budget Committee, the Management Board elected at unanimity Mr Claude Gillard as Chair of the Budget Committee.

**VI.9. Memorandum of Understanding between the EMCDDA and Ukraine**

**EMCDDA/37/09**

The Management Board agreed by unanimity with the Memorandum of Understanding between the EMCDDA and Ukraine and mandated the Director to sign it.

**VI.10. Appointment of members of the Scientific Committee**

**EMCDDA/38/09**

Upon recommendation of the Executive Committee, the Management Board renewed all members of the Scientific Committee for the next mandate from 2011 to 2013 and extended the validity of the reserve list for the same period. The Management Board will discuss the selection procedure for the next Scientific Committee at the end of 2012.

**VII. Points for information:**

**VII.1. Monitoring of implementation of the EMCDDA work programmes**

**EMCDDA/39/09**

The EMCDDA will provide a mid-term review on the monitoring of the implementation of the EMCDDA three-year work programme for 2010-12.

**VII.2. State of play of the inter-institutional debate on EU agencies**

**EMCDDA/40/09**

The EMCDDA will forward the final evaluation report on EU decentralised agencies, which will be addressed to the EU Institutions (European Parliament, Council and European Commission), agencies and Member States, to the Management Board members.

**IX. Any other business**

The next meeting will take place from 1 to 1 July 2010 in Lisbon.

### LIST OF ACTION POINTS

Agenda point	Action to take	Responsible	Date
VI.2.	Circulate final document to Management Board members	EMCDDA	December 2009
VI.3.	- Circulate final opinion of the European Commission to Management Board members - Adoption of the work programme by written procedure	EMCDDA, Chair	January 2010
VI.4.	Circulate final document to Management Board members	EMCDDA	December 2009
VI.5.	- Circulate final opinion of the European Commission to Management Board members together with final Staff Policy Plan 2011-13	EMCDDA, Chair	January 2010
VI.9.	Signature of Memorandum of Understanding between the EMCDDA and the Ukraine	EMCDDA Director	January 2010
VI.10.	Discuss selection procedure for new Scientific Committee (2013-2015) at the end of 2012	EMCDDA, Chair	Autumn 2012
VII.1.	Mid-term review of monitoring of the implementation of the 2012-2012 work programme	EMCDDA	April-May 2011
VII.2.	Forward final evaluation report on EU agencies to Management Board members	EMCDDA	January 2010
VII.3.	Update overview on implementation of key indicators in Europe for Management Board meeting December 2010	EMCDDA	September 2010