

JOINT ACTION

of 29 November 1996

adopted by the Council on the basis of Article K.3 of the Treaty on European Union, concerning the exchange of information on the chemical profiling of drugs to facilitate improved cooperation between Member States in combating illicit drug trafficking

(96/699/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Considering that the Europol Drugs Unit has developed special competence in ballistic profiling of seized drugs;

Having regard to the Treaty on European Union, and in particular Article K.3 (2) (b) thereof,

Whereas the sharing of information envisaged by this joint action is not intended to replace or affect any bilateral or multilateral arrangements concerning the chemical profiling of drugs, or to require the setting up of any new structures within the Council;

Having regard to the initiative of Ireland,

Recalling the report of the experts on drugs approved by the Madrid European Council on 15 and 16 December 1995 and, specifically, the action proposal therein relating to the chemical profiling of drugs;

Recognizing the benefits of enhancing cooperation between Member States' forensic science laboratories,

Bearing in mind the conclusions of the seminar in Dublin on 30 July 1996 on the chemical profiling of drugs, which involves the qualitative and quantitative determination of most components in a sample of a seized drug;

HAS ADOPTED THIS JOINT ACTION:

Article 1

Whereas it is in the common interest of the Member States to identify the trends of illicit drug production and manufacture and to map the supply lines of controlled drugs;

This joint action is intended to establish a more cohesive mechanism for the transmission and dissemination of the results of drug profiling in Member States. It envisages the exchange of information relating to the chemical profiling of cocaine, heroin, LSD, amphetamines and their ecstasy-type derivatives MDA, MDMA and MDEA, and such other drugs or psychotropic substances as Member States see fit.

Whereas it is in the same common interest to improve information and intelligence for law enforcement purposes on the sources and routes of illicit drug trafficking;

Article 2

Whereas it is in the said common interest to maximize evidential material relating to drug seizures, for judicial services of Member States;

The Europol Drugs Unit is hereby designated as the authority to which information from Member States concerning chemical profiling is to be transmitted.

Considering that forensic science laboratories of the Member States have developed specialized competences, skills and expertise in the chemical profiling of drugs, which is of significant benefit to law enforcement agencies in individual Member States in the fight against illicit drug production and trafficking;

Article 3

Considering that the sharing of this information would be an important contribution to the European Union's efforts in tackling illicit drug production and trafficking;

The information supplied to the Europol Drugs Unit shall take the following format:

- (i) analysis of drugs in tablet form:

- (a) physical dimensions of the sample — size, weight, colour;
- (b) designs and markings — type and position of logo;
- (c) type and quantity of the main drug found in the sample;
- (d) type and quantity of all other component substances discovered during analysis;
- (e) picture of the sample;
- (f) case registration (identification) number;
- (ii) analysis of drugs not in tablet form:
- (a) type and quantity of the main drug found in the sample;
- (b) type and quantity of all other component substances discovered during analysis;
- (c) case registration (identification) number.
- Article 4*
- The Europol Drugs Unit shall transmit to all Member States the information supplied under Article 3.
- Article 5*
- This joint action shall enter into force on the day of its adoption.
- Article 6*
- This joint action shall be published in the Official Journal.
- Done at Brussels, 29 November 1996.
- For the Council*
The President
N. OWEN
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