Council Decision (EU) 2020/286 of 27 February 2020 on the position to be taken on behalf of the European Union in the sixty-third session of the Commission on Narcotic Drugs on the addition of one substance to the list of substances in Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

COUNCIL DECISION (EU) 2020/286

of 27 February 2020

on the position to be taken on behalf of the European Union in the sixty-third session of the Commission on Narcotic Drugs on the addition of one substance to the list of substances in Table I of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (the 'Convention') entered into force on 11 November 1990 and was concluded by the Union by Council Decision 90/611/EEC[(1)].

(2) Pursuant to Article 12(2) to (7) of the Convention, substances may be added to the Tables of the Convention in which drug precursors are listed.

(3) During its sixty-third session from 2 to 6 March 2020 in Vienna, the Commission on Narcotic Drugs is to take a decision on the addition of one substance to Table I of the Convention.

(4) It is appropriate to establish the position to be taken on the Union's behalf in the Commission on Narcotic Drugs, as the decision will have legal effect in the Union and will be capable of decisively influencing the content of Union law, namely Council Regulation (EC) No 111/2005[(2)] and Regulation (EC) No 273/2004 of the European Parliament and of the Council[(3)].

(5) According to the assessment of the International Narcotics Control Board, the substance methyl *alpha*-phenylacetoacetate (MAPA) is frequently used in the illicit manufacture of amphetamine and methamphetamine. There is evidence that the volume and extent of the illicit manufacture of these narcotic drugs and psychotropic substances poses serious public health or social problems so as to warrant the placing of methyl *alpha*-phenylacetoacetate (MAPA) under international control. The illegal manufacture of amphetamine and methamphetamine causes significant public health and social problems in the Union. Incidents relating to the trafficking of methyl *alpha*-phenylacetoacetate (MAPA) are increasing in both amount and frequency,

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2020/286. (See end of Document for details)*

and organised crime groups in the Union are illegally exporting amphetamine and methamphetamine to third countries.

(6) The Union's position should be expressed by the Member States of the Union that are members of the Commission on Narcotic Drugs,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the sixty-third session of the Commission on Narcotic Drugs shall be to add the substance methyl *alpha*-phenylacetoacetate (MAPA) to Table I of the Convention.

Article 2

The position set out in Article 1 shall be expressed by the Member States of the Union that are members of the Commission on Narcotic Drugs, acting jointly.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 27 February 2020.

For the Council

The President

D. HORVAT