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'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

No. prev. doc.: 14203/20 + ADD 1; 5803/1/21 REV 1

Subject: Draft Council Decision on the position to be taken, on behalf of the European Union, in the sixty-fourth session of the Commission on Narcotic Drugs on the scheduling of substances under the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol and the Convention on Psychotropic Substances of 1971
- new psychoactive substances

1. The United Nations (UN) Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, and the UN Convention on Psychotropic Substances of 1971 ('the Conventions') are the main international drug control treaties, together with the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.
2. States parties to the Conventions are required to ensure that the mandatory control measures are applied to the substances listed in the Schedules annexed to the Conventions. The purpose of this listing is to control and limit the use of these drugs according to a classification of their therapeutic value, risk of abuse and health dangers, and to minimise the diversion of precursor chemicals to illegal drug manufacturers.

3. Decisions to change the scope of control of substances are taken by the Commission on Narcotic Drugs (CND), through decisions to make certain changes to the Schedules of the Conventions, on the basis of recommendations by the World Health Organisation.
4. The CND, during its sixty-fourth session from 12 to 16 April 2021 in Vienna, is to adopt decisions on the scheduling of substances under the Conventions.
5. On 17 December 2020, Commission presented a proposal for a Council decision on the position to be expressed, on behalf of the European Union, in the 64th CND session on the scheduling of 12 psychoactive substances under the Conventions (document ST 14203/20 + ADD 1).
6. The Commission proposal was analysed at the meeting of the Horizontal Working Party on Drugs (HDG) on 9 February 2021. The revised version of the proposal contained in document ST 5803/21 was endorsed by the HDG on 9 February 2021, subject to the correction of clerical mistakes in the chemical names of the psychoactive substances. The revised version with the corrected chemical names as contained in document ST 5803/1/21 REV 1 was endorsed by the HDG on 16 February 2021.
7. **In view of the above, the Permanent Representatives Committee is invited to recommend to the Council that it adopt the Council decision on the position to be taken, on behalf of the European Union, in the sixty-fourth session of the Commission on Narcotic Drugs on the scheduling of 12 psychoactive substances under the United Nations Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, and under the United Nations Convention on Psychotropic Substances of 1971, as set out in document ST 6193/21, as an 'A' item at one of its forthcoming sessions.**