

## LAWS AND REGULATIONS

### PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

*In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances,  
the Secretary-General has the honour to communicate the following legislative texts.*

#### SPAIN

#### Communicated by the Government of Spain

##### NOTE BY THE SECRETARIAT

- (a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [ ] have been added or changed by the Secretariat.
- (b) Only passages directly relevant to the control of narcotic drugs or psycho-tropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

#### **ROYAL DECREE No. 541, OF 25 MARCH 1994, AMENDING ROYAL DECREE No. 1677, OF 11 SEPTEMBER 1985, CONCERNING INTERMINISTERIAL COORDINATION FOR THE EXECUTION OF THE NATIONAL DRUG PLAN, AND EXPANDING THE COMPOSITION OF THE INTERMINISTERIAL GROUP**

The Congress of Deputies, at its meeting on 27 October 1984, charged the Government with the formulation of a drug prevention plan.

To that end, the Council of Ministers established an interministerial working group, which was made up of the ministerial departments most directly involved. At the proposal of this working group, the National Drug Plan was adopted by the Council of Ministers on 24 July 1985.

In response to the need to provide for coordinated activities among different public authorities, Royal Decree No. 1677, of 11 September 1985, concerning interministerial coordination for the execution of the National Drug Plan, established a coordinating structure for the implementation of this National Plan through the setting up of an interministerial group, with the assignment of a single-person organ, namely the Government Coordinator, to serve as its Secretariat.

The interministerial group, initially composed of the Minister of Health and Consumer Affairs, the Minister of Labour and Social Security, the Minister of Justice and the Minister of the Interior, was expanded by Royal Decree

No. 352, of 7 April 1989, to include the Minister of Education and Science and the Minister of Social Affairs, those latter ministers being regarded as directly concerned by the development and outcome of the programmed activities for the prevention of drug addiction and social reintegration of drug-dependent persons.

However, the present structure of the interministerial group is no longer geared to the nature of the drug problem and its economic and international repercussions. As a result of its internationalization, the fight against drugs has led to the establishment of a large number of working groups within international organizations in order to deal in a more coordinated and efficient manner with all the problems to which it gives rise. It is thus advisable to include within the interministerial group, with the aim of promoting and enhancing its coordination, the Minister for Foreign Affairs as the person responsible for the ministerial department whose assigned functions are concerned with international relations.

Moreover, one of the fundamental problems posed by drugs is the organized dimension of the trafficking in such substances and the use made of financial systems, primarily for the purpose of laundering the proceeds of illicit drug activities. It is therefore advisable to include also the Minister of Economic and Financial Affairs within the interministerial coordination group.

Finally, with a view to improving the coordination mechanisms, it is also necessary to include the Minister in charge of the Prime Minister's Chancellery.

Furthermore, Royal Decree No. 2314, of 29 December 1993,<sup>1</sup> amending the ministerial assignment of the Government Commission for the National Drug Plan, delegates [to the Ministry of the Interior the responsibilities assigned] to the Ministry of Social Affairs, through the Government Commission for the National Drug Plan. By reason of this new ministerial assignment, responsibility for presiding over the group should devolve upon the Minister of the Interior.

Accordingly, at the joint proposal of the Minister for Foreign Affairs, the Minister of Justice, the Minister of Economic and Financial Affairs, the Minister of the Interior, the Minister of Education and Science, the Minister of Labour and Social Security, the Minister in charge of the Prime Minister's Chancellery, the Minister of Health and Consumer Affairs and the Minister of Social Affairs, following approval by the Minister for Public Authorities and after deliberations by the Council of Ministers at its meeting on 5 March 1994,

## **I HEREBY DECREE:**

### **Sole article**

1. Article 1.1 of Royal Decree No. 1677, of 1 September 1985, concerning interministerial coordination for the execution of the National Drug Plan, shall be reworded as follows:

#### **“Article 1**

“1. The interministerial group for the National Drug Plan shall be composed of the Minister for Foreign Affairs, the Minister of Justice, the Minister of Economic and Financial Affairs, the Minister of the Interior, the Minister of Education and Science, the Minister of Labour and Social Security, the Minister in charge of the Prime Minister's Chancellery, the Minister of Health and Consumer Affairs and the Minister of Social Affairs. Responsibility for presiding over the interministerial group shall devolve upon the Minister of the Interior.”

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<sup>1</sup>E/NL.1998/33.

2. Article 6 of the aforementioned Royal Decree No. 1677 of 1985 shall be reworded as follows:

“Article 6

“Within the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Defence, the Ministry of Economic and Financial Affairs, the Ministry of the Interior, the Ministry of Education and Science, the Ministry of Labour and Social Security, the Prime Minister’s Chancellery, the Ministry of Health and Consumer Affairs and the Ministry of Social Affairs, an internal coordinator shall be appointed for the purposes of the National Drug Plan. Also, a coordinator shall be appointed within the Office of the Prime Minister.”

**Sole final provision**

The present Royal Decree shall enter into force on the day following the date of its publication in the *Official State Gazette*.

Done at Madrid, on 25 March 1994.

JUAN CARLOS, KING

The Minister for Public Authorities  
ALFREDO PEREZ RUBALCABA