

CICAD Technical Experts' Sub-Group

Recommendations to CICAD to address the problem of methamphetamine precursor diversion

During the meeting of the Group of Experts on chemical substances and pharmaceutical products held in Quito, Ecuador, on July 11 – 15, 2011, a sub-group proposed the initiative to address the problem of methamphetamine precursor diversion.

The sub-group was composed of representatives from Costa Rica, Ecuador, United States, Guatemala, Mexico, Panamá, Paraguay, Dominican Republic, Trinidad y Tobago, and Venezuela.

Uruguay also participated as an observer.

Objectives: To advise CICAD of the newly identified trends in methamphetamine precursor diversion in the region as identified by the Group of Experts and to submit a proposal and plan of action to address the issues for their consideration and approval.

Background

As a result of enhanced controls, in some countries, of the internationally controlled chemical substances illicitly used as methamphetamine precursors (e.g. ephedrine, pseudoephedrine and pharmaceutical preparations that contain them), an increase in illicit traffic of phenylacetic acid, its salts, esters, and derivatives has been detected in the region. Additionally, new routes, diversion techniques, and modalities have also been detected.

The shipments entering the Western Hemisphere that ultimately supply methamphetamine-producing clandestine laboratories, mainly come from Asia (Bangladesh, China, and India) and Europe (Germany, Belgium) and are mainly destined for Mexico and Central America.

It should be noted that some of these shipments may depart the source countries legitimately but when they are detected in the Western Hemisphere many are identified as not authorized by the destination countries. Eventually, the problem may expand to other countries in the region, as experienced with other substances.

Different methods being used for precursor diversion, including:

- “Technical smuggling” (falsifying precursor documentation and labeling to pass the precursors as non controlled products, using licit trade channels);

- Substances or products are smuggled by land border zones remote from the reach of authorities; and
- Precursors are concealed by using modalities similar to those used to conceal illicit drugs.

Methods of methamphetamine synthesis using alternative precursors to ephedrine or pseudoephedrine, including methods using phenylacetic acid (PAA), its salts, esters, and derivatives, pose a new challenge for control and regulatory authorities. For example, some countries control only PAA itself (and sometimes its salts), as provided in Table I of the 1988 UN Convention, but not PAA esters or derivatives. To demonstrate the gravity of the problem, Appendix 1 presents seizure statistics and some trafficking routes that have been identified by INCB's Operation PAAD (Phenyl Acetic Acid and Derivatives) under Project Prism.

China and India remain the major suppliers of methamphetamine precursors, and the lack of pre-notification of some shipments to the destination countries exacerbates this problem. Some precursor-exporting or transit countries also fail to pre-notify shipments of PAA and its salts as required by the 1988 Convention. Although not required by the Convention, failure to pre-notify shipments of esters and derivatives also impedes control by the "importing" countries.

Proposal

To form a working group, to be chaired by Mexico, which will invite representatives of the region, in order to carry out the information-gathering exercise in the Working Group Plan of Action below, and to coordinate meetings with government authorities and private sector entities in countries where manufacturing and exportation of the subject chemicals takes place. The working group will in turn form a delegation, including technical specialists and diplomatic officials in countries of the region, supported by officials of the CICAD Executive Secretariat. It is expected that the delegation will be comprised of experts from Mexico and select Central American countries, along with officials of the Executive Secretariat.

Funding for the activities of the working group shall be at the Member States' expense. Additionally, funding for delegation's travel shall also be provided by member states, unless otherwise provided.

Working Group Plan of Action

Based on the analysis of the OAS Member States' experience with precursor diversion, clandestine methamphetamine production laboratories, violence, organized crime, and related offences surrounding this illicit business, among others, the working group will undertake the following actions in preparation for the delegation's contact with previously identified source countries.

1. Identify which countries and businesses produce and export the substances in question.

2. Identify the current control measures applied by participating OAS Member States to methamphetamine precursors, which will be indicated in a matrix to be prepared with input from competent authorities of responding countries. This action will allow the identification of the countries and regions that require the strengthening of controls.
3. Obtain historical data, for at least the past three years, related to the licit imports and exports of the precursors that are the object of this proposal, in order to further identify additional significant increases. Information related to seizures of precursors will be collected for the same time period.
4. Inform SICA (Central American Integration System), the INCB, and CARICOM (Caribbean Community) and other multilateral organizations of the actions that are proposed with the support of the CICAD Executive Secretariat.
5. Request that the CICAD Executive Secretariat extend an invitation to those countries that did not participate in the CICAD Group of Experts Meeting on Chemical Substances and Pharmaceutical Products in Quito, Ecuador from July 11 to 15, 2011.
6. Establish the necessary contacts in advance, through formal letters that inform the appropriate authorities of the countries that will be visited.
7. Identify topics of interest that the delegation (described in first paragraph of this proposal) will address at the meetings with the contacted countries.

(described in the first paragraph of this proposal)

Recommendation:

That the OAS-CICAD Commission approves this proposal, as well as the plan of action for the working group, at the next regular session.