

CICAD's Model Regulations as a tool to strengthen the control of precursor chemicals in the region

Virtual Meeting on the Control of Precursor Chemicals
Within the Context of the COVID-19 Pandemic
October 14, 2020



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CICAD/OAS Supply Reduction Unit

Mission

To strengthen the capacities of OAS member states to control illicit drug production and trafficking, as well as the diversion of chemical precursors used in their manufacture.

Execution

Strengthening the control of chemical precursors through the Group of Experts on Chemical Substances and Pharmaceutical Products, as well as technical assistance and capacity-building activities.



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Group of Experts on Chemical Substances and Pharmaceutical Products

Hemispheric-level forum that brings together representatives of member states linked to the control of chemical precursors that are - or may be - used in the manufacture of illicit drugs.



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Model Regulations

- Reference tool for OAS member states.
- It includes general aspects on the problem of chemical precursor control.
- Response to the dynamic nature of illicit drug manufacture.



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Latest update of the Model Regulations

2019

- Review and update of the Model Regulations by the Group of Experts.
- Participation of 36 experts from 10 member states, UNODC and COPOLAD.



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Model Regulations 2019

- The document has 45 articles, divided into 16 parts

Part I. Purpose and Scope of Application

Part II. Definitions

Part III. Tables of Chemical Substances

Part IV. Substances under Surveillance

Part V. Mixtures

Part VI. Control Measures

Part VII. Import, Export Transit and Transshipment Requirements

Part VIII. Pre-Notification

Part IX. Reports of Irregular Movements

Part X. Offences

Part XI. Investigation and Proof of Offences

Part XII. Extradition and Mutual Legal Assistance

Part XIII. Civil, Administrative and Other Criminal Offences

Part XIV. Final Disposition of Seizure and/or Forfeiture of Chemical Substances

Part XV. Competent Authorities for International Cooperation

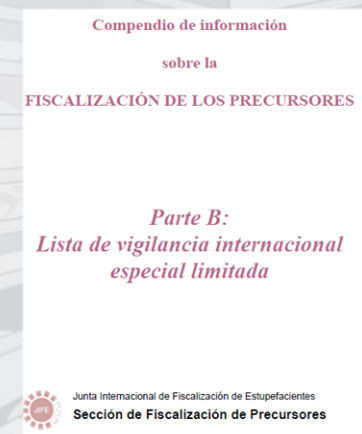
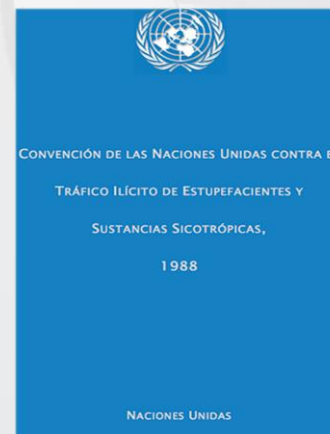
Part XVI. Cooperation with Operators and with the Private Sector



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2019 Model Regulations – New Additions

- The new version includes the **illicit production of precursors** from non-controlled chemical substances and the emerging problem of the so-called “**designer**” precursors.
- **Automatic updating** of chemical substances included in the annexes as Tables I and II of the 1988 United Nations Convention are modified.
- **Table III** of the Model Regulations must contain at least the substances included in **INCB's special surveillance list**.



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2019 Model Regulations – New Additions

- Inclusion of the concepts of **operator** and **intermediary** .
- Expansion of the term **manufacturing** to also include obtaining chemical substances that could be used in the illicit manufacture of drugs.
- Redefinition of **chemical substance** in order to consider “design” precursors and non-controlled chemical substances used to obtain precursors.
- Inclusion of the term **traffic**.
- Added the definition of **irregular movement or suspicious transactions**.



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2019 Model Regulations – New Additions

- Incentive for **international cooperation** to establish control parameters for new trends.
- **New requirement** for the granting of authorizations.
- Inspections of **non-authorized operators** and **operators handling of non-controlled chemical substances**.
- **Action protocol** for possible crimes.
- Designation of **sensitive areas or routes** within the national territory.



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2019 Model Regulations – New Additions

- Strengthening of **customs' capacities**.
- **Pre-notification** of foreign trade linked to the **substances included in Tables II and III**.
- Expansion of actions considered a **crime**.
- Incorporation of new **investigative tools**.
- Obligation to develop a **protocol** for the process of **final disposal of seized or confiscated chemical substances**.
- **Expansion of cooperation with the private sector** beyond the chemical industry.



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Model Regulations 2019 - Recommendations

Expedited updating of
control lists

Use of online platforms for
the exchange of information

Implementation of
evidence-based control
policies

Increase of international
cooperation

Risk profiling

Strengthening the control
of electronic commerce



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Model Regulations 2019 - Recommendations

Protection of officials who report or investigate

New signs of illicit traffic

Consider individual tariff code designation

The use of adulterants as an aggravating factor

Information and evidence processing

Updating the text of the recommendations



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Thank you!

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