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Note of the 4th meeting between the EC and the Andean Community on the agreement on precursors and chemical substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances

Brussels 12 June 2002

Introduction

The meeting was co-chaired by Mr John Pulford for the Commission and Mr Oswaldo Antezana from Bolivia representing the Presidency of the Andean Community. Representatives from Ecuador were unable to attend and their interests were represented by Bolivia. Representatives from Colombia, Peru and Venezuela were also present. From the MS Austria, Belgium, Denmark, Germany, Greece, Ireland, Netherlands, Portugal, Spain, Sweden and United Kingdom were represented.

Both sides welcomed the opportunity to discuss matters of mutual interest relating to precursor control, and the Commission thanked the Andean countries for making the effort to come to Brussels for the meeting. It was agreed that such meetings added greatly to the understanding and resolution of difficulties and led to enhanced co-operation. The agenda was adopted with one addition from Spain who wished to mention a regional conference under AOB.

Mechanisms of the agreement

- **Report on the setting up and the functioning of the pre-notification system. Strengthening of the measures for international control (Perú)**

Peru reported on the system of pre-export notifications. During 2001 they had received 48 and so far in 2002 30 have been received. The MS most frequently involved are Germany, Netherlands, Belgium and Spain. Other Andean countries also received most notifications from these MS. Some shipments had been sent without pre-export notifications but most of these were for non-controlled chemicals. Details of the ministries involved and procedures for dealing with these notifications were also given.

It was agreed that pre-export notifications are a useful control tool and efforts should be made to improve monitoring systems. Germany commented that it is sometimes difficult to know who to contact and which forms are used. The Commission proposed the preparation of a small manual which would contain all these details and which could be developed as part of the technical assistance programme. This was welcomed.

- **Discussion on the possible addition of new chemicals not considered in the current agreement (Bolivia)**

Both Colombia and Bolivia spoke about the problem of diversion of Sodium Carbonate. Sodium Carbonate is an essential chemical in Cocaine production. Operations to dismantle laboratories generally find Sodium Carbonate among the chemicals seized. There is a huge volume of legitimate trade in this chemical and there is evidence of diversions taking place. For these reasons Bolivia asked for Sodium Carbonate to be included in the Annex to the agreement so that pre-export notifications can be exchanged.

Many chemicals are used in extraction and refining processes; in Colombia over 70 chemicals are listed and only 8 of these are controlled substances. For this reason the Colombian delegation felt it was necessary to develop an appropriate co-operation mechanism to detect the substances used eg solvents.

The Commission explained that because of the vast amount of legitimate trade and the extensive use of Sodium Carbonate in everyday life control would be difficult. Bolivia was asked to produce a paper on the question for consideration by the MS at the next precursor Committee in September. Bolivia agreed that difficulties exist but added that they were looking at ways of controlling even more common substances such as cement and pointed to the concept of shared responsibility. They agreed to produce a paper on the subject and welcomed the Commission's decision to put it to the MS for consideration at the EU level.

Report of the Andean countries on the inspection of pharmaceutical products of special control and synthetic drugs in the region (Colombia)

Colombia reported on problems of diversion of pharmaceutical products and explained how these products are controlled and distributed. One improvement to control mechanisms could be a merging of the lists of substances set out in the 3 UN Conventions. The emerging problem of synthetic drugs was also raised. This is a relatively new but growing problem in the region. None of the precursors used in illicit manufacture of synthetic drugs are produced in the region and the importance of sending pre-export notifications for Table 1 substances was highlighted. The problem is a new one for law enforcement services and training is required along with help in improving legislation to cope with the new developments.

Report of the EU on experiences regarding the actions underway to prevent the diversion of the chemicals used in the illicit manufacture of synthetic drugs.

The Commission responded to the Colombian presentation by explaining that pre-export notifications are sent as a matter of course for all exports of Table 1 substances. This has been the case for some years. An explanation was also given about efforts made to prevent the diversion of chemicals used in the illicit manufacture of synthetic drugs such

as the development of Guidelines for the chemical industry and a list of non-controlled chemicals that are subject to voluntary monitoring measures. The Resolution on this subject presented by the Community at the Commission on Narcotic Drugs in 2001 was seen as a catalyst to stimulate actions at the international level and this has now culminated in a conference being organised by the International Narcotics Control Board in Washington later this month. It is hoped that a series of actions will be proposed and adopted to deal with the diverse aspects of the problem.

An evaluation of Community legislation is also underway and amendments are expected to be proposed.

Technical co-operation.

- **Situation of the project for technical co-operation between the EU and the Andean countries. Study visits. (EU)**

The Commission is keen to work in this field and hopes to establish, in co-operation with Andean partners, a programme of activities that will be helpful and effective. The Commission thanked the Andean countries for the information already provided on the assistance of other donors in this field.

Several suggestions were made from the Commission side including:

- * the establishment of a link between the Commission's anti-fraud information service (AFIS) and the RETCOD system in the Andean region. A pilot project is planned;
- * work with the chemical industry on awareness raising and voluntary co-operation. A similar project has worked very well in Eastern Europe.
- * assistance with administrative capacity building;
- * study visits by representatives for the Andean countries to the MS. This could be particularly useful in exchanging experiences in dealing with diversion of precursors used in illicit synthetic drug manufacture;
- * provision of equipment;
- * development of a manual setting out provisions in force, details of competent authorities, examples of forms etc. This could also be used as a means of providing a regular exchange of information.

The Andean countries confirmed their strong interest for EU assistance in the prevention of precursor diversion. It was felt that these proposals were very useful and it was agreed that the Andean countries should co-ordinate further and provide a considered response.

The Commission agreed to work on the preparation of a project on the basis of the discussions in the meeting. The Commission recalled that MS expertise might be necessary, especially for a possible fact-finding mission and in connection with study visits. Spain expressed an interest in participation.

- **Co-operation towards the strengthening of the administrative structure in the Andean countries for controlling chemicals (Venezuela)**

Venezuela suggested that assistance in strengthening administrative structures would be helpful. Means of improving control through licensing and early identification of transactions should be found. Systems should be strengthened using secure networks.

- **Technical assistance for the implementation of a uniform system of labelling for controlled chemicals (Perú)**

Peru reported that during operations many different forms of labelling and packaging for chemicals had been found. Often there were no labels and chemicals had been repackaged. This made policing and control difficult. Some sort of uniform system of labelling and packaging was proposed. The Commission commented that Community legislation has only basic requirements for labelling. The chemical industry may have general packaging requirements but these are not set out in precursors legislation.

Updating and distribution of competent authorities lists

The Andean side presented their updated list of competent authorities. The Commission asked if this could also be provided electronically. The list of competent authorities in the Community is being updated. An electronic copy of this was forwarded to the Bolivians on 13 June.

Any other business

Spain reported on a regional conference that will take place in Bolivia from 17-21 June. This is being organised in co-operation with the Spanish National Plan on Drugs on will focus on prevention and control of precursor diversion. It is aimed at the whole South American region and CICAD and some MS will also participate.

Date and venue for the next meeting

The Commission commented that meetings under agreement normally alternate between Brussels and the region concerned so it was agreed that the next meeting should take place in the Andean region. The timing will be decided later and will depend to a certain extent on the outcome of discussions on Sodium Carbonate but more importantly it was felt that the technical assistance project should be well underway so that some evaluation could be made.

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