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FINAL REPORT
OF THE GROUP OF EXPERTS FOR THE CONTROL
OF PRECURSORS, CHEMICAL SUBSTANCES,
MACHINES AND MATERIALS

(Provisional Version)

**MEETING OF THE GROUP OF EXPERTS
FOR THE CONTROL OF PRECURSORS,
CHEMICAL SUBSTANCES, MACHINES
AND MATERIALS**

**Santa Cruz de la Sierra, Bolivia
September 29 to October 2, 1998**

**OEA/Ser.L/XIV.4
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**FINAL REPORT
(Provisional Version)**

I. BACKGROUND

The Expert Group last met in Washington D.C. between April 29 to May 1, 1998, with the objective of analyzing, considering the written proposals for amending the Model Regulations to Control Diversion of Precursor Chemical, Machines and Materials previously submitted by member countries as well as new proposals. The Expert Group made a number of recommendations but did not conclude its work and submitted that it should be reconvened in September to conclude the amendment of the regulations paying particular attention to offence provisions, to consider procedures for harmonizing controls over the international movement of chemicals such as pre-export clearances and import, export and transshipment control systems, review the countries' codification system for identifying chemical substances, to review a report by the Secretariat on a chemical control software system, and hear from the European Commission on the subject of harmonized controls.

The Government of Bolivia offered to host the next meeting and the meeting was agreed to be held in Santa Cruz de la Sierra, Bolivia, September 29 to October 2, 1998.

II. OPENING SESSION, WORKING SESSIONS AND CLOSING SESSION

The opening session was held in the morning of September 29, 1998 in the Hotel Los Tajibos in Santa Cruz de la Sierra, Bolivia. Mr. David Beall, Executive Secretary of CICAD gave opening remarks and the meeting was opened by Mr. Guillermo Canedo Patiño, the Vice-Minister of the Department of Defensa Social. The Chair, Mr. Michel Diban of Chile also addressed the meeting and it was agreed that the meeting should be co-chaired by Mr. Diban and a Bolivian representative. Mr. Gonzalo Ascarrunz, the Director of the Department of Cochabamba, of the General Directorate of Controlled Substances was appointed co-chair.

During the meeting, six working sessions were held in accordance with the Schedule of Activities. The various items of the Expert Group's mandate were considered at these sessions, including the consideration and adoption of the proposals of countries to amend the model regulations; an exposition of the Bolivian strategy to combat drug trafficking by Minister of State Mr. Guido Náyar; and a review of the European Community's efforts to prevent the diversion of precursor chemicals by Mr. Miguel Angel Flores, Consul of the European Commission to Bolivia, including particular mention of pre-export notification as one of the most effective measures for this purpose. The Executive Secretariat also gave a presentation on recent developments of a "Uniform Software for the Control of Chemicals" which will provide the responsible authorities with a valuable tool to facilitate the registration of business dealing in and utilizing these substances, overseeing the providing of import and export licenses and establishing an on-line basis for communications among national authorities responsible for the control of

these substances. In addition, Argentina, Colombia, Jamaica, Peru and Uruguay formed a working group with the Executive Secretariat to review the Tables to the Model Regulations, including inserting some new synonyms for substances and correcting some of the harmonized codes. The Group's decisions and recommendations appear below in this final report.

The Closing session was held on Friday, October 2, 1998 at which time a new Chair, Mr. Gonzalo Ascarrunz of Bolivia was elected by acclamation. The outgoing Chair, Mr. Michel Diban of Chile, thanked Government of Bolivia for all the support it had provided to make the meeting a success and also thanked the Executive Secretariat for its labors in that regard. The Group warmly applauded the Chair for his invaluable contribution to the management of the meeting.

III. OFFICERS, PARTICIPANTS AND OBSERVERS

The following member countries designated experts for the Meeting: Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, El Salvador, Guatemala, Jamaica, Mexico, Paraguay, Peru, the United States, Uruguay, and Venezuela.

Also attending this meeting as observers were Spain, France and Italy.

The names of the experts, observers and officials of CICAD's Executive Secretariat, who participated in the meeting are listed in CICAD/PRECUR/ BO/ doc.13/98 rev. 1.

IV. DOCUMENTATION

The documents taken into account in the work of this meeting are listed in CICAD/PRECUR/BO/doc.1/98.

V. CONCLUSIONS AND RECOMMENDATIONS

After holding six working sessions, the group of Experts reached the following conclusions and recommendations:

1. In accordance with its mandate, the Group continued to revise the Model Regulations, on the basis agreed to at its prior meeting in Washington D.C. and on the basis of written suggestions subsequently presented by several countries including Bolivia, Chile, Colombia, Jamaica, the United States, Mexico, Peru and Venezuela.

This review reflected the previously identified need to make significant changes and adjustments to the regulations, in light of the experience acquired by member states since 1990 when the regulations were first prepared.

The Group agreed:

- (a) to amend the title to read “Model Regulations to Control Chemical Substances Used in the Illicit Production of Narcotic Drugs and Psychotropic Substances”. It was concluded that the reference to chemical substances included “precursors” and that therefore no express reference to them was necessary. It was also concluded that controls over machines and materials had not been implemented in the years since the regulations had been approved and were not a major priority in the production of illicit drugs. References to machines and materials were deleted from the substantive part of the Regulations and a recommendation to control the diversion of tabulating and encapsulating machines was added.
- (b) to amend the Part addressing Substances under Surveillance to clarify its meaning.
- (c) to amend the drafting of the Part on Reports with certain technical amendments. As well, the confidentiality provisions were tightened. The Secretariat in reordering the provisions expanded the title to provide for greater specificity
- (d) to amend the various provisions of Control Measures to improve meaning and to add specific references to requirements for the issuance of a license.
- (e) to amend the Part referencing Import and Export requirements to clarify specific provisions in particular with respect to minimum information to be provided.
- (f) to add a new Part on Pre Notification of International Movements of chemicals.
- (g) to add a new Part on Competent Authorities for purposes of international communications and cooperation. In reorganizing the Parts of the Regulation, the Secretariat made this specific in the title of the Part.
- (h) to add an expanded version of Offences. It was also decided to add new Parts to provide for the Investigation and Proof of Offences, Remedial Measures and Extradition and Mutual Legal Assistance.
- (i) to add a new Part on Cooperation with the Private Sector.
- (j) to amend the recommendations to the Model Regulations in order to update them and to provide for the registration of brokers (proposal of United States), to recommend the establishment of national measures for

health, safety and environmental issues in relation to the handling storage, destruction and recycling of chemicals(proposal of Bolivia) and to prevent the diversion of tableting and encapsulating machines.

2. The Group agreed to provide recommendations to the Executive Secretariat on the definitions section by November 30, 1998, in order that they can be compiled by the Secretariat in anticipation of a concluding meeting. It was further agreed that proposals received after November 30 would not be considered.
3. The Group authorized the Executive Secretariat to amend the order of the Parts of the Model Regulations.
4. As noted at the preceding meeting in Washington D.C. in May, 1998 member states were reminded to advise the Commission through the Executive Secretariat of the applicable tables in which the 10-digit tariff classification code under the Harmonized System (H.S.) is being applied in their countries. The Executive Secretariat shall convey this information to all member countries.

The competent authorities shall advise the Executive Secretariat of any changes in the classification code of controlled products.

5. The Group thanked the Executive Secretariat for the presentation on the uniform software for the control of chemicals and urged the Secretariat to ensure the completion of its development.