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INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

**GUIDE OF GENERAL PRINCIPALS FOR ADOPTING NATIONAL
STRATEGIES FOR THE COMBAT OF SYNTHETIC DRUGS
TO BE PRESENTED IN THE EXPERTS GROUP IN CHEMICAL
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INTRODUCTION

Production of and trafficking in synthetic drugs by transnational criminal organizations has become one of the major topics on the international agenda.

This phenomenon in Mexico, the United States, and Canada at the hemispheric level has prompted our country's active role in forums such as the Meeting of the Group of Chemical and Pharmaceutical Experts of the Inter-American Drug Abuse Control Commission (CICAD), which is highlighting efforts to control the problem.

One example is the Strategy of the Mexican Government to Combat the Manufacture of and Trafficking in Methamphetamine, presented at the last Meeting of the Group of Chemical and Pharmaceutical Experts of the Inter-American Drug Abuse Control Commission (CICAD), held last August in Buenos Aires, Argentina. The instrument drew widespread attention from the participating countries and the members of the Commission.

It was therefore decided at the meeting that Mexico would prepare a Guide to offer participating countries the general principles and bases for adopting strategies like Mexico's to combat this form of drug trafficking, to be presented at the next plenary meeting in August of this year.

This underscores the active participation by our country and recognizes its leadership in the area. It should intensify the exchange of information on the diversion of chemical products and manufacture of synthetic drugs in the region.

General Bases

Input contributed by each country has been used to develop the general bases for the guide so that the Central and South American countries can plan or prepare national programs to attack the synthetic drugs problem.

The task force agreed upon the following bases:

- § That the Guide should present a macro-methodological approach, and not be a list of specific instructions for each country.
- § That it take a broad view of the problem so that the countries can draw from it to design their own specific policies and actions.

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- § That the Guide encompass the whole gamut of measures that should be considered.

PRINCIPLES

In preparation of this methodological Guide consideration was given to various general principles to facilitate the elaboration and application of different programs to prevent the diversion of and trafficking in chemical substances and their use in the production of synthetic drugs:

Crosscutting

- Crosscutting in government occurs when one or more public policies affect several government agencies, so that actions are carried out in one or more government area in their own jurisdiction but in a coordinated manner to ensure optimum results from the actions.
- Crosscutting requires consensus on the part of the various institutional agents involved in decision-making, and therefore demands cooperation among different hierarchical and sector levels, which implies vertical and horizontal interaction.

Shared responsibility

- Shared responsibility permits the precise definition of the fields, content, and scope of each commitment assumed, through agreement in plenary meetings, in the framework of the institutional responsibilities for their preparation, execution, and follow-up.

Comprehensiveness

- Highly complex phenomena must be addressed in terms of each of their elements with a view to increasing the understanding of their magnitude and dynamics, which will make it possible to get results from the actions taken to deal with and prevent them.

Specificity

- Specificity makes it possible to establish a planning horizon for defining goals, assuming commitments, sharing tasks, and establishing deadlines. These can be evaluated to achieve continuous improvement in the actions.

Permanency

- If an activity is permanent, it must have an interagency organizational structure that continually coordinates the exchange of information and

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enables decision-making based on the changing face of the phenomenon.

Flexibility

- Because the phenomenon is constantly changing, the specific actions to be undertaken must be able to be changed, broadened, or updated in order to generate a flexible mechanism for proactive activities as well as reaction.

Follow-up

- When necessary actions to address the synthetic drugs phenomenon are taken, it is essential to track them in order to verify their effectiveness in the field of action.

Feedback

- After each follow-up of actions to combat synthetic drug production, diversion, and trafficking, it is necessary that each institution, office, or member agency submit the information gathered, in order to be able to improve the operations for the prevention and combat of synthetic drugs.

ELEMENTS FOR STRUCTURING THE STRATEGY

Health services infrastructure

In order to combat the manufacture of and trafficking in synthetic drugs it is essential to address the population that uses them illicitly.

This requires an inventory of the areas of responsibility of the institutions of the government health system with specialized work in addiction prevention and treatment, as well as those concerned with statistical follow-up of the phenomenon.

It is necessary to revise the infrastructure and human and institutional resources to verify the health system's ability to meet the demand of addicts to synthetic drugs. Addict care requires specialized health personnel for their treatment and rehabilitation.

To identify the national and regional trend in drug use it is necessary to make a quantitative and qualitative study of the at-risk groups in the following areas:

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- § Socio-demographic profile.
- § Age of first use.
- § Drug of first use.
- § Drug of impact.
- § Drug using zones.
- § Disease rate from drug use.
- § Death rate from drug use.
- § Emergency room care provided for drug-related injuries.

Identifying the trend in synthetic drug use will make it possible to project health services coverage to meet the demand for care.

Awareness-building campaigns

A key factor for preventing drug use is prevention campaigns targeting the general public, to make people aware of the effects of synthetic drugs so they do not use them.

To prevent drug consumption, there must be direct contact with the at-risk population through lectures and workshops by specialized personnel, who promote awareness concerning the effects and consequences of using synthetic drugs.

For greater impact on the population, there is a need for printed matter that can be a tool for assessment and specialized knowledge about the effects and consequences of using synthetic drugs.

The handouts should be designed by specialists and aimed at health personnel, teachers, and parents to involve them in addiction prevention. They should be circulated in strategic areas based on the socio-demographic study of drug use.

Citizen tip culture

The objective of the citizen tip culture is to encourage community residents to participate by cooperating with authorities.

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Encouraging the citizen tip culture will also make it possible to strengthen citizens' communication with authorities, which is needed to increase public trust in actions undertaken by the law enforcement agencies.

Citizen participation will make it possible to expand the range of information because community members are in a better position for more rapid detection of the presence of strangers and elements from outside the community. It is therefore indispensable to encourage them to provide tips on a permanent basis.

To do this, it is necessary to establish mechanisms to guarantee the security and anonymity of the tipsters, in order to foster a tip culture in which the government and citizens work as one.

Some of the instruments for receiving citizen tips are:

- § Free hotline for anonymous telephone tips.
- § Distribution of flyers and other printed matter to promote community awareness regarding the use, trafficking, and sales of methamphetamine, emphasizing the need for citizens to file complaints.
- § An e-mail address to receive citizen complaints.

It should be stressed that the public has to perceive the reporting opportunities as clear and serious vehicles for their tips and that their anonymity will be protected.

Existence of clandestine laboratories in the communities

A synthetic drug laboratory is an illegal installation with equipment and chemical substances needed for their manufacture. They may be found in isolated rural areas, residential or commercial zones, and industrial sections.

Laboratories for clandestine manufacture of synthetic drugs pose the following hazards for the population:¹

- § The chemicals used to produce methamphetamine are highly volatile and may ignite or explode, posing risks not only inside the laboratory but also to anyone in the surrounding area.

¹ Methamphetamine Laboratory Identification and Hazards, National Drug Intelligence Center, 2004 (English), 2005 (Spanish).

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- § When chemical substances are not stored or mixed properly, there are often leaks that can pose health risks such as intoxication in the community.
- § Inhaling chemical vapors and gases resulting from methamphetamine production causes shortness of breath, cough, and chest pain.
- § The chemicals used are highly corrosive and may cause serious burns if they come into contact with the skin.
- § Ingesting contaminated food and/or beverages or the chemicals directly may result in potentially fatal poisoning, internal chemical burns, and harm to neurological and immunologic functioning.
- § There is a threat to the environment because manufacture of synthetic drugs produces toxic waste that can contaminate the soil and leach into the water supplies.

Dissemination of results

To strengthen government-citizen relations it is vital to disseminate the results of actions undertaken in the Strategy to Combat Manufacture of and Trafficking in Methamphetamine.

For greater impact it is best to use the mass media, especially the airing of television spots to reflect:

- § Government efforts in the area.
- § Citizen cooperation and the results obtained.
- § The impact of the actions taken on the society.

Group of experts

Criminal organizations have shown a great ability to adapt and respond to government initiatives of legislation to prevent and punish criminal activity.

It is therefore indispensable to form a group of experts to make a systematic review of the current laws and regulations in order to identify legal loopholes, and serve as a permanent mechanism for updating the law. The group should be interdisciplinary, with specialists in the following areas:

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- § **Chemistry**, to analyze the trend in the processes and chemical substances used in the clandestine manufacture of methamphetamine by criminal organizations.
- § **Law**, to review legislation, detect gaps, and draft proposed amendments to improve it.
- § **Economics**, to study the impact of proposals on the legal market that uses the chemical substances and the instruments proposed for controlling their use in the illicit manufacture of synthetic drugs.
- § **Customs regulations**, regulations needed on the import of precursor chemicals and essential chemicals into the country, based on the methods used by criminal groups to bring the chemical substances in illegally.
- § **Health**, to establish the necessary requirements for issuing authorizations to legal companies whose operation requires chemical substances and instruments that can be used by criminal organizations, thus detecting the loopholes they use for bringing them into the country.
- § **Transportation**, to identify companies and routes that could be used by criminal organizations, detect gaps in the regulations, and support the coordination of operations for control and inspection, according to the legal framework for each traffic mode (land, sea, and air).
- § **Public Prosecutor's Office**, an expert in health offenses to understand the needs for legislation from the perspective of day-to-day prosecution of the crime.

Members of the group of experts should be government officials whose day-to-day work in their respective agency equips them to meet the needs of the analysis group, drawing on their experience to contribute to the preparation of proposals to update the necessary laws and regulations to combat the criminal groups.

Flexibility of the legal framework

One characteristic of the legal framework is the inclusion of flexible mechanisms for amending it, for ease of review and reform to permit swift and timely response to the efforts to attain justice.

Administrative control plays a key role, because health officials need powers and authority to monitor the marketing chain for controlled chemical substances, implementing mechanisms for supervision and follow-up from importation through to final sale, all within a flexible regulatory framework that can be amended to counter shifting criminal approaches.

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Databases

Analysis of the incidence of crimes is a powerful tool for detecting new methods of criminal conduct, discovering routes and patterns of contraband and trafficking in synthetic drugs, precursor chemicals, and essential chemicals. These are appropriate tasks for the intelligence area.

A necessary tool for the intelligence work is databases for control of import and export of chemical substances, precursor chemicals, and essential chemicals.

The databases need to be kept up and supervised by government agencies responsible for issuing authorizations for the import and export of chemical substances, precursor chemicals, and essential chemicals for accurate real-time data on the transfers in the country, in order to have an effective tool for support of the work of the ministries.

There must also be support for the process of modernization of the government agencies responsible for supervising the means of transportation, in terms of their processes for authorization and registry of units and operators that can be used inside the country or to or from abroad for the transfer of those substances, in order to strengthen the mechanisms for detection and control of illicit traffic.

By facilitating exchange of information with similar international agencies, the databases are indispensable tools for launching and strengthening permanent sharing of data at the national and international level to improve joint actions.

The general elements to be covered in the database are:

- § General data on the firm: corporate name, taxpayer ID, domicile of record, telephone number.
- § Record of activity to be carried out by the company, such as:
 - Production
 - Preparation
 - Transfer
 - Procurement
 - Importation
 - Exportation
 - Distribution
- § Substances that will have some type of movement, based on Tables I and II of the 1988 United Nations Convention:
 - N-acetylanthranilic acid

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- Lysergic acid
 - Benzyl cyanide
 - Ephedrine
 - Ergometrine
 - Ergotamine
 - 1-Phenyl-2-Propanone
 - Phenylpropanolamine
 - Isosafrole
 - 3,4-methylenedioxyphenyl-2-propanone
 - Piperonal
 - Safrole
 - Pseudoephedrine
 - Acetone
 - Anthranilic acid
 - Hydrochloric acid
 - Phenylacetic acid
 - Sulfuric acid
 - Acetic anhydride
 - Ethyl ether
 - Potassium permanganate
 - Piperidine
 - Toluene
- § Record of pre-export notifications of exports of precursor chemicals or essential chemical products to Mexico, indicating country of origin.
- § Record of reports of processing by customs authorities concerning the import and/or export of precursor chemicals or essential chemical products by individuals and corporations.
- § Record of annual operations with machines for making capsules, tablets, and/or pills, both new and semi-new, to follow-up on the individuals and/or corporations that purchase them.
- § Report on the procurement of precursors and essential chemical products in the country.
- § Notification on irregular activities or disappearance of precursor chemicals and essential chemical products in the country.
- § Reports of permits denied for movements of chemical precursors and essential chemical products by both individuals and corporations.
- § Reports of import and/or export transactions of essential chemical products conducted by individuals and/or corporations.
- § Record of ships, routes, and ports used for the import and/or export of essential chemical products by individuals and/or corporations.

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§ Prior notices of imports of precursor chemicals or products containing them by individuals and/or corporations.

For optimum operation of the databases, it is essential that they be kept up in an ongoing and permanent manner to permit swift and timely detection of transfers that may involve illegal acts.

The databases will also help to strengthen the exchange of information with similar institutions at the national and international levels, enhancing conditions for timely detection, prevention, and prosecution of illegal activities by criminal groups.

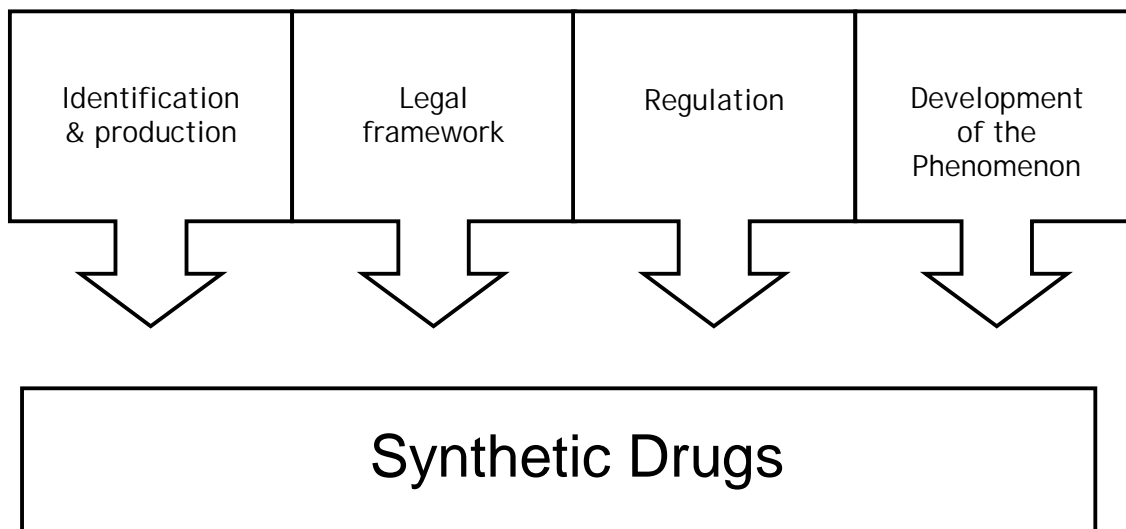
Personnel training

It is crucial to have permanent training of the personnel directly involved in the follow-up and control of precursor chemicals, essential chemicals, and synthetic drugs.

One principle of the strategy is the coordination of work among the various agencies involved in the subject in order to execute the specific activities. This coordination, together with experience and specialization, will facilitate the design of an introductory training course to impart specific knowledge and meet the indispensable requirements for work of personnel of the various agencies joined in combating the manufacture of and trafficking in methamphetamine.

To address the overall phenomenon, training should cover four basic topics, as shown below:

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Epidemiological studies

An important first step is identification of the real pharmaceutical requirements for chemical substances to care for illness. One indicator could be national consumption of pseudoephedrine, amounts imported, and final products manufactured by the pharmaceutical industry, compared with the actual demand of the population and its consumption.

Based on this health authorities could make the required annual inspections of the pharmaceutical industry concerning controlled chemical substances, which would thwart their diversion.

All this helps to establish consistent institutional procedures that can be melded into one overarching and effective interagency procedure with international cooperation.

Strategic Lines

It is clear that one of the greatest advantages that organized crime enjoys in our countries is the coordination and cooperation among the criminal organizations, which enables them to take advantage of loopholes or the variety of precursor chemicals that can be interchanged to systematically breach each of our countries' security systems. We therefore must seize the opportunity to strengthen cooperative links among our countries to facilitate the exchange of information in a framework of trust that will make it possible to dismantle transnational criminal organizations devoted to contraband and trafficking of chemical substances, synthetic drugs, and to their manufacture.

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The key elements are:

- Intelligence work.
- Control and administrative regulation of controlled chemical substances
- Prevention and prosecution of the crime
- Care programs for drug addicts
- International cooperation and shared responsibility
- Combat of diversion and contraband of controlled chemical substances
- Combat of the manufacture and trafficking of synthetic drugs; and
- Fostering of citizen complaints

Each strategic line calls for identification of specific actions or activities designed to:

- Reduce the demand for synthetic drugs
- Promote a culture for making complaints
- Update the applicable legal framework
- Encourage the development of intelligence work
- Combat diversion of and illegal trafficking in controlled substances
- Combat contraband precursor chemicals and medications
- Combat the manufacture of and trafficking in synthetic drugs
- Identify and dismantle synthetic drug manufacturing laboratories
- Strengthen international coordination and cooperation

To this end an interagency group should be formed to provide comprehensive follow-up of the actions so as to know the procedures involved in the import or export of chemical substances and their distribution and industrial uses in each country, in order to prevent their diversion for illicit activities

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Annexes

To flesh out and strengthen the specific strategies outlined in this document, we have incorporated by reference three instruments concerning the combat of manufacture of synthetic drugs and the diversion of and trafficking in controlled chemical substances, which should be taken into account in this project because of their invaluable contributions on the subject.

- ✓ **Strategy of the Mexican Government to Combat the Manufacture of and Trafficking in Methamphetamine**, presented in August in Buenos Aires, Argentina, September in Washington D.C., and in December in Santa Cruz de la Sierra, Bolivia, all in 2006.

- ✓ **Trifold with information on the Strategy of the Mexican Government to Combat the Manufacture of and Trafficking in Methamphetamine in the framework of the CENAPI National Drug Control Program.**

- ✓ **Best Practices for Systematic and Effective Control of Cargoes of Chemical Substances Shipped Through Ports, in order to Prevent their Illicit Diversion.-** Presented in Panama in July 2007.