

## INTRODUCTION

Precursor chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances also have a number of legitimate scientific, chemical, industrial and pharmaceutical uses and hence are in demand. They are widely traded the world over and the SAARC region is no exception. India, with its large chemical industry manufactures, uses, imports and exports a number of these chemicals. Pakistan and Bangladesh also manufacture a few. Other countries in the region import the precursors they need.

The geographical location of the SAARC region between the Golden Triangle and Golden Crescent makes it highly vulnerable to drug trafficking. These areas, known for illicit heroin production, have large illicit demand for precursors necessary to manufacture heroin. The Golden Triangle area has also, of late, become notorious for production of amphetamine-type stimulants (ATS), fuelling a substantial illicit demand for precursors necessary for their production. A parallel illicit market evolved for these chemicals in the region, which can only be expected to grow.

Recent seizures of precursors the world over indicate that the geographical distance from the source does not deter their trafficking. Precursors move with ease from very distant locations to the areas of illicit drug production. No country of this region, be it a supplier, transit or consumer country, is immune any longer to diversion of precursors. It is time precursor control receives the attention it deserves in all the SAARC countries, in order to help the international efforts to stem the flow of these chemicals into illicit channels.

All seven countries in the SAARC region have already acceded to the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substance 1988. This Convention lays down a comprehensive framework for precursor control and monitoring at domestic and international levels to prevent their diversion for illicit manufacture of drugs of abuse. Para 8 of Article 12 of the Convention calls upon the Parties to take appropriate measures to monitor the 'manufacture and distribution of Table I and II substances'. To this end, it urges Parties to:

- (i) Control all persons and enterprises engaged in the manufacture and distribution of such substances.
- (ii) Control, under license, the establishments and premises in which such manufacture or distribution may take place.
- (iii) Require that licensees obtain a permit for conducting the aforesaid operations.
- (iv) Prevent the accumulation of such substances in the possession of manufacturers and distributors, in excess of the quantities required for the normal conduct of business and the prevailing market conditions.

Further, para 9 of Article 12 of the Convention requires Parties to, inter alia, take the following measures to monitor international trade in precursor chemicals:

- (i) To establish and maintain a system to monitor the international trade in substances in Table I and Table II in order to facilitate identification of

- suspicious transactions.
- (ii) To provide for seizure of any substance in Table I and Table II if there is sufficient evidence that the substance is meant for use in the illicit manufacture of narcotic drugs or psychotropic substances.
  - (iii) To provide that before the export of any Table I substance, pre-export notification to the Competent Authority of the importing country is sent by the Competent Authority of the exporting country by intimating names and addresses of the importer and exporter, name of the substance, quantity to be exported, point of entry and expected date of dispatch.
  - (iv) To provide that imports and exports be properly labelled and documented.

There have been varied responses from countries in the SAARC region to these obligations under the 1988 U.N. Convention.

The Narcotics Control Act, 1990 and the Rules issued there under provide for statutory control over precursors in Bangladesh. Of the substances listed in Tables I and II, Bangladesh manufactures sulphuric acid and imports acetic anhydride, acetone, ephedrine, pseudoephedrine, MEK, potassium permanganate and toluene.

Bhutan has not established any legislative or administrative control over various activities relating to precursors.

Control over precursor chemicals is exercised in India through the Narcotic Drugs and Psychotropic Substances Act, 1985. A comprehensive Narcotic Drugs and Psychotropic Substances (Regulation of Controlled Substance) Order, 1993 issued under the said Act provides for an elaborate control over manufacture, distribution, sale, importation, exportation, transportation, consumption, etc. of precursors. Four precursors namely acetic anhydride, N-acetylanthranilic acid, ephedrine and its salts, and pseudoephedrine and its salts, have already been brought within the ambit of this order. India also regulates exports and imports of a number of other substances under its Export/Import Policy.

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Nepal is in the process of establishing a comprehensive precursor control legislation. At present, some regulatory measures are applied to the importation of some Table I Substances under the Drugs Act, 1978 and some Table II Substances under the Explosives (Control) Act.

The Control of Narcotic Substances Act, 1997 empowers the Federal Government of Pakistan to make rules in respect of precursor chemicals permitting and regulating their import, export, transportation, manufacture, etc. Pakistan exercises control over 12 Table I and 4 Table II substances under the aforementioned act, Drugs Act, 1976 and Import Trade and Procedure Order, 2000.

A comprehensive precursor control regime is not yet in place in Sri Lanka although some controls are exercised over imports as a voluntary code of conduct for industry has been finalized.

One reason for the general inadequacy of appropriate legislative and administrative measures of control over precursors is perhaps the lack of awareness

at the policy-making levels. When too many problems jostle for priority in governmental thinking, the issue of precursor control sometimes gets pushed into the background. Enforcement officers, themselves creatures of law, can function only within the confines of enacted laws and can do little in their absence.

Training even in the existing control / regulatory measures over precursors has not received adequate attention. Specialized training courses on precursors do not form part of the curriculum of drug enforcement training institutions. Precursor control is at best mentioned in the passing. Precursor control being a relatively new field, there are not many trainers either.

Laboratories that are called upon to test precursor chemicals have an important though indirect, role in preventing the diversion but many of their personnel are neither trained in the subject nor sensitised to its importance.

While some chemical companies and traders do aid and abet diversion, most are honest and can be active partners in the anti-diversion efforts. The industry, however, needs to be sensitised to the problem. Their staff, too, should be trained to detect suspicious transactions and should be instructed on how to inform the appropriate office of the law enforcement / regulatory authorities. On the other hand, authorities should be sensitised not to unduly interfere with the legitimate flow of trade or interfere with the bone-fide activities of industry.

A well thought-out comprehensive training strategy can remove the existing inadequacies to a great extent and make the desired improvements. The 'Guidelines for Precursor Control Training in SAARC Countries' have been prepared by the UNODC Regional Precursor Control Project for SAARC Countries with the help of two experts for the assistance of drug law enforcement training institutions and trainers in the SAARC region to assist national governments evolve their own training strategies.