

## Preventing the diversion of chemicals through public-private partnerships

1. Over the past three decades, Governments have adopted and implemented a number of measures in accordance with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. Those measures have principally focused on preventing substances in Tables I and II of the Convention from being diverted into illicit channels by monitoring their movements in international trade. This has led drug traffickers to change their *modi operandi* to source the chemicals they need for illicit purposes, in particular for illicit drug manufacture. They are increasingly exploiting vulnerabilities in domestic trade to obtain substances in Table I and Table II of the 1988 Convention or non-scheduled substances that can be readily converted into the required precursors. The almost infinite number of non-scheduled substances that could potentially be used to replace the precursors under control is among the challenges that many Governments are facing today. Legislative changes provide long-term solutions; however, their enforcement and administration may often be resource-intensive, and in most cases long periods of time are required for their introduction and thus there are limitations in terms of being able to ensure the timely and adequate prevention of the diversion of precursors.
2. This is where the concept of adopting strategies based on voluntary public-private partnerships that supplement the required controls has an increasingly important role to play. The concept is based on shared goals and responsibility and formalized through agreements such as memorandums of understanding. Such strategies provide a number of tangible benefits to both the public sector and the private sectors. As most of commercial transactions involving precursor chemicals are legitimate and conducted by bona fide companies, additional legislative controls could potentially place an unnecessary administrative burden on the public and private sectors. The voluntary public-private partnerships, through their speed of response and flexibility, provide effective solutions to address the misuse of non-scheduled chemicals (including “designer” precursors, precursors used to manufacture new psychoactive substances, and off-the-shelf and custom-made chemicals) and the diversion of, and trafficking in, scheduled chemicals at the domestic level.
3. Although the concept of cooperation with industry has its roots in article 12, paragraph 9 (a), of the 1988 Convention, which requires parties to establish and maintain a system to monitor international trade in substances in Table I and Table II in close cooperation with manufacturers, importers, exporters, wholesalers and retailers, it has not yet been implemented to its full potential. Even in countries with a long history of cooperation with industry, there is room to improve cooperation at lower levels of the distribution chain and in relation to non-scheduled chemicals.
4. The outcome document of the United Nations special session on the world drug problem of April 2016 recognizes the role of partnerships and information exchange with relevant industries and commerce in addressing the diversion of precursors and pre-precursors, and encourages the use of relevant tools made available by INCB, such as the *Guidelines for a Voluntary Code of Practice for the Chemical Industry* and the Board’s model memorandum of understanding between governments and private sector partners.

\*\*\*

INCB is the independent, quasi-judicial body charged with promoting and monitoring Government compliance with the three international drug control conventions: the 1961 Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances, and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

\* \* \* \* \*

For further information, please contact: INCB Secretariat at Tel: (+43-1) 26060 4163  
Email: [incb.secretariat@un.org](mailto:incb.secretariat@un.org), Website: [www.incb.org](http://www.incb.org)

---