

Summary

The International Narcotics Control Board (INCB) prepared the present report with a view to providing Governments with its analysis of the functioning of the international precursor control regime and its preparedness to meet future challenges. With Timor-Leste having become party to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the number of States that have joined the treaty has risen to 189, the highest level of adherence among the international drug control conventions.

The almost universal adherence, with just nine States that have yet to become party (mostly in Oceania and Africa, in that order), is evidence of the political will to work together globally to prevent the diversion of precursor chemicals into illicit channels. The number of 150 States and territories that are registered with the INCB automated online system for the exchange of pre-export notifications through Pre-Export Notification Online (PEN Online) provides further evidence of the willingness of Governments to make the best use of available tools for monitoring trade in precursor chemicals. However, those countries and regions where insufficient use is made of the PEN Online system and other existing tools, such as the invoking of article 12, paragraph 10 (a), of the 1988 Convention, which, when invoked, makes the sending of pre-export notifications mandatory, continue to remain weak links in the system and are at risk of being targeted by traffickers.

In March 2014, the Commission on Narcotic Drugs, in its decision 57/1, decided to follow the recommendation made by the Board to include *alpha*-phenylacetonitrile (APAAN) and its optical isomers in Table I of the 1988 Convention. This brings the number of substances under the control of the 1988 Convention to 24. At the same time, the use of non-scheduled alternatives to APAAN and other substances in Tables I and II remains a continued challenge. In 2014, within the framework of Project Prism and Project Cohesion, INCB requested all Governments to provide information about chemicals found to be used as pre-precursors or alternatives to scheduled substances in the illicit manufacture of drugs. Responses confirmed that there were a number of substances that could be considered to be establishing a new trend rather than constituting a one-time incident. In addition, Governments provided information about some precursors used for the manufacture of new psychoactive substances.

Governments are reacting to these developments by strengthening their national responses and/or engaging proactively in international cooperative efforts. During the reporting period, the Board observed that several countries, such as Afghanistan, China, the Czech Republic and the Philippines, have brought additional non-scheduled chemicals under their national legislation. The European Union prohibited the introduction of consignments of non-scheduled substances into the customs territory of the Union or their departure from it where there is sufficient evidence that those substances are intended for the illicit manufacture of narcotic drugs or psychotropic substances.

An area that needs to receive much greater, systematic attention is that of voluntary public-private partnerships and industry cooperation. While the concept is well established in some parts of the world, there is a need for further guidance elsewhere. A workshop conducted by INCB in April 2014, on “Enhancing chemical industry-Government cooperation through partnership”, brought together some 100 industry, regulatory and law enforcement experts from 20 countries. It resulted in a model memorandum of understanding that can be adapted to specific country situations and a guidance document that provides for the practical development and implementation of such agreements.

Enhanced domestic controls and the concept of voluntary industry cooperation are also key concepts in limiting the availability of acetic anhydride and potassium permanganate and other chemicals for use in the illicit manufacture of heroin and cocaine. Operation Eagle Eye confirmed that the control measures applied to domestic trade in and distribution of acetic anhydride lag behind those applied to international trade and that the extent of control over domestic trade and distribution varies significantly from country to country. The same is likely to apply to potassium permanganate: coca-producing countries engage in limited licit international trade in the substance. At the same time, those countries continue to account for the vast majority of reported seizures of that substance. Diversion from domestic distribution channels and illicit manufacture thus appear to be major sources of potassium permanganate for use in cocaine processing.

As international precursor control enters its third decade since the 1988 Convention came into force, it is becoming increasingly clear that the system requires some fine-tuning, in particular at the national level. This applies to legislation, as well as voluntary measures and cooperation with a range of industries at all levels, including but not limited to the manufacturing industry, the refining industry and the distribution and transportation industry. It also applies to the levels of cooperation by Governments with each other and the Board in investigating the points of diversion, *modi operandi* and trafficking organizations behind actual or attempted diversions. In that connection, Governments are reminded that such incidents should be seen not as the end but as the beginning of follow-up investigations involving the competent authorities of all concerned countries. The INCB Precursors Incident Communication System (PICS) is a secure tool to facilitate such communication between relevant Government officials and the launching of joint investigations.