

conference, a series of recommendations related to industry-government cooperation. Those recommendations included building relationships with industry to develop and establish voluntary partnerships formalized by the signing of memorandums of understanding, as well as enhancing already existing relationships with chemical industry representatives to improve the reporting and investigation of suspicious orders and enquiries.

178. The Board, in line with its mandate, stands ready to continue supporting Governments in their efforts to establish and implement such memorandums of understanding and similar cooperation agreements and, in cooperation with the private sector, to prevent the diversion of precursors.

V. Conclusions

179. The INCB report on precursors is aimed at providing Governments with a comprehensive overview and analysis of the precursor control situation worldwide, in terms of the extent of licit trade in precursors, latest trends in precursor trafficking, substitute chemicals and action taken by Governments and the Board. It also provides the Board's observations and recommendations on preventing the diversion of chemicals by traffickers and addressing the latest challenges.³⁵

180. It is generally accepted that successes in international precursor control, especially those achieved through PEN Online, the INCB electronic system of pre-export notification, have resulted in decreases in diversions of substances in Tables I and II of the 1988 Convention from international trade. Diversion from domestic distribution channels is now recognized as an important source of those substances. In addition, a range of non-scheduled alternative and substitute chemicals have been used to fill the resulting shortfall in such controlled substances, and many more have the potential to be used as substitutes for such substances.

181. INCB has identified public-private partnerships as one of the most effective measures to address the diversion of both scheduled and non-scheduled alternative chemicals for use in illicit drug manufacture. In chapter IV of the present report, INCB analyses the merits and potential of cooperation between competent authorities and relevant industrial sectors — of all sizes and at all levels; in addition, it invites national authorities to adopt the concept of industry as a critical partner in chemical diversion prevention and to formalize a commitment to such

partnerships, and it invites industry and industry associations to incorporate the principles of chemical diversion prevention into the concept of corporate industry responsibility.

182. Another pillar of effective precursor control in the twenty-first century continues to be the focus on improving national control systems, closing any gaps in those systems and enabling the systems to do what they were meant to do. Lastly, the Board considers it critical for Governments to provide their law enforcement authorities with the legal framework to take appropriate action, where required.³⁶ For their part, law enforcement authorities must pay more attention to precursor chemicals and illicit manufacture; they must investigate seizures, stopped shipments and attempted diversions in order to identify the sources of diversion and the criminal organizations behind those activities and to share their findings with relevant authorities throughout the world, thereby preventing future diversions based on similar *modi operandi*.

183. The present report reconfirms that the extent of information-sharing, especially on alternative and substitute chemicals and the corresponding manufacturing methods, continues to be incomplete or not timely enough. INCB therefore wishes to remind Governments that the sharing of information on any chemical that is suspected of being used or has been used in illicit drug manufacture, or information on attempts to divert a chemical into illicit channels, is critical to understanding — and addressing — new developments in the diversion of precursor chemicals and the use of chemicals in illicit drug manufacture.

184. Pursuant to article 12, paragraph 12, of the 1988 Convention, annual reporting of the following information through form D (part one) is mandatory:

(a) Information on any substances not included in Table I or II that have been identified as having been used or as being intended for use in the illicit manufacture of drugs or precursors;

(b) Methods of diversion and illicit manufacture.

185. To gather the relevant information at the national level and contribute to global efforts to prevent chemicals from reaching clandestine drug manufacturing laboratories, the Board encourages Governments to consider the following action:

(a) Gather in a more systematic manner information on chemicals encountered in dismantled

³⁵ One of the special topics in chapter II of the INCB annual report for 2015 (E/INCB/2015/1) covers new developments and challenges in precursor control and the way forward.

³⁶ The 1988 Convention provides guidance on developing national legislation to that effect for substances in Tables I and II and, in combination with article 13, for non-scheduled chemicals.

clandestine laboratories, including labels of containers found and any information that might help to establish the source of the chemicals;

(b) Do advocacy with and encourage private sector partners (i.e. partners in industry) to report to the relevant authorities all suspicious orders of scheduled and non-scheduled chemicals, even in cases where such orders have been denied; and report such orders to INCB, with a view to preventing the diversion of such chemicals elsewhere.

186. The participants in the international conference entitled Precursor Chemicals and New Psychoactive Substances, held in Bangkok in April 2015, adopted an outcome document aimed at taking the above-mentioned

considerations to the next level by proposing measures to address the misuse of scheduled and non-scheduled precursors and new psychoactive substances. INCB welcomes the outcome document and encourages all Governments to build on it and use the upcoming session of the Commission on Narcotic Drugs and the special session of the General Assembly on the world drug problem to be held in April 2016 to reconfirm their commitment to the fundamental basis of international precursor control and to the spirit of article 12 of the 1988 Convention: international cooperation to prevent chemicals from being available for use in the illicit manufacture of substances of abuse. INCB stands ready to fully support Governments in their efforts.