

Check against delivery

**Statement by Dr. Zukiswa ZINGELA
Second Vice-President and Chair of the Standing Committee on Estimates
International Narcotics Control Board (INCB)**

Reconvened Sixty-sixth session of the Commission on Narcotic Drugs

Item 5a Changes in the scope of control of substances

Vienna, 8 December 2023

Mr Chair, Excellencies, Ladies and Gentlemen,

1) In analogy to the World Health Organization under the 1961 and 1971 Conventions, the International Narcotics Control Board has the responsibility under the 1988 Convention to assess chemicals used in the illicit manufacture of drugs in order to determine whether they should be placed under international control. In discharge of its mandate under article 12 of the 1988 Convention, the Board submitted to the Chair of the Commission recommendations to place 16 precursors of amphetamine-type stimulants and two fentanyl precursors in Table I of the 1988 Convention.

2) To begin with, let me just recall that all substances which INCB has recommended for scheduling are precursors, that is, chemicals used to produce amphetamine, methamphetamine, “ecstasy”, and fentanyl and some of its analogues. The Board’s recommendations are available as conference room papers CRP.19, CRP.20, and CRP.21. They will also be translated and made available by the Secretariat of the Governing Bodies for the sixty-seventh session of the Commission in March 2024.

3) As you will recall, the scheduling process for the 16 amphetamine-type stimulant precursors was initiated by INCB while the process for the two fentanyl precursors was initiated by the Government of the United States of America.

4) Following the Board’s thorough assessment based on the information that many of you may have made available, through the scheduling questionnaires and

Operation Backup which we conducted this autumn to complement the formal information gathering process under article 12, paragraph 4, of the 1988 Convention, we recommended all 18 substances for scheduling.

5) We consider the proposed scheduling of the two series of amphetamine-type stimulants precursors to be a decisive step towards addressing the proliferation of closely related designer precursors with no known legitimate use. The proposal also puts into practice Commission resolution 65/3 which, amongst others, invited INCB and Member States to consider derivatives and related chemicals which may readily be converted to or used in place of a controlled precursor during illicit manufacture. In this respect our scheduling recommendations include additional designer precursors of amphetamine-type stimulants of which no seizures have yet been brought to the Board's attention. This approach is proposed so that we can be intentionally proactive to address the rampant and persistent challenges that we face with curbing drug trafficking.

6) A case in point is that one of the substances of the series of amphetamine-type stimulant precursors that was included in our initial scheduling proposal and which had not been seized at that time, was subsequently seized, after the initiation of the scheduling process. This illustrates how quickly a theoretical risk can turn into a real one in the current illicit synthetic drug industry, and it also acts as a reminder of the need to address closely related substitutes proactively, as the Board proposes in today's proposal.

7) In addition, we are also proposing an option for reflecting the close chemical relationship between some of the substances in Table I of the 1988 Convention. Let me elaborate further to clarify this point.

8) Let us first turn to the proposal on amphetamine and methamphetamine precursors. As illustrated on the slide, they include what is known in chemistry as an **acid** and eight chemical derivatives, which are known as **esters**. All these substances only differ in the part of the molecule that is marked as "R" in the slide. Nonetheless, they are all substances in their own right and, as provided for by the Convention, they

will have to be voted on individually, substance-by-substance (i.e., 9 votes for the acid and its eight esters).

9) The approach that the INCB is proposing is to include only the acid in the list of substances in Table I and to **add a footnote** that lists the eight esters which are closely related to the acid. This could look like it is illustrated on the slide. It does not change the status of control of any of the substances but it helps to keep the Table manageable.

10) INCB proposes the same approach for the series of seven closely related ecstasy precursors, which – chemically – are all esters. However, the difference here is that the corresponding acid and one of the esters have already been included in Table I since November 2019.

11) As a consequence, they could be reflected as a footnote to the acid which is already listed in Table I. This could look like what you see on the slide.

12) The two fentanyl precursors, the process of which was initiated by the United States of America, would each be listed alphabetically, as a new entry.

13) I would like to conclude by thanking all of you on behalf of the Board for your valuable feedback to the scheduling questionnaires and contributions to Operation Backup. The Board looks forward to continuing working with you to address the diversion of non-scheduled chemicals and the proliferation of designer precursors in the spirit of Commission resolution 65/3.

I thank you for your attention.