

Part 2. Use of pre-export notifications (PEN), PEN Online and Import/Export Details

Recommendation

Reference (source)

A) Practicality of sending / receiving PENs

The Board reminds Governments of exporting countries of their obligation under article 12 of the 1988 Convention to provide notification regarding exports of chemicals **before such exports depart** from their territory. Governments are also encouraged to **respond by the verification deadline** when denying authorization for a shipment.

(PRE/2012/P31)

The Board reminds all countries that it is essential to respond to pre-export notifications in a **timely manner** if diversions are to be prevented. Should it not be possible to immediately verify the legitimacy of a shipment, the importing country should supply the exporting country with an **interim reply requesting more time** to complete the necessary inquiries or investigations.

(PRE/2002/P79) (PRE/2001/P49)
(PRE/2001/P73)

The Board encourages the competent authorities of importing countries to **observe the verification deadlines** set by exporting countries on their pre-export notifications. If more time is needed to complete an investigation into a particular shipment, the **exporting country** and the **Board should be informed** as a matter of urgency in order to prevent the delivery of unwanted shipments or the possible diversion of shipments.

(PRE/2007/P23) (PRE/2011/P29)
(PRE/2010/P24) (PRE/2009/P91)
(PRE/2001/P49)

In cases where there are grounds to believe that a shipment is suspicious, the Government of the exporting country should release the shipment **only after receiving confirmation** from the competent authority of the importing country.

(AR/2011/R14) (PRE/2013/P30)

Exporting countries are encouraged to **apprise the Board** of those cases where importing countries consistently **fail to provide such feedback** (such feedback can include confirmation that the importing country has no objection to the shipment in question or a request that the authorities of the exporting countries take appropriate action), so that the Board can request those countries to take **remedial action**, as appropriate.

(PRE/2004/P36)

It is in the interest of the importing Government to **provide feedback** to the exporting country if a transaction appears suspicious or requires additional time for checking. Should verification of the legitimacy of a pre-notified precursor consignment require more time than that allocated by the exporting country in their pre-export notification, the exporting country should be informed of this requirement accordingly.

(PRE/2009/P101) (PRE/2009/P32)

The **analysis of pre-export notifications** resulting in objections and the reasons for the objections, from the perspective of both exporting and importing countries, could help to **determine patterns** that, in turn, could be used to identify weaknesses at the national level, and that information could subsequently be used to strengthen existing systems. It is therefore important for importing countries that object to shipments of precursors to indicate the reasons for their objections.

(PRE/2012/P141)
(PRE/2011/P156)

INCB invites all Governments to work with the Board to **devise appropriate ways and means of handling pre-**

(PRE/2016/P209)

export notifications in such cases with a view to enabling the trade of chemicals to and from **high-risk areas in a regulated manner**.

The Board once again encourages the Government of **China** to work with it to devise **practical ways and means of addressing pre-export notifications**, suspicious shipments and diversions involving precursors and **Taiwan Province of China**. (PRE/2013/P33) (PRE/2012/P32)
(PRE/2011/P31)

The Board appreciates the efforts of the **Government of India**, through which many suspicious transactions of **ephedrine** (and **methaqualone**) have been identified and stopped. Since 1 November 2005, **India** has **sent pre-export notifications for more than 1,100 shipments** of **ephedrine** and **pseudoephedrine** and assisted the importing countries in the identification and investigation of the attempted diversion of dozens of tons of the substances. (PRE/2006/P84)

Governments of all exporting countries are urged to **provide pre-export notifications** for all shipments of **potassium permanganate** to, as well as within, **Oceania**. (PRE/2006/P110)
