

II. Action taken by Governments and the International Narcotics Control Board

A. Scope of control

6. On 16 March 2022, the Commission on Narcotic Drugs decided, in accordance with the Board's recommendation, to add 4-AP, 1-boc-4-AP and norfentanyl, three precursors of fentanyl and of a few related substances, to Table I of the 1988 Convention. The decision became effective on 23 November 2022, 180 days after it was communicated by the Secretary-General to Governments.

7. As has been common practice in the past, and pursuant to Economic and Social Council resolution 1992/29, INCB has requested WCO to establish unique Harmonized System codes³ for the newly scheduled chemicals. Until such time as each substance is assigned a unique Harmonized System code, **INCB encourages Governments to adopt, on a voluntary basis, interim, discrete codes based on the applicable Harmonized System group code.**⁴

³See WCO, *Harmonized Commodity Description and Coding System*, 7th ed. (Brussels, 2022).

⁴Harmonized System classifications of non-scheduled chemicals used in the illicit manufacture of drugs are available to competent national authorities on a secure page of the INCB website.

B. Adherence to the 1988 Convention

8. As at 1 November 2022, the 1988 Convention had been ratified, acceded to or approved by 190 States and formally confirmed by the European Union (extent of competence: art. 12). There have been no changes in that regard since the publication of the INCB report on precursors for 2021, thus leaving seven States – four in Oceania and three in Africa (see annex I)⁵ – that have yet to become parties to the Convention. To reduce their vulnerability to precursor trafficking, **INCB urges the seven States that have yet to become parties to the 1988 Convention to implement the provisions of article 12 and accede to the Convention without further delay.**

C. Reporting to the Board pursuant to article 12 of the 1988 Convention

9. Under article 12, paragraph 12, of the 1988 Convention, Governments are required to report annually to INCB information on substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances (for which form D is used).⁶ Specifically, the information to be submitted includes: (a) the amounts seized of substances included in Tables I and II of the 1988 Convention and, when known, their origin; (b) any substance not included in Table I or Table II that is identified as having been used in the illicit manufacture of narcotic drugs or psychotropic substances; and (c) methods of diversion and illicit manufacture. That information is subsequently used to identify regional and global patterns and trends (see chap. III).

10. As at 1 November 2022, a total of 127 States parties to the 1988 Convention had submitted form D for 2021. Less than 50 per cent of States parties submitted their form by the deadline of 30 June 2022, and a number of States parties failed to report data for 2021 altogether. Several parties have not submitted form D for the past 5 or even 10 years, including 21 countries in Africa and 8 in Oceania (see table 1).⁷ Kuwait resumed submission of form D after more than 5 years, and Togo after more than 8 years.

⁵Equatorial Guinea, Kiribati, Papua New Guinea, Solomon Islands, Somalia, South Sudan and Tuvalu.

⁶The latest version of form D is available on the INCB website in the six official languages of the United Nations. In an effort to streamline and expedite the reporting process and to minimize the potential for data entry errors, INCB requests the utilization of a spreadsheet form. Fifty-three States have used the spreadsheet version of form D for 2021.

⁷The Holy See and Liechtenstein did not furnish form D separately, as their data are included in the reports of Italy and Switzerland, respectively.

Comprehensive information about the status of the submission of form D by individual Governments is included in annex II.

Table 1. States parties failing to report as required under article 12, paragraph 12, of the 1988 Convention, 2021

Africa		
Algeria	Eritrea ^a	Mauritania
Angola	Eswatini ^b	Namibia ^a
Burkina Faso ^b	Ethiopia ^a	Niger
Burundi	Gambia ^a	Rwanda
Cabo Verde	Guinea ^b	Sao Tome and Principe ^a
Central African Republic ^b	Guinea-Bissau ^a	Senegal
Chad	Lesotho ^b	Seychelles ^a
Comoros ^b	Liberia ^b	Tunisia
Congo ^b	Libya ^b	Zambia ^a
Côte d'Ivoire ^a	Malawi ^b	
Djibouti ^b	Mali ^a	
Americas		
Antigua and Barbuda ^b	Brazil	Saint Kitts and Nevis ^b
Bahamas ^b	Cuba ^b	Saint Vincent and the Grenadines
Barbados ^a	Dominica	Suriname
Belize	Grenada ^b	
Asia		
Afghanistan	Maldives	Timor-Leste
Bangladesh	Nepal	Viet Nam
Cambodia ^a	Oman	Yemen
Indonesia		
Oceania		
Cook Islands ^b	Nauru ^b	Samoa ^a
Fiji ^a	Niue ^b	Tonga ^b
Marshall Islands ^b	Palau	Vanuatu ^b
Micronesia (Federated States of)		

Note: See also annex II.

^a Government that failed to submit form D for any year during the past five years (2017–2021).

^b Government that failed to submit form D for any year during the past 10 years (2012–2021).

11. As at 1 November 2022, 71 Governments had reported seizures of substances listed in Table I or Table II of the 1988 Convention on form D for 2021. Fifty-seven Governments had reported seizures of substances not included in Table I or Table II, and 38 had supplied information concerning methods of diversion and illicit manufacture. However, a number of Governments submitted incomplete information or submitted aggregated figures lacking details sufficient to allow the Board to analyse and identify emerging trends in trafficking in precursors and the illicit manufacture of drugs (see map 1). **The Board therefore once again urges all Governments to provide comprehensive, mandatory information on seizures and on methods of diversion and illicit manufacture on time and in one form that consolidates the information from all relevant agencies.**

D. Legislation and control measures

12. Establishing and strengthening appropriate national control measures constitutes the basis for effective monitoring of the movement of precursors both in international trade and domestic distribution. In accordance with Economic and Social Council resolution 1992/29, the Board collects information on the specific controls applied to the substances in Tables I and II of the 1988 Convention and maintains a directory of those requirements to assist Governments in monitoring trade in controlled chemicals. The Board also maintains a list of chemicals under national

control in different countries. Both resources are available as part of the Board's information package on the control of precursors and can be accessed by competent national authorities on the Board's secure website. To ensure that the information is up to date at all times, **INCB encourages all Governments to inform it regularly of relevant changes to their national precursor legislation and requirements related to the legitimate trade in these substances.**

13. Since 1 November 2021, the changes in control measures set out below have come to the attention of INCB.

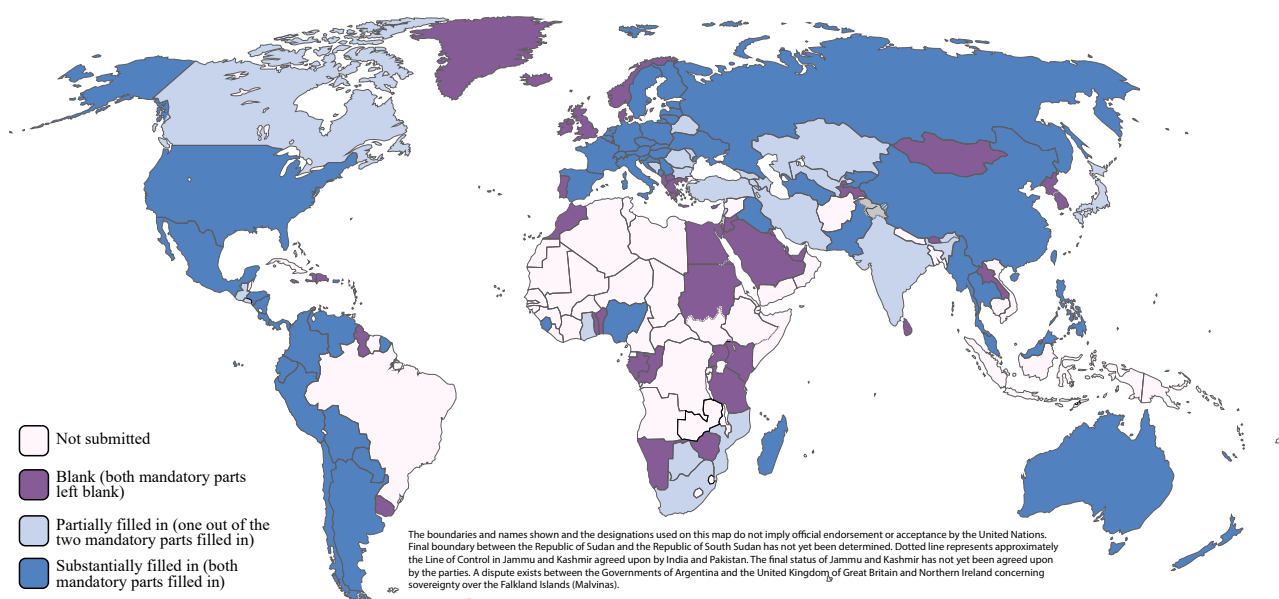
14. In December 2021, the de facto authorities of Afghanistan banned the harvesting of *Ephedra* plant in the Afghan provinces of Ghor, Farah, Nimroz and Bamyan.⁸ This ban in specific provinces preceded a decree issued on 3 April 2022 announcing a ban on poppy cultivation and the manufacture of illicit drugs across Afghanistan.⁹

15. In the Netherlands, a new law that entered into force on 1 January 2022 gave the Ministry of Health, Welfare and Sport and the Ministry of Justice and Security the authority to schedule chemicals that can be used to manufacture illicit drugs and that have no known legal use. A multi-stakeholder expert group was set up to inform this

⁸David Mansfield, "Banning ephedra and bolstering the rural economy of Afghanistan", Alcis, 13 January 2022.

⁹"Islamic Emirate announces ban on poppy cultivation", TOLO News, 3 April 2022.

Map 1. Status of submissions by Governments of form D for 2021 containing information concerning seizures of substances listed in Table I or Table II of the 1988 Convention and seizures of substances not listed in Table I or Table II, as at 1 November 2022



scheduling process, which includes representatives of the Netherlands Forensic Institute and the chemical industry, as well as law enforcement agencies, customs authorities and the Netherlands Public Prosecution Service. An initial list of chemicals to be scheduled was to be finalized before the end of 2022.

16. On 8 March 2022, the Secretary-General of the United Nations, in his capacity as depositary of the 1988 Convention, communicated that, as of 4 March 2022, Ukraine was unable to guarantee the full implementation of its obligations under the Convention.

17. In August 2022, a ministerial order by the Government of Canada extended the scope of control over 4-AP to include its derivatives and analogues, for a period of one year. As a result of the order, the import, export, production, trafficking, and possession for the purposes of trafficking of analogues and derivatives of 4-AP became subject to criminal prohibitions under the Controlled Drugs and Substances Act. The order responded to the decision of the Commission on Narcotic Drugs to add 1-boc-4-AP to Table I of the 1988 Convention. It was also in line with one of the recommendations made by the Commission on Narcotic Drugs in its resolution 65/3, whereby the Commission encouraged Member States to consider taking domestic measures on chemicals related to substances included in Table I and Table II that may readily be converted to or substituted for those substances. In addition, the order by Canada also extended that recommendation to analogues, that is, to precursors of certain fentanyl analogues, such as *para*-fluorofentanyl and bromofentanyl.

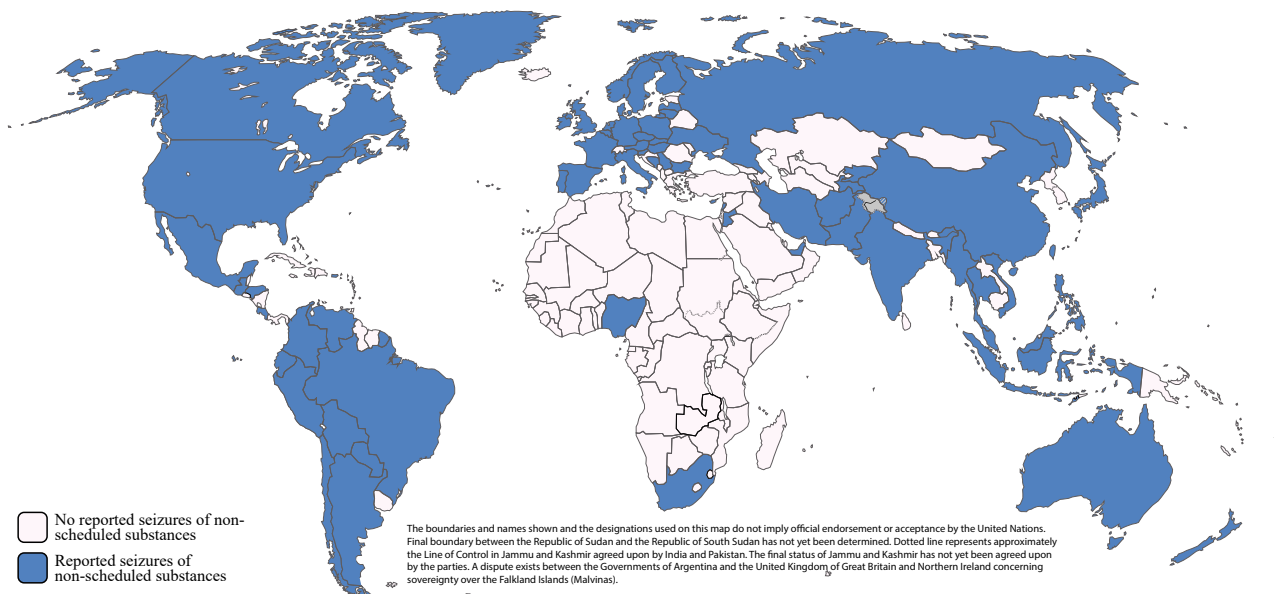
18. On 31 October 2022, the Government of Thailand decided to introduce a registration requirement for importers, exporters and end users of sodium cyanide, benzyl cyanide and benzyl chloride. As an immediate measure and while the issuance of import and export permits was under consideration, the Government suspended exports and was to reduce imports of two of the three chemicals, sodium cyanide and benzyl cyanide. The measures were in response to the chemicals alleged to have been used in illicit methamphetamine manufacture.

19. Pursuant to European Commission Delegated Regulation (EU) 2022/1518, and effective 3 October 2022, EAPA and MAMDP, precursors of P-2-P and 3,4-MDP-2-P, respectively, were added as category 1 substances in the annexes of Regulation (EC) No. 273/2004 of the European Parliament and the European Council and Council Regulation (EC) No. 111/2005. Category 1 entails the strictest control and monitoring measures under the European Union precursor legislation.

Measures to address the proliferation of non-scheduled chemicals, including designer precursors

20. Chemicals not listed in Table I or Table II of the 1988 Convention that can be used to illicitly manufacture, or substitute for, controlled precursors, have been encountered in all regions of the world (see map 2). Since the publication of Board's previous report on precursors, the

Map 2. Governments reporting seizures of substances not listed in Table I or Table II of the 1988 Convention on form D and through PICS, 2018–2022



number of Governments reporting such substances has increased from 66 to 67.

21. Given the global spread of non-scheduled chemicals, the Board remains convinced of the need to further advance measures to address the proliferation of chemicals not included in Table I or Table II of the 1988 Convention, and to facilitate global cooperation on this matter. To that end, and in continuation of its long-standing work in the area, INCB developed materials and facilitated a number of initiatives, including the guidance document entitled “Proliferation of non-scheduled chemicals and designer precursors: options for global action”, which consists of a collated list of policy options and approaches. The document, which is the result of a series of targeted international consultations with technical experts and Governments organized by the Board throughout 2021, was made available on the INCB website, in all six official languages of the United Nations.

22. In March 2022, the Commission on Narcotic Drugs adopted resolution 65/3, entitled “Intensifying efforts to address the diversion of non-scheduled chemicals frequently used in the illicit manufacture of drugs and the proliferation of designer precursors”. In the resolution, the Commission called upon Member States to intensify their efforts to address the diversion of non-scheduled chemicals, provided policy recommendations, encouraged compliance with the 180-day period following the communication by the Secretary-General within which parties to the 1988 Convention should place newly scheduled substances under national control, and called for improved measures for data collection, international and regional cooperation and training. In the resolution, the Commission also referenced various INCB tools and resources and encouraged Member States to make active use of them.

23. To complement the strengthened efforts in the area of non-scheduled chemicals and designer precursors, the Board has developed an interactive compendium of relevant INCB tools and resources. The compendium serves as

a single reference point, providing an overview of the benefits, uses and application of various tools and resources that can aid Governments in identifying the ever-growing number of non-scheduled chemicals, assessing the risks of their potential use in illicit drug manufacture and communicating incidents related to them. The interactive compendium is accessible on the INCB website and includes descriptions and visual representations of the INCB guidance document on non-scheduled chemicals, the recently launched PEN Online Light system (see para. 40 below), PICS, the limited international special surveillance list of non-scheduled substances frequently used in illicit drug manufacture, the list of chemicals under national control in different countries (known as Table 4), a set of resources on enhancing industry cooperation, a compilation of precursor chemical monographs, and the precursors module of the United Nations Toolkit on Synthetic Drugs.

E. Submission of data on licit trade in, uses of and requirements for precursors

24. In accordance with Economic and Social Council resolution 1995/20, Governments provide data on their licit trade in, uses of and requirements for substances listed in Tables I and II of the 1988 Convention. Together with information about pre-export notifications exchanged through the PEN Online system, those data enable INCB to identify unusual trade patterns and suspicious activity, thereby preventing diversion.

25. As at 1 November 2022, 117 Governments had submitted data on licit trade in substances in Table I or Table II of the 1988 Convention, and 106 Governments had furnished data on the licit uses of and/or requirements for one or more of those substances (see annex IV). As in the past, those data, although submitted on a voluntary basis, were submitted by more Governments, and were more comprehensive, than the mandatory data on seizures of precursors (see para. 11 above).

Box 1. Commission on Narcotic Drugs resolution 65/3 and groups of chemically related precursors

For several years, INCB has highlighted the need to more proactively address traffickers’ exploitation of groups of substances that are chemically related to controlled precursors, including derivatives and analogues of such precursors.

In paragraph 7 of its resolution 65/3, the Commission on Narcotics Drugs encouraged Member States, when placing domestic controls on a substance pursuant to a decision by the Commission to add that substance to Table I or Table II of the 1988 Convention, to consider also taking domestic measures on related chemicals that may readily be converted to or substituted for that substance, in accordance with national legislation.

In August 2022, Canada applied this approach at the national level (see para. 17 above).

F. Annual legitimate requirements for imports of precursors of amphetamine-type stimulants

26. With a view to providing exporting countries with an additional tool to monitor the amounts of selected amphetamine-type stimulant precursors involved in proposed shipments to importing countries, the Commission on Narcotic Drugs, in its resolution 49/3, requested Member States to provide to INCB estimates of their annual legitimate requirements for 3,4-MDP-2-P, pseudoephedrine, ephedrine and P-2-P, and, to the extent possible, estimated requirements for preparations containing those substances that could be easily used or recovered by readily applicable means. Annual legitimate requirements for imports of precursors of amphetamine-type stimulants as reported by Governments are presented in annex V to the present report and are updated regularly on a dedicated page of the INCB website.¹⁰

27. Governments have continued to report their annual legitimate requirements for imports of precursors of amphetamine-type stimulants and their preparations to INCB, mostly on form D and, to a lesser extent, by means of individual communications during the year. As at 1 November 2022, 183 countries and territories had provided at least one estimate (see figure 1). The figure includes a number of territories and States that are not yet

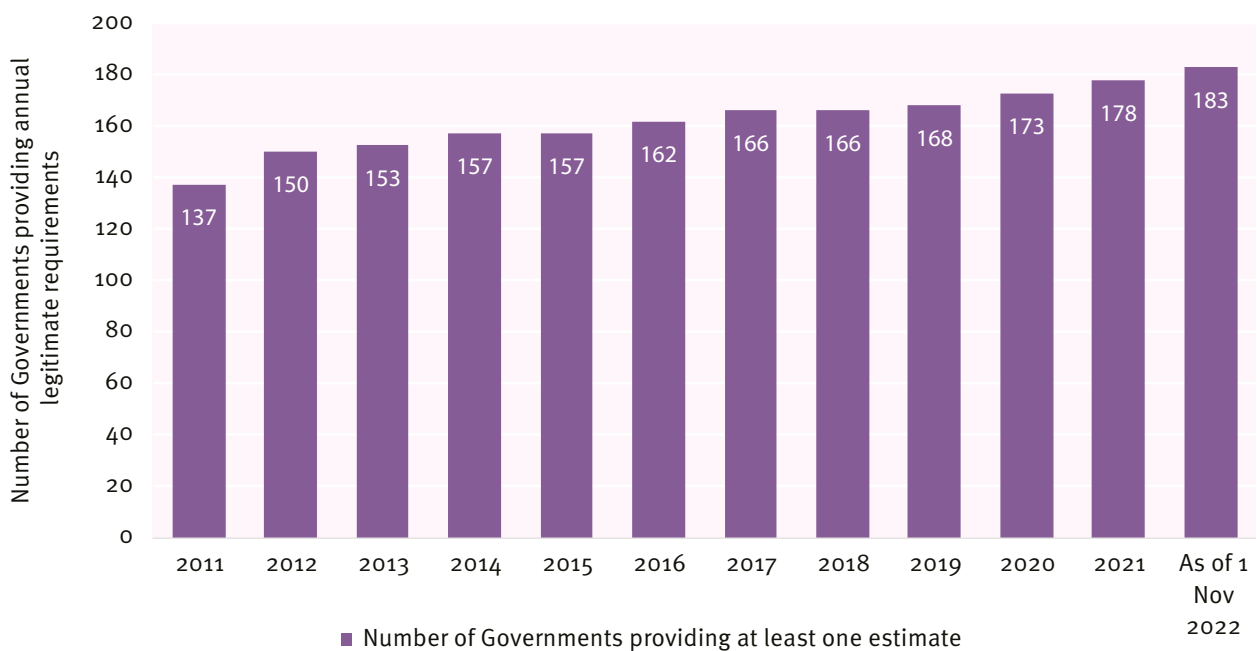
¹⁰www.incb.org/incb/en/precursors/alrs.html.

party to the 1988 Convention. At the same time, a total of 22 States parties to the 1988 Convention had not yet provided any estimates to the Board; the majority of those are in Africa and Oceania.

28. The main objective of estimating such requirements is to provide the competent authorities of exporting countries with an indication of the amounts legitimately required by importing countries, with a view to putting individual shipments, as well as more established patterns of trade, in perspective and enabling better monitoring and control. Since the publication of the Board's report on precursors for 2021, 96 countries and territories have reconfirmed or updated their estimates for at least one of the substances, a significantly lower number than in the previous year. However, some estimates provided to INCB date back several years and have not been updated recently. Ninety States parties to the 1988 Convention are in this category, some having missed the opportunity to update their submission for one year and others for several years.

29. In several countries, planned shipments of precursors of amphetamine-type stimulants pre-notified through the PEN Online system exceeded or were close to reaching the estimated annual requirements for the concerned period at the time of the pre-notification, prompting follow-up requests from INCB for clarification by the respective competent authorities (see also paras. 77 and 78 below). On the other hand, several countries had indicated annual legitimate requirements that by far exceeded the amounts imported or pre-notified to them for import,

Figure 1. Number of Governments providing estimates of annual legitimate requirements, 2011–2022



suggesting unrealistically high estimated requirements. In some other cases, Governments indicated on form D the use of a substance or a number of substances for specific purposes; however, they did not provide any indication regarding the estimated amounts required. **INCB invites Governments to review the methodology used to estimate their annual legitimate requirements for imports of individual precursors of amphetamine-type stimulants to reflect changing import needs, and to provide updates to the Board, at any time throughout the year, on any necessary changes.**

30. In order to establish their estimates more accurately, Governments may refer to the *Guide on Estimating Requirements for Substances under International Control*, developed by INCB and the World Health Organization, as well as the recently updated document entitled “Issues that Governments may consider when determining annual legitimate requirements for ephedrine and pseudoephedrine”. Both documents are available on the Board’s website.

31. During the reporting period, some countries, including India, Jordan and Nigeria, revised their estimates significantly downwards. India, which previously had the largest estimated annual legitimate requirements for ephedrines and pseudoephedrines worldwide, revised its annual legitimate requirements down to almost zero to reflect import requirements, following the updated guidance of the Board. Jordan has further reduced its annual legitimate requirements following a similar step last year. This follows an unprecedented pattern of imports of pseudoephedrine and subsequent exports of preparations containing that substance to the Kurdistan region of Iraq, which the Board had noted in the past.¹¹

G. Pre-export notifications and utilization of the Pre-Export Notification Online system

32. Knowledge about incoming shipments in international trade and the possibility to verify the legitimacy of a planned import are key in preventing the diversion of precursors. The international precursor control system offers Governments two complementary tools. First, by invoking article 12, paragraph 10 (a), of the 1988 Convention, Governments of importing countries can make it mandatory for exporting countries to inform them of planned shipments of precursors prior to shipping. Second, although not a treaty requirement, Governments should also register with the Board’s automated online

system for the exchange of pre-export notifications, PEN Online, to ensure that they receive information about all relevant planned shipments of chemicals destined for their territory in real time, thus enabling them to verify the legitimacy of a transaction and suspend or stop it, as required, before the shipment leaves the exporting country.

1. Pre-export notifications

33. As at 1 November 2022, 117 countries and territories had formally requested to receive pre-export notifications for some or all of the substances in Table I and Table II of the 1988 Convention (see annex VI). This figure includes the Government of Zambia, which in June 2022 invoked article 12, paragraph 10 (a), for all substances in Tables I and II. As traffickers are continuously looking for vulnerable territories to carry out their illicit drug manufacturing activities, it is essential that all Governments are officially pre-notified of shipments of controlled precursor chemicals destined to their territory or territories; it is equally important that all shipments are monitored, and not just those destined for territories where illicit manufacture is known to take place, so that suspicious consignments can be identified, regardless of their destinations. **In order for the pre-export notification system to be effective, the Board calls upon all remaining Governments that have not yet invoked the provisions of article 12, paragraph 10 (a), of the 1988 Convention, notably those in Africa and Oceania, to do so without further delay.**

34. **The Board furthermore strongly encourages interested Governments and organizations to use bilateral, regional and multilateral initiatives to draw attention to, and help other Governments to take advantage of, the provisions of article 12, paragraph 10 (a), of the 1988 Convention with regard to all substances in Table I and Table II of the Convention.**

2. Pre-Export Notification Online system

35. Since the Board published its report on precursors for 2021, the Governments of Fiji, Malawi and Mongolia have been registered as users of the PEN Online system, thus increasing the number of Governments with authorized access to that electronic tool to 168 countries and territories. The number of pre-export notifications communicated through the PEN Online system has remained stable, with an average of 2,900 notifications sent per month during the reporting year. Since 1 November 2021, about 35,000 pre-export notifications have been submitted by 69 exporting countries and territories through the PEN Online system. Although the Board is pleased to note that 85 per cent of all countries and territories using

¹¹See, for example, the INCB report on precursors for 2019 (E/INCB/2019/4), para. 79.

the system view more than 90 per cent of their incoming pre-export notifications, the number of Governments not viewing them, notably in Africa and Oceania, still raises some concern (see figure 2). **INCB therefore reiterates its recommendation to importing Governments that are registered as users of the PEN Online system to make active use of the system for all transactions involving precursors and to respond to exporting authorities in a timely manner where necessary.**

36. Less than 5 per cent of pre-export notifications were objected to during the reporting year. Similar to previous years, many of those objections were raised for administrative reasons. To avoid unnecessary administrative objections and delays in shipments, **the Board reminds exporting authorities to include all relevant details, especially authorization numbers, where available, when submitting a pre-export notification in the PEN Online system. Preferably and where available, exporting Governments should consider attaching a copy of the import authorization to the pre-export notification in the PEN Online system to facilitate verification by the authorities of importing countries.**

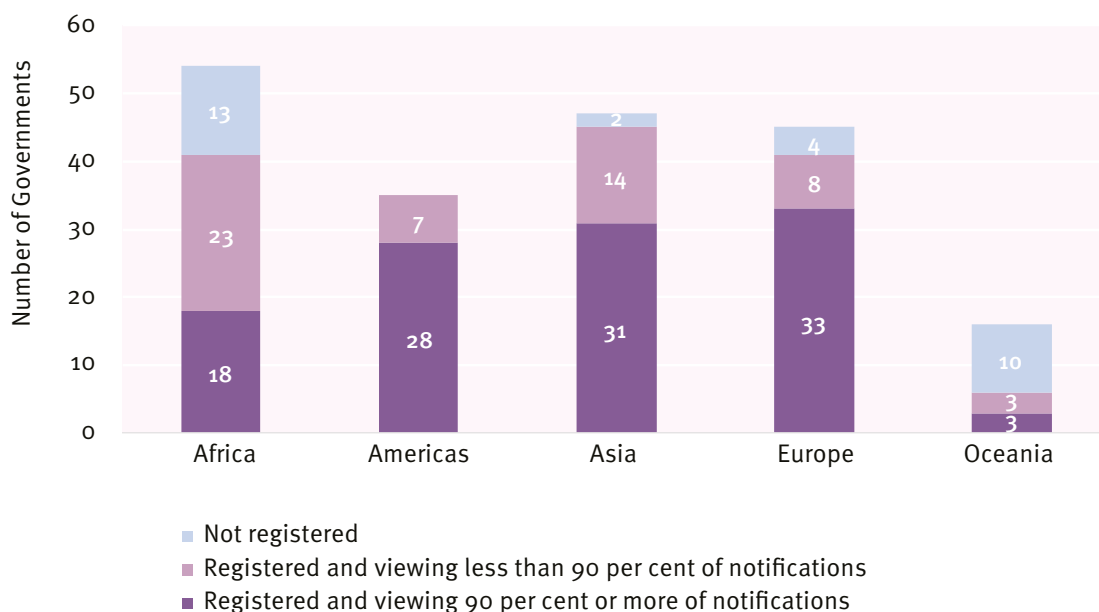
37. The Board has repeatedly highlighted the need to take prompt action upon receipt of a pre-export notification. Specifically, this implies that the importing Government should verify the legitimacy of the shipment in question, namely, the importing company and the amount pre-notified, and provide feedback to the exporting authority. Undertaking these activities within a period of 7 to 15 working days has become established practice. During the reporting period, the Board noted a few

instances where timely action had prevented possible trafficking attempts from proceeding and others where lack of a timely response to the pre-export notification had resulted in dubious exports requiring subsequent investigations (see para. 77 below). **The Board encourages Governments to make effective use of the PEN online system to identify suspicious shipments and possible diversion attempts. Close monitoring of the submitted pre-export notifications and prompt responses by the importing countries are the most effective remedies to prevent chemicals intended for licit purposes from entering illicit channels. The Board also encourages exporting and importing Governments to treat objected shipments as the starting point for investigations to identify traffickers and modi operandi.**

38. Another trend noted was the pre-notification of planned shipments in excess of the quantities indicated by the importing countries as their estimated annual legitimate requirements (see paras. 77 and 78 below). **The Board encourages the Governments of exporting countries to consider the annual legitimate requirements of the importing countries before authorizing exports of selected precursors of amphetamine-type stimulants and preparations containing such substances, pursuant to Commission on Narcotic Drugs resolution 49/3.¹² Shipments in excess of quantities indicated by importing countries as their legitimate needs could possibly be trafficking attempts.**

¹²An updated list of annual legitimate requirements is available on the Board's website.

Figure 2. Level of utilization of the PEN Online system, by region, 2021



Box 2. Responsibility of transit countries to prevent the diversion of internationally controlled precursor chemicals^a

Normal commercial practice may involve shipping a chemical through one or more countries. Therefore, in addition to exporting and importing countries, transit countries have an important role to play in preventing diversion, pursuant to article 12, paragraph 9 (c), of the 1988 Convention. However, the Board has noted that, whereas some transit countries are informed of shipments entering their country en route to another country, in many cases, owing to a lack of full documentation, transit countries may not be aware that a specific transit is to occur.

It is therefore essential that the authorities of transit countries are informed fully and in advance by the authorities of the exporting country of the transit that is to occur. In practice, this can be accomplished by copying a pre-export notification to the authorities of transit countries. While not mandatory under the 1988 Convention, some Governments also require transit authorizations to be issued.

In the process of determining the legitimacy of transit shipments of internationally controlled precursors, it is important that exporting, importing and transit countries establish good working relationships with each other to avoid delaying legitimate trade. Where information is provided about suspicious shipments in transit, national authorities should cooperate by sharing pertinent information and providing assistance in law enforcement operations. Specifically, the authorities of transit countries should:

- Invoke article 12, paragraph 10 (a), of the 1988 Convention and review all incoming pre-export notifications when copied in as a transit country.
- Put in place a monitoring mechanism to identify suspicious shipments and ensure legislative power to seize shipments of controlled chemicals, when necessary, or to delay onward shipment, in accordance with national law, until such time as the authorities are satisfied that the shipment is intended for licit purposes.
- Ensure close coordination of the activities of the different authorities and actors, in particular those of customs authorities and industry, all of which may be in a position to confirm the legitimacy of shipments involving controlled chemicals.
- Check shipping documents to ensure that:
 - They are fully completed and that there are no inaccuracies;
 - The shipment of a controlled chemical is indeed considered a transit shipment or a shipment that has entered the country under conditions of customs surveillance and that its exportation has been authorized by the exporting country;
 - There are sound grounds for routing the consignment through the particular transit country;
 - The regulations and legal requirements of the importing country, or next transit country, are fully met;
 - The operator, individuals, companies or other parties involved in the transaction have been suitably vetted and are authorized to handle the chemical or chemicals involved.
- In case of concern about the legitimacy of a shipment, consider authorizing the shipment only upon receiving an explicit response from the authorities of the subsequent importing country or arranging for a controlled delivery.

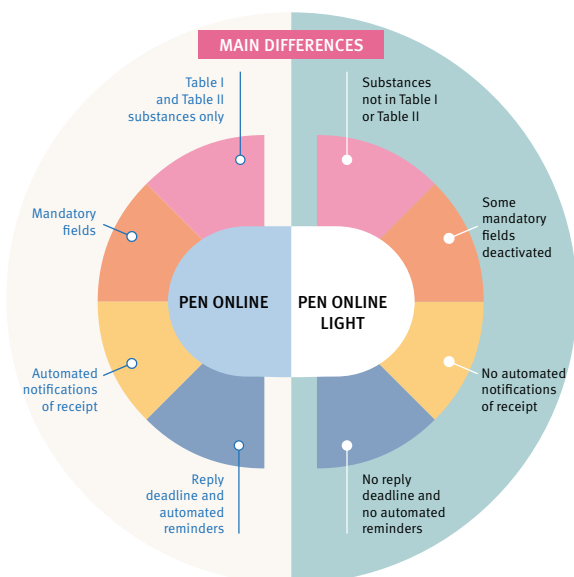
^a A discussion on the global issue “Responsibilities of transit countries in the licit trade in internationally controlled substances” can be found in the annual report of the Board for 2022 (E/INCB/2022/1).

3. Pre-Export Notification Online Light system: sending pre-export notifications for non-scheduled chemicals on a voluntary basis

39. Since early 2021, the authorities of some exporting countries have started to systematically send advance notifications for shipments of chemicals not in Table I or Table II of the 1988 Convention to importing countries by email, often sending a copy to INCB. This practice has emerged in response to changes in national legislation and domestic controls requiring the sending of such pre-export notifications.

40. To respond to the emergence of non-scheduled chemicals and designer precursors and assist Governments in addressing the issue of chemicals that are not under international control but that may be controlled nationally in one or more countries, the Board launched the **PEN Online Light system** in October 2022. Analogous to the PEN Online system, The PEN Online Light system is a tool that exporting Governments can use to notify importing countries about planned shipments of internationally non-scheduled chemicals on a voluntary basis. It uses the same technology as the PEN Online system, but given its voluntary nature, some features in the PEN Online system have been deactivated in the PEN Online Light system (see figure 3). **The Board recommends that the authorities of exporting countries actively use the PEN Online Light system when notifying importing Governments of shipments involving non-scheduled chemicals. Importing authorities, likewise, are encouraged to make use of this free tool to receive advance notifications of proposed shipments of non-scheduled chemicals destined for their territories.**

Figure 3. Main differences between the PEN Online system and the PEN Online Light system



H. Other activities and achievements in international precursor control

1. Project Prism and Project Cohesion

41. The INCB Precursors Task Force, which steers the activities of the two operational projects of INCB, Project Prism and Project Cohesion,¹³ decided to conduct, jointly with WCO and the UNODC-WCO Container Control Programme, a multilateral activity related to free zones in selected countries. In addition, Operation Knockout was conducted jointly under Project Prism, Project Ion and the INCB Global Rapid Interdiction of Dangerous Substances (GRIDS) Programme at the end of 2022. The results of the operation, which was aimed at identifying and dismantling illicit manufacturing operations, suspicious online marketing activities, and distribution and redistribution points involving GBL and 1,4-butanediol, among other substances, are to be evaluated by the Task Force in 2023.

42. Operation Acronym, aimed at addressing the diversion of precursors by means of the Internet (specifically, the surface web), was conducted in February 2021. Following the conclusion of the operation, “intelligence packages” were developed and shared with the countries concerned to facilitate appropriate follow-up investigations. One such package was shared with the authorities of India in September 2021. Subsequent investigations were successful in unearthing a major drug trafficking network that was involved in the diversion and supply of several nationally and internationally controlled substances, including ephedrine, pseudoephedrine, tramadol, oxycodone, alprazolam, diazepam, codeine and ketamine. The investigations also led to seizures of ketamine and ephedrine, the arrest of four persons and the obtaining of intelligence about a shipment originating in Mexico and destined for Australia, details of which were shared with Australia. In addition, one large-scale drug trafficker was identified in Mexico and authorities in Australia seized 1 kg of methamphetamine. The investigations were ongoing.

43. During the reporting period, INCB also continued to serve as a focal point for the exchange of information on suspicious transactions in legitimate trade, trafficking trends, identified *modi operandi* and emerging

¹³ The two projects, which currently bring together operational focal points from law and regulatory enforcement authorities of more than 140 Governments worldwide, serve as platforms for international cooperation to address the diversion of and trafficking in chemicals used in the illicit manufacture of synthetic drugs (Project Prism), and heroin and cocaine (Project Cohesion). A summary of the minimum action needed for international multilateral cooperation under the two projects is available in the INCB report on precursors for 2015 (E/INCB/2015/4), box 2.

non-scheduled chemicals, including through PICS (see sect. 2 below). Six special alerts were issued and shared with focal points, including information on interim outcomes of the above-mentioned investigation in India; the emergence of 3,4-MDP-2-P ethyl glycidate, a new designer precursor of MDMA; and common features of shipments involving a variety of designer precursors (see also para. 126 below). All past alerts are available to registered users of PICS.

2. Precursors Incident Communication System

44. PICS continued to play a central role in alerting registered users worldwide to the further evolution of the landscape of non-scheduled chemicals in terms of new substances, the complexity of trafficking routes and the geographical spread of designer precursors. PICS also continued to provide leads to national authorities to assist them in identifying links between seizures, initiating backtracking investigations, conducting further seizures and preventing diversion attempts.

45. As at 1 November 2022, PICS had about 600 registered users from 124 countries and territories, representing more than 300 agencies in all regions.¹⁴ Between 1 November 2021 and 1 November 2022, more than 250 new precursor-related incidents involving over 740 individual substance-related communications were communicated through the system. This brings the total number of incidents that have been communicated through PICS since its establishment in 2012 to more than 3,700. As in

¹⁴Governments that have not yet registered PICS focal points for their national authorities involved in precursor control may request an account by writing to incb.pics@un.org.

the past, the newly reported incidents had occurred in all regions of the world and involved 16 substances in Table I of the 1988 Convention, 6 substances in Table II and 40 substances included in the international special surveillance list. Incidents involving more than 60 additional non-scheduled substances that are not included in Table I or Table II or in the international special surveillance list were also communicated. Some of the incidents involved multiple substances, in particular the incidents involving clandestine laboratories. During the reporting period, there were also nine incidents involving different types of laboratory equipment. The Board would once again like to commend PICS users for sharing incidents involving precursors and/or equipment through the system. **The Board encourages PICS users to increase the level of actionable details shared through PICS and to also include leads about essential equipment used in illicit drug manufacture, to assist Governments in analysing the latest modi operandi used by traffickers and updating risk profiles used to identify trafficking in precursors and equipment across borders.**

3. Cooperation with industry

46. Cooperation with industry is an essential and effective component of any regulatory framework. INCB has repeatedly reiterated that such cooperation should not be limited only to the chemical and pharmaceutical manufacturing industry but should extend to industries concerned in any way with the supply of the substances. Overall, the cooperation should involve all industries whose products or services may be misused in connection with illicit drug manufacture, including those that manufacture or distribute equipment.

Box 3. Precursors Incident Communication System

In October 2021, in its tenth year of operation, PICS was upgraded with new features, including the following:

- A function for extensive web browser-type searches, with several fixed filtering options to refine the search and the possibility to add additional filtering options by means of dynamic filtering
- Enhanced report generation functionalities to support analysis and backtracking investigations
- Features aimed at facilitating the more meaningful exchange of information regarding cases involving equipment
- In addition to information on actual seizures of precursors and equipment, PICS now provides for the sharing of details of suspicious shipments

47. Specifically, the Board considers it important that the cooperation involve not only known industries that are licensed or otherwise regulated under national precursor legislation to deal with controlled precursors but also other categories of industries that might, often unknowingly, be targeted by traffickers in order to obtain chemicals for illicit drug manufacture (see figure 4 below). To assist Governments in their efforts, the Board has prepared a global review and guidance document on those categories that is available to competent national authorities on its secure website.¹⁵ **The Board encourages Governments to peruse the document and to map their national industry landscape with the aim of understanding which categories are available in their territories and sensitizing the industries concerned.**

48. In September 2022, the Board made an additional resource available to Governments, a document entitled “National practices related to public-private partnerships in the area of drug precursors and non-scheduled chemicals used in illicit drug manufacture”.¹⁶ The document provides a summary of the key findings of an INCB survey conducted in 2021 that took stock of existing national public-private cooperation mechanisms worldwide. The survey confirmed that the nature, format and scope of the

¹⁵The document is available at www.incb.org/incb/secured/precursors/Global_review_of_Categories_of_Industries.pdf.

¹⁶Available to Governments on the Board’s secure website at www.incb.org/incb/secured/precursors/National_Practices_Related_to_Public-Private_Partnerships.pdf.

cooperation between Governments and the private sector vary significantly among countries and regions depending on the respective national context. To illustrate how cooperation with the chemical industry has been established and implemented in different national contexts, several Governments provided their practices and case studies to the Board.

49. For a number of years, the Board has encouraged and facilitated the practice of twinning. This practice links counterparts from the public and private sectors in countries that already have in place well-established cooperation arrangements with industry and thus assists Governments wanting to establish or further enhance such cooperation. Since 2016, practical guidance in the context of twinning arrangements has been provided by authorities of France and Switzerland to authorities in the United Republic of Tanzania. The cooperation resulted in the signing of a memorandum of understanding with two pharmaceutical associations and a number of chemical companies in 2021, and in the finalization of a voluntary code of practice in 2022.

50. **The Board encourages Governments to take advantage of available reference and guidance materials, including the compilation of national practices and case studies, as well as opportunities for twinning arrangements. The Board stands ready to facilitate twinning arrangements between countries.**

Figure 4. Categories of industries that might be involved in the manufacture, trade or distribution of chemicals used for illicit drug manufacture



^a The term “producers of fine and specialty chemicals” covers many subcategories of industries, such as those related to flavours and fragrances, mining and paper.

51. An interactive compendium describing and visualizing INCB tools and resources on public-private partnership and voluntary cooperation with industry has been published and made available to Governments on the INCB website. The compendium includes a discussion of the benefits, use and application of the various INCB brochures, guidelines, practical notes, publications and other resources that can help Governments to understand the different elements of public-private partnerships, including ways to set up, encourage or enhance such partnerships, learn from practical national case studies and better understand the complex landscape of different industries.

52. A discussion on the global issue “Public-private partnerships in the area of drug precursors, non-scheduled chemicals and dangerous substances” can be found in the annual report of the Board for 2022.¹⁷

4. International cooperation in, and other international initiatives focusing on, precursor control

53. Various forms of cooperation with international and regional partners, including joint operational activities, ad hoc partnerships, collaboration in meetings and training initiatives and regular exchanges of expertise and know-how in areas of common interest, continued to play an important role during the reporting period. INTERPOL, UNODC and WCO, as well as the regional entities CICAD and the European Commission, are members of the INCB Precursors Task Force and cooperate on operational aspects of international precursor control. **INCB would like to acknowledge the contributions of all partners in advancing precursor control efforts worldwide.**

54. The partnership between INCB and **UNODC** continued to bring together the Board’s expertise in precursor control and closer access to some regions and countries through UNODC country and regional offices. It also brought together elements of precursor control and some of the broader law enforcement initiatives of UNODC, such as the UNODC-WCO Container Control Programme. In addition, INCB continued to support the Paris Pact¹⁸ expert group on precursors, including in relation to formulating related recommendations for national regulatory and law enforcement authorities and international agencies and to their implementation.

55. INCB and **WCO** continued to work together to ensure that a unique Harmonized System code is established for each precursor chemical under international

control, pursuant to Economic and Social Council resolution 1992/29 (see para. 7 above). WCO, through the UNODC-WCO Container Control Programme, also remained an important operational partner during the reporting period, namely, in connection with devising and implementing a multilateral activity related to free zones (see para. 41 above).

56. The specific activities of regional partners such as **CICAD** and the **European Commission** complement and reinforce the Board’s global approach and help to advance precursor control at the regional level.

¹⁷E/INCB/2022/1.

¹⁸The Paris Pact initiative, led by the UNODC Paris Pact Coordination Unit, provides a multilateral framework for the fight against opiates originating in Afghanistan.