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Commission on Narcotic Drugs

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Agenda item 4 (d)

**Implementation of the international drug control treaties:
other matters arising from the international drug control
treaties**

**Argentina, Chile, Guatemala, Mexico, Peru, Thailand and the United States of
America: revised draft resolution**

Strengthening international cooperation and regulatory and institutional frameworks for the control of precursor chemicals used in the illicit manufacture of synthetic drugs

The Commission on Narcotic Drugs,

Recalling the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,¹ in which it was decided to establish 2019 as a target date for States to eliminate or reduce significantly and measurably the diversion of and trafficking in substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, and in which it was also stated that, while legislative and regulatory controls have prevented the diversion into illicit channels of substances frequently used in the manufacture of narcotic drugs and psychotropic substances, such substances still reach clandestine drug laboratories,

Recalling also its resolutions 53/15 and 51/10, in which it urged Member States to further strengthen, update or, if they had not yet done so, establish national legislation and mechanisms relating to the control of precursors used in the illicit manufacture of drugs and emphasized the need for Member States to strengthen monitoring and control systems at the points of entry of precursor chemicals and to promote the secure transport of such substances,

Recalling further General Assembly resolution 59/162 of 20 December 2004, in which the Assembly emphasized the need to ensure that adequate mechanisms

¹ A/64/92-E/2009/98, sect. II.A.



were in place to prevent the diversion of preparations containing chemicals listed in tables I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988² pertaining to illicit drug manufacture, in particular those containing ephedrine and pseudoephedrine,

Recalling the United Nations resolutions calling on Member States to increase international and regional cooperation in order to counter the illicit production of and trafficking in drugs, including by strengthening the control of the international trade in precursor chemicals frequently used in the production of illicit drugs and preventing attempts to divert these substances from licit international trade to illicit use,

Reiterating the importance of further strengthening existing international cooperation mechanisms for the control of precursor chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances and the need for States to participate in international operations and projects currently being undertaken, such as Project Prism and Project Cohesion,

Recognizing the legitimate need, in particular of the industry and trade sectors, to have access to precursor chemicals frequently used in the manufacture of narcotic drugs and psychotropic substances, as reflected in the Political Declaration and Plan of Action, and the important role of those sectors in preventing diversion from the licit manufacture of and trade in such substances,

Recognizing also the important work of the International Narcotics Control Board as the principal body and global focal point for the international control of precursors,

Re-emphasizing that the prevention of diversion of scheduled and non-scheduled precursor chemicals is a key element in reducing the illicit manufacture and supply of narcotic drugs and psychotropic substances,

Reaffirming concern about the alarming scale of the illicit manufacture of heroin, cocaine and synthetic drugs such as amphetamine-type stimulants worldwide, the associated diversion of precursor chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances and the emergence of new methods used by organized criminal groups to divert such chemicals from licit trade,

Acknowledging the fact that diversion of pharmaceutical preparations³ containing ephedrine and pseudoephedrine is a concern and is a significant challenge for drug control authorities because such preparations may not be subject to a similar level of controls as bulk (raw) ephedrine and pseudoephedrine,

Acknowledging also that ephedrine and pseudoephedrine contained in pharmaceutical preparations can be easily extracted for use in the manufacture of amphetamine-type stimulants,

Taking note with appreciation of the positive results achieved thus far through Project Prism and Project Cohesion, launched by the International Narcotics Control

² United Nations, *Treaty Series*, vol. 1582, No. 27627.

³ For the purposes of the present resolution, "pharmaceutical preparations" include those for both human and veterinary use.

Board in cooperation with States to stem the diversion of amphetamine-type stimulants and heroin and cocaine precursors, respectively,

Taking note of the offer by the Government of Peru to host, with the collaboration of the United Nations Office on Drugs and Crime, a centre of excellence for the region of Latin America and the Caribbean, with the aim of developing training programmes for public officials on various aspects of precursor chemicals, including the exchange of good practices and experiences,

1. *Encourages* Governments to continue contributing to the efforts of the International Narcotics Control Board, especially through Pre-Export Notification Online (PEN Online) for pre-export notification of precursor chemicals, and to also include, to the extent possible and in accordance with national legislation, pharmaceutical preparations containing ephedrine and pseudoephedrine in these notifications, so as to favour the rapid identification of new patterns of diversion of precursor chemicals used in the illicit manufacture of narcotic drugs and psychotropic substances;

2. *Calls upon* the International Narcotics Control Board to further strengthen communication with Member States and to work with them in identifying opportunities for more effective control and monitoring of the trade in precursor chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances;

3. *Urges* Member States to further strengthen, update or, if they have not yet done so, establish national legislation and mechanisms relating to the control of precursors used in the illicit manufacture of drugs, pursuant to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;⁴

4. *Encourages* Member States to adopt, where appropriate, regulatory frameworks to control the production, distribution and commercialization of pharmaceutical preparations containing ephedrine and pseudoephedrine, to prevent diversion, including through the sending of pre-export notifications, without impairing the availability of essential pharmaceutical preparations for medical use;

5. *Also encourages* Member States, consistent with Commission resolution 49/3, to regularly review their estimated requirements for those chemicals listed in the resolution and provide the most recent data to the International Narcotics Control Board;

6. *Invites* Member States to consider, at the national level, expanding the list of precursor chemicals and substances under international control that are frequently used in the illicit manufacture of narcotic drugs and psychotropic substances;

7. *Encourages* Member States to apply similar control measures for pharmaceutical preparations containing ephedrine and pseudoephedrine as those for bulk (raw) precursor chemicals;

8. *Also encourages* Member States in which different or additional regulatory entities are responsible for control of preparations, as distinct from the

⁴ United Nations, *Treaty Series*, vol. 1582, No. 27627.

bulk (raw) precursor chemicals contained in such preparations, to ensure that the government entities coordinate and cooperate in their control efforts, with the objective of maintaining seamless and effective regulatory controls over both preparations and bulk (raw) precursors;

9. *Further encourages* Member States to consider strengthening, in accordance with their national legislation, overall control over and monitoring of the trade in precursor chemicals, including pharmaceutical preparations containing ephedrine and pseudoephedrine, that can be easily used in, or recovered by readily applicable means for use in the illicit manufacture of narcotic drugs and psychotropic substances, such as amphetamine-type stimulants, and to monitor, to the extent possible, the legitimate trade in such precursor chemicals and pharmaceutical preparations;

10. *Encourages* Member States to continue to provide the International Narcotics Control Board with pertinent information on the identification of any new precursor chemicals replacing those precursors frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, on the manufacture of such chemicals and on new means of synthesis and methods being used in the illicit production of drugs;

11. *Invites* Member States to take appropriate measures to strengthen international cooperation and the exchange of information regarding the identification of new routes and *modi operandi* of criminal organizations dedicated to the diversion or smuggling of precursor chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, including with respect to the use of the Internet for illicit purposes, and to continue to notify the International Narcotics Control Board of such information;

12. *Requests* Member States to continue to submit to the United Nations Office on Drugs and Crime, through the annual report questionnaire, information related to cases of illicit traffic within their jurisdiction that they consider important because of new trends disclosed, the quantities involved, the sources from which the substances are obtained or the methods employed by persons so engaged, in line with the provisions of article 20 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

13. *Invites* Member States to raise awareness of, and build capacity in addressing, the risks of diversion of pharmaceutical preparations containing ephedrine and pseudoephedrine;

14. *Emphasizes* the need for Member States to strengthen monitoring and control systems at all points of entry and exit of precursor chemicals frequently used in the illicit manufacture of narcotic drugs and psychotropic substances, including airports, seaports, river ports and customs posts, and promote the secure transport of such substances, and underlines the urgent need to increase international cooperation in this field, in particular to support the control efforts currently being undertaken by developing countries;

15. *Encourages* Member States to develop joint actions with their national chemical industry, as such actions greatly enhance access by regulatory authorities to important information relating to unusual sales and transactions of precursors;

16. *Invites* Member States to promote voluntary codes of conduct for the chemical industry, in accordance with the International Narcotics Control Board's *Guidelines for a Voluntary Code of Practice for the Chemical Industry*,⁵ in order to promote responsible commercial practices and sale of chemicals, and prevent the diversion of chemicals to illicit drug manufacturing channels;

17. *Invites* the International Narcotics Control Board, in cooperation with Member States, to look into the issue of diversion of veterinary pharmaceutical preparations containing ephedrine and pseudoephedrine, as well as the measures adopted by States for its control, and invites interested Member States to make contributions for this purpose.

⁵ United Nations publication, Sales No. E.09.XI.17.