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Agenda item 7 (c)

Implementation of the international drug control treaties: follow-up to the twentieth special session of the General Assembly

Australia and Japan: revised draft resolution

Promoting collaboration on the prevention of diversion of precursors

The Commission on Narcotic Drugs

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session,¹ in which Member States established 2008 as a target date for States to eliminate or reduce significantly the diversion of precursors,

Recalling also General Assembly resolution S-20/4 B of 10 June 1998, adopted by the Assembly at its twentieth special session, in which the Assembly considered that measures against the diversion of precursors could be effective only through concerted worldwide action and international cooperation guided by common principles and objectives,

Recalling further that, in General Assembly resolution S-20/4 B, it is stated that States should promote the exchange of experience relating to police, customs and other administrative investigation, interception, detection and control of diversion of precursors,

Recalling further that the International Narcotics Control Board, in its report for 2006,² urged all parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988³ to take all the necessary

¹ General Assembly resolution S-20/2, annex.

² *Report of the International Narcotics Control Board for 2006* (United Nations publication, Sales No. E.07.XI.11), para. 649, recommendation 22.

³ United Nations, *Treaty Series*, vol. 1582, No. 27627.



measures to monitor, within their territories, the manufacture and distribution of precursor chemicals under international control,

Recognizing that different challenges in reducing the supply of amphetamine-type stimulants are faced by Member States, but that common characteristics of the manufacture of amphetamine-type stimulants exist among Member States, principally the reliance of illicit manufacture of amphetamine-type stimulants on the availability of precursor chemicals used also in licit manufacture,

Recognizing also the importance of applying national precursor controls with uniform effectiveness throughout the world, as a means of avoiding the displacement of diversion points across national borders,

Noting that the International Narcotics Control Board, in its information package on the control of precursors, emphasized the need for effective administrative, legislative and regulatory controls and structures governing the legitimate trade in precursor chemicals within national borders as a means of implementing article 12 of the 1988 Convention,

Acknowledging that controls on the legitimate trade in precursor chemicals within national borders will complement the work of existing projects of the International Narcotics Control Board, including Project Prism and Project Cohesion, which monitor the international diversion of precursor chemicals into the manufacture of amphetamine-type stimulants and of heroin and cocaine, respectively,

Recognizing the establishment of the Asian Collaborative Group on Local Precursor Control and the International Forum on Control of Precursors for Amphetamine-type Stimulants,

Acknowledging the role of the joint forum of the Asian Collaborative Group on Local Precursor Control and the International Forum on Control of Precursors for Amphetamine-type Stimulants in striving to improve the control of precursors of amphetamine-type stimulants in Asia through enhanced collaboration on regulatory, administrative and legislative controls and practices,

1. *Encourages* the joint forum of the Asian Collaborative Group on Local Precursor Control and the International Forum on Control of Precursors for Amphetamine-type Stimulants to take forward the work programme adopted at the forum meeting held in Tokyo from 13 to 16 February 2007, annexed to the present resolution;

2. *Encourages* Member States to consider the adoption of similar regional collaborative mechanisms for the control of precursors for amphetamine-type stimulants, within the framework of the relevant intergovernmental organizations.

Annex***Asian Collaborative Group on Local Precursor Control
(ACoG)
Terms of Reference****Aim**

ACoG will contribute to the prevention of precursor diversion into synthetic drug manufacture in the Asian region.

Objective

ACoG will achieve its aim by promoting the adoption of best practice national regulatory, administrative and legislative policies and practices that address the threat of local precursor diversion.

Terms of Reference

In promoting its objective, ACoG will provide a regional forum focussed on:

1. encouraging a shared appreciation of precursor threats and emerging trends in the Asian region
2. sharing information about effective measures to prevent the local diversion of precursor chemicals and equipment
3. seeking to develop responsive strategies to respond to identified emerging trends and threats, and
4. identifying opportunities for cooperation and support for building capacity in the Asian region to respond to threats.

**Asian Collaborative Group on Local Precursor Control
(ACoG)
and International Forum on Control of Precursors for ATS
(IFCP)
-- WORK PROGRAM --****Background**

Most precursor chemicals have legitimate uses that provide a number of social benefits. However, the diversion of these substances into illicit drug manufacture poses a serious threat to all countries.

Asian countries are some of the world's largest producers and traders in chemicals that can also be used as precursors for ATS drugs. Precursor control is therefore a centrally important issue for law enforcement and regulatory agencies in Asian countries.

* The annex is reproduced in the form in which it was received.

The illicit ATS production environment is dynamic. Criminal groups are opportunistic and resilient--they are capable of responding quickly and flexibly to changed market constraints, such as the introduction of measures to counter diversion. Preventing and responding to the diversion of precursors from legitimate to illicit trade therefore requires innovative regulatory controls and law enforcement responses.

A regional response to precursor diversion is needed that incorporates both coordinated actual countermeasures and improvements to our collective knowledge-base about the legitimate and illicit precursor chemical markets. To avoid the displacement of diversion points across national borders, it is crucial that controls are applied with uniform effectiveness across the region.

Priority Areas

To meet the threats posed by the illicit precursor and ATS market to Asia, members have identified a number of key priority areas to focus the work of ACoG/IFCP:

1. *Forensic technical capacity*-- all countries should seek to ensure they have available the relevant expertise and related equipment necessary to ensure they are able to respond to ATS issues.
2. *Market knowledge*--visibility of the legitimate precursor market must be improved by:
 - a. better understanding the legitimate uses of precursors
 - b. monitoring the legitimate commercial movements of precursors, and
 - c. estimating the legitimate market demand for precursors in each country.
3. *Industry control*--a strong theme in the range of countermeasures introduced to combat diversion must incorporate the effective regulation and control of the legitimate precursor trade, while recognising the economic and community benefit imperatives of the legitimate precursor trade.
4. *Industry engagement*—wherever possible, any countermeasures should be progressed in a way that engages fully with, and secures the cooperation of legitimate industry.
5. *Information / intelligence exchange*--countermeasures and operations in the Asian region should be grounded in a collective knowledge-base emerging from strong intelligence production and information sharing networks.
6. *Harmonisation*--wherever possible, countries in the Asian region should seek to harmonise their approaches to controlling the trade in precursor chemicals.
7. *Ministerial engagement*--opening a Ministerial-level dialogue about existing precursor threats, emerging trends and the potential for coordinated regional action should be pursued as part of formulating effective and workable responses to precursor diversion in the Asian region.
8. *Use of existing mechanisms*--when developing and implementing countermeasures, countries in the Asian region should, wherever possible, exploit and build upon the significant range of arrangements, programs and resources already in place to address precursor diversion.

Future Action

In pursuing these priority areas, ACoG/IFCP propose to undertake the following activities as important first steps toward implementing an effective and coordinated response to precursor diversion across the Asian region:

1. Develop an ACoG/IFCP Action Plan, which would outline a number of actions aimed at:
 - a. Exploring the potential for a regional intelligence hub about precursors used in Asian ATS manufacture, their sources and criminal *modus operandi*.
 - b. Identifying intelligence and information gaps, with a view to developing an *ATS Intelligence Collection Plan* for the Asian region.
 - c. Recognising the Information Sharing System (sponsored by Japan) as an effective means for conducting and sharing the results of forensic analysis of ATS and their precursors, thereby providing a centralised regional source of information about precursors used in Asian ATS manufacture, their original source and criminal *modus operandi*.
 - d. Developing arrangements for each country to voluntarily participate in the Information Sharing System by providing samples of seized ATS and raw precursor products to be forensically analysed.
 - e. Developing effective mechanisms for investigating seizures of ATS both within and across borders, giving attention to the potential benefits of controlled delivery operations and backtracking operations.
 - f. Improving technical forensic capacity in the region to effectively respond to ATS issues.
 - g. Exploring the potential benefits of conducting a *Baseline Study of Alternative Precursors for ATS*, which can be used to improve precursor monitoring and control measures.
2. Develop a *Regional Situation Report* on the range of precursor threats and challenges faced by the Asian region, and the existing controls, legislation and practices in place in member countries, including any identified gaps or weaknesses.
3. New Zealand, Japan and the Netherlands will work together to provide members with more information on the trafficking, regulation and use of Benzylpiperazine.
4. Identify an appropriate opportunity for Ministerial collaboration on precursor control, including discussion of the direction of ACoG/IFCP and its program of work.
5. Support taking a resolution to CND emphasising the success and value of the ACoG/IFCP model to other UN member states.

The Australian Government Attorney-General's Department and the Government of Japan Ministry of Health, Labour and Welfare will coordinate the progression of these activities in consultation with other interested members before the next meeting.

Australia and Japan will also explore possibilities for hosting the next ACoG/IFCP meeting in late 2007, possibly in conjunction with the Australian National Chemical Diversion Congress, scheduled to be held in Tasmania in October.
