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Commission on Narcotic Drugs**Fiftieth session**

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Draft report*Rapporteur:* Oleh **Herasyenko** (Ukraine)**Addendum****Thematic debate on new challenges for controlling precursor chemicals**

1. At its 1275th and 1276th meetings, on 13 March, the Commission considered agenda item 3, "Thematic debate: new challenges for controlling precursor chemicals".
2. The Chairman of the Commission opened the thematic debate. The President of the International Narcotics Control Board made an introductory statement. That was followed by an audio-visual presentation made by a representative of the International Narcotics Control Board secretariat. As agreed by the Commission, the thematic debate was divided into two subthemes: subtheme (a), "Information exchange on new trends in diversion and trafficking in precursors for illicit manufacture of methamphetamine, amphetamine, 'ecstasy' and other narcotic drugs and psychotropic substances"; and subtheme (b), "Information exchange on new trends in diversion and trafficking in precursors for illicit manufacture of heroin and cocaine". Both subthemes focused on: "Substances used as precursors for synthetic and other narcotic drugs and psychotropic substances"; "New modes of diversion and trafficking in precursors"; and "Responses: domestic and international cooperation". As agreed by the Commission, the discussion was led by seven panellists: Alan Santos (United States), Ebrahim Ahmed Kadwa (South Africa), Suzanne Stauffer (European Commission) and Mikhail Fonarev (Russian Federation), who made audio-visual presentations on subtheme (a); and Héctor Bernal Contreras (Colombia), Hamid Reza Rasekh (Islamic Republic of Iran) and Nicola Antonio Laurelli (Italy), who made audio-visual presentations on subtheme (b).

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3. Statements were made by the representatives of Ukraine, Croatia, Chile, Australia, Thailand, the Republic of Korea, Belgium, Germany, Canada, Brazil, Argentina, Turkey and the Islamic Republic of Iran.
4. Statements were also made by the observers for China, Indonesia, the Bolivarian Republic of Venezuela and Bulgaria.
5. A statement was also made by the observer for Interpol.

Deliberations

Subtheme (a). Information exchange on new trends in diversion and trafficking in precursors for illicit manufacture of methamphetamine, amphetamine, “ecstasy” and other narcotic drugs and psychotropic substances

6. In their presentations and in the debate that followed, the panellists and speakers focused on current trends in the diversion of and trafficking in precursors. Some spoke about the use of new diversion methods and trafficking routes. Others spoke about the use of substitute chemicals, as well as the use of substances not subject to international control, for the manufacture of narcotic drugs and psychotropic substances, including methamphetamine, amphetamine and “ecstasy”. Still others discussed the emergence of “designer precursors”, precursors specially designed to circumvent international control. Reference was made to the important role that customs officers could play in detecting the illicit trade in precursors. The thematic debate also covered the role of the International Narcotics Control Board in monitoring the illicit trade in and preventing diversions of precursor chemicals, including through the Pre-Export Notification Online (PEN Online) system.
7. Also discussed in the thematic debate were the latest trends in the diversion of and trafficking in precursors by criminal organizations, as well as national and international initiatives, for example, to strengthen law enforcement capacities and promote information exchange in order to counter the diversion of precursors, and programmes for tagging precursors.
8. Several speakers acknowledged the increased level of global trafficking in precursors, in particular ephedrine, pseudoephedrine and ephedra, used to manufacture methamphetamine. Serious concern was expressed over the growing practice of circumventing legal requirements by using synthetic drug precursor derivatives and substitute chemicals, such as *N*-acetylpseudoephedrine acetate, phenylacetylcarbinol and ethyl phenylacetate, which were not controlled under the international drug control treaties. In addition, new trafficking routes were being used in the diversion of precursor chemicals, as trade patterns were being diversified in an attempt to disguise the origin of the chemicals and hide the fact that they had been illicitly traded.
9. Several speakers called for closer international cooperation and intensified law enforcement efforts, including increased border control and enhanced intelligence exchange to detect clandestine drug laboratories. Speakers expressed their commitment for international and regional joint initiatives, such as Project Cohesion, Project Prism, Operation Channel 2006, the Risk Information Form (RIF) system of the European Union, and the European Joint Unit on Precursors (EJUP). The value of alert notifications of Project Prism was also highlighted.

10. A number of speakers referred to the need to use effective regulation by competent authorities to prevent the diversion of precursors from legitimate trade. Some representatives provided information on new legislation and national initiatives on precursor control that had been introduced in their countries, including measures such as the establishment of appropriate offences and pre-export notification and end-user certificates. Several speakers stressed the importance and the effectiveness of monitoring precursor transactions through pre-export notifications using the PEN Online system of the International Narcotics Control Board.

11. Several speakers emphasized the importance of international cooperation and information exchange, in particular between competent authorities and relevant partners such as the chemical and pharmaceutical industries, forensic experts and others. Some speakers emphasized the importance of carrying out with those partners awareness-raising and training activities focusing on new trends and countermeasures. The adoption of best practices in the chemical industry was considered a positive development. Some representatives stated that a wide range of training activities had been undertaken in the area of combating precursor trafficking. The importance of raising the awareness of the judiciary was also mentioned.

12. Speakers stressed the need for new and innovative interdiction measures, such as chemical profiling and tagging programmes (the insertion of chemical markers into precursor consignments), which enabled the substances involved and their origin to be identified. It was pointed out that introducing the marking of precursors could mean that complex technical and logistical issues, as well as the question of resources, would have to be considered and that the matter would require both collaboration with the industry and further research. There was a discussion on the collection of samples to be used to establish a database on the unique signature profile of precursors. However, it was pointed out that such an initiative would require in-depth research, as it would entail the constant compiling of samples of all precursors from all sources, that the samples would first have to be analysed to establish whether they possessed individual and unique signatures and that that would be a complex undertaking.

13. The representative of Bulgaria noted that, in his country, no “ecstasy” was manufactured and that, as a result of successful law enforcement efforts, the illicit manufacture of amphetamines had been eliminated.

Subtheme (b). Information exchange on new trends in diversion and trafficking in precursors for illicit manufacture of heroine and cocaine

14. The thematic debate under subtheme (b) focused on the substances commonly used in the illicit manufacture of heroine and cocaine. It was noted that regional mechanisms and individual States had promulgated precursor control lists that included, in addition to the substances controlled under the 1988 Convention, chemical substitutes consisting of substances not under international control. It was suggested that consideration could be given to the harmonization of those lists, which could facilitate international cooperation and information exchange on those common substitutes not under international control. Diversion and smuggling attempts were as diverse as they were blatant, ranging from open cross-border smuggling, falsely described goods in international trade, theft and the manufacture

and use of chemical substitutes not subject to national or international control. The use of chemicals in the illicit manufacture of drugs often had toxic and ecologically damaging side effects.

15. There was a need for building the capacity of drug control authorities and front-line law enforcement agencies in the identification of internationally controlled precursor chemicals, as well as a need to develop a knowledge base on trends in the use of common chemical substitutes.

16. Exports to countries with inadequate regulatory systems, together with unauthorized domestic trading, were identified as being problematic. Effective precursor control was a multi-agency concern, strong border management being a cornerstone of national strategies. Law enforcement cooperation had repeatedly proved to be worthwhile in the seizure of precursor chemicals. It was suggested that Member States should be encouraged to develop and implement national precursor strategies.

17. The Chairman of the Commission summarized the salient points of the thematic debate as follows:

(a) International precursor controls were clearly working, as reflected in the statistics on seized precursors, prevented diversion attempts and changed international trafficking routes and modus operandi;

(b) The system of pre-export notifications was a very effective deterrent to diversion and should be followed by all States;

(c) In spite of all the control mechanisms, the chemicals required for the illicit manufacture of heroin, cocaine and amphetamine-type stimulants (ATS) were still reaching the manufacturing sites;

(d) New challenges were emerging. As controls took effect in one region, traffickers turned to other diversion methods and trafficking routes. Increasing pressure was being put on the diversion of licit pharmaceuticals. Africa was increasingly being used for diversions and transit trafficking. Ephedra and safrole-rich oils were becoming problems. The illicit manufacture of controlled chemicals was emerging in certain regions;

(e) One matter of particular concern was the reported seizure of “designer precursors”, manufactured to circumvent international and national controls over precursor chemicals;

(f) Chemical profiling should be an integral part of law enforcement efforts to investigate cases involving smuggling and illicit shipments and should be used to improve understanding of precursor trends;

(g) There was a need for a review of national legislation to meet the challenges of new substances used for illicit drug manufacture, coupled with the development of national programmes for monitoring such precursor chemicals;

(h) Cooperation and coordination, which were essential to effective action against diversion and trafficking, must start at the national level and then be extended to include the international and regional levels;

(i) Cooperation must integrate the public sector with the private sector, public authorities with the chemical industry. The adoption of best practices by the chemical industry was seen as a positive development.
