

1992/29. Measures to prevent the diversion of precursor and essential chemicals to the illicit manufacture of narcotic drugs and psychotropic substances

The Economic and Social Council,

Concerned about the diversion of precursor and essential chemicals from commercial channels to the illicit manufacture of heroin, cocaine and other narcotic drugs and psychotropic substances,

Recalling the provisions of articles 3 and 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988⁶⁵ and Tables I and II of the Convention,

Noting the constructive work of the Chemical Action Task Force established by the heads of State or Govern-

ment of the Group of Seven major industrialized countries and the President of the Commission of the European Communities at the sixteenth annual economic summit, held at Houston, United States of America, in July 1990, in developing effective procedures to prevent the diversion of precursor and essential chemicals,

Taking note of the recommendations contained in the final report of the Chemical Action Task Force, in particular those on international and domestic trade in substances subject to international control, together with the practical measures for preventing chemical diversion and for developing international cooperation between the competent administrative and law enforcement authorities,

Taking note also of the decision by the Commission on Narcotic Drugs at its thirty-fifth session to add five substances to Table I and five substances to Table II of the Convention,⁷⁷

Welcoming the outcome of the Conference on Chemical Control Operations convened at Lyon, France, in September 1991 by the Government of the United States of America, in association with the International Narcotics Control Board, the Customs Cooperation Council and the International Criminal Police Organization [see E/CN.7/1992/2, para. 17], and the work that was done subsequently on the establishment of mechanisms for sharing information between the databases of those organizations and the establishment of procedures to verify the authenticity of applications for export authorizations,

Recognizing the importance of close collaboration between Governments and the chemical industry in preventing chemical diversion,

1. *Invites* all Governments which have not already done so to establish effective legislative, procedural and cooperative measures to implement article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988;

2. *Underlines* the importance of applying suitable regulatory measures, in accordance with the provisions of article 18 of the Convention, to every stage of the receipt, storage, handling, processing and delivery of precursor and essential chemicals in free ports and free trade zones and in other sensitive areas such as bonded warehouses;

3. *Invites* the Secretary-General to develop suitable model texts for the implementation of articles 3 and 12 of the Convention, taking into account work already undertaken by organizations and bodies such as the European Community, the Organization of American States and the Chemical Action Task Force;

4. *Invites* all chemical-manufacturing States to monitor routinely the export trade in precursor and essential chemicals in a way that will enable them to identify changes in export patterns that suggest the diversion of such chemicals into illicit channels;

5. *Invites* States in which precursor and essential chemicals are manufactured and States in regions in which narcotic drugs and psychotropic substances are illicitly manufactured to establish close cooperation in order to prevent the diversion of precursor and essential chemicals into illicit channels and, if necessary, on a regional basis, to consider the establishment of bilateral agreements or arrangements where appropriate;

6. *Urges* States that export chemicals essential to the illicit production of heroin and cocaine, namely acetic anhydride, acetone, ethyl ether, hydrochloric acid, methyl ethyl ketone (MEK), potassium permanganate, sulphuric acid and toluene, to establish suitable mechanisms to detect and prevent their diversion and illicit trafficking and, where there is a risk of diversion of or illicit trafficking in those substances, to ensure that:

(a) Exporters of those essential chemicals are identified;

(b) Exporters of those essential chemicals are required to keep detailed records of all export transactions, including details of ultimate consignees, and to make these available for inspection by the competent authorities;

(c) An export authorization is required in respect of any consignments of commercial quantities of those essential chemicals to any State that has been identified as being concerned about the illicit manufacture of heroin or cocaine on its territory or as sensitive as regards the possible diversion of essential chemicals, taking into account the relevant reports of the International Narcotics Control Board, the Customs Cooperation Council and the International Criminal Police Organization;

(d) Applicants for export authorizations are required to provide full details of ultimate consignees and transport arrangements;

(e) The competent authorities, in considering applications for export authorizations, take reasonable steps to verify the legitimacy of transactions, in consultation, where appropriate, with their counterparts in importing countries;

7. *Recommends* that, if permitted by the basic principles of their legal systems, States should strengthen law enforcement cooperation by applying the technique of controlled delivery at the international level in appropriate circumstances to suspect consignments of precursor and essential chemicals;

8. *Requests* the United Nations International Drug Control Programme, in preparing assistance programmes for law enforcement and other agencies in States and regions in which drugs are illicitly manufactured, to give priority to providing resources for improving communications, equipment and training in preventing chemical diversion;

9. *Invites* the Programme and national laboratories to consider how they might assist in developing reliable field and laboratory testing methods to be used by national law enforcement agencies and laboratories in identifying scheduled chemicals;

10. *Invites* Member States to consider how to fund the production and distribution of the field testing kit developed by the laboratory of the Programme;

11. *Invites* the International Narcotics Control Board to consider, in consultation with Governments, the feasibility of compiling and making available to Governments information on the global pattern of trade in scheduled chemicals, bearing in mind the resource implications of such a requirement and the need to protect information of a commercially sensitive nature;

12. *Also invites* the Board to publish and maintain a directory containing the following information:

(a) The names, addresses and telephone and telefacsimile numbers of the administrative and law enforcement authorities responsible for regulating or enforcing national controls over precursor and essential chemicals;

(b) A summary of the regulatory controls that apply in each State, especially with regard to the importation and exportation of substances listed in Tables I and II of the Convention;

13. *Requests* the General Assembly to allocate adequate resources from within the existing level of resources of the regular budget of the United Nations to enable the Board and the Programme to discharge their functions under the present resolution and article 12 of the Convention;

14. *Commends* the Customs Cooperation Council for its work in establishing a discrete tariff code in the Customs Nomenclature for each of the substances specified in Tables I and II of the Convention;

15. *Invites* the Customs Cooperation Council to establish a discrete tariff code for any new substance commonly used in the manufacture of narcotic drugs and psychotropic substances, the monitoring of which the Board might consider to be justified;

16. *Invites* Governments to establish close cooperation with the chemical industry with a view to identifying suspicious transactions of precursor and essential chemicals and, where appropriate, to encourage the industry to establish codes of conduct to complement and enhance compliance with regulatory requirements;

17. *Requests* the Secretary-General to transmit the present resolution to all Governments for consideration and implementation.

*41st plenary meeting
30 July 1992*