UNODC
United Nations Office on Drugs and Crime

Reference: NAR/CL.12/2021 (A)
1988C-Art.12
CU 2021/404(A)/DTA/SGB

The Secretariat of the United Nations presents its compliments to the Permanent Mission of Germany to the United Nations (Vienna) and has the honour to inform the Permanent Mission that in a letter dated 4 October 2021, the Government of the United States of America, pursuant to article 12, paragraph 2 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, notified the Secretary-General of the United Nations of its request for inclusion of three fentanyl precursors, namely 4-AP, boc-4-AP and norfentanyl, in the Tables of the 1988 Convention.

In accordance with the provisions of article 12, paragraph 3 of that Convention, the notification provided by the Government of the United States of America is hereby transmitted as Annex I which also contains supplemental information on 4-AP, boc-4-AP and norfentanyl, as well as six related fentanyl analogue precursor chemicals.

Also in accordance with the same provisions, the notification will be brought to the attention of the International Narcotics Control Board and to the Commission on Narcotic Drugs.

Article 12, paragraphs 3 and 4, of the 1988 Convention reads:

"3. The Secretary-General shall transmit such notification, and any information which he considers relevant, to the Parties, to the Commission, and, where notification is made by a Party, to the Board. The Parties shall communicate their comments concerning the notification to the Secretary-General, together with all supplementary information which may assist the Board in establishing an assessment and the Commission in reaching a decision.

4. If the Board, taking into account the extent, importance and diversity of the licit use of the substance, and the possibility and ease of using alternate substances both for licit purposes and for the illicit manufacture of narcotic drugs or psychotropic substances, finds:

(a) That the substance is frequently used in the illicit manufacture of a narcotic drug or psychotropic substance;

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(b) That the volume and extent of the illicit manufacture of a narcotic drug or psychotropic substance creates serious public health or social problems, so as to warrant international action,

it shall communicate to the Commission an assessment of the substance, including the likely effect of adding the substance to either Table I or Table II on both licit use and illicit manufacture, together with recommendations of monitoring measures, if any, that would be appropriate in the light of its assessment."

Furthermore, article 12, paragraph 5, of the 1988 Convention reads:

"5. The Commission, taking into account the comments submitted by the Parties and the comments and recommendations of the Board, whose assessment shall be determinative as to scientific matters, and also taking into due consideration any other relevant factors, may decide by a two-thirds majority of its members to place a substance in Table I or Table II".

In order to assist the International Narcotics Control Board in establishing an assessment and the Commission in reaching a decision, it would be appreciated if the Permanent Mission could, pursuant to article 12, paragraph 3, submit its comments concerning the notification, together with all supplementary information, preferably by using the questionnaires enclosed to the present note (Annexes II-IV), to the Executive Director of the United Nations Office on Drugs and Crime, c/o Secretary, Commission on Narcotic Drugs, email: unodc-sgb@un.org, and to incb.precursors@un.org, at the latest by **31 December 2021**. For time reasons, the Supplemental Information contained in Annex I is transmitted in English only. The French and Spanish translations will be transmitted as soon as available.

The Secretariat of the United Nations avails itself of this opportunity to renew to the Permanent Mission of Germany to the United Nations (Vienna) the assurances of its highest consideration.

29 October 2021