

criminalization of cannabis possession has led to the targeting of drug users belonging to minority groups and to their disproportionate representation in the criminal justice and prison systems. While the 1961 Convention does require States parties to adopt measures to ensure that possession of drugs is a punishable offence when committed intentionally, the conventions do not require the imposition of punishment or imprisonment for drug users and provide instead for the possibility for each State to impose treatment and rehabilitation measures either as an alternative to conviction or punishment or in addition thereto. **The Board encourages States affected by high rates of arrest and incarceration for minor drug-related offences committed by drug users to consider availing themselves of the possibility provided by the international drug control conventions to adopt non-punitive responses rather than permitting the use of cannabis for non-medical purposes, which may prove to be counterproductive.**

3. Importance of accurate and timely reporting

327. The effectiveness and efficiency of the international drug control system as established by the three international drug conventions depends on the accurate and timely reporting to the Board by Member States. Regrettably, many Governments fail to provide the Board with timely and adequate estimates and assessments and reliable statistical returns. Those sometimes include Governments of major manufacturing, importing and exporting countries; their lack of response has a significant impact on the ability of the Board to accurately monitor the world situation. Some Governments continue to experience difficulties in collecting the required information from their national and subnational stakeholders because of legislative or administrative shortcomings.

328. **Focusing first on narcotic drugs, the Board urges parties to provide accurate estimates and statistics on the stocks held by manufacturers and wholesalers. Information on stocks allows the balance between the supply of opiate raw materials and demand for opiates and the levels of accumulation to be monitored, as high levels may increase the risk of diversion. The Board urges Governments to ensure that their competent national authorities periodically obtain reliable information from private and State-owned manufacturers and wholesalers.**

329. Also relevant to narcotic drugs, many countries have been providing estimates to INCB that are much higher than the reported consumption. While strongly encouraging countries with inadequate and very

inadequate levels of consumption of controlled substances for medical and scientific purposes to ensure that consumption matches actual needs, the Board requests parties to provide estimates that realistically reflect their expected consumption. The Board encourages competent national authorities to refer to the *Guide on Estimating Requirements for Substances under International Control*, developed by INCB and WHO,⁵¹ when calculating their estimates, and reminds Governments that supplementary estimates may be sent to the Board at any time during the year.

330. Turning to psychotropic substances and the obligations set forth in the 1971 Convention, Governments are encouraged to fully implement Commission on Narcotic Drugs resolutions 53/4 and 54/6, and therefore to report data on the consumption of psychotropic substances (for medical and scientific purposes). The Board stresses the importance of providing appropriate assessments for psychotropic substances, as this would ensure their availability for the treatment of a large variety of medical conditions, including mental health conditions, and would improve access to them worldwide, while reducing the risk of diversion for illicit use. The reported assessments for all countries are published by INCB on a monthly basis and amendments may be sent to the Board at any time.

331. The estimates of annual legitimate requirements for the import of selected precursors of amphetamine-type stimulants are requested, on a voluntary basis, pursuant to Commission on Narcotic Drugs resolution 49/3, in order to provide the authorities of exporting countries with an indication of the needs of importing countries. Additionally, pursuant to article 12, paragraph 12, of the 1988 Convention, Governments are obliged to report annually to the Board information on seizures of substances listed in Tables I and II of the Convention and of substances not included in Tables I or II; as well as information on methods of diversion and illicit manufacture, stopped shipments and thefts involving those substances. Although the submission rate of data for 2015 was the highest in five years, the Board notes that not all States parties to the 1988 Convention provide such information in an accurate and timely manner. A considerable number of the submissions often do not include important details such as methods of diversion or information on stopped shipments or the illicit manufacture of substances, or are submitted to the Board with significant delays. This hampers the ability of the Board to identify and thoroughly assess worldwide trends in trafficking in precursors and in the illicit manufacture of drugs.

⁵¹Vienna, 2012.

332. A further issue related to reporting on precursors is the provision of information on the licit trade in and use of substances in Tables I and II of the 1988 Convention, in accordance with Economic and Social Council resolution 1995/20. In contrast to narcotic drugs and psychotropic substances, that information is submitted by Governments on a voluntary basis and enables the Board to assist Governments in preventing diversions by identifying unusual trade patterns and suspicious illicit activities.

333. **The Board wishes to remind Governments of their obligations to provide the information requested pursuant to article 12, paragraph 12, of the 1988 Convention and relevant resolutions to the Board in an accurate and timely manner.**

334. Competent national authorities play a key role in consolidating the information received from pharmaceutical companies, importers and exporters to ensure that reliable data are provided to the Board in a timely manner. The importance of the work of competent national authorities cannot be overstated: they are at the front line of their countries' efforts to facilitate licit trade and to prevent the diversion of controlled substances into illicit channels. They are also responsible for estimating their country's requirements for narcotic drugs and psychotropic substances in order to ensure that the medical needs of their populations, in terms of access to such drugs and substances, are met, while at the same time preventing misuse.

335. Reporting obligations can be best fulfilled if Governments provide for the training of staff. **The Board also encourages all Governments to take the necessary steps to maintain the knowledge base of the staff of competent national authorities at times of staff turnover.**

4. New tools for old purposes: using modern technology to monitor international trade in scheduled substances

336. Ever since the creation of the international drug control system, monitoring international trade in scheduled substances has been one of the main pillars of the three drug control conventions. The ultimate purpose of monitoring the movement of scheduled substances at the global level has not changed: to strike a balance between ensuring the availability of narcotic drugs and psychotropic substances for medical and scientific purposes and

curbing illicit drug manufacture and trafficking, including by preventing the diversion from licit trade into illicit channels of precursors used in their manufacture. The idea of supporting competent national authorities in their efforts to effectively exchange information in that regard is thus not new. However, the rapid advancement of modern technology, especially information and communications technology, today offers unprecedented opportunities for more effective, direct and immediate communication among Governments on drug control matters.

337. To assist drug control authorities in that regard and to harness the potential of modern technology for drug control purposes, INCB has developed several electronic tools to facilitate the monitoring of the movement of narcotic drugs, psychotropic substances and precursors, offering new tools for old purposes.⁵²

(a) International Import and Export Authorization System (I2ES)

338. A well-functioning import and export authorization system is instrumental in monitoring the international trade in controlled substances and preventing their diversion. The International Import and Export Authorization System (I2ES), a new tool developed by the Board in cooperation with UNODC and with the support of Member States, was launched in March 2015 to facilitate the effective implementation of import and export authorization systems for licit international trade in narcotic drugs and psychotropic substances.

339. I2ES is a web-based application that allows importing and exporting countries to upload and exchange import and export authorizations in a secure environment and to generate and transmit those authorizations electronically, including with the help of a download and print function. I2ES is designed to complement, but not replace, existing national electronic drug control systems, and also provides countries without pre-existing electronic systems a viable tool to manage import and export authorization processes online.

340. Another key feature of I2ES is that it automatically checks the quantity of a narcotic drug or psychotropic substance to be imported and/or exported against the latest estimate or assessment of the importing country's requirements, and automatically displays warning

⁵²Enquiries about the tools, including registration requests, can be sent to i2es@incb.org for I2ES (narcotic drugs and psychotropic substances); pen@incb.org for PEN Online (precursors); pics@incb.org for PICS (precursor incidents); and nps@incb.org or ionics@incb.org for Project Ion and IONICS (new psychoactive substances).