

V. Functioning of the system

A. Scheduling and changes in the scope of control

52. Scheduling decisions are made by the Commission on Narcotic Drugs, pursuant to article 3 of the 1961 Convention and article 2 of the 1971 Convention, following a scientific review and recommendations by WHO. The initiative to schedule a substance is taken either by a State party to one of the conventions or by WHO on the basis of information relating to a substance not yet under international control that, in its opinion, may require the amendment of any of the schedules.

Narcotic drugs

53. The drugs controlled under the 1961 Convention are listed in Schedule I or II, depending on the relationship between their therapeutic utility and liability to abuse. The control provisions for drugs in Schedule I constitute

the standard regime under the 1961 Convention, while Schedule II consists of drugs that are considered to be less liable to abuse and are more widely used in medicine. In addition, Schedule III covers preparations of drugs in Schedules I and II that are intended for legitimate medical use, and Schedule IV contains selected drugs from Schedule I that are considered to have particularly dangerous properties and limited or no therapeutic use.

54. A total of 136 drugs are included in the schedules to the 1961 Convention (see figure II). In addition to the itemized substances, control is extended to the isomers, ethers, esters and salts, as well as all isotopic forms, of internationally controlled narcotic drugs. Following a period of relative inactivity during the 2000s and early 2010s, scheduling activity has increased since 2015, and most newly scheduled drugs under the 1961 Convention concern the emergence of synthetic opioids, most of them related to fentanyl.

Figure II. Increase in the number of drugs controlled under the 1961 Convention, 2006–2020

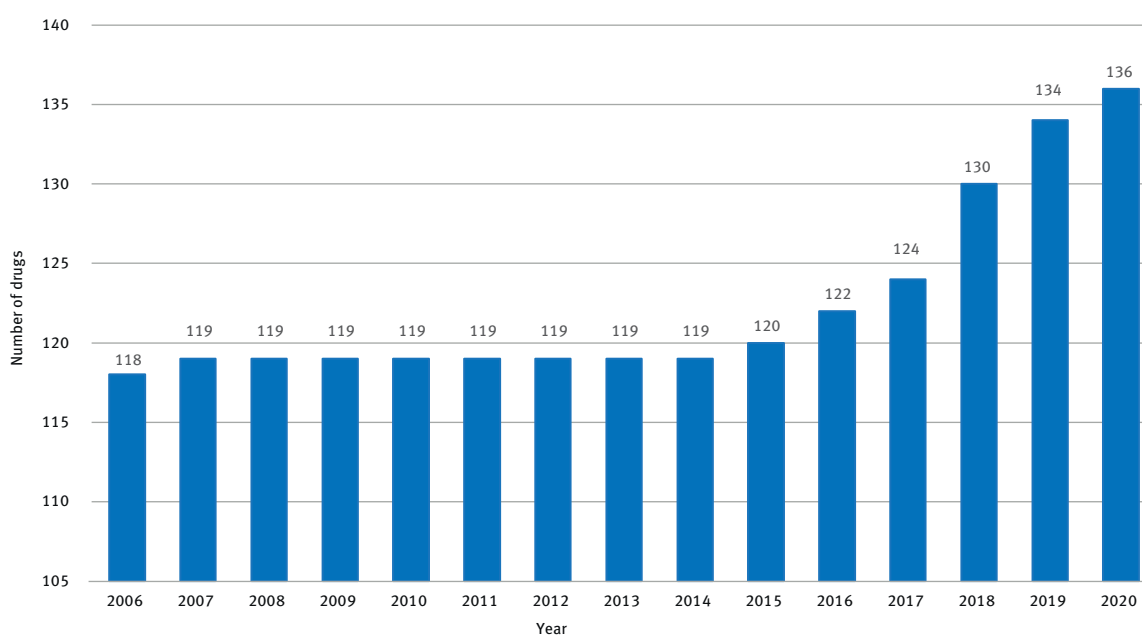
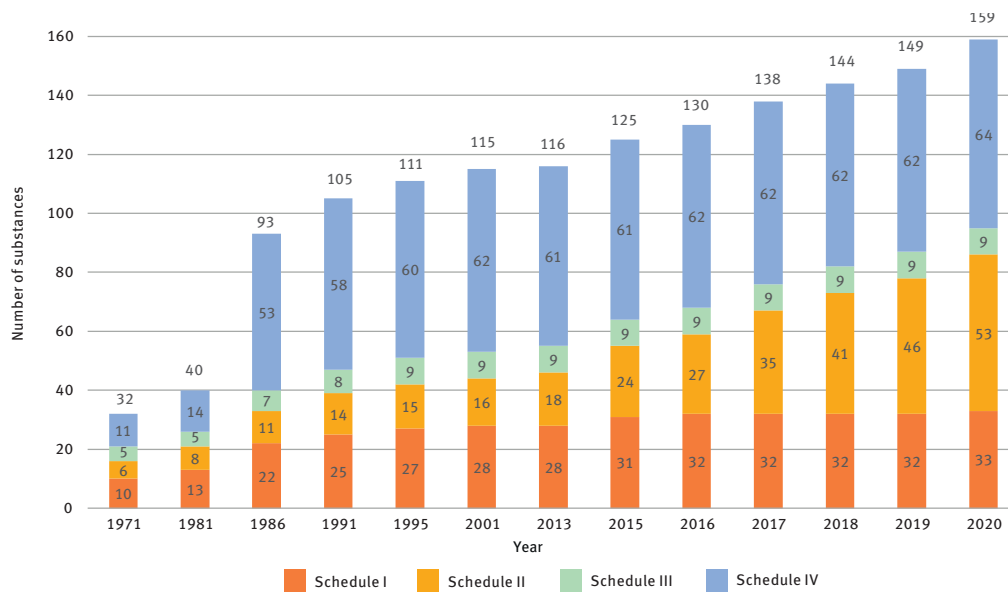


Figure III. Number of substances controlled under the 1971 Convention, 1971–2020, selected years

Psychotropic substances

55. When the 1971 Convention was signed, 32 psychotropic substances were under control. Five decades later, that number has reached 159, with most increases concerning Schedule II and Schedule IV substances. The emergence of new psychoactive substances has increased the frequency with which substances have been placed under international control by the Commission on Narcotic Drugs since 2013 (see figure III).

56. In that regard, many new psychoactive substances have been placed under control in recent years, in Schedules I and II of the 1971 Convention. As with all other psychotropic substances under international control, the Board also monitors licit activity involving new psychoactive substances. However, such activity has been minimal.

B. Estimates and assessments

Estimates of narcotic drug requirements

57. The system of estimating annual requirements for narcotic drugs dates back to the times of the League of Nations. The Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, signed at Geneva on 13 July 1931, limited the worldwide manufacture of narcotic drugs to the amounts needed for medical and scientific purposes by introducing a mandatory system of estimates.

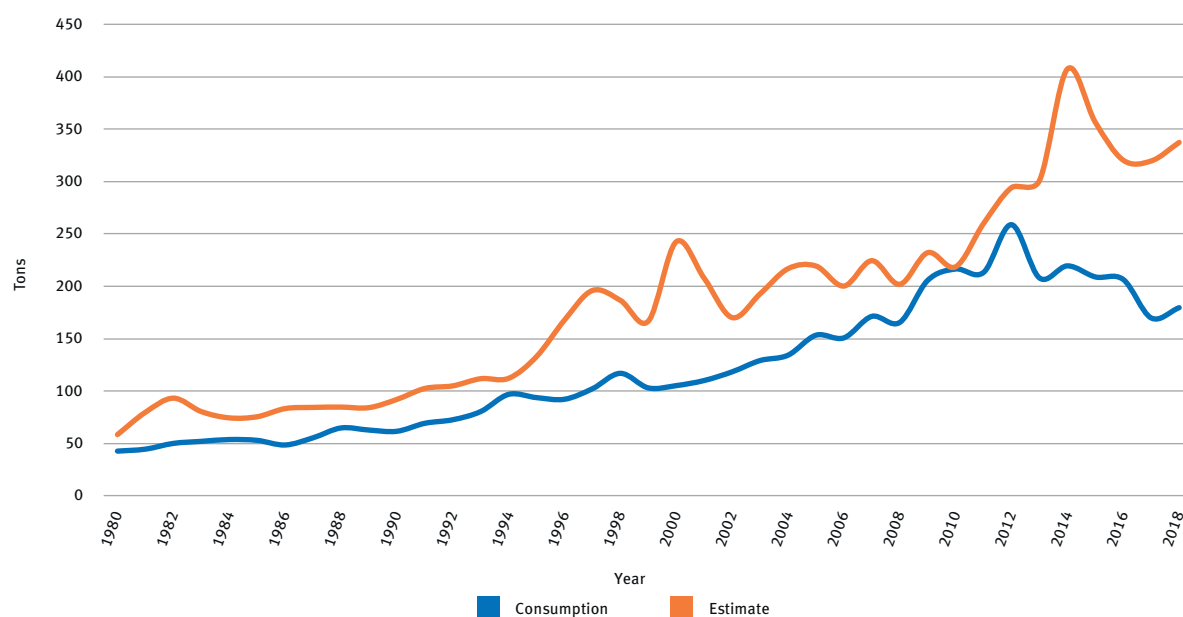
58. When the 1961 Convention was adopted, the estimates system was retained; it includes an obligation for

States to submit annual estimates for narcotic drugs in Schedules I and II, which are subject to confirmation by the Board.

59. Most Governments comply with this treaty obligation, and annual estimates of narcotic drug requirements for 2020 were furnished by 185 States and territories. Of the 10 non-parties to the 1961 Convention, 8 have submitted at least one annual estimate over the past 10 years, showing high acceptance and willingness to comply with treaty provisions.

60. For those countries that do not submit such annual estimates, the 1961 Convention provides for the Board to establish estimates to ensure that countries and territories unable to provide their own estimates can still import narcotic drugs for medical purposes.

61. The data reported by Governments shows that the setting of higher estimates alone will not lead to increased consumption. An analysis of global data for the past 38 years illustrates that consumption estimates for the most widely used narcotic drugs for pain management purposes have exceeded reported consumption every year since 1980 (see figure IV). Therefore, action to improve the availability of these drugs for medical and scientific purposes should be part of nation-wide coordinated efforts involving all relevant authorities and policymakers to bring improvement and to be able to provide the needed quantities of narcotic drugs in all parts of the country. The flexibility of the estimates system, which allows for supplementary estimates to be submitted to the Board throughout the year, ensures that increases rooted in additional medical demand can be imported expeditiously.

Figure IV. Consumption estimate versus consumption of selected opioids,^a 1980–2018

^aCodeine, dextropropoxyphene, dihydrocodeine, fentanyl, hydrocodone, hydromorphone, ketobemidone, morphine, oxycodone, pethidine, tilidine, trimeperidine.

Assessments for psychotropic substances

62. The control system provided for in the 1971 Convention is based largely on the system devised for narcotic drugs under the 1961 Convention. However, at the end of the 1960s, when the 1971 Convention was drafted, it was considered that the estimate system applied to narcotic drugs was not what was needed for psychotropic substances.

63. In the late 1970s and early 1980s, attempts to divert large quantities of psychotropic substances in Schedule II of the 1971 Convention were facilitated by means of forged or counterfeit import authorizations. The lack of information available to exporting countries as to the legitimate requirements for psychotropic substances in importing countries hampered efforts to detect illegal import documents. Therefore, INCB proposed additional control measures, which were then endorsed by the Economic and Social Council in its resolution 1981/7 of 6 May 1981, in which the Council invited Governments to provide the Board with assessments of their annual medical and scientific requirements for substances in Schedule II. Furthermore, Governments were requested to furnish the Board with quarterly statistics on trade in those substances.

64. Today, more than 170 Governments regularly provide the Board with an assessment of their actual requirements of psychotropic substances for medical and scientific purposes. Some Governments furnish this information on a yearly basis. Other Governments submit only necessary modifications to previous assessments at

any time. Throughout the years, Governments continue to provide the Board with updated or modified assessments for all psychotropic substances currently used in their countries.

65. When it is adhered to by national competent authorities, the system of assessments is an important control measure for international trade in psychotropic substances and has been successful in preventing the diversion of these substances. Diversion of legitimately manufactured psychotropic substances has already been significantly reduced because the authorities of exporting countries can now easily check whether the amount to be exported tallies with the current needs of importing countries.

C. Statistics on production, manufacture, stocks and consumption

Narcotic drugs

66. The 1961 Convention requires Governments to submit annual and quarterly statistics on the production, manufacture, utilization, import and export of narcotic drugs. The past 60 years of growth and transformation of commercial practices is reflected in the reported data, which show levels that have strongly trended upwards. Most Governments have cooperated with the provisions of the Convention and their obligation to submit data and information. The rate of submission of data has remained

high, with at least 75 per cent of Governments providing treaty-mandated information.

67. Annual statistics on the manufacture, utilization, consumption and stocks of narcotic drugs are received from at least 175 Governments; the highest number received was recorded for 2016, when 181 Governments submitted such data. Between 170 and 180 Governments submit a full set of quarterly statistics on the import and export of narcotic drugs in a given year, information that is mandatory under the 1961 Convention, and an additional 30 Governments supply at least partial records. The submission record is higher for major manufacturing, trading and importing countries, which consistently supply data. The high submission rates show the commitment of Governments to cooperate with the Board and ensure the continued functioning of the international drug control system.

Psychotropic substances

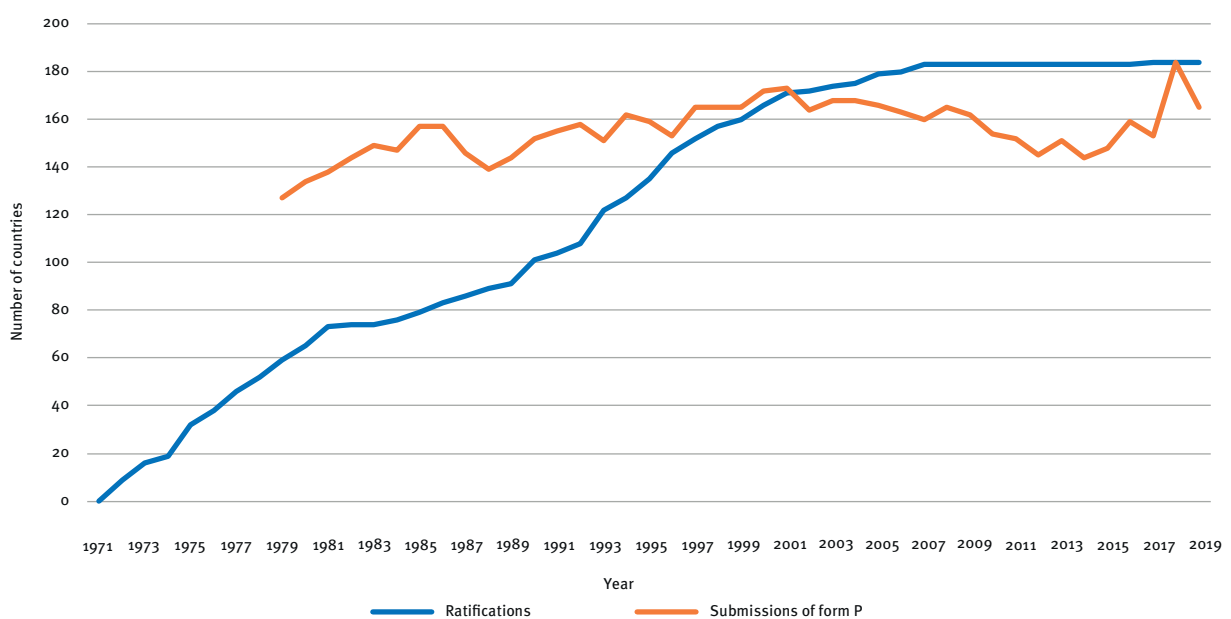
68. In accordance with article 16, paragraph 6, of the 1971 Convention, in 1979, the Board drew up a questionnaire (form P) and invited Governments to furnish the annual statistical information called for under paragraph 4 of article 16. This statistical reporting pillar is a key mechanism for ensuring international control. The first

technical publication on psychotropic substances was published in 1977, prepared on the basis of the data received from 115 countries and territories.

69. A review of submission data for 1980 shows the early commitment of Member States to the international control of psychotropic substances. At the end of 1980, only 68 countries and territories were party to the 1971 Convention. Nonetheless, for that reporting year the Board received a form P from 134 countries and territories. By the end of 1990, the total number of countries and territories that were party to the Convention had risen to 107. Again, although many countries and territories were not yet party to the 1971 Convention, the Board received a form P from 152 countries and territories (see figure V).

70. By the turn of the millennium, a large majority of the States Members of the United Nations – 166 countries and 15 territories – were party to the 1971 Convention. In 2000, 158 countries and 14 territories provided a form P. Although not all countries and territories that were party to the Convention provided the necessary statistical report that year, all major manufacturing and trading countries involved in the licit market for internationally controlled psychotropic substances provided reports.

Figure V. Ratification of the Convention on Psychotropic Substances of 1971 and the rate of submission of annual statistics (form P)



Note: As the 1971 Convention did not enter into force until 1976 and the Board was able to establish the modality for submission (form P) only afterwards, countries and territories were able to provide statistical reports only beginning in 1979. The submission lines include territories that are also obligated to comply with the Convention.

71. From the late 2000s through most of the 2010s, the reporting rate by States parties overall remained steady with some variation from year to year. However, during that period no fewer than three quarters of the countries and territories required to provide an annual statistical report did so in any given year. A new milestone was reached when form P was submitted by 184 countries and territories for 2018, the most ever received for a single year since the adoption of the 1971 Convention (see figure V).

72. Even though the reporting regime for internationally controlled psychotropic substances is not entirely codified in the 1971 Convention, what is notable is that most countries voluntarily provide the data requested in the relevant resolutions of the Economic and Social Council and the Commission on Narcotic Drugs, in addition to the data required under the Convention. While some data gaps remain to this day, in particular relating to consumption data, the high rate of compliance by States parties has enabled the Board to closely monitor licit trade of psychotropic substances since the introduction of the 1971 Convention, and it clearly reflects the international community's commitment to effectively controlling trade in these substances.

D. Trade

73. The growth of international trade in recent decades also encompasses trade in narcotic drugs, which are now

frequently transported across international borders. Since 1980, the number of export transactions reported to the Board has multiplied and continues to trend upwards. At the same time, the number of discrepancies has remained largely stable. Trade discrepancies are identified by the Board in its analysis of global import and export transactions that are reported by Governments on a quarterly basis. These inconsistencies are subsequently raised with the Governments concerned. Little or no diversion of narcotic drugs from licit trade to illicit trafficking has been identified over the past five years, showing the robustness of the control system in place.

74. As with narcotic drugs, the volume of trade in psychotropic substances has grown substantially since 1984. Despite that, the annual discrepancies in international trade have largely remained unchanged as the proportion of discrepancies in volume of trade relative to the total volume of imports of psychotropic substances has continued to shrink over the past three decades. This not only demonstrates the effect of the control system established pursuant to the 1971 Convention but also shows that Governments are continuously improving the quality of the data that they provide to the Board. As with narcotic drugs, discrepancies in the trade of psychotropic substances are identified by the Board and raised with the Governments concerned in order to identify potential diversions from international trade and/or shortcomings in the national administrative mechanisms.

Figure VI. Number of trade transactions and discrepancies of narcotic drugs, 1980–2018

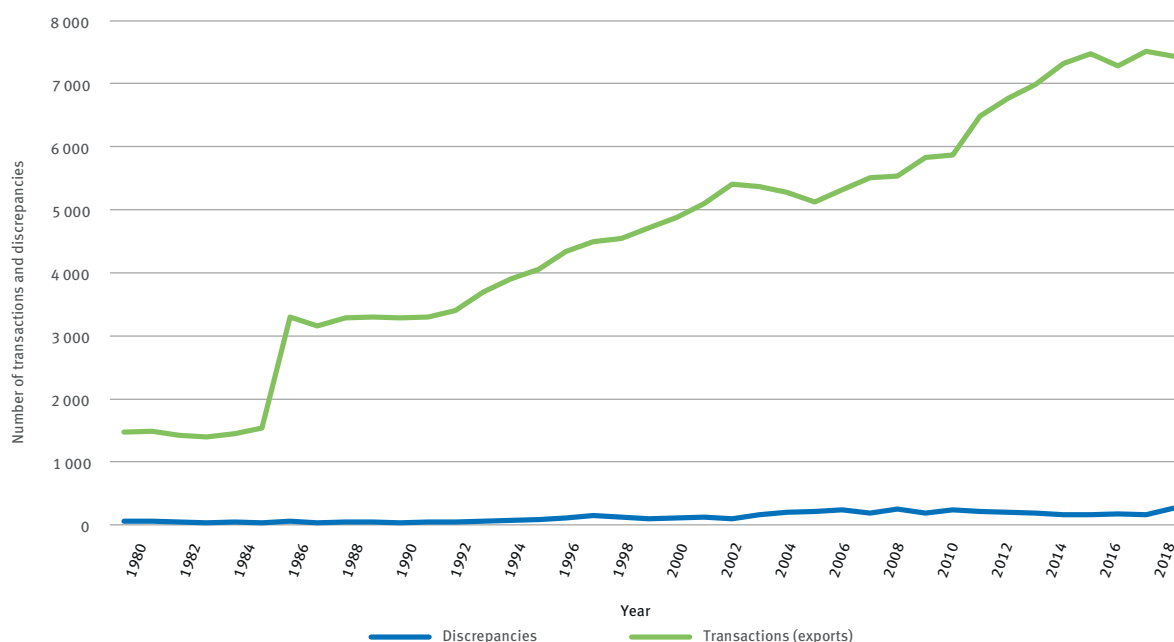
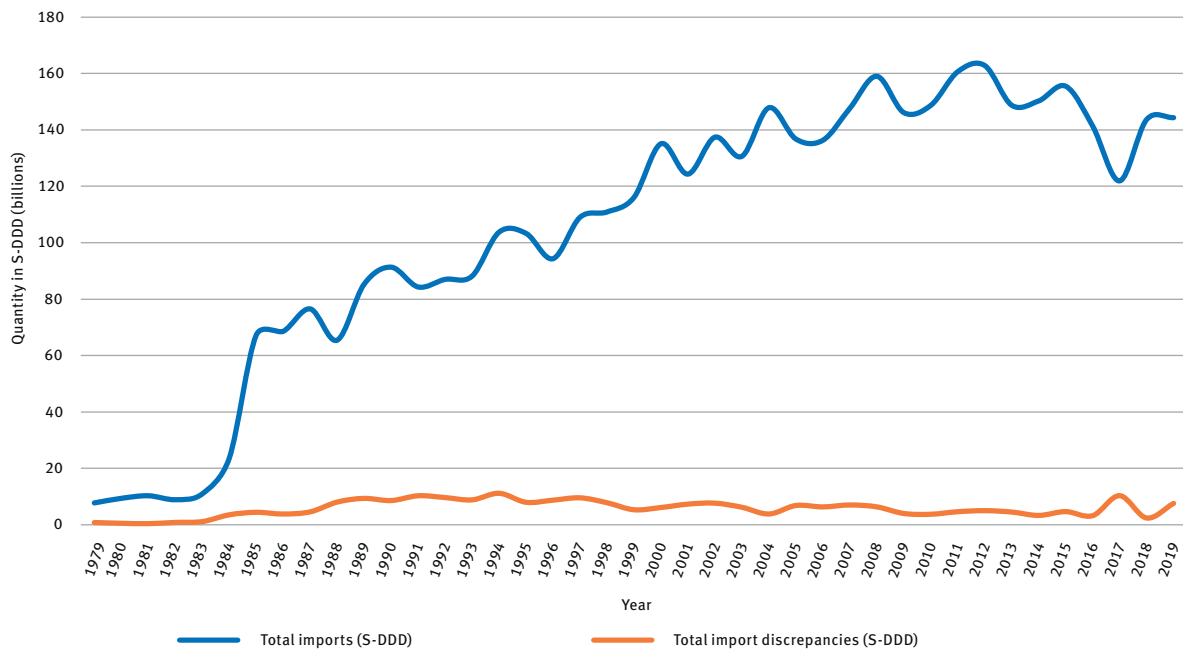


Figure VII. Total annual discrepancies of psychotropic substances compared with total annual imports of psychotropic substances, in billions of S-DDD,^a 1979–2019



^aIn the case of psychotropic substances, given the different reporting requirements, imports expressed in S-DDD are used to measure trade, instead of the number of transactions.

75. It is essential to have timely and accurate statistics on trade to continue the effective monitoring of the international movement of narcotic drugs and psychotropic substances and prevent diversion and abuse. Progress has been made with the International Import and Export Authorization System (I2ES), a web-based electronic system developed by the Board, designed to promote paperless trade in internationally controlled substances by facilitating the online exchange of import and export authorizations. Available to all Governments at no cost, I2ES serves as a safe and secure platform for generating and exchanging import and export authorizations between

trading countries while ensuring full compliance with all provisions of the 1961 Convention as amended and the 1971 Convention. The system helps competent national authorities to reduce errors in data entry and save time and communication costs.

76. As at 1 November 2020, nearly six years after the launch of I2ES, the Board notes that 87 Governments have registered with I2ES, of which 68 Governments have an active administrator account, an increase of 36 per cent compared with the previous year. Of those countries with an active account, approximately one third entered data in the system in 2020.