

Controlled Drug Regulation in Russia: A Regulatory Factsheet

Abstract

The Russian pharmaceutical market ranks 14th globally, as per the report by Deloitte in 2018. The global market comprises 64% generic drugs and 36% original drugs in terms of value. Prescription drugs represent 64% in value. Russia is suffering from a growing community wellbeing catastrophe and awkward medication ingestion concern. Drug addiction is an autonomist, securitised and ethical problem in Russia as it is a transit and destination country for Afghan heroin. Controlled substances are regulated, controlled and monitored by the “Federal Drug Control Service (FDSK) of Russian Federation” and several modifications were made in the FDSK to powerfully implement the law. This article reviews the regulatory requirements of controlled drugs in Russia with the help of a factsheet, and also provides an insight to the changes in Russian federal law pertaining to narcotics and their implication for society. This will provide a key for researchers and institutions focusing on the Russian Narcotic Regulation as a basic reference model.

Key words: Controlled Substance, FDSK, Drug Addiction

Introduction

Russia is one of the major countries facing illicit drug trafficking, even after imposing harsh penalties.¹ Most of the imprisonments occur due to the application of Article 228² related to drug crimes, as it is a hub for Afghan heroin. Similarly, possession of 6gm of cannabis is an administrative offence, having a penalty of a fine or detention for 15 days.³ Any usage above 6gm is a criminal quantity and is liable to be penalised. The new Russian law on the pharmaceutical industry was implemented with effect from 1st September 2010. The federal laws and guidelines were modified in 2013–14 to institute obligatory drug usage.

Even now, the police actions are to be regulated as innocent people are getting arrested without humanity. Hence this review study was conducted to have knowledge of controlled drug regulation in Russia focussing on regulatory framework, offences and penalties, current scenario etc., which will be enlightening to scholars in this area.

Organisation of FDSK

The following figure shows the organisation pattern of the Federal Drug Control Service of Russia.

Year	Agency	Role
24 September 2002	“Anti-Drugs Independent Russian Agency”	State Committee against the illegal trading in NDPS
11 March 2003	“State Committee of Russian Federation”	Monitor the illegal trading of Narcotic Drugs and Psychotropic Substances (GOSNARCOCONTROL)
1 July 2003	“Federal Drug Control Service of Russia”	Extension of the Committee after renaming
1 June 2016	“Main Directorate for Drugs Control”	Replaced FSKN ⁴

Table 1: History of Narcotic Drug Control in Russia

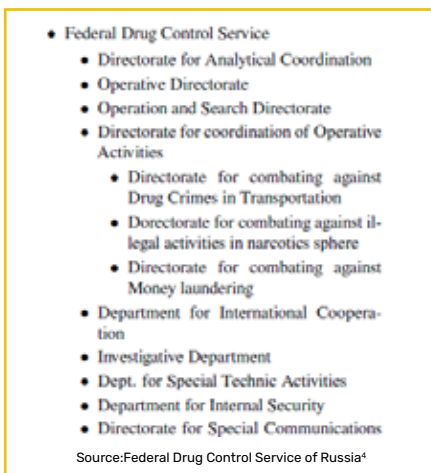


Figure 1: Organisational pattern of FDSK

Current Scenario

Data from multiple sources shows that there are 7.3 to 8.5 million drug users in Russia. In the Saint Petersburg conference conducted in October 2017, specialists stated that 6, 37,482 people were incarcerated in Russia in 2016, 63% of which were for drug crimes.⁸

The table below shows that the prescription drug market of Russia rose abruptly from 2016 to 2019. The prescription drug sales contributed around 62.3% in 2018.

As per ‘Pharma 2020 Strategy’ the Russian government is engrossed in crafting its own pharmaceutical industry to lessen dependence on imported pharmaceuticals. Moreover, it is anticipated that the native manufacture may be amplified from 28.5% to 75% of all medications in Russia by 2020.

Conclusion

Russia needs to adopt a more broad and comprehensive plan that balances banning and law enforcement with management, anticipation and harm reduction methods. Moreover, collaboration must be established between

	2016	2017	2018	2019 estimated
Pharmaceutical sales	16,415	20,095	20,095	21,03
Prescription drugs sales	9,839	12,285	12,524	13,309
Generic drugs sales	6,529	8,239	8,466	9,096

Units: \$ millions

Source: Fitch Solutions (formerly known as Business Monitor International)⁹

Table 2: Overview of Prescription Drug Sales during 2016-2019

Country	Russia	Drug Type	Narcotic Drugs and Psychotropic Substances
Regulating Ministry	Ministry of Healthcare (the "MOH"), the Ministry of Industry and Trade (the "MIT")	Regulatory Authority	Local Russian Federation authorities
Act/Law	Federal Law No 3-FZ Russian Federation Federal Act on Narcotic Drugs and Psychotropic Substances		
About Country	Area	:	17.1 million km ²
	Population	:	143,456,918
	Language	:	Russian
	Capital	:	Moscow
	Currency	:	Russian ruble
Geographical Distribution	Russia, the world's largest nation, borders European and Asian countries as well as the Pacific and Arctic oceans. Economic Status		
Statistics			
GDP growth	-1.2% (Q1 2016 Est.)		
GDP per capita	\$8.058 (2016) (nominal) \$23,875 (2016) (PPP)		
GDP by sector	agriculture: 4%, industry: 36.3%, services: 59.7%		
Pharmaceutical Market	A new draft law was implemented late 2016-2017 for the tracking and tracing of medicines, ensuring that legal drugs reach the shelves. An additional 10 factories for the manufacturing of biosimilars are set to be completed by 2020. According to leading business reports, the Russian pharma market will reach \$36.61 billion by 2021.		
Classification	<p>Narcotic drugs, psychotropic substances and their precursors controlled in the Russian Federation shall be included in the schedule of narcotic drugs, psychotropic substances and their precursors controlled in the Russian Federation (hereinafter referred to as the "Schedule") subject to control procedures of the State. They are listed below:</p> <p>List I – Trade of drugs in this category is prohibited in the Russian Federation List II – Trade is restricted and control measures are established based on Russian Federation and international agreements to which it is party List III – Psychotropic substances list; trade is restricted, with some exemptions List IV – Precursors list, the trade of which is based on Russian Federation and international agreements</p>		
Drug Laws	Federal Law No. 61-FZ on the Circulation of Medicines, dated 12 April 2010, as amended (the "Law on Circulation of Medicines"). Federal Law No. 184-FZ on Technical Regulation, dated 27 December 2002, as amended, governing technical regulation.		
Regulation	<p>The official foundation of Russian pharmaceutical regulation is positioned in Federal Law No. 323-FZ on the Fundamentals of Citizens' Health Protection in the Russian Federation. The chief statute on the medicinal market in Russia is Federal Law No. 61-FZ on the Circulation of Medicines, dated 12 April 2010, as amended (the "Law on Circulation of Medicines") implemented with effect from 1st September 2010.</p> <p>Additional regulations that are also imperative for the pharmaceuticals and healthcare division embrace "Federal Law No. 184-FZ On Technical Regulation, dated 27 December 2002", governing procedural directives, specifically the pronouncement of conformity and authorisation of pharmaceutical preparations; Federal Law No. 38-FZ On Advertising, dated 13 March 2006, as amended (the "Law on Advertising"), leading advertising of medicines; and Federal Law No. 99-FZ on Accrediting Definite Sorts of Deeds, dated 4 May 2011, governing licensing in the Russian Federation.</p> <p>Russian Federation Federal Act on Narcotic Drugs and Psychotropic Substances</p> <p>As per the approval of Federation Council on 24 December 1997, the Federal Act launches the legal foundations of State policy regarding the trade in narcotic drugs and psychotropic substances and preclusion of unlawful trafficking for the purposes of shielding communal wellbeing, national safekeeping and public welfare.</p>		

Figure 2: Factsheet for Controlled Drug Regulation in Russia – Part a^{6,7}

government and non-government organisations and communities to counter the drug problems and implement the federal laws in a manner useful to society. The Russian medication strategy is a significant situation to study to perceive the consideration of the corrective and slurring principles of international drug control. In Russia there is unrestricted drug law enforcement which has resulted in extensive, uncivilised and methodical violations of human rights and fundamental liberties.

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Offences and Penalties

Russia has the highest number of individuals per capita held for drug crimes in Europe. Possession of up to 6 grams of the drug is an administrative offence, while anything over that is a criminal offence.

Illegal cultivation of plants containing narcotic substances

I  \$50-130 <small>fine or arrest for up to 15 days</small>	II <small>In large quantities</small>  2 <small>years in prison</small>	III <small>In extremely large quantities</small>  8 <small>years in prison</small>
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Violation of rules governing turnover of narcotic substances

I  \$4,000 <small>Up to fine; up to 180 hours of compulsory work</small>	II <small>For material gain; resulting in bodily injury</small>  3 <small>years in prison</small>
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I  3-7 <small>years in prison</small>	II  6-10 <small>years in prison</small>	III  8-15 <small>years in prison</small>
	<small>By a group of conspirators; involving abuse of office; involving threat or use of violence not endangering life</small>	<small>In large quantities; by an organized group; involving threat or use of violence endangering life</small>

Inducement to drug use

I 6 <small>months in prison or more</small> 5 <small>years in prison</small>	II  3-8 <small>years in prison</small>	III <small>Involving minors; resulting in unintentional death or dismemberment</small>  6-12 <small>years in prison</small>
	<small>By a group of conspirators; By an organized group; Involving more than one person; Involving threat or use of violence</small>	

Organizing and keeping drug-houses

I  4 <small>years in prison</small>	II <small>By a group of conspirators</small>  2-6 <small>years in prison</small>	III <small>By an organized group</small>  3-7 <small>years in prison</small>
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Seizure

Russian customs officers have detained 400 kilograms of cocaine concealed in a consignment container shipment with preserved fish from Ecuador by the Federal Customs Service (FTS) in June 2019. The smuggled goods were grabbed in harmonisation with national anti-drug officials and indigenous police. The officers purportedly found polymer bags stuffed with white powder within the consignment, which upon chemical tests was revealed as cocaine. The overall value of the bust is estimated to be 4.5 billion rubles (\$69.2 million) and comparable to 2.5 million doses.



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Figure 2: Factsheet for Controlled Drug Regulation in Russia – Part b^{5,6,7}