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Commission on Narcotic Drugs

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Item 9 of the provisional agenda*

Implementation of the international drug control treaties

United States of America: draft resolution

Promoting adequate availability of internationally controlled licit drugs for medical and scientific purposes while preventing their diversion and abuse

The Commission on Narcotic Drugs,

Recalling the Single Convention on Narcotic Drugs of 1961,¹ in which it is recognized that the medical use of narcotic drugs continues to be indispensable for the relief of pain and suffering and that adequate provision must be made to ensure the availability of narcotic drugs for such purposes,

Recalling also the Convention on Psychotropic Substances of 1971,² in which it is recognized that the use of psychotropic substances for medical and scientific purposes is indispensable and that their availability for such purposes should not be unduly restricted,

Recalling further its resolution 48/5, in which the Commission called for increased international cooperation to counter the use of the Internet to commit drug-related crime,

Reaffirming the important role entrusted to the International Narcotics Control Board to ensure, in cooperation with Governments, the availability of narcotic drugs for medical and scientific purposes and prevent illicit trafficking in and use of drugs, as set out in article 9, paragraph 4, of the 1961 Convention,

* E/CN.7/2010/1.

¹ United Nations, *Treaty Series*, vol. 520, No. 7515.

² *Ibid.*, vol. 1019, No. 14956.



Highlighting the annual reports of the International Narcotics Control Board for 2008³ and 2009,⁴ in which the Board indicated that the supply of licitly produced opiate raw material was sufficient to meet global requirements,

Noting the concern expressed by the International Narcotics Control Board in its annual report for 2009 that some Governments need to take specific measures to ensure that their populations have adequate access to opioid-based medications in line with the international drug control conventions,

Underscoring the fact that the submission of estimates and statistical data by Governments is critical to the actions taken by the International Narcotics Control Board for the implementation of treaty provisions regarding the adequate availability of internationally controlled licit drugs for medical and scientific purposes,

Acknowledging that an increase in the licit supply of internationally controlled substances can lead to the diversion and abuse of those substances and that in its annual reports for 2008 and 2009, the International Narcotics Control Board encouraged Governments to increase their vigilance regarding trafficking in and abuse of prescription drugs containing internationally controlled substances and consider enacting enhanced laws to counter trafficking in such prescription drugs,

Noting the medical and scientific needs for internationally controlled substances worldwide for the legitimate treatment of pain in acute and chronic medical conditions such as cancer and HIV/AIDS, as well as opioid substitution therapy in the context of a comprehensive package of prevention, treatment and care, within a regulatory and legal framework that prevents diversion and abuse, as outlined in the *WHO, UNODC, UNAIDS Technical Guide*,⁵

Also noting that in the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem,⁶ Member States called for continued cooperation among Member States, the International Narcotics Control Board and the World Health Organization to ensure the adequate availability of narcotic drugs and psychotropic substances under international control, including opiates, for medical and scientific purposes, while concurrently preventing their diversion into illicit channels, pursuant to international drug control conventions,

Acknowledging the efforts of the World Health Organization, in consultation with the International Narcotics Control Board, to implement activities, under the Access to Controlled Medications Programme, to address impediments to the availability of internationally controlled substances for medical purposes,

Noting with appreciation the efforts of the International Narcotics Control Board and the World Health Organization to develop guidelines on estimating requirements for internationally controlled substances,

Also noting with appreciation the efforts of non-governmental organizations and civil society in continuing to highlight the importance of the issue of adequate

³ United Nations publication, Sales No. E.09.XI.1.

⁴ United Nations publication, Sales No. E.10.XI.1.

⁵ *WHO, UNODC, UNAIDS Technical Guide for Countries to Set Targets for Universal Access to HIV Prevention, Treatment and Care for Injecting Drug Users* (World Health Organization, Geneva, 2009).

⁶ A/64/92-E/2009/98, sect. II.A.

availability of internationally controlled substances for medical and scientific purposes as set out in the international drug control conventions,

1. *Decides* that the agenda for the fifty-fourth session of the Commission will include an agenda item on adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes in accordance with the international drug control treaties, in order to examine the impediments to adequate availability encountered and the efforts to prevent the diversion and abuse of those substances;

2. *Calls upon* Member States to fulfil in a timely manner their reporting obligations to the International Narcotics Control Board and the Secretary-General, as appropriate, on the use of internationally controlled substances for medical and scientific purposes and on the diversion of, trafficking in and abuse of those substances, as required under the international drug control treaties;

3. *Encourages* Member States to regularly examine trends in their countries on the use of internationally controlled licit substances for medical and scientific purposes, as well as trends in the diversion of, trafficking in and abuse of those substances and to take appropriate action, if necessary;

4. *Supports* recommendation 39 of the International Narcotics Control Board contained in its annual report for 2009,⁷ in which the Board calls on Governments to promote access to and rational use of narcotic drugs and psychotropic substances, to adopt measures against unlawful medical practice and to ensure that domestic distribution channels are adequately controlled;

5. *Encourages* Member States to include in public awareness campaigns, as appropriate, the issue of the increased risk of diversion of narcotic drugs and psychotropic substances and their abuse, particularly among young people;

6. *Supports* recommendation 22 of the International Narcotics Control Board contained in its annual report for 2009, in which the Board encouraged Governments to introduce or expand programmes for monitoring the domestic distribution of prescription drugs and recommended that in order to reduce the problem of improper prescription practices, Governments should consider carrying out programmes to inform health-care professionals and the general public of the dangers of misusing prescription drugs containing narcotic drugs and psychotropic substances; and noted that programmes for medical professionals should include information on the risk of diversion, including secondary access to prescribed medications by family members and friends of the intended user, appropriate prescription practices and attempts by individuals to illegally obtain prescriptions from multiple doctors through fraudulent methods such as (“doctor shopping”);

7. *Invites* the International Narcotics Control Board as in previous years, to include in its annual report for 2010, to be presented to the Commission at its fifty-fourth session, information on the consumption of narcotic drugs and psychotropic substances used for medical and scientific purposes worldwide, including an analysis of impediments to their adequate availability and actions to be taken to overcome those impediments;

⁷ *Report of the International Narcotics Control Board for 2009*, United Nations publication, Sales No. E.10.XI.1.

8. *Requests* the United Nations Office on Drugs and Crime to continue its activities to prevent the diversion and abuse of internationally controlled substances while also seeking to ensure adequate access to medications containing such substances, including, as appropriate, through the Access to Controlled Medications Programme of the World Health Organization;

9. *Encourages* Member States, as appropriate, to consider working with the International Narcotics Control Board and the United Nations Office on Drugs and Crime to update policies and legislative frameworks to prevent the diversion and abuse of internationally controlled substances, while ensuring adequate availability of those substances for medical and scientific purposes, in line with the provisions of the international drug control treaties;

10. *Invites* Member States to provide adequate resources to the International Narcotics Control Board, the United Nations Office on Drugs and Crime and the World Health Organization, as appropriate, to support their activities to ensure adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes, including the development and implementation of guidelines to assist Governments in estimating their requirements for internationally controlled substances and to address the risk of the diversion and abuse of those substances;

11. *Urges* Member States to consider ways to leverage existing health and development programmes in countries without adequate availability of narcotic drugs and psychotropic substances for medical and scientific purposes, including through the donation of medication and training;

12. *Encourages* Member States to adopt regulations, legislation and other means to prevent trafficking in internationally controlled substances through the Internet and consider the implementation of the International Narcotics Control Board *Guidelines for Governments on Preventing the Illegal Sale of Internationally Controlled Substances through the Internet*.⁸

⁸ United Nations publication, Sales No. E.09.XI.6.