Introduction

In response to Resolution 56/12 the Executive Director of the United Nations Office on Drugs and Crime (UNODC) invited the Vienna NGO Committee on Drugs (VNGOC) to coordinate the provision of information to support the high-level review to be undertaken at the fifty-seventh session of the Commission on Narcotic Drugs (CND). The focus was on assessing the progress achieved in meeting the goals and targets set out in the 2009 Political Declaration and its Action Plan and in finding ways to enhance their implementation to overcome the challenges encountered in addressing the world drug problem.

The VNGOC was pleased to accept this invitation. To collect as wide a response possible from its membership and from NGOs globally, it was decided to prepare a short questionnaire and to invite NGOs to complete this.

There were limitations to the process. The questionnaire was only available on-line and in the English language. Additionally, the time available between receipt of the request and the deadline for receipt of the submission was less than two months, in which time the questionnaire had to be prepared, advertised, data analysed and the submission prepared. Nevertheless, a significant response from NGOs was received. The data can be seen in the table and chart below.

A total of 93 questionnaires were returned. The pie chart shows the distribution by type of NGO. Global NGOs were defined as worldwide organisations with a global membership and reach. Continental organisations were defined as those with membership/services throughout a continent. National organisations provided services for the whole or a substantial part of their own country.
The location of the headquarters of global and continental organisations is normally chosen for a range of reasons and their responses to the questionnaire reflected the expertise and experience of their extensive membership. As can be seen in the table above, national and local NGOs were well distributed across all the 9 regions used during the Beyond 2008 project\(^3\). Together they represent a balanced reflection of global NGO experience on progress, challenges, priorities and recommendations for the future as the CND prepares for the High Level Segment of the fifty-eighth session of the Commission and the UN General Assembly Special Session in 2016.

**The Experience of NGOs on implementation of the Political Declaration and Plan of Action**

NGOs were asked to note if their country had a National Drug Strategy/Plan, how balanced they considered this to be, to what extent it covered all aspects relevant to the drug problem and to what extent NGOs and affected populations had been involved in planning and implementation of the national plan. They were also asked if, in their opinion, the situation had improved or got worse since 2009 and what were the significant changes since then.

89% of respondents reported that their country had a National Drug Plan or Strategy. This was in itself encouraging but there were significant concerns about the balance and content of the plans. On a scale of 1 to 9, where 9 represented a very well balanced plan and 1 represented a very unbalanced plan, the majority of respondents were concerned that the current national plan was not satisfactorily balanced and placed undue focus on a small set of measures. The consequence was that aspects of the drug problem, which from the experience of NGOs were important, were overlooked. Again, a majority of respondents suggested that important aspects were inadequately dealt with or not included in the national plan.

The “Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem” adopted in 2009 noted that representatives of affected populations and civil society entities, where appropriate, should be enabled to play a participatory role in the formulation and implementation of drug demand and supply reduction policy. Respondents were asked if NGOs and affected populations were involved in the planning and implementation of the national plan, if the plan had clear objectives and if NGOs and affected populations were involved in the arrangements for monitoring and evaluating the plan.

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\(^3\) E/CN.7/2008/CRP.12 “Beyond 2008”: contribution of non-governmental organizations to the implementation of the Political Declaration and Action Plans adopted by the twentieth special session of the General Assembly
80% of respondents reported that NGOs had been involved or consulted in the development of the national plan. This was encouraging in that it demonstrated the value placed on NGO engagement at the national level by many Member States. However, **one in five Member States did not involve or consult with NGOs in the development of the plan, despite their significant contribution.** It was also significant that a much lower percentage (55%) of NGOs reported that they were involved and supported in implementation of the national plan. This may reflect the concerns expressed about the imbalance in the plan and that it did not cover aspects of the drug problem addressed by the NGOs. With regard to the involvement of affected populations the situation was less satisfactory. Although it has been widely acknowledged that affected populations have an important contribution to make in the development and implementation of national drug and HIV/AIDS plans, **56% of NGOs reported that affected populations were involved or consulted in the development of national plans and only 42% were involved or supported in the implementation of the plans.**

There was concern from NGO respondents that **many national plans lacked clear and measurable objectives.** Less than half (47%) considered the plan adopted in their own country to have clear objectives although 78% reported that arrangements for monitoring the plan were in place. This would suggest that the monitoring was more concerned with implementation than with specific outcomes measured against clear objectives. That said, **63% of NGO respondents reported that they were included in the monitoring process and in 48% of cases affected populations were also included.**

This data clearly shows that there is recognition of the significant contribution which NGOs and affected populations can make to the development of policy and strategy and to the implementation of programmes in response to identified drug problems. However, there remain significant gaps and challenges to improve balance, address all aspects of the drug problem, have clearer and measurable objectives and to more effectively engage and involve NGOs and affected populations.

Since 2009, **48% of respondents considered the situation to have improved while 52% considered it to have worsened.** More detailed replies were obtained for each of the key areas reported below. The most commonly reported reasons for improvement were listed as:

- better balancing of the overall response through national plans and strategies; improved coordination and implementation; a wider range of evidence based interventions; increased prevention programmes, an increased focus on health rather than criminal justice responses; improved training for and quality of interventions, and; an openness to review and adjust policy and practice.

The most commonly reported reasons for the situation having worsened since 2009 were listed as:

- a reduction in available resources when demand was increasing; non implementation of the adopted national plan; an imbalance in the national plan with a low focus for demand reduction measures; increased availability and use of drugs, and; policy conflicts between different government ministries.

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Drug Demand Reduction

Achievements
Many of the achievements noted below are important examples of progress towards the 2009 Political Declaration and Plan of Action. That said, while widespread in their application, most of these examples are not systematically or uniformly in place in each member state. While the first half of the 2009-2019 Plan of Action has mobilized various initiatives, there is a requirement for these to be addressed in a more substantive, structured and deliberate fashion.

The NGO community reported on a very robust, comprehensive and broad based series of demand reduction activities. Demand reduction activities represent one of the largest and most comprehensive areas of work for NGOs, spanning all ages, settings and areas of focus.

Respondents indicated that since 2009, there has been evidence of increased availability of treatment and substitution therapy which represent priorities identified by the CND in past Commissions. Equally so, it was noted that the situation improved in terms of interest in the recovery movement and the need for integrated strategies to promote recovery and social reinsertion and alternative sentencing to prison for drug misusers.

An increase in the number of communities and neighbourhoods engaged in working together was reported, which reinforces the importance of community-based interventions. Also noted was the increased attention to the rights of the child.

NGO respondents indicated localized evidence of increased health programme funding and improved participation of NGOs in the policy development process. It was also acknowledged that there is an increased recognition of the value of evidence-based policy and programme development.

NGO’s reported an environment which has a more holistic view of the drug problem as a public health, social development and political issue. Several respondents also noted that since 2009 there were several national and international high profile political commitments to address drug abuse as a public health issue. This was further cited in jurisdictions openly debating alternatives to prohibition, which invariably underscores the need for better demand reduction services.

NGO reported a positive increase in the number of their own contacts internationally and of their knowledge of the UN system and means by which they can engage in that process. Numerous NGOs reported having participated in regional projects with UNODC and this is a very positive accomplishment. Further it was reported that since 2009, there has been a stronger network of NGOs engaged in drug prevention and treatment work.

Challenges
Notwithstanding the many and important achievements cited above, it bears repeating that many of these practices are not being applied in large areas of the world and there lacks a systematic approach to support the development, implementation and sustainability of Drug Demand reductions programmes in line with the Political Declaration and Plan of Action. This despite the repeated number of resolutions adopted by the CND which say the right things but which are then often left to languish with no real action behind them. This raises the need for a more systematic process of review and follow up on resolutions adopted – especially so in the area of Drug Demand reduction.

The NGO Community identified several chronic challenges related to the area of Demand Reduction that merit serious consideration by the Commission as they directly impact on its ability to reach objectives identified in the 2009 Political Declaration and Plan of Action.
It was disappointing and of some concern that there is no reference to the "Declaration of Guiding Principles of Drug Demand Reduction" and its "Action Plan". Neither of these has been adequately followed up although they are part of both the 1998 and 2009 Declarations. They contain important guidance and proposals. Importantly, they also avoid an overly medical viewpoint and encompass the wide range of psycho-social and medical interventions and services essential for effective responses to illicit/harmful drug misuse.

While Demand reduction is often spoken of as a political priority, evidence shows that its application is severely constrained due to lack of resources made available by member states in this area. Further, where there is evidence of some demand reduction activities, rarely do they represent the entire continuum of activities – namely universal, selective and targeted and offering pathways to achieve the best possible levels of physical and social well-being. This is possibly exacerbated by a focus of multilateral and bilateral funding on harm reduction and/or HIV and AIDS prevention. For many NGOs the consequence is that less attention and investment has been made in areas of drug demand reduction, including prevention, treatment and care, rehabilitation and social reintegration. Also it was noted that there is a lack of professionally trained human resources.

In addition, it was reported that in some jurisdictions, the demand reduction programmes being applied did not always reflect evidenced bases practices commonly used in other parts of the world. It was also reported that demand reduction activities remain too driven by political imperatives rather than by evidence of what actually works.

To exacerbate the situation, NGOs report a lack of defined relationships with member states in the area of demand reduction, despite the NGOs presence with and among many of the priority populations or target groups identified by the national plan which include youth, high risk youth, indigenous populations, and the like.

Further, NGOs report a lack of systematic inclusion of NGOs and/or target populations in the design or delivery of demand reduction programmes. Finally, the paucity of concrete achievements noted in this first part of the 2009-2019 Plan of Action underscores the need for some level of measurement and evaluation of demand reduction activities.

Priorities
There are a number of specific actions the CND can consider in order to build on successes to date while addressing some of the chronic challenges noted.

In no particular order:

CND should prioritize the application of evidenced based tools, policies and structures in support of the Drug Demand objectives. This includes inter alia:

- application of the international prevention standards adopted by the CND and which should be applied in all jurisdictions;
- application of the evidence based programmes and structures supported by the UNODC project on Drug Treatment Dependence and Care;
- adoption and implementation of the recommendations emanating from the UNODC project on HIV-AIDS and injection drug use.

Also, CND should prioritize dedicated funding based on strategic demand reduction objectives for UNODC to be applied in the field with the systematic involvement and participation of NGOs.

Member States should initiate a national level dialogue on the Demand Reduction objectives of the Political Declaration with NGOs and other relevant parties so as to identify good practices in place, gaps to be addressed and a specific plan to correct these.
CND should regularly follow up and review the state of implementation of its Demand Reduction resolutions both at national level but also with UNODC and with the specific intent to improve relations with NGOs at the national level.

Member States should prioritize funding for Demand Reduction activities at the national level where those activities are seen as consistent with evidenced based practices.

Supply Reduction

Achievements
While few NGOs operate in the area of supply reduction, those who responded indicated few if any real measures of supply reduction achievement. Some examples were cited in terms of stricter application of the law, eradication of coca and cannabis crops and an enhanced focus on precursor chemicals. Also noted was the move to introduce better control of prescription drugs to reduce and prevent abuse.

In some instances, NGOs reported that they had seen police become more engaged in demand reduction – recognizing the limitations of only pursuing a supply reduction approach.

It was also reported that supply reduction had been effective in converting production of illicit drugs into licit crops, but this was not a widespread response.

Several NGOs noted the increasing call for significant reform of the current supply reduction approach, such as witnessed in the Americas, and some respondents saw this as a positive development.

Related to this, innovative regulatory approaches to controlling the issue of ‘legal highs’ were noted positively.

Challenges
When asked about the challenges in the area of supply reduction and related measures since 2009, NGO respondents noted a number of concerns that limit the successful implementation of the Plan of Action of 2009.

Among these challenges, there were a number of responses citing corruption, bribery and general ineffective criminal justice systems as a major challenge to effective supply reduction. This was compounded by certain economic and social challenges facing many jurisdictions including high youth unemployment. Also noted was political instability along with significant violence and social problems flowing from the drug trade.

NGO respondents noted that supply reduction strategies and activities, like demand reduction programmes, needed to be assessed using a range of measures and not be based exclusively on the number of arrests and seizures made or co-operation agreements reached.

It was noted that the internet continued to be a challenge for supply reduction as many internationally controlled drugs are accessible via those means and this illicit trade is difficult to detect / enforce.

The impact on transit countries was reported as was the lack of true alternative crop options for farmers cultivating illicit crops along with a general lack of funding needed to create self-sustaining alternative development programmes including with greater involvement of civil society. Finally, NGOs reported that significant displacement effects of enforcement actions which create new pressures on those regions and the need for a more holistic approach to this phenomena.
Priorities

NGOs identified a number of priorities in the area of supply reduction and related measures. Chief among these was to place greater emphasis on demand reduction as this would undeniably aid in the reduction of supply. CND and Members States should insist upon and ensure that demand reduction initiatives and supply reduction ones be better balanced against each other.

UNODC and Member States should develop more robust systems to assess and evaluate supply reduction strategies and activities which include impact on the reduction of supply and availability of illicit substances, changes in price (wholesale and retail) and purity as well as arrests, seizures, cooperation agreements and other criminal and judicial system measures.

As some Member States are considering alternative regulatory mechanisms to control illicit drugs, the flexibility of the treaty system must be better understood by all to ensure that the international drug control system is adaptable to current realities. It is recommended that CND request UNODC, in consultation with INCB, to give guidance on this.

Members States should provide information on the adjustment of their drug control systems to all concerned. They should include NGOs in relevant discussion at both planning and implementation stages, including the identification of impact (positive or negative) of any change.

It was also noted that organized crime poses a continuing threat to drug policy and that law enforcement and international cooperation among relevant authorities could be improved in this area. Also, within supply reduction strategy, a greater focus should be placed on drug producers in order to break the nexus between terrorism, sale of arms and drugs.

It was noted by several NGOs that it would be useful to improve relations between supply reduction authorities and NGOs in addition to involvement of the media and civil society in supply reduction where appropriate. It is recommended that CND place a specific emphasis on exploring opportunities for such collaboration.

A focus should be placed on new legal highs and their commensurate impact on traditional law enforcement practices. The use of new regulatory models to address these substances was noted as a positive development.

Additional support should also be provided to alternative development programmes that have been assessed and shown to be effective.

Money Laundering and Judicial Cooperation

Achievements

The area of money laundering and judicial cooperation is inevitably one in which NGOs are less engaged. Nevertheless, their experience nationally and internationally permitted them to make a number of observations.

The adoption of new legislation to tackle money laundering was pointed to as an achievement, although implementation of these laws was more sporadic.

It was noted that there had been some improvement in regional and international cooperation but that this was not universal. Judicial cooperation had increased to some extent but significant barriers remained which undermined the effective implementation of legislation.
The establishment of dedicated criminal justice bodies focused on fraud and money laundering was also welcomed, as these appeared to improve capacity to tackle these areas of organized criminal activity. There has been increased ability to freeze and seize the assets of those involved in drug trafficking and money laundering. However, there is a need for greater transparency in the way the system works.

The efforts of UNODC to support the development of cooperation mechanisms and appropriate legislative frameworks were valued but required intensified support.

There have also been advances in the provision of training and exchange programmes. Joint training between the different elements of the criminal justice system had been introduced which could increase the likelihood of successful prosecutions.

**Challenges**

A major concern expressed in the majority of responses was the undermining of the criminal justice and civil administration system through corruption. In many responses, the respondents noted that the legal arrangements and multiple levels of government created conditions which permitted corruption to develop.

The complexity of money laundering operations and of the legislation intended to prevent and prosecute such criminal activity needs to be supported more effectively by improved training. At present, those responsible for implementing the legislation in many countries have neither the personnel nor the investigative resources to implement legislation, where it is in place.

A further challenge, especially for countries in development, has been the ability to engage with the international banking system and to identify and trace suspect transactions.

A particular challenge noted by respondents was that, as Member States considered and reviewed their national policies and strategy in response to drug misuse, there was a need for improved integration with other areas of policy, including the tax framework and banking/currency legislation.

**Priorities**

There is an urgent need to develop and introduce a structured programme of anti-corruption education at an early age. This should be combined with public awareness programmes which assist the citizen understand the corroding effect of corruption and the laws which have been established to counter corruption and money laundering.

Enhanced training for the judiciary and criminal justice officials is essential. Such training should include exchange visits and must be conducted with awareness of the importance of human rights to ensure just and equitable responses to identified offenses.

Further efforts to increase banking transparency and enhance international cooperation must be promoted.

There would be value in an honest and critical review of the different options available to respond to the global drug problem and its related issues. At present reviews are often superficial, agreed actions are not implemented and the consequence is that effective measures cannot be identified and replicated elsewhere.