

**STATEMENT BY DOCTOR YESID REYES, MINISTER OF  
JUSTICE AND LAW OF THE GOVERNMENT OF COLOMBIA, ON  
THE OCCASSION OF THE HIGH-LEVEL SEGMENT OF THE 59<sup>th</sup>  
REGULAR SESSION OF THE COMMISSION ON NARCOTIC  
DRUGS**

**VIENNA, AUSTRIA, MARCH 2016**

Distinguished Ambassador Vladimir Galuška, Chairman of the 59<sup>th</sup>  
regular session of the Commission on Narcotic Drugs,

Distinguished Ambassador Khaled Sharmaa, Chairman of the Board  
for the Preparatory Process towards UNGASS,

Excellencies, distinguished Ministers and Heads of Delegation,

Honourable Members of the Bureau,

Distinguished Chairpersons of the Regional Groups,

Honourable Delegates,

Albert Einstein once said it is insane to do the same thing over and over again and expecting different results. Despite the significance of this statement, this is what we have been doing over the almost last 40 years, since President Nixon declared the war on drugs. The specific battles that have been won during these years and the noble desire to continue the fight against this scourge are not consistent with the

results achieved after the analysis of evidence collected over the past four decades.

It is true that these evidences suggest that drug cartels have been struck hard, often at the cost of hundreds of lives, as has occurred in Colombia. But they also suggest that the world of drugs is not the same 40 years after the declaration of the war against it. The difference between producer countries and consumer countries, which was one of the pillars of this policy, is becoming ever more blurred; drugs of natural origin, at which the greatest efforts have been directed so far, begin to lose ground against drugs of synthetic origin.

Such changes provide evidence that the world of illicit drugs has changed with the purpose of confronting the policy designed to combat it, in such a way that the partial successes achieved begin to contrast with new realities that we have to address in a different way than we have done up to this point. The number of drug users worldwide is alarming and is estimated at about 250 million; five of six of them having no access to treatment for their addiction, and every day almost 500 persons die as a result of easily preventable situations related to drug use, such as bad quality or contaminated substances, poor hygiene in the methods of drug administration or the problem of overdoses. In contrast to this harsh reality, there is another one which is equally worrying: 75% of the world's population has little or no access to pain medication which is produced on the basis of controlled substances due to its close relation to the world of prohibited drugs.

While I am sharing these words with you, a new psychoactive substance begins to circulate on the market, tonnes of cocaine and heroin are being brought from the production areas to the consumption poles and many communities continue to be exposed to the influence of criminal organizations. Every minute that passes while I am speaking to you, one young person living in a marginalized neighbourhood dies in a dispute related to this lucrative business. The millions of dollars generated from this business are a factor of corruption within the institutions, it permeates justice systems and destroy social structures.

Given that reality, a reflection of the evidence collected during all those years of fighting drugs, it would be nonsensical to insist on maintaining unaltered these anti-drug policies designed 40 years ago, pretending that we will achieve better results with them in the future. We must be aware that the new realities demand us to draw away from a monochromatic vision of the problem, which is built around clearly repressive parameters, in order to seek more efficient ways to address the different dimensions of the phenomenon of drugs today.

This was the purpose of the appeal made by the Presidents of Colombia, Guatemala and Mexico in 2012 for a review of the current drug policy. The first important consequences of this request were the convening of a Special Assembly of the United Nations in April 2016 and several preparatory meetings carried out by different nations to assess the situation.

After breaking the taboo of the debate, which already was a great achievement, the idea that, with regard to drug users, a public health approach should be privileged over a purely repressive one, has gained ground – not only because prison does not cure addictions, but also because in doing so, we can follow the path of reducing harm caused by illegal use of drugs and claiming so many lives every day, especially in unprotected sectors of the world’s population.

Moreover, the need that drug policy has to be absolutely consistent with a human rights perspective is coming to the fore; it is difficult to imagine a drug policy oriented towards achieving and maintaining health and human well-being (according to the conventions on the matter), which at the same time does not respect another huge achievement the international community prides itself on: the commitment to respect human rights. Consequently, we advocate that the human rights covenants and treaties be considered as a source and legal framework for the formulation, measurement and assessment of drug policy.

There is growing demand for the need to allow countries a certain degree of flexibility in the interpretation of the conventions, provided that this does not affect other nations; this plea responds to an unquestionable evidence: a drug policy cannot assume that the realities in all countries are identical and that, consequently, its guidelines can be implemented all over of the world, irrespective of the different realities.

If we reach a consensus on the obvious benefits of giving precedence to a public health approach over a purely repressive approach regarding drug users, with explicit reference to the need for measures related to harm reduction; on the need to ensure that the conventions on drugs established by the international community respect the human rights conventions that were adopted and defended by this same community; and on the imperative to allow the countries a certain degree of flexibility in the interpretation of these conventions in accordance with their own local realities, we would show the world that we are not blind to the evidence collected during all these years of fighting drugs; that we are aware of the way in which the world of illicit drugs has changed and, above all, that we are not so stubborn as to insist on maintaining a drug policy which evidently needs to be adapted to new realities.

Another equally important step in the same direction we need to take is the establishment of an expert-level group with the task of further examining other alternatives that allow us to adjust drug policy to the reality shown by the evidence available. The aim is not to appoint a body that replaces the Commission on Narcotic Drugs, but to establish a group that advises the Commission by formulating proposals for guidelines which allow adjustments in fields such as harm reduction, identification of new challenges and realities in the complex and changing world of illicit drugs, access to controlled substances for medical or scientific purposes or strengthening international cooperation based on the principle of common and shared responsibility. For Colombia it would be highly important that the

outcome document of this session makes explicit reference to the need to establish this group of experts. Its establishment would not only show that we recognize the need to permanently monitor drug policy in view of the evidence that the phenomenon is constantly changing, but it would also allow for adjustments to be made where necessary in a much more effective manner than is has happened until now.

It has never been our purpose to legalize drugs nor to disregard international conventions on drugs. We only ask you - on the basis of the evidence collected during more than 40 years of fighting this scourge - to recognize that the time has come to adapt to new realities and challenges related to the issue. In the light of this evidence, and I will conclude by quoting Einstein again, it would be insane to maintain the current anti-drug policy and think that in doing so we will achieve better results than we have achieved so far.