



# Economic and Social Council

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## Commission on Narcotic Drugs

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Item 6 of the provisional agenda\*

**Follow-up to the implementation at the national,  
regional and international levels of all  
commitments, as reflected in the Ministerial  
Declaration of 2019, to address and counter the  
world drug problem**

### **Statement submitted by IDPC Consortium, a non- governmental organization in special consultative status with the Economic and Social Council\*\***

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\* [E/CN.7/2024/1](#).

\*\* Issued without formal editing.



## Paving the way for the future: The urgency of enshrining human rights in United Nations drug policy

For decades, the unachievable goal of a ‘drug-free society’ has driven drug policies based on prohibition, criminalisation and harsh punishment. The harms caused by these policies can only be repaired by making sure that civil society and community organisations play a central role in bringing forward evidence and lived experiences to inform and shape responses. Member States and United Nations bodies have a responsibility to honestly listen to civil society and affected communities, including people who use drugs, as well as subsistence farmers, producers, people who have been incarcerated and all those who have been disproportionately impacted, and to reflect on how to reform a global system that has so clearly failed.

The 2019 Ministerial Declaration on drugs laid down the main objectives of the international community in addressing the world drug situation for a 10-year period. Drawing on a broad range of data and evidence, as well as on the experience of civil society and communities, IDPD produced a Shadow Report<sup>1</sup> which shows that little to no progress has been made, and the situation remains grave at the point of the Midterm Review.

Our Report shows that despite billions spent every year on drug law enforcement, the illegal drug market is thriving, and militarised responses are fuelling violence and conflict. Drug-related deaths remain at historical highs – over half a million deaths per year, driven in many places by a deadly, toxic and unpredictable drug supply – while access to gender-sensitive and age-appropriate harm reduction, treatment and other support services falls dramatically short of what is needed. Access to controlled medicines for pain relief and palliative care also remains low to non-existent in most parts of the world.

IDPC’s Shadow Report also highlights that, in all regions, the human rights impacts of drug control have either worsened or remained unchanged. These abuses are widespread and range from the ongoing use of the death penalty, extrajudicial killings, arbitrary arrests and detention, mass incarceration, and cases of torture masquerading as ‘treatment’. There is also widespread discrimination on the basis of race, gender, age and socio-economic status.<sup>2</sup>

The good news is that global drug policy is poised to change. In February 2024, the Human Rights Council convened a panel at the request of the historical 2023 Human Rights Council Resolution 52/24 on human rights in drug policy,<sup>3</sup> which broke the taboo on harm reduction, and recognised the centrality of gender, Indigenous Peoples’ rights, and racial justice in drug policy debates. Such progress would have been unthinkable a few years ago.

The Resolution also requested the preparation of a report on the human rights challenges in drug policy<sup>4</sup> which was presented by the High Commissioner for Human Rights at the Human Rights Council panel, as well as at the 66<sup>th</sup> reconvened session of the CND in December 2023. This ground-breaking document presents a clear blueprint for global reform. When released, the report was welcomed by a joint statement by 134 NGOs, urging Member States to take on the High Commissioner’s recommendations.<sup>5</sup>

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<sup>1</sup> <https://idpc.net/publications/2023/12/idpc-shadow-report-2024>.

<sup>2</sup> See also: <https://globaldrugpolicyindex.net/wp-content/themes/gdpi/uploads/GDPI%202021%20Report%20EN.pdf>.

<sup>3</sup> <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F52%2F24&Language=E&DeviceType=Desktop&LangRequested=False>.

<sup>4</sup> <https://www.ohchr.org/en/calls-for-input/2023/call-inputs-ohchrs-report-human-rights-challenges-addressing-and-countering>.

<sup>5</sup> <https://idpc.net/news/2023/09/133-ngos-sign-collective-statement-urging-the-international-community-to-act-on-un-human-rights>.

Drug policies at the national level are also shifting. By the end of 2023, 66 jurisdictions in 40 countries had decriminalised drug use and various related activities – a measure endorsed by the United Nations Common Position on drugs, and permitted within the three drug control conventions, and described by the OHCHR as ‘a powerful instrument to ensure that the rights of people who use drugs are protected’. Over 300 million people also live in legal systems that have regulated drugs like cannabis for recreational use, thus checking the power of organised crime and the harms of criminalisation on people who use drugs and other marginalised populations. Many other jurisdictions will follow. At the request of Bolivia, the WHO recently initiated a critical review of the status of the coca leaf under the drug control conventions – a measure that could end the global prohibition of the coca leaf, thus reinstating the rights of Indigenous Peoples that have used the plant for centuries.

United Nations human rights bodies have been indispensable in building this global moment for change, and their contributions will continue to bring an indispensable human rights focus to the CND that the Commission direly lacks. Two key contributions are particularly relevant to the work of the CND. Firstly, in June 2024, the United Nations Special Rapporteur on the right to health will release a report on harm reduction within the framework of the right to health. Secondly, the United Nations Committee on Economic Social and Cultural Rights is drafting a General Comment on drug policy – the first of its kind to be written by a United Nations human rights treaty body.

For a genuine paradigm shift away from repression and punishment, and towards drug policies that truly prioritise human rights and the health and welfare of humankind, we offer the following recommendations:

- The Human Rights Council should create a special procedure mandate on human rights and the world drug situation, which would be responsible for providing systematic evidence on a broad range of dimensions in which drug policy impacts human rights, and develop timely international standards to bring a new drug policy paradigm to reality.
- In parallel, Member States should establish a multi-stakeholder mechanism with participation from civil society, academia and relevant United Nations entities responsible for exploring options to review, update and rebalance the United Nations drug conventions. This should include: (a) enshrining the centrality of a health, development and human rights in drug policy; (b) allowing countries to consider the legal regulation of drugs under international control; and (c) repealing existing commitments banning traditional uses of scheduled plants.
- To ensure that the human rights dimension of drug policy and the contribution of human rights entities are entrenched in the work of the CND, the Commission should add a standing agenda item to its yearly sessions on the protection of human rights in drug policy. We also recommend that Member States make stronger contributions to the CND agenda item concerning the Sustainable Development Goals (SDGs), which has traditionally been neglected.
- United Nations bodies with relevant mandates, including the UNODC, WHO, UNDP, UNAIDS, OHCHR, UNICEF, UN Women and WTO, should elaborate evidence-based guidance and recommendations on how to implement optimal decriminalisation policies and the legal regulation of drugs in line with existing standards and best practices on health, human rights and development.
- As the lead agency responsible for the implementation of the United Nations System Common Position on drugs within the Task Team, UNODC needs to do more to place the protection of health, human rights, equality and non-discrimination as central goals of the Office’s strategy, work plan and budget. It should also ensure regular coordinated efforts to collect, analyse and publish data and information from across the whole United Nations system on the impacts of drug policies on health, human rights, the environment, and the achievement of the 2030 Agenda for Sustainable Development, and enhance work with Member States and civil society to implement the Common Position at the national level.