



# Economic and Social Council

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## Commission on Narcotic Drugs

Sixty-eighth session

Vienna, 10–14 March 2025

Item 5 (a) of the provisional agenda\*

**Implementation of the international drug control treaties: changes in the scope of control of substances**

### **Statement submitted by DRCNet Foundation, Inc., 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.7/2025/1](#).

\*\* Issued without formal editing.



## **Statement of DRCNet Foundation aka StoptheDrugWar.org submitted for the 68<sup>th</sup> session of the United Nations Commission on Narcotic Drugs, March 2025**

DRCNet Foundation has engaged with drug policy at the UN Commission on Narcotic Drugs since preparations began for the 2016 UNGASS, as a US-based organization committed to the rules based international order.

In this time in which the rule of law faces serious challenges in more places than ever before, we reiterate our observation that drug prohibition may be incompatible, in practice if not in principle, with principles of human rights or public health. Some countries, or jurisdictions within them, have begun to pursue policies that depart from that model and to seek alternative means for addressing the health and human safety concerns associated with drug use. Most notably, several countries or their constituent provinces have begun to experiment with regulation systems (e.g. “legalization”) for cannabis.

To honour the supremacy of human rights under the UN Charter, we reiterate our assertion that these experiments be interpreted in light of countries’ international human rights and other obligations, and argued that in case of irreconcilable conflict, human rights principles, which lie at the core of the Charter, should take priority over provisions of the drug conventions. And we again call for UN Member States to initiate a process of reforming and modernizing the drug conventions. The norm during most of the decades since the drug conventions were written is for new treaty language to include mandated period reviews. The calls one often hears at the UN to not consider changes to the drug conventions are anachronistic at best.

We call for this not only as human rights advocates and as advocates for the benefits of regulating rather than prohibiting drugs, but also for the sake of reducing global treaty tensions. In a time when majorities of the public in many countries do favour regulation for at least some currently controlled substances, the continued inflexibility of the global framework on this point is a liability rather than a benefit. Drug regulation is by no means the greatest international treaty controversy, but it’s a needless one. At this time when the rules-based order is under attack, rational adaption to lawful modern practices will serve our collective future better than rigid pledges of allegiance to a consensus that never was.

We also, while calling for full engagement by all UN treaty bodies and agencies with the recommendations of the Office of the High Commissioner on Human Rights and the framework laid out in the International Guidelines on Drug Policy and Human Rights, suggest the time has come to move acknowledged human rights challenges in human rights into the real of actionable rule of law. We assert that human rights violations in drug policy are appropriate matters for international justice tribunals, national universal jurisdiction laws, and targeted sanctions.

With that in mind we put forward the following principles for advancing the application of international rule of law approaches to human rights violations that occur in drug policy:

- Patients traveling internationally should never be subject to draconian sanctions for carrying their prescribed or recommended medications.
- Occupying powers must maintain access to medications allowed under their home governments’ laws.
- Due process rights at full international standards must be rigorously maintained and adhered to, especially in cases involving the death penalty.
- Racial and other disparities in the application of drug laws constitute evidence for due process failures.
- Extrajudicial killings and arbitrary detentions must prompt swift rule of law responses.