

## Resolution 62/8

### **Supporting the International Narcotics Control Board in fulfilling its treaty-mandated functions in cooperation with Member States and in collaboration with the Commission on Narcotic Drugs and the World Health Organization**

*The Commission on Narcotic Drugs,*

*Recognizing* that the mandate of the International Narcotics Control Board is stated in the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,<sup>1</sup> the Convention on Psychotropic Substances of 1971<sup>2</sup> and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,<sup>3</sup> which together with other relevant international instruments constitute the cornerstone of the international drug control system,

*Reaffirming* our commitment to effectively addressing and countering the world drug problem in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights,<sup>4</sup> with full respect for the sovereignty and territorial integrity of States, the principle of non-intervention in the internal affairs of States, all human rights, fundamental freedoms, the inherent dignity of all individuals and the principles of equal rights and mutual respect among States,

*Recognizing* the abiding concern of all parties to the three international drug control conventions of ensuring respect for those conventions,

*Recognizing also* that the abiding concern of the three international drug control conventions is the health and welfare of humankind,

*Recognizing further* that the world drug problem remains a common and shared responsibility that should be addressed in a multilateral setting through effective and increased international cooperation and that it demands an integrated, multidisciplinary, mutually reinforcing, balanced, scientific evidence-based and comprehensive approach,

*Recalling with satisfaction* that the three international drug control conventions are among the most widely ratified legally binding international instruments, benefiting from near-universal accession, and allow for sufficient flexibility for States parties to design and implement national drug policies according to their priorities and needs, consistent with the principle of common and shared responsibility and with applicable international law,

*Welcoming* the efforts of States parties to the international drug control conventions to implement, and non-parties to apply, the three international drug control conventions, and recognizing that adherence by all States is essential to the functioning of the international drug control system,

*Recalling* that the members of the International Narcotics Control Board shall be persons who, by their competence, impartiality and disinterestedness, command general confidence and that during their term of office they shall not hold any position or engage in any activity which is liable to impair their impartiality in the exercise of their functions, and

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<sup>1</sup> United Nations, *Treaty Series*, vol. 976, No. 14152.

<sup>2</sup> *Ibid.*, vol. 1019, No. 14956.

<sup>3</sup> *Ibid.*, vol. 1582, No. 27627.

<sup>4</sup> General Assembly resolution 217 A (III).

noting that the Economic and Social Council shall, in consultation with the Board, make all arrangements necessary to ensure the full technical independence of the Board in carrying out its functions,

*Recalling also* that the Economic and Social Council, with due regard to the principle of equitable geographical representation, shall give consideration to the importance of including on the Board, in equitable proportions, persons who possess a knowledge of the drug situation in the producing, manufacturing and consuming countries and are connected with such countries,

*Recalling further* that the Board, in cooperation with Governments and subject to the terms of the 1961 Convention as amended, shall endeavour to limit the cultivation, production, manufacture and use of drugs to an adequate amount as required for medical and scientific purposes, to ensure their availability for such purposes and to prevent illicit cultivation, production and manufacture of, and illicit trafficking in and use of those drugs,

*Recalling* that all measures taken by the International Narcotics Control Board under the 1961 Convention as amended shall be those that are most consistent with the intent to further the cooperation of Governments with the Board and to provide the mechanism for a continuing dialogue between Governments and the Board, which will lend assistance to and facilitate effective national action to attain the aims of the 1961 Convention,

*Recalling also* that article 14 of the 1961 Convention as amended and article 19 of the 1971 Convention set out measures by the Board to ensure the execution of the provisions of those conventions, and article 22 of the 1988 Convention sets out the functions of the Board under that Convention, and noting with appreciation the efforts of the International Narcotics Control Board to assist Member States in achieving and protecting the aims of those conventions,

*Recalling further* that the international drug control conventions are respectful of the constitutional, legal and administrative systems of the parties to those conventions, in particular with regard to penal provisions, measures to be taken by parties to prevent and counter illicit traffic in controlled substances, the establishment of national agencies to oversee cultivation of controlled substances, the establishment of regional centres for scientific research and education and provisions regarding the prohibition of advertising psychotropic substances to general public,

*Recalling* that in the Ministerial Declaration on Strengthening Our Actions at the National, Regional and International Levels to Accelerate the Implementation of Our Joint Commitments to Address and Counter the World Drug Problem,<sup>5</sup> adopted in Vienna in 2019, Member States noted with concern, inter alia, persistent and emerging challenges related to the world drug problem, including responses not in conformity with the three international drug control conventions and not in conformity with applicable international human rights obligations, which pose a challenge to the implementation of joint commitments based on the principle of common and shared responsibility,

*Noting with concern* that the availability of internationally controlled drugs for medical and scientific purposes, including for the relief of pain and suffering, remains low to non-existent in many countries, and

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<sup>5</sup> See *Official Records of the Economic and Social Council, 2019, Supplement No. 8 (E/2019/28)*, chap. I, sect. B.

highlighting the need to enhance national efforts and international cooperation at all levels to address that situation by promoting measures to ensure their availability and accessibility and address existing barriers in this regard, including their affordability for medical and scientific purposes, within the framework of national legal systems, while simultaneously preventing their diversion, abuse and trafficking, in order to fulfil the aims and objectives of the three international drug control conventions and recognizing the important role of the International Narcotics Control Board in this regard,

*Acknowledging* the important treaty-mandated role of the International Narcotics Control Board as an independent body responsible for monitoring the control of substances pursuant to the three international drug control conventions and assisting Member States in their efforts to implement those conventions,

*Acknowledging also* the important treaty-mandated functions entrusted to the Commission, including to amend the schedules of the international drug control conventions, to call the attention of the International Narcotics Control Board to any matters which may be relevant to the functions of the Board, to make recommendations for the implementation of the aims and provisions of the conventions and to draw the attention of non-parties to the conventions to its decisions and recommendations;

*Underscoring* the treaty-mandated functions of the World Health Organization, which include providing medical and scientific findings and assessments and recommendations to the Commission on Narcotic Drugs on the scope of control of narcotic drugs and psychotropic substances, and recognizing the importance of dialogue between the World Health Organization and the International Narcotics Control Board, including, as appropriate, through the World Health Organization Expert Committee on Drug Dependence, with due regard to its independence, within its competence related to the conventions, inter alia, on the accessibility and availability of controlled substances for medical and scientific purposes,

1. *Welcomes and supports* the contribution of the International Narcotics Control Board, within its treaty-mandated functions, to international efforts to address and counter the world drug problem;

2. *Encourages* Member States and the Board to further develop their dialogue about implementation of the international drug control conventions, including through regular consultations and the Board's country missions, to lend assistance to and facilitate effective national action to attain the aims of the conventions;

3. *Encourages* the International Narcotics Control Board to review its working process in order to further strengthen coordination with Member States, including by giving due regard to the need to allow sufficient time for the preparation by the Government concerned with respect to an upcoming country mission of the Board and by considering consulting with the Member State concerned about the factual accuracy of the information gathered before finalizing the conclusions and recommendations of the country mission, and invites the Secretariat of the Board to periodically inform the Commission of its efforts in that regard;

4. *Urges* States that have not yet done so to consider ratifying or acceding to the international drug control conventions, and also urges the parties to the conventions to continue to effectively implement those conventions as a matter of priority;

5. *Welcomes* the efforts of the Board to promote universal accession to the international drug control conventions, and encourages the Board to continue promoting application of the conventions by the parties to the conventions as well as by non-parties;

6. *Invites* the Board to engage with the parties to the international drug control conventions in a dialogue on permitting the licit cultivation of crops for medical and scientific purposes to offer assistance to them in applying provisions related to such cultivation that are set forth in the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, taking into consideration the challenges currently facing them, and to facilitate the exchange of best practices;

7. *Reaffirms its determination*, while acknowledging the independence of the Board, to continue to call to the attention of the Board any matters which may be relevant to its functions, in accordance with the international drug control conventions;

8. *Invites* the International Narcotics Control Board to continue diligently performing all the functions entrusted to it under the three international drug control conventions, adhering to and mindful of its mandates, taking into consideration, as appropriate, the constitutional limitations, legal systems and domestic law of the parties to those conventions, and to regularly update the Commission on the global situation with regard to the implementation of the conventions by providing a briefing to the Commission on its annual report and activities at the regular sessions of the Commission, as well as on other occasions at the request of the Commission;

9. *Requests* the International Narcotics Control Board, in cooperation with the Commission and the World Health Organization, within their treaty mandates, to continue to facilitate informed scheduling decisions on the most persistent, prevalent and harmful substances, including synthetic drugs and new psychoactive substances, precursors, chemicals and solvents, while ensuring their availability for medical and scientific purposes, bearing in mind the need to accelerate changes in the scope of control for previously unscheduled substances with no currently known legitimate medical or industrial uses beyond research and analytical purposes, welcomes in this regard the efforts of the Board and the World Health Organization to review substances within its mandate, in particular through its Experts Committee on Drug Dependence, and encourages the regular exchange of information between these bodies, with due regard for their independent mandates, in order to facilitate the scheduling process;

10. *Recalls* the importance of inter-agency cooperation within the United Nations system, in particular among the International Narcotics Control Board, the World Health Organization and the United Nations Office on Drugs and Crime as the leading entity of the United Nations system for addressing and countering the world drug problem, in order to enhance coherence at all levels with regard to the world drug problem;

11. *Invites* the International Narcotics Control Board to continue its endeavours, in cooperation with Member States, the United Nations Office on Drugs and Crime and the World Health Organization, to ensure the availability of and access to controlled substances for medical and scientific purposes while preventing their diversion;

12. *Also invites* the International Narcotics Control Board, subject to the availability of extrabudgetary resources and upon request, to continue to provide capacity-building, recommendations and technical assistance to Member States, including through the INCB Learning project, the global

Operational Partnerships to Interdict Opioids' Illicit Distribution and Sales project, Project Ion, the International Import and Export Authorization System, the Pre-Export Notification Online system, the Precursors Incident Communication System and other initiatives of the Board, in order to facilitate the implementation by States of the regulatory aspects of the drug control conventions;

13. *Recalls* article 6 of the 1961 Convention as amended by the 1972 Protocol, which provides that the expenses of the Board will be borne by the United Nations in such manner as shall be decided by the General Assembly, in that regard encourages the International Narcotics Control Board to continue to ensure that the estimated costs of its projected activities pursuant to its responsibilities under the three international drug control conventions are properly presented within the existing budgetary process, and invites the United Nations Office on Drugs and Crime to highlight those elements in its briefings to Member States on the consolidated budget.