

IDPC Intervention at CND Intersessional, 24th January 2017

Chapter 5: Operational recommendations on cross-cutting issues in addressing and countering the world drug problem: evolving reality, trends and existing circumstances, emerging and persistent challenges and threats, including new psychoactive substances, in conformity with the three international drug control conventions and other relevant international instruments.

Marie Nougier, Senior Research and Communications Officer, International Drug Policy Consortium

Check Against Delivery

Excellences, ladies and gentlemen, dear colleagues,

Thank you Mr. Chair for giving me the opportunity to make this intervention. My name is Marie Nougier, Senior Research and Communications Officer at the International Drug Policy Consortium. IDPC is a global network of 170 NGOs that come together to promote drug policies based on human rights, human security, social inclusion and public health.

Chapter 5 of the UNGASS outcome document is broad-reaching, so I will focus my intervention on three main issues: firstly, the need to strengthen the role of the World Health Organisation in reviewing substances for international scheduling; secondly the need to review targets and indicators to measure global drug control; and thirdly an assessment of new challenges to the UN drug control regime.

Firstly, the unprecedented rise in the number of NPS available in the illicit market has generated a regulatory panic – and the issue of NPS features prominently in the outcome document. Here at CND, the recent attempts to schedule substances such as ketamine against the expert advice of WHO undermines its treaty-mandated role. We therefore welcome the call, in paragraph 5.f, to strengthen the capacity of WHO. We hope that the role of the WHO's Expert Committee on Drug Dependence in scientifically reviewing substances for scheduling will be better promoted, fully respected, and adequately funded. The decision to conduct a pre-review of cannabis is a positive step in this regard.

Secondly, paragraph 5.v asks for the intensification of 'efforts in the context of long-term and sustainable development programmes to address the most pressing drug-related socioeconomic factors' linked to involvement in drug-related crime. This is a welcome addition as the intersect between involvement in illicit drug activities and poverty, inequality and social marginalization have gained visibility as a result of the UNGASS.

The post-UNGASS process is a strategic moment for member states to consider developing better targets and indicators that meaningfully measure the impacts of drug policies and strategies. Experience worldwide has repeatedly showed that focusing exclusively on achieving a drug-free world has led to numerous human

rights violations, including extrajudicial killings and prison overcrowding, without any evidence that such strategies reduce the scale of drug markets and their associated harms.

The Sustainable Development Goals offer a comprehensive human rights-based framework, and include various indicators that can truly assess the effectiveness of drug policies against the objectives of protecting health, improving access to justice, achieving gender equality, or reducing corruption and violence.

Monitoring progress towards these new targets would require a revision of the Annual Reports Questionnaires. In 2010, an expert group was established to update the ARQs to reflect the contents of the 2009 Political Declaration. In Resolution 53/16, the CND adopted the revised questionnaire, further deciding that it should be 'periodically reviewed' by UNODC. The Post-UNGASS period is a key opportunity for UNODC to conduct a new revision of the ARQs, to reflect each of the seven pillars of the UNGASS outcome document, as well as the 2030 Agenda for Sustainable Development.

Finally, it is disappointing that paragraph 5 of the outcome document fails to mention the legal regulatory frameworks which have recently been established for substances like cannabis, coca or NPS – and the resulting tensions this is posing for the global drug control regime. As more and more jurisdictions are turning towards legal regulation, member states cannot keep delaying or avoiding an honest debate on the issue and the possible avenues available to address these tensions. The 2019 process will be a strategic moment to conduct this assessment, and consider all options available to ensure that drug policies are truly grounded in the principles of human rights, health and development.

Thank you for your consideration and your continued commitment to the meaningful participation of civil society.