



## **CONTRIBUTION FROM THE UNITED NATIONS INTERREGIONAL CRIME AND JUSTICE RESEARCH INSTITUTE TO THE UNITED NATIONS GENERAL ASSEMBLY SPECIAL SESSION ON THE WORLD DRUG PROBLEM FOR 2016.**

### **UNICRI role and contribution to the fight against the world drug problem: a criminal justice perspective<sup>1</sup>**

#### **Foreword**

UNICRI addresses drug trafficking, consumption and drug-related harm by assisting Member States in the formulation and implementation of improved policies in the field of crime prevention and criminal justice, the promotion of national self-reliance and the development of institutional capabilities for sustainable development. These activities are designed upon the Institute's main operational pillars: research, training, fieldwork and knowledge dissemination.

#### **Introduction**

1. The United Nations Interregional Crime and Justice Research Institute (UNICRI) was established in 1967 by the Economic and Social Council and is governed by its Board of Trustees. It reports periodically to the Council through the Commission on Crime Prevention and Criminal Justice. The programme of work of UNICRI is guided by its mandate to assist intergovernmental, governmental and non-governmental organizations in formulating and implementing improved policies in the field of crime prevention and criminal justice. UNICRI's mission is to advance security, serve justice and build peace in support of the rule of law and human rights protection, enshrined in the 16<sup>th</sup> Goal of the Sustainable Development Agenda.

2. The Institute carries out action-oriented research and training, provides information and advisory services and implements its activities, at the request of Governments, at the interregional and national levels. UNICRI operates in specialized fields of crime prevention and control, justice administration, security governance and counter-terrorism, providing added value to crime prevention, the advancement of justice and the enhancement of human rights. It also serves as a platform for consultation and cooperation on sensitive issues in security governance, crime prevention and criminal justice, bringing together different partners such as Member States, research institutions, international and regional

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<sup>1</sup> This document is based on the information contained in the Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute to the Economic and Social Council (E/CN.15/2015/12, May 2015), containing information on activities undertaken by the Institute (Council resolution 1989/56, annex).

organizations and civil society, in forging a common approach to addressing shared challenges. To this end, UNICRI is well positioned to support Member States in the implementation of the new Sustainable Development Agenda.

3. Following the 2009 Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, adopted at the high-level segment of the 52<sup>nd</sup> Session of the Commission on Narcotic Drugs (CND), Member States renewed their commitment to fight the world drug problem, recognizing that many challenges still persist and new ones have emerged in some parts of the world. States member to the UN Conventions on drug control also “recognize that the world drug problem undermines sustainable development, political stability and democratic institutions, including efforts to eradicate poverty, and threatens national security and the rule of law, and that drug trafficking and abuse pose a major threat to the health, dignity and hopes of millions of people and their families and lead to the loss of human lives”.

4. This commitment was renewed in the Joint Ministerial Statement on the occasion of the 2014 High-Level Review by the Commission on Narcotic Drugs of the Implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. In the Statement, notwithstanding the progress made in both demand and supply reduction strategies and the increasing collaboration among countries in the effective exchange and application of good practices developed in the law enforcement and judiciary areas, Member States recognize the drug problem continues to pose a serious threat to the health, safety and well-being of all humanity, with a much more serious impact on vulnerable groups such as prisoners, youth and women, in both the developing and developed world; and that it undermines sustainable development, political stability and democratic institutions, including efforts to eradicate poverty, and threatens national security and the rule of law.

5. Drug-related harms and the impact of drug trafficking on social, political and economic security and stability have been attracting a growing attention internationally, even more so in recent times, due to economic recession and austerity. In addition, the underlying nexus between political instability and organised crime has emerged as a hotspot in international programs promoting good governance and the respect of human rights, as well as in the national strategies for the implementation of relevant UN Conventions. Although with relevant global differences, the persistence of such nexus, and the emergence of an increasing relationship with terrorists operations and strategies, prompted for a renewed global debate among governments, international organisations and the civil society, emphasizing the need for comprehensive and innovative approaches to the drug problem. In fact, the global and rising threat of different terrorist groups and their convergence with organized crime groups is posing a high-priority challenge for governments to protect their progress towards stability and security, political and civil development and good institutional governance. According to UNODC data<sup>2</sup>, drug trafficking still represents the most lucrative form of transnational organized crime, with an estimated annual value of \$320 billion, encompassing revenues from other type of trafficking involving humans, firearms and counterfeited products.

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<sup>2</sup> TOC facts sheet, UNODC , 2009

6. UNICRI works to counter the threat of organized crime to security and development, to identify and address the priority societal challenges posed by drugs and drug use and to foster sustainable human development and the protection of fundamental rights. Within this framework, UNICRI's programmes are based on an integrated approach, to enhance the partnerships between the public health, the social and the justice and law enforcement sectors and facilitate inter-agency cooperation and communication, to increase the efficiency of criminal justice systems and protect vulnerable groups.

7. UNICRI's action-oriented research aims to examine the challenges posed by addictions and lifestyles to the cohesion, organization and functioning of contemporary societies, in order to stimulate and feed evidence into a comprehensive public dialogue and debate on current and alternative approaches to addictions. Building upon the best practices implemented, UNICRI also underpins reflections on the improvement of current drug regulations to reduce the impact of drugs on societies and to offer scientific support for policy development and governance. Specifically, UNICRI comparatively analysed the costs of drug control to the criminal justice systems in selected EU countries, underlying the policies adopted and their consistency with the laws and regulations. In this regard, UNICRI is building research capacity to evaluate the cost drug control policies pose to the criminal justice systems and how to include a public health dimension to criminal justice interventions. By both considering illicit drug markets functioning and structure and estimating the avoidable social and criminal justice costs of drug control, this research area aims to understand the actual effects, results and outcomes of the policy implementation deriving from the application of the national legislations on drug control. The investigation of the actual effects of policy implementation aims to identify the possible gaps between the services and the needs in the criminal justice system and the avoidable costs at the social and public health level, which can impact on human rights protection, physical and psychological well-being and deprivation of liberty.

8. UNICRI is promoting dialogue between the public health, the social and the criminal justice sectors, as well as the civil society organizations, in order to assist governments to effectively manage their drug control systems, by increasing public health and social interventions with criminal justice populations. To this end, UNICRI Prison Reform programmes have addressed strategies for rehabilitation and community reintegration of drug users after prison and the use of non-custodial sentences to divert drug users from prison to treatment, in order to address overcrowding and to minimize those health and social conditions that pose challenges to community reintegration. Recently, UNICRI is contributing to clarify the criteria supporting the decision by magistrates and judges to sentence persons with substance use disorders (SUD) to non-custodial measures, by paying due consideration to the psychological dimension next to their toxicological profile, with the aim to provide additional elements to the overall assessment of drug dependence.

9. Prison reform is one among the many cross-cutting issues through which UNICRI has developed capacity for rehabilitation and community re-integration of persons with substance use disorders. Over the years, UNICRI has been supporting governments in strengthening the capacity of policy makers, professionals working in the public and private sectors, as well as civil society organizations in providing adequate responses to the specific needs of people with substance use disorders in their overall recovery and social reintegration process. In particular, UNICRI has been carrying out projects for promoting

professional knowledge-sharing and ameliorating access to services, taking into account challenges posed by gender or cultural diversities dimensions.

10. Programmes addressing vulnerable populations include aspects of gendered violence, trauma related management and recovery interventions for women and minors using licit and illicit drugs. UNICRI has been working to advocate for the establishment of good practices to promote a gender-responsive approach among professionals who work in the fields of drug prevention and recovery. Epidemiological studies show how patterns of drug use, drug-related harm and recovery differ for women and men; also the reasons why women and men seek help are often dissimilar. Most strategies for drug prevention and recovery in the world are, however, tailored to men, with the result that they have little or no impact on women. Moreover, in many countries, women are facing cultural, social, economic and religious barriers and stigma that diminish their opportunities for accessibility, affordability and acceptability of services. UNICRI aims to promote women's rights and empowerment in their social, cultural and religious position in society, as reflected in the fifth Goal of the Sustainable Agenda.

11. UNICRI builds the capacity of Member States in the application of international criminal law instruments and practices and in sharing good practices, to improve ownership and access to services. Particularly relevant is the support provided to Member States in the identification and application of evidence-based practices and tools, to enhance national self-reliance and the development of institutional capabilities. Capacity building initiatives were designed and implemented not only to provide professionals with the opportunity to access the latest top-notch research results, but also to facilitate the establishment of an integrated and comprehensive system of interventions, which represents the basis for planning and ensuring continuity of care, facilitating access to services and reintegrating people with substance use disorders into societies, including those involved in the criminal justice system. UNICRI has been developing a database including relevant bibliographical references from the international scientific literature in the field of drug use and abuse. UNICRI has also established a clearinghouse on drug prevention and related social phenomena, published a specialized scientific journal, and developed an advanced training programme for continuing education in drug prevention and control.

12. With its research and capacity building programmes, UNICRI aims to provide a tool for policy makers and legislators in the criminal justice system to carefully and regularly review and evaluate policy implementation, in order to build capacity for delivering effective, inclusive and evidence-based interventions, avoid fragmentation and maximize resources. The establishment of monitoring mechanisms can provide more efficient and effective implementation of the National Antidrug Plans and develop, implement and evaluate drug prevention, treatment and recovery programmes. Such activities can provide a unique opportunity to create evidence-based models of intervention to ensure an effective, comprehensive and balanced response to the current and emerging problems and harms related to illegal drug demand and trafficking. UNICRI also provides assistance to integrate national and international efforts with good practices seeking their adaptability to different national contexts.

## **Conclusion**

The Special Session of the UN General Assembly dedicated to the world drug problem provides a unique opportunity to share practices and experiences undertaken globally, to build on the positive results achieved by the international community and to increase the attention on the challenges that are still to be addressed, in order to continue to build in the promotion of drug control regimes that can be responsive to the protection of the health and the social reintegration of vulnerable populations and have a strong base in human rights protection.

UNICRI wishes to contribute with this document to the works of UNGASS 2016, to foster dialogue and debate within the criminal justice field and to provide a criminal justice perspective to the ongoing preparations for the Special Session. We look forward to contribute, where possible, to this important process.