

THE UNITED NATIONS DEBATES ON DRUG POLICY

Briefing for the International Parliamentary Seminar on Drug Policy Reform, October 2013

BACKGROUND

In 2009 the United Nations (UN) agreed a “Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem”.¹ In March 2014 they will be reviewing progress made five years after this Declaration – with a ‘High Level Segment’ of the Commission on Narcotic Drugs in Vienna.² Member states are currently working on a ‘Joint Ministerial Statement’ to be released in March, with a series of informal and formal meetings taking place to debate the text. The goal of this Statement is to assess the progress made so far and the remaining challenges to be overcome in order to achieve the objectives set out in the 2009 Political Declaration.

This process between now and March 2014 will, in turn, help to set the tone for the 2016 UN General Assembly Special Session (UNGASS) on drugs in New York. This was due to be held in 2019, but last year the presidents of Colombia, Guatemala and Mexico called upon the UN to bring the debate forward – on the heels of growing calls for drug policy reform across Latin America and elsewhere. The next three years, therefore, provide significant opportunities to reorient international drug policy and rhetoric.

WHY IS THIS IMPORTANT?

The ‘High Level Segment’ in 2014 and the UNGASS on drugs in 2016 represent major openings for member states to acknowledge the unintended consequences of current drug policies,³ discuss the alternatives and flexibilities available, and push for more progressive international agreements on drug control. Both meetings come at an ideal time. The Organization of American States (OAS) launched an innovative report on drug policy in May 2013 to guide the debate.⁴ For the first time, sitting presidents – such as Juan Manuel Santos (Colombia), Otto Pérez Molina (Guatemala), Enrique Peña Nieto (Mexico) and Laura Chinchilla (Costa Rica) – are calling for more effective drug control responses. All four presidents are united in calling for an open and wide-ranging debate leading up to the 2016 UNGASS.

CONCLUSIONS FOR PARLIAMENTARIANS

The debates are already in progress, especially in Vienna, and two predictable political lines are clear: those governments wishing to promote openness and progress towards reform, and other governments that are staunchly defending the status quo. Even at this early stage, the following recommendations are key:

1. Parliamentarians around the world should seek to proactively engage in these debates, monitoring closely what is being said in Vienna and New York on their behalf, and feeding into the positions and discussions wherever possible.

¹ <https://www.unodc.org/unodc/en/commissions/CND/political-declaration.html>

² <http://www.unodc.org/unodc/en/commissions/CND/session/session-57.html>

³ See, for example: <http://www.countthecosts.org/resource-library/making-drug-control-fit-purpose-building-ungass-decade>

⁴ <http://idpc.net/publications/2013/08/idpc-briefing-paper-the-drug-policy-reform-agenda-in-the-americas-version-2>

2. Current drug policy discussions remain dominated by supply reduction and criminal justice measures and rhetoric – yet the debate needs to be held with engagement across sectors. At the international level, the Commission on Narcotic Drugs and the UN Office on Drugs and Crime must reach out to other UN bodies (i.e. the Human Rights Council, OHCHR, the World Health Assembly, WHO, UNAIDS and UNDP) to ensure an inclusive discussion. At the domestic levels, positions should be agreed between the various agencies involved (health, security, development, foreign affairs) in order to achieve balance.
3. The statements and discussions in Vienna and New York between now and 2016 must include honest reflection and evidence-based assessments of the progress (or lack of it) that has been achieved in international drug control. Drug use has not been reduced, and in many cases is increasing. Drugs are more available now than ever before. Drug-related harms – many created by the international drug control system itself – are rife. In order to serve their populations, governments must ensure that the forthcoming drug policy debates allow room for self-criticism and for embracing new ideas – ranging from moves away from the criminalisation of people who use drugs, to the adoption of regulated or medical markets for certain substances.
4. The importance of civil society engagement must be reiterated throughout the discussions: meaning their engagement in the review of progress and challenges, in the design and delivery of responses, and in the creation of drug policies.
5. Discussions must also acknowledge the shockingly low coverage of essential medicines for the relief of pain and treatment of drug dependence – a major unintended consequence of the international drug control system. An estimated 83 per cent of the world’s population live in countries with low or non-existent access to controlled medicines. The debates described above must include careful evaluation of the role of the International Narcotics Control Board (INCB) in resolving this crisis.
6. In accordance with agreed UN General Assembly resolutions and the International Covenant on Civil and Political Rights, the products of these debates – starting with the Joint Ministerial Statement to be launched in March 2014 – must call upon all member states to abolish the death penalty for drug offences. Such offences do not meet the threshold of ‘most serious crimes’ for the purposes of international law on this issue.

The International Drug Policy Consortium (IDPC) is a global network of non-government organisations and professional networks that specialise in issues related to illegal drug production and use. The Consortium aims to promote objective and open debate on the effectiveness, direction and content of drug policies at national and international level, and supports evidence-based policies that are effective in reducing drug-related harm. It produces briefing papers, disseminates the reports of its member organisations, and offers expert advice to policy makers and officials around the world.

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