

Policy principle 5:

Drug policies should be developed and implemented based on open and constructive relationships with civil society

For the purposes of this Guide, the term ‘civil society’ encompasses the people and communities most affected by drug policy (such as people who use drugs, people living with HIV, growers of crops destined for the illicit drug market, indigenous people, young people and women), harm reduction service providers, NGOs, faith-based organisations, academics working on drug policy, etc.

Across most areas of social policy, it is widely recognised that the participation of affected people and communities is critical for an effective and sustainable response. In the HIV sector, for example, the need to meaningfully engage people living with the virus was acknowledged at an early stage as a core component of any efforts to tackle the epidemic. In these arenas, affected populations – and civil society more broadly – perform essential functions in the conceptualisation, researching, design, implementation and evaluation of policies and programmes at all levels, as well as in ensuring the transparency, good governance and accountability of governmental and intergovernmental agencies.

In the field of drug policy, civil society organisations play an increasingly important role in analysing drug-related issues and in delivering and evaluating programmes and services. Because of their knowledge and understanding of drug markets and drug-using communities, as well as their ability to reach out to the most marginalised groups of society, civil society constitutes an invaluable source of information and expertise for policy makers. This is particularly true for organisations representing people who use drugs and subsistence farmers involved in illicit crop production. However, political sensitivities around drugs have often led policy makers to disregard or avoid the (sometimes very challenging) perspectives of civil society, or to view civil society participation as a problem itself.⁵⁶

Increasingly, the UN drug control system has started to recognise the added value that civil society organisations have brought to the drug policy debate. For example, in 2008, a structured mechanism was

created for civil society engagement in the review of drug policies 10 years after the UN General Assembly Special Session (UNGASS) on drugs in 1998 (which was held under the banner: ‘A drug-free world – we can do it!’). The ‘Beyond 2008’ initiative – an initiative of the Vienna NGO Committee on Drugs (VNGOC) in association with the New York NGO Committee on Drugs (NYNGOC) – saw civil society representatives from around the world come together to discuss the issues and agree on a declaration.⁵⁷

A similar initiative was coordinated in the lead up to the 2016 UNGASS on drugs, with the creation of a Civil Society Task Force, which includes civil society representatives from every region of the world, as well as representatives of the key affected populations.⁵⁸ Meanwhile, civil society participation has significantly improved over time at the annual sessions of the UN Commission on Narcotic Drugs (CND) in Vienna – with NGOs being invited onto some government delegations, greater coor-

Box 1 Extract from INPUD Consensus statement on drug use under prohibition⁵⁹

Right 10: People who use drugs have the right to assemble, associate, and form organisations

- Demand 20: People who use drugs must be respected as experts on their own lives and lived experiences.
- Demand 21: Participation of people who use drugs in debate and policy formulation must be meaningful, not tokenistic.
- Demand 22: The wellbeing and health of people who use drugs and their communities must be considered first and foremost in the formulation of laws and policies related to drug use.

dination amongst civil society, and increasing opportunities to present in, and access, the debates that take place.

The involvement of the International Network of People who Use Drugs (INPUD) and other regional and national networks of people who use drugs has been instrumental in promoting humane and evidence-based drug policy in these international forums, as well as at the national level.⁶⁰ Networks of people who use drugs are essential for the elaboration of effective and humane harm reduction and treatment policies. Meaningful participation in harm reduction, treatment and wider healthcare services is a key quality assurance measure and safeguard. Peer outreach and support has been instrumental in reaching out to marginalised communities of people who use drugs with targeted and accurate harm reduction messages and life-saving services.

Associations of illicit crop growers have also emerged, and several declarations have been drafted to map out the concerns related to drug policies in cultivation areas and to offer recommendations on alternative policies.⁶¹ Discussions between policy makers and subsistence farmers have taken place, for instance, in countries such as Bolivia and Colombia, ensuring that policies targeted at cultivation areas address the issues which local communities are facing, and do not cause additional harm (see Chapter 4.2 for more details).⁶²

The positive involvement of civil society in drug policy debates is highly beneficial for policy makers to:

- set objectives and priorities, and formulate better-informed policies based on practical advice and experience
- facilitate communication between policy makers and key civil society stakeholders, ensuring that people and communities are involved in planning interventions that will affect them
- establish mutually beneficial partnerships with civil society organisations to undertake joint programming and/or act as programme implementers to reach out to the most vulnerable and marginalised groups
- create a vibrant network of civil society organisations that can continue to support effective

Box 2 Extract from the Political declaration of the Global Forum of Producers of Crops Declared Illicit⁶³

Concerning social organization and relations with the state

- Producers' associations/organizations of plants declared to be illicit are, in some regions, strong but in others incipient, in-existent or prohibited by the State.
- In many countries, relationships with government authorities are conflictive because the authorities do not comply with signed agreements.
- Geo-political influence by world powers creates negative relationships between producers and their governments.
- Producers' organizations should be recognized, should take part in debates and decision making at all levels, with their own governments, donors and the UN.
- International organizations and governments should recognize and respect that each country has a different reality and that this should be taken into account when proposing policies.

policy and programme design, implementation, monitoring and evaluation.

Respectful, strategic, constructive, transparent and accountable lines of communication should therefore be created between governments and civil society representatives, in order to ensure meaningful exchanges of information and perspectives. However, conditions for a truly open, respectful and meaningful dialogue with those most directly affected by drug policy will only be created if governments remove criminal sanctions for people who use drugs and subsistence farmers engaged in illicit crop production.⁶⁴