

On the road towards the 2019 Ministerial Segment, (Version 2)

Introduction

UN member states have agreed to hold a Ministerial Segment immediately prior to the 62nd Session of the Commission on Narcotic Drugs (CND) 'to take stock of the implementation of the commitments made to jointly address and counter the world drug problem, in particular in the light of the 2019 target date'¹ set out to eradicate or significantly reduce the overall scale of the illegal drug market. This advocacy note outlines the key issues for consideration by member states as they reflect on what has been achieved since the adoption of the 2009 Political Declaration and Plan of Action, including in light of the implementation of the UNGASS Outcome Document, and the implications for the next phase of the international drug policy regime. In addition, we provide recommendations to address

some of the outstanding procedural questions related to the Ministerial Segment in Vienna.

Taking stock: A decade of drug policy – A civil society shadow report

In October, IDPC launched² 'Taking stock: A decade of drug policy'³ which evaluates the progress made against the commitments agreed by the international community in the 2009 Political Declaration and Plan of Action. Using data from the UN, academic research and civil society reports, the report provides an analysis of whether the 'drug-free world' targets set out in article 36 of the Political Declaration were achieved, and tracks progress towards specific actions agreed in 2009 against the broader UN priorities of protecting

Recommendations

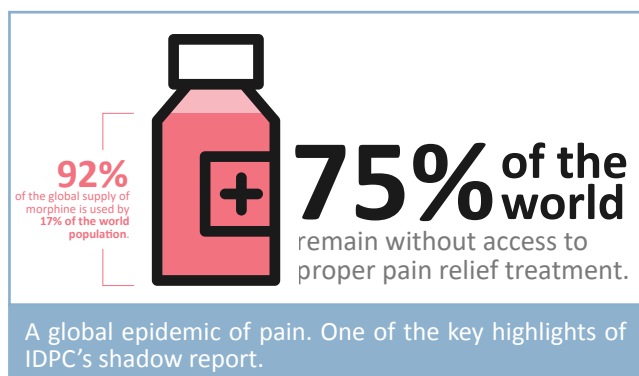
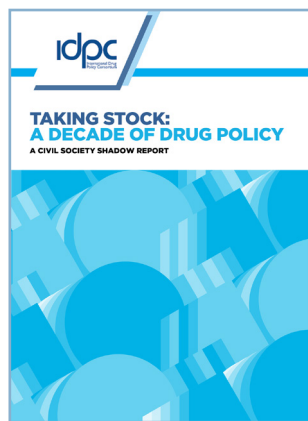
IDPC offers the following recommendations for member states as they embark in critical debates and negotiations in Vienna:

- Use the opportunity provided by the CND meetings in November and December, and the informals throughout November, to reconsider the 'drug-free world' targets, and call for a CND Chair's report from the CND intersessionals to be presented at the 2019 Ministerial Segment.
- Agree on a detailed roadmap for global drug policy debates beyond 2019, strongly aligned with the Sustainable Development Goals (SDGs) and the implementation of the UNGASS Outcome Document.
- Identify new goals and indicators more aligned with the achievement of the SDGs and the operational recommendations of the UNGASS Outcome Document.
- Ensure a constructive debate on compliance with the UN drug control treaties, as well as with human rights obligations, including the existing tensions certain drug policies pose for international law.
- Strengthen the involvement of, and cooperation with, all relevant UN agencies, as called for by the UN Secretary General's Executive Committee in April 2017.⁴
- Support the on-going engagement of civil society in Vienna, and reaffirm the key role played by civil society for the post-2019 global drug strategy.

human rights, promoting peace and security and advancing development.

The report finds that there has been no reduction in the illicit demand and supply for drugs – in fact, both have increased since 2009. Findings also highlight the many severe impacts of repressive drug policies worldwide on human rights, peace and security and development. The final section of the report outlines new indicators for assessing drug policy progress and impacts, in line with the SDGs and the protection of human rights.

IDPC's shadow report is a key contribution at this juncture, given that no mechanism has been established for a review unlike ten years ago in 2008/2009 when a formal review process was undertaken.



The latest dynamics in Vienna: No evaluation, growing tensions

The 61st session of the CND was marked by long and protracted negotiations on Resolution 61/10 'Preparations for the ministerial segment to be held during the sixty-second session of the Commission on Narcotic Drugs in 2019',⁵ demonstrating the challenging and fractious state of the international drug policy debate as the target date of the Political Declaration and Plan of Action draws near.

In March 2018, the growing tensions in Vienna negotiations resulted in a final draft of Resolution 61/10 which does not commit to a robust review of progress made since the adoption of the 2009 Political Declaration, deferring instead to the biennial reports of the UNODC Executive Director,⁶ which are limited in scope and rely exclusively on government data collected via the Annual Report Questionnaire (ARQ).⁷ The Resolution also fails to outline a clear path forward beyond 2019, which will now need to be agreed at the recon-

vened 61st session of the CND in December 2018. Furthermore, the Resolution details the basic procedural parameters of next year's Ministerial Segment in vague terms, without delineating the overall objective or key themes to be discussed at the Ministerial Segment. Similarly, the Resolution mentions that there will be two roundtables but does not propose any thematic focus for them. It should be recalled that in Resolution 60/1, member states had agreed that the high-level meeting would 'take stock of the implementation of the commitments made to jointly address and counter the world drug problem, in particular in light of the 2019 target date',⁸ but this was not reiterated in the 2018 Resolution.

The reason for such difficult negotiations was primarily due to the disagreement on how to handle the targets outlined in Paragraph 36 of the 2009 Political Declaration 'to eliminate or reduce significantly and measurably' the illegal drug market (the so-called 'drug-free world' targets).⁹ The shorthand manifestation of this disagreement has been to pitch the 2009 Political Declaration against the UNGASS Outcome Document, and much of the debate has focused on which document should form the basis for the future of international drug policy beyond 2019. In the final Resolution, neither document is explicitly mentioned, nor are the targets outlined beyond the reference to the 2019 target date.

Tensions around the negotiations of Resolution 61/10 also made the agreement of the work plan¹⁰ outlining the programme of intersessional meetings leading up to the reconvened 61st session somewhat challenging, with the final text approved by a 'silent consensus' procedure¹¹ at the CND intersessional meeting held on 25 June.¹²

Given how difficult Resolution 61/10 was to negotiate and the reservations made regarding the document immediately after its adoption,¹³ some member states have noted that CND Resolution 60/1 should form the basis for the upcoming discussions on the way forward.¹⁴ With much still to be defined both for the modalities of the Ministerial Segment as well as its outcome, members states are now utilising the ongoing CND intersessional meetings, as well as the negotiations for the drugs 'omnibus resolution' at the Third Committee of the UN General Assembly, to delineate the parameters of this next important phase in UN drug policy.

Reporting on the 2018 CND intersessional meetings

As two CND intersessional meetings have now passed (in September and October), it is still not clear whether there will be a Chair's summary of the debates as there was for the thematic discussions on UNGASS follow-up, which were produced by the CND Facilitator for Post-UNGASS Matters.¹⁵ The Secretariat to the Governing Bodies has made available a brief overview of the September intersessional meeting's proceedings,¹⁶ but the document does not reflect the substantive discussions that took place during the meeting. Given the lack of formal mechanism to review progress towards the 2019 targets aside from the UNODC's biennial reports, these intersessional meetings are a key opportunity for member states, UN entities and civil society to 'take stock of the implementation of the commitments' made, including on the implementation of UNGASS recommendations. These discussions should be summarised and provided as a formal input towards the 2019 Ministerial Segment.

In addition to holding these intersessional meetings, the UNODC also welcomes written contributions to inform the discussions,¹⁷ using similar a mechanism to the pre-UNGASS calls for contributions.¹⁸ Contrary to the UNGASS proceedings, however, it is critical that these written contributions feed into the final summary of the CND intersessional meetings.

Procedural considerations for the Ministerial Segment

System-wide coherence and involvement of other UN agencies

As noted above, the modalities for the Ministerial Segment require further refining. Many of the parameters outlined in CND Resolution 61/10 are positive, including the introductory statements from the UN Secretary General and the Director-General of the World Health Organization alongside those from the heads of the UNODC and the INCB.¹⁹ While the 'Heads of entities of the United Nations' are invited to make statements during the general debate, it would be problematic to limit such interventions only the 'heads' – in case they cannot attend, other representatives from UN entities should be given the floor in their place.

Participation from all member states

We have previously called on the CND Chair to facilitate the participation of all UN member states in the meeting, for example through sourcing addition-

al funding for travel to Vienna or by providing web streaming services. Enabling representatives to not only follow the debates online but also facilitating their active participation from conference rooms in New York and Geneva would ensure that all member states have the opportunity to feed into the next stage in global drug control.

Roundtable discussions

The exact themes of the two roundtables in March 2019 have not yet been agreed, but the CND Chair has proposed that one of them focuses on 'taking stock' of the implementation of commitments made since 2009, while the other focuses on 'looking forward'. We support this proposal. In the 'stock taking' roundtable, the UNODC should be specifically requested to present data related to the targets from Article 36 of the 2009 Political Declaration. The second roundtable should then discuss the operationalisation of the UNGASS Outcome Document post-2019, in line with other global human rights commitments and the 2030 Agenda for Sustainable Development. However, whatever the final decision regarding the roundtable themes, the discussions must adequately reflect all elements covered within the UNGASS Outcome Document.

Outcome of the Ministerial Segment

The negotiations to date indicate that there is little appetite among member states to agree a substantive policy document for adoption in 2019. Resolution 61/10 mandates summaries by the CND Chair of the general debates and the roundtables which will then be presented at the plenary.²⁰ This is an interesting proposal, provided that the Chair's summary adequately reflects the breadth of discussions and captures any disagreements at the meeting, without forcing a consensus – given the ongoing political tensions on many drug-related issues in Vienna.

Outline for the way beyond 2019

Resolution 61/10 also requests the CND Chair to present an 'outline for the way beyond 2019' at the reconvened 61st session of the CND. This will likely take the form of a short procedural resolution adopted by consensus. The procedural resolution should outline actions for operationalising the UNGASS Outcome Document, in the form of a 'roadmap' for the next decade, establishing review dates (mid-term in 2024 and final review in 2029) to bring the drug policy processes in line with 2030 Agenda for Sustainable Development.²¹

Meaningful civil society participation

The meaningful participation of civil society has great-

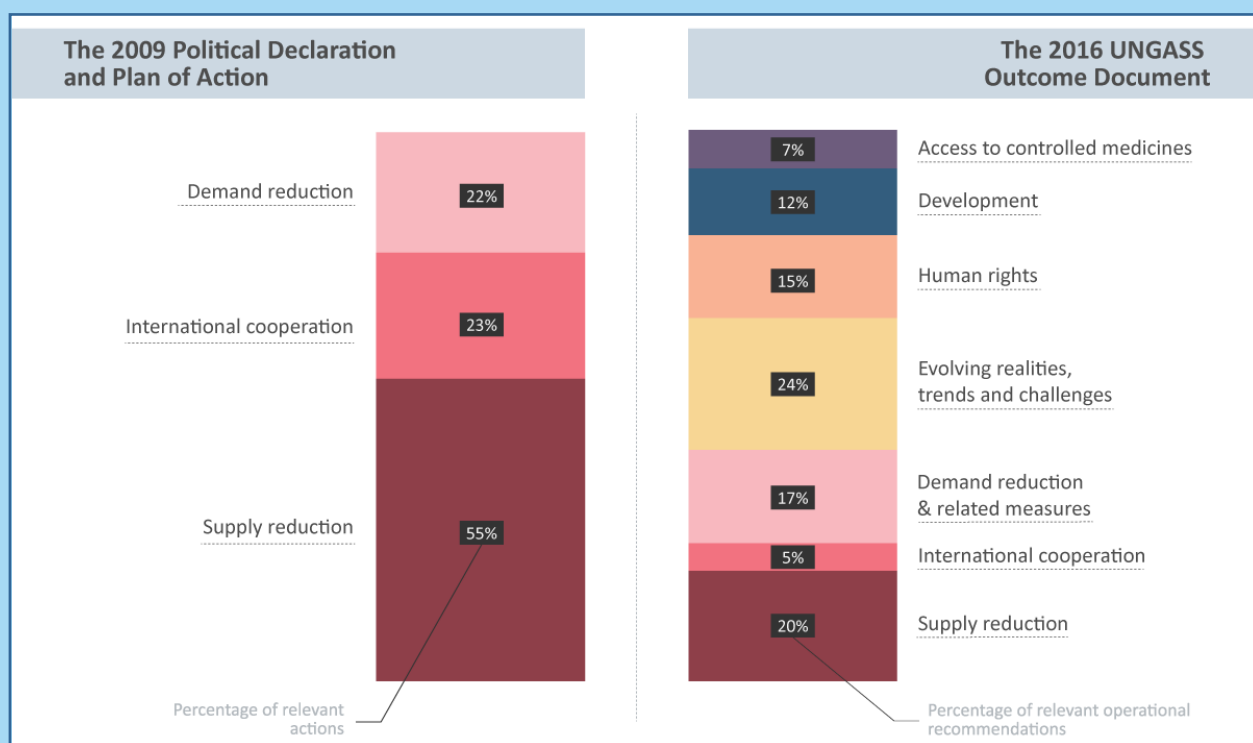
Box 1 The 2016 UNGASS Outcome Document: The most recent global consensus

The UNGASS Outcome Document provides the most recently agreed consensus and the best available basis for the next phase of international drug policy. It is critical to retain the seven chapters (covering health, access to medicines, supply reduction, human rights, evolving trends and realities, international cooperation, and development) for future UN drug policy documents and debates. This framework reflects the cross-cutting nature of the drug control objective to protect the health and welfare of humankind, with the key priorities of the UN

system – human rights, peace, human security, development – and the SDGs.

Importantly, all but one of the provisions²² within the 2009 Political Declaration and Plan of Action are included in the UNGASS Outcome Document – and the latter provides a more balanced and nuanced approach to many of the themes explored (see Figure 1). In this respect, the tensions regarding which document should form the basis of the negotiations for 2019 are somewhat misplaced, and may simply be the latest proxy for the underlying lack of consensus on international drug policy. In reality, the heart of the matter remains the issue of the targets to eliminate illegal drug markets by 2019, as well as the increased involvement of other parts of the UN system, including human rights bodies, in global drug policy debates.

Figure 1. Comparing the structure and number of actions/recommendations of the 2009 Plan of Action with that of the 2016 UNGASS Outcome Document²³



ly improved in the lead up to, and since, the UNGASS, and the role of the Civil Society Task Force (CSTF) has been instrumental in that regard. The CSTF – co-convened by the Vienna and New York NGO Committees on Drugs ahead of the 2019 Ministerial Segment²⁴ – has conducted a global consultation designed to elicit responses from civil society organisations around the world²⁵. The results of the consultation will be launched during the reconvened CND meeting, on 5 December 2018. The consultation findings will also be formally submitted as a contribution to the 2019 Min-

isterial Segment.

Furthermore, the CSTF has developed a procedure for selecting speakers based on the principles of inclusiveness, balance and diversity, and received 116 applications to speak at the CND intersessional meetings this year. We welcome the specific reference to the CSTF within Resolution 61/10 and appreciate the inclusion of one civil society panellist for each of the two roundtables at the Ministerial Segment. At the event itself, the international community should re-

Box 2 IDPC asks for the 2019 Ministerial Segment

In the lead up to the 2019 Ministerial Segment, the IDPC network developed four key asks for member states towards ensuring that future drug

policies are firmly situated within the UN priorities of protecting health and human rights, promoting development and advancing peace and security.²⁶

IDPC ASKS FOR THE 2019 MINISTERIAL SEGMENT

ASK 1
DRUG-FREE WORLD TARGETS
 ↓
 HEALTH AND WELFARE, DEVELOPMENT, HUMAN RIGHTS, REDUCTION OF DRUG DEATHS, ACCESS TO ESSENTIAL MEDICINES, PEACE.
MEANINGFUL TARGETS

ASK 2
REFLECT THE IMPACTS OF DRUG POLICIES ON:
 HEALTH
 HUMAN RIGHTS
 DEVELOPMENT
 PEACE & SECURITY

ASK 3
REFLECT THE REALITIES ON THE GROUND (BOTH POSITIVE & NEGATIVE)
 drug checking, legal regulation, mass incarceration, decriminalisation, drug-related deaths, death penalty, drug seizures, NPS

ASK 4
END PUNITIVE APPROACHES
PUT COMMUNITIES FIRST!
 meaningful participation, civil society engagement, gender sensitive
 "Drugs have destroyed many lives, but wrong government policies have destroyed many more"
 Kofi Annan
 address vulnerabilities, social justice

International Drug Policy Consortium (2018). IDPC asks for the 2019 Ministerial Segment. June 2018. http://fileserver.idpc.net/library/IDPC-asks-2019_ENGLISH.pdf

iterate strong commitments to ensuring meaningful civil society participation, including in the 'outline for the way beyond 2019'.

The CSTF will also organise two Civil Society Hearings in New York and Vienna in the run-up to the Ministerial Segment. These Hearings will seek to bring together NGOs, UN agencies and member states to share experiences, exchange views and discuss the role that civil society can play for the coming decade.

The looming 2019 targets: a "sunset clause"?

Unsurprisingly, member states are struggling with how to deal with the 2019 target date of the Political Declaration. It is the view of the IDPC network that 'drug-free world' targets are being actively used to justify human rights violations and ongoing harms around the world – they are not 'aspirational' targets, they are dangerous ones. To extend or restate these would be misguided and would hamper efforts towards more humane drug policies in the coming years.

The 'outline' drafted and circulated by the CND Chair describes the targets of Article 36 of the 2009 Political Declaration as a 'sunset clause': that is, a measure that provides that the document shall cease to have effect

after a specific date. We agree that Article 36 sets a target date, which expires in March 2019. If a new 'aspirational' goal is agreed for the coming decade, it will be crucial that it no longer focuses on 'elimination' of the global drug market and includes greater emphasis on reducing drug-related harm such as drug-related deaths, the prevalence of HIV and hepatitis C infections, incarceration rates and human rights violations. The Ministerial Segment therefore presents a key opportunity to consider new targets and accompanying indicators to evaluate progress in global drug control for the next decade. The ongoing work to improve the 'quality and effectiveness'²⁷ of the ARQ is complementary to this process – as improving data collection and analysis is crucial to be able to adequately monitor progress and impact in the post-2019 period.

The difficulty now lies in identifying new targets for the post-2019 drug strategy. Taking the implementation of the UNGASS Outcome Document as the basis for discussions, we propose the following new targets for the next decade in drug policy:

Chapter 1: Demand reduction and related measures, including prevention and treatment, as well as other health-related issues

Target 1: Achieve a measurable reduction in drug use, problematic drug use and drug dependence

Target 2: Achieve a measurable reduction in HIV/AIDS, viral hepatitis and other blood-borne infectious diseases among people who use drugs

Chapter 2: Ensuring the availability of and access to controlled substances exclusively for medical and scientific purposes, while preventing their diversion

Target 3: Achieve a measurable improvement in availability of, and access to, controlled substances for medical and scientific purposes

Chapter 3: Supply reduction and related measures; effective law enforcement; responses to drug-related crime; and countering money-laundering and promoting judicial cooperation

Target 4: Achieve a measurable reduction in drug-related crime

Target 5: Achieve a measurable reduction in organised crime, including money-laundering, corruption and other criminal activities

Chapter 4: Cross-cutting issues: Drugs and human rights, youth, children, women and communities

Target 6: Apply a human rights-based approach in the design and implementation of drug control policies and programmes aiming to contribute to the protection of human rights of youth, women, children, vulnerable members of society, and communities

Target 7: Achieve more proportionate policies and responses for drug offences; and ensure the protection of legal guarantees and safeguards pertaining to criminal justice proceedings

Chapter 5: Cross-cutting issues: Evolving reality, trends and existing circumstances, emerging and persistent challenges and threats, including new psychoactive substances

Target 8: Achieve a measurable reduction in the threat and harms posed by NPS, ATS, including methamphetamine, and the diversion of precursors and pre-precursors, including adverse health consequences

Target 9: Improve research, data collection, analysis, technical assistance and capacity building to tackle the use of the internet, and monitor evolving realities, trends and emerging and persistent challenges and threats

Chapter 6: Strengthening international cooperation based on the principle of common and shared responsibility

Target 10: Increase technical assistance and cooperation through relevant UN agencies and inter-

national and regional organizations to effectively address the health, socioeconomic, human rights, justice and law enforcement aspects of the world drug problem

Target 11: Improve international cooperation, exchange of information and lessons learned between member states, and with all relevant United Nations entities, in tackling the world drug problem

Chapter 7: Alternative development; regional, interregional and international cooperation on development-oriented balanced drug control policy; addressing socioeconomic issues

Target 12: Measurably improve the socioeconomic condition of communities in areas affected by illicit drug cultivation, manufacture, production and trafficking

Target 13: Increased technical and financial cooperation for the implementation of development-oriented drug policies and viable economic alternatives.

Compliance with the UN drug control treaties

The growing trend towards the legal regulation of certain controlled substances in a number of jurisdictions has finally become a matter of open discussion at the CND after years of generally ignoring this ‘elephant in the room’.²⁷ IDPC has previously recommended that the CND should acknowledge and respect differing perspectives, allowing the consideration of new policy options, including those that may be outside of the scope of the international drug control conventions.³⁰ Many of those jurisdictions that have moved towards the legal regulation of cannabis have cited human rights and public health justifications for shifting away from prohibition, and these arguments need to be taken seriously. Moreover, one could argue, the accelerating trend towards legally regulated cannabis markets might in fact represent the only feasible policy shift shown to be effective in bringing about a ‘significant reduction’ in the illegal drug market.

The tensions created with the current treaty system should be discussed constructively, including ways for member states to resolve resulting treaty non-compliance.³⁰ Given that it is likely that the cannabis review process initiated by the WHO Expert Committee on Drug Dependence (ECDD) will culminate in recommendations being presented at the 62nd Session of the CND,³¹ these discussions are more timely than ever. Repeating the mantra of the commitment to fully implement the three UN drug control conventions

Box 3 Identifying new indicators for the next decade

A number of NGOs have been working towards identifying more measurable, realistic and relevant indicators for the past few years, and are actively contributing to this discussion.³² The UNODC has also initiated a review process for the ARQ which included an expert consultation held at the end of January 2018.³³ The process of identifying new indicators should address three concerns:

- The need to move away from process indicators (i.e. activities such as numbers of arrests, seizures and hectares of crops eradicated) and consider outcome indicators (i.e. impacts on health, human rights, levels of corruption, violence and impunity).³⁴
- The need to move away from imprecise, unrealistic and misconceived indicators (e.g. achieving a significant reduction in demand and supply), in order to focus on others which are realistic, measurable and relevant to assess progress made.
- The need to incorporate the new aspects of global drug control enshrined in the UNGASS Outcome Document, in particular on human rights, availability of controlled medicines, improved health outcomes, and development impacts of drug control, in particular in light of the SDGs.

To inform the discussion, Part 3 of 'Taking stock: A decade of drug policy' proposes possible indicators, drawing from the SDGs and closely aligned with specific operational recommendations of the UNGASS Outcome Document.³⁵

in any document coming out of the 2019 high-level meeting would now sound more meaningless than ever before, especially since the Canadian government has publicly acknowledged that they can no longer adhere to certain cannabis-related treaty provisions.

Human rights compliance and drug policy

The 2009 Political Declaration³⁶ and the 2016 UNGASS Outcome Document³⁷ both reaffirm the commitment to ensure that drug policies are implemented in full conformity with human rights obligations. This com-

mitment is far from being realised. The ongoing, and in some cases escalating, human rights violations committed in the name of drug control are of grave concern. Earlier this year the previous High Commissioner for Human Rights urged member states to 'examine the effectiveness and human rights impact of their current approaches to the so-called "War on Drugs"'.³⁸ The INCB also 'continues to emphasize that for drug control action to be successful and sustainable, it must be consistent with international human rights standards'.³⁹

Such human rights concerns were also raised within the latest report of the Office of the High Commissioner for Human Rights (OHCHR) on 'Implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights', launched at the 39th session of the Human Rights Council on 14 September 2018.⁴⁰ The report was presented to the CND at the September intersessional meeting. This was an opportunity for member states to reflect on the human rights impacts and the remaining challenges towards meeting the commitments agreed in 2009 and 2016. A further opportunity to discuss the human rights implications of drug policy will be the launch, in early 2019, of the International Guidelines on Human Rights and Drug Policy currently being drafted by the United Nations Development Programme and the University of Essex.

As member states continue to discuss UNGASS implementation and progress made in global drug control – and in light of the tense discussions around supply reduction and human rights at the October intersessional – it is critical that human rights compliance remains prominent throughout the debates, and that the involvement of the OHCHR is defended as a critical voice in drug policy debates in Vienna.

UN system-wide coherence

In past advocacy notes,⁴¹ IDPC acknowledged the gains made as a result of the UNGASS process in terms of UN agency engagement, and emphasized that these gains should be structurally built in for the 2019 process and beyond as supported by both the UN General Assembly and the CND.⁴² Over the past months, efforts to achieve this goal have begun to take shape. In April 2017 at a meeting of his Executive Committee, the UN Secretary General tasked the UNODC with working with a core group of UN agencies on two specific tasks:

1. 'developing a set of actions with a view to assisting member states with the implementation of the operational recommendations contained in

the UNGASS outcome document, thereby promoting efforts to achieve the SDGs and strengthen human rights- and health-based approaches', and

2. 'elaborating a comprehensive organization-wide strategy across the three founding pillars of the United Nations system — development, human rights, and peace and security — in support of the preparations for the sixty-second session of the Commission, to be held in 2019'.⁴³

Of the two, the second task has gained the most traction in the past months: high-level discussions are set to be held by the Chief Executive Board (CEB) in November 2018, with the end goal of formulating an UN-wide strategy on drug policy. At the Executive Committee level, the UNODC is working with UN agencies to map out a document showing the intersections of the various agencies' mandates with respect to the operational recommendations of the UNGASS Outcome Document. These processes are welcome and should be supported by member states in the lead-up to 2019.

Additionally, the increased attention given to drug policy within other UN setting such as the World Health Assembly,⁴⁴ the Human Rights Council⁴⁵ and the high-level panel discussion featuring heads of functional commissions of ECOSOC held in July⁴⁶ shows the growing recognition that close coordination is a vital element of a balanced and comprehensive approach. The importance of promoting and supporting these favourable developments cannot be overstated, particularly against the UN-wide framework of the SDGs. As goals and targets shift towards those that are more in line with the 2030 Agenda for Sustainable Development, member states should continue to support the active engagement of the UN Secretary General, his Executive Committee and the CEB. In doing so, the international community should consider the merits of creating a special mechanism that would facilitate the integration of drug policy with the achievement of the 2030 Agenda. This is critical to prevent drug policy from becoming siloed — as has continually occurred in the past — and to support the UNODC to work effectively within the SDGs framework and the UN system as a whole.

Endnotes

1. Operative Paragraph 10 of CND Resolution 60/1 'Preparations for the sixty-second session of the Commission on Narcotic Drugs in 2019', http://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_60/CNDres_2017/Resolution_60_1_60CND.pdf. This was reconfirmed in CND Resolution 61/10 'Preparations for the ministerial segment to be held during the sixty-second session of the Commission on Narcotic Drugs in 2019', https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/CND_res2018/CND_Resolution_61_10.pdf
2. For a summary of the launch event in Vienna on 22nd October, visit: CND Blog (22 October 2018), *Side Event – A 10-year review of successes and failures of global drug control: A civil society shadow report*, <http://cnblog.org/2018/10/side-event-a-10-year-review-of-successes-and-failures-of-global-drug-control-a-civil-society-shadow-report>
3. International Drug Policy Consortium (October 2018), *Taking stock: A decade of drug policy – A civil society shadow report*, <https://idpc.net/publications/2018/10/taking-stock-a-decade-of-drug-policy-a-civil-society-shadow-report>
4. United Nations Secretary General (19 July 2017), *International cooperation against the world drug problem*, <http://fileserv.idpc.net/library/V1705210.pdf>
5. Available here: https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/CND_res2018/CND_Resolution_61_10.pdf
6. See preambular paragraphs 8 and 11 of CND Resolution 60/1
7. The ARQ is sent to member states each year to collect data on drug use and supply and forms the basis of the UNODC World Drug Report. All biennial reports of the UNODC on the implementation of the 2009 Political Declaration and Plan of Action are available here: http://www.unodc.org/unodc/en/commissions/CND/Political_Declarations/Political_Declarations_2009-Declaration.html and here: <http://undocs.org/E/CN.7/2018/6>
8. See operative paragraph 10 of CND Resolution 60/1
9. These goals are a holdover from the 1998 UNGASS which carried the tagline 'A drug-free world – We can do it'
10. The CND intersessionals work plan is available here: http://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/Draft_Workplan_25.06.18_6PM_final.pdf
11. The 'silence procedure' refers to the practice of sharing a draft version of a text to participants, who have a last opportunity to propose changes or amendments. If no amendment is proposed before the set deadline, the text is considered adopted by all participants
12. For a summary of the discussions at the CND intersessional, see: CND Blog (25 June 2018), *CND intersessional, 25 June 2018*, <http://cnblog.org/2018/06/cnd-intersessional-25-june-2018/>
13. The Russian Federation, Algeria, Belarus, China, Cuba, Egypt, Iran, Namibia, Pakistan, South Africa and Vietnam expressed their discontent with the final text of the resolution, stating that they did not feel that the approved version of the resolution represented a consensus, nor that their views had been sufficiently taken into account. See: International Drug Policy Consortium (June 2018), *The 2018 Commission on Narcotic Drugs: Report of proceedings*, http://fileserv.idpc.net/library/CND-Proceedings-Report-2018_18.06.pdf. Also see paragraph 194 of the official report of the 2018 CND: Commission on Narcotic Drugs (2018), *Report of the sixty-first session (8 December 2017 and 12-16 March 2018)*, E/CN.7/2018/13, <http://undocs.org/E/2018/28>
14. See paragraph 194 of the official report of the 2018 CND: Commission on Narcotic Drugs (2018), *Report of the sixty-first session (8 December 2017 and 12-16 March 2018)*, E/CN.7/2018/13, <http://undocs.org/E/2018/28>

15. Commission on Narcotic Drugs (16 February 2018), *Remarks by H.E. Ambassador Pedro Moitinho de Almeida, CND Facilitator for post-UNGASS Matters: Third round of thematic discussions on UNGASS follow-up (September to November 2017)*, E/CN.7/2018/CRP.1, https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/E_CN7_2018_CRP1_V1800867.pdf
16. Secretariat to the Governing Bodies (October 2018), *Report on September intersessional meeting (25-27 September 2018)*, http://www.unodc.org/documents/commissions/CND/2019/Reports/Report_CND_thematic_discussions_25-27_September_2018.pdf.
17. The webpage dedicated to contributions from UN agencies, civil society, member states and others is available here: <http://www.unodc.org/unodc/en/commissions/CND/2019/2019-high-level-ministerial-segment-contributions.html>
18. See: <http://www.unodc.org/ungass2016/en/contributions.html>
19. See operative paragraph 1(b) of Resolution 61/10, https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/CND_res2018/CND_Resolution_61_10.pdf
20. Operative paragraph 1(d) of CND Resolution 61/10: 'A summary by the Chair of the general debate, in addition to a summary of the salient points raised during the round tables to be prepared by the co-chairs of those roundtables, will be presented at the plenary'
21. <https://sustainabledevelopment.un.org/?menu=1300>
22. i.e. witness protection
23. Note that the 2009 Political Declaration and Plan of Action includes a total of 224 actions, while the UNGASS Outcome Document includes 103 operational recommendations
24. See: <http://vngoc.org/wp-content/uploads/2018/05/CSTF-Announcement-5.27.pdf>
25. Soon to be available on the CSTF website at www.cstfndrugs.org
26. International Drug Policy Consortium (June 2018), *IDPC asks for the 2019 Ministerial Segment*, http://fileserver.idpc.net/library/IDPC-asks-2019_ENGLISH.pdf
27. See operative paragraph 7 of CND Resolution 60/1
28. The full statement of the Canadian delegation and a summary of the discussions at the CND intersessional meeting held on 25 June 2018 is available here: <http://cndblog.org/2018/06/cnd-intersessional-25-june-2018/>
29. See: International Drug Policy Consortium (June 2018), *IDPC asks for the 2019 Ministerial Segment*, <https://idpc.net/publications/2018/06/idpc-asks-for-the-2019-ministerial-segment>; See also: International Drug Policy Consortium (April 2015), *The road to UNGASS 2016: Process and policy asks from the IDPC*, http://fileserver.idpc.net/library/UNGASS-asks_External_04-2015_ENGLISH.pdf
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31. See: http://www.who.int/medicines/access/controlled-substances/UNSG_SignedDGLetter.pdf
32. See, for example: Bewley-Taylor, D. (2017), 'Refocusing metrics: Can the sustainable development goals help break the "metrics trap" and modernise international drug control policy?', *Drugs and Alcohol Today*, 17(2): 98-112. Also see a summary of the various CND side events organised on the issue of indicators over the past few years: <http://cndblog.org/2017/03/preparing-for-2019-drug-policy-objectives-and-indicators-system-wide-coherence-and-the-sustainable-development-agenda/>, <http://cndblog.org/2015/03/towards-better-measurements-and-improved-system-wide-coherence-policy-indicators-development-and-public-health/> and <http://cndblog.org/2014/03/side-event-current-drug-policies-evaluating-indicators-examining-future-options/>
33. The report of the meeting is available here: http://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_61/E_CN7_2018_CRP2_V1800883.pdf
34. Bewley-Taylor, D. (2017), 'Refocusing metrics: Can the sustainable development goals help break the "metrics trap" and modernise international drug control policy?', *Drugs and Alcohol Today*, 17(2): 98-112
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36. Operative paragraph 1 of the 2009 Political Declaration and Plan of Action: 'Reaffirm our unwavering commitment to ensure that all aspects of demand reduction, supply reduction and international cooperation are addressed in full conformity with the purposes and the principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights and, in particular, 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'
37. Preamble of the UNGASS Outcome Document: 'We reaffirm our unwavering commitment to ensuring that all aspects of demand reduction and related measures, supply reduction and related measures, and international cooperation are addressed in full conformity with the purposes and principles of the Charter of the United Nations, international law and the Universal Declaration of Human Rights, 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'
38. 37th session of the Human Rights Council, Item 2: Annual Report and Oral Update by the High Commissioner for Human Rights on the activities of his Office and recent human rights developments, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22772&LangID=E>
39. International Narcotics Control Board (2018), *INCB Annual Report 2017*, p. 44, https://www.incb.org/documents/Publications/AnnualReports/AR2017/LAUNCH/Special_Topics/1_Drug_control_and_human_rights_p44-45_No1.pdf
40. Office of the High Commissioner for Human Rights (2018), *Report of the Office of the United Nations High Commissioner for Human Rights on the implementation of the joint*

commitment to effectively addressing and countering the world drug problem with regard to human rights, A/HRC/39/39, https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session39/Documents/A_HRC_39_39.docx

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42. Both have called upon other UN agencies to engage in relevant drug policy issues, to 'identify operational recommendations that fall within their areas of specialization' and to implement them in coordination with the UNODC, the INCB and the WHO. See: operative paragraph 102 of UN General Assembly (2017), *Resolution 72/198. International cooperation to address and counter the world drug problem, A/RES/72/198*, https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/72/198; and operative paragraph 7 of Commission on Narcotic Drugs (2017), *Resolution 60/6. Intensifying coordination and cooperation among United Nations entities and relevant domestic sectors, including the health, education and criminal justice sectors, to address and counter the world drug problem*, http://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_60/CNDres_2017/Resolution_60_6_60CND.pdf
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44. For instance, the 71st World Health Assembly held in May 2018 included an agenda item on 'Public health dimension of the world drug problem (decision WHA70(18) (2017))', http://apps.who.int/gb/ebwha/pdf_files/WHA71/A71_1Rev1-en.pdf
45. Following up from *Resolution 37/42 'Contribution to the implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights' (A/HRC/37/L.41)* adopted at its 37th session in February-March 2018, the Human Rights Council discussed the issue again at its 39th session on 10-28 September 2018 at the occasion of the launch of the OHCHR report on UNGASS implementation, <https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session39/Pages/39RegularSession.aspx>
46. See side event held on 16 July on '*Human rights challenge: judicial and extrajudicial drug war killings, in a time of authoritarianism*', <https://sustainabledevelopment.un.org/hlpf/2018/programme>

About this advocacy note

In this advocacy note, IDPC outlines the key issues for consideration by UN member states as they reflect on what has been achieved since the adoption of the 2009 Political Declaration and Plan of Action on drugs, including in light of the implementation of the UNGASS Outcome Document, and the implications for the next phase of the international drug policy regime.

International Drug Policy Consortium

Fifth Floor, 124-128 City Road
London EC1V 2NJ, United Kingdom

Tel: +44 (0)20 7324 2975
Email: contact@idpc.net
Website: www.idpc.net

About IDPC

The International Drug Policy Consortium is a global network of non-government organisations 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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Report design by Mathew Birch - mathew@mathewbirch.com

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