

## 11. Estados Unidos Mexicanos – Non paper de contribución al proceso preparatorio del documento final de la UNGASS\*

### Proposals for UNGASS 2016 operational recommendations

The world drug problem remains a global challenge to be addressed under the principle of common and shared responsibility. A renewed sense of commitment and urgency is required. The results so far achieved by the international community are unsatisfactory to many, even as considerable resources have been dedicated and while the human, social and economic costs have been extremely high.

A careful re-balancing of the international policy on controlled drugs is needed. The well-being of individuals and societies needs to be at the center of policies and cooperation efforts. Greater focus should be placed on public health, prevention, treatment and care, as well as on social, economic and cultural strategies. Unity of purpose within the international community must be strengthened and transnational implications need to be properly valued, in particular when considering major regulatory changes.

Member States remain committed to the implementation of the three United Nations drug-control conventions, as well as to the observance of their related obligations and agreements in areas such as health, development and, in particular, the respect and protection of human rights, an element which must be viewed as cross-cutting in all efforts to address the world drug problem. As established in the 2009 Political Declaration and Plan of Action, Member States have agreed to pursue a balanced and comprehensive approach.

Drug policies also need to contribute to the prevention not only of crime, but also of related social harmful consequences, such as violence, exclusion and the weakening of social ties. They must also be connected to the broader work to promote opportunities through equitable and sustainable development.

The efforts to address long-standing and emerging challenges in this field must be viewed in the context of the core United Nations purposes of promoting sustainable development, protecting human rights, maintaining peace and security, and upholding international law. Mandates and actions within all relevant fora should be cohesive, both within UN mechanisms and entities and at the regional and sub-regional levels. An open dialogue with all relevant stakeholders, including academia and civil society, will help improve the understanding of existing opportunities and challenges.

#### **A health and human rights approach to address the world drug problem**

- Sustained political commitment to investing in demand reduction programs from a social, health and educational perspective is needed, as is investing in comprehensive prevention and early intervention efforts.
- Appropriate data collection systems, including comprehensive drug use and epidemiology and related data, should be developed or strengthened to ensure informed decision-making. National and regional authorities and observatories on drug matters are encouraged to enhance the dialogue and exchange of information between them.
- Substance use disorders are a medical condition that can be prevented, treated and from which recovery is feasible and attainable. Member States should ensure non-discriminatory access to

identification, treatment, education, post-treatment, and social rehabilitation and integration programs for people affected by drug use.

- Comprehensive evidence-based demand reduction initiatives should be enhanced. These include education, screening, behavioral and medication-assisted treatment, scientific research for effective treatment, and overdose prevention programs with recovery as a goal. Substance abuse treatment standards should be adopted and implemented, in line with internationally identified best practices.
- Gender mainstreaming is fundamental, as is the importance of fully considering the needs of youth and of all vulnerable members of society.
- Injecting drug use and sharing of needles, syringes and other infected equipment as a significant route for the transmission of HIV/AIDS and other blood-borne diseases should be considered a matter of priority. The needs of those affected by these diseases should be specifically and explicitly considered in policies and cooperation efforts.
- Relevant United Nations mechanisms and entities, including the United Nations Office on Drugs and Crime, the World Health Organization, UNAIDS, UN Women and those in the fields of health and human rights, are encouraged to issue, within their mandates, concrete evidence-based recommendations and identify best practices to contribute to effectively address the world drug problem, through a broad, comprehensive and balanced approach.

#### **Ensuring access to controlled substances and effective drug control**

- Narcotic drugs, including opiates, continue to be indispensable for medical and scientific purposes, as outlined in the UN drug control conventions. The exchange of information and best practices among Member States can greatly contribute to the design and implementation of regulatory, financial, educational, administrative or related measures to ensure their sufficient availability and accessibility, within the appropriate control mechanisms.
- The International Narcotics Control Board is invited to support governments in the development of national assessments and programs to ensure availability, accessibility and sufficient supply of controlled substances and, in coordination with the World Health Organization, in better estimating their yearly requirements. Closer consultation with the relevant industries should be encouraged.
- The World Health Organization is called upon to ensure that the model lists of essential medicines remain comprehensive and periodically updated, and thus a valuable reference for the implementation of national and international policies and programs.
- Improved efforts are needed to review new psychoactive substances for potential control. Member States are encouraged to support research and development of scientific evidence for the assessment of abuse liability, dependence potential and associated individual and public health harms, and to exchange information and best practices on early warning networks, voluntary controls, and innovative legislative approaches such as blanket regulations. A closer link between these efforts and demand reduction policies and programs is required.
- Chemical control initiatives to prevent diversion towards the illicit production of illicit drugs and new psychoactive substances would be of great value. These could include international cooperation on investigations, information sharing and pre-export notification, and disposal efforts. Closer consultation with the relevant industries is also viewed as desirable.

## **Preventing the social harmful consequences of the world drug problem, and development-oriented drug policies and programs**

- The social harmful consequences of the world drug problem to individuals and communities, such as violence, exclusion and social disintegration, must be addressed in a comprehensive manner.
- Member States are encouraged to exchange information and cooperate, as appropriate, to strengthen their implementation of development-oriented drug policies and programs, as well as of social policies aimed at encouraging community participation, particularly of the most vulnerable members of society. Advances in areas such as education, health, employment, and the diversification of economic activity and strengthening of value added chains contribute to enhancing social inclusion and cohesion.
- Alternative development programs and policies have the potential to be effective in the reduction of illicit drug cultivation and production and, in a broader context, as an incentive to other economic activities and the strengthening of value-added chains in various local settings. The further development and sharing of best practices and standards is an important goal of the international community.
- Increased coordination among UN agencies, including the United Nations Office on Drugs and Crime, the United Nations Development Program and the World Health Organization, is important to ensure that efforts in the social and economic fields are mutually reinforcing with policies and programs to address the production, trafficking and consumption of illicit drugs.

## **Crime prevention and criminal justice responses**

- The challenges of drugs and crime in the community are cross-cutting, and in many cases have transnational implications. Not all approaches or sets of policies will be equally effective under all circumstances. A common basic understanding and sense of purpose is required for international coordination and cooperation.
- Criminal justice responses should be effective, fair, humane and accountable, and adhere to the principle of proportionality and should include, as appropriate, alternatives to incarceration for drug-related offenses of a minor nature. Member States are encouraged to review their drug sentencing policies and practices and to facilitate collaboration between justice and public health authorities, with a view to advancing the well-being of individuals and communities, deterring crime, reducing overcrowding in prisons, and strengthen social ties within affected communities.
- A strong culture of lawfulness contributes to reduce crime and its consequences. Among actions that could be considered by Member States are policies focused on specific phenomena, such as gangs, and the reinforcement of citizen participation and accountability mechanisms.
- Member States and, within their mandates, United Nations mechanisms and entities, including the United Nations Office on Drugs and Crime, are encouraged to enhance the exchange of information on best practices in order to accelerate criminal justice reforms under the framework of the drug conventions.

## **International cooperation against transnational organized crime**

- International cooperation to investigate and prosecute transnational organized crime remains a central component of the efforts to address the world drug problem, in the framework of the three UN

drug control conventions, as well as to counter money laundering, corruption, illicit trafficking in firearms and related crimes.

- Member States should seek to increase efforts to promote judicial cooperation and enhance mutual legal assistance, including through existing multilateral instruments, such as the United Nations Convention against Transnational Organized Crime and its Protocols, as appropriate, and regional and bilateral agreements. Efforts in this field should be periodically reviewed and updated as needed.
- Member States and, within their mandates, the United Nations Office on Drugs and Crime and other United Nations mechanisms and entities are encouraged to enhance the exchange of information on best practices in areas such as border control and information sharing, domestic judicialization and consideration of model legislation, and responses to emerging challenges such as the use of the internet for related illicit purposes.

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*\*Non-paper que busca reflejar puntos de convergencia a partir de los debates que han tenido lugar en el marco de la Comisión de Estupefacientes y en otros foros, así como de consultas informales con Estados miembro de todas las regiones. Se trata de un esfuerzo por identificar posibles recomendaciones operacionales, de conformidad con lo acordado por la CND. El documento no refleja la posición nacional mexicana, misma que es ampliamente conocida.*