

Statement for the
thematic discussions of the
6th intersessional meeting
of the
60th Commission on Narcotic Drugs



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*Way Forward & preparations for
the 62nd session of the CND in 2019*

Dear Chairman,

Dear post-UNGASS facilitator,

Distinguished Delegates and civil society stakeholders,

Ladies and gentlemen,

I am proud to share views with a refreshed commission bound by two new significant cornerstones, namely the *UNGASS outcome document* and the *Agenda for Sustainable Development*.

These assess a framework where bettering the health, well-being and living conditions comes first.

In line with this new policy landscape, ahead of the 2019 target date, our think-tank underlines the need for countries to implement policies that respect the international hierarchy of standards, the need for a UNODC re-focused on its primary functions, and for the Commission to continue efforts towards a comprehensive participation in its process, a renewed preparation frame, harmonized in time with the 2030 Agenda.

I will introduce and develop recommendations on these three topics.

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1.

MEMBER STATES IMPLEMENTATION of the UNGASS RECOMMENDATIONS in light with the 2019 REVIEW OF THE INTERNATIONAL DRUG STRATEGY.

In anticipation of the upcoming diplomatic marathon, which might lead governments positions to digress from their citizens' claims, we need to recall several key elements that would help Member States in building global drug strategies better articulated with the broad international law and rights:

- **The hierarchy of norms unequivocally places human rights first:** Under international law, states must give priority to their human rights obligations over and above any conflicting obligations under the drug control Conventions. Recently, several groundbreaking academic researchers have clarified this hierarchy of standards. They point that these overruling human rights, first and foremost, are positive obligations derived from the rights to health, life, physical and mental integrity, and privacy.
- Conformity with the fundamental rights standards starts with ending death penalty for drug-related offenses, and generally by making more proportional and less coercive the penal and administrative responses. Along with the need to respect privacy, these needed measures can only be achieved by ending the criminalization of those citizens who use drugs or engage in illicit drug-related activities to get by.
- The *2030 Agenda for Sustainable Development* reaffirms these principles and shows pathways to achieve good practices in line with international human rights instruments.

We recommend to Member States:

- To take advantage of their territorial diversity, encouraging development and experimentation of alternative policies and practices at the local or regional level, in particular in the regions where problematic use is prominent, or in these areas where cultivation or use are bound to tradition.

In a shorter term, to make these evolutions possible, we recommend:

- To strengthen and widen collaboration and partnership with civil society organizations, both nationally and within the international institutions. We suggest in particular to create platforms and networks, thus easing interaction and exchange of information, and including in their official delegation stakeholders from civil society organizations;
- To back and support — including material and financially — the NGOs transversal committees and networks of Vienna, New-York and Geneva, settled democratically as privileged ways for the involvement of NGOs in international drug-related fora.

2.

WORK OF THE UNITED NATIONS OFFICE ON DRUGS AND CRIME.

Sustainability merges sense, good faith, and rationality.

Although it is evident that part of drug-related issues is also crime-related, most of the concept of “crime” falls out of the scope of any matter linked to drugs. From robbery,

terrorism, human or organ trafficking, tax evasion, child pornography, to copyright violations, nothing rational or systematic links these crimes to drugs.

The *drugs & crime* issue only arises as a nuclear topic when the system has failed to put “health and welfare” at its core. The primary work to be undertaken at international level regarding drugs must fundamentally articulate around health, care, and prevention.

Reaffirming the drugs issue not only as an “illegal drugs” issue is key to understand new challenges or to ensure availability of controlled medicines among the planet.

In its Article 17, the Single Convention mandates a “*special administration*” to oversee international drug control. Although the tasks of this “*special administration*” were first carried out by a UN Secretary General’s Division on Narcotic Drugs, and then entrusted to the UNDCP, they eventually merged with Crime and Justice issues onto the UNODC twenty years ago. In consequence, we recommend:

- At first, to refocus the **UNODC** as a **United Nations Office on Drugs and Controlled substances**, with exclusive responsibility for providing effective leadership for all the UN drug control activities, for ensuring coherence of actions as well as coordination, complementarity and non-duplication of activities across the United Nations system, and thoroughly implementing CND resolutions;
- Secondly, the creation of a **UNOCP (United Nations Office on Crime Prevention)** that would implement CCPCJ resolutions, and efficiently focus on preventing delinquency and tackling, among others, those criminal organizations that smuggle with controlled drugs.

In this renewed context, the reinforced and refocused UNODC could assume its legitimate role of mediator and transversal actor, in particular, creating or strengthening contacts and cooperation with:

- The **High-level Political Forum on Sustainable Development**, especially those focused on Goals 3, 5, 8, 10, 11, 16 and 17,
- the United Nations Development Program,
- the Permanent Forum on Indigenous Issues,
- the International Regulatory Cooperation for Herbal Medicines,
- the United Nations Environment Program,
- and the United Nations University.

3.

WORK OF THE COMMISSION ON NARCOTIC DRUGS AND ROLE IN THE UPCOMING ACTION PLAN.

We welcome the work of the CND chair and the post-UNGASS facilitator and recall the need to continue efforts to allow for substantive involvement & contributions from all countries, and from the broad civil society stakeholders, including people who use or produce and affected populations.

In particular, we recommend:

- to plug the CND on [UN webTV](#), a broadcasting system of the UN Department of Public Information which allows for quality multilingual video diffusion as well as archival;
- to give more importance to the [CND template document](#), intended to collect implementation programs of the UNGASS operational recommendations;
- to increase the effort of presence and visualization on social media.

Regarding the way forward: The UNGASS preparations included a rich and diverse consultation & review process, to try to achieve a snapshot of the various realities of the world. It was used as the basis to draft the *UNGASS outcome document*, which finally embraced the broad drug phenomenon.

A similar, if not more extended process, should be conducted to draft the next action plan.

Enough time and comprehensive data are critical.

Therefore, we urge the Commission to take two steps:

- Take the opportunity to **harmonize the timeframe** of the international action on drugs with the 2030 Agenda, by extending the consultation one year and adopting at its 63rd session a new action plan running from 2020 to 2030;
- Secondly, in the spirit of the CND Resolution 58/8 and the UNGASS board document titled “Thematic overview of contributions to the outcome document of UNGASS 2016”, **compile all Member States’ plans of action** to tackle drug-related issues into a report of Member States’ national and local strategies, and dedicate intersessional CND meetings to the presentation, debate and discussion of these concrete plans.

One significant consideration for future UN strategies to overcome the stalemate (grounded on nonconsensual past consensus) would be to switch from a doctrinaire upstream approach to an amenable downstream action plan, which encourages and reinforces Member States in their action.

The zero draft of the 2020-2030 UN action plan on drugs must directly be a synthesis of the diversity, thoroughness and value of Member States’ local and national drug strategies.

Thank you for your attention.