

The Commission on Narcotic Drugs (CND) and international drug policies

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Summary

The purpose of this article is to provide an overview of international drug policies through the history of its main intergovernmental body, the Commission on Narcotic Drugs and the influence of civil society organizations (CSOs) in this context.

Keywords: international drug policy, Commission on Narcotic Drugs, United Nations, civil society, non-governmental organisations, NGO, CSO

Zusammenfassung

Dieser Beitrag soll einen Überblick über die Internationale Drogenpolitik bieten – aus dem Blickwinkel der historischen Entwicklung der „Commission on Narcotic Drugs“ (Suchtstoffkommission) der Vereinten Nationen und der damit verbundenen Einflussmöglichkeiten der Zivilgesellschaft.

Schlüsselwörter: internationale Drogenpolitik, Suchtstoffkommission, Vereinte Nationen, Zivilgesellschaft, Nicht-Regierungsorganisationen, NGO, CSO

The purpose of this article is to provide an overview of international drug policies through the history of its main intergovernmental body, the Commission on Narcotic Drugs and the influence of civil society organizations in this context.

The Commission on Narcotic Drugs (CND) was established in 1946 as a functional commission of the United Nations Economic and Social Council¹ (ECOSOC) to oversee the application of the international drug control treaties and advise the Council on all matters pertaining to the control of narcotic drugs. As such, the Commission is mandated to place drugs under international control. The Commission consists of 53 Member States and has five subsidiary bodies in the regions, namely: Heads of National Drug Law Enforcement Agencies (HONLEA) for Africa, Asia and the Pacific, Europe, Latin America and the Caribbean, as well as the Subcommission in Near and Middle East.

Established by ECOSOC resolutions 1985/11², 1845 (LVI)³, 1990/30⁴, and 1987/34⁵, HONLEA help to further cooperation in drug law enforcement activities at the regional level. HONLEA meetings usually take place annually to identify salient policy and enforcement issues in their regions, establish working groups to analyse the issues, and bring their reports and recommendations to the attention of the Commission.

The Subcommission in Near and Middle East was established in 1973 by resolution 6 (XXV)⁶ of the CND and by ECOSOC resolution

² Available at: https://www.unodc.org/documents/commissions/CND/Subsidiary_Bodies/HONLAF/ECOSOC_Res-1985-11.pdf

³ Available at: https://www.unodc.org/documents/commissions/CND/Subsidiary_Bodies/HONLAP/ECOSOC_Resolution-1845_LVI.pdf

⁴ Available at: <http://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=E/RES/1990/30&Lang=E>

⁵ Available at: https://www.unodc.org/documents/commissions/CND/Drug_Resolutions/1980-1989/1987/ECOSOC_Res-1987-34.pdf

⁶ Available at: https://www.unodc.org/documents/commissions/CND/Drug_Resolutions/1970-1979/1973/CND_Resolution-06_XXV.pdf

¹ Available at: <https://www.un.org/ecosoc/en/home>

1776 (LIV)⁷ to serve as a consultative body that would provide the CND with a regional perspective on dealing with illicit drug activities in the Near and Middle East. The functions of the Subcommission are to facilitate cooperation and coordination in regional activities directed against illicit drug traffic, as well as to identify priority issues in the area and formulate recommendations to the Commission for addressing these issues. The Subcommission reports directly to the CND and meets annually.

Since 1991, the CND has also been the governing body of the United Nations Office on Drugs and Crime (UNODC) and approves the budget of the Drug Control Programme Fund. The topics discussed in the framework of the Commission include drug demand reduction (prevention, treatment, health), availability and access to controlled substances, drug supply reduction (law enforcement, money-laundering, drug trafficking), alternative development, international cooperation, cross-cutting issues in relation to drugs such as human rights, gender and youth, as well as new trends and challenges. The Commission usually meets for its main annual session for one week in March, and holds intersessional meetings and a reconvened session for two days in December (one day jointly with the Commission on Crime Prevention and Criminal Justice). Informal meetings and special events take place throughout the year. In addition to the Member States of the Commission, observers, including non-Member States, intergovernmental organizations, United Nations entities and Non-governmental Organizations (NGOs) may participate in these sessions.

The Commission monitors all commitments on strengthening actions at the national, regional and international levels to accelerate the implementation of joint commitments to address and counter the world drug problem, as enshrined in the 2019 Ministerial Declaration, the outcome document of the 2016 General Assembly Special Session on the world drug problem (UNGASS), as well as the 2009 Political Declaration and Plan of Action and its 2014 review.

As a Functional Commission of ECOSOC, the CND is guided by ECOSOC rules for consulting with NGOs and has introduced practices to allow for more meaningful participation of NGOs. These range from regular speaking slots, to civil society hearings, to civil society advisory groups, to formal dialogue sessions with NGOs, to allowing representatives sit in on Bureau meetings and regular updates with the Chair and Bureau members.

⁷ Available at: https://www.unodc.org/unodc/en/Resolutions/resolution_1973-05-18_6.html

NGO participation in CND sessions

In order to participate in the regular sessions of the CND, NGOs must be in consultative relationship with the ECOSOC. NGOs with consultative status with ECOSOC can be accredited to participate in the sessions of the Commissions as observers. As observers, NGOs are able, among other things, to:

- attend and observe all proceedings of the Commissions, except informal meetings which are reserved for Member States only,
- submit written statements,
- make oral interventions,
- participate in special events and panel discussions,
- organize side events and exhibitions on issues relevant to the work of the Commissions.

Throughout its history, the CND has achieved many milestones in its decision-making function. Five important achievements in addressing the world drug problem are particularly worth mentioning, namely the Political Declarations in 1998 and in 2009, the 2014 Joint Ministerial Statement, the 2016 UNGASS Outcome Document, and the 2019 Ministerial Declaration. The 1998 and 2009 declarations aim at enhancing international cooperation in countering the world drug problem, which is a common and shared responsibility. Specific goals and targets to reduce the supply and the demand for illicit drugs were also agreed by Member States in these declarations.

The Political Declaration of 1998

Adopted by the General Assembly at its 20th Special Session on the world drug problem, the *1998 Political Declaration*⁸ requested Member States to report biennially to the Commission on their efforts to meet relevant goals and targets. The Commission was requested to analyze these reports in order to enhance the cooperative effort to combat the world drug problem.

Member States called upon communities, especially families, and their political, religious, educational, cultural, sports, business and union leadership, NGOs and the media worldwide to actively promote a society free of drug abuse, especially by emphasizing and facilitating healthy, productive and fulfilling alternatives to the consumption of illicit drugs, which must not become accepted as a way of life.

⁸ Available at: https://www.unodc.org/documents/commissions/CND/Political_Declaration/Political-Declaration_1998/1998-Political-Declaration_A-RES-S-20-2.pdf

In the 1980ies NGOs following the work of the CND were essentially service providers, often running rehabilitation centres for people with drug use disorders or associations working on drug prevention. Examples are: Comunità San Patrignano in Italy, Centro de Integracion Juvenil in Mexico, and the Canadian Centre on Substance Use and Addiction in Canada. The decade between 1998 and 2008 witnessed a substantial increase in the number of NGOs addressing drug related problems and the doubling of the numbers of staff and volunteers working with NGOs in this field (results from Beyond 2008 NGOs questionnaire⁹).

Beyond 2008

Perhaps one of the highlights of NGO contribution to the work of the CND came at its 51st session in March 2008, during the *Beyond 2008 Forum* which allowed civil society to have a say in drug policy through the adoption of a global NGO Declaration¹⁰ along with three specific resolutions that were tabled at the high-level segment of the CND and the UNODC in preparation for the 1998–2008 UNGASS review in March 2009. Beyond 2008 was a joint project of the UNODC Civil Society Unit and the Vienna NGO Committee on Drugs (VNGOC) aimed to create and channel global NGOs' contribution to the ten-year review of the 1998 Political Declaration.

Building on 13 consultative meetings held in all regions of the world, Beyond 2008 represented an unprecedented and historic engagement of NGOs who work with those most affected by illicit drugs. Over 1,000 individual participants from more than 145 countries representing millions of members and constituents from across the globe participated in the Forum.

The voices of NGOs were also essential to highlight unintended consequences of governments' efforts to meet their objectives set in the three international drug control conventions. One example for such unintended consequences, is access to essential medicines, in particular opiates used for pain relief, which in developing countries in Asia and Africa were denied to patients, even those suffering from terminal diseases. The campaign by the Union for International Cancer Control with the slogan "Please do not make me suffer any longer" was an alarm signal to the CND, raising

awareness of the need to ensure availability of drugs for medical use and scientific purposes. This was followed by the adoption of *Resolution 53/4*: "Promoting adequate availability of internationally controlled illicit drugs for medical and scientific purposes while preventing their diversion and abuse"¹¹. Since then, improving access to essential medicines has been an important aspect of the work of the Commission and significant progress toward making essential medicines available across the globe has been made. NGOs continue to advocate for improvement and routinely report to the Commission on progress made.

The 2009 Political Declaration

At the high-level segment of the 52nd session of the CND, held on 11 and 12 March 2009, Member States evaluated the progress made since 1998 towards meeting the goals and targets established at the 20th Special Session of the General Assembly. They identified future priorities and areas requiring further action and established goals and targets for drug control beyond 2009. At this session, Member States adopted the *Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem*¹². The declaration established a plan of action on demand reduction and related measures, supply reduction and related measures, and countering money-laundering and judicial cooperation to enhance international cooperation. 2019 was set as the target date for Member States to re-examine the declaration, evaluate its effects, its impacts and success in achieving the goals that had been set out.

In the 2009 Political Declaration and Plan of Action, the CND recommended that the General Assembly hold a Special Session on the "world drug problem". The CND led the preparations for the UNGASS in 2016 and negotiated the Outcome Document.

2014 Joint Ministerial Statement

In March 2014, five years after the adoption of the Political Declaration and Plan of Action, the Commission on Narcotic Drugs at its 57th session conducted a high-level review of the implementation by Member States of the 2009

⁹ <http://vngoc.org/old/images/uploads/file/Beyond%202008/GlobalSummaryReportBeyond2008.pdf>

¹⁰ <http://vngoc.org/old/images/uploads/file/Beyond%202008/BEYOND%202008%20DECLARATION%20AND%20RESOLUTIONS%20DEFINITIVE.pdf>

¹¹ https://www.unodc.org/documents/commissions/CND/Drug_Resolutions/2010-2019/2010/CND_Res-53-4.pdf

¹² 2009 Political Declaration, available at: https://www.unodc.org/unodc/en/commissions/CND/Political_Declarations/Political-Declarations_Index.html

Political Declaration and Plan of Action. The resulting Joint Ministerial Statement¹³ reiterated the themes of the 2009 Political Declaration and Plan of Action. It recognized the progress achieved, while acknowledging persisting and new challenges with respect to demand and supply reduction as well as with countering money laundering and promoting judicial cooperation.

2016 UNGASS Outcome Document

As recommended by the CND in the 2009 Political Declaration and Plan of Action, the United Nations General Assembly Special Session on the World Drug Problem (UNGASS) was held in April 2016 at the UN Headquarters in New York. It brought together governments, UN bodies and civil society organizations to review the progress made towards meeting targets set by the international community in countering the world's drug problem. At its 59th session in March 2016 the CND decided to transmit the Outcome Document, entitled "Our joint commitment to effectively addressing and countering the world drug problem" to the General Assembly and to recommend its adoption at the plenary of the UNGASS. The Outcome Document¹⁴ was adopted by the General Assembly in its resolution S-30/1¹⁵. This UNGASS Outcome Document describes how countries should be tackling drug-related problems and was the product of years of discussion within and between Member States, and with contributions from CSOs at the national, regional, and global levels. The Outcome Document contains over 100 recommendations set out in seven thematic chapters on:

1. Demand reduction and related measures, including prevention and treatment, as well as other health-related issues;
2. Ensuring the availability of and access to controlled substances exclusively for medical and scientific purposes, while preventing their diversion;
3. Supply reduction and related measures; effective law enforcement; responses to drug-related crime; and countering money-laundering and promoting judicial cooperation;
4. Cross-cutting issues: drugs and human rights, youth, children, women and communities;
5. Cross-cutting issues in addressing and countering the world drug problem: evolving reality, trends and existing circumstances, emerging and persistent challenges and threats, including new psychoactive substances, in conformity with the three international drug control conventions and other relevant international instruments;
6. Strengthening international cooperation based on the principle of common and shared responsibility; and
7. Alternative development; regional, interregional and international cooperation on development-oriented balanced drug control policy; addressing socioeconomic issues.

Civil society participated actively in the UNGASS 2016 preparatory process, including through various regional consultations conducted by the Civil Society Task Force (a joint initiative of VNGOC and the New York NGO Committee on Drugs), an informal and interactive stakeholder consultation for UNGASS 2016 which provided an opportunity for civil society to provide input for consideration by Member States. Over 800 NGOs were registered to participate in the UNGASS 2016. Member States' recognition of the importance of civil society in addressing the "world drug problem" was demonstrated in the Outcome Document, where civil society is reflected eleven times. For example, Member States resolved to take the necessary steps to implement the recommendations in close partnership with other stakeholders, including civil society, through the promotion of knowledge and research, cooperation on effective drug prevention, early intervention, treatment, care, harm reduction, recovery, rehabilitation and social reintegration, among others. The Outcome Document also highlights the need for policies to be set in a framework of public health and human rights, as well as being gender sensitive. The UNGASS 2016 took place at an important historical juncture, just after the adoption of the 2030 Agenda for Sustainable Development¹⁶ (SDGs). In the UNGASS Outcome Document Member States emphasized that efforts to achieve the SDGs and those to effectively address the "world drug problem" were complementary and mutually reinforcing. In order to facilitate NGO collaboration on drug-related issues and to allow Member States to find NGO activities on drugs in their countries, the NGO Marketplace¹⁷, a joint UNODC-VNGOC project, was launched before the UNGASS 2016.

¹³ Available at: <https://www.unodc.org/documents/ungass2016/V1403583-1-2.pdf>

¹⁴ Available at: <https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf>

¹⁵ Available at: <https://undocs.org/A/RES/S-30/1>

¹⁶ Available at: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

¹⁷ Available at: <https://mp.vngoc.org/js/home.htm?q=eyJzljoxfQ==>

2019 Ministerial Declaration

In light of the 2019 target date to review the progress made in the implementation of the 2009 Political Declaration, the CND convened a ministerial segment at its 62nd regular session on 14–15 March 2019, *taking stock of the implementation of the commitments made to jointly address and counter the world drug problem*. The ministerial segment brought together a record number of over 2,200 representatives from more than 140 countries, intergovernmental organizations and more than 500 representatives from 90 NGOs. Apart from a general debate, the ministerial segment included two interactive, multi stakeholder round-table discussions, where civil society participated.

At the opening of the ministerial segment, Member States adopted the 2019 Ministerial Declaration¹⁸ aimed at strengthening action at the national, regional and international level in view of the implementation of joint commitments to address and counter the world drug problem. The Declaration builds on the 2009 Political Declaration, the 2014 Joint Ministerial

¹⁸ Available at: https://staging.unodc.org/documents/commissions/CND/2019/19-06699_E_ebook.pdf

Statement and the 2016 UNGASS Outcome Document and reiterates the goals and operational recommendations set out in the previous documents. As in the 2016 UNGASS Outcome Document, civil society is mentioned specifically as an important partner in addressing and countering the world drug problem. Furthermore, the ministerial declaration encourages the CND to hold inclusive discussions on effective strategies to address and counter the world drug problem at all levels, involving relevant stakeholders such as civil society. UNODC and the VNGOC developed a guide¹⁹ to familiarize civil society with the 2019 Ministerial Declaration and the UNGASS Outcome Document, highlighting the potential for civil society participation in the implementation of the operational recommendations and their respective SDGs.

The way forward: Beyond 2019

The above drug policy instruments form the main achievements of the Commission on Narcotic Drugs since 1998. Moving forward,

¹⁹ Available at: https://www.unodc.org/documents/NGO/Drugs/Civil_society_guide_on_the_2019_MD.pdf

Das Rauchen schädigt das Gesundheitssystem und die Volkswirtschaft um 100 Milliarden Euro jährlich

Mit jährlich etwa 120.000 Todesopfern in Deutschland erreicht der Tabakkonsum die Dimension der Corona-Risiken. Der „Tabakatlas 2020“ beziffert, wer am häufigsten betroffen ist: vor allem soziale Unterschichten. In der Ärzteschaft und bei Ingenieuren rauchen weniger als zwölf Prozent, jedoch im Reinigungs- und Entsorgungsgewerbe mehr als 50 Prozent. Auch in der Produktion stehen Unterprivilegierte an erster Stelle: Kinder- und Zwangsarbeit in Entwicklungsländern, meist unter gesundheitsgefährdenden Bedingungen, sorgen für den Profit der Konzerne.

Die soziale Dimension wird meist übersehen – und im Tabakatlas deutlich. Das Rauchen verursacht im Gesundheitssystem und in der Volkswirtschaft einen Gesamtschaden von etwa 100 Milliarden Euro jährlich: Krankheitskosten, Pflegekosten, Rehabilitation, Erwerbsminderung, Arbeitsunfähigkeit u.a. Auf dieser Basis kalkuliert der Tabakatlas: „Eine Packung Zigaretten müsste statt 6,20 Euro künftig 22,80 Euro kosten, um über den Zigarettenpreis die Folgekosten des Rauchens zu kompensieren.“

Der deutsche Staat begnügt sich jedoch mit etwa 15 Milliarden Euro Tabaksteuer p.a. Seit der letzten deutlichen Erhöhung im Jahr 2005 ist der Tabaksteueranteil am Endpreis einer Zigarette rund 14 Prozent gesunken, wäh-

rend die Hersteller ihre eigenen Einnahmen wesentlich steigern konnten. Hersteller nutzen geringfügige Steuererhöhungen, um ihre Profite zu erhöhen (Overshifting).

In alle diese Berechnungen sind die Umweltschäden noch nicht eingepreist: „Tabak hat einen großen ökologischen Fußabdruck. Anbau, Produktion und Konsum haben erhebliche Auswirkungen auf die Umwelt, u. a. durch klimaschädliche Emissionen, Wasserverbrauch und -verschmutzung sowie Energieverbrauch. Die größten Umweltauswirkungen tragen die Länder des Südens. Da etwa 90 Prozent der weltweiten Tabakernte in Niedrig- und Mitteleinkommensländern erzeugt werden, finden die besonders umweltschädlichen Herstellungsstufen – Tabakanbau und -trocknung – dort statt.“

Katrin Schaller, Sarah Kahnert, Laura Graen, Ute Mons & Nobila Quedraogo (Deutsches Krebsforschungszentrum): Tabakatlas Deutschland 2020

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Member States committed to support the CND in continuing transparent and inclusive discussions involving all relevant stakeholders on effective strategies to address and counter the world drug problem, including through the sharing of information, best practices and lessons learned. Member States further resolved to review in the CND in 2029 the progress in the implementation of all international drug policy commitments, with a mid-term review in 2024. Finally, a multi-year CND workplan²⁰ was agreed. In the period up to 2024, interactive meetings will be held every autumn, with the aim to address the challenges identified in the “stock taking” part of the Declaration, through the implementation of the provisions and recommendations contained in the three policy documents (2016, 2014, 2009) as committed to in the “way forward” part of the 2019 Ministerial Declaration.

²⁰ Available at: https://www.unodc.org/documents/commissions/CND/2019/Follow-up_to_2019_Ministerial_Declaration/Intersessional_Meetings/CND_Workplan_2019-2023.pdf

Conclusion

As the main body of the United Nations responsible for establishing norms on addressing the world drug problem, the CND has achieved significant milestones since its establishment in 1946. In accordance with established rules and procedures, civil society organizations continue to contribute to the work of the CND, achieving significant results, including ensuring a balanced approach and putting health at the centre of the world drug problem. The Beyond 2008 Forum started this important shift, bringing the CND debate to focus more on drug demand reduction and human right issues such as the availability of drugs for medical purposes. As the work of the CND moves forward, the role of civil society will remain relevant in ensuring that the implementation of the main agreed policy instruments, lately captured in the 2019 Ministerial Declaration are implemented more effectively. UNODC will continue to facilitate civil society contribution to the work of the CND, including through tools such as the NGO Marketplace and the Civil Society Guide.



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