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16 September 2014

## Discussion on international cooperation towards an integrated strategy to counter the global drug problem

15 October 2014 (9.30 a.m. – 12.30 p.m.)  
Room 2, level 0, CICG

### Background Note

**Submitted by Ms. Laura Rojas Hernández (Mexico) and  
Mr. Anti Avsan (Sweden)**

The UN General Assembly will hold a Special Session (UNGASS) on drugs in 2016. This Special Session will be an important milestone in achieving the goals set forth in the policy document of 2009 "Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem", which defined action to be taken by Member States as well as goals to be achieved by 2019.

During the 130<sup>th</sup> IPU Assembly, the Mexican and Swedish delegations formally requested and urged the approval of a special research undertaking on the agenda of studies to be conducted by the IPU during the period 2014-2016 under the mandate of the Standing Committee on United Nations Affairs. The special research, led by appointed co-Rapporteurs Mexican Senator Laura Rojas Hernández and Swedish Member of Parliament Anti Avsan, should be carried out on an enhanced role for the IPU in developing an action plan on international cooperation towards an integrated strategy to give the UN-process a parliamentary dimension to counter the world drug problem. Both delegations urged the IPU to consider the debate ahead and the relevant role that parliaments have in the discussion, reform and implementation of meaningful legislation on the subject. On 15 October, in the context of the 131<sup>st</sup> IPU Assembly, a debate on this proposal and its possible inclusion in the work programme for the years ahead will be held in the Committee on UN Affairs. This document aims to serve as an initial guide for the discussion on the importance of the matter and the need for a parliamentary involvement and input on the process.

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### **A global answer to a global concern: The first years**

1988 witnessed the starting point of a long process of deliberation regarding the need for a global answer to a global concern when the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the main drug control treaty, was signed. The Convention sets out specific measures to counter the manufacture, distribution and trade of a number of chemicals frequently used in the manufacture of drugs. Moreover, it was the first time that the United Nations General Assembly decided to promote an effective response to this phenomenon under a UN convention, which aimed to strengthen the health of the world's population through a controlled system of narcotic drugs under a general approach of prohibition and criminalization. The system, in which two previous Conventions (The Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971) also play an important role, was further enhanced by a number of resolutions adopted by the United Nations Commission on Narcotic Drugs, the Economic and Social Council and the General Assembly on its twentieth special session, in 1998.

This Special Session on Drugs (UNGASS) was devoted to assessing the drug situation with a view to strengthening international cooperation. It adopted for the first time a Political Declaration on the World Drug Problem and an Action Plan on International Cooperation on the Eradication of Illicit Drug Crops and Alternative Development. It also adopted the so-called Guiding Principles of Drug Demand Reduction, which were strongly shaped by European Union policies and approaches. A mid-term evaluation of the implementation of the 1998 Political Declaration and Plan of Action took place in April 2003, and the Commission on Narcotic Drugs (CND), the governing body of the United Nations Office on Drugs and Crime, conducted a comprehensive 10-year evaluation in March 2009.

At the high-level segment of the fifty-second session of the Commission on Narcotic Drugs, held on 11 and 12 March 2009, representatives of 132 States gathered to evaluate progress made since 1998 towards meeting the goals and targets established during the twentieth special session of the General Assembly, devoted to countering the world drug problem together; to identify future priorities and areas requiring further action and deciding upon goals and targets to be established for drug control beyond 2009.

### **The Political Declaration and Plan of Action 2009**

Undoubtedly, the adoption of the Political Declaration and Plan of Action gave additional impetus to international drug control when addressing some of the most important challenges posed today by the world drug problem. Coincidentally, the session of the CND took place exactly during the centenary of the Shanghai International Opium Commission, the first international conference that in 1909 discussed the world's narcotic challenges. As in Shanghai, the Member States of the United Nations stated that in spite of the increasing efforts made by the international community, the world drug problem continues to pose a serious threat to the health, safety and well-being of humanity, in particular youth, and a menace undermining sustainable development, political stability, national security and the rule of law.

The Political Declaration aimed to eliminate or at least reduce significantly and measurably the use, supply and demand of drugs by 2019. Member States concluded that they were not satisfied with the results of the previous strategy and consequently decided to promote policies integrating national efforts into the framework of renewed international strategies on the scale of the drug markets and a deep understating of how illicit transnational drug economies operate. The Plan of Action proposed 30 remedies to problems in six areas of concern, namely: 1) Reducing drug abuse and dependence; 2) Reducing the illicit supply of drugs; 3) Control of precursors and of amphetamine-type stimulants; 4) International cooperation to eradicate the illicit cultivation of crops and to provide alternative development; 5) Countering money-laundering; and 6) Judicial cooperation.

The Plan of Action went further than previous endeavours in terms of calling for a greater exchange of intelligence, better monitoring of the impact of new trafficking trends and supporting alternative development approaches as part of measures to alleviate poverty and promote sustainable development in those communities in which crop eradication programmes had been conducted. It also addressed the need to strengthen anticorruption measures, providing technical assistance and capacity-building to both governments and civil society. The Plan of Action also envisaged a mid-term evaluation, in the form of a high-level review, conducted by the CND in 2014, in order to identify achievements, challenges and priorities for further action in drug demand reduction, supply reduction and international cooperation.

### **2014: The mid-term review**

2014 marked the midway point of the 2009 Political Declaration and Plan of Action on the world drug situation. On 13 and 14 March 2014, UN Member States gathered in Vienna, Austria, for a “High-level Segment” of the annual UN CND with the aim of reviewing the progress made and the challenges encountered since the 2009 Declaration and Plan of Action. Its main focus was the negotiation of a “Joint Ministerial Statement” (E/CN.7/2014/L.15), which will be followed by the 2016 UNGASS. During the negotiations two main albeit contradictory positions surfaced: one of them pressing to promote a more open and inclusive debate encompassing all issues and actors, and another arguing in favour of the status quo and a renewed commitment to existing efforts.

Indeed, the Joint Ministerial Statement recognized that, 15 years after the commitments made at the twentieth special session of the General Assembly to address the world drug problem, notwithstanding the ever-increasing efforts and progress made, the drug problem continues to pose a serious threat to health, safety and well-being of all humanity, in particular youth. Moreover, it expressed a deep concern at the high price paid by society and by individuals and their families in countering the world drug problem and underscored the need to take new trends into account when discussing the most effective ways to counter it. The resolution acknowledged that appropriate policies and measures aimed at achieving a more efficient use of resources are necessary to effectively address the world drug problem and called for an integrated approach in drug policies, including partnerships between public health, justice and law enforcement sectors together with health measures. It also takes note of the ongoing discussions in some regions on how to address the world drug problem, in the light of the current situation, and policies, and emphasize the importance of a broad, transparent, inclusive and scientific evidence-based discussion among Member States, with inputs from other relevant stakeholders.

One of the important sources for the Ministerial Statement was a comprehensive report of Mr. Yuri Fedotov, the Executive Director of the United Nations Office on Drugs and Crime, to the high-level review published in December 2013. The intention of the document was to support the discussions of the high-level review by presenting global trends on the evolution of the drug problem and by reflecting on the way forward. One of its main conclusions was that the implementation of international drug control with a health-centric approach produces effective results and that sustainable success in the fight against drugs can be achieved only with a balanced approach addressing both supply and demand. In any case, the report admitted that given its transnational nature, the drug problem cannot be addressed in isolation and the international community needs to remain united in its efforts to deal with the problem.

According to Mr. Fedotov, there is an urgent need to rebalance efforts and increasingly devote funding to a harm reduction, evidence-based treatment and health-conscious orientation to supplement law enforcement imperatives. The report also underscored that comprehensive alternative development programmes can result in sustained crop reductions when carried out as part of a broader development strategy, and it endorsed a new interpretation of the United Nations Convention based on public health and human rights considerations rather than from a perspective which focuses on the security and criminal dimensions.

### **Facing new challenges: The World Drug Reports**

According to the World Drug Report 2014 issued by the United Nations, it is currently estimated that between 162 million and 324 million people, which represents between 3.5 to 7 per cent of the world population, have used an illicit drug at least once in their lifetime. Moreover, only one in six problem drug users globally have had access to drug dependence treatment services over the past year. Problems related to drug abuse are still strongly associated with several diseases of pandemic proportions such as HIV/AIDS and tuberculosis, among others. While the use of traditional drugs, such as heroin and cocaine, seems to be declining in some parts of the world, prescription drug abuse and new psychoactive substance abuse is gradually growing. Despite the progress made in some areas, the overall magnitude of drug demand has not substantially changed. In general, the illicit use of drugs such as cocaine and heroin continues to increase in developing countries, notably in drug-producing and transit countries.

Furthermore, drug-related violence is nowadays one of the most important sources of instability in several countries and remains a constant concern for the safety and well-being of entire cities and populations. Crime recorded by the authorities in relation to drug trafficking has shown an important increase over the period 2003-2013, not only threatening the social fabric and integrity of entire regions but also fuelling other fast-growing criminal activities such as human and arms trafficking, kidnapping, extortion, sexual and labour exploitation, money laundering and the smuggling of migrants.

According to the United Nations, in the past few years drug trafficking has triggered a new surge of widespread violence in Latin America, West Africa and West Asia, and the affected countries are paying a high price in terms of human lives. Consequently, some Central American countries, for instance, have been facing homicide rates that are still the highest in the world, often surpassing those of countries in armed conflict.

Young people and adolescents are particularly vulnerable to the use of drugs and, especially in economically depressed areas with a general lack of education and working opportunities, are the first and easiest targets of criminal organizations in the recruitment process into illicit drug-related activities. Together with a sometimes widespread distrust of local authorities, the growing power and influence of these criminal organizations undermine political institutions and the rule of law.

Although some successes have been achieved in terms of precursors (chemicals employed in the manufacture of drugs) control, they have prompted a range of reactions from traffickers and manufacturers of illicit drugs, which creates new challenges. Global production of chemical drugs has doubled and trade has more than tripled in the past years. From a model of large, vertically integrated conglomerates producing illegal precursors, there has been a shift towards a model of clusters of small competing enterprises. In what seems to be a remarkably worrisome trend, a growing number of countries are involved in trade in precursors, rising from 77 to 122 in recent years.

Other setbacks should also be mentioned. On the one hand, though global illicit opium poppy cultivation declined by more than 20 per cent between 2007 and 2009, by 2012 the 2007 levels were reached again, with increases in all major producing countries. On the other hand, we are seeing an ongoing expansion of the illicit market for synthetic stimulants. The emergence of new psychoactive substances may pose threats not completely envisaged today.

The World Drug Report 2014 states that overall the global situation with regard to the prevalence of illicit drug use is stable, in spite of the efforts of the international community to reduce it. Together with the data on increasing drug-related violence, the current association of drug trafficking with other criminal activities, the lack of treatment services and the new world economy of drug precursors, the current diagnosis is not very optimistic.

#### **UNGASS 2016: Towards a new framework**

For several years, Latin American and other world leaders have expressed increasing dissatisfaction with results of the current implementation of the UN framework on drug control, in the light of new and unforeseen challenges to be tackled. The modest results of these policies had triggered the need to find new ways of tackling the problem, emphasizing the health dimension, universal prevention, the protection of the social fabric and a greater focus on the prevention of crime. In September 2012, the Presidents of Mexico, Colombia and Guatemala called on the United Nations to organize an international conference on drug policy reform and, through a resolution co-sponsored by 95 other countries and approved in April 2013, agreed on a the world policy meeting on the matter to 2016. The main focus of this meeting will be, apart from launching a high-level political dialogue, to make an additional effort in the process of reviewing progress and challenges for the Political Declaration and Plan of Action on International Cooperation, which have set 2019 as the target date to achieve their objectives.

In these negotiations, a number of governments and non-governmental organizations have argued that it is time to move away from the current approach, which they perceive as excessively concerned with law-enforcement. Indeed, for the first time in recent history, current Presidents – such as in Colombia, Uruguay and Guatemala –, are questioning the underlying philosophy of the international paradigm of prohibition and criminalization. Some national and local legislatures in South America and the United States have also shifted their current drug policies to a different framework, *de facto* putting into question the status quo. However, these developments have caused great concern among other key actors, who argue that harm reduction, decriminalization and/or preventive efforts alone cannot be viable solutions to the world's drug problem. Heated debates have since taken place, highlighting the mutual interdependence of States and the increasingly global implications of national and local legislations.

UN General assembly Resolution 67/193 calls upon Member States to address the world drug problem through an integrated and balanced approach, promoting comprehensive and multi-sectoral drug demand reduction programmes and covering a range of measures, including primary prevention, education, early detection and intervention, treatment, care and related support services, rehabilitation and social reintegration efforts.

Moreover, it acknowledges the continuing efforts made and the progress achieved, but notes with great concern the continuing illicit production of and trafficking in drugs and the fact that illicit drug use has remained stable and stresses the need for more effective results in countering the world drug problem. The resolution also reiterates the urgent need for Member States to strengthen international and regional cooperation in order to respond to the serious challenges posed by the increasing links between drug trafficking, money-laundering, corruption and other forms of organized crime. These include trafficking in persons, smuggling of migrants, trafficking in firearms, cybercrime and, in some cases, terrorism and the financing of terrorism. The Resolution also highlights the need to respond to the significant challenges faced by law enforcement and judicial authorities in responding to the ever-changing means used by transnational criminal organizations, including the corruption of State officials to avoid detection and prosecution. Therefore, the resolution proposes to convene, early in 2016, a special session of the General Assembly on the world drug problem to follow up on the review made in 2014 of progress in implementing both the Political Declaration and the Plan of Action, including an assessment of the achievements and challenges in countering the world drug problem so far.

It is important to mention that United Nations General Assembly Resolution 68/197, approved in December 2013, requested the CND to engage in the preparatory process for the UNGASS, including the presentation of proposals to be considered by the General Assembly during its sixty-ninth session, and supporting its substantive work to start the compilation of regional, national and local relevant experiences in reducing drugs supply and demand and policies curtailing violence and social vulnerabilities.

### **What role for parliamentarians and the IPU?**

The forthcoming review of the United Nations drug policy provides a golden opportunity for parliamentarians to get involved in a meaningful debate on a number of issues of paramount importance.

The IPU would be the ideal organization to act as a coordinating agency for a research undertaking, to host some of the debates, and to prepare a parliamentary input to the UNGASS on Drugs 2016. The IPU Standing Committee on United Nations Affairs could appoint a working group, supported by specialized research and recommendations from experts, discussing modalities of participation of the IPU in the UN-led process.

As part of the research undertaking, an overview could be made of the differences in legal frameworks used by legislatures around the world, as well as of the effectiveness and impact of these different policies and laws – in the local, regional and global contexts. The objective would be to contribute to a more nuanced understanding among parliamentarians of the difference in strategies, and – while respecting the contextual difference of each region – enhance awareness of the mutual interdependence of the world's peoples and parliaments.

The overview could lay the foundation for upcoming discussions on the topic within the IPU. There might be the possibility of organizing a parliamentary meeting on the margins of UNGASS 2016, in order to highlight the importance of the world's parliamentarians in the process, as well as discussing and advancing some proposals.

A very important role for the IPU is to represent the democratic process. Parliaments have the obvious task of holding governments to account, making sure that adequate resources are allocated to drug policies so as to ensure implementation, as well as ensuring that there is support from the population and civil society. As agenda-setting actors, parliamentarians can trigger processes of national deliberation inspired by the multilateral review process and actively look into ways of bringing national legislation and policies in line with the international framework.

Another area to which parliamentarians can contribute has to do with legislative innovation in drug policies, which most likely would benefit from specialized research and recommendations from international experts on the subject.

Undoubtedly, the effort in terms of legislation and information exchange has enormous potential in the process of examining different aspects of the drug policies aimed at curtailing violence, reducing social vulnerabilities, promoting social reintegration, eradicating illicit crops, early detection and treatment, inter alia.

In sum, the parliamentary dimension to the review of the United Nations drug policies is not only needed, but should urgently be organized within the remit of the Inter-Parliamentary Union. For a global strategy to be successful from its outset and during implementation, the United Nations would need the support, active involvement and input of lawmakers. An open, inclusive and broad debate is needed to address all elements of this complex challenge to our societies.

## ANNEXES

### ANNEX I:

International Cooperation against the world drug problem, Resolution adopted by the General Assembly A/RES/67/193 (on the report of the Third Committee A/67/459)  
[Resolution adopted by the GA A/RES/67/193](#)

### ANNEX II:

[Contribution of the Executive Director of the UNODC to the 2014 High level review on implementation of the 2009 Political Declaration and Plan of Action](#) on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem, to be conducted by the Commission on Narcotic Drugs in 2014

### ANNEX III:

[Joint Ministerial Statement. 2014 High-Level Review](#), by the Commission on Narcotic Drugs of the Implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Problem

### ANNEX IV:

- [2016 UN General Assembly Special Session](#)
- [2009 Political Declaration and Plan of Action](#)
- [1998 Political Declaration on countering the world drug problem](#)
- [1998 UN General Assembly Twentieth Special Session](#)
- [1990 Political Declaration and Programme of Action](#)
- [1987 Declaration of the International Conference on Drug Abuse and Illicit Trafficking](#)