

# NGOs, Drug Policies and Programmes

At its 54<sup>th</sup> session the UN Commission on Narcotic Drugs (CND) adopted a resolution aimed at improving the participation of civil society in responding to drug problems <sup>1</sup>. The resolution was in the context of agenda item 6 of the CND which was concerned with implementation of the Political Declaration and Plan of Action adopted at the high level UNGASS<sup>2</sup> review in 2009.

This resolution is a great opportunity for NGOs to seek engagement with their governments and to contribute their information and experience to the development of national and international drug policy and practice. For information the resolution is attached. In summary, it:

- Recalls that NGOs and affected populations should be enabled to play a participatory role in drug demand and supply policy
- That NGOs highlight issues and make a substantial contribution to address the world drug problem
- Calls on Governments to consult with NGOs in developing policy and programmes
- Encourages Governments to cultivate an environment that promotes innovation and takes account of promising approaches taken by civil society
- Encourages Governments to provide UNODC with information on their experience of working with civil society in UN forums, to provide suggestions for improving participation and asks UNODC, if requested, to make that information available at the 55<sup>th</sup> session of the CND

The Commission also adopted a resolution on promoting rehabilitation and reintegration-oriented strategies <sup>3</sup>. This resolution again calls for the involvement of NGOs and calls for the development of comprehensive drug demand reduction policies and programmes from prevention and early intervention to rehabilitation and reintegration. The resolution is also attached for information.

Finally, the Commission adopted a resolution on improving access to drugs under international control for medical and scientific purposes<sup>4</sup>. This resolution recognized that millions of people around the world do not have access to essential medicines and that there is a need for major action to change this situation.

**Together, these three resolutions provide a great opportunity to take forward the Declaration and Resolutions adopted by consensus at Beyond 2008.**

<sup>1</sup> E/CN.7/2011/L.6/Rev.2 – Improving the participatory role of civil society in addressing the world drug problem

<sup>2</sup> The United Nations General Assembly Special Session (UNGASS) was held in 1998 and adopted a Political Declaration, Action Plan and the Guiding Principles on Drug Demand Reduction. In 2009 there was a review when the updated Political Declaration and Plan of Action was adopted.

<sup>3</sup> E/CN.7/2011/L7/Rev.1 - Promoting rehabilitation- and reintegration-oriented strategies in response to drug use disorders and their consequences that are directed at promoting health and social well-being among individuals, families and communities

<sup>4</sup> E/CN.7/2011/L9/Rev.1 - Promoting adequate availability of internationally controlled narcotic drugs and psychotropic substances for medical and scientific purposes while preventing their diversion and abuse

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#### Contacts

General enquiries: [info\[@\]vngoc.org](mailto:info[@]vngoc.org)

Membership enquiries: [membership\[@\]vngoc.org](mailto:membership[@]vngoc.org)

Web site: [www.vngoc.org](http://www.vngoc.org)

# Advocacy Guide for Beyond 2008

## Drawing on resolutions adopted at the 54<sup>th</sup> session of CND

The resolution on civil society engagement has three operative<sup>5</sup> paragraphs.

### Operative paragraph 1 reads:

*Encourages Member States to ensure that civil society plays a participatory role, where appropriate, through consultation, in the development and implementation of drug control programmes and policies, in particular with regard to aspects of demand reduction*

This links directly with a number of Beyond 2008 recommendations as well as with the Political Declaration and Action Plan adopted in 2009. It also provides a link for raising the actions proposed in the resolutions on rehabilitation and on access to essential medicines. There is an opportunity to discuss with your national and local government<sup>6</sup> a number of key issues:

Where no consultation mechanism on drug policy and programmes has been established at the national and/or local levels, there is the opportunity to propose that such a mechanism be established. Beyond 2008 proposed that Member States should:

*establish and support transparent and systematic mechanisms for engagement and consultation at a national level, including NGOs and those most affected by illicit/harmful drug use and drug policy, when developing policy, strategy and practice guidelines*

The form this mechanism might take will vary but it should provide for representative NGO participation and include people from the full range of drug policy and practice in order that development recommendations are integrated and draw on the widest possible range of experience and expertise.

Linked to this is the resolution on rehabilitation and re-integration and the following Beyond 2008 recommendations:

*to provide sufficient resources, attention and priority in the development, implementation and monitoring of the full range of drug demand, harm reduction, treatment and social re-integration programs, as well as sustainable and comprehensive alternative development projects*

*to reaffirm their commitment to addressing illicit/harmful drug use as a public health issue requiring expanded responses similar to the commitment to international best practice on HIV and human rights approaches*

*to enhance their commitment to address public safety issues resulting from illicit/harmful drug use utilising evidence based responses and in accordance with human rights norms as part of a balanced approach*

*develop further long- term, sustainable, ecologically-sensitive, and fully inclusive alternative development programs in cooperation with civil society organizations including indigenous, peasant, and farmer organizations and non-governmental organizations and to take into account traditional licit use, in line with Article 14 of the 1988 Convention*

*ensure, before considering eradication measures, that peasants have access to viable and sustainable livelihoods so that interventions will be properly sequenced and coordinated*

*support the efforts being undertaken by WHO, in consultation with INCB and UNODC, to ensure that all drugs classified as essential medicines are widely and readily available to medical practitioners and their patients*

*ensure that more attention is given to the needs of those in closed custody settings so that they can gain access to the comprehensive range of interventions recommended by WHO, UNODC and UNAIDS*

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<sup>5</sup> Resolutions have 'preambular' and 'operative' paragraphs. Preambular paragraphs set out the reasons for and basis of the resolution. Operative paragraphs propose the action that should be taken.

<sup>6</sup> Drug policy is normally a national responsibility. However, in many countries responsibility for services and programmes and for much demand reduction policy has been devolved to local government (state, region, city, etc.). Local advocacy is also, therefore, important.

## Operative paragraph 2 reads:

*Also encourages* Member States to cultivate an environment that promotes innovation and to take into account promising approaches taken by civil society to assist Governments in their efforts to address the world drug problem, provided that such approaches are in conformity with the international drug control conventions, are based on scientific evidence, are in accordance with relevant human rights obligations and are carried out with full respect for the sovereignty and territorial integrity of Member States, including the principle of non-intervention in the internal affairs of States

This paragraph directly links with recommendations from Beyond 2008. In particular it supports a number of important activities.

First, it recognizes that innovation and new approaches are needed and that NGOs have been leaders in the development of innovative services.

Second, it acknowledges the importance of the environment in which drug policy and programmes operate. The opportunity to experiment, to exchange experience and information, to build the science and knowledge base all require a culture that is open and encouraging. This is not always the experience of NGOs and there is an opportunity to explore this issue with government in the context of this resolution.

Third, it notes that approaches should be science and rights<sup>7</sup> based and respect national sovereignty. This does not, however, in any way prevent NGOs from offering comments and proposals on drug policy and programmes in an effort to make these more effective and appropriate.

## The relevant recommendations from Beyond 2008 include

to implement national policies and legislation that are supportive of civil society gatherings and discussions, remove barriers to the freedom of association and freedom of expression of those most affected by illicit/harmful drug use<sup>8</sup> and drug policy and request that adequate time, space and resources are provided for such consultation

to offer a plurality of services designed to make contact with people who use or have used drugs and their families in order to promote treatment, rehabilitation and social reintegration as well as improve their health and social well-being

to encourage and support youth groups/initiatives aimed at reducing illicit/harmful drug use and its health, economic and social consequences

to sustain and enhance those services which through monitoring and evaluation activities are able to demonstrate effectiveness

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<sup>7</sup> Beyond 2008 recognised that the drug control conventions sit within a broader framework of UN treaties and declarations including, *inter alia*, the Charter of the United Nations, the Universal Declaration on Human Rights, the Constitution of WHO, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Declaration on the Rights of Indigenous People and the Declaration of Commitment on HIV/AIDS

<sup>8</sup> At Beyond 2008 we used this definition " *Illicit drug use* is use contrary to the UN Conventions; *harmful drug use* is drug use which causes harm to individuals, families, communities or the environment; *illicit/harmful drug use* is drug use where action is necessary, including but not limited to prevention or intervention in the fields of criminal justice, education, health care, social support, treatment or rehabilitation"

### **Operative paragraph 3 reads:**

*Further encourages* Member States to provide to the United Nations Office on Drugs and Crime, in the context of the fifty-fifth session of the Commission on Narcotic Drugs, their experiences in working with civil society in United Nations forums and to provide suggestions, consistent with the rules of procedure of the functional commissions of the Economic and Social Council, Economic and Social Council resolution 1996/31 and the three international drug control conventions, with a view to improving the participatory role of civil society in addressing the world drug problem, and requests the United Nations Office on Drugs and Crime to make that information, including suggestions, available to Member States, upon their request

This paragraph is concerned with NGO involvement with the Commission on Narcotic Drugs. There are three elements to the paragraph.

First, the paragraph asks governments to inform UNODC, in time for the 2012 session of CND, their experience of working with NGOs in UN forums. This could be any UN meeting or conference, including CND, to which the government has sent representatives. There is an opportunity for NGOs to ask their government to provide their experience of working with NGOs at the UN level and this could include work with NGOs in preparation for CND or other UN events and from including NGOs on their delegation to CND.

The relevant Beyond 2008 recommendation says:

to support NGOs and seek their contributions on a more systematic basis by including them in matters related to the work of CND when appropriate

Second, the paragraph asks governments to provide suggestions for improving the participation of NGOs in responding to the world drug problem. This is an opportunity for NGOs to put forward suggestions to their government, drawing on national or international best practice. The VNGOC has been advocating for a 'civil society hearing' to be held at CND. These have been held in other UN forums and have been found beneficial in informing discussion and providing grass roots experience to enlighten policy debate. There might also be an opportunity for UNODC HQ, Regional and Country Offices to develop better mechanisms to engage NGOs.

You might like to make contact with the UNODC Regional / Country Office where one exists so that you can work in collaboration with the office to advocate for greater partnership with civil society, especially NGOs directly involved in drug policy and programme development and implementation. You can find a list of UNODC regional and country offices on the UNODC website (<http://www.unodc.org/>) or the VNGOC website under the 'Advocacy' tab (<http://www.vngoc.org/>). If you do make contact with or start to work with one of the UNODC field offices, it is a good idea to keep the Civil Society Team of UNODC informed ([ngo.unit@unodc.org](mailto:ngo.unit@unodc.org)) so that they can offer support and encourage a positive response to your contact from the field office.

The relevant Beyond 2008 recommendation reads:

ensure that the composition of their delegation to the CND reflects the agenda and functions of the Commission, to facilitate good governance and policy guidance, with an increased focus on expertise related to the reduction of illicit/harmful drug use and its adverse health, social and economic consequences and human rights compliance

Finally, the paragraph asks UNODC to make the information and suggestions available on request to governments. NGOs need, therefore, to encourage and assist their governments not only to provide information and suggestions to UNODC, but also to ask for this material to be made available to them. UNODC will then be in a position to analyse the data and produce a paper. If sufficient countries request the paper, they might also request that it is provided either as an official document for the agenda of the 2012 CND or as a Conference Room Paper giving additional information to assist CND in its work.

## What you can do to make a difference

The analysis we have provided links the resolution with other resolutions passed by CND and with the Beyond 2008 recommendations to Member States.

You now need to make contact with your national / local government to explore with them how the resolutions from CND and from Beyond 2008 might be taken forward. This might be at the level of Ministers in the relevant national / local departments, civil servants / officials in these departments or at the level of national / local politicians. It is usually best to start at a level where you are already known and to obtain introductions to other key figures through your existing contacts.

Where contact is made at the political level, it may be important to ensure that you speak to politicians from the governing party and to those in the opposition parties. Governments can change quite quickly and to avoid swings in national or local policy making sure you speak to all interested parties is useful.

The core of this advocacy work is to increase the involvement of NGOs in the development of drug policy and programmes. It is based on principles of

**inclusivity**, the need for all those affected by drug policy and interventions, including those who use drugs, to be involved

**respect**, for the rights and dignity of all within the framework of international law

**evidence**, drawing on the available science and research of impact and effectiveness

To help you develop your advocacy and take forward the Beyond 2008 recommendations where you work, a letter of introduction might be helpful. The VNGOC would be happy to help you prepare such a letter and have it co-signed by the Chairperson of the VNGOC. If this would be helpful, please let us know by writing to [info@vngoc.org](mailto:info@vngoc.org). The letter would of course be on your own notepaper but you would have support at the international level for your work.

We hope that this material will assist you to create and maintain a supportive environment for appropriate, comprehensive and effective drug policy and programmes.

**Please keep us informed about progress by writing to [info@vngoc.org](mailto:info@vngoc.org). We will be collecting material to provide our own report to the 55<sup>th</sup> CND and your experience will be crucial.**