

Check against delivery

Statement by Ms. Jagjit Pavadia, President of the International Narcotics Control Board

Commission on Narcotic Drugs Thematic discussions 2022

Implementation of all our international drug policy commitments, following-up to the 2019 ministerial declaration:

“Responses not in conformity with the three international drug control conventions and not in conformity with applicable international human rights obligations pose a challenge to the implementation of joint commitments based on the principle of common and shared responsibility”

22 September 2022

Mr. Chair, Excellencies, Ladies and Gentlemen,

I am pleased to contribute the International Narcotics Control Board's perspective to this discussion on the three international drug control conventions and human rights.

The Board has stated on several occasions and in various fora that full respect for internationally recognized human rights norms is a condition for compliance with the three international drug control conventions.

The stated goals of the conventions - to further and protect the health and welfare of humanity - are based on the recognition of human rights which are universal and inalienable.

These fundamental rights include the right to life, the right to health, and the right to protection against unlawful searches, arrest and detention and extrajudicial acts under the guise of drug control.

The Board has taken a strong and unequivocal stance in condemning violations of human rights in the name of drug control and will continue to do so resolutely.

The Board has also underscored the provisions of the conventions allowing the imposition of alternative measures for drug-related offences for persons who use

drugs, the need to base criminal justice responses on the fundamental principle of proportionality and the need to further the objectives of prevention, treatment, rehabilitation and social reintegration.

On the death penalty, while the Board has recognized that the determination of sanctions remains the exclusive prerogative of State Parties to the conventions, it has nonetheless invited them to take note of the international legal developments for the abolition of capital punishment for drug-related crimes.

The provision of prevention, treatment and rehabilitation services, as required by the conventions, can be seen as a key element of the right to health as a human right, as is the need to ensure availability of controlled substances for medical purposes. The Board has repeatedly called on State Parties to ensure the provision of evidence-based prevention, treatment and rehabilitation services that are accessible and free from stigma. The need for these services, particularly among young people, women and older persons, has been the focus of several thematic chapter of the Board's annual reports.

Inadequate access to controlled medicines contradicts the notion of article 25 of the Universal Declaration of Human Rights, including the right to medical care, which also encompasses palliative care.

INCB is supporting Member States in improving the availability of controlled substances for licit purposes. Our Standing Committee on Estimates closely reviews estimates of licit requirements to ensure a balance between actual medical needs & preventing diversion & misuse. INCB Learning is addressing the barriers to adequate availability of indispensable narcotic and psychotropic substances required for medical treatments, particularly by raising awareness and providing training. And in early 2023 we will be launching a special report on the progress towards improved availability of narcotic drugs & psychotropic substances. Some progress has been made but there is a great deal of work that needs to be done by the international community in this regard.

The Board is engaged in ongoing dialogue with State Parties with the aim of improving the implementation of the conventions, including on some of the issues related to human rights that I have just mentioned.

We look forward to continuing cooperation with Member States on these critical issues in the context of implementation of the international drug control conventions and efforts to achieve the health and wellbeing objectives of the conventions and related Sustainable Development Goals.

Thank you.