

# Chapter I.

## Implementation of a comprehensive, integrated and balanced approach to addressing the world drug problem

1. Given its multifaceted and dynamic nature, the world drug problem is one of the most complex challenges facing the contemporary world. It directly or indirectly affects everyone and poses a serious threat to health, both as a result of the illicit cultivation, production, manufacture, sale, demand, trafficking and distribution of narcotic drugs and psychotropic substances, and as a consequence of the abuse of prescription drugs. The world drug problem affects the dignity, safety and well-being of all humanity, in particular children and youth, families and communities. The drug phenomenon has a detrimental impact on social cohesion, health care, the environment, national security, regional and international stability, international peace and the sovereignty of States. It undermines respect for human rights and the rule of law, socioeconomic and political stability, democratic institutions and sustainable development. At the same time, the world drug problem is itself the result of weak rule of law, unstable socioeconomic and political conditions, poverty, marginalization and corrupt political, juridical and economic institutions. The fact that the world drug problem can be both a reason for and a result of difficult economic, social and political conditions is what makes addressing it so challenging. The fast proliferation and the extent of use of new psychoactive substances illustrates the dynamic nature of the drug problem.

2. Since the 1990s, all political declarations, action plans and resolutions adopted under the auspices of the United Nations to address the world drug problem in general have indicated the following prerequisites for successful action in tackling the drug phenomenon: full compliance with, and universal application of, the provisions of the three international drug control conventions; and the implementation of two fundamental principles, namely a common and shared responsibility

for tackling the world drug problem, and a comprehensive, integrated and balanced approach to addressing the problem. None of these elements represents an incitement to an undefined “war on drugs”, nor do any of them impose a purely prohibitionist regime or condone the repression of human rights. The international drug control conventions, the ultimate goal of which is to ensure the health and welfare of humankind, constitute the agreed response of the international community to the world drug problem, and form the primary legal framework for drug control. The principle of common and shared responsibility provides a framework for cooperation among States parties based on a shared understanding of the drug problem, a common goal and the necessity of common and coordinated action. The principle of a comprehensive, integrated and balanced approach provides the strategic direction and vision for attaining the commonly agreed goal by taking into consideration and placing appropriate emphasis on all mutually interdependent aspects of the world drug problem.

3. The preparations for the special session of the General Assembly on the world drug problem to be held in 2016 provide the international community with an opportunity to assess the progress made in the 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,<sup>4</sup> to analyse the achievements, gaps and challenges in countering the world drug problem and to establish priorities for further action. This process is based on the outcomes of the 2014 high-level review by the Commission on Narcotic Drugs of the implementation by Member States

<sup>4</sup>See *Official Records of the Economic and Social Council, 2009, Supplement No. 8 (E/2009/28)*, chap. I, sect. C.

of the 2009 Political Declaration and Plan of Action. The preparatory process and the special session of the General Assembly to be held in 2016 represent good opportunities to discuss best practices and exchange views on models and methods to analyse various aspects of the world drug problem.

4. The International Narcotics Control Board has identified, and continues to identify, in its annual reports and communications various gaps and challenges in implementing the international drug conventions. The Board has also emphasized the centrality of the two fundamental principles outlined in paragraph 2 above. In its annual report for 2012, the Board discussed the principle of shared responsibility in international drug control. The need to adopt a comprehensive, integrated and balanced approach to the world drug problem has been an issue that the Board has stressed continually in its activities, communications and annual reports, either in relation to various aspects of the drug problem that constitute the elements of such an approach (for example the issue of social cohesion, social disintegration and illicit drugs and the need for a multidisciplinary approach to addressing these matters)<sup>5</sup> or as the main topic of its annual report, as in 2004. In the light of the upcoming special session of the General Assembly on the world drug problem, the Board considers that revisiting the principle of a balanced, integrated and comprehensive approach is highly relevant in the current context, in which the different dimensions of the world drug problem affect countries in diverse ways, to the extent that not only is the problem perceived differently, but it can also have a different impact in each country.

## A. Principle and aims

5. The principle of a comprehensive, integrated and balanced approach to the world drug problem is strategic in nature. It requires Member States to ensure that controlled substances are available for medical and scientific purposes. Member States should place equal emphasis on supply and demand reduction strategies, as well as on issues related to formulating a joint response to the world drug problem through international cooperation in an integrated and mutually reinforcing manner, while taking into consideration and addressing all of its aspects in a comprehensive manner. Observing and fully implementing this principle will enhance the ability of Member States to respond in a consistent and efficient manner to present and emerging challenges, and to formulate

policies and programmes that address the phenomenon in all its forms and manifestations.

6. The implementation of a comprehensive, integrated and balanced approach to addressing the world drug problem is not an end in itself but rather a means to an end. The ultimate goal of such an approach must be to achieve the overall aim of the drug control conventions, namely to ensure the mental and physical health and welfare of humankind. A key element in that regard, which has been politically agreed and translated into international law, is to limit the availability of controlled substances exclusively to medical and scientific purposes, while preventing and significantly and measurably reducing, or eliminating, the illicit production of, trafficking in and use of such substances.

7. The implementation of a comprehensive, integrated and balanced approach requires the full commitment of Member States to implementing the provisions of the three international drug control conventions in good faith, and the willingness and ability of Governments to take practical measures at all levels and to allocate appropriate funding for all of the elements involved, including in a situation of economic and financial constraints.

## B. Origins and development

8. The principle of a comprehensive, integrated and balanced approach to addressing the world drug problem evolved over time. The early drug control conventions preceding the Single Convention on Narcotic Drugs of 1961<sup>6</sup> focused mainly on the supply side of the drug problem. The amended version of article 38 contained in the 1972 Protocol amending the Single Convention on Narcotic Drugs of 1961<sup>7</sup> reflected the need to adopt a multidisciplinary approach to the problem of narcotic drugs. Article 38 stipulates the legal obligation of States to take all practicable measures for the prevention of abuse of drugs and for the early identification, treatment, education, aftercare, rehabilitation and social integration of the persons involved. The same provision underlines the importance of promoting both personnel training and awareness campaigns. The *Commentary on the Protocol Amending the Single Convention on Narcotic Drugs, 1961*, explains that article 38 reflects the general acceptance of the view that a system of administrative controls and penal sanctions for the purpose of keeping narcotic drugs from actual or potential victims is not sufficient and

<sup>5</sup>Report of the International Narcotics Control Board for 2011, chap. I.

<sup>6</sup>United Nations, *Treaty Series*, vol. 520, No. 7515.

<sup>7</sup>*Ibid.*, vol. 976, No. 14152.

should not form the sole subject of international cooperation. Article 38 deems drug addiction a complex problem and indicates that treatment, aftercare, rehabilitation and social reintegration represent the four stages of remedial measures that are widely held to be necessary to restore the well-being and social usefulness of persons affected by drug addiction.<sup>8</sup> Article 20 of the 1971 Convention on Psychotropic Substances<sup>9</sup> reflects the same approach in relation to psychotropic substances.<sup>10</sup>

9. The explicit formulation and development of such an approach can be found in the Political Declaration adopted by the General Assembly at its twentieth special session,<sup>11</sup> in 1998, as well as the Declaration on the Guiding Principles of Drug Demand Reduction<sup>12</sup> and other documents adopted at that session, and in the 2009 Political Declaration and Plan of Action, various resolutions of the General Assembly, Economic and Social Council and Commission on Narcotic Drugs, and ministerial statements adopted at the midterm review sessions. The 1998 Political Declaration elevated the issue of implementing a comprehensive, integrated and balanced approach to the status of a fundamental principle in addressing the world drug problem. That principle remained at the core of the strategy adopted in the 2009 Political Declaration and Plan of Action. The centrality of that principle was reiterated in the Joint Ministerial Statement of the 2014 high-level review by the Commission on Narcotic Drugs of the implementation by Member States of the Political Declaration and Plan of Action.<sup>13</sup>

## C. Elements of a comprehensive, integrated and balanced approach

### *Availability of internationally controlled substances for medical and scientific purposes*

10. The outcome of a comprehensive, integrated and balanced approach to addressing the world drug problem

<sup>8</sup>*Commentary on the Protocol Amending the Single Convention on Narcotic Drugs*, 1961 (E/CN.7/588), commentary on article 38.

<sup>9</sup>United Nations, *Treaty Series*, vol. 1019, No. 14956.

<sup>10</sup>The amended version of article 38 took over, with minor drafting changes and *mutatis mutandis*, the text of article 20 of the 1971 Convention on Psychotropic Substances.

<sup>11</sup>General Assembly resolution S-20/2, annex.

<sup>12</sup>General Assembly resolution S-20/3, annex. In that Declaration, the Assembly stressed that “the most effective approach to the drug problem consists of a comprehensive, balanced and coordinated approach, by which supply control and demand reduction reinforce each other, together with the appropriate application of the principle of shared responsibility”.

<sup>13</sup>See *Official Records of the Economic and Social Council, 2014, Supplement No. 8 (E/2014/28)*, chap. I, sect. C.

must be not only to prevent (or at least significantly reduce) illicit production of, trafficking in and use of narcotic drugs and psychotropic substances, but also to facilitate the availability of controlled substances for medical and scientific purposes. Properly implemented, such an approach must lead to an optimal balance between restrictive and facilitating measures so as to ensure the health and welfare of humankind and reduce human suffering.

11. Ensuring the availability of controlled substances for medical and scientific purposes is a fundamental objective of the drug control system and an obligation of States parties under the international drug control conventions. The 1961 Convention, as amended by the 1972 Protocol, and the 1971 Convention stress that medical use of narcotic drugs and psychotropic substances is indispensable for the relief of pain and suffering and that adequate provision must be made to ensure the availability of internationally controlled substances for medical and scientific purposes. Article 9 of the 1961 Convention, as amended by the 1972 Protocol, expressly stipulates that States parties are responsible for ensuring the availability of narcotic drugs for licit purposes, and gives the Board the mandate to monitor the availability of controlled substances for legitimate purposes.

12. Acting under its mandate to assess licit consumption of controlled substances in Member States, the Board was among the first to signal that major discrepancies existed among various regions in terms of the availability of narcotic drugs, and that inadequate access to controlled substances affected a great number of countries. For the past two decades, the Board has paid particular attention to this concern in its relations with Governments and other relevant stakeholders, and has recommended measures to address the situation.<sup>14</sup> Data on the availability of opioid analgesics indicate that, despite progress made in some regions, i.e. Latin America and West, East and South-East Asia, approximately 5.5 billion people, or three quarters of the world’s population, live in countries with low levels of, or non-existent, access to medicines containing narcotic drugs and have inadequate access to treatment for moderate to severe pain, while 92 per cent of the world’s morphine is consumed by 17 per cent of the world’s population, primarily in North America, Oceania and Western Europe. The Board also indicated on several occasions that comparable discrepancies existed in relation to access to appropriate amounts of psychotropic substances for licit purposes.<sup>15</sup>

<sup>14</sup>See *Report of the International Narcotics Control Board on the Availability of Internationally Controlled Drugs: Ensuring Adequate Access for Medical and Scientific Purposes (E/INCB/2010/1/Supp.1)*.

<sup>15</sup>See, for example, E/INCB/2010/1/Supp.1, para. 6.

13. The analysis of the data provided by Member States shows that the amount of opiate raw material available for the production of opioid analgesics for pain relief is more than sufficient to satisfy the requirements and consumption reported by Governments, and that global stocks are increasing. The low demand for opioid analgesics for pain relief in many countries is obviously not the result of a shortage of licitly produced raw materials. As the Board has repeatedly stressed, the situation could be substantially improved through corrective action by States parties to address the regulatory, attitudinal, knowledge-related, economic and procurement-related problems identified as the main causes of inadequate availability of opioids. The Board encourages States to cooperate with the World Health Organization (WHO) and other relevant stakeholders on this matter, and reiterates its openness and readiness to continue assisting countries in achieving better results in this area. To that end and as a contribution to the special session of the General Assembly on the world drug problem to be held in 2016, the Board will issue an updated version of its 2010 special report entitled *Availability of Internationally Controlled Drugs: Ensuring Adequate Access for Medical and Scientific Purposes*, which will provide updated data on and analysis of the consumption and availability of internationally controlled drugs for medical and scientific use.

14. A proper application of the international drug control conventions and the implementation of a comprehensive, integrated and balanced approach to addressing the world drug problem would promote access to appropriate amounts of controlled substances for medical and scientific purposes and prevent the non-legitimate and excessive use of such substances.<sup>16</sup>

### *Demand reduction and related measures*

15. The origin and development of the principle of a comprehensive, integrated and balanced approach to the world drug problem are strongly linked to the need to place a greater emphasis on and to mainstream demand reduction.

<sup>16</sup>The Board has addressed, in most of its annual reports, the issue of availability of internationally controlled substances for medical and scientific purposes, and issued recommendations in that regard. It has also repeatedly drawn attention in many of its publications to the abuse of prescription drugs, for example, by highlighting the issue under special topics in its reports for 2009, 2012 and 2013. In 2000, the Board devoted its thematic chapter to a review of the overconsumption of internationally controlled substances; in 2013, prescription drug disposal initiatives were discussed under special topics.

16. The Board has repeatedly stressed the importance of drug demand reduction as an indispensable element of such an approach, and has also stressed that depleting illicit supply and reducing demand have a mutually reinforcing effect. The Board has continually encouraged Member States to implement a comprehensive package of demand reduction measures as one of the first priorities of their drug control policies. The Board has also clarified that different approaches are required in relation to the two objectives. The legal framework for measures to counter illicit drug manufacture, production, transport, trafficking and diversion must be established at the international level. Preventing illicit drug use and abuse involves communications strategies that should take into consideration the social, cultural and economic backgrounds of the target population groups. In addition, the provision of treatment and rehabilitation for drug abusers can take place only within the existing sociocultural context of each country. Demand reduction policies and programmes, including the relevant legal frameworks, should be designed and implemented primarily at the national and local levels in order to be effective and efficient in achieving the goals established in the international drug control conventions and related instruments.<sup>17</sup>

17. The international drug control conventions stipulate clear obligations and provide guidelines for the policies to be adopted by States parties in the field of demand reduction. Article 38 of the 1961 Convention, as amended by the 1972 Protocol, and article 20 of the 1971 Convention stipulate that States parties shall take all practicable measures for the prevention of abuse of narcotic drugs and psychotropic substances and for the early identification, treatment, education, aftercare, rehabilitation and social reintegration of the persons involved. Those two articles also encourage the training of personnel involved in all stages of demand reduction activities and call for the promotion of public awareness campaigns. Article 14, paragraph 4, of the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988<sup>18</sup> requires States parties to adopt appropriate measures aimed at eliminating or reducing illicit demand for narcotic drugs and psychotropic substances, with a view to reducing human suffering and eliminating financial incentives for illicit traffic.

18. The assessment of progress made in the area of demand reduction since the twentieth special session of the General Assembly, contained in the Plan of Action on International Cooperation towards an Integrated

<sup>17</sup>Report of the International Narcotics Control Board for 2007, para. 278.

<sup>18</sup>United Nations, *Treaty Series*, vol. 1582, No. 27627.

and Balanced Strategy to Counter the World Drug Problem, indicated that only limited results had been attained, owing largely to the lack of implementation of a comprehensive, integrated and balanced approach. The Plan of Action stressed that Member States should “pursue a balanced and mutually reinforcing approach to supply and demand reduction, devoting more effort to the realization of demand reduction with a view to achieving proportionality of effort, resources and international cooperation in addressing drug abuse as a health and social issue, while upholding the law and its enforcement”.<sup>19</sup>

19. Demand reduction as a policy objective requires understanding drug addiction as a multifactorial health disorder that requires an evidence-based approach and involves a wide variety of complex measures that provide a continuum of education, prevention and care in health and social services, from primary prevention through early intervention to treatment, rehabilitation and social reintegration, as well as in related support services, taking into consideration the specificities of various target groups. Access to these programmes must be provided in a non-discriminatory manner. These programmes and interventions should be based on appropriate evaluation and assessment of the drug situation, and should make full use of available scientific evidence. The evidence-based approach is equally relevant for all aspects of demand reduction. Consideration should also be given to social factors, threats to social cohesion and factors leading to social disorganization. A comprehensive approach to the demand aspect of the drug problem implies the involvement and cooperation of various actors, including educational and religious institutions; health-care, social-care, justice, enforcement and employment agencies; non-governmental organizations; and relevant civil society entities. It also implies the coordination of all of these actors, and should take full advantage of the expertise and activities of non-governmental and civil society organizations. Such an approach would further need to reflect the willingness of States parties to reorganize their priorities relating to drug control policy and allocate resources to demand reduction efforts.

### *Supply reduction*

20. Supply reduction is another essential element of a comprehensive, integrated and balanced approach. Supply reduction strategies and measures are aimed at eliminating or significantly reducing the quantity of narcotic drugs and psychotropic substances available for illicit use while

ensuring their availability for medical and scientific purposes. Supply reduction measures utilizing law enforcement, judicial cooperation and sustainable alternative development programmes are designed with the purpose of combating illicit crop cultivation and dismantling organized criminal groups involved in the illicit production and trafficking of controlled substances. The long history of supply reduction efforts and the experience gained have led to the conclusion that success in reducing the availability of controlled substances for illicit use cannot be achieved without placing equal emphasis on demand reduction, making equal efforts in that regard and overcoming other root causes of the world drug problem.

21. Progress in the area of supply reduction is dependent on several factors. Of essential importance is the formulation and effective implementation of drug supply reduction policies based on appropriate national legislation that is in full compliance with the three international drug control treaties, and provision of the proper legislative framework for international cooperation and technical assistance. The 2009 Plan of Action also identified other factors that needed to be addressed in order to achieve better results in the area of supply reduction, for example “inadequate information-sharing and monitoring and control mechanisms and the lack of coordinated law enforcement operations, as well as the insufficient and unstable allocation of resources”.<sup>20</sup>

22. The proper implementation of a comprehensive, integrated and balanced approach with regard to the efforts of Member States to combat the illicit cultivation of crops and illicit drug production, manufacture, distribution and trafficking, as well as other drug-related crimes, should also facilitate efforts to respond effectively to such new challenges as the rapid proliferation of new psychoactive substances, emerging threats from shifting drug trafficking routes, new drug trafficking trends and the use of new communication technologies in drug-related organized crime. Specific efforts should be focused on comprehensive measures aimed at depriving the illicit drug economy of its commercial attractiveness, as well as at dismantling its socioeconomic basis. In this context, a comprehensive set of measures should be formulated and implemented to disrupt illicit financial flows connected to drug trafficking, undermine links between illicit drugs and other forms of criminal activity, prevent people from being recruited by drug traffickers by addressing the socioeconomic conditions that contribute to their involvement in the illicit drug economy, and strengthen ties with relevant industries to ensure the use of precursor chemicals only for licit purposes.

<sup>19</sup>See E/2009/28, chap. I, sect. C, Plan of Action, para. 2 (a).

<sup>20</sup>Ibid., para. 21.



23. Money-laundering is a global phenomenon that has a debilitating effect on social, political and economic stability and development. It fuels organized crime and corruption. The links between the illicit drug economy and money-laundering are well known. The first international legal instrument to include provisions dealing with and criminalizing the laundering of money derived from illicit drug trafficking is the 1988 Convention, in its article 3, paragraph (1), and article 5. The ability to prevent and detect money-laundering represents an effective means of identifying criminals and disrupting their activities. In their efforts to combat this phenomenon, States parties should establish or update their national legislation, enhance their cooperation and implement the relevant international instruments, such as the 1988 Convention, the United Nations Convention against Transnational Organized Crime,<sup>21</sup> the United Nations Convention against Corruption<sup>22</sup> and the International Convention for the Suppression of the Financing of Terrorism,<sup>23</sup> as well as the recommendations of the Financial Action Task Force on Money-Laundering. The implementation of these norms has led to improvements in the lifting of financial secrecy in certain cases, but concerns remain, in particular in relation to offshore banking centres, or so-called financial havens, that make criminal investigations more difficult, along with the use of the Internet and the new money-laundering techniques that avert detection.

24. The growing emergence in recent years of non-controlled new psychoactive substances has become a major public health threat and a truly global phenomenon. These substances are often presented as “legal” or “natural” alternatives to controlled substances, leading to the misconception that the fact that they are not controlled under the international drug control conventions makes them safe. Although it is impossible to estimate precisely the number of new psychoactive substances on the market, the United Nations Office on Drugs and Crime (UNODC) has reported that the number of such substances in use more than doubled during the 2009-2013 period, surpassing the number of drugs that are under international control.<sup>24</sup> A particular challenge to the efforts of Governments in responding to the emergence of new psychoactive substances is the difficulty of identifying those substances in a timely manner, given the rapid arrival of new substances on the market, the various ways these

substances enter the market, their inconsistent chemical composition, the lack of technical and pharmacological data and reference material, and insufficient forensic and toxicological capacity on the part of some States. The legal framework established by the international drug control treaties provides for the possibility of States adopting national control measures beyond those mandated at the international level. The monitoring and analysis of trends will also serve as a repository of information and provide a basis for effective evidence-based policy responses. Closer cooperation among Governments at the national and international levels, as well as collaboration with UNODC and other relevant international organizations in sharing information, exchanging best practices and developing common strategies, will be crucial in addressing the global substance abuse challenge.

### *Socioeconomic aspects*

25. Poverty, food insecurity, economic inequality, social exclusion, deprivation owing to migration and displacement, a shortage of comprehensive educational and recreational facilities and employment prospects, poor parental engagement and guidance during early childhood, and exposure to violence and abuse are some of the socioeconomic factors that have an impact on both the supply and demand sides of the drug problem, and that affect the interaction between the two sides. There is no direct causality between these factors and illicit drug use and abuse or involvement in the supply side, in the sense that not all people affected by these factors are necessarily involved in one form or another in the drug problem. However, these are important drivers of the illicit drug phenomenon and they need to be deemed as relevant elements to be taken into consideration within a comprehensive, integrated and balanced approach to the world drug problem.

26. In relation to drug control, socioeconomic aspects have been discussed mainly in the context of alternative development and treated as a matter related to supply reduction. The 2009 Plan of Action noted that there was a lack of reliable and up-to-date data on illicit crop cultivation, and no increase in and ineffective utilization of data on human development and socioeconomic aspects.<sup>25</sup> The report of the Board for 2005 indicated that there was no country that had thus far implemented a preventive alternative development programme, and that reactive programmes had been implemented under the most difficult conditions. The lesson learned is that these programmes need to entail a combination of incentives and

<sup>21</sup>United Nations, *Treaty Series*, vol. 2225, No. 39574.

<sup>22</sup>*Ibid.*, vol. 2349, No. 42146.

<sup>23</sup>*Ibid.*, vol. 2178, No. 38349.

<sup>24</sup>There are 234 internationally controlled substances: 119 controlled under the 1961 Convention; and 115 under the 1971 Convention. The United Nations Office on Drugs and Crime (UNODC) indicates that 348 new psychoactive substances had been reported by December 2013 (UNODC, *World Drug Report 2014*, chap. I, sect. H).

<sup>25</sup>See E/2009/28, chap. I, sect. C, Plan of Action, para. 42.

disincentives—law enforcement, eradication and legitimate alternative livelihoods—and target not just communities growing illicit crops but all communities affected by the illicit drug economy. It was noted that distinctions between consumer and producer countries were no longer relevant, and that it would be counterproductive to pursue alternative development to reduce illicit drug supply without introducing prevention and treatment programmes for drug abusers. Since then, the need for Member States to ensure the sustainability of crop control strategies, including preventive alternative development, in coordination with other development measures in order to contribute to poverty eradication and to the sustainability of social and economic development has been stated in most of the General Assembly and Commission on Narcotic Drugs resolutions on alternative development. In implementing programmes for sustainable alternative development, States parties should take into consideration the Lima Declaration on Alternative Development and the International Guiding Principles on Alternative Development, adopted at the high-level International Conference on Alternative Development in November 2012,<sup>26</sup> which, inter alia, stress that “an integrated and complementary approach to alternative development programmes and strategies is crucial and should be implemented in concert with broader drug control policies, including demand reduction, law enforcement, illicit crop elimination and awareness-raising, taking into account demographic, cultural, social and geographic considerations, as appropriate, and in line with the three drug conventions”.<sup>27</sup>

27. International cooperation and commitment among Governments, development organizations and international financial institutions must be enhanced in order to ensure the sustainability of development programmes and the incorporation of drug control into the broader development agenda. Emphasis has to be placed on the affected populations and on the provision of medical, educational and social services, the strengthening of the rule of law and the development of physical infrastructure aimed at addressing the isolation of certain areas. Those development measures should be applied in a non-discriminatory manner. In order to achieve optimal results and to reflect the needs of targeted populations, the development programmes must ensure the full participation of affected communities, as well as national, regional and local authorities, civil society organizations and all other relevant stakeholders, at every stage, from planning to implementation to monitoring to evaluation. The main goal of such programmes and strategies must be to create an environment in which it is

possible to lead a life in which involvement in the illicit drug supply chain or illicit drug consumption is not perceived as unavoidable and is not normalized.

### *Sociocultural aspects*

28. Cultural attitudes have a significant impact on the world drug problem. Certain symbolic meaning is associated with the use or non-use of narcotic drugs and psychotropic substances. Such attitudes and meanings also influence the likelihood of a person becoming involved in illegal activities.

29. Influencing or changing people’s perceptions in relation to illicit drugs is seen as mainly a prevention matter, but it is also affected to a certain extent by the overall structure of drug control policy and the image it projects. Imbalanced approaches to different aspects of the drug problem could have a negative effect on drug control policies and diminish public support for them.

30. As is the case with other phenomena, for example, the fight against corruption, the main element of sustainable success with regard to confronting the world drug problem is not reactive approaches alone but rather the fostering of a preventive culture. The Board has earlier addressed, in its report for 1997, the issue of preventing drug abuse in an environment of illicit drug promotion. In that report, the Board highlighted the need for a balanced debate and for finding the right balance between influencing attitudes and restricting the availability of illicit drugs. The problems identified at that time, such as the promotion of drug use in popular culture and the relevance of education, remain relevant today. In fact, those aspects have become far more problematic and therefore should be considered elements to be addressed as an integral part of a balanced, integrated and comprehensive approach.

### *Security and stability*

31. Security and stability are basic requirements for solving national and international problems that are of an economic, social, cultural or humanitarian nature and in promoting and encouraging respect for human rights.

32. Violence and corruption undermine the stability and legitimacy of States, including the rule of law, and in extreme cases may lead to conflict. Violence is not an inherent feature of illegal drug markets, but it can occasionally occur if certain conditions are met. Most of the violence associated with the illicit drug economy is found in regions or countries where the presence of the State

<sup>26</sup>General Assembly resolution 68/196, annex.

<sup>27</sup>Ibid., appendix, para. 8.

or its control over territory is weak, the national institutions lack the capacity to ensure the protection of the State's citizens and to enforce the law, and respect for legal norms is low because laws appear to benefit only specific groups and because the institutions mandated to apply those laws are mistrusted owing to their corruption, impunity and partiality. As is the case with the existence of organized criminal groups, the conditions that facilitate violence and corruption often precede the eruption of the drug problem. In its 2010 report, the Board addressed the relationship between the illicit drug phenomenon and corruption, and stressed the highly debilitating effect corruption has on international and national efforts to tackle the drug problem and curtail other forms of transnational organized crime. The complex relationship among many social negatives and drugs adds to the web of challenges facing all drug policy efforts.

33. Concerns related to the major challenges posed by the increasing links between drug trafficking, corruption and other forms of transnational organized crime, including trafficking in human beings, trafficking in firearms, cybercrime and, in some cases, terrorism and money-laundering, including money-laundering in connection with the financing of terrorism, have been formulated in the two Political Declarations and reiterated by the General Assembly in its annual resolutions on international cooperation against the world drug problem. This nexus has also been a matter of concern for the Security Council for a number of years. The Council has stressed the importance, as a matter relating to the maintenance of international peace and stability, of countering the illicit production of, demand for and trafficking in drugs, and of identifying emerging trends in drug trafficking.

34. Reducing or eliminating the violence and corruption associated with the illicit drug economy must be achieved through the proper and full implementation of the international drug control conventions within the strategic framework of a comprehensive, integrated and balanced approach and the institutional strengthening required to make countries less vulnerable to external shocks, such as an increase in demand for foreign illicit drugs. The international drug control conventions have an important role to play in relation to security and stability aspects and, together with other relevant international conventions, such as the Organized Crime Convention and the Protocols thereto,<sup>28</sup> the Convention against Corruption and the relevant international conventions and protocols related to terrorism, they form a

<sup>28</sup>United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

comprehensive legal framework for strengthening international peace, stability and security.

## D. Respect for human rights norms as an integral element of a comprehensive, integrated and balanced approach

35. One of the common elements in all declarations, action plans and resolutions that underline the principle of a comprehensive, integrated and balanced approach to addressing the world drug problem is the commitment to ensuring compliance with human rights norms. Human rights has been highlighted as a crosscutting issue for international drug policy, notably with regard to supply reduction, demand reduction and international cooperation. Even without such references, it is clear that the human rights conventions form an important cluster of binding international legislation that needs to be taken into consideration while implementing any international treaty, be it related to drugs, corruption or the environment, among other things.

36. It is notable, since 2004, how many actors critical of the existing drug control regime based at least part of their arguments on the premise that the drug control conventions would stand in contradiction to human rights norms. This human rights discourse needs to be analysed and validated through the prism of existing human rights legal norms and their authoritative interpretation by concerned human rights treaty bodies.

37. The usage of the term human rights has to make specific reference to legal rights as stipulated in existing international legal instruments, notably the nine core human rights conventions.<sup>29</sup> Moreover, the human rights treaties employ the same language and rationale as used in the preambles to the drug control treaties. This

<sup>29</sup>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations, *Treaty Series*, vol. 1465, No. 24841); Convention on the Elimination of All Forms of Discrimination against Women (United Nations, *Treaty Series*, vol. 1249, No. 20378); Convention on the Rights of Persons with Disabilities (United Nations, *Treaty Series*, vol. 2515, No. 44910); Convention on the Rights of the Child (United Nations, *Treaty Series*, vol. 1577, No. 27531); International Convention for the Protection of All Persons from Enforced Disappearance (General Assembly resolution 61/177, annex); International Convention on the Elimination of All Forms of Racial Discrimination (United Nations, *Treaty Series*, vol. 660, No. 9464); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (United Nations, *Treaty Series*, vol. 2220, No. 39481); International Covenant on Civil and Political Rights (General Assembly resolution 2200 A (XXI), annex); and International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 2200 A (XXI), annex).



suggests a convergence rather than a divergence of human rights norms and the international drug control conventions.

38. The international drug control system was established out of concern for the health and welfare of humankind, and with the aim of meeting the medical and scientific needs for narcotic drugs and psychotropic substances while preventing the illicit use of controlled substances. This core objective is fully supportive of the key elements—children, young people, health and well-being—referred to in the Political Declaration adopted by the General Assembly at its twentieth special session and in the Political Declaration on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem. It also has a direct link to human rights treaties.<sup>30</sup> Member States should give due consideration to the human rights norms relevant in the context of each element of a comprehensive, integrated and balanced approach, according to their legal obligations. They should also, if necessary, seek out the advice of human rights treaty bodies for the implementation of such norms.

## E. Recommendations

39. The special session of the General Assembly on the world drug problem to be held in 2016 is critically important for readdressing the centrality of the principle of a balanced and comprehensive approach to addressing the world drug problem. It also provides a good opportunity for examining practical measures that Member States must take in order to ensure that such an approach goes beyond rhetoric and becomes the guiding principle of their drug control strategies, policies and programmes. This should constitute one of the main criteria in judging the successes and failures of national and international drug policy and in establishing the way forward.

40. In order to assist Member States with the implementation of the principle of a balanced and comprehensive approach within the legal framework of the international drug control conventions, the International Narcotics Control Board makes the following recommendations:

(a) Given that a comprehensive, integrated and balanced approach is not an end in itself but rather a strategic principle applicable within the legal framework of the international drug control conventions, the Board invites Governments to give due consideration to the universally recognized principles of international law in respecting their obligations assumed by ratification of the drug control conventions and in interpreting the provisions of those conventions;

(b) All of the elements of such an approach need to be dealt with in a balanced, multidisciplinary and comprehensive manner, involving cooperative efforts from various stakeholders at the national, regional and international levels, and could benefit from the experience and activities of religious institutions, religious leaders and relevant non-governmental and civil society organizations. To that end, the Board invites Governments to ensure and encourage the participation and cooperation of all relevant stakeholders in the strategic planning, implementation and monitoring of their drug control policies;

(c) The Board invites Governments to give due consideration to their obligation to ensure the availability of controlled substances for medical and scientific purposes. It is recommended that Member States continue and enhance their cooperation with the Board, WHO and other relevant stakeholders in this area, and make full use of the Board's 2010 special report entitled *Availability of Internationally Controlled Drugs: Ensuring Adequate Access for Medical and Scientific Purposes*, and the 2012 *Guide on Estimating Requirements for Substances under International Control*, developed by the Board and WHO, which is aimed at assisting competent national authorities in calculating the quantities of controlled substances required for medical and scientific purposes and in preparing the estimates and assessments of annual requirements for controlled substances;

(d) The Board encourages Governments to ensure that demand reduction is one of the first priorities of their drug control policies and that all aspects of the drug problem are addressed in a balanced and comprehensive manner, taking into consideration the national and local specificities of the drug problem, and to make full use of available scientific evidence. The Board recommends that Member States put a greater emphasis on, and provide political support and appropriate resources to, efforts relating to prevention, treatment and rehabilitation in order to achieve a balance of such efforts;

(e) Efforts to reduce the demand for and the supply of illicit drugs could be futile if the relevant socio-economic factors that function as drivers of the drug

<sup>30</sup>See, for example, article 33 of the Convention on the Rights of the Child, which stipulates the legal obligation to protect children from illicit drug use and prevent the use of children in the illicit production and trafficking of such substances; article 24 of that Convention, on the right of the child to health; and article 12 of the International Covenant on Economic, Social and Cultural Rights, on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

problem are not addressed in an effective and sustainable manner. The Board recommends that Governments address those factors as part of a comprehensive, integrated and balanced approach and that they incorporate drug control into the broader socioeconomic development agenda;

(f) The Board encourages Governments to respect all relevant human rights norms in designing drug-related strategies and policies, to make full use of the complex international legal framework in order to protect children from the illicit use of narcotic drugs and psychotropic substances, to prevent the use of children in the illicit production and trafficking of such substances, and to ensure that national and international drug control strategies and policies take into consideration the principle of the best interests of the child;

(g) The most effective approach to the world drug problem is a comprehensive, integrated and balanced one which places equal emphasis on supply and demand reduction strategies in an integrated and mutually reinforcing manner, taking into consideration other elements such as the socioeconomic, sociocultural, security and stability factors that promote the illicit demand for and

supply of drugs. Such an approach requires a wide variety of complex measures. Given that some of those measures do not fall under the immediate authority and mandate of the various organizations and institutions concerned with drug control, the Board invites other United Nations organizations and bodies to become involved, in accordance with their mandates, and to use their expertise in this effort and to support Governments in the implementation of such an approach. The Board also invites those entities to use their capacities to promote the dual aim of the drug control system, namely to ensure the availability of controlled substances for medical and scientific purposes while preventing, significantly reducing or eliminating the illicit production of, trafficking in and abuse of such substances;

(h) The Board invites Governments to use the opportunity provided by the upcoming 2016 special session of the General Assembly on the world drug problem to make a critical assessment of their drug control policies and of the extent to which the principle of a balanced, integrated and comprehensive approach is reflected in practice in their national policies and in the allocation of resources.

# Chapter II.

## Functioning of the international drug control system

### A. Promoting the consistent application of the international drug control treaties

41. In pursuance of the mandate conferred upon it by the international community, the Board engages with Governments in an ongoing dialogue with the aim of assisting them in the implementation of their treaty obligations as set forth in the international drug control conventions.

42. Cooperation between the Board and Governments takes many forms, including regular consultations, extensive correspondence, responses to enquiries received from national competent authorities on technical matters, training activities and country missions.

43. This sustained dialogue has been instrumental in the work of the Board to assist Governments in strengthening the concerted efforts of the international community in areas such as monitoring licit trade in narcotic drugs, psychotropic substances and precursor chemicals, ensuring adequate availability and rational use of narcotic drugs and psychotropic substances for medical purposes, preventing diversion and trafficking, and fostering prevention and treatment, rehabilitation and social reintegration of individuals affected by addiction.

#### *Status of adherence to the international drug control treaties*

44. As at 1 November 2014, the number of States parties to the 1961 Convention or that Convention as amended by the 1972 Protocol stood at 186. Of those

States, 184 were parties to the 1961 Convention as amended by the 1972 Protocol and 2 States (Afghanistan and Chad) remained to accede to the 1972 Protocol, being parties to the Convention in its unamended form. A total of 11 States have yet to accede to the 1961 Convention as amended by the 1972 Protocol: 2 States in Africa (Equatorial Guinea and South Sudan), 2 in Asia (State of Palestine<sup>31</sup> and Timor-Leste) and 7 in Oceania (Cook Islands, Kiribati, Nauru, Niue, Samoa, Tuvalu and Vanuatu).

45. The number of States parties to the 1971 Convention remained 183, with a total of 14 States having yet to become parties to that Convention: 3 States in Africa (Equatorial Guinea, Liberia and South Sudan), 1 in the Americas (Haiti), 2 in Asia (State of Palestine and Timor-Leste) and 8 in Oceania (Cook Islands, Kiribati, Nauru, Niue, Samoa, Solomon Islands, Tuvalu and Vanuatu).

46. With the accession by Timor-Leste to the 1988 Convention, the number of States parties to that Convention stood at 188. A total of 9 States have yet to become parties to that Convention: 3 States in Africa (Equatorial Guinea, Somalia and South Sudan), 1 in Asia (State of Palestine) and 5 in Oceania (Kiribati, Palau, Papua New Guinea, Solomon Islands and Tuvalu).

47. The Board welcomes the near universal ratification of the drug control conventions by States, which demonstrates broad-based support for the drug control framework established by the international community through

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<sup>31</sup>Pursuant to General Assembly resolution 67/19 of 29 November 2012, Palestine has been accorded the status of a non-member observer State. The name "State of Palestine" is now used in all United Nations documents.