

Foreword

In facing the world drug problem, all countries find their destinies intertwined. For over a century, the international community has recognized that this problem is one that cannot be addressed effectively if it is not addressed collectively. The United Nations drug control conventions were elaborated by the community of nations acting in concert. They are the product of discussion and compromise and reflect a widespread consensus among States which today is evidenced by the fact that nearly every country on Earth is party to them.

The international drug control conventions are often portrayed by their detractors as instruments of prohibition and punishment. Even the most cursory reading of these important documents reveals such an interpretation to be misguided. As reflected in the preamble to the Single Convention on Narcotic Drugs of 1961,¹ the goal of the United Nations legal framework on drugs is the safeguarding of the health and welfare of humankind. In the pursuit of this important objective, the conventions regulate the licit trade in narcotic drugs and psychotropic substances and are designed to ensure that these substances are available for use in medical treatment to those who need them, regardless of where they live. In the conventions, States are enjoined to take measures to foster the prevention of drug abuse, treatment and social reintegration, including as alternatives to punitive sanctions. The conventions also provide a framework for extradition, mutual legal assistance and cooperation among States to counter drug trafficking and the violence and suffering with which this scourge is associated.

Like all international conventions, the United Nations drug control treaties lay out a set of binding legal norms and entrust States with the adoption of legal, administrative and policy measures to implement their treaty obligations. While the choice of these measures is the prerogative of States, such measures must respect the limits that the international community has set for itself in the international legal order. One of the most fundamental principles underpinning the international drug control framework, enshrined in both the 1961 Convention and in the Convention on Psychotropic Substances of 1971,² is the limitation of use of narcotic drugs and psychotropic substances to medical and scientific purposes. This legal obligation is absolute and leaves no room for interpretation.

Also, as the Board has often reiterated, drug control measures do not exist in a vacuum; in their implementation of these measures, States must comply with their international human rights obligations. While the Board is heartened by the progress made by members of the international community in adopting drug control measures that are consistent with internationally recognized human rights standards, much remains to be done. That includes, for instance, steps to be taken in relation to the full implementation of the Convention on the Rights of the Child,³ in which States parties agreed to take all appropriate measures to protect children from the illicit use of narcotic drugs and psychotropic substances and to prevent the use of children in the illicit production and trafficking of such substances. While the determination of specific sanctions applicable to drug-related offences remains the prerogative of States, the Board again encourages those States which retain and continue to impose the death penalty for drug-related offences to consider abolishing the death penalty for such offences.

Over the years, the Board has continually stressed the need to adopt a comprehensive, integrated and balanced approach to implementing the provisions of the international drug control treaties in order to respond to the world drug problem together. With the upcoming special session of the

¹United Nations, *Treaty Series*, vol. 520, No. 7515.

²*Ibid.*, vol. 1019, No. 14956.

³*Ibid.*, vol. 1577, No. 27531.

General Assembly on the world drug problem to be held in 2016, this principle is worth revisiting; it is the subject of chapter I of the present report.

One important element in taking balanced and proportionate action is to ensure that drugs are available for medical and scientific purposes. Acting under its mandate to assess the licit use of internationally controlled drugs, the Board was among the first bodies at the international level to draw attention to major discrepancies among various regions in terms of the availability of such drugs. For the past two decades, the Board has paid particular attention to that concern and called Governments to action. Despite the progress made in some regions, the fact remains that approximately three quarters of the world's population live in countries with inadequate or non-existent access to medicines containing narcotic drugs and psychotropic substances, which leads to unnecessary pain and suffering.

In addressing this problem, the Board cannot act alone. The Board is particularly appreciative of the tireless efforts of civil society organizations, which have contributed to bringing about improved access for patients to these drugs for medical purposes in some countries. Governments must strive to achieve a well-functioning national and international system for managing the availability of narcotic drugs and psychotropic substances that provides relief from pain and suffering by ensuring the safe delivery of affordable drugs to those patients who need them while preventing over-prescription and the diversion of drugs for the purpose of abuse.

A balanced approach also presupposes that drug demand reduction interventions are mainstreamed into the strategies and action plans of Governments. Depleting the supply of drugs and reducing the demand for them have a mutually reinforcing effect. A comprehensive array of demand reduction measures, including primary, secondary and tertiary prevention strategies, should be among the foremost priorities of Governments. Without demand reduction, supply reduction cannot be effective in the long run.

In some countries, socioeconomic factors may contribute to the illicit drug phenomenon. These factors need to be taken into consideration as relevant elements of a comprehensive, integrated and balanced approach. Illicit cultivation of drug crops tends to be intertwined with socioeconomic factors such as lack of alternative livelihoods, lack of access to health care and education, disenfranchisement and weak governance. Thus, the reduction and elimination of illicit crop cultivation also needs to be addressed in the broader context of sustainable development.

The past year has seen its share of humanitarian crises in the form of natural disasters and armed conflict, which have led to a sudden and acute need for medicines containing internationally controlled substances. The Board again draws attention to this plight and to the obligation that parties to armed conflicts have under international humanitarian law not to impede the provision of medical care to civilian populations located in territories under their effective control or to impede their access to necessary medicines, and reminds Governments of the simplified procedures developed with the World Health Organization for this purpose.

In the run-up to the special session of the General Assembly on the world drug problem to be held in 2016, the international community should commit to carrying out a constructive international dialogue which is frank, inclusive, comprehensive and forward-looking. This dialogue must also be balanced, recognizing the significant achievements made and identifying areas that are in need of improvement. Through its monitoring of the international drug control treaties, the Board will contribute to this endeavour.

In tackling the world drug problem, all countries face shared challenges and have a common purpose in promoting the health and welfare of their peoples and, together, of humankind. To this

end, the international community will continue to count on the drug control treaties, international instruments that have withstood the test of time and remain relevant to addressing future challenges. All that is required is the continued commitment of all States to act in concert in the effective implementation of those instruments.

A handwritten signature in black ink, appearing to read 'Naidoo', written diagonally across the page.

Lochan Naidoo
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International Narcotics Control Board