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# DRUG POLICY REFORM AT THE UNITED NATIONS

## A YOUTH ADVOCACY HANDBOOK



# Table of Contents

<b>Introduction</b>	<b>3</b>
<b>The Global Drug Control System</b>	<b>3</b>
The Commission on Narcotic Drugs	4
International Narcotics Control Board	5
World Health Organisation	6
<b>Advocacy</b>	<b>7</b>
Inside vs Outside track	7
DOs and DONTs of Inside Track Advocacy	8
<b>How can an SSDPer engage at the Commission on Narcotic Drugs?</b>	<b>9</b>
The Youth Forum	11
VNGOC	12
What action can you take right now?	12
<b>Further Readings</b>	<b>13</b>

## Introduction

Civil society engagement at the UN Commission on Narcotic Drugs (CND) and related meetings has improved dramatically over the past decade – in terms of the numbers attending, the opportunities to interact and participate, and the levels of experience and professionalism of non-governmental organizations (NGOs) themselves. These changes are very important given that the contribution of NGOs and civil society organisations make policy making more responsive to the needs of society. Moreover, youth involvement specifically makes the voice of those who are normally excluded from policy making but are disproportionately affected by the results heard. In their efforts to promote an inclusive and evidence based debate, SSDPers have been organizing side events and have even been elected on the board of the Vienna NGO Committee on Drugs (VNGOC) which advocates for and oversees civil society involvement in CND proceedings. In order to encourage these dynamics, this Advocacy Handbook gives an overview of the main UN institutions involved with the making of global drug policy, as well as about the ins and outs of youth advocacy at the CND. We hope that such an overview will help you to make valuable contribution to the work of the CND and advocate for an evidence based drug policy embedded in the protection of human rights.



Marisa Morales'15 making an intervention at the High Level Ministerial Segment in 2019, supported by Ailish Brennan'18 and Orsi Fehér '16

## The Global Drug Control System

The international drug control system consists of three UN treaties which aim to control the production, trafficking, and possession of psychoactive substances on a global scale. These are the [Single Convention on Narcotic Drugs \(1961\), amended by the 1972 Protocol](#); the [Convention on Psychotropic Substances \(1971\)](#), and the [Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances \(1988\)](#). Their main purpose is to prohibit recreational and illicit use, while allowing medical and scientific research under some circumstances. The 1961 and 1971 Conventions classify substances based on their harmfulness and therapeutic value into four schedules indicating the level of control they require. In addition, the 1988 Convention binds countries to target all aspects of illicit drug production, trafficking, and possession with

criminal sanctions, and establishes the control of chemicals, reagents, and solvents used in illicit drug production.

In order to ensure the functioning of the drug control system, these treaties assign roles to the [Commission on Narcotic Drugs](#) (CND), the [International Narcotics Control Board](#) (INCB), and the [World Health Organization](#) (WHO), which are described in detail below.

## The Commission on Narcotic Drugs

The **Commission on Narcotic Drugs (CND)** was established in 1946 as a functional Commission of the UN Economic and Social Council (ECOSOC). Functional Commissions are provided for under the UN Charter to carry out specific responsibilities assigned to ECOSOC. **CND is the principal policy-making body within the UN system on drug control issues and advises on all aspects of the control of narcotic drugs, psychotropic substances and their precursors.** It is also the governing body of the United Nations Office on Drugs and Crime (UNODC) and approves their budgets and policies related to drugs.

There are 53 members of the CND elected by ECOSOC for four-year terms. The allocation of seats is based on regions: 11 from Africa, 11 from Asia, 10 from Latin America and the Caribbean, 6 from Eastern Europe, and 14 from Western Europe and other States. The final seat alternates between Asia and the Latin America and the Caribbean regions every four years.

**The Officers** of the Commission are the Chairperson, First Vice-Chairperson, Second Vice-Chairperson, Third Vice-Chairperson and the Rapporteur (who prepares the meeting report which is submitted to ECOSOC). Collectively the Officers are referred to as the Bureau of CND. At the end of each session, the CND elects its Bureau for the next session. The Bureau plays an active role in the preparation of the regular and the intersessional meetings of the Commission.

The Commission meets annually, usually in March, for five days. It also reconvenes at the end of the year to appoint the new Bureau and deal with administrative and budgetary issues. Usually the March meeting is far larger than the December one, with representatives attending from relevant national government ministries. The reconvened session in December includes a joint meeting with the Commission on Crime Prevention and Criminal Justice (CCPCJ). Intersessional meetings are also organized between March and December to continue discussions. These meetings are open to NGO representatives with ECOSOC consultative status, such as SSDP.

**How are decisions made?** Traditionally the Member States attending CND make decisions and adopt resolutions by consensus. In practice no distinction is made between the states which are members and those which are observers. The only exception is for the scheduling of substances under the Conventions, where a vote is sometimes needed.

Draft decisions and resolutions are proposals submitted by one or more members of the Commission, or by a Member State representing a regional group, for consideration by the Committee of the Whole (COW) before adoption in the Plenary. Draft resolutions are commonly used to draw attention to a specific issue or area of concern and, based on the mandate of CND and UNODC, to call for action to respond to the problem identified by Member States, UNODC or other international organisations. Draft resolutions occasionally call for the involvement of civil society, including NGOs, such as SSDP.

**Who can put forward resolutions to the CND?** Only UN Member States can put forward resolutions for adoption by the Commission. There is usually considerable negotiation over the wording whilst the Commission is meeting. Please see the next section [Advocacy, How can an SSDP engage at the CND] for advice on how you can contribute to the drafting and negotiation of resolutions.

Draft resolutions are made available in advance through the [CND Documents Website](#). The Friday before the opening of the Commission is reserved for informal consultations between Member States where they seek supporters and identify problem areas. Further negotiations then take place throughout the meeting. Revised draft resolutions continue to appear during the week and can be obtained from the document distribution counter.

Other working arrangements include the Regional Groups' Meetings, Open-ended Working Groups, Meeting of Heads of National Drug Law Enforcement Agencies or other sub-commissions.

## International Narcotics Control Board

The **International Narcotics Control Board (INCB)** is an independent, quasi-judicial expert body established by the Single Convention on Narcotic Drugs of 1961. The main responsibility of INCB is to limit the production, trade, and availability of controlled substances for illicit use while ensuring an appropriate supply for medical and scientific purposes.

It consists of **13 members** who are elected by the Economic and Social Council for five-year terms, and serve in their personal capacity, not as government representatives. Three members are selected due to their medical, pharmacological, or pharmaceutical experience from a list of persons nominated by the World Health Organization (WHO), and ten members are elected from a list of persons nominated by Governments. The impartiality, and expertise of the Board members is crucial in order to assure that the work of the INCB is met with trust and confidence. The Board holds three meetings annually, in January-February, May, and October-November.

### **What are INCB's main responsibilities?**

In order to fulfill its mandate, the INCB estimates the quantities of narcotic drugs required for licit purposes and monitors licit production and trade of controlled substances through a system of export and import authorizations. It also works to improve the national and international control system by identifying weaknesses and providing recommendations to address them. For this purpose the Board also maintains an ongoing dialogue with Governments and assists them in complying with their obligations, such as preventing the diversion of substances from licit to illicit manufacture. While the CND is the chief decision maker about the scheduling of substances, the INCB also has an influence as it assesses chemicals used in drug production to determine whether their scheduling is appropriate.





Elena Janeva '17 representing SSDP at the INCB's hearing on the non-medical use of Cannabis, Vienna 2018

## World Health Organisation

The **World Health Organisation (WHO)** is an international body operating in 194 Member States across six regions, whose primary role is to direct and coordinate international health within the United Nations system. Regarding the drug control system, it is responsible for assessing the medical properties of substances and making suggestions to the CND about their scheduling.

### **How assessments and recommendations are made?**

It is the [WHO Expert Committee on Drug Dependence](#) that reviews substances for classification and advises the WHO Director-General on the recommendations to be made to the CND. For this, a pre-review and a critical review are conducted. It involves looking at a substance's chemical properties, pharmacology, toxicology, dependence and abuse potential, therapeutic uses, inclusion in the WHO model list of essential medicines, industrial uses, trade, impact on public health, dependence and unauthorised use, production and illicit trafficking, and other factors within an overall medical and public health perspective. The WHO Secretariat is responsible for gathering the necessary data for the critical review. It may request information from member states' ministries of health and, when necessary, from ad hoc working groups.

Once the recommendations are made, the CND puts them to a vote. The 1961 Convention requires a simple majority vote among CND's 53 member states to adopt a WHO (re)scheduling recommendation; the 1971 Convention requires two-thirds majority, substances following the voting procedure of the convention they were scheduled in. Any state party can request a substance to be reviewed by the WHO and significant changes in the UN drug control treaty system could thus be adopted without reaching consensus among all the state parties, for example if the WHO Expert Committee on Drug Dependence would recommend to remove cannabis from the treaty schedules (or move it to a lower control category).

## Advocacy

### Inside vs Outside track

**Outside track advocacy** refers to traditional forms of advocacy, such as organised protests, collection of signatures, and other forms of advocacy that aim to influence political decision making from "outside the establishment". Generally, such initiatives are organised to raise public awareness, generate dialogue and debate, and convey statements and demands of the civil society towards the authorities. While this can be done effectively through the use of public spaces, outside track strategies are often not suitable for more institutionalised forms of advocacy as they do not comply with the norms and procedures of formal decision making processes.

**Inside track advocacy** means influencing (drug) policies within the established institutions and official platforms, such as being involved with a decision making agency, participating in conferences, or producing input for decision making processes. Given that these institutions have a fixed structure and set of rules, strategies of inside track advocacy need to work within this framework in order to make valuable contributions. It is important to be aware of procedures and norms, to maintain a professional and respectful attitude, and to adhere to behavioral rules- eg. dress formally, use adequate language etc.



Orsi Fehér'16 making a statement, Vienna 2017



SSDPers after hosting a side event in 2019.

## DOs and DONTs of Inside Track Advocacy

**Respect:** Member States, their delegates and the NGOs that engage with the Commission come from a broad range of viewpoints, beliefs and perspectives. The Commission is an opportunity to liaise with others, discuss views in a professional manner, and learn about the work that others are doing. Disrespectful behavior between NGOs only serves to undermine civil society engagement and credibility at large.

**Professionalism:** CND is the workplace for the diplomats serving their governments during negotiations, and NGOs must respect their work and recognise that negotiations require compromises and diplomacy, especially as the CND operates on a consensus-based decision-making model. Positions taken by government delegations may be dictated by authorities in the capital or may reflect broader geopolitical concerns and contexts beyond the drug policy debates.

NGOs have a great deal to offer to the discussions in Vienna, but must remain polite and professional in all interactions with all governments. The same applies for all UN representatives, security staff and other officials.

Please also make it clear in all interactions that you are representing an NGO: only saying that you are from a certain country may be misconstrued as meaning that you are part of that government's delegation.

Many government delegations reflect negatively on interventions which 'name and shame' themselves, other governments or agencies, or which are off-topic for the CND. For the NGO in question, this can often mean that their intervention is less impactful than if the same message had been delivered in a more nuanced or measured way. You should consult your Global Policy Fellow or Global Program Coordinator to write, submit and deliver an effective intervention at the UN.

There is limited space available for document distribution in the UN building, and no exhibition space available for the display of posters and photographs without prior arrangement. However, there are exhibition tables available for NGOs to display their materials, reports and flyers in a neutral space - the available room for documents and materials is always limited, which means diplomatic organizing and timely planning is needed.





Heather D'alesio from CSSDP educating other youth representatives at the Youth Forum, held parallel to CND.

## How can an SSDPer engage at the Commission on Narcotic Drugs?

Any NGO with a valid ECOSOC status can send a delegation to CND which means SSDP is able to assemble a delegation of 10 members each year. If you would like to be on the delegation, you should get in contact with your Movement Building Fellow that will connect you with the resident Global Policy Fellow that is responsible for taking care of ground passes and administration of the SSDP envoy.

NGOs are important contributors to local, national and international efforts to reduce drug related problems. Even the 2016 [United Nations General Assembly Special Session on Drugs](#) adopted an Outcome Document that stresses the important role of Civil Society:

*"We recognize that civil society... plays an important role in addressing and countering the world drug problem, and note that affected populations and representatives of civil society entities, where appropriate, should be enabled to play a participatory role in the formulation, implementation, and the providing of relevant scientific evidence in support of, as appropriate, the evaluation of drug control policies and programmes, and we recognize the importance of cooperation with the private sector in this regard".*

So, whether or not you can attend the CND in Vienna, NGOs can engage in a variety of ways:

**Meet with your country's delegation:** You may request to meet members of the delegation from your country before the meeting of CND, which gives you the opportunity to receive a briefing on the positions being taken, and to provide inputs. It is more effective to do this in collaboration with a number of NGOs from your country but it is also crucial to be prepared - know which government departments and ministries are represented on the delegation of your country, as well as the names and positions of the delegates. In addition, you should familiarise yourself with the agenda and draft resolutions in advance, so that you can contribute

constructively and offer suggestions for improvement based on your experience. All the documents for the Commission, including draft resolutions, are uploaded when ready to the [Commission's website](#).

**Propose a resolution through a Member State:** There is no reason why an NGO cannot work with a Member State put forward a resolution, but it is important to start discussions with the Member State well in advance of the CND meeting.

Resolutions themselves must be submitted one month before the start of the session (i.e. 14th February 2019). It is also worth remembering that draft resolutions often get substantially changed, or even dropped completely, as states negotiate positions with each other. NGOs can also lobby national delegations to add, amend or delete language in draft resolutions (see below).

**Provide expert advice and assistance to Member States** as they negotiate draft resolutions. From Tuesday onwards, the Committee of the Whole (CoW) meets to discuss and negotiate amendments to the draft resolutions.

**Make a written statement:** NGOs in consultative status with ECOSOC may submit written statements to the Commission (up to 2,000 words). A written statement is issued, unedited, in the language(s) as received (English, French or Spanish) from the submitting NGO. NGOs assume full responsibility for the content of their statements, which should fully uphold UN standards and avoid abusive language. The deadline for written statements is normally two weeks prior to CND.

**Make an oral statement:** NGOs in general or special consultative status may make an oral statement during the Plenary sessions. NGOs on the Roster may put a request to the Secretariat to make an oral statement. Prior to the opening of the Commission, NGOs need to go through a process to register their speaker under the agenda item which they wish to speak. The list of speakers is established on a first- come first-served basis.



Sara Velimirovic '15 making a statement during an INCB hearing in 2019

**Side Events:** side events are meetings or panel discussions on topics relevant to the work of CND but are outside of the formal agenda of the Commission. They may be organised by Member States, intergovernmental organisations or NGOs with consultative status with ECOSOC. The Secretariat of the UNODC Governing Bodies has produced guidelines for side events.

**The commission meeting may be one of the few occasions when representatives from national governments have the opportunity to meet ngos – especially those from outside of their country or region. This is an opportunity for NGOs to build relations not only with diplomats working in Vienna, but also with those developing and implementing policy and practice in capitals. Meeting over coffee, lunch, at a side event or reception allows for informal discussion and the chance to provide relevant information and assistance. It can also provide a basis for future collaboration and partnership between ngos and member states.**

It is important to remember that the Commission on Narcotic Drugs is a governmental body and not all governments are as open to the involvement of NGOs. Even governments who are supportive of NGO involvement can become frustrated with NGOs if they do not recognise that negotiations require compromise to make progress, and that broader diplomatic contexts dictate governmental decisions.

## The Youth Forum

The Youth Forum is the official mechanism of the Commission to channel the voices of young people into their discussions. In practice, there are a number of hurdles for any young activist to take advantage of this process. Youth delegates are nominated by the member states, which means that any organization critiquing the status quo or advocating for a reform in the current legislation have been historically disregarded.



Heather D'Alessio taking the stage at the 2019 Youth Forum

The Youth Forum runs parallel to the CND meetings and plenary, so youth delegates are effectively being kept away from where the decisions are being made, thus leaving little room to influence the course of the debate. The Youth Forum is based on the processes of the CND and is assisted by the UNODC in formulating a

statement that selected delegates deliver in a ceremonial way in front of the plenary. It is common for the nominated youth delegates to not be involved with advocacy or drugs-related work on the ground so it is a great opportunity to engage our peers and expose them to the realities of how drug policies affect our population, but it is not a particularly effective way to directly influence the decisions made at CND.

*If you wish to be nominated by your country, visit the [YF website](#) for detailed instructions.*

## VNGOC

The Vienna NGO Committee on Drugs (VNGOC) is a non-governmental organisation (NGO) registered in Austria. It was founded in 1983 and has worked to provide and develop the link between NGOs and the international drug control bodies based in Vienna. Its objective is to support NGOs in their work with the United Nations on matters related to drug policy, strategy and practice. The VNGOC has over 200 members, ranging from large international NGOs with millions of members to specialist NGOs at international, national and local levels providing a wide range of interventions to prevent illicit/harmful drug use and related problems.

The VNGOC has a long history of activity in relation to the UN international drug control system. It has held side events and made statements at every Commission on Narcotic Drugs (CND) annual session for the last 25 years. It has organized four NGO world forums and participated in three General Assembly Special Sessions, as well as in a number of UN and intergovernmental conferences. It has developed annual informal dialogues for NGOs representatives to interact with the Chairperson of the CND, the Executive Director of the United Nations Office on Drugs and Crime (UNODC), and the President of the International Narcotics Control Board (INCB). In 2017, the VNGOC signed a Memorandum of Understanding with UNODC to support their collaborations together. Further information about the role and activities of the VNGOC can be found at its [website](#).

The VNGOC is steered by a democratically elected board, consisting of a Chairperson, Vice Chair, Treasurer, Vice Treasurer, Secretary, Vice Secretary and a Project Manager.



In 2017, Orsi Fehér, Global Fellow and founder of SSDP Austria, and in 2019 Penny Hill founder of SSDP Australia, have been elected to be officers of the board.

## What action can you take right now?

- Be up to date and read the [2009 Political Declaration and Plan of Action](#), the [2016 UNGASS Outcome Document](#) as well as the outcome resulting from the [2019 Ministerial Segment](#).
- Identify the policies and actions which are relevant to your work and which you have experience in.
- Read about and consider the role your country delegation plays in shaping the conversation in the Global Drug Control System, in order to understand the global status quo and identify talking points with your national delegates.

- Try to establish regular contact with relevant officials at national and/or local government level to review progress in tackling drug problems and identify areas that require further attention.
- Ask Orsi ([orsi.feher@ssdp.org](mailto:orsi.feher@ssdp.org)) for guidance and advice, tell her if you want to do something specific so she can find a way and assist you.
- Follow the VNGOC on social media and share your experiences.

## Further Readings

- To be added as we progress towards the current conference.