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**Statement by Mr. Werner Sipp, President,  
International Narcotics Control Board (INCB)**

**Special session of the General Assembly on the world drug problem**

**19 April 2016**

Mr. President, Excellencies, ladies and gentlemen,

It is an honour to address you today, at this special session of the General Assembly on the world drug problem, in my capacity as President of the International Narcotics Control Board (INCB). It is fitting that this landmark thirtieth special session addresses the global drug problem, the effects of which pervade all of humanity, across all regions and all spectra of our societies.

I acknowledge the extensive preparations that have been underway for this special session, including by the Commission on Narcotic Drugs. Yet, your work has only just begun. Your deliberations over the next three days will be aimed at:

- reviewing progress in the implementation of the 2009 Political Declaration and Plan of Action and
- assessing the achievements and challenges in countering the world drug problem, within the framework of the three international drug control conventions.

The General Assembly has recognized that this special session is an opportunity for a high-level and wide-ranging discussion, leading up to the target date of 2019, in order to further implement the Political Declaration and Plan of Action<sup>1</sup>. Indeed, the United Nations Secretary-General encouraged Member States to use UNGASS 2016 "to conduct a wide-ranging and open debate that considers all options"<sup>2</sup>.

You have an important task ahead. You have to take stock of the accomplishments and the shortcomings in drug control and exchange best practices in addressing the world's drug problem. The special session will map the way forward in drug policy.

The International Narcotics Control Board has contributed to this process by:

- clarifying and highlighting the principles of the Conventions and approaches to their implementation;
- identifying shortcomings in their implementation; and
- making specific recommendations based upon the Conventions.

INCB's assessment of the implementation of the 2009 Political Declaration is ambivalent:

Remarkable **successes** have been achieved through implementation of the international drug control system. For example:

<sup>1</sup> A/RES/69/200. Resolution 69/200 "Special Session of the General Assembly on the world drug problem to be held in 2016", adopted by the General Assembly on 18 December 2014

<sup>2</sup> Secretary-General's remarks at special event on the International Day against Drug Abuse and illicit Trafficking, 26 June 2013

- Due to the control of the licit international trade in scheduled substances, diversions from licit trade to the illicit market have been significantly reduced;
- In the last decade, efforts have been made in many countries to establish programmes for the prevention and treatment of drug abuse, and to reduce the negative consequences of drug abuse; and
- International cooperation in drug related-matters has been considerably improved.

However, some of the targets of the 2009 Political Declaration have still **not been met**:

- The availability of controlled substances for medical and scientific purposes is still not satisfactory;
- Globally, the illicit demand for and supply of drugs has not been significantly reduced and we are facing the continuing emergence of new psychoactive substances; and
- Some of the fundamental principles of the conventions and Political Declarations are not being adequately implemented.

In the coming days, you have the opportunity to agree upon and commit to a course of action. In just three years' time, in 2019, the international community will gather to review conclusively the implementation of the 2009 Political Declaration and Plan of Action as well as the commitments made at this special session. Upon returning to your capitals, your next task will be to transform the political will into the implementation of these commitments.

In calling you to action, allow me to emphasise that the framework for such implementation is already available: the three international drug control conventions and the Political Declarations. I will briefly highlight for your attention a **few key areas** where your action is required.

The promotion of the **health and welfare**<sup>3</sup> of mankind is the ultimate goal of the drug control conventions. To this end, you, the State Parties, formulated the conventions with the aim of ensuring the availability of narcotic drugs and psychotropic substances for medical and scientific purposes, while preventing their illicit cultivation and manufacture, diversion, trafficking and abuse.

There exists a grave imbalance in the **availability of and access** to medicines containing controlled substances: about three-quarters of the global population does not have proper access to pain relief treatment. On the other hand, global demand for pain relief substances as reported by Governments can be met by the global supply of these substances and raw materials. INCB has been calling on countries to close the global pain divide and ensure the availability of and access to narcotic drugs and psychotropic substances. In our 2015 report on availability and access,<sup>4</sup> we made specific recommendations to governments and we stand ready to assist you.

Historically, drug control and treaty implementation efforts focused on supply reduction. There has been growing recognition of the importance of implementing the treaties in a **comprehensive, integrated and balanced manner**<sup>5</sup> with full respect for human rights. Such an approach is essential to addressing the complex and multifaceted nature of the drug problem. For example, promotion of alternative livelihoods is essential if law enforcement and eradication efforts are to be effective in the long term. Promoting social cohesion<sup>6</sup>,

<sup>3</sup> Chapter I (The health and welfare of mankind: challenges and opportunities for the international control of drugs) of the INCB Annual Report for 2015 (E/INCB/2015/1)

<sup>4</sup> Availability of Internationally Controlled Drugs: Ensuring Adequate Access for Medical and Scientific Purposes. Indispensable, adequately available and not unduly restricted (E/INCB/2015/1/Supp.1)

<sup>5</sup> Chapter I (Implementation of a comprehensive, integrated and balanced approach to addressing the world drug problem) of the INCB Annual Report for 2014 (E/INCB/2014/1)

<sup>6</sup> Chapter I (Social cohesion, social disorganization and illegal drugs) of the INCB Annual Report for 2011 (E/INCB/2011/1)

through a variety of community based services, can make a significant contribution to addressing the drug problem, especially in marginalized communities.

Investing in **demand reduction** – including primary prevention<sup>7</sup>, education, treatment, rehabilitation and reintegration of drug users – promotes public health and wellbeing and also helps to reduce the potential number of users. In fact, demand reduction is perhaps the best form of supply reduction. Also, demand reduction programmes and services are cost effective in terms of reduced crime and health care costs.<sup>8</sup> The prevention of drug abuse, especially among young people, must remain the primary objective of drug control policy and practice. Preventing and reducing the adverse health and social consequences associated with drug abuse, such as the transmission of HIV among people who inject drugs, should also be an essential element of a comprehensive and balanced approach.

The evolution of drug control policy and practice, in many countries over recent years, from an approach relying primarily on criminal justice and incarceration to a more health-oriented approach is welcomed. This is entirely consistent with the conventions, which provide States with some **flexibility** to adopt measures such as treatment and rehabilitation as an alternative to, or in addition to, criminal sanctions for offenders, mainly those suffering from drug dependency. Indeed, the international drug control conventions require **proportionate responses** to drug-related offences<sup>9</sup>. While “serious offences shall be liable to adequate punishment particularly by imprisonment”, there is no treaty obligation to incarcerate drug users having committed minor offences. The conventions provide for flexibility by States in determining appropriate sanctions, including non-punitive or non-custodial measures, for instance for possession of drugs for personal use.

However, flexibility has limits; it does not extend to any **non-medical use of drugs**. Recent legislative developments in some countries that permit and regulate the non-medical use of controlled substances, in particular cannabis, are in clear contravention of the conventions. They defy the international consensus upon which international cooperation depends. You – the States Parties to the conventions – have a responsibility to address this challenge.

In recent years, we have seen a number of **new drug control issues**, which, although not foreseen in the conventions, have to be and can be addressed within the framework of international cooperation they provide.

**New psychoactive substances (NPS)** pose a problem for the international community in view of their continued emergence and transient nature. The International Narcotics Control Board is working with your authorities to facilitate the sharing of information on incidents involving these substances. The Board has issued guidance to aid governments in the establishment of partnerships with the private sector<sup>10</sup> for the control of **precursor chemicals** and to help address the emergence of “designer precursors”. But no solution to the NPS problem has been found as yet.

This special session of the General Assembly is a timely opportunity to reaffirm commitment to implementing policies and practices grounded in the **fundamental principles** of the three conventions and the Political Declarations of 1998 and 2009, which are:

- the principle of a balanced approach;
- the principle of shared responsibility<sup>11</sup>;
- the principle of proportionality; and

<sup>7</sup> Chapter I (Primary prevention of drug abuse) of the INCB Annual Report for 2009 (E/INCB/2009/1)

<sup>8</sup> Chapter I (Economic consequences of drug abuse) of the INCB Annual Report for 2013 (E/INCB/2013/1)

<sup>9</sup> Chapter I (The principle of proportionality and drug-related offences) of the INCB Annual Report for 2007 (E/INCB/2007/1)

<sup>10</sup> INCB Guidelines for the Voluntary Code of Practice for the chemical industry, United Nations Publication, Sales No. E.09.XI.17

<sup>11</sup> Chapter I (Shared responsibility in international drug control) of the INCB Annual Report for 2012

- respect for human rights.

In conclusion, let me recall that the conventions never called for a **"war on drugs"**. Some of the policies that exist in some countries, and which are associated with militarized law enforcement, disregard for human rights, over-incarceration, the denial of medically appropriate treatment and inhumane or disproportionate approaches, are not in accordance with the principles of the conventions.

The future of global drug policy is not a false dichotomy between a so-called **"war on drugs"** on the one hand and **legalization and/or regulation of non-medical use of drugs** on the other. Neither is it necessary to seek so-called "new approaches". In fact, we don't really need any "new approaches" to global drug policy. Quite to the contrary, what we need is to better implement the drug control treaties, which require a **balanced and comprehensive approach** where **health and welfare** is at the core of policy.

I would like to acknowledge the efforts of the many individuals working to address the drug problem in all its facets in all countries of the world. Your efforts are key to promoting the health and welfare of humanity, the ultimate aims of our work.

The International Narcotics Control Board looks forward to continuing its **cooperation** with governments and civil society with a view to assisting Member States in improving the drug control situation worldwide.

In closing, allow me to recall your collective commitment to the principle of common and shared responsibility in addressing the world drug problem. You have a personal and professional responsibility to implement the commitments made in this auspicious hall, to prevent the harms to individuals and society arising from the world drug problem.

I wish you much success in your worthy endeavour.

Thank you.