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on Narcotic Drugs**

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**OBJECTIVE No. 1: NGO ACHIEVEMENTS IN THE FIELD OF DRUG CONTROL with particular emphasis on contributions to the 1998 UNGASS Action Plan such as achievement in policy, community engagement, prevention, treatment, rehabilitation and social reintegration**

**I.1. Main Activities developed by NGOs**

1. Representatives from the different regions coincided in their view that an important portion of the population lives under conditions of social exclusion; placing them in a situation of vulnerability with respect to the drug problem and other risk factors.
2. During the past decade, it has been the NGOs who have been serving this population that is extremely vulnerable to the drug problem.
3. Although one of the main achievements of the NGOs has been the significant growth of organizations that treat addictions; in certain countries this situation has reinforced the central governments' abandonment of their social responsibilities towards this problem. They have allowed the NGOs to lead (sometimes even exclusively) all the actions that address the problem.
4. Despite the growth in the addictions problem, there has been no increase in federal funding to address all the issues associated with the problem.
5. In the region NGOs have dedicated most of their efforts to reduce the demand rather than the supply.
6. Mainly control was directed towards the illegal drugs, while the security forces were in charge of the development of strategies and actions where the NGOs were not involved.

These State's actions have been implemented by applying an approach that does not encompass integration. It was pointed out that there is a need to generate informational, formation and complementary attention strategies, aspects where NGOs can make excellent contributions.

7. So, even though the existence of the NGOs and their work to relieve the drug problem is a major accomplishment; these should not be supplanting the responsibilities of their governments; rather they should be upholding their position of critical social agents.
8. It is important to mention that a set of minimum norms have been established for the creation and functioning of NGOs in several countries (code of ethics, evaluation systems, etc.) even if these are not necessarily complied with in many countries.

9. The NGOs' tactic regarding the drug and addictions problem has been oriented towards an integral approach and their contribution has permitted the implementation of more diversified programs. For example, it has been mentioned that only a decade ago, NGOs had a more one-dimensional vision regarding primary prevention, prioritizing the provision of skills to reject drugs. Currently, the approach is much more comprehensive, including the individual as a whole and its interrelationship with topics such as health, education, work, self-esteem, vocations, and family relations, among others.
10. Another important subject broached has been that the NGOs' approach is more community based. Certain countries mentioned that their interventions have moved from preconceived vertical programs towards community-based programs that are designed and implemented directly by the community. In addition, the vulnerable populations have become involved in the creation and implementation of these new programs.
11. The NGOs' contribution to the generation of information and new knowledge regarding addictions is widely recognized. For example, different regions have undertaken epidemiological studies with more serious approaches which have facilitated the elaboration of public policies. Yet, many other countries have mentioned that despite the production of new information by NGOs, these are not used for policy design.
12. Another crucial contribution by the NGOs in many regions is the increase in research activities and in the formation of specialized human resources in the field of addictions.
13. Regarding treatment and rehabilitation, it must be highlighted that it has been the NGOs who have provided care to most of the population with addiction problems.
14. In certain countries, drug treatment has transitioned from a solely abstinence-based strategy to a treatment philosophy that covers a continuum of services, including harm reduction interventions such as street based programs for active consumers, residential treatment in shelters, and social and economic reintegration.  
Some delegates recommended strategies that facilitate incorporation of active users regardless of their consumption into low threshold street based interventions, before strategies of total abstinence.
15. One of the most important contributions made by the NGOs that work in the field of treatment and rehabilitation of addictions has been the inclusion of rehabilitated individuals into their work.
16. Another accomplishment, widely acknowledged by the delegates in the different regions, was the building of alliances between NGOs at a national and regional level.

## **I.II. Alternative Development**

1. Regarding Alternative Development, there is some recognition that there have been relatively successful interventions. Yet, there is also an acknowledgement that there are significant limitations to this work, such as the lack of security for the people involved in the work and the need to create incentives that will guarantee the sustainability of these projects.
2. It has been mentioned that the evaluation of the efficacy of successful Alternative Development experiences needs a very long backing period before a fair market was built. Thus, it has been recommended that the NGOs must participate with complementary social programs that up to now have not been implemented in all countries.
3. The successful projects have been quite diverse: educational, labor, and building of associations. They have all managed to ensure their continuity because they became sustainable. The basis of their effectiveness resides in the fact that they started with an assessment of needs, and a previous theoretical model with clearly established objectives and beneficiaries.
4. It has been recommended to work more profoundly in the development of an Alternative Development model based on productive chains and also linked to international markets. In certain cases it might be necessary to create compensation systems.
5. Some delegates mentioned that the main risks that the staff of the NGOs face in their countries are the threats and the situations of violence and intimidation from drug-trafficking and organized crime groups. The risks to the lives of the staff have increased in urban and rural areas and they are the result of their work with the communities.

**OBJECTIVE No. 2: Better engagement/collaborative mechanisms.**

**To review best practices related to collaboration mechanisms among NGOs, governments and UN agencies in various fields and propose new and/or improved ways of working with the UNODC and CND.**

**II.I Governments consultation to NGOs**

1. Regarding collaboration mechanisms with the government, it has been mentioned that there are countries that do have formal mechanisms to consult NGOs (at a national, regional and municipal levels) but they are not mandatory in nature. These mechanisms are limited to the provision of information on policies and implementation of programs. It has also been mentioned that the obligations assumed are not always complied with.
2. However, there are countries that have recognized the existence of informal dialogue spaces; yet due to their informality the NGOs have no decision power.
3. Others have mentioned that many governments have not generated any type of consultation mechanism. The few existing dialogue spaces have been the result of the NGOs' initiative and work.
4. When these consultation mechanisms have worked they took place during long periods of time and there is no follow up.
5. It has been the general consensus that the consultation mechanisms that adequately function are those related to HIV/AIDS (and in other countries related to public health). Members of the civil society actively participate in these spaces so as to design policies, plans and programs. There has even been a mention that there are consulting committees that include the participation of NGOs.
6. Regarding presentation of proposals, it has been accepted that NGOs are invited by certain governments to submit proposals, yet in most cases these are never implemented due to a lack of funding or operational plans. There is a consensus among all regions that apparently NGOs are only invited when it is required by an international commitment.
7. It was stated that governments tend to be more open during discussions and consultations with civil society if the NGOs are capable of bringing in/contributing/attracting financial resources to the work agenda. On the other hand, many governments tend to summon/incorporate NGOs only when they have implemented successful programs.
8. It was mentioned that collaboration is a necessary and important aspect, especially in projects developed in the Andean region, because funding sources have diminished drastically in the last years.

## **II.II Collaboration mechanisms with UNODC and other United Nations Bodies**

1. Regarding collaboration mechanisms with United Nations bodies, there is no knowledge of any experience that was totally successful. UNODC does not have formal mechanisms for direct communication with NGOs, although there are informal ones. Any connections with the NGOs are generally through national governments. NGOs are occasional beneficiaries through participation in different activities such as conferences.
2. It was mentioned that in certain occasions communications between UNODC and the NGOs happen when there are visits by central level officials who ignore or know very little about the local reality.
3. Notwithstanding the above, countries also acknowledge that the presence of UNODC delegates with specific purposes in countries with no formal representation has facilitated the communication with NGOs.
4. Other UN agencies, like UNAIDS, do have adequate communications and collaboration mechanisms and they foster the creation of NGO networks at national, regional and international levels.
5. A certain discrimination or discretionary bias has been perceived with respect to the election of NGOs who will be invited to events or to submit proposals for funding. The regions believe that the different agencies and offices of the United Nations need to be more democratic regarding the participation of non-governmental organizations. The United Nations should allow a broader and real participation of all the NGOs in each country and region.
6. All the regions agreed that one mechanism that could help in the execution of projects would be the full participation of NGOs since the inception of a project. To date, NGOs are simply invited to review documents that have been prepared previously and externally.

## **II.III Regarding NGO participation in the preparatory sessions for United Nations drug oversight meetings, the delegates were unanimous in stating that:**

1. There is no such participation and NGOs has not involved in the meetings of the Commission on Narcotic Drugs.
2. They also mentioned that contrary to the above, UNAIDS meetings do contemplate multiple mechanisms to encourage NGO participation.
3. The mechanism for internationally funded periodic, regional and international meetings allows a serious exchange of experiences that are very valuable for

each country and without these types of events it would be extremely difficult for the NGOs to assimilate so many important experiences. It was a unanimous recommendation to maintain the Regional Consultation process as a means to promote the work performed by NGOs in this global problem.

4. Some delegates suggested that there should be an NGO representative for demand reduction matters from each region who would be selected by the United Nations and who would act as the spokesperson for the NGOs before the UN. This representative would have to be funded by UN who would need to create a mechanism for the NGOs to apply. The term of representation would have to be fixed; sufficient enough to allow them to perform a continuous job, yet also allowing for change.
5. Delegates suggested UNODC to make regional newsletters to inform NGOs about UN activities in their region including those where NGOs take part.

#### **II.IV Recommendations**

The following recommendations were made by the regional delegates regarding the collaboration mechanisms to get an efficient collaboration of the NGOs in the development of policies, strategies and practices in the field of drug control

1. Endorse the ten recommendations suggested by members of the VNGOC regarding the best collaboration mechanism giving special emphasis to:
  - a. Point 3: "The Commission on Narcotic Drugs should encourage all national delegations to include NGO representation". Thus the delegates are recommending that participating NGO representatives must be elected through their own selection mechanisms.
  - b. Point 9: "UNODC should support more transfer of experiences and networking on legislative experiences, prevention and treatment, including existing pharmacological therapy approaches". Certain delegates did mention that UNODC must promote the creation of drug users' networks and encourage their participation in the elaboration of policies.
2. Also other recommendations were made:
  - a. UNODC's representation offices should establish NGOs consultation mechanisms.
  - b. The Commission on Narcotic Drugs should persuade governments to establish formal consultation mechanisms that will prioritize NGO participation in decision taking processes thus ensuring continuity in committed obligations.

- c. UNODC should recommend governments to formally consult NGOs in the responding of bi-annual questionnaires, mandating that the replies are made public.
- d. It is necessary to review and coordinate actions of different organizations such as CICAD/OAS and UNODC in order to avoid duplicity of efforts among each other.
- e. The Commission on Narcotic Drugs should recommend to its State members to develop strategies whereby NGOs may overview and monitor governmental activities.
- f. NGOs should be invited directly by UNODC and not through their own governments.
- g. UNODC should create a direct channel/link (liaison o core point) that will help interconnect funding flows and priorities with the work of the NGOs.
- h. United Nations agencies should provide technical assistance to improve the quality of projects submitted, including budgetary and reporting requirements.
- i. UNODC should update its directory of NGOs.

Final recommendations:

1. With respect to collaboration and commitment needs, NGOs demand that there be closer collaboration, more support and recognition of their work, and more equality in their representation.
2. The NGOs' contribution to collaboration and commitment would create a better connection between global and community-based work; and better access to vulnerable populations at risk who have greater need for interventions.

### **OBJECTIVE No. 3: HIGH ORDER PRINCIPLES FOR FUTURE RESPONSES TO DRUG PROBLEMS**

**To adopt a series of high order principles, drawn from the Conventions and their commentaries, that would be tabled with UNODC and CND for their consideration and serve as a guide for future deliberations on drug policy matters.**

#### **III. Impact of Controls and Legislation Introduced**

1. Representatives from different regions expressed their difficulty to determine the impact of the existing laws and controls due to the lack of systematic research process to determine the actual effect of the enforcement. It was mentioned that the general perception is that the objectives have not been fulfilled evidenced by the higher levels of illegal drugs consumption and circulation and by the increase in local dealing or trading; all of which contradicts the international interdiction actions.
2. It was decided that there is a need to create norms that will regulate production, distribution and use of narcotics. However, the criteria on the type and extent of these regulations differs (criminal – sanitary – social).
3. A negative effect was identified in those countries where drug consumption or possession for personal use are penalized resulting in a criminalization process, especially among the weakest links, particularly young consumers from poor sectors.
4. Coercive or compulsory treatments imposed as alternative or complementary measures to prison have been identified as another negative effect by some delegates.
5. It should be mentioned that there are inconsistencies between the drug control systems and the economic legislature in certain countries, obstructing the detection of illegal funds produced by drug trafficking.
6. Problems were detected in the compliance of regulations related to controlled drugs, sometimes generating the diversion of pharmaceutical products from the public health system into the illegal market.
7. It is important to state that there are drug-related regulations that consider alternative measures to punishment; however, these are deficient or lack institutional support to implement them in many regions.
8. The delegates from different countries have identified a series of unwanted consequences from drug-related controls: corruption and police abuse, among others. They also mentioned weak mechanisms to protect witnesses.

### **III.II About national, state or city legislation and the flexibility within the UN drug control conventions**

1. In certain countries drug-related norms and regulations have been adapted to comply strictly with the international conventions, denying any type of flexibility considered within these conventions.
2. Certain delegates mentioned that powerful nations make a very strict interpretation of the conventions and in many cases they impose their vision onto smaller and less powerful countries, restricting their right to make their own interpretation of these conventions.

### **III.III Emphasis on the supply and demand sides of the drug issue**

1. There was general consensus when it was affirmed that resources to control both demand and supply were insufficient; and it was unanimously stated that resources are even fewer for demand control. It was also expressed that many donor countries provide funds only for interdiction, and in certain cases, when funds become available to reduce the demand, NGOs are obviated.
2. An emphasis in treatment and primary prevention rather than in harm reduction has been observed.
3. There is an unbalance between the control exerted over the demand for illegal and legal drugs among adults; but none for minors.

### **III.IV Principle that should be considered**

The higher principles that should guide future deliberations on drug issue should be:

1. Coherence between the drug control system and the human rights' protection system, which should be based on equity, respect and access.
2. Balance between control policies and health policies. The approach to the problem should be comprehensive and balanced, harmonizing the interventions to reduce supply and to reduce demand. Some delegates indicated that the reduction of the demand should also balance its interventions between prevention, treatment, and harm reduction.
3. It is very important to ensure global access to health care and services where emphasis is placed on global prevention programs, both selective and mandatory.  
An express recommendation was the inclusion of addiction rehabilitation programs into the social security system, with adequately credited establishments, in those countries where it is not considered.

4. Oversight interventions should be guided by the respect, conservation and protection of the environment, natural resources and the surroundings of the communities where supply control operations take place.
5. Take into account the cultural and ritual purposes of certain substances use.
6. It has been recommended to create a comprehensive approach to legal and illegal drugs.

**Processes that might be suggested for consideration by CND, UNODC and other UN bodies to facilitate application and review of these principles:**

1. It has been accepted that there is a need for a multisectorial and multidisciplinary mechanism to address the drug issue. Currently, UNODC and the Commission on Narcotic Drugs are giving emphasis to crime control, promoting a law enforcement rather than any other approach linked to public health issues, which is promoted by WHO and UNAIDS.
2. The drug problem should be addressed from a public health approach, thus requiring a multisectorial approximation that points out the different aspects of the problem and that also takes into consideration the consequences of the drug economy.
3. It is necessary for WHO, UNAIDS, UNDP, Human Rights Bodies and NGOs to have a larger participation in the elaboration of drug policies and in program implementation. Currently, these UN bodies play a secondary role while NGOs are totally excluded.
4. It was unanimously recommended to promote a more significant involvement of NGOs in the Commission on Narcotic Drugs meetings, acting as consultants and having invited NGOs as full participants.
5. It was recommended UN organizations adopt, follow up and monitoring measures for the principles and international instruments to be applied by the civil society. This will ensure a permanent and systemic monitoring and evaluation of the governmental actions.
6. It was concluded that it is crucial to perform periodical revisions of operational definitions, like drug, medicine, addiction, among others.
7. It was decided that it is essential to disseminate and provide intensive training on the principles of the international conventions and their significance to the different sectors of civil society: associations, academic spaces, NGOs networks, among others.
8. Finally, it was mentioned that the reinforcement of regional collaboration becomes one of the most important means and mechanisms to advance the integral coverage of the drug problem.