THE COMMISSION ON NARCOTIC DRUGS

Strengthening Counter Narcotic Efforts through Enhancing International Cooperation

National Youth Model United Nations
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The Commission on Narcotic Drugs

Preface

Committee Information

The international drug control regime originated at the first international narcotics conference, held by the International Opium Commission in 1909 in Shanghai, China. Amidst backdrop of ever increasing criticism of the opium trade. The conference laid the foundation for a discourse over global drug control. Subsequently establishing the first international drug control treaty, the International Opium Convention in 1912. The convention was integrated to the 1919 Treaty of Versailles and drug control regime of the League of Nations. The League aimed to improve international drug control policy, especially of opium, but was hindered by the unwillingness of member nations to cooperate. Which became more evident during World War II.

The United Nations (UN) incorporated and improved drug control regime of its predecessor. In 1946, the UN Commission on Narcotic Drugs (CND) was created by the UN Economic and Social Council (ECOSOC). The mandate established that the CND would assist ECOSOC in supervising the international drug conventions and advise ECOSOC in drug control, which included drafting new or updating existing legal instruments.

In 1991, the UN General Assembly (GA) amended the original mandate of the CND to increase the commission’s overall influence and importance by making CND the governing body of the United Nations Office on Drugs and Crime (UNODC). In addition, ECOSOC increased the functionality of the CND, with resolution 1999/30. The resolution divided the CND agenda into two segments: a normative segment and an operational segment. For the normative segment, the CND discusses and assigns its responsibilities based on treaty obligations. For the operational segment, the CND acts out its role as the governing body of the UNODC. The changes made to CND’s mandate make it the UN’s best contender against illicit drug trade.

The commission comprises 53 UN Member States, which are elected by ECOSOC for four-year terms. Members are elected with regard to adequate representation of countries with important roles in production, trafficking, or consumption, and principle of equitable geographical distribution. A formal subsidiary body to ECOSOC, the CND meets once a year, and unanimously adopts reports which are brought to the attention of ECOSOC. In addition, the Third Committee of the UNGA also covers the thematic issues discussed by the CND.

Introduction

The international narcotic drug trade and trafficking remains an important topic within the United Nations (UN) and the Commission on Narcotic Drugs (CND), even discussed in the Third General Assembly (GA). The UN considers illicit drug trade and trafficking, and other drug-related issues, part of its purpose and has always sought to resolve the global drug problem, especially since this is a key concern for many member states. The CND is the lead agency on international narcotic drug control within in the UN system. It aims to restrict the flow of illicit drugs and narcotic substances, and address social issues and alternative development initiatives, with special emphasis on certain regional areas, for an effective international drug control strategy. According to the CND, many regions of the world are victims of narco-cartels, systemic corruption and underdevelopment, which creates socio-economic and political issues that proliferates illicit drug trafficking and trade. The
struggle to provide basic necessities and resources to growing populations affects many regions throughout the world. Insufficient infrastructure, capital and investment caused by ineffective governance creates systemic poverty and a necessity to ensure a decent livelihood has forced people around the world into illegal drug production, trafficking and trade. While majority of the demand for narcotic substances is from economically advanced regions, such as in Europe and North America. The 1988 UN convention against narcotic drugs asserts that illicit trafficking undermines legitimate economies and threaten the stability, security and sovereignty of states.

The World Drug Report (2016) estimates there were 250 million illicit drug users worldwide in 2014, roughly equal to the combined populations of France, Germany, Italy and United Kingdom. The unrestricted flow of illicit drugs is prevalent across many region of the world and the issues of illicit drug trade and consumption have become ever more global. The global drug problem is a common and shared responsibility which requires substantial deliberation on collective and shared solutions to address and counter the emerging and persistent challenges and threats to Member States. This debate should be discussed within the existing framework of international drug control conventions, whilst focusing on building partnerships within the UN system, particularly the CND, and including between member states and related organisations.

History of the Topic

The international illicit trafficking and trade of narcotic substance is endemic in many regions of the world. The international drug-related conventions provide the CND and member states with a framework of measures to counter the global drug problem. Historically, the CND and member states policies focused on strictly punitive, zero tolerance and law enforcement measures. However, this traditional approach has exacerbated the drug problem rather than solving it, especially in the instance of the global ‘war on drugs’ which the Global Commission on Drug Policy Report (2011) describes as a failure and requiring alternative strategies.

Lately, the CND has reoriented its policy and worked with member states in adopting a more pragmatic and health-based approach as a method to counter the global drug problem. With recent CND sessions recognising the ineffectiveness of a zero tolerance strategy in counter narcotic efforts. This notion has heavily been influenced by the United States efforts in Afghanistan, where opium production has been increasing since the invasion in 2002. The World Drug Report (2016) identifies Afghanistan has continued to remain the world largest opium producer in 2015, accounting for about 65% of global opium production.

The CND has acknowledged that supply and demand reduction are two key goals of global counter narcotic efforts. According to the World Drug Report (2016) the overall global supply and demand of drugs continues to be relatively stable, despite the successful efforts of pragmatic, health-based efforts in reducing the number of drug users. In addressing this problem, the CND is focused on reducing the supply and demand of drugs within member states and eradicating the avenues of illicit drug trade and trafficking. The evolution of the international drug control system requires deliberation and sustained cooperation to reach a consensus on solutions to improve the existing system, in accordance with international drug conventions and norms.
Discussion of the Topic

The international community faces several obstacles when measures are taken to control the illegal flow of illicit drugs. The impact of the global drug trade is often wide ranging, affecting many member states regardless of levels of economic development. The permeability and complexity of the illicit drug trade and trafficking is a significant cause for concern, especially when the international community and government attempts to control illicit drugs in one part of the world, it arises in another.

Member states can be classified as one or more types of regions in relation to illicit drugs; growing regions, trafficking or transit regions and consumer regions. Growing regions primarily consist of illicit crop cultivation, which is the raw material used to produce narcotic drugs. Most often these regions are controlled by narco-cartels and criminal organisations. The most significant growing region in the world is Afghanistan, which has been the largest producer of opium consecutively. Growing regions face extreme levels of poverty, underdevelopment and lack of education, forcing people into cultivating illicit drugs for a living, as cultivation of illicit drugs is profitable compared to the alternative; cultivating legal crops such as wheat or banana. The CND asserts that underdevelopment is a significant contributor to the increasing spread of illicit drug trade globally.

Trafficking or transit regions are characterised with weak rule of law and law enforcement, including prevalence of systemic corruption. According to the CND, corruption is not the main reason for drug demand, but it is an important indicator of regions and countries that are key producers and traffickers for illicit drugs. Widespread corruption allows drug-cartels and criminal organisation to operate undetected and without any government intervention. As a result, drug-cartels, criminal organisation, even government officials, benefit from corruption at the expense of the local population, who are the most vulnerable to drug-related violence, drug addiction and health disorders. In addition to widespread inequality, with wealth and resources unequally distributed and held exclusively within the above mentioned groups. Many West-African states are key transit regions, supplying approximately 25% of cocaine trafficked into Europe which is extremely profitable, and a major cause for maintaining instability and conflict within the region. The profitability of drug trafficking has also led many West-African states to be unofficially controlled by drug cartels, by bribing the government to ignore illegal activities or promote policies that benefit traffickers.

Consumer regions contain the highest demand for illicit drugs, making drug addiction and abuse a common and significant problem, including the high-rate of prosecution of drug use, such as in the United States. The CND stresses on the need to distinguish between illicit drug trafficking as a criminal concern and drug addiction as a public health concern. Prohibition and punitive measures are aimed at strengthening the legal system, reducing drug consumption and maintaining a healthy population. However, these traditional measures often target drug users rather than criminals involved in illicit drug trade or trafficking, which fails to reduce demand and the spread of illicit drugs. Additionally, many member states lack the necessary infrastructure and resources to provide for drug addiction and related health disorders, especially within developing countries.

Countering the global drug problem through enforcement measures only serves to create new challenges to international drug control efforts. Enforcement causes the problem to shift to a different geographic location, and is best addressed by cooperation between member states, chiefly by converging policy on international drug conventions. Also the enforcement of consumption and distribution of illicit drugs creates black markets. The lack of a legal market for narcotic drugs allows
drugs cartels and criminal organisations to benefit enormously by filling this void, creating an incentive for systemic corruption that breeds violence and social disorder.

The prohibition of narcotic drugs has promoted the emergence of alternatives called New Psychoactive Substances (NPS) and Illicit internet pharmacies, which additionally complicates controlling the global drub problem. NPS is a broad term for substances that mimic the effects of controlled drugs like cocaine or ecstasy. The International Narcotics Control Board (INCB) labels NPS as ‘legal highs’ and ‘designer drugs’ because they are specially created to avoid the law, making them relatively easier to access and difficult to regulate as they are technically considered legal substances. Majority of NPS production is in East and South Asia, while they are mainly used in Europe and North America. The distribution of NPS will most likely continue to increase, with little or no consequences, until member states are able to agree on international regulations. However, the lack of international regulation has not prevented some member states, like the United Kingdom, from creating policies that regulate and control NPS trade.

Illicit internet pharmacies act as legitimate online stores for individual to purchase narcotics drugs, including NPS. Since the 1990’s, the internet has gradually been used by drug traffickers to sell narcotic drugs. Most often these pharmacies are controlled by drug cartels and criminal organisations that produce the illicit substances. Illegal internet pharmacies have become increasingly efficient at distributing narcotic drugs to the general public, especially with regard to NPS. While they continue to advertise and distribute narcotic drugs, member states have been slow to respond to this new approach of drug trafficking and trade.

More recently, decriminalization efforts are being recognised by the international drug control system, especially with extensive failures of the global ‘war on drugs’ in controlling illicit drugs. Traditional criminalization measures created a system in which drug users were more likely to receive punishment than drug traffickers. Also criminalization efforts fail to consider the health and social aspects of drug use, including the specific treatment for drug-related disorders and social integration of drug users.

In the international community decriminalization measures continues to be a controversial topic, and lacking consensus among member states. However, some member states, like Netherlands, Uruguay and Portugal, have introduced national policies, which involves either the legal regulation or decriminalization of narcotic drugs. The Netherlands and Uruguay have introduced legal regulations on the sale of certain narcotic substances, such as cannabis. The legal regulation of narcotic drugs has helped manage distribution, provide health-care treatment, reduce the black market narcotic drugs, and decrease consumption levels. Portugal introduced a decriminalization policy in 2001, treating drug possession and use as an administrative penalty, rather than a criminal offence. This policy initiative led to fewer prosecution of drug users, reducing the burden on legal system and law enforcement, encouraging the treatment of drug addiction and related health disorders, and focusing state efforts on reducing drug-related crime and violence.

The reorientation of CND policy to a more pragmatic approach has recognized reducing the supply and demand of illicit narcotic drugs is an important goal in countering the world drug problem. According to the CND Plan of Action, reducing the supply of illicit drugs requires member states to strengthen judicial and police cooperation; sharing of information and knowledge, and providing technical and financial assistance; ensure that international conventions against illicit narcotic drugs are enforced; identifying supply routes; curtailing governmental corruption and the eradication of drug-cartels and criminal organizations. Additionally, to create durable change the international community should provide for alternative development strategies to support farmers in growing regions and to prevent a reversion to illicit crop cultivation. Farmers should have the opportunity to
provide for their families and have a decent livelihood, without relying on capital provided by the illicit drug trade.

The issue of drug trafficking extends beyond sovereign state borders, while judicial and enforcement authorities operates within their sovereign state jurisdictions, making cooperation between member states and sharing information between authorities a crucial factor in ensuring illicit narcotic drug control. Although the global supply and demand for narcotic drugs has remained stable a better understanding of the problem assists member states in effectively implementing global narcotics control.

Decreasing the demand for illicit drugs requires the international community to work together and provide affected population with safe alternatives to narcotic drugs, especially in developing countries, creating access to stable and legitimate employment, availability to health-care and treatment services, and education. Demand reduction measures allow individuals the opportunity to move away from drugs, while providing necessary health services to treat addiction. In this regard, the use of illegal drugs should be viewed as a public health concern, rather than a criminal action. Although the CND has made significant progress in attempting to control the global drug problem, bulk of the fight against illicit drugs lies with individual member states and their willingness to cooperate with one another and the international drug control system.

Past UN Action

The international drug control system emerged from the widespread opium trade in Asia in the 19th century, which propelled domestic opium production and caused the largest drug abuse problem in history. In 1906, there was an estimated 25 million opium users worldwide. The first international conference to deliberate the world drug problem was the Shanghai Opium Commission, resulting in the International Opium Convention (1912). The convention mainly focused on controlling the production and distribution of opium and regulating national and international opium trade, including making possession of illicit drugs illegal. Although the convention didn’t establish legally binding commitments, it laid the foundation for future international drug control conventions.

The Commission on Narcotic and Drugs (CND), established in 1946, incorporated the previous international drug control regime, and assumed the role as the lead policymaking body for international drug control system. The CND works closely with member states and other international organisations to address the world drug problem. The CND monitors the global drug situation to develop strategies for international drug control and recommend measures to counter the world drug problem. The three core documents that constitute the basis for the mandate and policy of the CND are: The Single Convention on Narcotic Drugs (1961), the Convention on Psychotropic Substances (1971), and the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988).

The Single Convention on Narcotic Drugs (1961) discusses the issue of drug abuse. It created a framework for international drug control by creating the criteria of scheduled narcotic drugs for countries to follow regarding drug policy. The Convention on Psychotropic Substances (1971) addressed the growing variety of psychotropic drugs and the effect of these new drugs on individual health. The Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988) focused on modern enforcement policy and effectively tackling the issue of drug trafficking. It provides important counter measures for drug trafficking, such as controlling precursor substances. These conventions are nearly universal, with 180 countries having signed and ratified all three of
them. The international control of illicit narcotic drug is a concern for many member states, and this level of support is indicative of the global importance in addressing the world drug problem.

The Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem (2009), established the policy of supply and demand reduction of illicit drugs, including providing alternative development initiatives for people affected by the global problem. In 2014 a high-level review of the 2009 Plan of Action reaffirmed the importance of implementing policies of the 2009 Plan and encouraging member states to enhance international cooperation, including sharing information, knowledge and experience, which has significant improved understanding of the global drug problem. The review also discussed challenges in implementing conventions and short-coming of policies on counter-narcotic efforts. A key challenge identified by the review is the way in which certain member states misunderstood international conventions on drug control to wage a global war on drugs, in particular the United States.

The CND asserts that the development and implementation of drug control policies is a global, common and shared responsibility. In this regard, key CND Resolutions highlight the importance of effective and increased international cooperation in addressing the world drug problem. While also considering the diverse political, social and cultural realities of member states. Similarly, the UN Convention of 1988 acknowledges that drug control policies should respect the right and needs of people affected by production, trafficking and consumption of illicit narcotic drugs. The CND Resolution 60/4 emphasizes on the importance of sharing information on supply and demand reduction strategies, also stressing on the need for technical and financial assistance for member states, particularly in transit and growing regions. In addition to inviting member states to share on new psychoactive substances on a multilateral basis, and exchange of information and experiences. CND Resolution 60/6 encourages member states to improve communication, coordination and collaboration on drug policy in areas of health, education, justice and other relevant domestic sectors. Whilst, CND Resolution 60/9 stresses on establishing different levels of cooperation – bilateral, regional and international – between member states to jointly implement programs, especially regarding law enforcement and border control. In addition to strengthening capacity to identify and dismantle illicit drug production, trade and trafficking by transnational criminal organisations.

**Conclusion**

The international drug control system continues to face a diverse range of view from member states. The lack of international consensus in responding to the challenges of the world drug problem has contributed to the ineffective control of illicit narcotic drugs, especially with regard to curbing supply and demand. Some member states continue traditional policies of criminalization, while other member states focus on pragmatic policies of legalization and decriminalization. Many member states continue to be plagued by drug-cartels and criminal organisations that facilitate illicit drug trade and trafficking. While continuing to maintain conditions of extreme poverty, underdevelopment and systemic corruption, including instability and conflict. The international community has significantly reduced the number of drug addicts through recent pragmatic approaches. However, the international supply and demand for illicit narcotic drugs has remained relatively stable, with production and distribution continuing to be a major issue of drug control. Despite the substantial progress of the CND in controlling the world drug problem, the level of international cooperation between member states remains a key factor in addressing the world drug problem.
Links to Research

https://www.unodc.org
http://www.unodc.org/wdr2016/
https://data.unodc.org/
https://www.unodc.org/unodc/en/commissions/CND/Mandate_Functions/Mandate-and-Functions_index.html
https://www.globalcommissionondrugs.org/
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