

Drug War Chronicle - Issue #543 – 7/18/08 – von Frek Polak

1. Feature: Beyond 2008 -- Global Civil Society Tells the UN It's Time to Fix International Drug Policy

http://stopthedrugwar.org/chronicle/543/beyond_2008_ngos_united_nations_drug_resolution

Last week, some 300 delegates representing organizations from across the drug policy spectrum met in Vienna for the [Beyond 2008 NGO Forum](#), an effort to provide civil society input on global drug policy. Building on a series of regional meetings last year, the forum was part of an ongoing campaign to reshape the United Nations' drug policy agenda as the world organization grapples with its next 10-year plan.

In 1998, the UN General Assembly Special Session (UNGASS) on drugs issued a declaration outlining its 10-year strategy to "eliminate or significantly reduce" the cultivation of marijuana, coca, and opium poppies. "A drug-free world -- we can do it!" was the motto adopted by UNGASS a decade ago. Now, with the 10-year review bumped back to next March, it is clear that the global anti-drug bureaucracy cannot claim to have achieved its goals, and civil society is taking the opportunity to intervene in search of a new, more pragmatic and humane direction in global drug policy.



UN building housing the Commission on Narcotic Drugs, Vienna (interior shot)

The NGO meeting, which included drug treatment, prevention, education, and policy reform groups, harm reduction groups, and human rights groups from around the world, resulted in a resolution that will be presented to the UN Commission on Narcotic Drugs (CND) at its meeting next March. At that meeting, the CND will draft the next UN 10-year global drug strategy.

Of the nine regions of the world, only North America sent two delegations. The first, which had met in St. Petersburg, Florida, in January, deliberately excluding harm reduction and drug reform groups, was the "official" delegation, representing hard-line prohibitionist organizations aligned with the Office of National Drug Control Policy, such as the Drug-Free America Foundation and the Community Anti-Drug Coalitions of America (CADCA), the California Narcotics Officers Association, and the National Association of Drug Court Professionals.

The second North American grouping, which had held its [regional meeting in Vancouver in February](#), included dozens of organizations in drug reform and harm reduction, as well as treatment, prevention, and rehabilitation groups. Among the organizations from the Vancouver meeting that went to Vienna were the ACLU Drug Law Policy Project, Students for Sensible Drug Policy, Virginians Against Drug Violence, Law Enforcement Against Prohibition, the Harm Reduction Coalition, Break The Chains, and the Institute for Policy Studies.

In many ways, the three-day meeting in Vienna was a debate among North Americans, with the NGOs of the other eight regions having largely agreed on a reformist and harm reduction approach.

And strikingly, for the first time at a UN event, the prohibitionists found themselves in a distinct minority.

After three days of sometimes heated discussion, the unanimous declaration of the NGOs at Beyond 2008 called for:

- Recognition of "the human rights abuses against people who use drugs";
- "Evidence-based" drug policy focused on "mitigation of short-term and long-term harms" and "full respect for human rights and fundamental freedoms";
- The UN to report on the collateral consequences of the current criminal justice-based approach to drugs and to provide an "analysis of the unintended consequences of the drug control system";
- Comprehensive "reviews of the application of criminal sanctions as a drug control measure";
- Recognition of harm reduction as a necessary and worthwhile response to drug abuse;
- A shift in primary emphasis from interdiction to treatment and prevention;
- Alternatives to incarceration;
- The provision of development aid to farmers before eradication of coca or opium crops;
- Acknowledging that young people represent a significant proportion of drug users worldwide, are disproportionately affected by drugs and drug policy, and should be actively involved in the setting of global drug policy.

"We achieved a set of declarations of what the people of the world think drug policy ought to look like," said Graham Boyd of the ACLU Drug Law Policy Project. "We reached a consensus on a set of policies that is really different from what we've seen so far. It's a shift away from interdiction, arrests, and imprisonment, and toward including concepts like human rights and harm reduction."



Fayzal Sulliman (Sub-Saharan African Harm Reduction Network, Stijn Goossens (International Network Of People Who Use Drugs), Kris Krane (Students for Sensible Drug Policy)

"We hammered out a pretty amazing set of suggestions as to where the UNODC and CND should go in the next decade," said Jack Cole, executive director of LEAP. "I thought it was wonderful. This is a consensus document," Cole noted. "While that means anything that everybody couldn't agree on didn't get in, it also means that every single person there agreed with what did get in. That's why I'm so pleased with this. At the end, we were able to agree on some really, really good things."

"I think we accomplished a lot," said Lennice Werth of Virginians Against Drug Violence. "What was really

important was where the rest of the world stood, and it was clear from the regional meetings that everyone else mentioned harm reduction and the decriminalization of drug use as goals. By the end of the meetings, the whole world was sitting back and watching as two US factions slugged it out. It became evident that the whole world is seeing the light except for these hard-liners in the States."

"This was a really good reality check for the US prohibitionists," said Sanho Tree of the Institute for Policy Studies. "They've never been forced to sit in a room with so many people who have evolved so far beyond them. A real wake-up call. And we even got some of them to engage us, and found we had a lot in common. That leaves the hardliners way out in the cold."

"The NGO community is united in insisting that the UN and member states respect the human rights of people who use drugs, and that all drug strategies must be drafted in the spirit of human rights declarations," said Kris Krane, executive director of SSDP. "If adopted by the United Nations, this could have a profound impact in many parts of the world where drug users are routinely treated as subhuman, and subjected to treatment that would be unthinkable even in the context of repressive United States drug policy."

"We achieved some important gains," said Frederick Polak, speaking as a member of ENCOD, the European Coalition for Just and Effective Drug Policies. "But the central issue for ENCOD and its 150 organizations is to get alternative drug control policies on the agenda of CND and of individual countries. It is no longer acceptable that alternative policies are simply not discussed by governments, and not at the UN, at least not at the level of policymakers."

In that regard, said Polak, Beyond 2008 did not go far enough. "We made very little progress on actually getting legalization and regulation on the agenda, and only in the sense that most people are aware now that the issue 'hangs in the air' in Vienna," he said.

The haggling between the prohibitionist fringe and the rest of the NGOs not only prevented the adoption of more overtly anti-prohibitionist language, Polak said, it also prevented discussion of additional proposals for alternative drug control policies, including one advanced by ENCOD.

But it is a ways from passing a civil society resolution to seeing it adopted by the global anti-drug bureaucracy. Now that Beyond 2008 has crafted its resolutions, the goal is to see that it has some impact on the deliberations of the UN drug bodies next year. That involves not only showing up in Vienna, but also impressing upon national governments that they need to heed what civil society is telling them.

"This was the first quarter in a game that has three quarters left," said Boyd. "But we did well in the sense that until this conference, NGOs didn't really have a place at the table when it came to discussing international drug policy. What this means is that when the nations convene and reassess international drug policy in coming months, they will know that NGOs from all of their countries have really called on them to reassess the direction they're going," he continued.

"This is going to provide traction for reform of the international drug control system, and the fact that it was a consensus document make it even more powerful," said Tree. "The prohibitionists were so marginalized, they had to consent. Some even opened their ears and listened. We have opened the door for drug policy approaches like harm reduction, public health, regulation, and ending the folly of blaming other countries for our demand."

"Now we need to make sure our voices are heard," said Boyd. "Part of that is just showing up in Vienna, but part of that is speaking to our national government representatives and making sure they're really representing us. In our case, our national government hasn't shown much empathy for the positions we've taken, but we're a democratic society, so I hope they will include our views."

Reformers must also continue to make the case against drug prohibition, said ENCOD's Polak. "The theory of prohibition is that it will diminish drug production, supply and use. Yet in reality it has achieved the exact opposite, and has additionally created violence, corruption and chaos that is now destroying millions of lives. It's safe to say that prohibition theory has been proven false," he said.

"In any other field of policy, alternative methods would be explored, but in international drug policy, consideration of alternative policies is taboo," Polak continued. "With this argument, drug

policy activists should try to convince public opinion and politicians in their country that there is an urgent need for a thorough and rational study of alternative drug control policies."

"This could be an exercise in futility," said Werth, acknowledging the slow pace of change at the UN and the uncertainty over whether change will occur at all. "But it doesn't seem like it. The UN moves at a glacial pace, but they know they didn't achieve a drug-free world, and when they move, it will undercut the gang in charge of drug policy in this country."

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Sorry for omitting the report on Beyond 2008 by TNI's Martin Jelsma UNGASS 10-year review-beyond 2008 vienna:

http://www.ungassondrugs.org:80/index.php?option=com_content&task=view&id=214

http://www.ungassondrugs.org/index.php?option=com_content&task=view&id=214

In my text I should also have mentioned as an achievement of the meeting the adoption of the statement that durable alternative means of existence must be in place before coca or poppy eradication is started.

A lot of reports are probably being written right now. I think we may expect reports from IDPC, Tranform, LEAP among others.

Friends,

At the website of the Vienna NGO Committee

http://www.vngoc.org/details.php?id_cat=8&id_cnt=56

you can find the complete text of the final document as agreed upon in consensus. Yes, I did not break the consensus, even when there are serious shortcomings, the most important of which is the lack of discussion of alternative drug policies.

Friends,

For reports on the NGO Forum "Beyond 2008" that took place from 7 - 9 July 08 in Vienna, I advise you to go to the websites of ACLU, American Civil Liberties Union, and of IHRA, International Harm Reduction Association.

Graham Boyd, ACLU-lawyer, wrote his reports in three parts:

<http://blog.aclu.org/2008/07/08/dispatch-from-vienna-first-day-of-the-united-nations-forum-on-international-drug-policy/>

<http://blog.aclu.org/2008/07/09/dispatch-from-vienna-day-two-a-spy-in-the-house/>

<http://blog.aclu.org/2008/07/10/dispatch-from-vienna-day-three-a-global-consensus-for-drug-policy-reform/>

IHRA placed its reports together on its site:

http://www.ihrablog.net/2008_07_01_archive.html

Both organizations are very enthusiastic about the results. And indeed, important gains were achieved, in the fields of "HR2", i.e. Harm Reduction and Human Rights, representation of drug users, and the acknowledgment of harmful effects of the existing drug control system. Dozens of organizations supported these issues, with good arguments and data, and at some points even with the threat that if certain things were not going to be changed, no consensus would be achieved. And in Vienna, consensus still is the generally agreed upon way of working, which has important advantages and

disadvantages.

I was in Vienna as representative of ENCOD, European Alliance for Just and Effective Drug Policy, and of the Netherlands Drug Policy Foundation. I am less enthusiastic, because we did not reach the objective that ENCOD had set: that the NGO Forum would make the statement that the issue of alternative drug control policies must be placed on the agenda of CND and UNODC.

For that purpose, one or more member states would have to take the initiative, because it seems that CND and UNODC cannot do that themselves. If we had succeeded in having the Forum make this statement, that would not immediately have led to the desired result, because the decisive work then still has to be done in the individual country/ies. But it would surely have given a push in the right direction. Now it remains open how we can get this crucial issue on the agenda.

Anyway, we were not completely isolated on this issue. LEAP (Law Enforcement Against Prohibition), INPUD and Transform are our allies in this, but it didn't take long before it was clear that the way this meeting was organized, any "alternative policies" proposal was not going to be accepted. The resistance by numerous groups of hard core prohibitionists, lead by the Drug Free America Foundation was so strong, already during the preparatory meetings, that it is indeed remarkable how many setbacks and compromises the Drug Free groups have accepted.

The traditional clinging to consensus makes it possible for minority groups to force their way, to a certain degree. There must be some significant support. When it is clear you have very limited support, strong pressure is exercised to get your proposal from the table - and refusing to retract such a proposal would lead to the failure of the whole exercise, so that the objectives of the majority of the attending organisations would not have been met. For that reason, I did not want to break the consensus. I will come back to this issue in the next installment of my report.