

**BEYOND 2019:
AFRICAN CIVIL SOCIETY COMMON POSITION ON DRUGS**

DRAFT AFTER CIVIL SOCIETY MEETING, 31 JULY 2019

1. INTRODUCTION

In March 2019, the UN Commission on Narcotic Drugs convened a high-level ministerial segment at its 62nd regular session.¹ At this meeting, Member States agreed by consensus on a *Ministerial declaration on strengthening our actions at the national, regional and international levels to accelerate the implementation of our joint commitments to address and counter the world drug problem*.² This declaration reaffirmed the “mutually reinforcing” documents that preceded it: including the *2009 Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem*³, the *2014 Joint Ministerial Statement*,⁴ and the outcome document of the UN General Assembly Special Session (UNGASS) on drugs in 2016, which presented a comprehensive overview of the world drug situation across seven operational chapters.⁵

This document, alongside the *United Nations system common position supporting the implementation of the international drug control policy through effective inter-agency collaboration*,⁶ remains crucial and important in guiding actions by the international community in relation to the world drug situation.⁷

As part of the process of disseminating and understanding the outcomes of the 2019 ministerial segment by civil society in Africa, a dissemination forum was organized by the Slum Child Foundation in Nairobi, Kenya in April 2019. From this meeting, a draft Common Position was produced and shared widely with civil society partners across Africa. The Position was further discussed at a civil society meeting in the margins of the 3rd Session of the African Union’s Specialized Technical Committee on Health, Population and Drug Control in July 2019. It has also been disseminated online in English and French for broad consultation, inputs and sign-on from civil society organizations across Africa, including non-governmental, community-led and faith-based organizations, among others.

This Common Position seeks to capture civil society commitments and actions resulting from the 2019 Ministerial Declaration and other high-level documents, and how we can forge a plan of action in line with the African Union’s Plan of Action on Drug Control and Crime Prevention (2019-2023), the African Union Agenda 2063, and other regional treaties and conventions.

¹ <https://www.unodc.org/unodc/en/commissions/CND/2019/2019-high-level-ministerial-segment.html>

² https://www.unodc.org/documents/commissions/CND/2019/Ministerial_Declaration.pdf

³ https://www.unodc.org/unodc/en/commissions/CND/Political_Declarations/Political-Declarations_2009-Declaration.html

⁴ https://www.unodc.org/documents/ungass2016/L15e_V1401384_11march.pdf

⁵ <https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf>

⁶ <https://www.unsceb.org/CEBPublicFiles/CEB-2018-2-SoD.pdf> (Annex 1)

⁷ For the purposes of this Common Position, the term ‘drugs’ refers to all psychoactive substances - including illicit drugs, alcohol and tobacco.

2. PREAMBLE

We, African civil society organizations whose work relates to drugs,

Acknowledging the efforts being put in place by the African Union (AU) in partnership with its Member States to combat drug-related harms and challenges in the region, which remain a major health and human rights concern towards attaining the Sustainable Development Goals (SDGs) and the AU Agenda 2063;

Also acknowledging that the three international drug control conventions remain key pillars of the regional drug control system both to Member States and African civil society organizations, and therefore requests for their full implementation in the spirit of “Being concerned with the health and welfare of mankind”;

Further acknowledging the outcome document of the UN General Assembly Special Session (UNGASS) in April 2016,⁸ which represents the most recent comprehensive set of operative recommendations for addressing the world drug situation;

Acknowledging the African Charter on Human and Peoples' Rights,⁹ the African Charter on the Rights and Welfare of the Child (ACRWC),¹⁰ and all other relevant international human rights conventions and mechanisms;

Noting with concern the “unintended consequences“ of drug control, as highlighted by the United Nations Office on Drugs and Crime (UNODC):¹¹ the huge criminal black market, policy displacement away from public health and human rights, geographical displacement (including to new regions and countries that are ill-equipped to deal with these challenges), substance displacement (including to new psychoactive substances and unconventional substances that may be more harmful), and the perception and social exclusion of people who use drugs (including poor communities, women and young people) as deviants and criminals;

Welcoming the recommendations from the First and Second Meetings of the AU Specialized Technical Committee on Health, Population and Drug Control, but also concerned that member states are not bound by these recommendations, and that the recommendations are not yet implemented on the ground in many cases;

Taking into consideration the number of people who we are supporting each and every day who are affected by drugs, by the abuse they suffer, and by drug control in the region, including women, young people and children who are disproportionately impacted, and remembering those whose deaths could have been avoided;

Emphasizing the crucial role played by African civil society in addressing the world drug situation, and also the urgent need to scale-up the formulation, implementation, delivery

⁸ <https://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf>

⁹ <http://www.achpr.org/instruments/achpr>

¹⁰ https://www.unicef.org/esaro/African_Charter_articles_in_full.pdf

¹¹ https://www.unodc.org/documents/commissions/CND/CND_Sessions/CND_51/1_CRPs/E-CN7-2008-CRP17_E.pdf

and evaluation of evidence-based, balanced programs and policies that are adapted to the needs of the region;

Recognizing the urgent need for collaboration between Member States and African civil society organizations working on matters related to drugs - including those working in the fields of policies, prevention, harm reduction, treatment, rehabilitation, social reintegration, recovery, criminal justice, sustainable development and palliative care - for effective and balanced implementation of key drug-related commitments by African Member States;

Acknowledging the important role of the Commission on Narcotic Drugs (CND), the AU, the UNODC, the Vienna NGO Committee on Drugs (VNGOC), and the New York NGO Committee on Drugs (NYNGOC) in ensuring the active and inclusive engagement of civil society in decision-making processes;

Emphasizing the need for a creation of an inclusive and balanced platform within the AU for civil society to air their views, share their best evidence-based practices, and speak in one voice as part of their contribution to regional dialogue related to drugs;

Taking note that there remains a significant gap in the provision, infrastructure and evaluation of evidence-based interventions, policies and laws to support those affected by drugs and/or the criminalization of drugs - including, inter alia, people who use drugs, their families and communities, those at risk of problematic drug use, and other vulnerable groups, including children and poor people, and those unable to access controlled drugs for medical purposes“;

Welcoming the call by the First Ladies attending the African Union Summit in Niger, July 2019, calling for a rise in taxes for on tobacco, alcohol and other carcinogenic products;¹²

Emphasizing the need for Member States, through the African Union, to give priority to the regional drug situation while observing a balance between security, drug control, ensuring access to controlled substances for medical purposes while preventing non-medical use, and the promotion of health and human rights, since this is a matter of grave concern to many young people who are the present and future leaders for the region, and a crucial barrier to the attainment of Universal Health Coverage;

Also emphasizing the need for Member States, through the African Union, to allocate greater resources into the public health response to drugs and the research and data collection that should inform, enhance and create effective, evidence-based and cost-effective interventions, with the technical support of the UN partners in line with the UN System common position;¹³

Recognizing the fact that different countries and regional blocks have different contexts and needs, so a well-tailored response is needed to meet their needs while ensuring the protection of human rights and the promotion of public health.

¹² <https://news.yahoo.com/tax-alcohol-tobacco-tackle-cancer-african-union-first-202908442.html>

¹³ <https://www.unsceb.org/CEBPublicFiles/CEB-2018-2-SoD.pdf>

3. OUR COMMITMENT

We, African civil society organizations whose work relates to drugs, therefore:

Commit to work with the African Union and its Member States from the region to ensure the voice of civil society is heard in the creation of evidenced-based laws, policies and interventions in line with regional and international treaties and declarations;

Support the key role played by the AU in formulating regional policies that commit technical and political good will to ensure improved outcomes for those affected by drugs, especially the AU Plan of Action on Drug Control and Crime Prevention (2019-2023), with its commitments, inter alia, to embrace and strengthen evidence-based prevention, harm reduction, treatment, rehabilitation and alternatives to punishment;

Also support the AU Common Position on Controlled Substances and Access to Pain Management,¹⁴ where the overall goal is to ensure a functioning system for managing the availability of narcotic drugs and psychotropic substances to provide relief from pain and suffering by ensuring the safe delivery of the best affordable drugs to those patients who need them and, at the same time, to prevent the diversion of drugs for the purpose of abuse;

Further support the AU and its Member States to come up with evidence-based policies and programs, and review existing laws, to give attention to human rights, including, inter alia, the rights of children and the right to health, as well as the relevant international and African normative guidance and standards, including, inter alia, the UNODC International Standards on Drug Use Prevention,¹⁵ and to engage civil society partners in these processes;

Commit to domesticate the relevant AU conventions and treaties into our work with the help of our respective governments to ensure uniformity and a wider reach and coverage of the affected populations, hence leaving no one behind;

Urge Member States to implement their national, regional and international commitments, and to review or develop national drug master plans with the participation of civil society;

Further urges the AU and its Member States to work closely with civil society on the development of credible quantitative and qualitative data on drug use prevalence and associated harms, as well as on the monitoring and evaluation of drug-related issues and the full implementation of the AU Plan of Action, thus giving a true reflection of the progress and challenges that exist on the ground and guiding the direction that policies will take;

Encourage our policy makers to tackle the complex and urgent issues related to the regional drug situation and, through dialogue and cross-border learning, to make an honest assessment of the responses that can improve the outcomes for millions of African people;

¹⁴ <http://www.carmma.org/sites/default/files/PDF-uploads/African%20Common%20Position%20on%20Controlled%20Substances%20and%20Access%20to%20Pain%20Mgt%20Drugs%20-%20English.pdf>

¹⁵ <https://www.unodc.org/unodc/en/prevention/prevention-standards.html>

Commit to continue working with UNODC, WHO and the NGO Committees in mainstreaming our work in line with the 2019 ministerial declaration and any future drug policy instruments, and request for the support of UNODC in building the capacity of civil society in addressing the world drug situation;

Also commit to support fully the UNGASS 2016 outcome document, which was reaffirmed by the 2019 Ministerial Declaration and takes into consideration the three international drug control conventions, to guide action at the national level;

Emphasize our request and willingness to have a seat at the table for all relevant African Union dialogues and with other like-minded partners to help establish greater civil society platforms with civil society that can ensure liaison channels to air our voices, participate and provide inputs on the regional treaties and conventions related to drugs.
