

*Check against delivery.*

**Statement by Ms. Jagjit Pavadia, Member,  
International Narcotics Control Board (INCB)**

**Commission on Narcotic Drugs Thematic Discussions on the  
Implementation of All International Drug Policy Commitments,  
Following-up to the 2019 Ministerial Declaration**

***Challenge: “responses not in conformity with the three  
international drug control conventions and not in conformity  
with applicable international human rights obligations pose a  
challenge to the implementation of joint commitments based  
on the principle of common and shared responsibility”***

**25 October 2023**

Mr. Chair, Excellencies, ladies and gentlemen,

As the monitoring body established under the three drug control conventions, INCB reviews developments in States parties with the aim of supporting them to implement the conventions by assisting in identifying implementation gaps and proposing remedial action.

The Board’s treaty-mandated monitoring functions are clearly set out in Article 14 of the 1961 Convention on “Measures by the Board to ensure the execution of provisions of the Convention”, Article 19 of the 1971 Convention on “Measures to ensure the execution of the provisions of the Convention” and Article 22 of the 1988 Convention on “Functions of the Board”.

While the legal framework made up of the three international drug control conventions gives State Parties a large degree of discretion in the manner in which they implement their legal obligations under the conventions, it also establishes a series of parameters within which this discretion is to be exercised.

These include the limitation of the use of narcotic drugs and psychotropic substances exclusively to medical and scientific purposes subject to the provisions of the conventions, the respect for human dignity and rights, the adequate provision of controlled substances to meet legitimate medical needs, and the principle of proportionality in the formulation of criminal justice policy for drug-related behaviours.

In the exercise of its functions, the Board has made clear its unequivocal support for human rights in the design and implementation of drug control measures. The measures adopted with the purported aim of furthering drug control which are inconsistent with universally recognised human rights norms are ipso facto, a violation of the international drug control conventions. After all, the conventions form a legal framework that aims to safeguard the health and welfare of humanity. In particular, the Board continues to condemn, in the strongest possible terms, the use of extrajudicial measures by some State Parties under the guise of drug control.

The Board has also repeatedly reiterated that any measures adopted by States which permit the use of narcotic drugs or psychotropic substances for any purpose other than legitimate medical or scientific use are incompatible with the legal obligations

incumbent upon State Parties to the international drug control conventions. A prominent example is the trend, in a limited number of countries, to legalise the use of cannabis for non-medical purposes. I wish here to recall that these obligations are owed, not to the Board, but to the co-signatory parties to each of these instruments.

Within the limits established by the international drug control legal framework and within its treaty-mandated functions, I wish to reiterate the Board's continued commitment to open dialogue with Governments aimed at facilitating effective national action to attain the aims of the international drug control legal framework.

Thank you for your attention.