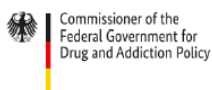


On behalf of



This report summarises the discussions and conclusions of the meeting, but does not reflect the institutional positions of the co-hosting parties

8TH BRANDENBURG FORUM ON DRUGS AND DEVELOPMENT POLICIES

“THE WAY FORWARD TO 2029: ACCELERATING PROGRESS IN GLOBAL DRUG POLICIES”

MEETING REPORT

The 8th Brandenburg Forum on Drugs and Development Policies took place from 22nd to 24th November 2023, at the Schloss Lübbenau in Brandenburg, Germany. The Forum was organised by the Global Partnership on Drug Policies and Development (GPDPD)¹ – commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ) and implemented under political patronage of the Commissioner of the Federal Government for Drug and Addiction Policy. The meeting was co-hosted by the Government of the Netherlands, the Norwegian Ministry of Health and Care Services, the Transnational Institute (TNI), and the International Drug Policy Consortium (IDPC).

The Forum was attended by 56 participants from around the world – including government representatives from Albania, Belgium, Brazil, Canada, Colombia, the Czech Republic, Finland, Germany, Ghana, Malaysia, Malta, the Netherlands, Norway, Peru, Portugal, Spain, Switzerland, Thailand and the USA. Also in attendance were officials from the European Union (EU), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC), and the Joint United Nations Programme on HIV/AIDS (UNAIDS), as well as leading non-governmental organisations. In order to promote open dialogue, discussions were conducted under the ‘Chatham House Rule’ whereby the content of discussions can be shared but neither the identity nor the affiliation of any participants should be revealed.²

OPENING SESSIONS

The 8th Brandenburg Forum was formally opened by the Head of the GPDPD, and a [recorded welcome address](#) was provided by the UN High Commissioner for Human Rights. He highlighted the “unbearable” levels of harm documented in the recent OHCHR report on human rights and drug policy,³ while also crediting the Brandenburg Forum as a “leading force in the global movement to ensure that drug policies promote more effective solutions by focusing on people and their rights”. The message closed with a call for “countries to take decisive steps... by ensuring that their drug policies focus on support, not coercion and fear”.

¹ For more information on the Partnership, please visit www.gpdpd.org

² <https://www.chathamhouse.org/about/chatham-house-rule>

³ <https://www.ohchr.org/en/documents/thematic-reports/ahrc5453-human-rights-challenges-addressing-and-counteracting-all-aspects>



Photo: Participants at the 8th Brandenburg Forum, November 2023. Credit: GPPD.

Further welcome remarks from BMZ, the Dutch Ministry of Health, Welfare and Sport, and IDPC were then followed by an interactive session where participants were invited to explore the progress that had been made against the recommendations from the 7th Brandenburg Forum in November 2022.⁴ Four ‘stations’ were set-up around the room to discuss each of the Forum’s thematic pillars: development, public health, human rights and new trends. The groups identified some areas where further effort was needed, for incorporation into later discussions, while below are selected examples of key developments in the past 12 months:

- **Development:** With 2023 marking the 10-year anniversary of the UN Guiding Principles on Alternative Development, the UN Commission on Narcotic Drugs (CND) adopted Resolution 66/4 which focused on sustainability and inclusivity and called for the first time on Member States to consider and engage Indigenous Peoples.⁵ The UNODC World Drug Report 2023 included heightened focus on development and the environment, while the latest in a series of Expert Group Meetings (EGMs), entitled “Joining International Efforts on Alternative Development”, was convened in October 2023 in Lima, Peru. In that same month, UNODC published a new “Practical Guide: Alternative Development and the Environment” with support from BMZ.⁶
- **Public health:** The latest data from Harm Reduction International (HRI) show an increase in the number of countries including harm reduction in their national policy documents, alongside new uptake of opioid agonist therapy (OAT), needle and syringe programmes (NSP) in prisons, drug consumption rooms (DCRs), and the peer distribution of naloxone to counter opioid overdose.⁷ In July 2023, the Global Coalition to Address Synthetic Drug Threats was launched by the USA.

⁴ 7th Brandenburg Forum meeting report: https://www.gppd.org/fileadmin/media/bbf7_report.pdf

⁵ https://www.unodc.org/documents/commissions/CND/Drug_Resolutions/2020-2029/2023/Res_66_4_2305857E.pdf

⁶ https://www.unodc.org/documents/alternative-development/Practical_Guide_Report_web.pdf

⁷ <https://hri.global/publications/global-state-of-harm-reduction-2023-update-to-key-data/>

- **Human rights:** The UN Human Rights Council adopted a resolution on “the human rights implications of drug policy” in March 2023, which was adopted by consensus including explicit reference to harm reduction in the context of the right to health, to addressing racial discrimination in drug policies, and to the right to traditional medicines and health practices for Indigenous Peoples, among other key elements. The resolution also provided a mandate for OHCHR to release a groundbreaking new report on human rights and drug policy, with strong support for harm reduction, the decriminalisation of people who use drugs, and the removal of stigma and discrimination for communities.⁸ In this context, a 3rd ‘Geneva-Brandenburg Forum’ was hosted in June 2023.⁹
- **New trends:** Participants noted how previous political blockages of civil society accreditation to the UN had lessened in 2023, and also highlighted the 2nd International Forum on Sustainable Cannabis Regulation (hosted by the Federal Commissioner for Drug and Addiction Policies immediately preceding the Brandenburg Forum) as well as the ongoing coordination among EU Member States moving forward on regulated cannabis markets. In 2023, Bolivia formally requested a ‘critical review’ of the coca leaf and its current classification under the UN drug control treaties. However, the documented 118% increase in the use of the death penalty for drug offences in 2022 compared to 2021 was emphasized as a serious challenge to be urgently addressed.¹⁰

PLENARY SESSION: TOWARDS 2024 AT THE UN COMMISSION ON NARCOTIC DRUGS

In the final session of Day 1, attention turned to the 67th Session of the CND in March 2024, and especially the high-level midterm review of progress made since the ten-year Ministerial Declaration on drugs was adopted in 2019.¹¹ A representative of the Chair of the 66th Session of the CND began by providing their reflections and perspectives on a year which saw multilateral decision making become increasingly challenging. They highlighted the parallel importance of reforms at the national and international levels, and the important voices of countries most impacted by the ‘war on drugs’, the challenges and frustrations faced in reaching consensus on CND resolutions (including the ‘modalities resolution’ which shapes the midterm review itself), and the current state of division amongst CND members.

The baton was then handed to a representative of the incoming Chair of the 67th CND – whose representative acknowledged the increasingly complex negotiations and dynamics, yet emphasized their desire to strengthen collaborations and inclusiveness in order to set a course for the coming five years which addresses the familiar challenges without ‘reinventing the wheel’. They will soon provide a draft Outcome Document for the midterm review, for negotiation ahead of the CND in March, and underlined the necessity of a pragmatic approach.

IDPC then presented their flagship new research entitled “Off Track: Shadow Report for the Mid-Term Review of the 2019 Ministerial Declaration on Drugs”, which was scheduled for launch in December 2023.¹² In the absence of any formal review from the UN, IDPC’s report sought to use existing UN data, a global civil society survey and other sources to assess the progress made against the goals and challenges set in 2019. The findings show no reduction in illegal drug markets, increased violence, insecurity and health harms that disproportionately affect people who use drugs and other marginalised groups, shrinking civic space (including recent pushbacks at the CND), and widespread and persistent human rights violations. The ‘Shadow Report’ also identifies a series of ‘blind spots’ and recommendations for all stakeholders for redress in the period from 2024 to 2029. These included the need to update the list of “challenges” that underpin the CND work plan, better acknowledge legally regulated markets around the world and their implications for the international system, and to use the midterm review to call for “transformative change” (as was also recommended by the OHCHR report).

⁸ <https://www.ohchr.org/en/documents/thematic-reports/ahrc5453-human-rights-challenges-addressing-and-counteracting-all-aspects>

⁹ <https://idpc.net/publications/2024/03/3rd-brandenburg-forum-bbf-in-geneva-consolidating-progress-for-human-rights-in-drug-policy>

¹⁰ <https://hri.global/flagship-research/death-penalty/the-death-penalty-for-drug-offences-global-overview-2022>

¹¹ https://www.unodc.org/documents/hlr/19-06699_E_ebook.pdf

¹² <https://idpc.net/publications/2023/12/idpc-shadow-report-2024>

In the subsequent discussions, some participants asked questions from the floor about the pros and cons of the CND's traditional reliance on consensus-based decision making – with reference made to the December 2022 drugs resolution at the UN General Assembly (which was overwhelmingly passed by vote for the first time), and the implications of no agreement being reached on the midterm review Outcome Document. Other participants emphasised the value of stiving for a common path at the CND, protecting the inclusivity and interactivity, presenting the data and facts about the world drug situation, and engaging strategies to align Vienna more with the rights, health and development narratives in Geneva.

PANEL DISCUSSION: WHAT CAN WE STRIVE FOR FROM THE MIDTERM REVIEW?

The second day of the Forum sought to build on the previous discussions and continue the focus on the midterm review at CND in March 2024, with a series of pre-determined questions asked to a panel comprising colleagues from the UN, civil society, regional organisations and Member States.

When asked “What new challenges have emerged or escalated since 2019?”, the responses included: record highs for global drug demand and supply; growing linkages between organised crime, money laundering, environmental crimes and drug markets; the overdose crisis, especially related to the use of synthetic opioids; threats to security and stability; cutbacks in funding and coverage for harm reduction, treatment and other drug responses; potential impacts of renewed opium bans in Afghanistan; the need for updated definitions of alternative development (including to adapt more to urban settings); and the “tense geopolitical setting” and conflicts which are impacting the international drug policy debate. Crucially, however, one panellist also noted that challenges, crises and threats can often be opportunities and catalysts for change.

The panel were then asked, “What is the role of UN agencies and other stakeholders in this review process?”, and the importance and value of an inclusive process was underscored by all the panellists. However, the challenges around this were also acknowledged, with shrinking space for non-state actors and increasing scrutiny of civil society mechanisms. It was suggested that Member States who support multistakeholder engagement need to strongly defend it in Vienna and ensure broad engagement in the main debates but also side events etc. Non-state actors have crucial roles to play in bringing expertise to CND, providing data and guidance, breaking silos between Vienna and Geneva, bringing key community voices to the debates, and also in the mobilisation of funding. It was also suggested that coordination between these non-state actors was important to elaborate a common vision and strategic approaches which can then be communicated to Member States.

The final question was “What can we strive for as an outcome from the midterm review?”, and the opportunity for an honest and comprehensive assessment of the (lack of) progress made was a common theme from the panel. Other ideas included: the inclusion of the human rights language and obligations (such as from the latest Human Rights Council resolution); calls for redirected funding from repressive approaches towards harm reduction, health and human rights; and identifying the ‘low-hanging fruit’ to help reduce divisions and reach those Member States who are not entrenched on either side of the debate. One panellist also highlighted that 2026 would be the 10th anniversary of the UN General Assembly Special Session (UNGASS) on drugs – which may be a further opportunity for discussion, review and reform. From the floor, some participants also expressed hopes that Member States with progressive, balanced drug policies would be more vocal at the midterm review about their national experiences.

PLENARY SESSION: FUNDING THE INTERNATIONAL DRUG POLICY SECTOR

For the first time, the Brandenburg Forum included a thematic session focused on funding for the drug policy and development sectors – against a backdrop of changing donor priorities and competing political pressures, budget cuts and a global financial downturn. The session included inputs from government agencies, civil society and philanthropic donors.

The first input gave an overview over the funding landscape for harm reduction and drug policies, with their ongoing tracking work showing that funding for harm reduction in low- and middle-income countries represents just 5 percent of the estimated need and remains heavily reliant on international donors (especially PEPFAR and the Global Fund to Fight AIDS, Tuberculosis and Malaria). As donors continue to deprioritise middle-income countries, more governments are using domestic funds but there remains a lack of overall transparency and there is often a reluctance to fund civil society and community-led groups to deliver the work. The presented research and analysis also clearly support the argument that investments in harm reduction are cost-effective, especially compared to the price of inaction.

Furthermore, recent research was presented that found that almost US\$ 1 billion of the official development assistance (ODA) that is reported and categorised by governments was used for “narcotics control” from 2012 to 2021, including strengthening drug law enforcement in countries that retain the death penalty for drug-related offences.¹³ This, it was argued, is a mis-spend of resources that are supposed to promote health and economic development, equality and human rights – and something that HRI, for example, are targeting through their new Divest-Invest campaign.¹⁴ However, some participants noted the breadth of different projects and activities that may be captured under that category – including some alternative development and health-related projects.

The subsequent input was delivered by a philanthropic foundation active in the realm of drug policy. Their work has recently included support for cannabis regulation (mainly in the USA) as well as promoting more open debates at the multilateral level. Their focus further includes evidence production and research, advocacy for reforms at all levels, and working on new narratives and promoting different approaches to drug policy (including by engaging new actors and fellow donors). The need to bring in more donors from different angles and sectors into the conversation was acknowledged.

The final speaker presented preliminary analyses of the UNODC’s donor base and income since 2016. When looking at pledged funding (from UNODC’s own open database¹⁵), the drugs portfolio is gradually decreasing over time and many of the UNODC’s major donors provide less than 10% of their funding for drugs work. The same picture emerges when looking at funded projects – both globally and in most regions – with drugs being edged out by other thematic programme areas such as organised crime, corruption, terrorism and justice. Of the funds allocated to drugs in 2022, under a quarter could be seen to be for health responses, and 51 percent for alternative development (mainly in Afghanistan and Colombia). Funding for the programme code for harm reduction represented just 4 percent of the overall UNODC drug-related project funds (2016-2023), and just 1.5 percent of their total funding. UNODC as an agency receives mainly ring-fenced funding from its donors (and very little unrestricted funding), and a parallel analysis of their biennial budgets painted the same picture – with drugs and health expenditure falling, and crime projects increasing.

Two of the other international donors in the room were also invited to respond. With regards to the overdose crisis in North America, one representative described the need for new solutions and treatments that address physical dependence but also underlying factors such as mental health or chronic pain where needed. In this line of work, it is essential to secure political will and to focus on shifts in culture to end drug-related stigma. Another representative then described their focus on harm reduction, drug policy reform and resource mobilisation – including supporting some of the work presented in this session. They seek to make the most of their resources by addressing stigma and building effective partnerships to link efforts in their target countries.

¹³ https://hri.global/wp-content/uploads/2023/09/HRI_Aid-for-the-War-on-Drugs_Final-1.pdf

¹⁴ <https://www.investinjustice.net/>

¹⁵ https://www.unodc.org/unodc/en/donors/grants_opendata.html

WORKING GROUPS: THEMATIC RECOMMENDATIONS, 2024-2029

For the remainder of the second day, each participant was invited to join two out of four working groups, one for each of the established pillars of the Brandenburg Forum: development, public health, human rights and new trends. Each group was tasked with further exploring key issues and outlining key recommendations and initiatives that could progress the debate. After engaging discussions, recommendations from each of the working groups were presented in the plenary on the final day of the Forum. All participants were then invited to ‘vote’ by placing coloured stickers on the recommendations which they felt were the most important. As in previous years, the results of these ‘votes’ (below in square brackets) provide a useful indication of the group’s sense of priorities over the coming years.

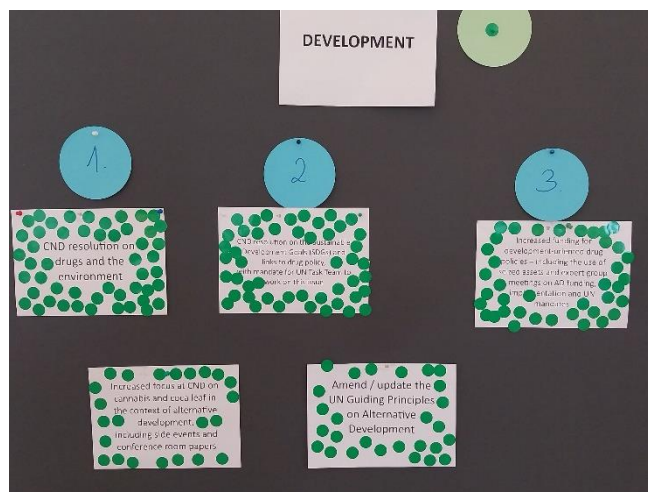
A: DEVELOPMENT

The working group discussions covered a range of topics, including: the UN Guiding Principles on Alternative Development (and the arguments for and against updating them to include new approaches and non-traditional settings); alternative development and the environment; funding for alternative development; and connecting alternative development products to mainstream markets. The following recommendations were elaborated for the plenary voting exercise:

1st [50 votes]: New CND resolution on drugs and the environment

2nd [48 votes]: New CND resolution on the Sustainable Development Goals (SDGs) and links to drug policy, with mandate for UN Task Team to work on this issue

3rd [39 votes]: Increased focus at CND on cannabis and coca leaf in the context of alternative development, including side events and conference room papers



4th [27th votes]: Amend / update the UN Guiding Principles on Alternative Development

5th [23 votes]: Increased funding for development-oriented drug policies – including the use of seized assets and expert group meetings on funding, implementation and UN mandates

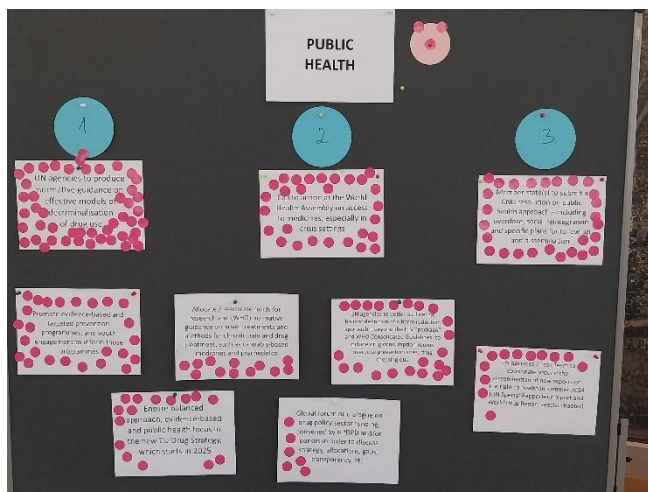
B: PUBLIC HEALTH

The working group discussions covered a range of topics, including: the prevention of drug use and/or drug-related problems; alternative therapies for pain relief, including the use of cannabis and psychedelics; the forthcoming World Drug Report special chapter on the right to health; the forthcoming report from the UN Special Rapporteur on the Right to Health; access to essential medicines in emergency situations; the need to re-emphasise public health aspects of drug policies; the need for UN guidance on the best models of decriminalisation for minor drug offences; the definition and understanding of harm reduction – including whether newer interventions such as drug consumption rooms and drug checking services can be added to the existing World Health Organisation (WHO) recommendations; and the need to engage new donors for the sector. The following recommendations were elaborated for the plenary voting exercise:

1st [48 votes]: UN agencies to produce normative guidance on effective models of decriminalisation of drug use

2nd [28 votes]: Call to action at the World Health Assembly on access to medicines, especially in crisis settings

3rd [27 votes]: New CND resolution on public health approach – including overdose, social reintegration, and specific plans for follow-up and dissemination



4th [25 votes]: Promote evidence-based and targeted prevention programmes, and youth engagement to inform those programmes

5th [22 votes]: UN agencies to better outline the holistic definition of a harm reduction approach – beyond the HIV “package” and current WHO guidelines, to include drug consumption rooms, overdose prevention sites and drug checking, etc.

6th [15 votes]: Ensure a balanced approach and an evidence-based and public health focus in the new EU Drug Strategy, which starts in 2025

=7th [12 votes]: Allocate / reallocate funds for research and UN normative guidance on novel treatments and methods for chronic pain and drug treatment, such as cannabis-based medicines and psychedelics

=7th [12 votes]: UN agencies and the UN system Task Team to coordinate around the dissemination of new reports on the right to health in summer 2024 (the UN Special Rapporteur report and the World Drug Report special chapter)

9th [6 votes]: Global forum or dialogue on drug policy sector funding, convened by GPDPD and/or donors in order to discuss strategy, allocations, gaps, transparency, etc.

C: HUMAN RIGHTS

The working group discussions covered a range of topics, including: how best to follow-up and disseminate the new OHCHR report, as well as the International Guidelines on Human Rights and Drug Policy;¹⁶ how to better link the drug policy discussions in Vienna (CND) and Geneva (Human Rights Council); continuing the series of Geneva-Brandenburg Forums into 2024; supporting the scale-up of the Global Drug Policy Index;¹⁷ and supporting national drug policy processes to include human rights discussions. The following recommendations were elaborated for the plenary voting exercise:

1st [48 votes]: As a follow-up to the OHCHR report and the International Guidelines, like-minded Member States to reach out to other countries to:

- a) share practical examples of implementation at the CND
- b) raise awareness of the recommendations
- c) make human rights implementation pledges during the mid-term review

¹⁶ <https://www.undp.org/publications/international-guidelines-human-rights-and-drug-policy>

¹⁷ <https://globaldrugpolicyindex.net/>

2nd [44 votes]: Member States to secure a reference to the Human Rights Council resolution and OHCHR report in the midterm review Outcome Document

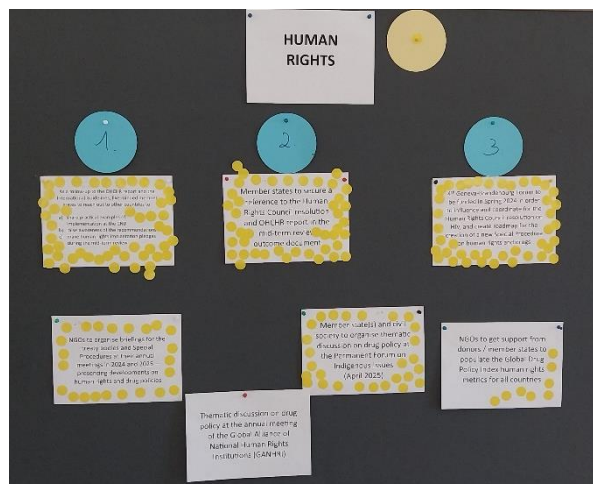
3rd [41 votes]: 4th Geneva-Brandenburg Forum to be funded in Spring 2024 in order to influence and coordinate for the Human Rights Council resolution on HIV, and create roadmap for the creation of a new Special Procedure on human rights and drugs

4th [27 votes]: Member State(s) and civil society to organise thematic discussion on drug policy at the Permanent Forum on Indigenous Issues in April 2025

5th [23 votes]: NGOs to organise briefings for the treaty bodies and Special Procedures at their annual meetings in 2024 and 2025 – presenting developments on human rights and drug policies

6th [8 votes]: NGOs to get support from donors / Member States to populate the Global Drug Policy Index human rights metrics for all countries

7th [0 votes]: Thematic discussion on drug policy at the annual meeting of the Global Alliance of National Human Rights Institutions (GANHRI)



D: NEW TRENDS

With perhaps the broadest of the four topics, this working group discussed a wide range of different issues, and put forward the following recommendations for the plenary voting exercise:

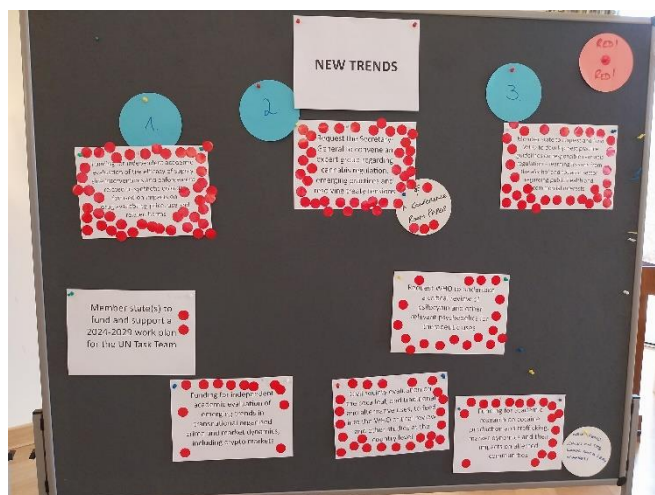
1st [46 votes]: Funding for an independent academic evaluation of the efficacy of supply side interventions and enforcement related to synthetic opioids (focused on impacts on drug availability, price, use and related harms)

2nd [42 votes]: Request the UN Secretary-General to convene an expert group regarding cannabis regulation, emerging practices and resolving treaty tensions, resulting in a CND conference room paper

3rd [31 votes]: Member State(s) to request and fund WHO to develop best practice guidelines on responsible cannabis regulation – learning lessons from the alcohol and tobacco sector regarding public health and commercial interests

4th [24 votes]: Civil society evaluation on the coca leaf, and traditional and alternative uses, to feed into the WHO critical review and other studies at the country level

5th [18 votes]: Request WHO to undertake a critical review of psilocybin and other relevant psychedelic drugs for therapeutic uses



6th [17 votes]: Funding for academic research on new trends in cocaine production, trafficking and their impacts on affected communities and local coca leaf markets

7th [12 votes]: Funding for independent academic evaluation of emerging trends in transnational organised crime and market dynamics, including crypto markets

8th [2 votes]: Member State(s) to fund and support a 2024-2029 work plan for the UN system Task Team

CLOSING DISCUSSIONS

After the voting results were shared with the participants, there was time for further discussion in the plenary. The importance of reaching those ‘outside of the bubble’ was raised. One government representative suggested that, while there are two opposing ‘camps’ on many drug-related issues, there is also a larger group of countries ‘somewhere in the middle’. It was suggested that reaching and engaging these countries should be a priority. It was also put forward that the recommendations for new UN guidance, new research, and for more national and international dialogues would all support this important outreach. At the same time, other participants highlighted the need to work beyond the current polarisation.

Closing the Forum, representatives from Norway, TNI and GPDPD – on behalf of all of the co-hosts – thanked the participants and the speakers, as well as the team that worked hard to put the Forum together.

PARTICIPANT FEEDBACK

Evaluation forms were completed by 45 participants and, as was the case for previous events, the feedback was overwhelmingly positive.

When asked for their main reasons for attending the Forum, most participants selected the content and the networking opportunities. The vast majority of participants said that the Forum helped them identify potential new drug policy approaches which were relevant to their work – while participants were also invited to suggest topics and issues for future Forums as well.

A clear majority (89%) of the respondents also agreed that the Brandenburg Forum is an established platform for discussing drug policy approaches.

