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NEW REPORT FINDS INTERNATIONAL NARCOTICS CONTROL BOARD BLOCKS EFFECTIVE HIV PREVENTION AMONG DRUG USERS

NGOs and Stephen Lewis call on INCB to increase accountability and transparency

NEW YORK, February 27, 2007 — The UN-funded body responsible for monitoring compliance with the UN drug conventions is blocking effective efforts to address the HIV/AIDS epidemic, says a new report released today by the Canadian HIV/AIDS Legal Network and the Open Society Institute (OSI).

“Nearly one in three HIV infections outside Africa is among people who inject drugs. The International Narcotics Control Board could and should be playing a key role in stopping this injection-driven HIV epidemic — but it’s not,” said Joanne Csete, Executive Director of the Canadian HIV/AIDS Legal Network and co-author of the report.

“The Board mentions HIV repeatedly in their annual reports, yet routinely fails to emphasize the solutions,” said Daniel Wolfe, Deputy Director of OSI’s International Harm Reduction Development Program and co-author of the report. “Instead, the INCB has consistently cautioned against effective HIV prevention measures and failed to highlight critical shortfalls in the global response.”

Stephen Lewis, the former UN Secretary-General’s Special Envoy for AIDS in Africa, joined the press conference and noted that the Board has sought to silence other views, despite the evidence. In May 2006, the INCB wrote to then-Secretary-General Kofi Annan demanding that Lewis be censured for his public support of supervised injection facilities (SIF) for HIV prevention. The INCB has insisted that SIF violate the UN drug conventions, even though UN lawyers have said SIF are consistent with the spirit and letter of the conventions.

Among the key findings of *Closed to Reason: The International Narcotics Control Board and HIV/AIDS*:

- **INCB members contradict evidence-based recommendations of other UN bodies and representatives.** INCB members have spoken out against sterile syringe programs and opiate substitution treatment (OST), despite findings by UNAIDS, the WHO, the UNODC and the INCB itself that such measures are effective components of HIV prevention.
- **The Board stresses drug control at the expense of public health.** While acknowledging that the WHO added methadone and buprenorphine to its Model List of Essential Medicines in 2005, the Board has made no public effort to promote OST in countries where large numbers of people inject drugs. Instead, the Board has expressed concern about diversion of methadone and buprenorphine, and urged WHO to advocate for tightened controls on these medications.
- **The Board conducts operations in secret, and without mechanisms for accountability.** INCB meetings are closed to observers, and no minutes are available. Annual reports issued by the Board lack the documentation provided by technical reports by other UN agencies. And INCB members have used their Board affiliation when making misstatements of fact, yet no public mechanism exists for member states or community organizations to contest claims, seek clarification, or offer amendments.

In response, the Legal Network and OSI recommend measures including the following to increase the INCB's accountability and transparency:

- **The INCB should cite scientific evidence for its observations about drug use and health, and legal grounds for its interpretation of law.** It should provide sources of information for its annual reports, and opportunities for UN member states and civil society groups to offer corrections or additional information.
- **The INCB should provide greater opportunity for exchange with UN member states, UN agencies with relevant mandates, civil society, and HIV/AIDS experts.** INCB country visits should include greater opportunities for engagement with these groups.
- **The UN Secretary-General should commission an independent evaluation of the INCB,** including a scientific evaluation of the Board's statements on health, and an examination of Board members' independence and expertise, with particular attention to HIV, international law and human rights.

“The UN drug conventions aren't just about drug control — they're also about the alleviation of human suffering,” said Csete. “The INCB is a secretive body that is out of step with international commitments, UN member states, and even its own legal advisors. Until the INCB changes, it will remain part of the problem rather than part of the solution.”

The report is available at www.aidslaw.ca and www.soros.org/harm-reduction.

About the Canadian HIV/AIDS Legal Network

The Canadian HIV/AIDS Legal Network (www.aidslaw.ca) promotes the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally, through research, legal and policy analysis, education, and community mobilization. The Legal Network is Canada's leading advocacy organization working on the legal and human rights issues raised by HIV/AIDS.

About the International Harm Reduction Development Program (IHRD)

The International Harm Reduction Development Program (IHRD), part of the Public Health Program of the Open Society Institute, works to reduce HIV and other harms related to injecting drug use and to press for policies that reduce stigmatization of illicit drug users and protect their human rights. IHRD, which has supported more than 200 programs in Central and Eastern Europe, the former Soviet Union, and Asia, bases its activities on the philosophy that people unable or unwilling to abstain from drug use can make positive changes to protect their health and that of their families and communities. Since 2001, IHRD has prioritized advocacy to expand availability of needle exchange, opiate substitution treatment, and treatment for HIV; to reform discriminatory policies and practices; and to increase the political participation of people who use drugs and those living with HIV.

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Note to editors: The INCB is scheduled to release its annual report for 2006 on Thursday, March 1, 2007.

For more information, please contact:

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Leon Mar
Director of Communications
Canadian HIV/AIDS Legal Network
Mobile: +1 416 278-3750
E-mail: lmr@aidslaw.ca
Website: www.aidslaw.ca

Amy Weil
Open Society Institute
Telephone: +1 212 548-0381
Mobile: +1 917 439-4922
E-mail: aweil@sorosny.org
Website: www.soros.org