Reviewer’s report

Title: Scheduling medicines as controlled substances: Addressing normative and democratic gaps through human rights-based analysis

Version: 0 Date: 06 Dec 2019

Reviewer: David Bewley Taylor

Reviewer's report:

This is a first rate submission addressing an increasingly important, though still under examined, policy issue from a nuanced, thoughtful and legally sound perspective. It is well written, argued, structured and researched with the application of right to health standards to the UN scheduling process demonstrating applied relevance as well as purely academic and conceptual additionality. The overall quality of the submission means that feedback is limited, although hopefully constructive and not overly pedantic. Readers unfamiliar with the international drug control system may benefit from some clarification of the processes, actors and mandates at work during the scheduling process. For instance, further explanation of the roles of the WHO as well as the INCB and UNODC might make things clearer, or at least the placement of their introduction within the text may be reconsidered. Similarly, in order to enhance clarity concerning necessary majorities between the conventions, the authors may consider starting a new paragraph after the word contain (p. 3 line 16). That said, the piece does a good job at distilling the arcane processes into a short and readable format. Mindful of increasing discussion, within both academic literature and the 'policy community', about human rights and system-wide coherence, the authors may also consider adding a sentence or two on how the proposed re-framing of the scheduling process fits, and indeed reinforces, a broader re-conceptualization of the issue area taking place in some quarters.

Are the methods appropriate and well described?
If not, please specify what is required in your comments to the authors.

Yes

Does the work include the necessary controls?
If not, please specify which controls are required in your comments to the authors.

Yes

Are the conclusions drawn adequately supported by the data shown?
If not, please explain in your comments to the authors.

Yes

Are you able to assess any statistics in the manuscript or would you recommend an additional statistical review?
If an additional statistical review is recommended, please specify what aspects require further assessment in your comments to the editors.

Not relevant to this manuscript

**Quality of written English**

Please indicate the quality of language in the manuscript:

Acceptable

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