

ORAL STATEMENT BY THE INTERNATIONAL DRUG POLICY CONSORTIUM

My name is Gloria Lai and I am making this statement on behalf of the International Drug Policy Consortium. As the 13th United Nations Congress on Crime Prevention and Criminal Justice discusses the successes and challenges in implementing policies and strategies to promote the rule of law at national and international levels, and to support sustainable development, the International Drug Policy Consortium calls upon Member States and international organisations to:

- A. Acknowledge the negative consequences of disproportionately harsh, punitive drug laws which have led to high rates of incarceration and severely overcrowded prisons. Many of those incarcerated for drug offences are people who are already marginalised and vulnerable, including people who use drugs, people from poor socio-economic backgrounds who engage in low-level dealing and smuggling, and people who cultivate drug crops to support their basic subsistence needs..
 - i. In many cases, incarcerating people who engage in low-level offences exacerbates the poverty and insecurity that are the root cause of their involvement in drug markets.¹
 - ii. Criminalising and incarcerating people who use drugs further marginalises and stigmatises them, driving them away from much needed health services as they fear arrest and imprisonment. This focus on law enforcement also places a heavy burden on judicial and penitentiary systems, and diverts valuable resources away from addressing drug-related health problems, including drug dependence and the transmission of HIV and viral hepatitis.
 - iii. The use of compulsory centres for drug users as a method of rehabilitation, is another drug control measure that has led to severe health and social consequences. Such centres do not constitute evidence-based drug treatment, are often run by security or military forces without any appropriately trained medical staff, and involve a range of human rights abuses against detainees including forced detoxification, forced labour and denial of essential healthcare.²

- B. We call upon Member States and UN organizations to promote proportionality of sentencing for drug offences as a key principle of the rule of law that is established in international treaties such as the International Covenant on Civil and Political Rights, regional human right agreements, and in some countries even in their constitutions and criminal laws, by taking actions such as:
 - i. Reviewing existing sentencing frameworks for drug offences
 - ii. Consider removing all punishment, or imposing reduced sentences and alternatives to incarceration for low-level, non-violent drug offences, especially for the use of drugs and possession of drugs for personal use, and

¹ Jelsma, T. and Kramer, T. (2012), 'Tackle Burma's drugs problem', *Foreign Policy*, http://www.foreignpolicy.com/articles/2012/03/30/16_ways_to_fix_burma_a_democracy_lab_special_report?page=0,2

² Human Rights Watch (2007), *Deadly denial: Barriers to HIV/AIDS treatment for people who use drugs in Thailand*, <http://www.hrw.org/sites/default/files/reports/thailand1107.pdf>; International Harm Reduction Development Program (2009), *Human rights abuses in the name of drug treatment: Reports from the field*, <http://www.soros.org/publications/human-rights-abuses-name-drug-treatment-reports-field>; World Health Organisation (2009), *Assessment of compulsory treatment of people who use drugs in Cambodia, China, Malaysia and Viet Nam: an application of selected human rights principles*, http://www.who.int/hiv/pub/idu/assess_treatment_users_asia/en/index.html

- iii. Abolishing the death penalty for drug offences.
- C. Lastly, in the lead up to the UN General Assembly Special Session on the world drug problem in 2016, we call on Member States to use this opportunity to have an honest and open discussion about 'what works and what does not work' when it comes to existing drug control policies, acknowledging that repressive and punitive drug control policies have been largely ineffective at reducing the scale of the drug trade and have instead resulted in serious collateral damage which can no longer be justified. We ask that Member States and UN organisations work to ensure that the UNGASS in 2016 is a meaningful process which contributes to promoting international drug control policies that uphold the core principles of the United Nations – human rights, human security, public health and development.