

27 June 2019

Mr Cornelius de Joncheere
President
International Narcotics Control Board

Dear Mr de Joncheere,

Re: INCB must call on the Sri Lankan authorities to halt the imminent executions for drug-related offences; the first in 43 years

Harm Reduction International (HRI) and 116 co-signing organisations are writing to draw your attention to official reports that the Sri Lankan authorities intend to execute at least four people for drug-related offences as soon as Saturday 29 June,¹ and urge you to issue a public statement on behalf of the International Narcotics Control Board (INCB) calling on Sri Lanka to halt such executions.

In July 2018, President Sirisena expressed his intention to end a 43-year moratorium and resume executions of individuals on death row for drug trafficking.² This proposal has been approved by the Sri Lankan cabinet,³ and the decision has since been reiterated several times.^{4, 5, 6}

Preparations are now reportedly underway to execute prisoners on death row for drug offences as part of the so-called National Drug Eradication Week, between 21 June and 1 July. On Wednesday 26 June, the President of Sri Lanka announced that four execution warrants have been signed. According to reliable sources, executions appear to be set for as early as this Saturday, 29 June. The lives of at least 46 more death row prisoners are also under imminent threat as their execution warrants have been prepared and now just await the President's signature.⁷

Executions for drug offences are prohibited under international human rights law, as drug offences do not meet the threshold of 'most serious crimes' to which Article 6.2 of the International Covenant on Civil and Political Rights mandates that capital punishment be restricted, in retentionist countries. The INCB has repeatedly called on states that retain the death penalty for drug offences to commute all existing death sentences, and to consider abolishing the death penalty altogether.⁸

Remaining silent as Sri Lanka puts an end to a 43-year de facto moratorium on executions would strike a blow to the INCB's commitment to human rights compliance as a core principle of international drug policy.⁹

In view of this, we urge the INCB to publicly call on the Sri Lankan authorities, in the strongest possible terms, to immediately halt the impending execution of prisoners convicted of drug offences, to commute all existing death sentences, and to abolish the death penalty on these grounds.

Thank you for your attention,



Naomi Burke-Shyne
Executive Director, Harm Reduction International

Co-signatory organisations:

1. A New PATH (Parents for Addiction Treatment & Healing) (USA)
2. Acción Técnica Social (Colombia)
3. ADPAN – Anti-Death Penalty Asian Network
4. Alliance Myanmar (Myanmar)
5. Amnesty International
6. Andean Information Network (Bolivia)
7. Asian Harm Reduction Network
8. Association des intervenants en dépendance du Québec (Canada)
9. Association Guyanaise de Réduction des Risques (Guyana)
10. Associazione Luca Coscioni (Italy)
11. Auto-Support des Usagers de Drogues (France)
12. Broken No More (USA)
13. Canadian Drug Policy Coalition (Canada)
14. Canadian HIV/AIDS Legal Network (Canada)
15. CAPUD - Canadian Association of People who Drugs (Canada)
16. Centre for Humane Policy (Bulgaria)
17. Centre for Policy Alternatives (Sri Lanka)
18. Centre on Drug Policy Evaluation (Canada)
19. CHESO – Children Education Society (Tanzania)
20. COIN – Centro de orientación e investigación integral (Dominican Republic)
21. Costa Rican Association on Drug Studies and Interventions (ACEID) (Costa Rica)
22. Criminal Justice Policy Foundation (USA)
23. Death Penalty Focus (USA)
24. Diogenis Drug Policy Dialogue (Greece)

25. Dopamine (Canada)
26. Drug Policy Alliance (USA)
27. Drug Policy and Harm Reduction Platform (Malawi)
28. Drug Policy Australia (Australia)
29. Drug Policy Forum of Hawaii (USA)
30. Drug Policy Forum of Texas (USA)
31. Drugs Peace Institute (Netherlands)
32. Echo Citoyen (France)
33. ECPM – Ensemble Contre la Peine de Mort
34. Empower India (India)
35. EzraPUD (Israel)
36. Eurasian Harm Reduction Association (Lithuania)
37. EuroNPUD (UK)
38. European AIDS Treatment Group (Belgium)
39. European Harm Reduction Network
40. Filipino American Human Rights Alliance (USA)
41. Frontline AIDS (United Kingdom)
42. Gadejuristen – The Street Lawyers (Denmark)
43. Gay Men's Health Collective (United Kingdom)
44. GLORI – Global Research Institute (Kyrgyzstan)
45. Harm Reduction Coalition (USA)
46. Harm Reduction Australia (Australia)
47. Hawaii Health and Harm Reduction Center (USA)
48. Hellenic Liver Patients Association "Prometheus" (Greece)
49. Hep Free Hawaii (USA)
50. ICEERS- International Center for Ethnobotanical Education, Research & Service (Spain)

51. IDCHS – Institute for Drug Control and Human Security (Sierra Leone)
52. IDUF - Indian Drug Users’ Forum (India)
53. Indonesian Harm Reduction Network (Indonesia)
54. INPUD – International Network of People who Use Drugs (United Kingdom)
55. Institute for Policy Studies, Drug Policy Project (USA)
56. Instituto RIA (Mexico)
57. Intercambios (Puerto Rico)
58. Intercambios Civil Association (Argentina)
59. International Commission of Jurists
60. International Doctors for Healthier Drug Policies (United Kingdom)
61. International Drug Policy Consortium (United Kingdom)
62. KontraS (Indonesia)
63. Latinoamérica Reforma (Chile)
64. Law Enforcement Action Partnerships (Australia)
65. Law Enforcement Action Partnership (USA)
66. Law Enforcement Action Partnership (United Kingdom)
67. Lawyers Collective (India)
68. LBH Masyarakat (Indonesia)
69. LSUC - Lambeth Service User Council (United Kingdom)
70. MENANPUD - Middle East and North Africa Network of/for People Who Use Drugs
71. mumsDU – moms united and mandated to saving the lives of Drug Users (Canada)
72. National Alliance for Medication Assisted Recovery (USA)
73. NC SU - North Carolina Survivors Union (USA)
74. Nepal Health Society (Nepal)
75. New Vector, GeNPUD - Georgian Network of People Who Use Drugs (Georgia)
76. NoBox Philippines (Philippines)
77. No Peace Without Justice (Italy)

78. NRPTT - Nonviolent Radical Party, Transnational Transparty (Italy)
79. Normal Norway (Norway)
80. Nova+ (Serbia)
81. NYC NORML (USA)
82. Odysseus Civic Association (Slovakia)
83. PeerNUPS (Greece)
84. Penington Institute (Australia)
85. Peoples Harm Reduction Alliance (USA)
86. Positive Voice, the Greek Association of People Living with HIV (Greece)
87. Prisons Foundation / Safe Streets Arts Foundation (USA)
88. proLAR Nett (Norway)
89. Quad Cities Harm Reduction (USA)
90. REDUC - Rede Brasileira de Redução de Danos e Direitos Humanos (Brazil)
91. Release (United Kingdom)
92. Reprieve (United Kingdom)
93. SACONO - South African Congress of Nonprofit Organisations (South Africa)
94. Safe Streets Arts Foundation (USA)
95. Sankalp Rehabilitation Trust (India)
96. SAOL Project (Ireland)
97. Science for Democracy (Italy)
98. Stop Overdose Now (Netherlands)
99. StopTheDrugWar.org (USA)
100. Students for Sensible Drug Policy (USA)
101. Suruwat (Nepal)
102. The Cannabis Alliance (USA)
103. The John Mordaunt Trust
104. The Netherlands Drug Policy Foundation (Netherlands)

105. Transform Drug Policy (United Kingdom)
106. Transnational Institute (TNI) - Drugs & Democracy programme (Netherlands)
107. Treatment Action Group (USA)
108. Treatment Communities of America (USA)
109. Trystereo - New Orleans Harm Reduction Network (USA)
110. Urban Survivors Union- National Drug User Union (USA)
111. Western Harm Reduction Network (India)
112. WHRIN – Woman and Harm Reduction International Network
113. WOCACA – Women’s Coalition Against Cancer (Malawi)
114. WOLA - Washington Office on Latin America (USA)
115. Women for Health (Georgia)
116. Women With a Vision, Inc (USA)

The following organisations added their support post-27 June

- AIVL - Australian Injecting and Illicit Drug Users League (Australia)
- ANPUD – Asian Network of People who Use Drugs
- Association for Humane Drug Policy (Norway)
- Deutsche Aidshilfe (Germany)
- Empire State NORML (USA)
- Filipino American Human Rights Alliance-Chicago (USA)
- Just Say No Nepal (Nepal)
- Seattle Hempfest (USA)

¹ Reuters, "Sri Lanka president signs death penalty for four drugs convicts", 26 June 2019, <https://www.reuters.com/article/us-sri-lanka-drugs/sri-lanka-president-signs-death-penalty-for-four-drugs-convicts-idUSKCN1TROEA?feedType=RSS&feedName=worldNews>

² Peter Beaumont, "Sri Lanka to Begin Hanging Drug Dealers to 'Replicate Success of Philippines,'" *The Guardian*, July 11, 2018, <https://www.theguardian.com/global-development/2018/jul/11/sri-lanka-to-begin-hanging-drug-dealers-to-replicate-success-of-philippines>.

³ Sandun A. Jayasekera, "Ministry Issues Timeline on Death Penalty Convicts," *Daily Mirror*, January 23, 2019, <http://www.dailymirror.lk/article/Ministry-issues-timeline-on-death-penalty-convicts-161469.html>

⁴ On 22 August 2018, President Sirisena declared that he was 'determined to carry out the death penalty for serious drug offenders'. See: "Sri Lanka to End Execution Moratorium Soon, but Will Send 5 Pakistanis on Death Row Home," *DAWN*, August 22, 2018, <https://www.dawn.com/news/1428593>.

⁵ See: Ministry of Law and Order Sri Lanka, "President emphasized that laws related to the control of drug trafficking should not be weakened at any cost", 10 December 2018, http://www.lawandorder.lk/index.php?option=com_content&view=article&id=253:president-emphasized-that-laws-related-to-the-control-of-drug-trafficking-should-not-be-weakened-at-any-cost&catid=14&Itemid=489&lang=en

⁶ On 23 January 2019, President Sirisena reiterated the government's decision to proceed with the executions, confirming that dates would be communicated 'soon' to the prisoners. See: "Sri Lankan President Reiterates Decision to Impose Death Penalty on Drug Traffickers," *Xinhua*, January 23, 2019, http://www.xinhuanet.com/english/2019-01/23/c_137768549.htm.

⁷ Darshana Sanjeewa, "1, 299 on Death-Row in SL Prisons," *Daily Mirror*, January 10, 2019, <http://www.dailymirror.lk/article/-on-death-row-in-SL-prisons-160894.html>. According to the same source, 823 of these have appealed against their sentence, while the other 476 sentences appear to be final.

⁸ INCB, “INCB Reiterates its call to States to consider the abolition of the death penalty for drug-related offences”, 1 August 2016. Available at: https://www.incb.org/incb/en/news/press-releases/2016/press_release010816.html.

⁹ INCB, “Respect for human rights as an integral part of a balanced approach to addressing the world drug problem”, 2018. UN Doc E/INCB/2018/Alert.5. Available at: https://www.incb.org/documents/News/Alerts/Alert5_on_Convention_Implementation_June_2018.pdf.