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## Open Letter from the International Drug Policy Consortium to the President of Ukraine, Mr. V. Yanukovych

***SUBJECT – Stop Ukrainian law enforcement authorities from destabilising the implementation of programmes aimed at tackling HIV and AIDS in Ukraine.***

The International Drug Policy Consortium (IDPC, [www.idpc.net](http://www.idpc.net)) calls on the Ukrainian government to address concerns regarding the disruption of national efforts to fight the HIV epidemic in Ukraine and the associated violations of human rights.

IDPC welcomes your signing of the new version of the [HIV/AIDS law](#) that came into effect on 15 January 2011. Article 4(8) of this law provides that the State should ensure the implementation of harm reduction programmes, including syringe exchange programmes and opioid substitution treatment for drug users. This is an important commitment for the fight against AIDS in Ukraine, and a positive example for other countries in the region.

However, some law enforcement activities have recently undermined the work of NGOs and health care specialists in their efforts to tackle the HIV epidemic. Currently, harm reduction programmes – which are almost exclusively funded by international donors – provide life-saving harm reduction services to over 240,000 vulnerable people in Ukraine, and more than 6,000 drug dependent patients are receiving substitution treatment in 125 treatment facilities.

For the past few months, these activities have been almost paralysed due to endless inspections initiated by Ukrainian law enforcement agencies, programme documents being seized from NGOs and sanctions being imposed on NGO staff for ‘violations of sanitary, ecological and other regulations’. There is currently widespread fear that essential health facilities are now under threat of being terminated.

The order issued to the heads of territorial units by the Drug Enforcement Department within the Ukrainian Ministry of Internal Affairs ([No. 40/2/1-106 dd. 18.01.2011](#)), further worsened the situation. This order called on law enforcement agencies to collect information on drug users undergoing treatment, including personal data and information on their health status, as part of a ‘voluntary survey’. This request is both contrary to the national HIV/AIDS law and to international human rights law.<sup>1</sup>


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<sup>1</sup> According to General Comment 14 on article 12 of the International Covenant on Economic Social and Cultural Rights, ‘Information accessibility: accessibility includes the right to seek, receive and impart information and ideas (8) concerning health issues. However, accessibility of information should not impair the right to have personal health data treated with confidentiality’. See: [http://www.unhcr.ch/tbs/doc.nsf/\(symbol\)/E.C.12.2000.4.En](http://www.unhcr.ch/tbs/doc.nsf/(symbol)/E.C.12.2000.4.En)

In a country where the HIV epidemic is primarily driven by injecting drug use, these new developments are particularly worrying. In order to prevent a resurgence of the HIV epidemic in Ukraine, we urge you to take action and encourage relevant government agencies to stop destabilising efforts to prevent and treat HIV among drug users.

We truly hope that you will ensure that the human rights and the health of Ukrainian citizens are protected and fulfilled in accordance with under national and international law, and the commitments made by the Ukraine government to the Global Fund.<sup>2</sup>

Yours sincerely,



Mike Trace  
Chairman  
International Drug Policy Consortium

A copy of this letter has been sent to Michel Sidibe, Executive Director of the Joint United Nations Programme on HIV and AIDS, and Michel Kazatchkine, Executive Director of the Global Fund to Fight AIDS, Tuberculosis and Malaria

### **About the International Drug Policy Consortium**

The International Drug Policy Consortium is a global network of NGOs and professional networks that specialise in issues related to illegal drug production and use. The Consortium aims to promote objective and open debate on the effectiveness, direction and content of drug policies at national and international level, and supports evidence-based policies that are effective in reducing drug-related harm. It produces occasional briefing papers, disseminates the reports of its member organisations about particular drug-related matters, and offers expert consultancy services to policy makers and officials around the world.

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<sup>2</sup> In December 2010, the Global Fund decided to allocate USD 305 million running until 2017 to support the Ukrainian government in its fight against the spread of the HIV epidemic. Currently, the Ukrainian government only provides 45% of the funding required for the implementation of its National HIV/AIDS Programme. It is the responsibility of the Ukrainian government to start allocating appropriate resources for the good implementation of this programme.