



Open Letter from community and civil society organisations calling on UN drug control agencies to condemn and take action against the war on drugs in Bangladesh

5th June 2018

To: Mr. Yury Fedotov, Executive Director, United Nations Office on Drugs and Crime (UNODC)

Dr. Viroj Sumyai, President, International Narcotics Control Board (INCB)

CC.: Prince Zeid bin Ra'ad, United Nations High Commissioner for Human Rights

Dr. Tedros Adhanom Ghebreyesus, Director-General, World Health Organisation

We, the undersigned 188 NGOs, call on the UNODC and the INCB to strongly condemn the extrajudicial killings, arbitrary arrests and detention, intimidation and violence perpetrated by law enforcement agencies in Bangladesh in their drive to eliminate drugs from the country.

Over 130 people have been killed and more than 13,000 people arrested in Bangladesh since Prime Minister Sheikh Hasina launched a nationwide anti-drugs campaign in May 2018, aimed at eradicating the supply of methamphetamine and other illicit drugs. Bangladeshi police have reported that the killings of suspected "drug dealers" happened during "gunfights" with rival gangs or law enforcement officers acting in self-defense during anti-drug operations.¹ These operations have been carried out based upon lists of suspects compiled by law enforcement agencies and involve the use of "mobile courts" that have already resulted in the criminal prosecution of over 7,000 people, thereby giving rise to serious doubts about adherence to due process.² Such operations have been contested by the families of victims, civil society organisations, and the National Human Rights Commission,³ who called upon law enforcement agencies to operate with transparency and accountability, and for their officers to be subject to investigation by an independent judicial inquiry commission in cases involving death, violence, arbitrary detention and other human rights abuses.

Health and harm reduction services for people who use drugs, including those which offer HIV prevention, treatment and care and drug dependence treatment, are reportedly under threat of closure or already closed down by law enforcement officers. In addition, it has been reported that outreach workers associated with those services have been harassed by law enforcement operatives and some clients have disappeared. Far from undertaking any measures towards implementing a comprehensive and balanced drug policy, including

¹ 5 June 2018, "4 'drug traders' killed in 'gunfights,'" *The Daily Star*, <https://www.thedailystar.net/country/2-more-drug-traders-killed-gunfights-1586686>; 2 June 2018, "Jails crammed with 85,859 inmates," *New Age Bangladesh*, <http://www.newagebd.net/article/42635/jails-crammed-with-85859-inmates>; 31 May 2018, "U.S. voices concern over increasingly deadly Bangladeshi anti-drug drive," *Reuters*, <https://www.reuters.com/article/us-bangladesh-drugs/u-s-voices-concern-over-increasingly-deadly-bangladeshi-anti-drug-drive-idUSKCN1IW11L>

² 1 June 2018, "Bangladesh accused of using drugs war to hide political assassinations," *The Telegraph*, <https://www.telegraph.co.uk/news/2018/06/01/bangladesh-drugs-war-used-hide-political-assassinations/>

³ 1 June 2018, "'Murder' it was," *The Daily Star*, <https://www.thedailystar.net/frontpage/murder-it-was-1584580>; 1 June 2018, "TIB demands judicial probe into 'shootouts,'" *The Daily Star*, <https://www.thedailystar.net/frontpage/tib-demands-judicial-probe-shootouts-1584547>; 29 May 2018, "BANGLADESH: Government escalates extrajudicial executions declaring 'war on drugs,'" Written Submission to the 38th Regular Session of the UN Human Rights Council by the Asian Legal Resource Centre, <http://alrc.asia/government-escalates-extrajudicial-executions-declaring-war-on-drugs/>; 28 May 2018, ENSURE ACCOUNTABILITY: What they think of ongoing drives," *The Daily Star*, <https://www.thedailystar.net/frontpage/what-they-think-1582501>

a health-based response to drug use, the Bangladesh Government is also now considering legislation to impose the death penalty for drug offences.⁴

For various governments around the world, anti-drug campaigns driven by tough law enforcement remain a policy of choice. The Philippines' war on drugs serves as a stark reminder of this unceasing trend – as have the killings and mass arrests resulting from similar drug control approaches in Cambodia, Indonesia and now Bangladesh. Yet open discussion about the inexcusable nature and deeply damaging impacts of such drug policy interventions on communities remains severely limited at the Commission on Narcotic Drugs, the key UN drug policymaking body.

Nevertheless, governments around the world, including Bangladesh, recently agreed to a comprehensive set of international commitments at the UN General Assembly Special Session on the World Drug Problem (UNGASS) in 2016, including to “[p]romote and implement effective criminal justice responses to drug-related crimes to bring perpetrators to justice that ensure legal guarantees and due process safeguards pertaining to criminal justice proceedings.”⁵ In addition the INCB recently urged governments to “protect the rights of alleged drug offenders and drug users at all stages of the criminal justice process.”⁶

While in 2016, both the UNODC Executive Director⁷ and the INCB President⁸ issued strong statements condemning the extrajudicial killings in the Philippines war on drugs, there has been no such statement on similar anti-drug campaigns launched by other Asian countries. Your leadership in this critical juncture is essential to ensuring that the repressive approaches adopted by Bangladesh and others do not have a snowball effect, with additional countries considering it acceptable to seek to eradicate drug markets with unnecessary use of force and human rights abuses, in clear breach of the UN drug control treaties and international human rights law. We therefore call upon the UNODC and INCB to take urgent action to prevent further killings and abuses perpetrated by the Bangladesh government, in particular:

1. Issue a high-level statement to:
 - a. condemn the killings resulting from anti-drug operations in the country, and call for investigations into those killings, in accordance with international law, the UNGASS Outcome Document and the recommendations accepted by the Government of Bangladesh during its Universal Periodic Review in May 2018
 - b. urge the Government of Bangladesh to suspend its current anti-drug operations until it has set up protocols that are based upon human rights and the rule of law, and
 - c. advise the Government of Bangladesh against instituting the death penalty for drug offences
2. Recommend and assist with the implementation of drug policy measures based on evidence, human rights, human security and public health (especially HIV prevention, drug treatment and other services for people who use and inject drugs, including those held in detention or prisons), that are developed through transparent, accountable and participatory processes inclusive of civil society and affected communities.
3. Remain vigilant to other countries showing signs of adopting similar repressive policies, and initiate constructive and inclusive dialogue at an early stage to avoid further human rights violations in the name of drug control.

⁴ 2 June 2018, “Death sentence proposed in new law on yaba,” *Bangla Tribune*,

<http://en.banglatribune.com/others/news/3935/Death-sentence-proposed-in-new-ACT-on-Yaba>

⁵ UN General Assembly, “Our joint commitment to effectively addressing and countering the world drug problem,” GA resolution S-30/1 (2016), <http://www.unodc.org/documents/postungass2016/outcome/V1603301-E.pdf>, para 4(o)

⁶ International Narcotics Control Board, *Report of the International Narcotics Control Board for 2017*,

<http://www.incb.org/incb/en/publications/annual-reports/annual-report-2017.html>, para 254

⁷ <https://www.unodc.org/unodc/en/press/releases/2016/August/statement-by-the-unodc-executive-director-on-the-situation-in-the-philippines.html>

⁸ https://www.incb.org/incb/en/news/press-releases/2017/press_release_20170818.html

We urge you to work with governments to ensure that drug policies worldwide have, in the words of the UN Secretary-General, ‘a positive impact on the lives of millions of people around the world’.⁹ We look forward to your urgent response.

Yours sincerely,

1. International Drug Policy Consortium (global)
2. Aavash Samuha (Nepal)
3. Acción Técnica Social (Colombia)
4. Aceso (Georgia)
5. African Black Diaspora Global Network on HIV/AIDS (Canada)
6. African Law Foundation (Nigeria)
7. African Young Positives Network (Africa)
8. Agua (ANGNA) (India)
9. AIDS Foundation East West (Netherlands)
10. Aidsfonds (global)
11. ALE "Kazakhs Union of People Living with HIV" (Kazakhstan)
12. Alliance for Public Health (Ukraine)
13. Amnesty International (International)
14. Andean Information Network (Bolivia)
15. Andrey Rylkov Foundation for Health and Social Justice (Russia)
16. APCASO (Asia and the Pacific)
17. APDES (Portugal)
18. Arab Foundation for Freedoms and Equality (Middle East and North Africa)
19. Asia Catalyst (Thailand/Asia Pacific)
20. Asia Pacific Network of Sex Workers (Thailand/Asia Pacific)
21. Asia Pacific Transgender Network (Asia and the Pacific)
22. Asian Harm Reduction Network | Myanmar (Myanmar)
23. Asian Network of People who Use Drugs (Asia)
24. Asia-Pacific Addiction Research Institute (Japan)
25. Asociación Costarricense para el Estudio e Intervención en Drogas (Costa Rica)
26. Association for Promotion Sustainable Development (India)
27. Association Liaison Universelle pour le Bien-être des Enfants et des Jeunes (Burkina Faso)
28. Association nigérienne de lutte contre la drogue et l'immigration illicite (Niger)
29. Association of Harm Reduction Programs "Partnership Network" (Kyrgyz Republic)
30. Association of non-governmental organizations (Czech Republic)
31. Association PROI (Bosnia and Herzegovina)
32. Associazione Luca Coscioni (Italy)
33. Australian Drug Law Reform Foundation (Australia)
34. Australian Federation of AIDS Organisations (Asia and the Pacific)
35. BABSEACLE (Asia)
36. CACTUS (Canada)
37. Cambodian Network of People who Use Drugs (Cambodia)
38. Canadian HIV/AIDS Legal Network (Canada)
39. Caribbean Sex Work Coalition (Caribbean)
40. Caribbean Vulnerable Communities (Jamaica/Caribbean)
41. CASO Portugal (Portugal)
42. Center for Humane Policy (Bulgaria)
43. Center of Excellence in Harm Reduction and Dependency (Afghanistan)
44. Center Women and Modern World (Azerbaijan)
45. Center for the Empowerment Youth of People who are Living with HIV and AIDS/Civil Society Organisations Forum on HIV and AIDS (Serbia)
46. Centre de Sensibilisation et d'Information sur les Drogues (CSID) Jacques Chirac (Senegal)
47. Centro Cáritas de Formación para la atención de las farmacodependencias y situaciones críticas asociadas A.C. (Mexico)
48. Civic Association Odysseus (Slovakia)
49. Comisión Mexicana de Defensa y Promoción de Derechos Humanos (Mexico)
50. Commonwealth Human Rights Initiative (Commonwealth)
51. Community of legal entities «Association Harm Reduction Network» (global)
52. Community Support Group (Nepal)
53. Delhi Network of Postive People (DNP+) (India)
54. Development Alternatives with Women for a New Era (global)
55. Dianova International (global)
56. Dristi (Nepal)
57. Drug Policy Alliance (USA)
58. Drug Salvation Foundation (Nigeria)
59. EMPOWER / SIHRN / ARUMUGAM (India)
60. ENCOD/drustvo AREAL (Slovenia)

⁹ United Nations Secretary General (22 June 2017), *Secretary-General stresses ‘vital’ need to examine effectiveness of war-on-drugs approach, in message for international day*, <https://www.un.org/press/en/2017/sgsm18585.doc.htm>

61. Espace Confiance (Côte d'Ivoire)
62. Eurasian Harm Reduction Association (Lithuania)
63. Eurasian Key Population Health Network (Eurasia)
64. Eurasian Network of People who use drugs (Eurasia)
65. Eurasian Women's Network on AIDS (Eurasia)
66. European Association for Palliative Care (Europe)
67. FAAAT (France)
68. Fédération bruxelloise des Institutions pour Toxicomanes (Belgium)
69. Fields of Green For All (South Africa)
70. Foundation for Social Education (Poland)
71. Foundation for Social Policy PREKURSOR (Poland)
72. Foundation for Women Living with HIV (Kazakhstan)
73. Foyer du Bonheur (Côte d'Ivoire)
74. Fundación Latinoamérica Reforma (Chile)
75. Gateway Foundation (Nepal)
76. GayLatino (Latin America)
77. Global Forum on MSM & HIV (USA/North America)
78. Global Network of People Living with HIV (GNP+) (global)
79. Global Network of Sex Work Projects (global)
80. Gram Bharati Samiti (GBS) (India)
81. Gruppo Abele Turin Italy (Italy)
82. Guyana SEX WORK coalition (Guyana)
83. Hamro Fellowship (Nepal)
84. Harm Reduction Coalition (USA)
85. Harm Reduction Foundation Poland (Poland)
86. Harm Reduction International (global)
87. Harm Reduction Victoria (Australia)
88. Humanitarian Action fund (Russia)
89. iDefend (Philippines)
90. Iglesia Evangélica Protestante de El Salvador (El Salvador)
91. India HIV/AIDS Alliance (India)
92. Indian Drug Users Forum (India)
93. Innovative Response Globally for Trans Women and HIV (USA)
94. Institute for Policy Studies, Drug Policy Project (International)
95. Instituto RIA (Mexico)
96. Intercambios Civil Association (Argentina)
97. International Center for Ethnobotanical Education, Research & Service (global)
98. International Centre for Science in Drug Policy (global)
99. International Community of Women Living with HIV (ICW) (Kenya, global)
100. International HIV/AIDS Alliance (global)
101. International Indigenous Peoples Movement for Self-Determination and Liberation (Philippines)
102. International Network of People Who Use Drugs (global)
103. International Partnership on Substance Abuse of the Red Cross and Red Crescent (Italy)
104. International Treatment Preparedness Coalition (global)
105. International Treatment Preparedness Coalition MENA (Middle East and North Africa)
106. Kazakhs Union of People Living with HIV (Kazakhstan)
107. KHANA (Cambodia)
108. Khpal Kore organization (Pakistan)
109. Kirby Institute (Australia)
110. KORSANG (Cambodia)
111. Law Enforcement Against Prohibition (global)
112. Law Enforcement and HIV Network / Centre for Law Enforcement and Public Health (Australia)
113. LBH Masyarakat (Indonesia)
114. LEAP UK (UK)
115. LUNEST - Association of people, who use the psychoactive substances from Estonia (Estonia)
116. Malawi Network of People living with HIV (MANET+) (Malawi)
117. M-Coalition (Lebanon)
118. Middle East and North Africa coalition on HIV and human rights (Middle East and North Africa)
119. Middle East and North Africa Harm Reduction Association (Middle East and North Africa)
120. Middle East and North Africa Network of People Who use Drugs (Middle East and North Africa)
121. Montenegrin Harm Reduction Network LINK (Montenegro)
122. Mordaunt Trust (UK)
123. MUMSDU (Canada)
124. National Association of People Living with HIV in Nepal (NAP+N) (Nepal)
125. Navakiran Plus (Nepal)
126. Netherlands Drug Policy Foundation (Netherlands)
127. NGO "Association HIV.LV" (Latvia)
128. NGO CAZAS (Montenegro)
129. NGO Juventas (Montenegro)
130. NGO Vek Lgbt (Estonia)
131. Nirnaya (Nepal)
132. NoBox Transitions (Philippines)

133. Northern Territory AIDS and Hepatitis Council (Australia)
134. Norwegian Organisation for Sensible Cannabis Regulations (Norway)
135. Observatory of crops and cultivators declared illicit (Colombia)
136. Paroles Autour de La Santé (Côte d'Ivoire)
137. Paroles Autour de la Santé (Mali)
138. Pediatric-Adolescent Treatment Africa (Africa)
139. Penington Institute (Australia)
140. Persaudaraan Korban Napza Indonesia (PKNI) (Indonesia)
141. Philippine Alliance of Human Rights Advocates (Philippines)
142. ProLAR (Norway)
143. Public Association "Center for Development and Social Assistance to the Population" (Kazakhstan)
144. Re unity Nepal, Kathmandu (Nepal)
145. Re unity Nepal, Sarlahi (Nepal)
146. Recovering Nepal (Nepal)
147. REDUC (Brazil)
148. Regional Arab Network against AIDS (Middle East and North Africa)
149. Release (UK)
150. Rights Reporter Foundation (Hungary)
151. RN Women (Nepal)
152. Romanian Harm Reduction Network (Romania)
153. Sathi Samuha (Nepal)
154. SDP Deakin University - Students for Sensible Drug Policy Australia (Australia)
155. Sex Worker Outreach Program (Australia)
156. Sex Worker Reference Group (Australia)
157. Shanghai CSW&MSM Center (China)
158. Società della Ragione Onlus (Italy)
159. Society for the Promotion of Youth and Masses (India)
160. SOMOSGAY (Paraguay)
161. SPARSHA NEPAL (Nepal)
162. Stop Overdose Now Foundation (global)
163. StopTheDrugWar.org (USA)
164. StreetLawPh (Philippines)
165. Students for Sensible Drug Policy (global)
166. TB/HIV Care Association (South Africa)
167. Thai AIDS Treatment Action Group (Thailand)
168. Transform Drug Policy Foundation (UK)
169. Transnational Institute (Netherlands)
170. Treatment Action Group (USA)
171. Tunisian Association of Positive Prevention (Tunisia)
172. Udruga za pomoć mladima "HELP"
173. Ukrainian unification of people with drug dependence "WAVE" (Ukraine)
174. UKRPUD (Ukraine)
175. Union contre la Co-infection VIH/Hépatites/Tuberculose (UNICO) (Côte d'Ivoire)
176. Union for Civil Liberty (Thailand)
177. Utrip (Slovenia)
178. Veshya Anyay Mukti Parishad (VAMP) (India)
179. Victorian AIDS Council (Australia)
180. Vietnam Network of Sex Workers (Vietnam)
181. Washington Office on Latin America (USA)
182. White Noise Movement (global)
183. Women's Harm Reduction International Network (global)
184. Youth LEAD (Thailand/Asia Pacific)
185. Youth RISE (global)
186. Youth Voices Count (Asia and the Pacific)
187. Y-Peer (Asia and the Pacific)
188. Zimbabwe Civil Liberties and Drug Network (Zimbabwe)