



**61st Session of the Commission on Narcotic Drugs
3rd intersessional meeting:
Thematic Discussion on Demand Reduction and Related Measures**

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Statement delivered by

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*Madam Chair,
Excellencies,
Friends and colleagues,*

The Office of the High Commissioner for human rights thanks the Commission on Narcotic Drugs for inviting the Office to participate at today's intersessional meeting on demand reduction and related measures.

First, I draw your attention to the most recent report of the High Commissioner for Human Rights on *the Implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights* (A/HRC/39/39). The Office submitted this report to the current session of the Human Rights Council in Geneva, pursuant to the Council's resolution 37/42, adopted in March 2018.

Among other topics, the report addresses human rights aspects of both the prevention of drug abuse and treatment for drug use disorder.

Prevention of 'drug abuse'

On several occasions, UN human rights mechanisms, including human rights treaty bodies and special procedure mandate holders of the Human Rights Council, have recommended that prevention measures, in addressing the drug problem, should be pursued through evidence-based interventions as well as accurate and objective educational programmes and information campaigns.

The primary message of prevention has been one of complete abstinence from drug use. Research shows that there is not only little evidence of the effectiveness of such a message, it may in fact be counterproductive. Our office support the recommendation of the Global Commission on Drug Policy that if there are to be public awareness campaigns on youth and drug use, a possible way forward would be to give honest information, encouraging moderation in youthful experimentation and prioritizing safety through knowledge.

Furthermore, in line with the spirit of resolution 61/11 of this Commission on *Promoting non-stigmatizing attitudes to ensure the availability, access and delivery of health, care and social services for drug users*, any prevention measures that include educational programmes should promote non-stigmatizing attitudes and reduce any possible discrimination, exclusion or prejudice which people who use drugs may encounter.

Mandatory drug testing in educational setting is used as a preventive measure in several countries. The mandatory testing of children for drug use raises human rights concerns. Taking a child's bodily fluids without their consent may violate the right to bodily integrity and constitute arbitrary interference with their privacy and dignity. Furthermore, such measure may amount to violation of the principle of the best interests of the child. Depending on how such testing occurs, it could also constitute degrading treatment.

Treatment for ‘drug use disorders’

In accordance with the international human rights law, all services, goods and facilities for treatment must be available, accessible, acceptable and of good quality. They must be accessible physically as well as financially and be based on the principle of non-discrimination.

On several occasions, the UN human rights treaty bodies have addressed issues related to the treatment of people who use drugs. They consistently recommended States to incorporate public health, harm reduction and gender sensitive approach into national drug strategies; and ensure availability of treatment services that are evidence-based and respectful of the rights of people who use drugs.

A major obstacle to accessibility of treatment is the criminalization of personal use and possession of drugs. Criminal sanctions are ineffective and counter-productive and do not address drug use consequences. Evidence shows that decriminalization of drug use and possession, along with the provision of a variety of support, prevention and treatment measures, resulted in a decrease in overall drug use and drug-induced mortality rate.

In June 2017, twelve UN agencies, including WHO, UNODC and our Office- OHCHR, issued a joint statement recommending reviewing and repealing punitive laws, including that criminalize or otherwise prohibit drug use or possession of drugs for personal use.

In the recent report, the High Commissioner further recommended that people who use drugs should be treated with dignity and humanity in treatment centres. States should also undertake rigorous and independent monitoring of treatment centres to ensure treatment takes place on a voluntary basis with informed consent and individuals are not confined against their will. The High Commissioner further recommended that any allegation of torture or other ill treatment in treatment centres should be investigated. Centres that do not meet human rights standards should be closed.

Excellencies,

The cross-cutting approach of the outcome document of UNGASS 2016 constitutes a new and better linkage of the objective of drug control - protection of the health and welfare of humanity- with the key priorities of the United Nations system, including human rights and the Sustainable Development Goals. Our Office- OHCHR- encourages the continuation of this structure for future UN drug policy debates.

Our Office will continue to work with States and other partners to consolidate and expand human rights based approach to the drug control efforts, including those related to prevention and treatment so that we leave no one behind, leave no one out.

Thank you.