
Commission on Narcotic Drugs (CND) Intersessional Meeting CND thematic discussions on UNGASS implementation

Chapter 3: Operational recommendations on Supply reduction and related measures; effective law enforcement; responses to drug-related crime; and countering money laundering and promoting judicial cooperation.

The United Nations General Assembly special session on drugs represented a key opportunity for the UN to adopt a transversal human rights approach towards the world drug problem. As a result of this process, human rights language was included throughout the UNGASS outcome document and, specifically, in chapter 4 “Operational recommendations on cross-cutting issues: drugs and human rights, youth, children, women and communities”.

Nonetheless, as the joint Open Letter by the UN Working Group on Arbitrary Detention; the Special Rapporteurs on extrajudicial, summary or arbitrary executions; torture and other cruel, inhuman or degrading treatment or punishment; the right of everyone to the highest attainable standard of mental and physical health; and the Committee on the Rights of the Child, states “the text fails to sufficiently articulate the binding nature of human rights obligations in the context of international drug control and continues to embrace the harmful concept of a ‘drug-free world’”.

By placing human rights in a separate section of *cross-cutting* issues, the document fails to truly ensure that human rights runs through all operational recommendations. In particular, the operational recommendations on supply reduction and related measures; effective law enforcement; responses to drug-related crime; and countering money laundering and promoting judicial cooperation stands out for not containing a single mention of human rights.

The security strategies implemented by many Latin American

governments in order to fight the cultivation, trafficking and possession of drugs, **has had damaging effects on the enjoyment of human rights in the region.** Despite the numerous and high cost efforts by the international community to implement this policy, the objective to achieve “societies free from drugs” is far from reality.

In Mexico, the impact of the international drug control regime has been devastating. Since 2006, when a frontal war against organized crime was declared, violence, insecurity and corruption have increased at an alarming rate. There is increasing evidence which suggests that torture, enforced disappearance, arbitrary executions and forced displacement, are a result of the security policy implemented in Mexico based on the deployment of armed forces to exercise public security tasks without any civilian control.

And even though the UNGASS outcome document chapter 4 does include one recommendation which refers to the implementation of “legal guarantees and due process safeguards pertaining to criminal justice proceedings, including practical measures to uphold the prohibition of arbitrary arrest and detention and of torture and other cruel, inhuman or degrading treatment or punishment”, the recommendations pertaining supply reduction measures promote the maintenance of the very model that has resulted in these violations.

In order to initiate a serious debate about the design of new public policies that regulate drug use, it is paramount to recognize the failure of the model which places the reduction of the supply as a priority, as it has contributed to the increase in violence, to human rights violations, and the weakening of the rule of law in the countries most affected by drug production and trafficking.

As an organization dedicated to the defense and promotion of human rights amidst the human rights crisis generated by the security approach to counter drug trafficking in Mexico, the language regarding supply reduction and the language regarding human rights stated in the outcome document are not compatible and therefore limit the



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possibility for us to use this document as an advocacy tool to demand an accurate human rights approach to the world drug problem.