

The position of the UN Country Team (UNCT) in Cambodia towards drug dependence treatment is grounded in human rights and guided by the nine 'Principles of Drug Dependence Treatment' jointly published by UNODC and WHO in March 2008 (as outlined in the attached Annex).

Drug dependence is a preventable and treatable condition and effective prevention and treatment interventions are available. The most cost-effective results are achieved when a comprehensive and multidisciplinary approach is made available on a voluntary basis to respond to the specific needs of the individual person who uses drugs, including diversified pharmacological and psychosocial interventions. This response is best delivered in a community setting.

The UNCT in Cambodia is of the view that:

1. Drug dependence treatment services must comply with the State's human rights obligations and recognize the inherent dignity of all individuals. This includes respecting, protecting and fulfilling the right to the highest attainable standard of mental and physical health set out in the International Covenant on Economic, Social and Cultural Rights to which Cambodia is a party. In particular:
 - 1.1 People suffering from drug dependence, as all people in Cambodia, have a right to evidence-based treatment and care on a voluntary and non-discriminatory basis;
 - 1.2 As is the case with any other medical procedure, drug dependence treatments, be it psychosocial or pharmacological, are not forced on patients. Only in exceptional crisis situations of high risk to self or others should compulsory treatment be mandated for specific conditions and periods of time as specified by relevant laws and/or medical decisions; furthermore, people with drug dependence have the right to treatment services at government facilities free of charge as established by the Drug Control Law, as amended;
 - 1.3 If the use and possession of drugs strictly for personal use is punished under domestic law, it is recommended that the option of treatment as described in this document be proposed to drug dependent offenders as an alternative to punishment; it is the right of the person to make this choice; when the person is a child, informed and voluntary consent must be given by the parent/legal guardian of the child;
- 2 Evidence-based good practice and accumulated scientific knowledge on the nature and effects of drug dependence guides interventions in drug dependence treatment. There is no evidence that Centres operated by the Royal Government of Cambodia to respond to drug dependence issues operate in accordance with such evidence and good practice; on this basis there is no reason for the Centres to remain open.
- 3 All drug dependence interventions (including detoxification, treatment, rehabilitation and reintegration) must comply with Cambodia's international human rights obligations as guaranteed under Article 31 of the Constitution of the Kingdom of Cambodia, in particular that:
 - 3.1 there be no illegal or arbitrary detention;
 - 3.2 the confinement of people be voluntary or, if coerced, be the result of due process and be judicially supervised, including affording the detainee the right to appeal the authorization of detention;
 - 3.3 places of detention be subject to independent monitoring and reporting;
 - 3.4 there be no torture or other cruel, inhuman or degrading treatment or punishment;

- 3.5 allegations of torture and ill-treatment be promptly investigated and, if substantiated, those responsible be held to account;
- 3.6 minimum standards of treatment and care be maintained; and,
- 3.7 due to the special circumstances of children, family-based approaches are the first option. Detention of children with adults is not an option. Any arrest and detention of children is strictly in conformity with Cambodian law and Article 37(b) of the Convention of the Rights of the Child, of which Cambodia is a party, and, thereby, used only as a measure of last resort and for the shortest appropriate period of time;
- 3.8 no one shall be subjected without his free consent to medical or scientific experimentation, as provided for under Cambodian law and in accordance with the International Covenant on Civil and Political Rights to which Cambodia is a party.
- 4 The high quality standards required for approval of pharmacological or psychosocial interventions in all the other medical disciplines should be applied to the field of drug dependence;
- 5 A targeted and differentiated approach should be used when addressing the specific needs of children, youth and women; this principle requires the strengthening of specialised protection and rehabilitation services which are community and family-centered. Children and their caregivers should be referred to community-based alternatives using an integrated approach to deliver relevant health and social services;
- 6 The UNCT is ready to support the Royal Government of Cambodia in developing its capacity to deliver cost-effective, community and evidence-based drug detoxification, treatment, rehabilitation and aftercare services; specifically, the UNCT looks forward to supporting the Ministry of Health and its non-governmental partner organizations to expand access to such health services as a matter of urgency.