



**62<sup>nd</sup> Session of the Commission on Narcotic Drugs  
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**Item No. 11. Follow-up to the special session on the General  
Assembly on the world drug problem, 2016**

**Statement delivered by**

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***Madam Chair,***

The Office of the United Nations High Commissioner for Human Rights (the UN Human Rights Office) thanks you for the invitation to speak.

***Excellencies, Ladies and Gentlemen***

Since the adoption of the Outcome Document of the United Nations General Assembly Special Session on the World Drug Problem (UNGASS 2016), the UN Human Rights Office engaged in supporting States, UN partners, civil society organizations and other stakeholders in the implementation of various human rights commitments of the UNGASS 2016.

Throughout 2018, our Office participated in several intersessional meetings of the 61<sup>st</sup> session of this Commission held in Vienna. The Office submitted a report on the implementation of UNGASS 2016 commitments to the Human Rights Council.<sup>i</sup>

In October 2018, in cooperation with the Government of Belgium and the European Union, the UN Human Rights Office organized a side event on “the drug related offences, criminal justice responses and the use of the death penalty”. This Side Event presented the latest trends and developments towards the abolition of the death penalty and effective criminal justice responses for drug crimes.

In December 2018, in collaboration with Austria, Canada, the European Union, Norway, New Zealand, Mexico, Switzerland, and the United Kingdom, our office organized a High Level Expert Panel on the implementation of UNGASS 2016 commitments from a human rights perspective.

Our Office values the engagement of civil society organizations and representatives from affected communities, including people who use drugs, in the development and the implementation of drug policies. Civil society organizations should be supported, and protected from any intimidation, threat and harassment.

***Dear Chair,***

Most recently, the UN Human Rights Office participated in the elaboration of the UN System Common Position on drug related matters, which was adopted by the UN Chief Executives Board on November 2019.<sup>ii</sup>

Our office is a member of the newly established UN system coordination Task Team on drug-related matters. We contributed to the preparation of the UN Briefing paper on “What we have learned over the last ten years: A summary of knowledge acquired and produced by the UN system on drug-related matters”.<sup>iii</sup> The UN Human Rights Office looks forward to working with UNODC and other UN partners for advancing human rights in the drug policy discussion. We look forward to jointly working with UN partners and States at the international and national levels on the development and implementation of evidence-based, human rights-based and public health and gender sensitive drug policy.

The UN Human Rights Office is also cooperating with various UN Human Rights mechanisms on issues related to human rights and drug policy.

On the occasion of the current session of this Commission, five such mechanisms have issued statements addressing relevant human rights issues in drug policy matters in the last few days. They are the UN Working Group on the issue of discrimination against women in law and in practice<sup>iv</sup>; the UN Working Group on the Rights on People of African Descents<sup>v</sup> and the UN Working Group on Arbitrary Detention<sup>vi</sup>, the Special Rapporteur on Independence of Judges

and Lawyers, and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.<sup>vii</sup>

The relevant findings, information, evidence and recommendations of UN Human Rights mechanisms should guide all relevant stakeholders for the development and implementation of drug policies that put people, health and human rights at the centre.

Our office also participated in Expert Groups Meetings (EGM), organized by UNODC, on ‘measuring data on drugs’, ‘alternative development’ and ‘opioid crisis’ held in 2018 and provided expert contributions during the discussion.

***Madam Chair,***

Allow me to briefly address the following specific issues relevant to the implementation of UNGASS 2016 from a human rights perspective, which was discussed at UNODC’s EGM in early 2018.

*Measuring drug policies with a human rights perspective*

Protecting human rights within drug laws, policies and strategies requires tracking data and conducting a regular assessment of the human rights situation as it relates to drug control. There is a growing realization that traditional indicators regarding arrests, seizures and criminal justice responses are inadequate to show the real impact of drug policies on communities. The success of drug control strategies should increasingly be measured through an assessment of the impact of drug control efforts on the enjoyment of human rights and other critical aspects such as security, welfare, health and social-economic development.

Human rights-based and gender sensitive indicators are being used in many areas, including poverty reduction, development and other critical areas, to ensure that States fulfil all obligations created by the various human rights, or at least that they can measure their progress in this regard. In 2009, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health recommended three categories of indicators - structural, process and outcome indicators (nine indicators in total) for assessing the drug policy from the right to health perspective.<sup>viii</sup>

OHCHR has developed a set of human rights indicators for the realization of human rights<sup>ix</sup> and guidance on a human rights based approach to data collection in the implementation of the Sustainable Development Goals.<sup>x</sup> All these tools could be useful in strengthening and streamlining existing data-collection and analysis tools in drug control efforts.

Pursuant to paragraph 6 of resolution 60/1 of this commission, the UN Human Rights Office stands ready to support States in strengthening existing data collection and analysis tool at the national level from a human rights perspective.

***Dear Chair,***

Drug policies of a country that do not prioritise human rights and the rule of law cannot be a model for others. OHCHR stands ready to support States and other stakeholders, including civil society organisations, in promoting and protecting human rights while addressing drug problems.

Thank you, Madam Chair.

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<sup>ii</sup> Report A/HRC/39/39: Report of the Office of the United Nations High Commissioner for Human Rights, entitled Implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights, September 2018

<sup>ii</sup> <https://www.unsceb.org/CEBPublicFiles/CEB-2018-2-SoD.pdf>

<sup>iii</sup> United Nations, “What we have learned over the last ten years”, E/CN.7/2019/CRP.10

[https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN\\_Entities/What\\_we\\_have\\_learned\\_over\\_the\\_last\\_ten\\_years\\_-\\_14\\_March\\_2019\\_-\\_w\\_signature.pdf](https://www.unodc.org/documents/commissions/CND/2019/Contributions/UN_Entities/What_we_have_learned_over_the_last_ten_years_-_14_March_2019_-_w_signature.pdf)

<sup>iv</sup> <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=24330&LangID=E>

<sup>v</sup> <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=24332&LangID=E>

<sup>vi</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24369&LangID=E>

<sup>vii</sup> <https://www.ohchr.org/en/issues/judiciary/pages/idpindex.aspx>

<sup>viii</sup> A/65/255, para. 72: The Special Rapporteur suggests that indicators similar to those detailed below

be developed by the relevant international organizations: (a) Structural: (i) Availability of OST, needle and syringe programmes and other harmreduction interventions; (ii) State adoption of an essential medicines list; (iii) Availability of those essential medicines; (iv) Implementation of diversion or similar legislation for people who are dependent on drugs who encounter the criminal justice system; (b) Process: (i) Percentage of detention centres in which harm-reduction interventions are implemented; (ii) Percentage of people who use drugs receiving antiretroviral therapy (where applicable); (iii) Percentage of people who are dependent on drugs receiving appropriate

treatment (as outlined by UNODC/WHO); (c) Outcome: (i) Percentage of people who use drugs who are infected with HIV; (ii) Percentage of people in places of detention who are infected with HIV.

<sup>ix</sup> <http://www.ohchr.org/EN/Issues/Indicators/Pages/documents.aspx>

<sup>x</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DataForSustainableDevelopment.aspx>