



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

**28 September 2018
Vienna International Centre**

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 "preparations for the ministerial segment to be held during the 62nd session of the CND".

This year, the Universal Declaration of Human Rights turns 70. Also in this year, we observed the 25th anniversary of the Vienna Declaration on programme of action on human rights. These anniversaries provide a unique opportunity to reflect on and strengthen the relationship between drug control efforts and human rights. The recent report A/HRC/39/39 of the High Commissioner on the implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights discusses good practices, identify gaps and provide recommendations for addressing those human rights gaps. Our office encourages the Commission to consider those recommendations in the preparation of the high-level segment of 62nd Session on the Commission to be held in March 2019. We hope that these recommendations will strengthen this Commission's efforts to advance human rights in drug policy debates.

Madam Chair,

It is a firm commitment of Member States "to respect, protect and promote all human rights, fundamental freedoms and the inherent dignity of all individuals and the rule of law in the development and implementation of drug policies". Despite this clear commitment, the right to life and other human rights have continued to be challenged in some States. A dramatic upsurge in extrajudicial executions, torture, arbitrary detention and arrest, enforced disappearance and other serious human rights violations has been reported in the context of the "war on drugs" campaign launched in those States.

There have been some alarming tendencies towards a deeper militarization of the responses, or heavy-handed law and order approach, to counter drug-related crimes. Such approaches have disproportionately affected vulnerable groups and has repeatedly resulted in serious human rights violations, including costing the lives of thousands of people.¹ In June 2017, the Secretary-General Antonio Guterres urged States to examine the effectiveness of the war-on-drugs approach and its consequences for human rights.²

Madam Chair,

Ensuring that governments are held responsible for protecting human rights through drug laws, policies and strategies requires tracking data and conducting regular assessments of the human rights situation as it relates to drug control. Strengthening and streamlining existing data collection systems on drug issues will be also discussed at 62nd session of the Commission on Narcotic Drugs.³ On several occasions, human rights treaty bodies have recommended that States provide data, statistics and information on issues related to human rights in drug control efforts. There is a growing realization that the traditional indicators regarding arrests, seizures

¹See Section III (effective law enforcement and human rights) of Report A/HRC/39/39, paragraphs 26-33

² <https://www.unodc.org/unodc/en/frontpage/2017/June/message-of-united-nations-secretary-general--antnio-guterres--on-the-international-day-against-drug-abuse-and-illicit-trafficking.html>

³ CND Resolution 60/1; OP 7.

and criminal justice responses are inadequate to show the real impact of drug policies on communities.

The success of drug control strategies should be measured through an assessment of the impact of drug control efforts in the enjoyment of human rights and other critical aspects such as security, health and socioeconomic development.

In report A/HRC/39/39,⁴ the High Commissioner for Human Rights encouraged States to collect up-to-date, comprehensive, disaggregated and transparent data on drug control efforts. The data gathered should also be used by States to analyse the impact of drug control efforts on the enjoyment of human rights, and to enhance compliance with international human rights norms and standards in the administration of drug policies. The data should also help to produce information for the public and policymakers about the impact of drug policies, whether positive or negative, and to assess the need for relevant human rights training of law enforcement, prison and judicial officers and others involved in the implementation of drugs laws and policies.

The UNGASS 2016 outcome document recommends that States consider including information, on a voluntary basis, concerning, inter alia, the promotion of human rights, when furnishing information to the Commission on Narcotic Drugs pursuant to the three international drug control conventions and the relevant Commission resolutions. OHCHR has developed a set of human rights indicators for the realization of human rights⁵, and guidance on a human rights-based approach to data collection in the implementation of the Sustainable Development Goals⁶. Both can provide guidance in strengthening and streamlining existing data-collection and analysis tools in drug control efforts.

Aligning the current way of measuring and evaluating drug policies, with the 2030 sustainable development agenda and human rights would have two clear benefits:

- First, such harmonization would help to overcome many of the limitations of drug policies resulting from suboptimal metrics for measuring their impact, and
- Second, help to ensure drug policies enhance, rather than hinder, efforts to achieve both the SDGs and State's human rights obligations.⁷

The human rights approach should not only be used for data collection through the ARQ process at the international level. Pursuant to paragraph (6) of CND Resolution 60/1, efforts to strengthen data collection and analysis tools at the national level should also be informed by human rights indicators.

Madam Chair,

Let me concluding by quoting the High Commissioner Michele Bachelete. In her maiden statement to the Human Rights Council on 10 September, the High Commissioner stated, and I quote: **“Drug issues everywhere are best tackled through a focus on health, education and opportunities – not the death penalty, or death squads.”**⁸

Thank you.

⁴ See Section VI(C) on “measuring drug policies from a human rights perspective”, A/HRC/39/39, paras 86-88

⁵ See www.ohchr.org/EN/NewsEvents/Pages/DataForSustainableDevelopment.aspx.
www.ohchr.org/EN/Issues/Indicators/Pages/documents.aspx.

⁶ See www.ohchr.org/EN/NewsEvents/Pages/DataForSustainableDevelopment.aspx.

⁷ <https://idpc.net/blog/2018/05/measuring-drug-policy-outcomes-intersections-with-human-rights-and-the-sustainable-development-goals-sdgs>

⁸ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23518&LangID=E>