Mr. Chairman,

Poland subscribes fully to the statement presented earlier today on behalf of the European Union, however, I would also like to add a few words of reflection from our national perspective.

The awareness of drugs affecting a number of social phenomena at global but also national, regional and local level is not new, and it has caused the international community to adopt legal regulations in order to establish the worldwide drug control system.

Poland fully supports every effort made by national and international organizations to follow the approach to the drugs problem in a fashion that is universal, sustainable, evidence-based, comprehensive, open to changing drug scenes and mindful of the principles of health and rule of law. Therefore, we welcome the fact that we have arrived at an agreed text of the Joint Ministerial Statement of the 2014 High-Level Review by the Commission on Narcotic Drugs, thanks to the collaboration of all the partners to the dialogue and their will to consider the different positions and needs, unfortunately with one very notable failure - the lack of will to address the issue of eliminating capital punishment for drug offenders. However, we believe that it is of great importance to emphasise the relationship between the priorities of public health and security and the respect for human rights, particularly the protection of the rights of psychoactive substance users.

Using drugs, which causes serious health and social harm to millions of people across the world, is defined in a number of research studies and analyses as a complex phenomenon. In the European Union alone, about 8 500 people die of drug overdose every year. In recent years, both in drug policy and practice of many countries and international organizations, one can notice concerted efforts to prevent this phenomenon by means alternative to penal sanctions. The proposed sustainable approach to the drugs problem based on equal distribution of accents between drug demand and supply reduction is giving better access to evidence-based prevention and treatment programmes. The rising role of health-oriented programmes is followed by the awareness that a great deal of evidence from scientific research and analyses of the so-called best practice suggests that interventions focused on
infectious diseases prevention, mainly HIV/AIDS, drug treatment, therapy and harm reduction programmes are feasible and effective tools of public health protection. They are also cost-effective and, what seems particularly important, they fit into the philosophy of human rights protection. They also help foster and disseminate these rights.

Mr. Chairman

In Poland, we share the belief that respecting human rights along with reaching the goals of public health protection programmes is one of the key aspects of drug policy. This belief results from a simple conclusion that drug users and abusers are equal members of society. Here, it is worth citing the 2009 UNODC World Report which urges the international community to address the right of drug-dependent individuals globally and encourages governments and law enforcement agencies to shift their focus from drug users to individuals and groups introducing drugs to trade. It is also particularly necessary to quote the UNODC World Drug Report of 2010 which states directly:

“Above all, we must move human rights into the mainstream of drug control. Around the world, millions of people (including children) caught taking drugs are sent to jail, not to treatment. Just because people take drugs, or are behind bars, this doesn’t abolish their right to be a person protected by the law – domestic and international.”

It is then justifiable to conclude that infringing or failing to respect human rights yields negative health consequences for both psychoactive substances users and the community where these people live and function. This approach finds reflection in the indisputable fact that in recent years a number of international institutions and organizations have stressed the issue of human rights protection in drug policy. However, this practice is not fully reflected in legal instruments which directly relate to aspect of human rights in currently implemented drug policies.

In fact, the international law lacks legal instruments intended to protect fundamental rights of drug users or even solutions which refer directly to the rights of such members of society. An exception is the UN Convention on the Rights of the Child, whose Article 38 provides that “children are to be protected from use of narcotic drugs and psychotropic substances”.

The analyses of human rights protection in the context of present drug policies, conducted for example by the Human Rights Watch, conclude that a number of countries, in the course of enforcing drug control, seriously violate human rights. According to the Human
Rights Watch, too little importance is attached to the compliance of drug enforcement actions with the principles of human rights protection or the impact of such actions on the perception of fundamental human rights.

The violations listed include the following:

- Denial of harm reduction services (e.g. Needle and Syringe Programs, Opioid Substitution Treatment),
- Deprivation of treatment,
- Coercion in the guise of treatment / incarceration for treatment,
- Deadly drug penalties.

Mr. Chairman

Recent years have seen significant changes in the picture of drugs and drug addiction in many countries across the globe triggering the need to make provisions in the response to the drugs problem for new developments such as the increasing phenomenon of introducing to trade, on a previously unheard of scale, of new psychoactive substances, the problem of drug precursors and pre-precursors, the growing problem of polydrug use which embraces legal and illegal substances as well as prescription drugs or the relationship of chemical and behavioural addictions.

We wish to stress that the problem of new psychoactive substances was the top priority of the Polish Presidency of the Council of the European Union in the second half of 2011. On Poland’s initiative, in collaboration with the other EU Member States, the European Pact Against Synthetic Drugs was adopted. The document urges all EU Member States, institutions and agencies to intensify actions to combat production and illegal trade in synthetic drugs and precursors.

Mr. Chairman

Poland welcomes and supports the actions of the United Nations furthering the respect for human rights of psychoactive substance users and abusers including, their rights to life and freedom, bodily integrity, privacy, access to education, equality before the law, freedom of movement, association and gathering in order to protect their needs and interests. While appreciating the efforts of the UNODC, we also wish to emphasise the role and necessity to support in this respect the World Health Organization, whose achievements and respect it enjoys have frequently paved the way for new standards in health policy and the practice of
following broadly understood principles of humanitarianism. We also wish to highlight the need to widen the cooperation with civil society and non-governmental organizations in the field of drug prevention.

Forging a true alliance of governmental institutions, civil society and international organizations is a prerequisite for effective reduction of the negative consequences experienced by the people and societies affected by the problem of drug use and drug abuse.

Thank you, Mr. Chairman