



Statement of the Office of the High Commissioner for Humanⁱ

*Delivered at
Sixty-fifth Session of the United Nations Commission on Narcotic Drugs
Agenda Item No. 3 (General Debate)*

14 March 2022

Thank you, Chair, for inviting OHCHR to participate at this session of the United Nations Commission on Narcotic Drugs.

Three years into the COVID pandemic crisis, we continue to witness inequalities and poverty that have further deepened with devastating impact on the most vulnerable and marginalised individuals, including people who use drug and thousands deprived of liberty in prisons or compulsory drug detention centres around the world for drug use.

While we are focusing on how to build back better and ensure equitable societies around the world, new conflicts and crises add to existing challenges such as the world drug problem. Let us have no doubt that these crises are slowing down the progress that we achieved in the last few decades.ⁱⁱ

However, against the odds, in the last year (since 64th session of this Commission held in March 2021), United Nations human rights entities, including our Office, have continued supporting States, civil society organisations and others stakeholders to address human rights issues, including those related to drug control.

In the following, I will highlight two UN reports published in 2021, which are critically relevant to the deliberations in this Commission.

- First, the Study on arbitrary detention in relation to drug policy, prepared by the Working Group on Arbitrary Detention of the UN Human Rights Council.ⁱⁱⁱ This landmark Study provides several critical recommendations on practical measures on the prohibition of arbitrary detention in relation to drug policy, including the decriminalization of drug use^{iv} and closure of the compulsory drug detention centres, whether run by States or privately run. All Member States of the United Nations committed to such absolute prohibition of arbitrary detention in the 2016 UNGASS Outcome Document.^v The Study will be presented to this Commission (as requested by the Human Rights Council) this week under agenda item 7. OHCHR thanks the CND Bureau for inviting the Chair of the Working Group in this regard.
- Second, I refer to the report of the High Commissioner of Human Rights on systemic racism and law enforcement violations against Africans and people of African descent. This historical report examines various aspects of systematic racism and law enforcement, including those related to drug law enforcement. Moving forward, the

High Commissioner recommended the Agenda Towards Transformative Change for racial justice and equality^{vi}

Subsequently, the Human Rights Council established an international independent expert mechanism to examine systemic racism faced by Africans and people of African descent in law enforcement and the criminal justice system. As requested in the resolution, the mechanism will cooperate notably with UNODC and other Vienna based entities in the implementation of its mandate^{vii}.

In the last year, we have also witnessed several other human rights developments as well as challenges in drug control efforts, including the increased use of the death penalty for drug offences in violation of the international human rights law. OHCHR will provide updates on those areas under different items of this Session of the Commission.

In conclusion, recalling the Secretary-General's Call to Action for Human Rights^{viii}, we would emphasize that it is our common responsibility to put human rights at the centre of all policies and decision-making processes at the UN. In the last month, we commemorated the second anniversary of the Secretary-General's Call to Action. We encourage this Commission to put all efforts to ensure that human rights are placed at the heart of drug policy discussions at the CND- and beyond.

Principled and comprehensive policies which respect dignity, development, human rights and justice will reduce both demand and supply of drugs; protect health; and will contribute to achieving the Sustainable Development Goals and UNGASS 2016 commitments.

OHCHR is committed to strengthen efforts to this end, jointly with States, UN partners, civil society, the community of people who use drugs and other stakeholders. We will continue working in this area within the framework of all relevant international law and policy, in particular the 2018 United Nation System Common Position on Drugs^{ix} and the 2019 International Guidelines on Human Rights and Drug Policy.^x

Thank You, Chair.

ⁱ Delivered by Zaved Mahmood, Human Rights and Drug Policy Advisor, [OHCHR](#)

ⁱⁱ [See Statement of the High Commissioner of Human Rights to 49th Session of the Human Rights Council](#), 1 March 2022, Geneva

ⁱⁱⁱ [A/HRC/47/40; Prepared pursuant to the Council Human Rights Council resolution 44/22; submitted to the Council in June 2021](#)

^{iv} [OHCHR Video on decriminalising use of drugs](#)

^v [UNGASS 2016, operational paragraph \(o\), Chapter 4](#)

^{vi} [A/HRC/47/53 and A/HRC/47/CRP.1](#)

^{vii} [A/HRC/RES/ 47/21](#)

^{viii} [THE HIGHEST ASPIRATION: A CALL TO ACTION FOR HUMAN RIGHTS, by António Guterres, United Nations Secretary-General on the occasion of the seventy-fifth anniversary of the United Nations, February 2020](#)

^{ix} [UN Common Position on drug related matters 2018](#)

^{xx} [International Guidelines on Human Rights and Drug Policy](#)