

Portugal Statement FINAL
on the occasion of the of the first intersessional meeting
of the 65th Session of the Commission on Narcotic Drugs
Vienna, 21-22 September 2022

Thematic session: Responses not in conformity with the three international drug control conventions and not in conformity with applicable international human rights obligations pose a challenge to the implementation of joint commitments based on the principle of common and shared responsibility

- *human rights obligations*

Thank you, Mr. Chair,
Ladies and Gentlemen,

Allow me to thank the Commission on Narcotics Drugs for the organisation of these thematic discussions and for the opportunity to take the stand.

In the 2019 Ministerial Declaration, we Member States have committed ourselves to accelerate the implementation of existing drug policy commitments and obligations, namely the three international drug control conventions, while fully respecting, protecting, and promoting human rights, fundamental freedoms and the inherent dignity of all individuals and the rule of law.

Portugal remains fully engaged in implementing the commitments crystalized in the UNGASS 2016 outcome document, in which Member States recognized the need to promote and implement a public health approach to drugs, based on scientific evidence and human rights, and to ensure that drug policies enhance efforts to achieve the Sustainable Development Goals and the UN system-wide coherence.

Portugal fully supports the key international drug policy documents that call for the alignment of drug policies with human rights obligations, including the United Nations Common Position on drug policy and the International Guidelines on Human Rights and Drug Policies, and we

align with the proposal made by Switzerland to include a chapter dedicated to human rights in the World Drug Report.

Portugal believes that equal efforts should be invested in all areas of drug policy, in respect of the UN Drug Conventions, to ensure that, while pursuing effective drug policies, we also respect the dignity of all human beings.

Furthermore, Portugal strongly condemns the application of capital punishment in cases of crime offenses related to drug use and opposes the death penalty in all circumstances.

Ladies and Gentlemen,

Over the past two decades, Portuguese drugs policy has developed a comprehensive and balanced approach to ensure a high level of health protection, social stability and security, following international principles and guidelines, in the promotion of public health and anchored in respect for human rights.

Portugal recognizes drug use as a health issue and drug user as a person who needs to be treated and not punished. A public health-oriented approach has been implemented, enabling access to health care services with the aim of preventing the spread of HIV and other blood born infectious diseases among people who use drugs and decreasing the number of drug-related deaths. Also, we continue to be strongly committed to supply reduction activities, including in the areas of law enforcement, money-laundering and judicial cooperation.

The Portuguese policy on drugs encompasses a model of decriminalisation as part of a broader approach designed to prevent drug use, removing criminal sanctions that are ineffective and increase stigma towards people who use drugs. Instead, significant investment has been made in prevention, treatment, social reintegration, and harm reduction measures, directed to public health concerns, with social benefits to all involved.

Decriminalisation, the most well-known component of our policy, is part of a comprehensive and integrated policy which main goal is to reduce drug use and its consequences by improving coverage, quality, and effectiveness of demand reduction interventions.

Our policy prioritizes prevention and reduction of drug use and the reduction of health and social consequences related to drug use, contributing to the attainment of a high level of health protection, well-being, and social cohesion.

Evidence shows that punishment and criminal sanctions are ineffective and often counter-productive, operate as important barriers to accessing drug services and do not address drug use health-related consequences. Our policy confirms that remarkable benefits can be gained from implementing policies to reduce the harm caused by drug use and to socially reintegrate people who use drugs.

Mr. Chair,

Portugal has not solved all problems related to drugs and addictive behaviours, but some results show that we are on the right track. Currently, drug use level in Portugal remains generally below the European average and we register a decrease in drug use among adolescents. The decriminalisation of drug use contributed to reduce drug users' stigmatization, as they do not fear being referred to the criminal justice system and are more likely to seek help through treatment and harm reduction services.

Our policy contributed also to a significant reduction in the number of problematic users from 100.000 in 1998 to 33.200 in 2021; there is also an important decline in infections by HIV among injecting drug users and a substantial decrease of overdoses (from 350 in 1998 to 63 last year).

Over the last four years of the Portuguese Presidency of the Pompidou Group of the Council of Europe, which is coming to an end, our focus was bringing human rights to the forefront of drug policies. Among several initiatives I wish to highlight the new and unique human rights

self-assessment tool presented yesterday by a representative of the Pompidou Group. This tool provides a practical framework to assess the human rights implications of drug laws, policies, and practices.

Mr. Chair,

To conclude, let me underline the importance of putting human rights at the centre of drug policies, which will allow to achieve effective and long-lasting results, not only for people who use drugs, but also for their families and all society, by improving access to health and social care, while reducing the harms caused by drug use and reducing stigma.

Working together, we will contribute to the implementation of the international commitments outlined in the 2016 UNGASS Outcome Document, putting the rights of human beings at the centre of our responses in addressing the world drug situation.

Thank you for your attention.