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**Twenty-sixth Meeting of Heads of
National Drug Law Enforcement Agencies,
Latin America and the Caribbean**

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Item 5 (d) of the provisional agenda*

**Mainstreaming gender perspectives in drug-related
policies and programmes: a gender-responsive approach
to addressing the world drug problem****Working group on mainstreaming gender perspectives in
drug-related policies and programmes: a gender-responsive
approach to addressing the world drug problem****Background Note of the Secretariat****I. Introduction**

1. The present note provides information on the objective of the working group, as well as guiding questions for discussion and background information on the topic of mainstreaming gender perspectives in drug-related policies and programmes. The note also highlights the linkages between the topic of the working group and the 2030 Agenda for Sustainable Development, as well as the outcome document of the special session of the General Assembly on the world drug problem (UNGASS).
2. The outcome document of the special session of the General Assembly on the world drug problem highlights the important linkages between the 2030 Agenda for Sustainable Development and the work of the Commission on Narcotic Drugs (CND), with an entire subsection of the document devoted to operational recommendations on cross-cutting issues, including women and drugs, thereby recognizing the importance of appropriately mainstreaming gender perspectives in drug-related policies and programmes.
3. With one of the 17 goals of the 2030 Agenda for Sustainable Development focused on achieving gender equality and empowering all women and girls, and with a view to putting the operational recommendations contained in the UNGASS

* UNODC/HONLAC/26/1.



2016 outcome document into practice, a working group focusing on mainstreaming gender perspectives in drug-related policies and programmes at the annual meeting of the Heads of National Drug Law Enforcement Agencies (HONLEA) in Latin America and the Caribbean aims to further support the CND's efforts to contribute to advancing gender equality through implementing a gender-responsive approach in addressing the world drug problem. The Commission has, in a number of resolutions, highlighted the need to take into account the specific needs of women in addressing the world drug problem, most recently at its 59th session in March 2016 with the adoption of resolution 59/5, entitled "Mainstreaming a gender perspective in drug-related policies and programmes".

II. Background

4. Women drug users constitute a significant group among the drug using community, but remain a largely hidden population. Women affected by drug dependence are more vulnerable and more stigmatized than men and often also bear a heavy burden of violence and deprivation associated with the drug dependence of family members, hindering the achievement of the sustainable development target of eliminating all forms of violence against all women and girls. In addition, the population of women imprisoned for drug-related offences is on the rise and the participation of women in drug trade worldwide is increasing. Female offenders and prisoners, especially those with drug use disorders, face particular hardship when criminal justice systems are not yet equipped to cater the specific needs of female drug users. There are many aspects of the drug problem that have an impact on gender equality and therefore on social development. Given that there are many more men than women who use drugs, criminal justice responses may fail to address the specificities of women in relation to the world drug problem.¹

5. While women's rights or gender equality have not always featured prominently in discussions about the world drug problem, the Commission on Narcotic Drugs, as the main policy making body in the United Nations system for drug-related matters, has in recent years focused its attention to this issue and adopted a number of targeted resolutions on the specific situation of women in relation to the world drug problem. This represents an important effort to advance towards the full exercise of women rights and the creation of gender-responsive drug policies — in the broader framework of the 2030 Agenda for Sustainable Development. In its resolution 59/5, entitled "Mainstreaming a gender perspective in drug-related policies and programmes", the Commission on Narcotic Drugs called upon Member States to develop, as needed, and implement national drug policies and programmes that take into account the specific needs of women and girls, including the need for access to health services developed specifically for their needs, and the needs of women who are the sole or primary caretakers of minors and others. In addition, the Commission, at past sessions, adopted a number of other relevant resolutions, including resolution 55/5, entitled "Promoting strategies and measures addressing specific needs of women in the context of comprehensive and integrated drug demand reduction programmes and strategies"

¹ *World Drug Report 2016* (United Nations publication, Sales No. E.16.XI.7).

and resolution 52/1, entitled “Promoting international cooperation in addressing the involvement of women and girls in drug trafficking, especially as couriers”.

6. In the outcome document of the United Nations General Assembly special session on the world drug problem, Member States devoted an entire chapter to operational recommendations on cross-cutting issues, including women and drugs, thereby recognizing the importance of appropriately mainstreaming gender perspectives in drug-related policies and programmes. The UNGASS outcome document further highlights the need to ensure non-discriminatory access to health, care and social services in prevention, primary care and treatment programmes, including those offered to persons in prison or pretrial detention, which are to be on a level equal to those available in the community, and ensure that women, including detained women, have access to adequate health services and counselling, including those particularly needed during pregnancy. Member States further underlined the need to continue identifying and addressing protective and risk factors, as well as the conditions that continue to make women and girls vulnerable to exploitation and participation in drug trafficking, including as couriers, with a view to preventing their involvement in drug-related crime. The UNGASS outcome document calls for mainstreaming a gender perspective into drug policies and programmes as well as ensuring the involvement of women in all stages of their development, implementation, monitoring and evaluation. In addition, it further encourages the development and dissemination of gender-sensitive and age-appropriate measures that take into account the specific needs and circumstances faced by women and girls with regard to the world drug problem. With the population of women imprisoned for drug-related offences on the rise, the UNGASS outcome document reiterates the importance of taking into account the specific needs and possible multiple vulnerabilities of women drug offenders, in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).²

7. With the adoption of the 2030 Agenda for Sustainable Development, Member States have committed to a multidimensional approach to development and to work together in a spirit of common and shared responsibility — also in addressing the world drug problem. Goal 5 of the 2030 Agenda for Sustainable Development focuses on achieving gender equality and empowering all women and girls, and highlights gender equality as a necessary foundation for a peaceful, prosperous and sustainable world. Gender is also mainstreamed throughout the 2030 Agenda through the request for sex-disaggregated data in many of the goals’ targets, which will allow analysing the varying degrees of progress made towards the goals as regards both men and women.

III. Objective of the Working Group

8. The working group aims to highlight the importance of gender-sensitive measures that take into account the specific needs and circumstances faced by women and girls with regard to the world drug problem. Participants are encouraged

² Outcome document of the General Assembly special session on the world drug problem entitled “Our joint commitment to effectively addressing and countering the world drug problem” (A/RES/S-30/1): Operational recommendations, paragraph 4 (b), (d), (g), (n).

to share national experiences in mainstreaming a gender perspective into all stages of the development, implementation, monitoring and evaluation of drug policies and programmes. The working group further aims to serve as a platform to share best practices and lessons learned regarding national prevention and treatment initiatives and measures to implement international instruments such as the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). Participants are encouraged to share national experiences on the participation of women in drug-related crimes as well as discuss conditions that continue to make women and girls vulnerable to exploitation and participation in drug trafficking, including as couriers.

9. The working group may wish to consider the following guiding questions:

The role of women in drug-related crime and conditions that make them vulnerable to exploitation and participation in drug-related crime, including women as couriers for trafficking in drugs

- What are the different roles women and men play as perpetrators of drug trafficking and other drug-related offences?
- What role can law enforcement play in preventing drug abuse and the involvement of women in drug-related crime?
- What are the types of drug offences that women are arrested or imprisoned for? Are there differences compared to male drug offenders? Are women more likely to be involved in certain types of conduct (e.g. transporting smaller quantities of drugs across borders or into prison)?
- What are the numbers/proportions of men and women arrested or imprisoned (pretrial or upon sentence)? What proportion of the female prison population are held for drug offences and how does this figure compare with the proportion of the male prison population held for drug offences?
- Is there information on the length/type of sentences for drug offences? Do sentences given to women differ from those given to men? Are women more likely to be sentenced for certain drug offences than men?
- What are the causes for women to get involved in drug-related offences? What are their typical circumstances and motivations? How do they differ from factors related to men getting involved in drug-related offences? What role do social exclusion, poverty, and gender-related violence play? Is there any study, research on these issues undertaken in your country?
- Are some women with drug use disorders more likely to enter in conflict with the law than other women or than men with drug use disorders?
- Are some women more likely to be arrested, prosecuted or imprisoned for drug offences?

National experiences, challenges and best practices in ensuring that criminal justice systems are gender-sensitive and take into account the specific needs and circumstances faced by women

- Do indigent women drug offenders have access to low-cost or free legal services, immediately on arrest, on an equal basis as indigent men drug offenders?

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- What distinctions exist between law enforcement and other criminal justice measures against major drug trafficking offenders on the one hand and small-scale offenders (such as women being used as couriers) on the other hand?
 - Does national legislation allow for diversion from prosecution for those who have committed minor and non-violent drug offences? If yes, do police and other justice professionals use such diversion for women who have committed minor and non-violent offences?
 - Do women with drug use disorders have access to treatment in the community? How do police and other justice professionals deal with women who enter in contact with the criminal justice system and have drug use disorders? How can police and other justice professionals collaborate with health officials and service providers to ensure that such women are referred to suitable treatment programmes?
 - What are the challenges women face when entering in contact with the criminal justice system for drug offences? How do police and other justice professionals deal with women entering in contact with the criminal justice system for drug offences who have experienced domestic or sexual violence?
 - What are prison conditions like for drug offenders? How do they differ for men and women? Are they worse for men or women?
 - How are women with caretaking responsibilities affected by arrest or imprisonment? How are their children affected by this? How do police and other justice professionals ensure that women deprived of their liberty for drug offences do not lose contact with their children and family members?
 - Are specialized prevention and treatment programmes for women with drug dependencies available in the community? How do police and other criminal justice professionals ensure that women with drug dependencies in prison have access to such programmes (or to programmes that provide equivalent services in prison)?
 - Is there an emphasis on gender sensitivity in the training of law enforcement officials and staff of detention facilities? Are relevant professionals sensitized on relevant gender issues, e.g. how to recognize and address the specific needs and circumstances of women offenders and prisoners?
 - How can police and other criminal justice professionals contribute to social reintegration of women drug offenders, to overcoming stigma and difficulties in labour reinsertion and to minimizing the risk of returning to criminal activity?