

Intervention by the International Drug Policy Consortium CND Intersessional, 11th October

Delivered by Jamie Bridge, Senior Policy and Operations Manager, on Chapter 4 ‘Cross cutting issues: drugs and human rights, youth, children, women and communities’

Excellences, ladies and gentlemen, dear colleagues,

I am making this intervention on behalf of the International Drug Policy Consortium, or IDPC.

IDPC is a global network that promotes drug policies that are based on human rights, social inclusion and public health. On behalf of our members, we engaged closely throughout the UNGASS preparations. The Outcome Document has a much improved broader structure of seven themes, which we hope will be maintained for future documents and debates. However, it is far from the “short, substantive, concise and action-orientated” document promised in resolution 58/8.

The section on cross-cutting issues begins by calling for cooperation between relevant UN entities. The engagement of the broader UN family in the UNGASS debates was a marker of significant progress, and we urge the CND to maintain this momentum. System-wide coherence on drug control is fundamental, especially for the SDGs and achieving other UN commitments on HIV and human rights.

We also welcome the strengthened focus on gender perspectives. Women are particularly affected by overly prohibitive drug policies – from increased stigma and harm, and poorer access to tailored harm reduction and treatment services. The incarceration of women for minor drug offences does not impact drug markets – but instead exacerbates their marginalisation, but also that of their children, families and entire communities.

The IDPC network especially welcomes the new references to proportionality. Sentences for drug offences are often severely disproportionate, leading to mass incarceration, prison overcrowding and unacceptable prison conditions. The burden of disproportionate sentences has largely been borne by vulnerable groups, involved at a low-level, often driven by basic subsistence needs. The UNGASS now provides the imperative for urgent review of these sentencing frameworks, and we hope that the forthcoming UNODC Model Drug Law reflects this.

Crucially, Paragraph 4-J provides further support for the provision of alternative or additional measures to conviction or punishment – which should include the decriminalisation of drug use and possession for personal use, as well as consideration of removing punishment for non-violent low-level drug offences. We encourage member states to follow this guidance and to consider how best this can be reported back to CND – including through amendments to the Annual Response Questionnaire.

Although not specifically mentioned in the text, ending the use of the death penalty for drug offences was called for by numerous member states, UN bodies and civil society groups at the UNGASS. We urge member states to end the death penalty for drug offences, and for CND to recognise that its continued use is a serious violation of international law.

Paragraph 4-O emphasises the importance of legal guarantees and due process in criminal justice proceedings. Implementation of these provisions is urgent, especially given the recent high profile

spate of unlawful killings of suspected drug users and drug offenders, coupled with mass forced confessions and coerced registration with authorities in a flagrant disregard of due process. The INCB's recent condemnation of this situation emphasized adherence to internationally-recognized standards which, and I quote, "reject extrajudicial sanctions of whatever nature" – unquote. We welcome this clear condemnation alongside those from other UN entities and member states, but urge that more be done to put an end to this travesty. People are being slaughtered in the name of the war on drugs, and this is one of the first big challenges for the international community in this post-UNGASS era.

To conclude, the UNGASS Outcome Document commitments to respect, protect and promote human rights must become more than just rhetoric. Implementation requires robust monitoring processes – and especially the monitoring of drug enforcement practices by the Human Rights Council, the UN Special Procedures and the Universal Periodic Reporting processes.

Thank you for your attention.