



UNODC

United Nations Office on Drugs and Crime

Country/Organisation: Kenya - Africa Network of People Who Use Drugs [AfricaNPUD]

What are the primary challenges your country faces in ensuring equal access to justice within your criminal justice system? How do these challenges impact groups in vulnerable situation in your society? Please provide a thorough and detailed response.

People who use drugs face high levels of stigma, discrimination, violence and other human-rights violations. These include denial of health services and social services, restrictions on employment or access to education, the removal of children from parental custody, incarceration or detention without trial, coerced or forced drug treatment, adversely on corporal punishment (particularly Tanzania and Zanzibar), denial of take-home doses despite being well written in the standard operating procedure [SOP] and involuntary cessation of opioid substitution therapy [OST], and physical violence. Stigma, discrimination and violence are reinforced by the criminalization of drug use in most countries, and together these factors drive the HIV and hepatitis C epidemic among people who inject drugs by preventing them from accessing lifesaving services for harm reduction as well as HIV and HCV diagnosis, treatment and care.

A country like Rwanda is using incarceration of people who use drugs in the name of rehabilitation in their detention Centre widely mentioned Iwawa Island. This stand in opposition to the recommendations by UN agencies such as UNAIDS, UNDP, OHCHR and WHO, prohibition, coerced, and forced drug treatment remains the central component of drug policies.

In Kenya the survival tactics of people who use drugs is to have an extra cash to bribe the police officers for you to use heroine on any drug of choice. Arrest of possession for personal consumption is still very rampant. Recently, the registration of Africa Network of People Who Use Drugs [AfricaNPUD] took a long process due to the name. The Regional Coordinator had to receive phone call from National Intelligence Service [NIS] to explain the existence of AfricaNPUD in Kenya.

Can you provide examples of initiatives or policies that have been successful in addressing access to justice issues in your country? What key lessons have been learned from these initiatives or policies? Please provide a thorough and detailed response.

AfricaNPUD intends to hold meetings with National Drug Control Authorities in Republic of Tanzania, Kenya and Rwanda to address the above-mentioned issues. The aim of the meeting is to emphasize humanitarian approach to the treatment centres that are managed by their governments and private sectors. According to the Drug Control and Enforcement Authority [DCEA] meeting with AfricaNPUD Regional Coordinator at the 67th CND, it was noted the rehabs that initiates corporal punishments colludes with family members of people who use drugs. The best gesture was provided by the DCEA official to initiate a dialogue since most of these rehabs are owned by individuals from the community. This approach is to form a response mechanism to report any injustice act within the rehabilitation facilities. DCEA works in partnership with Tanzania Network of People Who Use Drugs [TaNPUD] in the harm reduction interventions.

In Rwanda AfricaNPUD is working with Rwanda NGO Forum which a key population organization that has been championing decriminalization of sex work in Rwanda and Act for Change Organization which has been a convenor of people who use drugs in Rwanda and a contact to AfricaNPUD..

What are the best practices currently being implemented in your criminal justice system to enhance access to legal aid and fair trials? How do these best practices improve outcomes for individuals involved in the criminal justice system? Please provide a thorough and detailed response.

Efforts and intention of legal aid and justice interventions and training of the people who use drugs on how to report any injustice cases within the service delivery points.

What factors have been crucial in enabling successful reforms or improvements in your criminal justice system? How can these enabling factors be replicated or adapted in other contexts or regions to ensure equal access to justice for all? Please provide a thorough and detailed response.

Currently, Kenya has an ongoing harm reduction bill in parliament.

DCEA is willing to initiate substantive dialogue with community.

Rwanda health department is about to roll out the factual data collection on how incarceration do more harm to people who use drugs.