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UN General Assembly Special Session on drugs: missed opportunity for human rights as executions on the rise

As the work of the UN General Assembly Special Session (UNGASS) on drugs begins, Amnesty International expresses its disappointment at the exclusion of references on the recourse to the death penalty in the outcome document adopted today. The organization calls on all UN member states and UN bodies to ensure the meeting is not a missed opportunity for ensuring that human rights are respected and protected in the context of drug control policies.

The UN General Assembly is convened in a Special Session at the UN headquarters in New York between 19 and 21 April to assess the overall impact of the measures put in place by states to reduce drug production and use. The UNGASS on drugs was anticipated to 2016 at the request of some states which challenged the highly punitive approach that has been followed so far by the international community, arguing that the existing drug control framework has failed to address the problems associated with drug use while it exacerbated drug-related violence and human rights abuses.

Amnesty International has reported an alarming 54% increase in the number of recorded executions in 2015 compared to 2014. Hundreds of people were sentenced to death and executed for drug-related offences in 12 countries – China, Indonesia, Iran, Kuwait, Laos, Malaysia, Saudi Arabia, Singapore, Sri Lanka, Thailand, United Arab Emirates and Viet Nam—last year. Of the 1,634 executions that the organization recorded in 2015, which do not include the thousands of executions Amnesty International believes were carried out in China, 42% were carried out for drug-related offences. While Amnesty International opposes the use of the death penalty in all circumstances, to date more than 30 countries still punish drug-related offences with death penalty in their legislation, in clear violation of their obligations under international law. Such offences indeed do not meet the high threshold of “most serious crimes” required under international human rights law.

Despite efforts by some countries to have the use of the death penalty for drug-related offences condemned in the UNGASS outcome document, the views of a small group of retentionist states prevailed. During the preparatory work and negotiations of the UNGASS outcome document, their opposition became a decisive factor, together with the silence of certain abolitionist states that supported a consensus-based negotiation on a document in which crucial references to human rights are absent.

The UNGASS on drugs comes at a time when the current drug control model is being questioned and human rights abuses are being highlighted as part of its negative consequences. However, its outcome document fails to assess the impact of punitive measures put in place to end drug trafficking and other drug-related offences, including the resort to the death penalty.

The scheduled adoption of a new ‘Political Declaration and Plan of Action on International Cooperation

towards an Integrated and Balanced Strategy to Counter the World Drug Problem' in 2019 offers a new opportunity for member states to ensure that political commitments to drug control have clear, unambiguous articulations of international human rights law and standards.

Amnesty International thus calls on states to build upon the 2016 UNGASS on drugs and take decisive steps to improve the drug control system to ensure the respect and protection of human rights while implementing drug policies, including through the prompt abolition of the death penalty. The international community cannot distance itself from the negative impact the international drug control system has had on human rights, and must immediately take effective steps to address such concerns.