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ORAL STATEMENT

Item 3: Interactive dialogue with the Working Group on Arbitrary Detention on its study on drug policies

ENDING HUMAN RIGHTS ABUSES IN DRUG CONTROL

UN Human Rights Council
Forty-seventh session
21 June – 15 July 2021

Madam President,

Amnesty International welcomes the study prepared by the Working Group on Arbitrary Detention relating to drug policies (A/HRC/47/40), which provides an important contribution to the understanding of the widespread human rights violations that are facilitated by drug control regimes and provides fundamental recommendations to transform drug laws and policies to ensure they protect people, not harm them.

Madam Chair-Rapporteur,

More than 50 years of drug policies based on prohibition and criminalization have left a legacy of violence, disease, mass incarceration, suffering and abuse across the world. It is usually the poorest and most marginalized communities who are suffering as a result of harsh drug control policies, devastating lives and tearing communities apart. Prohibitionist policies have failed to decrease the use and availability of drugs over the years, and have instead undermined the rights of millions, exacerbated the risks and harms of using drugs, deepened inequalities that fuel discrimination, and intensified the violence associated with illicit markets.

As highlighted in the study, arbitrary detention is usually only the beginning of a long list of abuses faced by people suspected of using drugs or accused of other drug-related offences. From police abuses and the continued use of the death penalty for drug-related offences, to discrimination, extrajudicial executions, torture and multiple violations of economic, social and cultural rights, including of the right to health, it is clear that the “war on drugs” has been effectively a war on people.

With the outbreak of Covid-19, many countries effectively adapted some drug policies to respond to the crisis and protect the rights of those affected by prohibition, including releasing people convicted for drug-related offences and ensuring continued access to harm reduction services during lockdowns. What the pandemic has shown is that new drug policies that better protect public health and human rights are possible, as long as there is enough political will.

Madame President,

We urge States to use the recommendations contained in the Working Group’s study as a roadmap to start shifting away from prohibition and adopting new models of drug control that put the protection of people’s health and other human rights at the centre. This should include, as recommended by the Working Group, the decriminalization of the use, possession and cultivation of drugs for personal use and the expansion of health and other social services to address drug-related problems.

Thank you.