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AMNESTY INTERNATIONAL ORAL STATEMENT FOR CND THEMATIC SESSION ON “RESPONSES NOT IN CONFORMITY WITH THE THREE INTERNATIONAL DRUG CONTROL CONVENTIONS AND NOT IN CONFORMITY WITH APPLICABLE INTERNATIONAL HUMAN RIGHTS OBLIGATIONS POSE A CHALLENGE TO THE IMPLEMENTATION OF JOINT COMMITMENTS BASED ON THE PRINCIPLE OF COMMON AND SHARED UNDERSTANDING”

I thank you for the opportunity to contribute to today’s important discussion. I take the floor on behalf of Amnesty International to draw attention to the hundreds of executions that have been carried out in the name of drug control. We demand immediate action from member states, the Commission on Narcotic Drugs (CND) and other UN bodies and agencies to help ban this practice globally. The failure of the CND to condemn the use of the death penalty and include its abolition as a programmatic goal across all its work has weighed heavily against attempts to bring accountability for these human rights violations committed in the name of drug control.

Pending full abolition, international human rights law restricts the imposition of this punishment to “the most serious crimes”.¹ The UN Human Rights Committee has clarified that this restriction excludes drug related offences.² The International Narcotics Control Board noted in its 2021 report that the death penalty for drug-related offences is in breach of the UN Drug Conventions and violates international human rights law.

Alarming, in violation of this clear prohibition, 36 countries still retain the death penalty in law to punish drug related offences. At Amnesty International we recorded more than 700 executions for these crimes between 2018 and 2022, in just a handful of countries, with the 2022 figure being higher by 37% than that of 2021. This trend has continued into 2023, and these figures refer only to the executions that we could confirm.

The use of the death penalty for drug related offences frequently follows unfair proceedings and disproportionately impacts marginalized groups, rendering its use not only unlawful – but also arbitrary and discriminatory.

Numerous studies have shown that the death penalty does not have a unique deterrent effect.

Amnesty International has joined many other organizations in calling for a paradigm shift in state responses to problems associated with drugs. We urge states to abolish the death penalty; implement alternatives to the criminalization of minor, non-violent drug-related offences that do not cause harm to others; and put in place measures that tackle social inequalities and promote economic, social and cultural rights.

Amnesty International reiterates its call on the CND and UNODC to consistently incorporate human rights into their work. Among other steps, the CND should establish a standing agenda item to address the human rights impact of drug policies; and UNODC should ensure that human rights are part of its monitoring work, including through a specific chapter on human rights in its yearly World Drug Report.

¹ Article 6(2) of the International Covenant on Civil and Political Rights; UN Safeguards guaranteeing protection of the rights of those facing the death penalty, UN Economic and Social Council resolution 1984/50.

² UN Human Rights Committee, General comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, UN Doc. CCPR/C/GC/36, para.35.