

Draft cross-regional statement on Drugs and Human Rights

General Debate Item 8

(Monday, September 22nd)

Thank you Mr. President.

I have the honour of delivering this statement on behalf of Albania, Argentina, Bolivia, Burkina Faso, Colombia, Equatorial Guinea, Germany, Greece, Guatemala, Hungary, Ireland, Liechtenstein, Norway, Panama, Switzerland, Timor-Leste and Uruguay.

Mr. President,

We would like to raise the attention of the Human Right Council onto the Special Session on the world drug problem, convened by the UN General Assembly by means of Resolution 67/193. This Special Session, which will take place in 2016, will assess the achievements and challenges of the international community in countering the world drug problem. It is the first such event for almost twenty years.

We look forward to having a frank and open discussion during the GA special session, one informed by the best available evidence and the realities confronting our States, communities and regions. This will allow us to conduct a realistic review of the global response to the drug problem, with arguments and data on what is –and what is not – working, as well as what can be improved or needs to be changed.

In this context, we consider that it is important to analyse the different dimensions of the issue beyond the traditional approach, which still

relies heavily on the reduction of drug demand and supply through prohibition, law enforcement and criminal justice. In particular we see a pressing need to take into account a Human Rights and public health approach when addressing the world drug problem, when assessing current policies and when finding solutions.

Mr President,

The world drug problem, due to the criminal organizations involved in drug-related criminal activities, undermines political stability, democratic institutions, national security and sustainable development and constitutes a challenge to health and well-being of populations.

We have learned from experience that a global response to the problem focusing exclusively on prohibitionist and enforcement-led drug policies has a negative impact on the enjoyment of human rights. In many regions of the world, such an approach may jeopardize States' obligations to respect, protect and fulfil human rights and fundamental freedoms as set out in the UN Charter, in the UDHR and many international human rights law instruments.

The full enjoyment of civil and political rights as well as economic, social and cultural ones is challenged. In the framework of the current global drug policy particular emphasis should be placed on the right to life, the right to health, the right to equality, and non-discrimination and the right to fair trial.

Furthermore, the annual omnibus General Assembly resolution and UN political declarations on drug control state that the world policy against

drug problem must be put in place in full conformity with human rights. In recent years, The UN High Commissioner for Human Rights, numerous Special Procedures and some treaty bodies have expressed their concerns related to the impact of drugs on human rights.

Additionally, in the framework of regional organizations and forums the reflexion on the links between drugs and human rights has also started, for example, in the Organization of American States –OAS- in the Community of Latin American and Caribbean States –CELAC-, and the Coordination and Cooperation Mechanism on Drugs between the European Union and CELAC.

Indeed, over the past years an intense global discussion on drug policies has started. While the cosponsors of this statement have different policies regarding legalisation of drugs, we would like to refer to several initiatives from civil society, the academy and some States that are asking for reviewing the current policy and are longing for appropriate new approaches to face the world drug problem. We recognize the principal role of the Commission on Narcotic Drugs as the policymaking body of the United Nations with the prime responsibility for drug control matters as reaffirmed in the Joint Ministerial Statement of the 2014 high-level review by the Commission on Narcotic Drugs of the implementation by Member States of the Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem.

Mr President,

As it is established in the General Assembly resolution 60/251 as part of its mandate, the Human Rights Council should play an important role in promoting the effective coordination and the mainstreaming of human rights within the UN system.

In this framework, we feel that the Human Rights Council is in an excellent position to provide authoritative guidance on the adoption of a human rights based approach to the ongoing debate on global drug policies and especially in the preparations leading to the GA Special Session.

We look forward to explore ways for the Human Right Council to play this role.

I thank you Mr President,