

POLICY BRIEF UNGASS 2016

Special Session on The World Drug Problem

The Asian Network of People who Use Drugs (ANPUD) is a community based regional network of people with a history of drug use in Asian countries. ANPUD responds to issues that affect the lives of people who use drugs (PUD) in the Asian region, providing a platform for those affected to voice their concerns and advocating for the health and human rights of our community.

www.anpud.org

1) See a comprehensive list of preparatory events at www.unodc.org/ungass2016/en/cnd_p_reparations.html.

2) For a full list of CSTF representatives, visit www.unodc.org/documents/NGO/2015-03-09_Civil_Society_Task_Force_in_brief.pdf.

3) See a detailed timeline of upcoming preparatory activities related to UNGASS 2016 at <http://idpc.net/policy-advocacy/the-un-general-assembly-special-session-on-drugs-ungass-2016>.

4) For example, see IDPC. 2015. *The Road to UNGASS 2016: Process and Policy Asks from the IDPC*, https://dl.dropboxusercontent.com/u/64663568/library/UNGASS-asks_External_04-2015_ENGLISH.pdf UNAIDS. 2014. *The GAP Report*.

5) WHO. 2014. *Consolidated guidelines on HIV prevention, diagnosis, treatment and care for key populations*.

6) Harm Reduction International. 2012. *The Death Penalty for Drug Offences: Global Overview - Tipping The Scales for abolition*.

On 19-21 April 2016, representatives from 193 United Nations (UN) member states will meet in New York to review, discuss and debate the achievements of the international drug control system under the banner of the UN General Assembly Special Session (UNGASS). Convened by the Commission on Narcotic Drugs (CND), UNGASS 2016 represents a critical platform for drug policy advocates to call for the end of an ineffective and costly drug war in favor of health, human rights, and human security while offering significant opportunities for civil society participation to influence the debate.

The present Policy Brief was developed by the Asian Network of People who Use Drugs (ANPUD) to stimulate and support the meaningful participation of its constituents – Asian people who use drugs – in the UNGASS 2016 process. Following a short overview of the UNGASS process, the Brief highlights common issues across the region that have been prioritized by ANPUD with specific recommendations.

Why is the UNGASS 2016 important?

The UNGASS 2016 process represents one of the highest-level platforms from which to influence the strategic direction and content of drug policies. The process is designed to ensure meaningful participation and open dialogue with special attention given to civil society and affected populations. Many influential leaders, including national government representatives, from across the globe are calling for drug policy reform. However, despite significant numbers of people who use drugs living in Asia, only a minority of Asian voices is being heard in global drug debates. Given that Asian countries have some of the most punitive drug policies, combined with insufficient support for harm reduction, there is a critical need for voices of Asian civil society groups to be heard in drug policy debates. **Your input in this influential process is very important!**

Preparations for the UNGASS 2016 began in 2014, given that the content, priorities, and strategies for such events are usually determined long in advance. The CND is managing the preparations to ensure an adequate, inclusive and effective process and has been tasked with facilitating extensive consultations with a wide range of stakeholders, including civil society and affected communities, in order to promote meaningful dialogue and participation. The www.ungass2016.org website was designed and developed to facilitate global dialogue in an inclusive and transparent manner and to function as a reference tool. Several official meetings, preparatory discussions and promotional events have been held to support broad and meaningful participation in the UNGASS 2016 process.⁽¹⁾

The Civil Society Task Force (CSTF) was set up in December 2014 with the mandate of supporting the CND, specifically to facilitate broad, diverse and geographically representative civil society participation and prioritize engagement with representatives from the most affected communities. The CSTF is composed of civil society representatives⁽²⁾ who will hold regional consultations, organize a civil society hearing in New York, and work with civil society representatives to support the activities and presentations on 19-21 April 2016. Additional preparatory activities are planned ahead of the UNGASS 2016 meeting and opportunities for the voices of Asian people who use drugs to be heard are coming.

What we are advocating on the UNGASS process

ANPUD has identified a handful of advocacy issues that affect the majority of countries and people who use drugs across the region. This section includes brief advocacy guidance to inspire and support national and regional advocacy efforts. Many of the issues identified by ANPUD are also priority issues for international groups like the International Drug Policy Consortium (IDPC), Harm Reduction International (HRI) and others.⁽⁴⁾

End the criminalization of people who use drugs: While UNAIDS⁽⁵⁾ and WHO⁽⁶⁾ recommend decriminalization of drug use, including removing criminal penalties for drug use and possession for personal use, and for possession of drug paraphernalia, millions of people living in Asia are routinely imprisoned for such offences. In many Asian countries, those suspected of drug offences are often beaten, tortured, and imprisoned. The UNGASS negotiations must prioritize ending the criminalization of people who use drugs and the possession of drugs for personal use. ANPUD calls on all Asian governments to eliminate penalties for drug use and possession as well as for possession of drug paraphernalia.

Eliminate the death penalty for drug-related offences and ensure proportional sentencing: At least 16 countries in Asia have enacted legislation allowing for capital punishment for drug crimes,⁽⁷⁾ and sentences for low-level, non-violent drug crimes have been disproportionately high across the region.⁽⁸⁾ ANPUD calls on all governments to review national drug sentencing frameworks based on principles of proportionality, and to eliminate the use of the death penalty in line with international human rights law.

Fund comprehensive harm reduction and health services: UN agencies recommend the implementation of a comprehensive package of health and social care services to prevent HIV and the transmission of other blood-borne infections, and services such as needle and syringe programs, opioid substitution therapy and overdose prevention and management with naloxone have been identified as priority interventions.⁽⁹⁾ Evidence shows that harm reduction services are effective, cost-effective and safe. Unfortunately, coverage of harm reduction services among people who use drugs in Asia remains abysmally low,⁽¹⁰⁾ and debilitating funding gaps prevent scale-up.⁽¹¹⁾ ANPUD calls on all governments to allocate adequate annual budgets to support the implementation of comprehensive harm reduction services in a non-judgmental environment.

8) Lai, G. 2012. *Drugs, crime and punishment: Proportionality of sentencing for drug offences.*

9) World Health Organization. 2012. *Technical Guide for countries to set targets for universal access to HIV prevention, treatment and care for injecting drug users.*

10) Harm Reduction International. 2014. *The Global State of Harm Reduction.*

11) Harm Reduction International. 2014. *The funding crisis for harm reduction: Donor retreat, government neglect and the way forward.*

12) United Nations. 2012. *Joint statement on compulsory drug detention and rehabilitation centres.*
www.unaids.org/sites/default/files/en/media/unaids/contentassets/documents/document/2012/JC2_310_Joint%20Statement6March12FINAL_en.pdf

13) Rahman, F. and Crofts, N. (eds). 2013. *Drug Law Reform in East and Southeast Asia* (Lanham, MD: Lexington Books).

14) Global Commission on HIV and the Law. 2012. *Rights, Risk and Health.*

15) Jurgens, R. 2008. "Nothing About Us Without Us" – Greater, Meaningful Involvement of People Who Use Drugs: A Public Health, Ethical, and Human Rights Imperative.

16) Contributions should be submitted directly to the Secretariat to the Governing Bodies (sgb@unodc.org, CC to ngo.unit@unodc.org) in Word or .PDF format; there is no word limit but submissions should ideally be drafted in one of the six official UN languages (submissions in other languages will also be accepted and posted).

Close compulsory centers for people who use drugs and scale up voluntary community-based drug dependence treatment services:

In 2012, UN agencies called on governments to close compulsory drug detention and rehabilitation centers in favor of voluntary, evidence-informed and rights-based drug dependence treatment services in the community.⁽¹²⁾ The evidence convincingly demonstrates that compulsory detention and forced treatment have been ineffective, costly and out of line with international best practice guidelines and human rights obligations, often leading to more harm than good. ANPUD call on all governments to immediately close compulsory detention centers and release those detained therein. ANPUD also demand the rapid scale-up of voluntary, evidence- and community-based harm reduction and drug dependence treatment services.

Respect and protect human rights of people who use drugs: Human rights violations against people who use drugs have been extensively documented in virtually every country in Asia,⁽¹³⁾ and in the vast majority of cases, government employees, especially from law enforcement agencies, have perpetrated these abuses.⁽¹⁴⁾ However, very few countries have effective accountability or sufficient transparency mechanisms to prevent, mitigate and respond to such blatant abuses of state power. ANPUD urge all governments to improve monitoring and accountability for human rights violations, as well as ensure the availability of social and legal protections with adequate access to justice and legal aid.

Meaningfully involve and facilitate participation of people who use drugs: "Nothing about us without us!"⁽¹⁵⁾ implies that people who use drugs can add significant value to national, regional and global responses to drug issues. Though participation of people who use drugs and civil society groups is recognized as a critical component of the UNGASS 2016 process, meaningful participation can only be achieved when low-threshold, sustainable mechanisms and processes are in place. ANPUD calls on relevant UN and donor agencies to promote, facilitate and financially support meaningful participation of people who use drugs and civil society groups in local, national, regional and global forums relating to drug policy.

To learn more and contribute to UNGASS 2016 please visit:
www.ungass2016.org