

Human Rights Council (32nd regular session)

Item 3 – Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Delivered by: Defence for Children International – DCI (ECOSOC)

Sponsored by: Consortium for Street Children (ECOSOC); Make Mothers Matter International (ECOSOC); Child Rights International Network (CRIN); International Centre on Human Rights and Drugs Policy (ICHRDP) – University of Essex; NNAPeS – Plataforma Regional por la Defensa de los Derechos de Niñas, Niños y Adolescentes con referentes adultos privados de libertad (Regional Platform for the Protection of the Rights of Children of Incarcerated Adults).

Around the world adolescents and young children experience devastating harms due to drug use, drug trade and involvement in drug production. These concerns have duly placed the protection of children explicitly within the United Nations Convention on the Rights of the Child (UNCRC art. 33). As such, we welcome the recent attention given to this important human rights issue by the United Nations Special Rapporteur on the right to health in his latest thematic report.

Drug use, drug trade and involvement in drug production embody a complex set of physical & mental health, psycho-social and economic issues; often linked to inequities, social exclusion, poverty, a family history of drug dependence, abuse and violence. The indirect effect of parental drug use aggravated by punitive approaches to drug control are also not to be underestimated, as its physical and social impact can be transferred inter-generationally.

The prevailing punitive approach towards the drug issue has proven ineffective in the reduction of illicit drug consumption and trade and has instead placed communities of adolescents and young children at increased risk of human rights violations. Punitive drug enforcement models pull children unnecessarily into criminal justice systems, establishing criminal histories that will negatively affect their development and social inclusion into adulthood. Many adolescents are forced into drug treatment, and even subjected to arbitrary detention and abuse.

On such basis, we would like to make the following recommendations towards member states and United Nations agencies and experts when tackling the world drug problem:

- ✓ Conduct research and collect disaggregated data on the impacts of drug use, drug trade, drug production and drug policies on adolescents and young children;
- ✓ Provide prevention, harm reduction and dependence treatment services to adolescents and young children, and ensure that such services are available, accessible, acceptable, voluntary and of quality - in relation to SDG 3.5: “strengthening prevention of drug use and treatment of drug use disorder”;
- ✓ Close without delay all drug detention centres for adolescents and young children, and seek alternatives to punitive and repressive drug control policies;
- ✓ Facilitate a process of participation so that adolescents and young children who are affected by drug use, the drug trade, and drug production can have their voices heard in the development of new laws and policies;
- ✓ Include the issue of drug control in the UN Global Study on Children Deprived of Liberty (UNGA/Res/69/157 para.52.d), addressing children detained for drug offences, in compulsory drug treatment, and other forms of deprivation of liberty in relation to drug control.