



## Help Not Handcuffs Declaration on Global Drug Policy

As the United Nations General Assembly Special Session (UNGASS) on the World Drug Problem convenes, Help Not Handcuffs is advocating for a new approach to global drug policies, which prioritizes people over punishment, recognizes the value of all human beings irrespective of drug use and calls for responsible drug regulation, legalization and harm reduction.

UNGASS will take place at the United Nations Headquarters in New York from April 19 – 21, 2016. We ask that the United Nations' 193 member states and the U.N. Leadership recognize that the current prohibition-driven system:

### **Forces Law-Enforcement Interaction**

Most people who use drugs do not have a drug use disorder<sup>i</sup> nor cause any harm to person or property. Yet millions of people will be forcibly entered into criminal justice systems around the world simply for using, seeking or possessing drugs for personal use. For people with a valid drug use disorder, criminalizing drug possession means arresting them for displaying a symptom of a medically identifiable health-issue. Criminal prosecution engenders a social disability by creating barriers to employment, education, housing, social services and other opportunities.

### **Sanctions Collective Violence**

Prohibition is the foundation and justification for collective violence against people who use drugs. Forms of collective violence include but are not limited to arrest, forced treatment or incarceration. This use of force also meets the World Health Organization's definition of violence<sup>ii</sup>. Meanwhile others, who use legal drugs, largely face no such consequences unless they cause harm to person or property. These actions increase violent risk and harm such as death, sexual or physical assault and other forms of exploitation<sup>iii</sup>.

### **Commodifies People for Profit**

For-profit correctional facilities, many drug treatment centers and the ever expanding probationary regime all see their budgets increase as people are forced into their institutions, programs and otherwise under their control whether or not they actually need any rehabilitation or treatment.

### **Forcibly Separates Families**

Punitive drug laws are a driver of racially disparate mass incarceration in the United States. Drug criminalization plays a significant role in alarming statistics such as one in ten African American children having an incarcerated father<sup>iv</sup>. Additionally, parents can face loss of parental rights for illicit drug use even when the drug use has caused no harm to the child or their developmental process.

### **Increases Dangers of Drug Use**

Drug use is riskier when a drug market is unregulated. In an illicit market, the drugs are of unknown purity, can be adulterated, and are often purchased and consumed in unsafe circumstances.

### **Empowers Organized Crime and Devastates Communities**

Many organized crime networks financially benefit from illicit drug markets allowing them to struggle for power with each other and sometimes with the nations in which they operate. Wide scale displacement from violent conflict between drug cartels and governments resulting in internally displaced persons<sup>v</sup> <sup>vi</sup> is well documented. Gangs<sup>vii</sup> and Mafias<sup>viii</sup> also take advantage of the illicit markets and can have devastating effects on communities.

### **Institutionalizes Discrimination Against Drug Using Populations**

Laws meant to protect vulnerable persons such as the Americans with Disabilities Act do not offer any protection for an illicit drug using individuals yet someone who is active in their alcoholism receives protections and even accommodations<sup>ix</sup> creating a double standard.

## **Help Not Handcuffs calls on world leaders at UNGASS to:**

### **Value Life**

Recognize that all human life has value irrespective of drug use. Personal drug use and drug possession should not allow violations of the Universal Declaration on Human Rights. People are most healthy when they are respected, free from discrimination, violent sanctions and have their full rights in tact.

### **Protect Vulnerable Drug Using Populations from Bias and Discrimination**

Recognize that drug-using populations are highly stigmatized and often targeted for discrimination, exploitation and violence. Establish a protected status for this population.

### **Support Recovery**

Build an empowering recovery support system where individuals can make their own decisions, and self-direct their services without fear of punishment. Social service supports for recovery (which may, or may not include treatment) should not purge individuals for continued drug use or expected relapses.

### **Promote Harm Reduction**

Ensure a robust offering of harm reduction programs devoid of punishments and aimed at protecting the health of individuals, families and communities. Harm Reduction programs should include every available tool such as (but not limited to), Heroin Assisted Treatment, Needle Exchange Programs, Supervised Injection Facilities, Naloxone/Narcan and substitution therapies.

### **Regulate Drug Markets Responsibly**

Take responsibility for illicit drug markets through regulation and legalization schemes which will give governments control over drugs, disempower organized crime, financially benefit and improve safety for communities.

### **Decriminalize Drug Possession**

Remove harmful sanctions from drug policy recognizing that arrest, forced treatment and incarceration are punishments that cause intentional harm and deprivation as well as expose individuals to violent risk. Address drug use through civil regulation and not by criminal code. Ban the use of the death penalty for drug violations.

### **Legalize Marijuana**

Follow the American Model to immediately stop arrests, wasting of resources and to migrate the participants of the illicit marijuana market into a legal regulated market that is taxed and a benefit to the community.

### **Commit to a Health Oriented Approach**

Extricate drug policies from criminal justice institutions and relocate them into public health institutions. This transition has produced several successes as in the cases of Portugal and the Netherlands. Investing in health institutions will ensure that people, families and communities will have the tools they need to deal with any harms from legal, illegal or prescribed drug use as a health issue.

### **Ensure Access to Medication**

Ensure access to medically necessary medications are appropriately available and are not denied unnecessarily to people due to current or past drug using history.

### **Change Drug Policy Metrics**

Support the call to revise Drug Policy Metrics from the International Centre for Science in Drug Policy<sup>x</sup>. Additional metrics necessary for inclusion would be: 1. Overdoses due to unregulated drugs (unknown purity/adulteration) 2. Physical/Sexual Assault/Exploitation of drug using individuals irrespective of any custodial sentence 3. Physical/Sexual Assault/Exploitation motivated by bias.

In solidarity with:

Association PROI, Sarajevo, Bosnia and Herzegovina

Autosupport Des Usagers De Drogues

Center for Harm Reduction Therapy

CUNY Baruch SSDP

Dickinson College Students for Sensible Drug Policy

Drug Policy Alliance

East Coast Cannabis Coalition

Ethio-Africa Diaspora Union Millennium Council

Families for Sensible Drug Policy

Law & Cannabis Alliance (FLCA)

Ganja Growers and Producers Association of Jamaica GGPAJ

HAMS Harm Reduction Network

Help Not Handcuffs

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NANPUD (North America Network of People Who Use Drugs )  
StopTheDrugWar.org  
Students for Sensible Drug Policy chapter at the Colorado School of Mines  
TB/HIV Care Association  
The Evangelican Protestant Church of El Salvador (IEPES)

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<sup>i</sup> *2014 Results From the National Survey on Drug Use – Detailed Tables Substance Abuse and Mental Health Administration, Table 1.1A*

<sup>ii</sup> *World Report on Violence and Health*. Rep. Ed. Etienne G. Krug. World Health Organization, 2002. Web. 2016. (The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation.)

<sup>iii</sup> Collection of Member Organization Submissions to UNGASS – New York NGO Committee on Drugs 2016, pg. 38  
[http://www.unodc.org/documents/ungass2016//Contributions/Civil/NYNGOC/NYNGOC\\_Compiled\\_submissions\\_FINAL.pdf](http://www.unodc.org/documents/ungass2016//Contributions/Civil/NYNGOC/NYNGOC_Compiled_submissions_FINAL.pdf)

<sup>iv</sup> *Punishment and Inequality in America* Western, Bruce New York, The Russel Sage Foundation, 2006

<sup>v</sup> *Global Overview 2015 - People Internally Displaced by Conflict and Violence* – Internal Displacement Monitoring Centre, page 9 (New displacement also took place in Mexico, Guatemala and El Salvador, where people fled from criminal violence associated with drug trafficking.)

<sup>vi</sup> *Addressing the Costs of Prohibition: Internally Displaced Populations in Colombia and Mexico* - Atuesta Becerra 2014, pg 50 - <http://www.lse.ac.uk/IDEAS/publications/reports/pdf/LSE-IDEAS-DRUGS-REPORT-FINAL-WEB.pdf>

<sup>vii</sup> *Drugs and Gangs Fast Facts 2009* - National Drug Intelligence Center a component of the U.S. Department of Justice <https://www.justice.gov/archive/ndic/pubs11/13157/#relation>

<sup>viii</sup> *The Business Relationship Between Italy's Mafia and Mexico's Drug Cartels* 2014 - InSight Crime, Corrado and Realacci <http://www.insightcrime.org/news-analysis/the-business-relationship-between-italys-mafia-and-mexicos-drug-cartels>

<sup>ix</sup> *Chapter 4: Substance Abuse Under the ADA* United States Commission on Civil Rights, Sections: When are alcohol users covered under the ADA; Reasonable accommodations for alcoholics <http://www.usccr.gov/pubs/ada/ch4.htm>

<sup>x</sup> *A Call for A Reprioritization of Metrics to Evaluate Illicit Drug Policy* 2016 International Centre for Science in Drug Policy [https://d3n8a8pro7vhmx.cloudfront.net/michaela/pages/61/attachments/original/1453256889/ICSDP\\_Open\\_Letter\\_EN\\_Web.pdf?1453256889](https://d3n8a8pro7vhmx.cloudfront.net/michaela/pages/61/attachments/original/1453256889/ICSDP_Open_Letter_EN_Web.pdf?1453256889)