

*The Promotion and Protection of Human Rights while Responding to the Illicit  
Drug Trade*

**UN Human Rights Mechanisms & the International Drug Control Regime**

Partner: International Centre on Human Rights and Drug Policy

**Project Overview:**

Human rights violations occurring as a consequence of drug control or enforcement efforts have been well-documented by both civil society organisations and United Nations human rights monitors. These violations highlight the degree to which the international framework established under the three UN drug conventions contributes to an environment of increased human rights risk, and in some cases directly fuels abuses. The relationship between international human rights law and international drug control law is therefore a significant issue for human rights activists and scholars, yet to date it has largely gone unaddressed. For example, UN drug control bodies rarely mention human rights, while the human rights bodies rarely mention drug control. In effect the two speak different languages and hold different priorities.

In recent years, advocates in the drug policy sector have begun to address human rights standards and use the tools provided by international human rights law as means to close this gap. A UN General Assembly Special Session on Drugs announced for mid-2016 is a key moment for civil society and UN mechanisms to push human rights to the centre of the drug control debate. Developing an understanding of the key challenges to realising human rights while countering the world drug problem is a critical component for UN treaty bodies as they consider what contribution they can make in 2016 and more generally, how they can promote a human rights interpretation to States' drug control obligations.

The [International Centre on Human Rights and Drug Policy](#) (HRDP), seated at the University of Essex's Human Rights Centre aims to support key UN human rights mechanisms in the development of strategies and research outputs for the 2016 UNGASS and to more generally highlight the intersections of human rights and the international drug control regime as a topic of both academic scholarship and policy development.

**Project output:**

The Human Rights Centre Clinic will research the work of select UN human rights treaty bodies and produce a briefing paper that: reviews the scope of work undertaken on drug control, highlights the intersections of the international drug

control regime with the relevant treaty, and presents recommendations on how these mechanisms can strengthen their approach to drug policy either thematically or through their country and communications work. This briefing paper will focus on how the international drug control treaties intersect with the relevant human rights treaties, with particular focus on the work of the Human Rights Committee, including their individual communications and concluding observations. The work of other treaty bodies may also be addressed, particularly that of the International Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child.

The final research output produced will form part of the Centre's briefing paper series on UN human rights mechanisms and drug control to be housed at the HRDP's website <http://www.hr-dp.org/> and in *Human Rights and Drugs*—the HRDP's flagship journal publication. Circumstances permitting, presentation of these findings to key members of the UN treaty bodies is also an envisaged output of the project.

### **Project outline**

This project is centered around key research and learning goals and one briefing paper deliverable.

### **Project Phase 1 (October-December 2014): Building effective research plans and advocacy strategies with UN treaty bodies**

Clinic participants will:

- Acquire basic legal and human rights research skills
- Acquire critical content management system skills to upload and manage research data on the HRDP website
- Undertake research of UN treaty body communications
- Acquire skills to design and implement a research project timeline and strategy
- Complete a research project work plan
- Understand the scope of work of UN treaty bodies as well as institutional and contemporary political challenges to the effective implementation of their mandates
- Attend an introductory lecture on why human rights matters in drug control
- Understand effective best practices in advocating before UN treaty bodies through a case study: *Promoting and Integrating Harm Reduction within the UN Human Rights Mechanisms*

### Project Phase 2 (February-June 2015): Researching and drafting a research-based advocacy briefing paper

- Attend a two-day intensive course on human rights and drug policy hosted by the HRDP and delivered by leading UN and civil society experts on human rights and drug policy
- Complete comprehensive research of select UN treaty bodies
- Complete e-library research uploads for all relevant sources used in briefing paper output
- Develop writing skills through regular supervisory and peer review exercises
- Collaborate weekly with team on research and writing tasks through team meetings and/or collaborative writing engagements
- Submit regular writing drafts of research
- Complete a final, high quality academic briefing paper for submission to select UN treaty bodies

### Project Bibliography:

#### General

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- Convention on Psychotropic Substances 1971 <http://www.hr-dp.org/contents/736>
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- Prince v South Africa (UN Human Rights Committee) Communication No. 1474/2006 CCPR/C/91/D/1474/2006, 14 November 2007 (See paras 7.1 – 7.5) [http://www.bayefsky.com/pdf/southafrica\\_t5\\_icpr\\_1474\\_2006.pdf](http://www.bayefsky.com/pdf/southafrica_t5_icpr_1474_2006.pdf)
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- Report of the International Law Commission: Sixty-First Session (4 May–5 June and 6 July–7 August 2009), A/64/10, New York: United Nations, ch. IV. [http://untreaty.un.org/ilc/documentation/english/a\\_64\\_10.pdf](http://untreaty.un.org/ilc/documentation/english/a_64_10.pdf)
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- UN Office on Drugs and Crime, 'UNODC and the Promotion of Human Rights', 2012/ <http://www.hr-dp.org/contents/709>

### **Harm Reduction**

- Human Rights Council Resolution supporting Harm Reduction: <http://www.hr-dp.org/contents/181>

- High Commissioner for Human Rights calls for Focus on Human Rights and Harm Reduction in International Drug Policy: <http://www.hr-dp.org/contents/170>
- Human Rights, Health and Harm Reduction: States' Amnesia and Parallel Universes: <http://www.hr-dp.org/contents/952>
- Injecting drugs into human rights advocacy, R. Lines, R. Elliott, International Journal of Drug Policy: <http://www.hr-dp.org/contents/182>
- Harm Reduction, HIV/AIDS, and the Human Rights Challenge to Global Drug Control Policy, by Richard Elliott, Joanne Csete, Evan Wood and Thomas Kerr: <http://www.hr-dp.org/contents/161>

### Drugs & Rights of the Child

- UN Convention on the Rights of the Child <http://www.hr-dp.org/contents/226>
- UN Committee on Economic Social and Cultural Rights: *General Comment No 14, the right to the highest attainable standard of health* <http://www2.ohchr.org/english/bodies/cescr/comments.htm>
- *Concluding Observations*: Mauritius (2010, para 27), Russia (2011, para 29)
- UN Committee on the Rights of the Child (all at <http://www2.ohchr.org/english/bodies/crc/>):
- *General Comment No. 3 HIV/AIDS and the rights of the child* (in particular para 39)
- *Various Concluding Observations e.g.*: Denmark (2005, paras 54,55), Colombia (2006, paras 72,73,88,89), Sweden (2009, paras 48,49), Norway (2010, paras 42, 43) Ukraine (2011, paras 60, 61), New Zealand (2011, paras 31, 32), Mexico (OPAC, 2011, paras 17,18) Viet Nam (2012, paras 43,44) [please feel free to search for more and comment on the approaches taken]
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### UN Human Rights Mechanisms

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### **Lectures & Multimedia**

- Why Human Rights Matters in Drug Control: <http://www.hr-dp.org/lectures>
- Insite: Not Just Injecting, but Connecting <http://www.hr-dp.org/contents/720>
- The House I Live In: <http://www.hr-dp.org/contents/719>
- Parallel Universes: Human Rights and International Drug Control: <http://www.hr-dp.org/contents/110>