



Dear member states and observers,

The UN Human Rights Council will hold on 28 September a panel discussion on the impact of the world drug problem on the enjoyment of human rights. This panel is an opportunity for the Council to bring a much welcome contribution to the preparation of the UN General Assembly Special Session on the World Drug Problem (UNGASS), which will be held in April 2016.

The UN has an historic opportunity to revise its approach to drug policies, and make sure that they are put in conformity with other aspects of international law, including human rights law. The UN and the member states that compose it cannot afford continuing working in silos. Drug demand reduction, supply reduction and international cooperation on drug issues should not be addressed in isolation from human rights norms and standards.

We call on you to put human rights at the forefront of UNGASS, and we welcome the convening of this panel discussion as a first step in that direction, a necessary and urgent contribution to the debate from the main UN organ in charge of the promotion and protection of human rights.

This contribution is urgent because in many countries, the anti-drug policies have been and are still routinely used as a license to infringe human rights. It is time to address the fact that the war on drug counts rights as fundamental as the right to life among its victims.

Over thirty countries have laws that provide for the death penalty for non-violent drug-related offenses. In some of these countries, the proportion and overall number of executions for drug related offenses is far from anecdotal:

- More than half of the executions undertaken in **Iran**¹ – the world’s first executioner per capita, with over 6000 executions since 2005 - and nearly half of the executions in **Saudi Arabia**² – third main executioner globally - are for non-violent drug-related offenses. The trend is not on the decline as these two countries experience an important surge in the number of executions in 2015, both having executed as many persons in the first half of 2015 as in the whole year 2014³. As of mid-2015, Saudi Arabia had executed over 100 capital sentences, half for drug crimes, while Iranian death penalty monitors have documented 750 to 850 executions, approximately two third for drug crimes, since the beginning of the year.
- **Indonesia** resumed executions this year by executing by fire squad 14 people sentenced to death for drug offenses. No executions had been undertaken since 2013 and a total of 5 persons had been executed since 2009, including 2 for drug related offenses⁴.
- In **China** and **Vietnam**, two countries where the number of capital executions is not public, recent reductions of the number of capital offenses have fallen short of removing non-violent drug-related crimes from the list of capital offenses. It is estimated that several thousands of persons are executed in China every year⁵. Last year, in Vietnam, a mass trial led to the conviction of 29 men and women to death for drug smuggling⁶.
- Death sentences remain mandatory for some drug crimes in states that regularly execute persons for drug-related offenses like **Singapore** and **Malaysia**, as well as **Iran**⁷.

¹ [Iran Human Rights](#) and the [Abdorrahman Boroumand Foundation](#) (ABF) documented more than 6000 executions undertaken in Iran since 2005. More than half of these executions were for drug-related offenses. Both organizations observed a surge in the number of executions in the past few years (2013 and 2014 marked highest number executions in 15 years, with more than 700 to 900 executions documented by both groups).

² Human Rights Watch, “Saudi Arabia: 100 Executions Since January 1: Nearly Half for Nonviolent Drug Crimes”, 16 June 2015, at <https://www.hrw.org/news/2015/06/16/saudi-arabia-100-executions-january-1> [last accessed 25 Sept. 2015] See also World Coalition against Death Penalty, Saudi Arabia profile at <http://www.worldcoalition.org/Saudi-Arabia> [last accessed 25 Sept. 2015]

³ As of September 2015, Iran Human Rights and the Abdorrahman Boroumand Foundation (ABF) documented between 750 and 850 executions since the beginning of the year, which amounts roughly to the 750 to 900 executions they counted in 2014. According to HRW, Saudi Arabia also increased its pace of executions, from over 90 in 2014 to more than 100 in the first half of 2015: <https://www.hrw.org/news/2015/06/16/saudi-arabia-100-executions-january-1> [last accessed 25 Sept. 2015]

⁴ World Coalition against Death Penalty, “Detailed Fact Sheet - Death Penalty And Drug Crimes”, 2015, accessible at http://www.worldcoalition.org/media/resourcecenter/EN_WD2015_Factsheet.pdf [last accessed 25 Sept. 2015].

⁵ Death penalty worldwide, China database, Cornell University law school, accessible at <http://www.deathpenaltyworldwide.org/country-search-post.cfm?country=China®ion=&method=> [last accessed 25 Sept. 2015]

⁶ BBC, “Vietnam sentences 30 to death over drug smuggling”, 20 January 2014, at <http://www.bbc.com/news/world-asia-25806353> [last accessed 25 Sept. 2015] ; Việt Nam News, “Court confirms 29 death sentences”, 20 June 2014, at <http://vietnamnews.vn/society/256440/court-confirms-29-death-sentences.html> [last accessed 25 Sept. 2015]

⁷ World Coalition against Death Penalty, “Detailed Fact Sheet - Death Penalty And Drug Crimes”, 2015, accessible at

There is growing consensus that drug-related offenses, when they do not involve death intentionally inflicted, do not qualify as “most serious crimes” for which capital sentences are not forbidden under international law. The Human Rights Committee, along with the UN Office on Drugs and Crime, the Special Rapporteur on extrajudicial, summary and arbitrary executions, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, have all similarly taken the position that execution solely for drug-related crimes violates international law.⁸

On 28 September, during the panel discussion, and beyond, in the run up to the UNGASS, your countries have an historic opportunity to send a clear message that the UN should neither condone, nor turn a blind eye to the consequences of anti-drug policies when they violate the most fundamental rights.

Abdorrahman Boroumand Foundation

The Advocates for Human Rights

Anti-Death Penalty Asia Network

Association for Human Rights in Kurdistan of Iran-Geneva

Human Rights First Society (Saudi Arabia)

Impact Iran

Iran Human Rights

Iran Human Rights Documentation Center

Kontras (Indonesia)

SecondChance (Singapore)

Together against the Death Penalty

World Coalition against the Death Penalty

http://www.worldcoalition.org/media/resourcecenter/EN_WD2015_Factsheet.pdf [last accessed 25 Sept. 2015]. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions said in reference to a drug case in Singapore that having a mandatory death penalty violates international legal standards, see OHCHR, “Expert on Arbitrary Executions calls on Singapore government not to carry out mandatory death sentence”, 15 November 2005, accessible at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=5432&LangID=E> [last accessed 25 Sept. 2015]

⁸ HRC Concluding Observations: Thailand, CCPR/CO/84/THA, para. 14 (July 8, 2005); HRC Concluding Observations: Sudan, CCPR/C/SDN/CO/3, para. 19 (August 29, 2007); UNODC, Drug control, crime prevention and criminal justice: a human rights perspective, Fifty-third session, Vienna (March 8-12, 2010), E/CN.7/2010/CRP.6*-E/CN.15/2010/CRP.1*; Report of the UN Special Rapporteur on extrajudicial, summary and arbitrary executions to the United Nations General Assembly (9 August 2012) A/67/275, para. 51-60. Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (January 14, 2009), A/HRC/10/44, para.66; UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health (August 6, 2010), A/65/255, para. 17. For further details, see the Written contribution submitted by The Advocates for Human Rights, in collaboration with The World Coalition Against the Death Penalty and FIACAT to the General Discussion on the preparation for a General Comment on Article 6 (Right to Life) of the International Covenant on Civil and Political Rights, 14 July 2015, accessible at <http://www.ohchr.org/EN/HRBodies/CCPR/Pages/WCRightToLife.aspx> [last accessed 25 Sept. 2015]