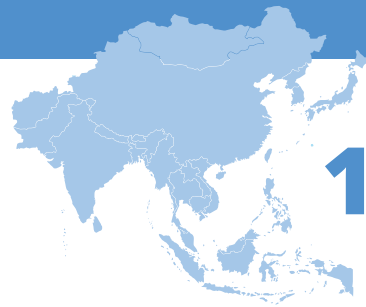


# HUMAN RIGHTS AND DRUG POLICY

## ASIA\*: SUCCESSES, CHALLENGES AND OPPORTUNITIES



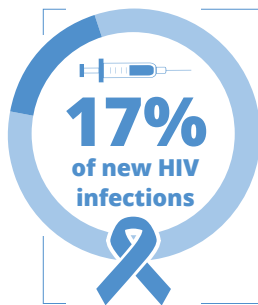
There are **more than 102 MILLION** people who **use drugs in Asia**



**4.35 MILLION** people inject drugs

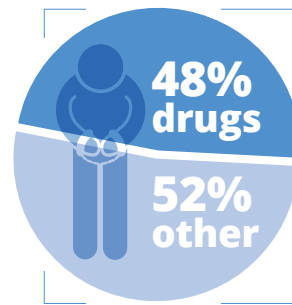


**11 MILLION** use amphetamines



**In 2019, people who inject drugs accounted for 17% of new HIV infections in the region.**

There are 1.8 million people with recent injecting drug use living with hepatitis C antibodies in Asia. This accounts for 30% of the global prevalence.



**more than 48%**

of people in prison in at least eight countries in the region have been **incarcerated for drug offences.**

## CRIMINAL JUSTICE

**Human Rights and Drug Policy Guideline II, 5;** Everyone has the inherent right to life.



**16 of the 35** countries that retain the **death penalty for drug offences** are in Asia.



**In February 2020**, a Special Committee in Malaysia appointed by the cabinet published a report that was declared by the law Minister, Liew Vui Keong to be "a significant study bound to alter the landscape of the nation's entire criminal sentencing policy as **the government moves to abolish the mandatory death penalty in Malaysia**".

**Human Rights and Drug Policy Guideline II, 7;** Everyone has the right to liberty and security of the person and therefore to freedom from arbitrary arrest and detention.



Over **400,000** people are **detained in compulsory drug detention centres** in Asia.



**In January 2017, the Narcotics Act of Thailand was amended to reduce penalties for the possession, production, import and export of narcotics** and, in 2018, the Ministry of Public Health took over responsibility for drug treatment services from the Ministry of Justice.



**Human Rights and Drug Policy Guideline III, 3;** Every person deprived of their liberty must be treated with humanity and respect for the inherent dignity of the person.



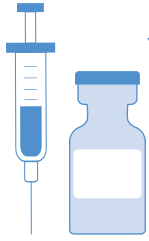
There are **no known needle and syringe programmes in prisons** in the region. **Opioid agonist therapy is offered in a limited number** of closed settings in **Afghanistan, India, Indonesia, Malaysia and Vietnam.**



Between March and June 2020, **eight countries in the region committed in some way to providing early release of prisoners in response to the COVID-19 pandemic**, including people charged with drug offences.

## HEALTH

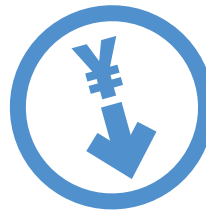
**Human Rights and Drug Policy Guideline II, 1;** Everyone has the right to enjoy the highest attainable standard of physical and mental health.



**14** countries/territories in the region **provide some sort of needle and syringe programmes and opioid agonist therapy**



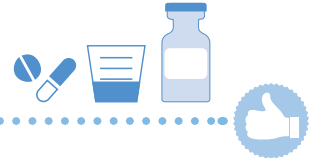
**but quality, coverage and accessibility vary widely and often remain inadequate or uneven where these are available.**



Out of seven countries in the region, **only in Vietnam does the government provide moderate investment in harm reduction.**

All other governments provide low investment.

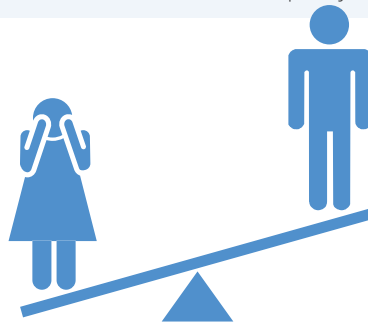
Since the COVID-19 pandemic, **SEVEN** countries in the region **have taken steps to ensure access to opioid agonist therapy.**



## WOMEN

**Human Rights and Drug Policy Guideline III, 2;** Women have the right to enjoy human rights and fundamental freedoms on a non-discriminatory basis in all fields of life on the basis of equality with men.

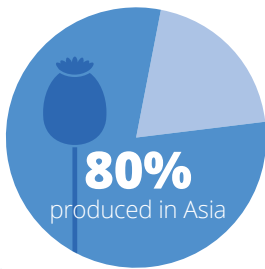
**Women** who use drugs, who are involved in the illicit drug trade or who are dependent on illicit economies **confront distinct forms of discrimination to men, heightening risk of sexual and gender-based violence, HIV, hepatitis C and overdose.** They are also **more likely to have their children removed** from their care and custody than men.



**Women face more barriers to accessing drug-related health services than men** and are underserved by harm reduction programmes, most of which are designed for and by men.

## DEVELOPMENT

**Human Rights and Drug Policy Guideline II, 1.4;** States should ensure a safe, clean, healthy, and sustainable environment to respect, protect, and fulfil human rights, including the rights to health and to an adequate standard of living.

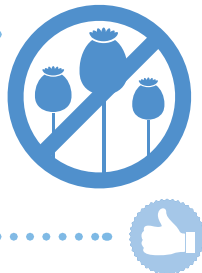


**Illicit crop cultivation is common in Asia.** Opium poppy cultivation accounts for over 80% of the estimated 10,500 tons of opium produced globally (over 75% in Afghanistan and 5% in Myanmar).



**The environmental impacts of drug control and the drug trade are ever present in the region.** Aerial fumigation, deforestation, monocropping and environmental contamination all have been documented.

**Thailand virtually eliminated opium cultivation** through a non-coercive approach, through which farmers were supported to develop viable alternative livelihoods prior to destruction of opium poppies. This was part of a comprehensive and long-term development strategy that included improving access to basic services and schools, job diversification and the protection of the environment. Similar efforts are being implemented in Lao PDR and Myanmar.



**References:** Harm Reduction International (2020). *The Global State of Harm Reduction 2020*. London: HRI; Harm Reduction International (2020). *Summing it up: Building evidence to inform advocacy for harm reduction funding in Asia*. London: HRI; International Drug Policy Consortium (2019). *10 Years of Drug Policy in Asia: How Far Have We Come. A civil society shadow report*. London: IDPC; Edelman McHenry, A. (2020). *Mapping expanded access to opioid agonist treatments during COVID-19*. London: HRI; Harm Reduction International (2020). *COVID-19, Prisons and Drug Policy: Global Scan March-June 2020*. London: HRI; Renard, Ronald D. (2010). *Mainstreaming Alternative Development in Thailand, Lao PDR and Myanmar: A Process of Learning*. Vienna: UNDOC; United Nations Office on Drugs and Crime (2010). *Sharing Experiences on Alternative Development from Southeast Asia and Latin America*. Vienna: UNODC; United Nations Office on Drugs and Crime (2020). *World Drug Report 2020*. Vienna: UNODC; Joint United Nations Programme on HIV/AIDS. *UNAIDS Data 2020*. Geneva: UNAIDS.

\* In this document, "Asia" refers to East, South and Southeast Asia, as in the *Global State of Harm Reduction 2020*.