
BRIEFER



International Centre
on Human Rights
and Drug Policy



Role of National Human Rights Institutions in the Promotion and the Implementation of the International Guidelines on Human Rights and Drug Policy

Organized by the Office of the UN High Commissioner for Human Rights (OHCHR) and the International Centre on Human Rights and Drug Policy with support from the GANHRI Secretariat at the 2025 Annual GANHRI Meeting



I. Introduction

This document summarizes the discussions during the side event, jointly organized by the Office of the High Commissioner for Human Rights (OHCHR) and the International Centre for Human Rights and Drug Policy (University of Essex), in cooperation with the GANHRI Secretariat. The event explored the role of National Human Rights Institutions (NHRIs) in advancing human rights-based approaches to drug policy through the implementation of the International Guidelines on Human Rights and Drug Policy.

Event Flyer

GANHRI ANNUAL MEETING SIDE EVENT

Role of National Human Rights Institutions in the promotion and the implementation of the International Guidelines on Human Rights and Drug Policy

10 March 2025, 13:00 – 14:00 PM, Salle/Room XXI, UNOG (Palais des Nations), at the margins of GANHRI Annual Meeting

Organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the International Centre on Human Rights and Drug Policy, University of Essex with the support from GANHRI

Join us at this side event to examine how National Human Rights Institutions can use the International Guidelines on Human Rights and Drug Policy to promote and monitor human rights-based drug policies at the national level. Discover practical strategies and opportunities for using the Guidelines in your ongoing national efforts.

Moderator:

- **Simon Walker**, Chief, Rule of Law & Democracy Section, OHCHR

Opening remarks:

- **Julie Hannah**, Director of the International Centre on Human Rights and Drug Policy
- **Emily Christie**, Joint United Nations Programme on HIV/AIDS (UNAIDS)

Panel:

- **Marizen Santos**, Division Chief, Philippines Commission on Human Rights
- **Angela O'Hagan**, Chairperson, Scottish Human Rights Commission
- **Tony Ojkowu**, Substantive Executive Secretary, Nigeria National Human Rights Commission



II. Background and context

- The 2023 report of the Office of the United Nations High Commissioner for Human Rights (OHCHR) called for a **“shift of the paradigm from punitive approaches to health- and human rights centred measures [...] away from punitive, prohibitionist approaches towards policies grounded in human rights and evidence-based public health strategies.”**[1] Decades of criminalization and enforcement-led responses to the so-called “world drug problem” have **failed to deter drug use and drug-related crime, resulting in human rights implications**, including the militarization of drug control, overincarceration and prison overcrowding, the use of the death penalty for drug-related offences, and the disproportionate impact of punitive drug policies on youth, people of African descent, Indigenous Peoples and women.[2]
- Importantly, OHCHR emphasizes that **drug policy is a human rights issue**, highlighting that effective, humane, and sustainable solutions require centring policies in the rights and dignity of affected individuals and communities.[3] The report urges States to **shift away from punitive models**, adopting alternatives to criminalization by considering decriminalization of usage, harm reduction, and the use of participatory approaches in the development and implementation of drug policy, stressing that treating drug use as a health and social matter, rather than a criminal one, also promotes international human rights standards.[4]
- The **International Guidelines on Human Rights and Drug Policy**,[5] launched in 2019, provide a comprehensive framework for aligning drug policies with human rights obligations across development, criminal justice, and public health sectors. The Guidelines were developed by the United Nations Development Programme (UNDP) and the International Centre on Human Rights and Drug Policy in partnership with UNAIDS, WHO, and OHCHR, with contributions from UNODC.
- **This side event brought together representatives from NHRIs in Nigeria, Philippines, and Scotland** to share their experiences in addressing human rights concerns in the context of drug control, and in promoting and implementing the Guidelines at the national level.
- It was highlighted that within their mandates, and in line with the Paris Principles, **NHRIs could play a critical role in promoting and monitoring the implementation of international human rights standards in drug policies** at the national level by promoting and monitoring the effective implementation of the International Guidelines on Human Rights and Drug Policy. Several NHRIs highlighted having engaged in advocacy, awareness-raising, research, monitoring, reporting and other activities to support governments to ground drug policy responses in human rights and public health.

[1] A/HRC/54/53, para 65, available at: <https://docs.un.org/en/A/HRC/54/53>; See also statement by Volker Turk, UN High Commissioner for Human Rights at the Dealing with Drugs II Conference, “The international pursuit of sensible regulation”, available at: <https://www.ohchr.org/en/statements-and-speeches/2024/12/hc-turk-international-pursuit-sensible-regulation-drugs>

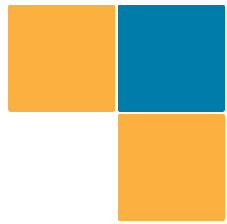
[2] A/HRC/54/53, para 64.

[3] A/HRC/54/53, para 67.

[4] A/HRC/54/53, para 68.

[5] International Guidelines on Human Rights and Drug Policy (hereinafter “International Guidelines”), available at: https://www.humanrights-drugpolicy.org/site/assets/files/1640/hrdp_guidelines_2020_english.pdf

Key activities of NHRIs on drug policy and human rights



The **Paris Principles** provide the foundational standards for NHRIs, emphasizing their **broad mandate** to promote and protect human rights. The Principles specify that NHRIs should:

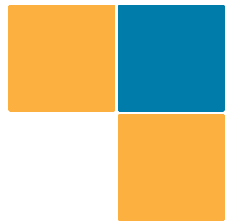
- Advise governments and parliaments on human rights compliance in laws and policies.
- Promote harmonization of national legislation with international human rights instruments.
- Monitor and investigate human rights situations, including through visits to detention and drug treatment facilities.
- Conduct research and collect data on human rights impacts.
- Raise public awareness and provide education on human rights issues.
- Handle complaints and petitions related to human rights violations.
- By engaging in these activities in the context of drug policy, NHRIs can fulfill their Paris Principles mandate to have “**as broad a mandate as possible**” and to act independently in the promotion and protection of human rights.

Several NHRIs highlighted their engagement during the event in the following areas of drug policy and human rights:

- **Advocacy:** NHRIs have advocated for legislative reforms, decriminalization of minor drug offences, and alternatives to incarceration. For example, Nigeria’s NHRI advocated for the abolition of the death penalty for drug offences and promoted non-custodial measures, while the Philippines’ Commission on Human Rights worked to reduce prison overcrowding by advocating for alternatives to detention.
- **Awareness-Raising:** Through public campaigns, training, and educational initiatives, NHRIs have increased awareness among stakeholders, including law enforcement, judiciary, and healthcare providers, on the importance of rights-based drug policies.
- **Research and Monitoring:** NHRIs have conducted research and monitored detention facilities and drug treatment centres to ensure compliance with human rights standards. The Scottish Human Rights Commission, for instance, monitored drug-related deaths in places of detention and supported the development of Scotland’s Charter of Rights for People Affected by Substance Use.
- **Reporting:** NHRIs have prepared reports and issued recommendations to inform policy and legislative changes. These reports often highlight gaps in human rights protections and propose evidence-based solutions. The Philippines Commission on Human Rights, for example, published an investigative report on the punitive drug campaign, highlighting how access to police documents perpetuated human rights violations. The Commission’s report provided evidence-based recommendations to address these systemic issues.



III. Introduction to the International Guidelines on Human Rights and Drug Policy



What Are the International Guidelines?

The Guidelines are a comprehensive synthesis of existing human rights obligations as they relate to drug policy. Rather than creating new rights, the Guidelines consolidate established norms, standards, and jurisprudence to clarify how States should develop and implement drug policies that fully respect, protect, and fulfill human rights. They provide practical recommendations across key policy sectors, health, development, and criminal justice, ensuring that drug control measures are consistent with international human rights law. [1]

Why Were They Developed?

The Guidelines were developed in response to the ongoing harms caused by punitive drug control policies worldwide. These harms include widespread human rights violations such as arbitrary detention, discrimination, denial of health services, and excessive use of force. Recognizing that drug policy decisions have far-reaching implications for individual rights and the rights of affected communities, the Guidelines aim to provide clear, actionable guidance to national authorities for adopting evidence-based, rights-respecting approaches to drug policy. [2]

How Were They Developed?

The development of the Guidelines was a collaborative, multi-stage process:

- Legal Research: Comprehensive analysis of international drug control conventions, human rights instruments, treaty body outputs, and UN resolutions.
- Expert Input: Background papers were prepared and peer-reviewed by legal scholars and practitioners.
- Global Consultations: Stakeholder consultations were held across five continents, engaging governments, UN agencies, civil society organizations, and independent experts.
- Finalization: Drafts were reviewed and refined by international legal experts to ensure broad applicability and rigour. [3]

What Do the Guidelines Say?

The Guidelines articulate foundational human rights principles, such as dignity, universality, equality, participation, and accountability, and apply these to drug policy contexts. They address:

- The right to health, including access to harm reduction and drug dependence treatment services.
- The need to repeal laws that inhibit access to essential medicines and health services.
- The importance of non-discrimination and meaningful participation of affected communities.
- The necessity of proportionate sentencing and alternatives to incarceration for minor drug offences.
- Special protections for vulnerable groups, including women, children, and people deprived of liberty.

[1] "What are the Guidelines?," available at: <https://www.humanrights-drugpolicy.org/>

[2] See Commentary to the International Guidelines on Human Rights and Drug Policy, available at: https://www.humanrights-drugpolicy.org/site/assets/files/3204/guidelines_with_commentary_and_references.pdf

[3] <https://humanrights-drugpolicy.org/methodology/>

The Guidelines also emphasize the importance of evidence-based prevention, the collection of disaggregated data, and the integration of gender and age perspectives in policy-making.[1]

References in International Fora

Since their adoption in 2019, the Guidelines have been referenced by human rights mechanisms and in international fora. They have informed Human Rights Council resolutions, recommendations by UN treaty bodies, and reports by UN Special Rapporteurs. For example, Human Rights Council Resolution 52/24[2] and recommendations from the Committee on Economic, Social and Cultural Rights[3] have explicitly cited the Guidelines as a reference for States to align their drug policies with human rights obligations.

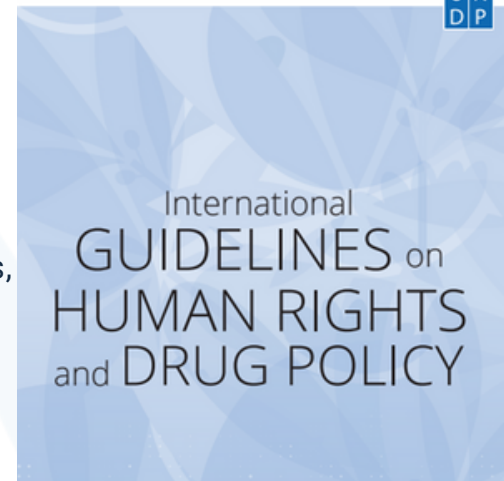
Implementation and Operationalization

Following their adoption, four regional implementation dialogues were organized in Asia, Africa, Eastern Europe & Central Asia, and Latin America. These dialogues brought together National Human Rights Institutions (NHRIs) and other stakeholders to discuss practical applications of the Guidelines in diverse legal and social contexts. NHRIs have played an active role in these dialogues, sharing experiences and strategies for advancing rights-based drug policy reforms.

The Guidelines have been operationalized in a variety of national contexts. Their implementation has led to:

- Empowering communities of people who use drugs to participate in policy discussions.
- Supporting the release of individuals unjustly incarcerated for minor drug offences.
- Catalyzing government reforms that prioritize health and human rights over punitive approaches.
- Facilitating multi-stakeholder engagement and dialogue, which are essential for sustainable, rights-based change.

Crucially, the Guidelines have demonstrated that while human rights standards are universal, their application must be adapted to local realities. This adaptability has enabled countries and communities to address unique challenges while upholding core human rights principles, fostering justice, and promoting sustainable policy change.[4]



[1] https://humanrights-drugpolicy.org/site/assets/files/1640/hrdp_guidelines_2020_english.pdf

[2] A/HRC/RES/52/24, available at: <https://docs.un.org/en/A/HRC/RES/52/24>

[3] UN Committee on Economic, Social and Cultural Rights, Concluding Observations, Benin, UN Doc. E/C.12/BEN/CO/3 (2020)

[4] "Influencing rights-based drug policy reform: The International Guidelines on Human Rights and Drug Policy in action, available at: https://humanrights-drugpolicy.org/site/assets/files/3287/implementing_the_international_guidelines_on_human_rights_and_drug_policy_v2.pdf

IV. NHRIs' role in advancing human rights-based drug policy

Philippines Commission on Human Rights

The Commission on Human Rights of the Philippines (CHR) has **monitored and investigated alleged serious human rights violations related to the so-called “anti-drug campaign”**.

CHR's work has included documenting extrajudicial killings, advocating for accountability, and issuing public statements and reports to highlight ongoing concerns.

From 2021 to 2024, the CHR **participated in a technical cooperation group focused on human rights-based drug policy reform**, as part of the broader UN Joint Programme on Human Rights (UNJP) in the Philippines. This initiative was established following a 2020 OHCHR report that documented thousands of killings related to drug enforcement in the country.

The technical groups used several international legal instruments to **benchmark a human-rights-centric Philippine drug policy, with the International Guidelines on Human Rights and Drug Policy serving as a key reference**. The CHR acted as an observer within the UNJP and led the civic space working group. It was highlighted that the Commission undertook **capacity-building initiatives aimed at reducing prison overcrowding due to drug crimes**, advocating for alternatives to detention and improving case management.

The Philippines Commission on Human acted as an observer within the UNJP and led the civic space working group. In 2022, the CHR **published an investigative report on the punitive drug campaign**, revealing that a lack of access to certain police records contributed to human rights violations. Without access to comprehensive police documentation, the CHR could not effectively monitor law enforcement operations and hold authorities accountable for violations occurring during drug enforcement activities.

“The CHR has been relentless in urging the Philippine government to bring full justice to the families of the victims of extrajudicial killings. on its part, the commission is working towards its independent pursuit of truth and justice regarding the bloody campaign against illegal drugs.”

CHR STATEMENT ON
ACCOUNTABILITY &
INVESTIGATIONS



Philippines Commission on Human Rights (cont'd)

The CHR also facilitated dialogue with the Department of Health to inform legislation, **providing technical guidance based on the International Guidelines of Human Rights and Drug Policy**. In April 2024, the CHR collaborated with the Department of Health to establish human rights standards for drug treatment and rehabilitation facilities, ensuring that health interventions are grounded in human rights-based approaches.

A sustainability plan was developed in July 2024, and the NHRI issued advisory statements promoting a rights-based, health-focused drug policy. At the event, it was underlined that the UNJP had provided a constructive model for continued engagement on the International Guidelines on Human Rights and Drug Policy towards supporting the human rights of persons adversely impacted by the country's punitive drug policy approach.

The **CHR recommended continuing the partnerships, developed through the UNJP**, as foundational in ensuring the compliance with international human rights obligations and implementing domestic policies that respond to the needs of the most marginalized and vulnerable members of society.[1]

[1] <https://chr.gov.ph/2024/statements/press-statement/statement-of-the-commission-on-human-rights-recommending-for-the-continuation-of-the-un-joint-programme-noting-its-valuable-impacts-to-the-human-rights-situation-in-the-philippines/>

- Voluntary, non-compulsory, and based on scientific evidence and best practices
- The right to health, privacy, and due process for people who use drugs to be guaranteed
- A system for reporting and addressing human rights violations within treatment and rehabilitation centers
- Individuals to remain integrated in their communities, rather than being subjected to institutionalization or detention.

PHILIPPINES
COMMISSION ON
HUMAN RIGHTS -
STANDARDS FOR
DRUG TREATMENT
AND REHABILITATION
FACILITIES





Nigeria's National Human Rights Commission

Nigeria's drug laws have historically contributed to widespread incarceration, arbitrary arrests and disproportionate impacts on marginalized communities. The NHRC has advocated for a human rights-based, non-punitive approach to drug policy, and for the abolition of the death penalty, including its non-application to drug-related offences. These efforts contributed to the removal of the death penalty for drug trafficking in 2024, replacing it with life imprisonment instead.

The NHRC has consistently **promoted a decriminalization approach** inspired by public health and human rights principles with the majority of drug-related crimes, leading to arrests and detention for possession and personal use. The Commission highlighted that this had led to overincarceration and prison overcrowding. **Through public statements, legal submissions, and participation in national and regional forums**, the NHRC has called for the decriminalization of personal drug use, emphasizing that this shift would help decongest prisons, reduce arbitrary detention and enable a more effective, health-centred response to drug use.

The NHRI has worked to **sensitize the judiciary towards non-custodial measures and provided training for law enforcement and drug agencies** on international, regional, and national human rights standards, specifically **referencing the International Guidelines on Human Rights and Drug Policy in these trainings**. Furthermore, the NHRI has advocated for reallocating resources from punitive approaches to harm reduction and rehabilitation.

186+ Death Sentences were Imposed in Nigeria in 2024, with No Officially Recorded Death Sentences for Drug Offences in that Year.

DEATH PENALTY IN NIGERIA

“The National Human Rights Commission [of Nigeria] has advocated for the amendment of necessary legislation to provide for the treatment and rehabilitation of drug users, as well as the adoption of non-custodial measures for appropriate cases”

NIGERIA: ADVOCACY FOR DECRIMINALIZATION



Nigeria's National Human Rights Commission (cont'd)

A core part of the NHRC's strategy has been its collaboration with Government commissions to **conduct audits of correctional centres** nationwide. These audits have enabled the NHRC to:

- *Assess the conditions of detention facilities and identify systemic issues* such as overcrowding, lack of access to healthcare, and prolonged pretrial detention.
- *Facilitate the release and rehabilitation* of individuals convicted of minor, non-violent drug offences, often through legal interventions and recommendations to relevant authorities.
- *Monitor compliance with national and international human rights standards*, providing evidence-based recommendations for policy and legislative reform.

The NHRC employs **a monitoring and reporting framework** to address human rights concerns in the context of drug policy:

- The Commission *conducts regular visits* to correctional centres, police stations, and drug rehabilitation facilities to assess conditions, interview detainees, and document violations.
- Individuals and communities can *submit complaints of human rights violations*, which the NHRC investigates and acts upon, including seeking redress and remedies.
- The NHRC *systematically collects data* on arrests, detentions, and outcomes related to drug offences, disaggregated by gender, age, and vulnerability.
- Findings from audits and investigations are *published in annual and special reports*, submitted to the Government, Parliament, and international bodies. These reports highlight gaps, propose reforms, and track progress on recommendations.
- The NHRC conducts *training for law enforcement, judiciary, and drug agencies on human rights standards*, **referencing the International Guidelines on Human Rights and Drug Policy**. These sessions aim to sensitize stakeholders to non-custodial measures and harm reduction approaches.

Ø Analysis of the causes and consequences of overcrowding
Ø documentation of cases of arbitration detention and recommendations for release
Ø assessment of access to healthcare, legal representation and rehabilitation services
Ø gender-sensitive reporting

NIGERIA:
MONITORING AND
REPORTING IN
PRACTICE

The Commission conducts regular visits to correctional centers, police stations, and drug rehabilitation facilities to assess conditions, interview detainees, and document reported violations.

NIGERIA'S NATIONAL
HUMAN RIGHTS
COMMISSION



Scottish Human Rights Commission

Scotland is facing growing drug crisis, reporting a 12% rise in drug use and the highest drug-related death rates in Europe. The Scottish Human Rights Commission (SHRC) has worked on advocating for rights-based responses, monitoring the impact of drug policy, and supporting innovative harm reduction measures.

The SHRC has established **systems for monitoring and reporting** on drug-related harms, particularly within places of detention. This involves:

- *Analyzing publicly available data* on drug-related deaths and the conditions within detention settings. This evidence-based approach informs their recommendations and advocacy for policy change.
- *Undertaking visits to detention centers and healthcare facilities* to assess conditions, identify human rights risks, and document cases where individuals' rights may be at risk.
- *Translating insights from monitoring into policy advice*, with the Commission issuing recommendations to improve legislative frameworks, healthcare access, and harm reduction interventions.

The SHRC **continues to prioritize:**

- *Monitoring and reporting* on drug-related deaths and conditions in detention.
- *Supporting the expansion of harm reduction and treatment services*, especially in underserved areas.
- Developing and disseminating *policy advice* grounded in human rights standards.
- *Preparing a spotlight report on the intersection of poverty, gender, and drug use*, with a focus on the impacts on families and communities.

The SHRC is clear that drug and drug and alcohol deaths in Scotland are unacceptable tragedies ... the Commission's monitoring and reporting highlight the urgent need for a human rights-based approach, ensuring every death is investigated and that lessons are learnt to prevent future tragedies.

SCOTLAND:
MONITORING AND
REPORTING IN
PRACTICE



Scottish Human Rights Commission (cont'd)

The SHRC has **supported the introduction of harm reduction** measures to increase resources for rehabilitation and treatment services, particularly in rural areas. This includes Scotland's first safer drug consumption facility, The Thistle, in Glasgow.

The Commission's work has emphasized the human rights rationale for such facilities, highlighting their role in reducing preventable deaths and promoting access to health services for people who use drugs.

- The SHRC has provided evidence and human rights analysis to support the case for safer consumption services.
- The Commission has engaged with people with lived experience to ensure that harm reduction initiatives are designed and implemented in a manner that respects dignity and autonomy.

The SHRC contributed to the development of the **Charter of Rights for People Affected by Substance Use**. The Charter, informed by the International Guidelines on Human Rights and Drug Policy, enshrines rights such as the highest attainable standard of health and freedom from discrimination for people affected by substance use. Looking ahead, the Commission plans to issue a spotlight report on the intersection of poverty, gender and drug use, examining the impacts on families and communities.

The importance of **recognizing the humanity of every person in** all services and policy interventions was highlighted, reiterating the value of the **International Guidelines on Human Rights and Drug Policy as a foundation for rights-based drug policy in Scotland**.



THE THISTLE - A
MILESTONE FOR
HARM REDUCTION



CHARTER OF RIGHTS
FOR PEOPLE
AFFECTED BY
SUBSTANCE USE

V. Key Outcomes & Recommendations

- The International Guidelines serve as a valuable tool for NHRIs to engage with governments, judiciary, and law enforcement in promoting rights-based drug policies.
- NHRIs play a vital role in advocating for the shift from punitive to health-centered approaches to drug policy, in line with the International Guidelines on Human Rights and Drug Policy.
- Decriminalization of personal drug use and promotion of alternatives to incarceration are effective strategies to address prison overcrowding and reduce human rights violations.
- Particular attention must be paid to vulnerable groups, including women and people from marginalized communities who can be disproportionately affected by punitive drug policies.
- Safe consumption facilities and other harm reduction approaches have demonstrated positive outcomes when implemented with human rights considerations.
- NHRIs can effectively monitor detention facilities, including drug treatment centers, to ensure compliance with human rights standards, as discussed in the International Guidelines.
- Participatory approaches, that include affected communities in policy development, can promote more effective and rights-compliant outcomes.





VI. Conclusion

This event demonstrated the critical role of NHRIs in supporting implementation of the International Guidelines on Human Rights and Drug Policy at the national level. By sharing experiences and best practices, participants highlighted the importance of moving beyond punitive approaches toward evidence-based, health-centred, and human rights-compliant drug policies. The event underscored that NHRIs are uniquely positioned to advocate for legislative reform, monitor implementation, report on the human rights impact of drug policies, raise awareness, and ensure that drug policies respect, protect, and fulfill States' human rights obligations. In accordance with the Paris Principles, NHRIs also can provide information on the human rights impacts of drug policies at the UN level as they provide inputs to UN treaty bodies during State party reviews under international human rights conventions. NHRIs can further contribute to the preparation of UN human rights reports related to drugs and other human rights issues.[1] OHCHR and the International Centre for Human Rights and Drug Policy reaffirm their commitment to supporting NHRIs in these efforts, recognizing the importance of continued dialogue and collaboration in advancing human rights-based approaches to drug policy globally.

[1] See A/HRC/30/65; A/HRC/39/39, A/HRC/54/53, A/HRC/56/52, A/HRC/79/177.

