



Australian Government
Department of Foreign Affairs and Trade

OHCHR Study Response - Australia

World Drug Problem and the Enjoyment of Human Rights 2016

Key to the UNODC's 2009 Political Declaration and Plan of Action is a shared desire to develop an integrated and balanced strategy to counter the World Drug Problem. This approach embraces broad debates across the range of drug issues, including human rights and the right of all to the enjoyment of the highest attainable standard of physical and mental health.

Australia as a Party to the WHO Constitution acknowledges the following principles are basic to the happiness, harmonious relations and security of all peoples:

- Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.
- The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, property, birth or other status.

Further recognising the note by the UN Secretary General on the *Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health* (Right to health report) at the sixty-fifth session of the General Assembly in 2010, Australia specifically recognises the right to health of all people who use drugs, or are dependent on drugs, irrespective of the fact of their drug use.

Australia embraces the right to health as a right to be protected, respected, and fulfilled. Taking a broad public health approach, Australians have the freedom to control our health and the right to be free from non-consensual medical or scientific experimentation. Australians are further entitled to a system of health protection that includes recognition of the underlying determinants of health and provides equality of opportunity for people to enjoy the highest attainable standard of health.

Australia's current *National Drug Strategy 2010-2015* promotes a balanced, evidence based approach to drug use. This is premised upon a strong health and law enforcement collaboration which targets prevention, early intervention and a broad spectrum of health care approaches. This collaboration has been one of the major strengths of Australia's response to drug misuse since the inception of the first National Drug Strategy in 1985.

Like the 2009 Political Declaration and Plan of Action, Australia's *National Drug Strategy* aims to improve health, social and economic outcomes for individuals, families and the wider community, by preventing the uptake of harmful drug use and reducing the harmful effects of drugs. A key aspect of Australia's approach to illicit

drugs has been our commitment to a comprehensive evidence base to inform and guide policy and program development.

Australia's approach to drug use is to take a comprehensive approach that is sensitive to disadvantage and social isolation, is inclusive of age and stages of life and encompasses a broad public health approach. This includes the full spectrum of services, ranging from prevention and early intervention to harm reduction interventions such as needle and syringe programs and the most intensive forms of care.

Recognising that the enjoyment of health includes the attainment of both physical and mental health, Australia recognises the vulnerability of drug users with a comorbid mental health problem. As such, Australia has developed a national mental health policy and roadmap which targets this population group.

To address other minority groups, Australia is taking positive measures to focus on improving access to treatment for drug users in rural and remote areas of Australia, those who are incarcerated, those who are of Aboriginal and Torres Strait Islander descent, and those from culturally and linguistically diverse groups. For all drug users in Australia we need to reduce the stigma associated with drug use and improve consumer representation in drug treatment and policy development.

In ensuring that drug users have the right to health, Australia has a range of domestic policy measures that ensure the availability of and access to a range of harm reduction measures, including alcohol and other drug treatment services and access to opioid substitution therapy. This is consistent with the recommendations in the Right to Health Report. Consistent with these recommendations, Australia does not inhibit the delivery of essential health services to drug users. Domestically, Australians enjoy complete access to controlled medicines and Australia has been a strong international advocate for the improvement of access to controlled medicines for all citizens.