



Contribution on the implementation of the UNGASS joint commitment to effectively addressing and countering the world drug problem with regard to human rights.

Submitted by: Associazione Comunità Papa Giovanni XXIII (APG23)
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The Associazione Comunità Papa Giovanni XXIII (APG23), founded in Rimini, Italy, by Father Oreste Benzi in 1968, is a Private International Association of the Faithful of Pontifical Right in Special Consultative Status with ECOSOC since 2006.

The Association is present in 39 countries across five continents. The members, of the Association, of different ages and states of life, share their lives directly with the poor and the underprivileged being committed to removing the root causes of poverty and exclusion and to being the voice of the voiceless through nonviolent actions and means.

Since its inception, APG23 has focused its attention on prevention of drug use and rehabilitation of persons using drugs, basing its action on the promotion of all the fundamental dimensions of the human being, physical, psychological, social and spiritual.

APG23 opened the first therapeutic community in 1980 and it runs now 32 therapeutic communities world-wide (Bolivia, Brazil, Chile, Croatia, Italy, Russia and in The Netherlands). In the past 20 years, more than two thousand drug users have completed the rehabilitation programme in the APG23 therapeutic communities.

Our representatives at the United Nations have followed the debate on the world drug problem at the UNODC in Vienna, at the Human Rights Council in Geneva and at the UN General Assembly in New York.

During the Special Session of the United Nations General Assembly on the world drug problem held in New York on the 18th of April 2016, APG23 intervened jointly with the Community of San Patrignano in a side event organised by UNICRI and entitled “Establishing evidence-based criteria for the assessment of substance use disorders to support the criminal justice system in the sentencing and application of alternative measures to prison” with a presentation entitled “Therapeutic Communities and alternative to prison: A Promising Practice”.

Being aware of the OHCHR report (A/HRC/30/65) at the 30th regular session of the Human Rights Council and of the resolution A/HRC/37/L.41 adopted by vote at the 37th HRC regular session, APG23 would like to contribute on the topic of the implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights with the following remarks.

The topic of fundamental human rights is closely connected with everything related to the issue of substance addictions (drug abuse, alcohol dependence, etc.) and all other forms of pathological behavioural addictions (gambling, video addiction, internet addiction, etc.). Every form of pathological addiction makes those affected extremely vulnerable and poorly able to safeguard their rights.

The "right not to take drugs" is a fundamental topic to be emphasized. It represents the principle according to which everybody, especially young people, has the right to live in a society that develops effective policies to prevent social, economic and relational malaises, a fertile ground for many forms of pathological dependence to develop.

We are all already aware that children and young people living in a deteriorated family contexts and a degraded social situation, are likely to fall into the drama of drug abuse, alcoholism, gambling addiction, etc. which are certainly wrong attempts to answer to the person's genuine needs and to find a meaning to their existence. Furthermore, it is well known that the use of solvents, glues and hydrocarbons is widely practiced by street children and more generally by those living in extreme poverty to endure the lack of food and the violence to which they are subjected. These are clearly survival strategies not driven by free choice.

Already in 1993, our association planned an important conference entitled: "The right not to take drugs". The main speakers were Don Oreste Benzi, founder and president of the Association Community Papa Giovanni XXIII, and professor Vittorino Andreoli, an internationally renowned psychiatrist. Former drug addicts as well as their families, as direct witnesses to their life experiences, took part into the conference.

During the 61st session of the CND held in Vienna in March 2018, a strong emphasis was placed on the issue of prevention from pathological addictions. Such prevention is carried out first of all with the choice of presence, of closeness and of listening to the population who is most fragile and at risk of falling into the vortex of pathological addiction.

The care and rehabilitation of the people who live the drama of pathological addiction is another important topic linked to the human rights' issue. We are witnessing a strong disparity in the various parts of the world in the presence of social and health services that can guarantee the necessary support to these people. The availability of pharmacological therapies, including drugs substituting opium derivatives for physical detoxification purposes, and valuable pathways for rehabilitation, which must include the support of individual's relational psychic dimension, still depends on the different countries. In particular, in many developing countries there are no supportive care networks as in other parts of the world. This is an unacceptable disparity. A change of this situation is urgently needed in order to solve the drama of the impossibility of being treated for those who live in drug or other pathological addiction conditions.

Regarding to the care, the rehabilitation and the social reintegration of people who have this type of problems, we would like to underline how the therapeutic and educational paths are effective in so far as they consider the human person in all its aspects. Although the physical, psychic and relational dimensions are universally recognized as fundamental for the rehabilitation of the individual, we note that the spiritual dimension is often overlooked, if not completely ignored in the pathways of care.

Thanks to more than thirty years in the field of rehabilitation of people with problems of pathological abuse, we can strongly emphasize that the support to the individual must be global. One of the fundamental human rights is, in this sense, the care of the spiritual dimension of man. The need to give meaning to one's own existence, the need to seek the relationship with the absolute, the need to live an authentic religious dimension: all these aspects constitute inalienable

rights that must be opportunely not only allowed, but also promoted in every rehabilitation path, respecting the different personal orientations and the different religious beliefs.

The cultivation of raw materials used for the production of drugs is not a free choice for millions of farmers in various parts of the world. They are constrained by terrible market laws governed by criminal organizations, and often under the pressure of real threats to their safety.

For a long time, we have noted numerous attempts by some countries – which have also signed international conventions that prevent the spread of narcotic substances from 1961 onwards – to propose forms of legalization or liberalization of the use of psychoactive substance, in particular derivatives of cannabis. We believe that such attempts are wrong and are moving in the wrong direction, contrary to a genuine respect for human rights.

In fact, those attempts risk being very dangerous ways of normalization and therefore the dangerous diffusion of the use and abuse of psychoactive substances. Particularly, it constitutes an unacceptable risk factor for young people. It is clear also that these attempts are in contrast with the prevention policies as outlined above.

Those who have family and social networks and who have adequate economic possibilities will hardly develop a pathological addiction even if they come into contact with psychoactive substances or other occasions that may induce drug abuse. However, that is not the case of the least equipped or protected people by the presence of normally well-balanced families and wealthier social situations, who could easily fall into pathological drug abuse.

Another essential point concerning the issue of human rights linked to the problems of pathological addiction is the rejection of legislative laws that establish death penalty or, as an alternative, absolutely disproportionate prison sentences for those who are caught for possession of drugs.

It is well known, unfortunately, that in many countries we are witnessing these forms of serious violation of human rights.

Beyond the obvious unacceptability of the use of the death penalty, we strongly emphasize that the prison sentences imposed on those who are caught for possession of drugs with dealing purposes, cannot disregard the dimension of rehabilitation, namely the social recovery of the condemned.

It seems clear that both a life sentence and tens of years of conviction cannot answer to this need of recovery of the individual who made a mistake. Such a need is recognized in international law and it is incorporated in the constitutions of several countries belonging to the United Nations.

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