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His Excellency Le Luong Minh
Secretary-General
Association of Southeast Asian Nations (ASEAN)
The ASEAN Secretariat

17 August 2016

RE: Request for civil society engagement in the development of new ASEAN strategy and work-plan on drugs

Dear Secretary-General

We wish to congratulate the ASEAN Secretariat and ASEAN member states, on the formal establishment of the ASEAN Community 2015, comprising the ASEAN Political-Security Community, the ASEAN Economic Community and the ASEAN Socio-Cultural Community as outlined in the *Kuala Lumpur Declaration on ASEAN 2025: Forging Ahead Together* (the Declaration) of November 2015.¹ We are writing to discuss the potential opportunities for civil society engagement in the development and implementation of ASEAN work-plans relating to the use and supply of drugs.

ASEAN Declaration and Blueprints toward 2025

The Declaration sets out a vision, along with blueprints for the development of work-plans to achieve the vision by 2025, that in relation to the ASEAN Political-Security Community (which includes drug-related matters) includes the realisation of an:

inclusive and responsive community that ensures our peoples enjoy human rights and fundamental freedoms as well as thrive in a just, democratic, harmonious and gender-sensitive environment in accordance with the principles of democracy, good governance and the rule of law.²

In specific relation to drug policy, the ASEAN Political-Security Community Blueprint includes commitments to:

- i. Develop holistic, integrated and balanced strategies, addressing both supply and demand reduction, to achieve a balance between treatment and rehabilitation

¹ ASEAN 2025: *Forging Ahead Together*, Jakarta: ASEAN Secretariat, December 2015.

<http://www.asean.org/wp-content/uploads/2016/01/ASEAN-2025-Forging-Ahead-Together-2nd-Reprint-Dec-2015.pdf>

² Ibid. at 14.

- approaches as well as the law enforcement approach in combating drug crimes, and;
- ii. Develop evidence-based best practices and standards on policy formulation and interventions on drug prevention and control and other related measures.³

In addition, the ASEAN Socio-Cultural Community Blueprint establishes commitments by member states to:

- i. Support the coordination with relevant stakeholders in policy formulation, develop and implement preventive programmes for different target groups, adopt and utilise effective treatment and rehabilitation and after-care programmes, and research on drug abuse problems; and
- ii. Enhance community awareness and social responsibility on the ill-effects of dangerous drugs through community engagement, advocacy and other relevant activities.⁴

Outcomes of the UN General Assembly Special Session on the world drug problem

In addition to the Declaration comprising new Blueprints to guide the development of ASEAN's drug strategy and work-plan, we understand that member states are also likely to refer to the outcomes of the UN General Assembly Special Session on the world drug problem, held in April 2016 (UNGASS).⁵ Member states agreed at the UNGASS to respond to drug-related problems with a "comprehensive, integrated and balanced approach," while recognising the important role of civil society, affected populations, the scientific community and academia in the formulation, implementation and evaluation of drug policies. They also reiterated their commitment to end by 2030 the epidemics of AIDS and tuberculosis, as well as to combat viral hepatitis and other communicable diseases, among people who use drugs, including people who inject drugs.

The operational recommendations agreed to by member states at UNGASS gave specific attention to ensuring:

- a. the availability of and access to controlled substances for medical and scientific purposes
- b. non-discriminatory access to health, care and social services for people held in prison and pre-trial detention, especially women
- c. adequate quality of drug treatment and rehabilitation services, and to prevent any possible acts of cruel, inhuman or degrading treatment or punishment

³ Ibid. at 36 – 37.

⁴ Ibid. at 116.

⁵ United Nations General Assembly, *Our joint commitment to effectively addressing and countering the world drug problem*, Resolution A/S-30/L.1, 14 April 2016, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/105/72/PDF/N1610572.pdf?OpenElement>

- d. the involvement of women in all stages of the development and implementation of drug policies and programmes
- e. that measures to prevent the illicit cultivation of and to eradicate plants containing narcotic and psychotropic substances respect fundamental human rights, take due account of traditional licit uses, where there is historic evidence of such use, and of the protection of the environment
- f. proportionate national sentencing policies, practices and guidelines for drug-related offences, including taking into account the specific needs and vulnerabilities of women drug offenders when imprisoned, and
- g. effective criminal justice responses to drug-related crimes that ensure legal guarantees and due process safeguards, including to uphold the prohibition of arbitrary arrest and detention and of torture and other cruel, inhuman or degrading treatment or punishment, to eliminate impunity, and to ensure timely access to legal aid and the right to a fair trial.

Request for civil society engagement

Taking into account the vision and commitments established by ASEAN member states, and the operational recommendations agreed to at UNGASS, particularly in relation to engaging relevant stakeholders and communities, we kindly request the Secretariat to establish opportunities for civil society organisations and affected communities to participate in the official process for the development of the new ASEAN strategy and work-plan on the use and supply of drugs.

Engaging civil society organisations in drug strategy development is common practice in other regional structures such as the African Union, Organisation of American States and the European Union.⁶ The expertise and experience of civil society and community organisations is vast, and capable of contributing robust evidence to inform the development of sound drug policies.

As ASEAN member states plan a new drug strategy and work-plan to achieve a stronger, healthier and more secure community by 2025, we urge ASEAN governments and the ASEAN Secretariat to ensure the meaningful participation of civil society and community representatives through the establishment of formal consultative mechanisms on the development, implementation, monitoring and evaluation of ASEAN drug policies and programmes.

We look forward to your response. Please contact Gloria Lai (Senior policy officer, International Drug Policy Consortium, e-mail: glai@idpc.net) for any queries.

⁶ European Monitoring Centre for Drugs and Drug Addiction (2014), *Regional drug strategies across the world: a comparative analysis of intergovernmental policies and approaches*, EMCDDA Papers, Publications Office of the European Union, Luxembourg, <http://www.emcdda.europa.eu/publications/emcdda-papers/regional-drug-strategies>, p. 9.



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Kind regards

A handwritten signature in black ink, appearing to be 'Ann Fordham', written over a horizontal line.

Ann Fordham
Executive Director
International Drug Policy Consortium

A handwritten signature in black ink, appearing to be 'Anand Chabungbam', written in a cursive style.

Anand Chabungbam
Regional Coordinator
Asian Network of People who Use Drugs

A handwritten signature in black ink, appearing to be 'Ricky Gunawan', written in a cursive style.

Ricky Gunawan
Director
LBH Masyarakat (Indonesia)

A handwritten signature in black ink, appearing to be 'Nang Pann Ei Kham', written in a cursive style.

Nang Pann Ei Kham
Coordinator
Drug Policy Advocacy Group Myanmar

A handwritten signature in black ink, appearing to be 'Anton Mulyana Djajaprawira', written in a cursive style.

Anton Mulyana Djajaprawira
Director
Rumah Cemara (Indonesia)

A handwritten signature in black ink, appearing to be 'Edo Agustian', written in a cursive style.

Edo Agustian
National Coordinator
PKNI – Persaudaraan Korban Napza Indonesia
(Indonesia Drug User Network)

A handwritten signature in blue ink, appearing to be 'Choub Sok Chamreun', written in a cursive style.

Choub Sok Chamreun
Executive Director
KHANA (Cambodia)

A handwritten signature in blue ink, appearing to be 'Taing Pheuk', written in a cursive style.

Taing Pheuk
Executive Director
Korsang (Cambodia)



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A handwritten signature in blue ink, appearing to be 'Ouk Tha', written in a cursive style.

Ouk Tha
Cambodian Network for People who Use
Drugs (CNPUD)

A handwritten signature in brown ink, appearing to be 'Karyn Kaplan', written in a cursive style.

Karyn Kaplan
Executive Director
Asia Catalyst

A handwritten signature in black ink, appearing to be 'Ma. Inez Feria', written in a cursive style.

Ma. Inez Feria
Executive Director
NoBox Transitions Foundation (Philippines)