



May 14, 2015

Office of the High Commissioner for Human Rights
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To whom it may concern:

Further to Human Rights Council Resolution A/HRC/28/L.22 – which “Requests the United Nations High Commissioner for Human Rights to prepare a study... on the impact of the world drug problem on the enjoyment of human rights”¹ – we welcome this opportunity to provide relevant information to the Office of the High Commissioner for Human Rights (OHCHR) based on our experience and research on the effects of drug policies and incarceration on women in the Americas.

Women across the Americas are being incarcerated for minor, non-violent, drug-related crimes at an alarming rate. In Argentina, Brazil, and Costa Rica, well over 60 percent of each country’s female prison population is incarcerated for drug-related crimes; in Ecuador, that number tops 80 percent. Total prison populations in Latin America have grown as well, increasing by [as much as 130 percent](#) between 2004 and 2013 for men and women combined. The policies that have led to this surge in imprisonment have torn apart families and crippled women’s abilities to find decent, legal employment once they have been released, [perpetuating a vicious cycle](#) of desperation and incarceration.

Women are a minority in the prison system but the gendered dimensions of this issue require special attention and consideration. Incarcerated women suffer a triple stigma. First, the justice system condemns them, then punishes them in penitentiary centers that are poorly equipped to meet their gender-specific needs. Second, society condemns them for betraying their gendered social role as caregivers and passive, private space occupants. Third, their criminal record stigmatizes them by thwarting their opportunities to gain decent work in the formal economy upon release from prison.

The imprisonment of mothers and caregivers in particular can have devastating consequences for their families and communities. Many have little or no schooling, live in conditions of poverty, and are often responsible for the care of young and elderly dependents. Though they bear the brunt of unjust policies, these women are rarely threats to society; most are arrested for performing low-level, high-risk tasks, and many have been driven to small-scale drug distribution as a way to survive poverty or as a result of coercion by intimate partners.

The project “Women, Drug Policies, and Incarceration in the Americas” convenes an international working group of government officials, lawyers, and researchers to study this issue. Over the course of

¹ http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/28/L.22

2015, the working group, which is coordinated by The International Drug Policy Consortium (IDPC), Dejusticia, and the Washington Office on Latin America (WOLA), in collaboration with the OAS Inter-American Commission of Women, Costa Rican Association for the Study and Intervention of Drugs (ACEID), and Corporación Humanas, will formulate concrete recommendations for government and civil society actors to advance policies that protect the rights of this vulnerable group and end the unjust criminalization of non-violent drug offenders. The project will be compiling and developing a wealth of resources on this topic, and we encourage you to use its website (<http://bit.ly/WomenIncarceration>) as a tool in the development of the OHCHR study. In particular, reports from the International Drug Policy Consortium (<http://bit.ly/IDPCwomen>) and the Inter-American Commission on Women (<http://bit.ly/CIMrept>) offer detailed analyses of the issue and may be of value.

We welcome the decision of the Human Rights Council to analyze the effects of the world drug problem on human rights, and strongly encourage the OHCHR to incorporate how drug policies have disproportionately punished women and other vulnerable groups in its report. Thank you for your attention this matter and we look forward to viewing the outcomes of this important initiative.

Sincerely,

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