



Webinar:

Treatment and Care of People with Drug Use Disorders in Contact with the Criminal Justice System: Alternatives to Conviction or Punishment

- Impact of COVID-19 in Africa and the Americas -

17 September 2020

Zoom Link: [https://us02web.zoom.us/webinar/register/WN\\_VMeWGnCTShyTXxCJKvXDow](https://us02web.zoom.us/webinar/register/WN_VMeWGnCTShyTXxCJKvXDow)

## CONCEPT NOTE

### Background and Rationale

The United Nations Office on Drugs and Crime (UNODC), the African Union Commission (AUC) and the Executive Secretariat of the Inter-American Drug Abuse Control Commission (ES-CICAD) of the Organization of American States (OAS) are organizing a joint webinar to share good practices and information on treatment as an alternative to conviction or punishment for offenders with drug use disorders during COVID-19. This webinar targets substantive experts and policy makers working in the field of Justice and Health from both regions. English will be the working language of the Meeting. Interpretation in Arabic, French, Portuguese and Spanish will be available.

The Treatment and Care of People with Drug Use Disorders in Contact with the Criminal Justice System initiative was launched by the UNODC and the World Health Organization (WHO) at the Commission on Narcotic Drugs (CND) in 2016. In line with the UNODC-WHO (2016) "International Standards for the Treatment of Drug Use Disorders", this initiative aims to support Member States in their efforts to pursue alternative measures to conviction or punishment for appropriate drug-related offences of a minor nature. United Nations Member States are encouraged to explore the potential for alternative measures to conviction or punishment, as many people with drug use disorders are in contact with the criminal justice system and many of them have a history of drug use (disorders). Drug use are commonplace in many prisons. The proportion of people in prisons who have use drugs is much higher than in people who use drugs in communities.

Since 2008, ES-CICAD has worked with OAS member states on exploring, designing, implementing, and/or evaluating alternatives to incarceration, consistent with the 2010 CICAD Hemispheric Drug Strategy, which recommends addressing substance use disorders as a chronic, relapsing disease that should form a core element of public health policy. ES-CICAD has accordingly been working to promote problem-solving courts and similar judicially-supervised treatment alternatives to incarceration and



social inclusion in the Americas, based on evidence-based practices. These programs generally employ a multi-sector approach, combining expertise from the criminal justice system, public health authorities, and social reintegration services. As such, they often also stimulate collaboration between those sectors more broadly.

On its part, the African Union's fifth strategic framework to guide drug policy development on the continent (AU Plan of Action on Drug Control and Crime Prevention-2019-2023) promotes a multi-sectorial, balanced and integrated approach to drug control with the fundamental goal to improve the health, security and socio-economic well-being of the people of Africa by addressing drug trafficking and problematic drug use in all its forms and manifestations and preventing the onset of drug use. One of the pillars of the continental drug action plan encourages Member States to implement alternatives to punishment for drug use, promote proportionality in sentencing for drug offenses and provide services for People with Drug Use Disorders in Contact with the Criminal Justice System. The African Union has thus been working with its Member States to provide access to evidence-based treatment as alternative to punishment in line with the international drug control conventions, the Tokyo and Bangkok rules.

It has also been galvanising Member States to sensitize prosecutorial and judicial authority personnel regarding alternatives to conviction/punishment, court diversion and provision of services for people who use drugs in conflict with the law. This also includes advocacy on the positive effects of implementing alternatives to incarceration/punishment. With COVID-19, Africa has experienced an increase in drug use during lockdowns, with severe social consequences. However, the criminal justice system has, in most instances, focussed less on the rights of drug users in incarceration.