



Deprivation, Violence and Forced Labor: The Realities of “Drug Detention”

On behalf of the Open Society Foundations, I urge your organization to join a growing list of medical groups condemning the detention and mistreatment of marginalized communities in the name of addiction treatment.

An estimated half a million people worldwide are currently held in detention centers — sometimes for years— on suspicion of using drugs or because of a single positive urine test. Though these camps are called "rehabilitation" or "treatment" centers, not all detainees are in clinical need of treatment. Moreover, what goes on inside the centers is simply not treatment by any medical standards, and in some cases amounts to arbitrary deprivation of liberty, torture and enslavement.

The centers operate outside the criminal justice system. Detainees are often homeless people and other vulnerable groups, and include children and minors. Persons suspected of drug use are held without trial or right of appeal. They do not appear before a judge and are not given a sentence. The centers are typically run by national police, military forces, and other public security authorities.

Detainees typically get no medical evaluation and no treatment for drug addiction or HIV, TB and other life-threatening illnesses. Detention may cause interruptions or cessation of existing treatment, and increases risk of disease transmission. In some centers, detainees are subjected to drills by military guards. In others, they forced to labor without compensation in the service of private companies. Detainees have been beaten, undernourished, sexually assaulted and subjected to illegal medical experimentation.

The number of such "rehabilitation" centers continues to grow despite mounting evidence that this approach fails to have any impact on illicit drug use.

The World Medical Association as well as the International Federation of Health and Human Rights Organisations recently denounced the practice of “drug detention” and called for all such facilities to be closed. These eminent medical organizations join a growing chorus of voices pressing for an end to such centers that includes: World Health Organization; Global Fund to Fight AIDS, Tuberculosis, and Malaria; UNAIDS; United Nations Office on Drugs and Crime; United Nations Special Rapporteur on Health; and the Independent Reference Group to the United Nations on HIV and Injecting Drug Use.

Please consider issuing a position statement from your organization calling for the closure of detention centers and an end to human rights abuses in the name of drug treatment. We look forward to your support.

For more information, please contact:

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Statements on Drug Detention by Professional Medical Organizations

World Medical Association *Call for compulsory drug detention centers to be closed.* News release. 17 May 2011.

“The World Medical Association and the International Federation of Health and Human Rights Organisations today condemned the operation of administrative drug detention centres for users of controlled substances. The two organisations stated that because they violated the human rights of people detained in the facilities and operated without following accepted principles of medical treatment they should be closed.

They said the detention centres, sometimes referred to as compulsory detoxification centres, drug rehabilitation centres and education and labour centres, were institutions in which people testing positive or suspected of illicit drug use were detained against their will. Such systems detained people routinely and were estimated to detain 400,000 people worldwide. The facilities were neither part of the criminal justice system nor did they provide evidence-based rehabilitation treatment. While doctors sometimes worked inside the centres, they were typically run by police or the military and suspected drug users were often detained without regard to legal standards, procedural safeguards or actual need for treatment.

Authorities that detained drug-dependent people in facilities that offered no treatment and often indulged in forced labour and other abuses of detainees was a practice that both the WMA and the IFHHRO denounced out of hand as it contravened ethical behaviour.”

International Federation of Health and Human Rights Organisations. *Closing of compulsory drug detention centres.* Position statement. 26 May 2011.

“IFHHRO believes that the human rights of individuals who use controlled substances should always be respected, including the right to the highest attainable standard of health and freedom from torture and cruel, inhuman or degrading treatment.

IFHHRO believes that users of controlled substances have a right to equitable access to professional treatment and rehabilitation. Treatment decisions should be based on principles of medical ethics and evidence-based multidisciplinary best practice and on respect for the autonomy of the individual patient. Drug therapy should be administered according to professional guidelines and supervised by specially trained physicians.

IFHHRO calls for the immediate closure of drug detention centres that practise arbitrary detention do not comply with minimum standards of care...and lack judicial and other forms of independent oversight.”

International Doctors for Healthy Drug Policies. *Close compulsory drug detention centers.* Position statement. 23 May 2011.

“These closed facilities purport to be ‘treatment’ centers, but in reality they provide little or no medical care, insufficient food and, in some countries, detainees are forced to work or face severe punishment.

We call on governments to close down Compulsory Drug Detention Centers as they are an abuse of human rights and have nothing to do with treatment.”

Statements by United Nations Bodies and International Organizations on Drug Detention

United Nations Office on Drugs and Crime

“Treatment for drug dependence (whether voluntary or compulsory) must be evidence-based, according to established principles of medicine. Detention and/or isolation for the purposes of “forced detoxification” are unlikely to be effective. Rather, drug-dependence treatment should involve comprehensive pharmacological and psychosocial interventions. Under no circumstances should anyone subject to compulsory treatment be given experimental forms of treatment, or punitive interventions under the guise of drug-dependence treatment.”

—*Drug control, crime prevention and criminal justice: A Human Rights perspective*. Conference room paper. Commission on Narcotic Drugs. March 2010.

The Global Fund to Fight AIDS, Tuberculosis and Malaria

“I have called and will continue to call for the closure of all compulsory drug detention centers. UNAIDS, UNODC, WHO and UNDP have also done this, along with a number of NGOs including OSI and Human Rights Watch. I urge other organizations that have not yet done so, to join me in calling for their closure.... I will continue to raise this issue in my meetings with concerned governments.... And I will continue to urge them to put in place evidence-based drug treatment that conforms to ethical standards and human rights norms, instead of the detention centers.”

—*Michel Kazatchkine, Executive Director. Proving Impact, Promoting Rights. Speech. International AIDS Conference. 21 July 2010.*

UNAIDS

“Drug treatment centers, which do not meet [international legal] standards, are in violation of human rights. They also discourage people who use drugs from accessing health services, including for drug dependence and for HIV prevention, treatment and care. Where a person is detained, this may result in the denial of these services if the services are not provided in the centers – leading to more HIV infections and deaths from AIDS. I believe that [such] centers should be closed.”

—*Michel Sidibé, Executive Director. Letter to Rebecca Schleifer of Human Rights Watch. 30 March 2010.*

United Nations Special Rapporteur on Health

“Some of the most egregious violations of the right to health have occurred in the context of ‘treatment’ for drug dependence... In place of evidence-based medical management, Governments and enforcement authorities coerce or force drug-dependent individuals into centres where they are subject to ill-treatment and forced labour. This approach discriminates against people who use drugs, denying them their right to access medically appropriate health-care services and treatment.

In such settings, medical professionals who are trained to manage drug dependence disorders as medical illnesses are often inaccessible. Forced labour, solitary confinement and experimental treatments administered without consent violate international human rights law and are illegitimate substitutes for evidence-based measures such as substitution therapy, psychological interventions and other forms of treatment given with full, informed consent.

Proper medical management of drug dependence requires that treatment be evidence-based. The catalogue of ‘treatment’ in many compulsory treatment centres includes forced labor, detention, military-type drills, physical exercises and experimental treatment, among other interventions, of which the effectiveness is not backed by scientific evidence. Nearly 90 to 100 percent of people who use drugs returned to drug use after being subjected to forced treatment in such centres.”
—*Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*. 6 August 2010.

Independent Reference Group to the United Nations on HIV and Injecting Drug Use

“Long-term detention in the name of drug ‘rehabilitation’ or ‘education’ has no proven efficacy, violates human rights and should be ended immediately.”
—*Call for member states to scale up evidence-based interventions to address HIV among people who inject drugs*. 25 May 2011.

World Health Organization

“The assessment suggests that these centres lack effective drug treatment services. There is also a lack of prevention or care services for HIV in closed settings, where the spread of the disease is much faster than in the community. People who use drugs in the region are at risk in these settings because they do not receive drug treatment and HIV prevention services.”
—*Assessment of compulsory treatment of people who use drugs in Cambodia, China, Malaysia and Viet Nam: an application of selected human rights principles*. 2009.

Global Network of People Living with HIV and International Network of People who Use Drugs

“Detention centers for so-called drug treatment pose elevated risks for detainees of infection by HIV and other diseases. In many cases, detention in such centers causes interruption or cessation of life-saving HIV treatment, care and support... The most principled and effective manner to reduce these risks is to prevent people from being forcibly detained in such centers in the first place. Systems that, as a matter of course and en masse, forcibly detain people who use drugs in the name of drug treatment violate international human rights law and are not supported by scientific evidence, nor international standards on what constitutes effective drug dependence treatment...There is no scientific basis for using detention or forced labor as treatments...GNP+ and INPUD support the immediate closure of these detention centers.”
—*Joint Position Statement on Detention Centers for “Drug Treatment”*, April 2010.