

Human Rights Standard for the Provisions of Harm Reduction in Prisons

Key questions

- Why are UN human rights mechanisms important?
- Would advocating at the UN level be useful for national advocacy?
- What are human rights standards relevant to harm reduction in prisons and to the right to health of people who use drugs in prisons?
- What are the key lessons learned from previous advocacy?
- Where to get more information?

Why advocate for harm reduction and humane drug policy at the UN?

- Harm reduction is a human right
- People who use drugs and people in prison retain all their human rights
- Drug policy affects all aspect of human's live
- The purpose of the UN: promoting and encouraging respect for human rights
- The UN has various modalities, and it sets human rights standards

UN HUMAN RIGHTS MECHANISMS

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National and International Advocacy

- State obligations as state parties to treaties or other international instruments
- Influence/develop universal standards
- Ineffective national or regional mechanisms
- Apply pressure to 'stubborn' countries
- Encourage adherence to international standards and norms

Some key standards

- States must protect, respect and fulfil the right to health with dignity and in a non-discriminatory manner
- States should provide healthcare for people in prison, including harm reduction and antiretroviral therapy, to the same standards that are available in the community, and it should be free of charge, without discrimination on the grounds of legal status, culturally appropriate and gender-specific.
- States should protect people who use drugs who are in prison against unnecessary pain and suffering associated with the withdrawal syndrome, and ensure that timely, adequate and evidence-based medical assistance to counter withdrawal symptoms is available
- States should establish a fully independent mechanism to monitor the health status of people in prison
- States should report and investigate all cases of deaths in prisons
- States should collect disaggregated data on drug use patterns in prison and collect statistical data on the health of people in prison to determine the needs and risks associated with drug use and develop gender sensitive and tailored health interventions and policies
- States should promote the use of non-custodial measures and alternative treatment for people who use drugs

Human Rights Standard Database

- Aim: closing the gap between international human rights obligations and domestic policies and practices
- Regularly updated
- Phase 1: standards on harm reduction in prison
- These standards define some of the specific steps and benchmarks required from UN Member States to respect, protect and fulfil the human rights
- <https://hri.global/un-human-rights-standards-database/>

Lessons Learned Advocating Harm Reduction in Prisons at the UN