

POSITION PAPER

DRUG POLICY AND THE DEPRIVATION OF LIBERTY

June 2019

03 - Testimonies

ACCESS PRESS MATERIAL

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Under embargo until Thursday 13 June 2019 at 11h00 GMT/UTC

The Global Commission on Drug Policy is an independent body comprising 26 members, including 14 former heads of state or government and four Nobel Prize laureates. Its purpose is to bring to the international level an informed, evidence-based discussion about humane and effective ways to reduce the harms caused by drugs and drug control policies to people and societies.



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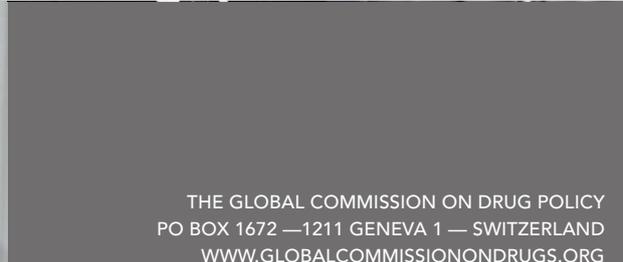
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TESTIMONIES

NAYELI

Female Courier, Bolivia

I was five years old when I moved into a prison for the first time. They caught my father transporting two and a half tons of cocaine base paste. My whole family, all seven children, moved in with my dad. We would go to a daycare center outside from 7am until 5pm. We lived there for seven years, the full length of his sentence.

When he got out, he couldn't feed all of us. In 8th grade, I decided to get a part-time job in a cumbia music band. Later, I quit school to work full-time in music to help provide for my family. Unfortunately, a band member raped me; it was the first time I had had sex, but I got pregnant. The baby's father rejected him, moved to Spain, got married and started a family. When he returned several years later, he took my son away from me.

My next partner beat and cheated on me, but I thought it might be different if we moved to Argentina. I was wrong. I had another son there, so I took him back to Bolivia and began working as a secretary for a taxi company. It didn't pay much. After a while, someone offered me 1,500 USD to swallow "small capsules" and take them to Chile in my stomach. I took 900 grams of cocaine my first time. I did it twice.

In 2014, they arrested me at my house while I was getting ready for a third trip. I qualified for a government pardon, intended to ease prison overcrowding, so I only spent four months in prison.

After my release, I got a loan to start a small business, but it didn't go well. I couldn't pay it back, so I agreed to go back to Chile with three large packages of cocaine base paste taped to my legs for 2,000 USD. I never made it out of Cochabamba, my friend's boyfriend told the police what we

were doing. I went back to prison in 2015 and got an eight-year sentence. As a repeat offender, I no longer qualify for pardons. I live there now with my second son.

Life in prison is really sad, and those of us that have no one feel lonely all the time. My mother used to visit, but she passed away, and I couldn't go to her funeral. I ask myself, what have I done to deserve this? I know that a lot of people suffer because of drugs, but I am not a murderer.

Life in prison is hard. Sometimes there's no water to shower or wash your hands or clothes. I don't always have enough money to buy food for my son and me. People occasionally donate fruit and vegetables, but inmates fight to get them. If you need to go to the hospital, you have to work through the system to get a special permit. You can't go without it, you have to prove that you're sick.

When I get out, I want to move far, far away from here. I don't want to stay in Cochabamba. I want to move somewhere else with my younger son and start a new life. I haven't seen my oldest son since 2015. He doesn't know I'm in prison, and I don't want him to find out. I'm ashamed. I want to get custody of him after my release. There are so many things I want to tell him. I hope he can forgive me.

YATIE JONET

Female who uses drugs and was detained in a compulsory treatment center, Malaysia

I dropped out of school when I was just 15, presumably because my parents did not know enough about the issues affecting teens and how to deal with them. As a high school dropout, I took my own path and, unaware of the consequences, I started consuming drugs everyday, with different forms and methods of consumption, most of them harmful. I had no idea, there was no information



available. I injected drugs for two years and ended up contracting hepatitis C in 2013, four years after I was last released from detention centers.

I would resort to petty crime to support my daily intake and started selling drugs after my partner was detained and jailed for a drug offense. I often had no choice but to bribe local law enforcement officers with money and sex so I wouldn't end up in jail. I have said nothing until today about this out of fear of being killed or forcefully disappeared.

But of course, I was often arrested. I would be detained in a lockup for a month, a month and a half, without any access to treatment, before being sent to prison. I have been in and out of prison, carrying a lifetime criminal record because of my drugs offenses, the same as with other users. We're an easy target to catch again and again. As a person using drugs, you are seen as the public enemy number one in Malaysia.

In addition to not having access to proper health care, I was unable to be a mother to my son. I lost the essence of motherhood, unable to feel and nurture motherly instincts because I was consistently separated from him, either because I was afraid of losing my supply of drugs by staying with my family rather than my boyfriend/dealer, or when I was in prison.

Finally, I managed to stop injecting drugs, working as an outreach worker passionately sharing essential information about harm reduction programs and emphasizing treatment and health care, as well as sharing my personal experiences. After years of serving my community with a civil society organization, I became who I am today despite being neglected, rejected for being myself. I am now pursuing my goals advocating for an urgent need to reform global drug policy and protect fundamental human rights by shaping a nation with that offers an enabling and safe environment for our future generations.

In general, almost everyone was against my openness about my active drug use and I was constantly labeled a "liberal", even amongst those in my community so close to my heart, who came from various backgrounds and consisting of people who formerly used drugs and live with lifetime criminal records and with infectious diseases. And even though they have completely stopped using drugs, they still are unaware of the negative consequences of the punitive drugs policy that enforces zero tolerance and abstinence-only approaches.

I continue to dream about getting a certificate or something that would allow me to live in dignity. For a person who uses drugs, being acknowledged as a human being and not just an object of study in drugs and drug use would already be a victory.

ANONYMOUS

A person who uses drugs and was placed in a pre-trial detention facility, Russian Federation

I was placed in a pre-trial detention facility while I was suffering from withdrawal, as a consequence of being held in a department where a criminal case was initiated against me under Article 228 point 2. Withdrawal was so severe and painful that an ambulance was called, but, apart from giving me an injection of a mild anti-spasmodic "No-Spa", the doctors didn't help much. I was taken into detention in the evening and, because I was constantly nauseous, I asked to call an ambulance. I received the following answer: "Are you fucking out of your mind, you junkie? Look how many of you are here – do you seriously expect us to call an ambulance for every single one of you?"

Later, I overheard their exchanges: "Maybe we should take him to Semyon?" I found out later that Semyon was the chief officer of the facility. I was then taken into quarantine for the recently arrested. The quarantine cell, initially intended for



21, held almost 70 inmates. We took turns sleeping on bunk beds three at a time. Cigarette smoke hung in the air. I introduced myself and explained that soon I will go into withdrawals. My fellow inmates were understanding: as it turned out, three quarters of the people there went through the same experience. People shared advice: they told me the best things to do and gave me a place to sleep. They really understood what I was going through.

On the first day, everything was more or less fine – I think that the overall stressful state I was in, the adrenaline, helped me to cope with the symptoms on the first day. On the second day, I was in hell. People in the cell around me helped as they could. On the third day, I asked for a doctor who only showed up two hours later! I complained about my health and he declared: “Are you fucking insane, you junky? If you dare call me again, I will send you to isolation.” He gave me two Ketorolac (Toradol)* pills. Then I was very ill – I vomited all the time and I thought that was going to die. The inmates called the doctor again who came, looked at me, and did nothing.

Around the fifth or the sixth day, it got a little better, but I couldn’t sleep. Sleep was basically just fainting for thirty minutes to an hour at a time. This lasted for about a month, a time during which I had called the doctor twice, both times to ask for medication to help me sleep. He refused, threatening to throw me in isolation or into a “looney-cell” (a cell for inmates with mental disorders).

About ten days later, they started taking me to the so-called “investigation-related activities” (interrogations, cross-examinations, etc.). Once, I was brought in for a talk with the chief officer who offered: “I have a deal for you. If you admit to breaking into the apartment (I was expected to plead guilty for breaking into an apartment and for a theft that I did not commit), I will give you 5 grams.” I replied that I had to think about it. Obviously, I didn’t want to do time for a crime I didn’t

commit, but my craving for drugs was bad. I was asked the question again a second time, and I categorically refused.

Overall, what I can tell you from this experience is that to find oneself in a Russian detention facility – without a single trace of humane conditions – constitutes a severe punishment in itself. To be held there while in withdrawals is torture, pure and simple! The medical staff – if there’s any at all – gives you no assistance. The only thing that does help is the mutual support of the fellow inmates who understand the situation.

**A nonsteroidal anti-inflammatory drug used to treat pain.*

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GOALS

- Review the base assumptions, effectiveness and consequences of the “war on drug” approach
- Evaluate the risks and benefits of different national responses to the drug problem
- Develop actionable, evidence-based recommendations for constructive legal and policy reform