

**2022 Thematic Discussions of the Commission on Narcotic Drugs  
1st intersessional meeting of the Commission on Narcotic Drugs at its sixty-  
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Thematic session 1: 21 September 2022

Panel statement by the Czech Republic

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**Title: Prohibitive and punitive drug policies pose more harm than good**

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Excellences, Ladies, and Gentlemen, Distinguished Delegates,

Let me first thank the UNODC secretariat for preparing this Thematic session. It is an honour to speak as a panellist on behalf of the Czech Republic.

**Prohibitive and punitive drug policies pose more harm than good.**

Experience from the Czech Republic, which has joined countries exploiting the harm reduction (public health) approach 30 years ago, has provided us with convincing knowledge, that prohibitive and punitive drug policies pose more harm than good. Increasing body of evidence worldwide supports our policy and there is enough evidence to postulate that severely enforced prohibition is harmful to people, communities and societies as a whole.

The three Drug Control Conventions are common global tool to control illicit drug channels, mandated to decide on the scope of control of substances. However, we should understand them in a wider context and consider them as a tool aimed to protect human health and reducing harms posed by psychoactive substances and explore them with regard to respect to public health, human rights, dignity, and freedom.

**Decriminalization does not lead to increase in use**

All three Drug Control Conventions explicitly allow states to provide alternative measures to punishment of drug use- or drug use- related offences.

Some states around the globe have already implemented the decriminalization and depenalization of personal use and for possession in their legal frameworks and for instance in the Czech Republic, Portugal and other countries, we have solid evidence, that decriminalization decreased the health and social burden of drug phenomenon and did not lead to increased drug consumption.

**U-curve of drug regulation**

The U-curve is a model illustrating how strength of substance supply regulation in a wide spectrum from prohibition to unregulated free market affects social and health harms. Both outer extremes are associated with extreme burdens. The solution needs to be sought in the middle of the curve with strategies aiming on decriminalization, harm reduction and responsible legal regulation with the lowest level of negative consequences.

**Why is the strict prohibition harmful?**

Strict prohibition and criminalization of substance-related human behaviour brings multiple negative consequences:

- In contrary to alleged deterrent effect of prohibition, it may produce an effect of “forbidden fruit” and as such it stimulates an increased curiosity and interest of young people to try prohibited drugs
- Increase risk behaviours and harms of drug use
- Increase negative consequences of drug use (incl. infectious diseases, overdoses)
- Stigma and discrimination,
- Limited access to medications and (health, social) services
- Criminal market threatening justice and rule of law
- High social costs including law enforcement (the high of prosecuted criminal offenses is for possession of small amount of drugs for personal use)
- Overflowing prisons

### **It is time to change**

It is time to open debate on changing a paradigm from prohibition to responsible regulation. However even under current paradigm and control regimes, there is a room for policy improvement in many areas:

- Balanced approach between public health and criminal justice system
- Firm respect for human rights: human dignity, equality and non-discrimination
- Proportionality of control: different drugs pose different and various harms
- Proportionality of sentencing, refusal of death penalty
- Depenalisation and decriminalisation of minor offences (use, possession, cultivation for personal use...)
- Alternatives to imprisonment and coercive sanctions
- Implementation of effective harm reduction and treatment responses
- Gender and minority sensitive approach

The Czech Republic reaffirms its strong commitment to the fundamental Declaration of human rights and freedoms, UNGASS 2016, and the current EU-Drug Strategy and its action plan. The Czech Republic promote the evidence- and human rights-oriented policy that puts human beings at the centre. We stand by the like-minded states who include a mechanism such as decriminalization and depenalization for personal use in their legal systems in Europe and elsewhere.

### **Rethink, Rebuild, Repower**

I would like to finish my intervention with the motto of the current EU Czech Presidency: Rethink, Rebuild, Repower. It carries an ethos of innovations and positive changes for better future, not only in Europe.

In the Czech Republic, we strongly believe that drug policy and its evolution should aim at health and wellbeing of our society. It needs to be based on solid evidence, respectful for human rights and dignity, balanced between supply reduction and demand and harm reduction, and should include all societal actors including civil society, NGOs, academia, professionals from drug services as well as people who use drugs.

So let's stop fighting with drugs and people who use drugs, let's learn together how to regulate drugs from public health perspective and how to better control associated harms.

Ladies and gentleman, thank you for your attention.