

Australian Parliamentary Group for Drug Law Reform & Australian Drug Law Reform Foundation

E-Newsletter – March 2009

About the Groups

The Australian Parliamentary Group on Drug Law Reform

The Australian Parliamentary Group on Drug Law Reform (APGDLR) is a cross party group of 100 MP's from our State and Commonwealth parliaments. The group was set up in 1993 after a meeting in Canberra convened by Michael Moore (ACT Assembly) and Ann Symonds (MLC, NSW).

The Australian Drug Law Reform Foundation

The Australian Drug Law Reform Foundation was established in 1994 when a significant number of people in the community endorsed the Charter for Reform that had been developed by the Parliamentary Group.

The Charter for Reform sets out a series of principles that seek to encourage a more rational, tolerant and humanitarian approach to the problems created by drugs and drug use in Australia.

The APGDLR and the ADLRF meet at least once a year to hear from experts in the field, to share information about what is happening in our jurisdictions and to plan future work.

The group also produces occasional newsletters on issues relating to drugs in Australia and international developments.

If you would like more information about the Parliamentary Group or the Foundation or would like more information please contact Dr Mal Washer MP 02 6277 2114 or email Mal.Washer.MP@aph.gov.au or Penny Sharpe MLC on 0292302741 or email Penny.Sharpe@parliament.nsw.gov.au

Global Fund supports Harm Reduction



MONDAY 9 FEBRUARY 2009

The Executive Director of the Global Fund to Fight AIDS, Tuberculosis and Malaria, Michel Kazatchkine, urged the president of the UN Commission on Narcotic Drugs (CND) to send a strong message to the world with clear and specific language that calls for comprehensive harm reduction services.

This is yet another international official calling upon delegates in Vienna to stop the ongoing controversy about the inclusion of the concept of harm reduction in the political declaration for the 10-year UNGASS evaluation that has to be agreed upon for the next Commission on Narcotic Drugs (CND).

In **his letter** Kazatchkine says, "As a doctor, researcher and advocate for science-based public-health policies, I have long asserted that harm reduction is an essential, evidence-based AIDS response." The Vienna outcome is important in his opinion, because the Vienna documents "will help provide the framework for drug policy and control efforts, what is included, and excluded, from the final declaration will send an important message to member states. Policy makers and public-health advocates."

Other international officials also called on the Vienna delegates to include harm reduction in the outcome of the 1998 UNGASS evaluation, such as **Michel Sidibé, the new Executive Director of UNAIDS**, and the **UN Special Rapporteur on torture, Manfred Nowak**.

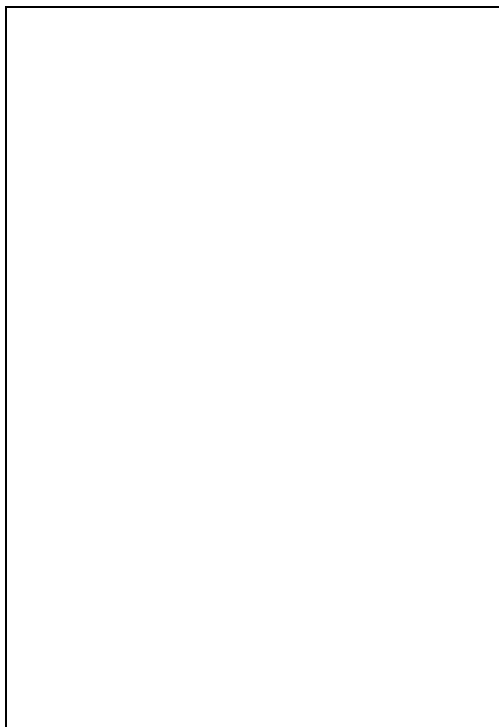
"It is my hope that member states will live up to their international obligations, and recognize the benefit of harm reduction, an approach that promotes human rights, benefits communities, and saves lives," Kazatchkine end his letter.

The **Global Fund** is the largest multilateral funder in the fight against AIDS. Harm reduction approaches have been endorsed by the UN General Assembly and in numerous UN documents from UNAIDS, the Office of the High Commissioner for Human Rights, the World Health Organisation (WHO), the UN Office on Drugs and Crime (UNODC) and the CND itself.

However, some member states, notably the Russian Federation and Japan, continue to oppose to include harm reduction in the political declaration. There is no obligation in the declaration for member states to adopt harm reduction approaches if they do not wish to do so. Nevertheless, some member states keep on denying that harm reduction policies are common practice in about 80 countries worldwide – a fact that should be reflected in a document about current drug policies of the international community.

Tom Blickman, TNI

Tags: [CND HIV/AIDS UNGASS harm reduction human rights](#)



"A valuable resource for anyone concerned with drug policy."

— Ira Rosen, Producer, 60 Minutes

"Drug War Facts offers a treasure trove for serious seekers of useful facts and sources about all sides of the drug war."

— Clarence Page, Syndicated Columnist, Chicago Tribune

"A compendium of facts that fly in the face of accepted wisdom."

— David F. Duncan, Clinical Associate Professor, Brown University Medical School

Click on the book cover to go to the table of contents, or browse the chapter list to the left.

Drug War Facts provides reliable information with applicable citations on important public health and criminal justice issues. It is updated continuously by its Editor, Douglas A. McVay.

Most charts, facts and figures are from government sources, government-sponsored sources, peer reviewed journals and occasionally newspapers. In all cases the source is cited so that journalists, scholars and students can verify, check context and obtain

additional information.

Our mission is to offer useful facts, cited from authoritative sources, to a debate that is often characterized by myths, error, emotion and dissembling. We believe that in time an informed society will correct its errors and generate wiser policies.

<http://www.aclu.org/drugpolicy/search/38367prs20090116.html>

AMERICAN CIVIL LIBERTIES UNION

U.S. Supreme Court To Review Unconstitutional Strip Search Of 13-Year-Old Student For Ibuprofen

Jan 16 2009 FOR IMMEDIATE RELEASE

CONTACT: media@aclu.org

WASHINGTON - The U.S. Supreme Court announced today that it will review a lower court ruling that school officials violated the constitutional rights of a 13-year-old Arizona girl when they strip searched her based on a classmate's uncorroborated accusation that she possessed ibuprofen.

The case, Redding v. Safford Unified School District, was appealed from the U.S. Court of Appeals for the Ninth Circuit, which found the strip search to be unconstitutional. A six-judge majority of the appeals court further held that the school official who ordered the search is not entitled to immunity as a result of his actions. The American Civil Liberties Union and ACLU of Arizona, along with law firms Humphrey & Petersen and McNamara, Goldsmith, Jackson & Macdonald, represent Savana Redding, the plaintiff in the case.

"Overzealous school officials stripped our client of her clothes and her constitutional rights," said Steven R. Shapiro, Legal Director of the ACLU. "We are confident that the Supreme Court will recognize that such conduct has no place in America's schools and will protect the privacy rights of America's students."

Savana Redding, an eighth grade honor roll student at Safford Middle School in Safford, Arizona, was pulled from class on October 8, 2003 by the school's vice principal, Kerry Wilson. Earlier that day, Wilson had discovered prescription-strength ibuprofen - 400 milligram pills equivalent to two over-the-counter ibuprofen pills, such as Advil - in the possession of Redding's classmate. Under questioning and faced with punishment, the classmate claimed that Redding, who had no history of disciplinary problems or substance abuse, had given her the pills. Safford maintains a zero-tolerance policy toward all prescription medicines, including prescription-strength ibuprofen.

After escorting Redding to his office, Wilson presented Redding with the ibuprofen pills and informed her of her classmate's accusations. Redding said she had never seen the pills before and agreed to a search of her possessions, wanting to prove she had nothing to hide. Joined by a female school administrative assistant, Wilson searched Redding's backpack and found nothing. Instructed by Wilson, the administrative assistant then took Redding to the school nurse's office in order to perform a strip search.

In the school nurse's office, Redding was ordered to strip to her underwear. She was then commanded to pull her bra out and to the side, exposing her breasts, and to pull her underwear out at the crotch, exposing her pelvic area. The strip search failed to uncover any ibuprofen pills.

"The strip search was the most humiliating experience I have ever had," said Redding in a sworn affidavit following the incident. "I held my head down so that they could not see that I was about to cry."

The strip search was undertaken based solely on the uncorroborated claims of the classmate facing punishment. No attempt was made to corroborate the classmate's accusations among other students or teachers. No physical evidence suggested that Redding might be in possession of ibuprofen pills or that she was concealing them in her undergarments. Furthermore, the classmate had not claimed that Redding currently possessed any pills, nor had the classmate given any indication as to where they might be concealed. No attempt was made to contact Redding's parents prior to conducting the strip search.

"It offends both common sense and the Constitution to undertake such an excessive, traumatizing search based on nothing more than an uncorroborated accusation of ibuprofen possession," said Adam Wolf, an attorney with the ACLU and counsel of record in the case. "Our fundamental right to privacy must not be cast aside when faced with groundless allegations rooted in unfounded fears of adolescent Advil abuse."

Additional information on the case, including that ACLU's legal filings and the full Ninth Circuit Court of Appeals ruling, is available at:
www.aclu.org/drugpolicy/search/35964prs20080711.html

Italy breaks ranks with EU while US does semi volte face on harm reduction

It is worth reading the link to the new US position on harm reduction - supporting 'good' harm reduction (needle syringe programmes, methadone treatment) not opposing 'bad' harm reduction (supervised injecting centres, heroin prescription)

But Italy breaking ranks with the EU is a serious blow

TNI weblog
Thursday 19 February 2009

Marco Perduca and Donatella Poretti, senators of the Radical Party have asked the Italian under-secretary on drug issues, Carlo Giovanardi, if it is true that Italy has abandoned the common position of the European Union on harm reduction in the negotiations for the Political Declaration for the High-level Segment of the 52nd Commission on Narcotic Drugs (CND) in Vienna. They requested an explanation from the under-secretary why and on what grounds this happened.

The past weeks, the EU has tried to include harm reduction approaches in the political declaration but this has led to a stalemate at the negotiations. Apparently, Italy has now broken ranks with the rest of the EU.

Read the full blog:
http://www.ungassondrugs.org/index.php?option=com_content&task=view&id=250

The President of the United States also supports lifting the federal ban on needle exchange, which could dramatically reduce rates of infection among drug users.'

Announced on Obama's web site 21 January 2009

<http://transform-drugs.blogspot.com/2009/01/obama-lifts-federal-ban-on-funding.html>

Toward a Paradigm Shift

TNI weblog

Wednesday 11 February 2009

The Latin American Commission on Drugs and Democracy presented its conclusions at a press conference in Rio de Janeiro, on 11 February. Founded by former Presidents Fernando Henrique Cardoso (Brazil), César Gaviria (Colombia) and Ernesto Zedillo (Mexico), integrated by 17 independent members, the Commission assessed the limits and unwanted effects of the repressive policies of "war on drugs" used in Latin America.

Read the full blog:

http://www.ungassondrugs.org/index.php?option=com_content&task=view&id=244

Drugs & Democracy

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THREE B.C. NEWSPAPERS CALL FOR THE LEGALIZATION OF DRUGS

DrugSense FOCUS Alert #395 - Tuesday, 10 February 2009

Three major British Columbia newspapers have called for Canada to at least consider legalizing drugs. The violence associated with the drug trade has escalated to the point where the newspapers are calling for new directions to be considered.

The Province published an editorial Sunday "Legalization Needs Study". The editorial starts by plainly stating "This newspaper has traditionally opposed the legalization of drugs." While the editorial doesn't jump headfirst into support for legalization, it does acknowledge that now is time to debate the issue. Read the editorial at <http://www.mapinc.org/drugnews/v09/n146/a01.html>

Then Monday the Victoria Times-Colonist published an editorial "Gun Epidemic Prescriptions" which ends stating:

"And it is time to recognize that gangs and guns are linked inextricably to the huge profits in the drug trade. Those profits are possible because of a failed, prohibition-based drug strategy. It's time to begin legalizing and controlling distribution as part of an entirely new approach to reducing the damage done by guns." See <http://www.mapinc.org/drugnews/v09.n155.a02.html>

Ian Mulgrew, Vancouver Sun columnist, addressed the same topic Monday with this column <http://www.mapinc.org/drugnews/v09.n155.a03.html>

With the facts on our side, we may influence the debate. Please read the editorials and column at the above links where you will also find contact information for sending letters to the editor. Prepared by: Stephen Young www.drugsense.org/current.htm

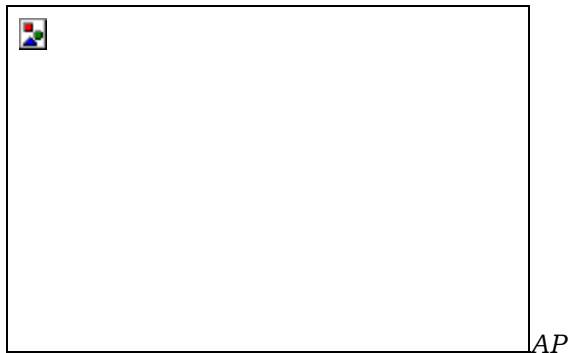
**The material below was supplied by Dr. Alex Wodak,
Director, Alcohol and Drug Service, St. Vincent's Hospital, Sydney (Phone: (61+02)
9361 8012 If no prompt answer, try 9361 8014 Facsimile: (61+02) 8382 4738
awodak@stvincents.com.au**

Things are starting to happen in the world of drug policy. The changes being announced by the Obama Administration will have a ripple effect around the world. Such as:

<http://www.guardian.co.uk/world/2009/mar/16/drug-policy-obama-needle-exchange>

FERNANDO HENRIQUE CARDOSO, CÉSAR GAVIRIA and ERNESTO ZEDILLO

The war on drugs has failed. And it's high time to replace an ineffective strategy with more humane and efficient drug policies. This is the central message of the report by the Latin American Commission on Drugs and Democracy we presented to the public recently in Rio de Janeiro.



A soldier stands next to packages containing marijuana at an army base in Cali, Colombia, August 2008.

Prohibitionist policies based on eradication, interdiction and criminalization of consumption simply haven't worked. Violence and the organized crime associated with the narcotics trade remain critical problems in our countries. Latin America remains the world's largest exporter of cocaine and cannabis, and is fast becoming a major supplier of opium and heroin. Today, we are further than ever from the goal of eradicating drugs.

Over the last 30 years, Colombia implemented all conceivable measures to fight the drug trade in a massive effort where the benefits were not proportional to the resources invested. Despite the country's achievements in lowering levels of violence and crime, the areas of illegal cultivation are again expanding. In Mexico -- another epicenter of drug trafficking -- narcotics-related violence has claimed more than 5,000 lives in the past year alone.

The revision of U.S.-inspired drug policies is urgent in light of the rising levels of violence and corruption associated with narcotics. The alarming power of the drug cartels is leading to a criminalization of politics and a politicization of crime. And the corruption of the judicial and political system is undermining the foundations of democracy in several Latin American countries.

The first step in the search for alternative solutions is to acknowledge the disastrous consequences of current policies. Next, we must shatter the taboos that inhibit public debate about drugs in our societies. Antinarcotic policies are firmly rooted in prejudices and fears that sometimes bear little relation to reality. The association of drugs with crime segregates addicts in closed circles where they become even more exposed to organized crime.

In order to drastically reduce the harm caused by narcotics, the long-term solution is to reduce demand for drugs in the main consumer countries. To move in this direction, it is essential to differentiate among illicit substances according to the harm they inflict on people's health, and the harm drugs cause to the social fabric.

In this spirit, we propose a paradigm shift in drug policies based on three guiding principles: Reduce the harm caused by drugs, decrease drug consumption through education, and aggressively combat organized crime. To translate this new paradigm into action we must start by changing the status of addicts from drug buyers in the illegal market to patients cared for by the public-health system.

We also propose the careful evaluation, from a public-health standpoint, of the possibility of decriminalizing the possession of cannabis for personal use. Cannabis is by far the most widely used drug in Latin America, and we acknowledge that its consumption has an adverse impact on health. But the available empirical evidence shows that the hazards caused by cannabis are similar to the harm caused by alcohol or tobacco.

If we want to effectively curb drug use, we should look to the campaign against tobacco consumption. The success of this campaign illustrates the effectiveness of prevention campaigns based on clear language and arguments consistent with individual experience. Likewise, statements by former addicts about the dangers of drugs will be far more compelling to current users than threats of repression or virtuous exhortations against drug use.

Such educational campaigns must be targeted at youth, by far the largest contingent of users and of those killed in the drug wars. The campaigns should also stress each person's responsibility toward the rising violence and corruption associated with the narcotics trade. By treating consumption as a matter of public health, we will enable police to focus their efforts on the critical issue: the fight against organized crime.

A growing number of political, civic and cultural leaders, mindful of the failure of our current drug policy, have publicly called for a major policy shift. Creating alternative policies is the task of many: educators, health professionals, spiritual leaders and policy makers. Each country's search for new policies must be consistent with its history and culture. But to be effective, the new paradigm must focus on health and education -- not repression.

Drugs are a threat that cuts across borders, which is why Latin America must establish dialogue with the United States and the European Union to develop workable alternatives to the war on drugs. Both the U.S. and the EU share responsibility for the problems faced by our countries, since their domestic markets are the main consumers of the drugs produced in Latin America.

The inauguration of President Barack Obama presents a unique opportunity for Latin America and the U.S. to engage in a substantive dialogue on issues of common concern, such as the reduction of domestic consumption and the control of arms sales, especially across the U.S.-Mexico border. Latin America should also pursue dialogue with the EU, asking European countries to renew their commitment to the reduction of domestic consumption and learning from their experiences with reducing the health hazards caused by drugs.

The time to act is now, and the way forward lies in strengthening partnerships to deal with a global problem that affects us all.

Mr. Cardoso is the former president of Brazil. Mr. Gaviria is a former president of Colombia. Mr. Zedillo is a former president of Mexico.

English media coverage of Vienna CND

Mike Trace's comment piece is in the Guardian print edition today (p.12) and the 'comment is free' section of the website here:

On the BBC Today Programme Costa was grilled by Ed Stourton. The interview was just after 8.30 am and you should be able to listen to it here later on today:

http://news.bbc.co.uk/today/hi/listen_again/default.stm

Guardian - 'Ten wasted years: UN drug strategy a failure, reveals damning report'

<http://www.guardian.co.uk/world/2009/mar/11/un-drug-strategy>

Guardian - 'Grasping the nettle: potential approaches to drugs and the law'

<http://www.guardian.co.uk/world/2009/mar/11/prohibition-law-un-drugs-strategies>

Independent - 'Russia finally admits to its hidden heroin epidemic'

<http://www.independent.co.uk/news/world/europe/russia-finally-admits-to-its-hidden-heroin-epidemic-1642103.html>

Independent - 'UN summit torn over pursuit of 'war on drugs'

<http://www.independent.co.uk/news/world/politics/un-summit-torn-over-pursuit-of-war-on-drugs-1642104.html>

Here are the courageous comments of little Australia at the Vienna CND meeting telling it like it really is

Australia Addresses the Plenary Session of HLM

The delegate for Australia today addressed the High Level Segment of the Plenary Session of the High Level Meeting as follows:

"This high level segment marks a cross roads, it is an opportunity to look back and mark progress achieved since 1998, but it is also an opportunity to look forward and decide on priorities. Active engagement of the multilateral system is a key pillar of our priorities and we are committed to address drug challenge collectively. Australia is pleased that the political declaration recognises the need for a balanced and integrated approach to the drug problem. This is what we do domestically based on a balance of supply, demand and harm reduction strategies. The use of illicit drugs has decreased in general. The Australian strategy has three pillars. The first is demand reduction, prevention is a priority with multi media drug campaigns, alerting young people to the dangers of drugs encouraging avoidance or treatment when needed. We maintain a multi faceted approach to drug treatment. Harm reduction is the second pillar of our strategy. We have a decreasing number of those dying from overdoses. We tackle the problem of IDUs passing on HIV, through needle exchange and harm reduction campaigns. We work across South East Asia to fund such programmes."

"We work in community partnership with indigenous communities and we are working to close the gap between life expectancies. The third pillar is supply reduction. A growing network of law enforcement officers and screening of all cargo and Australia has focussed on preventing the development of precursor chemicals and diversion of precursors and we have raised cooperation and capacity in our region and through cooperating with UNODC and we are contributing to the funding of data collection in Asia and we promote a range of alternative development offers which have to be integrated into broad development programmes in order to be successful."

"Australia joins others in welcoming progress made in the last decade, we recognise this is an enduring challenge. Australia looks forward to the adoption of the political declaration and we trust it will provide an important framework for action."

And in Australia: A recent report in The Australian titled Labor softens herion stance. Global division on drug treatment (18th March 2009)

It has been reported in the above item in *The Australian* that the Executive Director of The Australian Council on Drugs Executive Director Mr Gino Vumbaca has made comments following a recent Ministerial Session that the Rudd Government has reasserted the role of harm-reduction strategies in the fight against the illicit drug trade.

He said that under the Howard Government there was an “over emphasis” on anti-drug strategies focussing on the supply and prohibition of illicit drugs like heroin, cocaine and ecstasy. Mr Vumbaca reported that following the recent annual UN Commission on Narcotic Drugs in Vienna Australia had taken a different position from the US, Russia, Japan and Cuba in supporting the communiqué on “related support services” as including harm-reduction strategies. In the past it is likely that Australia would have supported the US stance.

In 2007 the Hon Bronwyn Bishop had chaired a committee enquiry on the impact of illicit drugs. The tough recommendations had been shelved following the 2007 election. Although Ms Bronwyn Bishop (Liberal) has said that “harm minimisation” has failed in Australia Dr Alex Wodak, Director of the alcohol and drug service at St Vincent’s Hospital in Sydney and a leading proponent of “harm minimisation” said that heroin availability was not related to “harm minimisation” programs but directly linked to the production of heroin in Burma. The Hon Nicola Roxon, Health Minister has said that although Australia has supported the communiqué that the government’s “tough on drugs” position is unchanged.

Please find attached the link to a new report titled 'At What Cost: - HIV and Human Rights Consequences of the Global War on Drugs' by the Open Society Institute. It may be of interest to you..

http://www.soros.org/initiatives/health/focus/ihrd/articles_publications/publications/at_whatcost_20090302



report donor
conference harmred

An interesting recent report above showing that harm reduction is the new mainstream global drug policy

Corbis ***The war on drugs: a devastating public-policy disaster***

Published **Online**

March 11, 2009

Comment

www.thelancet.com **Vol 373 March 21, 2009 989**

Illegal drug use has long been a threat to community and public health. In response, UN conventions (1961, 1971, 1988) were created to criminalise the possession, use, and manufacture of illicit drugs.¹ Internationally, the conventions have been most strongly supported by the US Government since 1971, when President Richard Nixon described the abuse of illicit drugs as “public enemy number one” and formally declared the nation’s “War on drugs”. In June, 1998, as part of the further consolidation of the UN’s international drug control framework, the UN General Assembly hosted a special session on illegal drugs under the slogan “A drug free world—we can do it”.² The session set out international drug control strategies and goals for the subsequent decade and reaffirmed support for the existing UN drug-control treaties, which require UN member states to develop national policies based on strict law enforcement.² On March 11–12, 2009, in Vienna, Austria, a Ministerial Segment of the UN’s Commission on Narcotic Drugs will meet to evaluate

international progress towards the goals set out in the 1998 special session. This meeting will also prepare the final draft of a declaration aimed at setting international drug-policy goals for the coming decade. Sadly, the biases inherent in the UN's drug-control system have been well described,³ and it is questionable whether meaningful change will emerge from this process. If so, this process will only further discredit the UN drug-control regime, given the overwhelming evidence indicating that the War on Drugs has been an unmitigated failure. Under the current drug-control regime, a massive illicit market has emerged, with an estimated annual value of US\$320 billion.⁴ In some cases, these enormous illegal revenues threaten the political stability of entire regions, such as certain South American countries and more recently Afghanistan.^{5,6} Paradoxically, increased drug-law expenditures have not prevented the growth of this market; instead, a long-term pattern of falling drug prices and increasing drug purity and supply has been observed.⁴ Beyond being ineffective, increasing expenditures on drug-law enforcement have also been associated with severe unintended harms. For instance, in the USA, where the War on Drugs has been fought most vigorously, the incarceration of illicit-drug offenders has contributed to the world's highest incarceration rate.⁷ Mainly as a result of drug-law enforcement, one in eight African-American men aged 25–29 years was incarcerated on any given day in the USA in 2007, despite the fact that ethnic minorities consume illicit drugs at similar rates to other subpopulations in the USA.⁷ An additional concern is the consistent association between drug prohibition and increased drug-market violence. A recent example is the upsurge in severe drug-related violence in Mexico coinciding with Mexican President Felipe Calderón's announcement of an escalation in the fight against Mexican drug traffickers.⁸

War on drugs, 1972 US President Richard Nixon, second from left, inspects chart showing arrests for drug violations. DOI:10.1016/S0140-6736(09)60455-4

⁸ McCoy D, Ntuli A, Sanders D, eds. Global Health Watch 2: an alternative health report. 2008. http://www.ghwatch.org/ghw2/ghw2_report.php (accessed March 15, 2009).

⁹ Choike.org. Let's put finance in its place! Call for the signature of NGOs, trade unions and social movements. Feb 1, 2009. <http://www.choike.org/campaigns/camp.php?5> (accessed March 15, 2009).

¹⁰ Economic Governance for Health. <http://www.eg4health.org> (accessed March 15, 2009).

¹¹ Tax Justice Network. Ending the off shore secrecy system—an action programme to strengthen international financial and fiscal regulatory cooperation.2009. http://www.taxjustice.net/cms/upload/pdf/TJN_0903_Action_Plan_for_G-20.pdf (accessed March 15, 2009).

¹² Epstein GA, ed. Capital flight and capital controls in developing countries. Northampton, MA: Edward Elgar Publishing, 2005.

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