

Drug users from America to Thailand are subjected to human rights abuses on a grand scale. **Jane Mackenzie** on the brutal treatment meted out on behalf of the global war on drugs

Long arm of the war

ARBITRARY arrest, being chained to a post, police brutality, the loss of basic human rights such as voting and health care - it sounds like the repression of political activists by a totalitarian military dictatorship. But this is what drug users are facing all over the world.

In Thailand human rights abuses have focused on users of the methamphetamine, yabba, or 'crazy drug', a substance the International Narcotics Control Board estimates is taken by five per cent of the Thai population. Last February the Thai government began a massive clampdown on the use of the drug, authorising an effective shoot-to-kill policy for police. Within three months 2,245 suspects were dead.

DEATH ANGEL

The authorities admit to being responsible for 51 of these deaths, claiming the others resulted from traffickers killing one another. However, police had been told that they would be judged on the success of the 'war on drugs' and that their jobs were on the line. Whoever was responsible, the deaths which the police chose to link to drugs were, in general, not investigated. When Damrong Tanomwaorakun was found shot dead in his lychee orchard, along with his wife Somsri, his brother tried to report the murder. "But the police just said it was a drug killing," he told a BBC reporter. "I just don't dare ask for justice and who would I ask?"

Who indeed? Certainly the Thai police take a hard line on drug use, with one commander admitting the use of death squads in 2001 with the comment: "The problem is just getting worse. Now it's time to rely on the Death Angel."

It is a very different 'death angel' which threatens most of the up to 10 million injecting drug users worldwide.

In February the United Nations Development Programme warned that HIV infection rate in Russia was about to hit the 'tripwire' of one per cent of all adults. UNDP director Mark Brown said: "Russia is much too fond of big institutions - particularly prisons - for solving problems. Democracy is not a prophylactic, but lack of attention to human rights is a problem."

OUT IN THE COLD

In 2001, deputy justice minister Yuri Kalinine revealed that the number of Russian prisoners infected with HIV had rocketed from 700 to 15,000 in five years. Kalinine said the majority of these were drug users. The numbers have no doubt continued to rise. Russia's repressive drug laws are a huge problem in tackling the disease. These include forbidding the treatment of drug users outside state-sanctioned institutions, so many addicts who want to get help do not come

forward for treatment because they fear contact with the authorities.

In Bangladesh drug users face an entirely different set of problems. Despite intense poverty and a lack of available treatment programmes for addicts, the government has a sensible approach that permits needle exchanges provided by aid agencies. Police are willing to turn a blind eye to drug use, but only for a price. Human Rights Watch has gathered evidence of extortion rackets with police beating up addicts who don't pay up in order to avoid arrest.

Mujib, a 37-year-old heroin user, didn't have the 5,000 taka the police demanded in bribes. He was taken to a police station and hung from a tree by his handcuffed hands while he was beaten with a police stick. Then he was sentenced to two and a half months in jail.

This is dangerous, not only for the users, but for Bangladeshi society. As Human Rights Watch point out: "Violence against at-risk people traumatises them and drives them out of reach of HIV prevention services." HIV prevention services are themselves the target of police harassment, despite support for their work by government and some high ranking police officers. One needle exchange programme, run by CARE Bangladesh, reports that there are around five staff arrests a year.

ILLEGAL NEEDLES

At least there is state support. Last September, a world away from Bangladesh, in the most powerful and one of the richest countries on the globe, California's governor (then Gray Davis) vetoed a bill allowing addicts to buy clean syringes. The bill was backed by health experts and pharmacists, but police claimed it would "send the wrong message" and Governor Davis agreed. Governor Schwarzenegger is unlikely to overturn the decision. Needle exchanges are illegal in 47 states and those who run them run the risk of imprisonment.

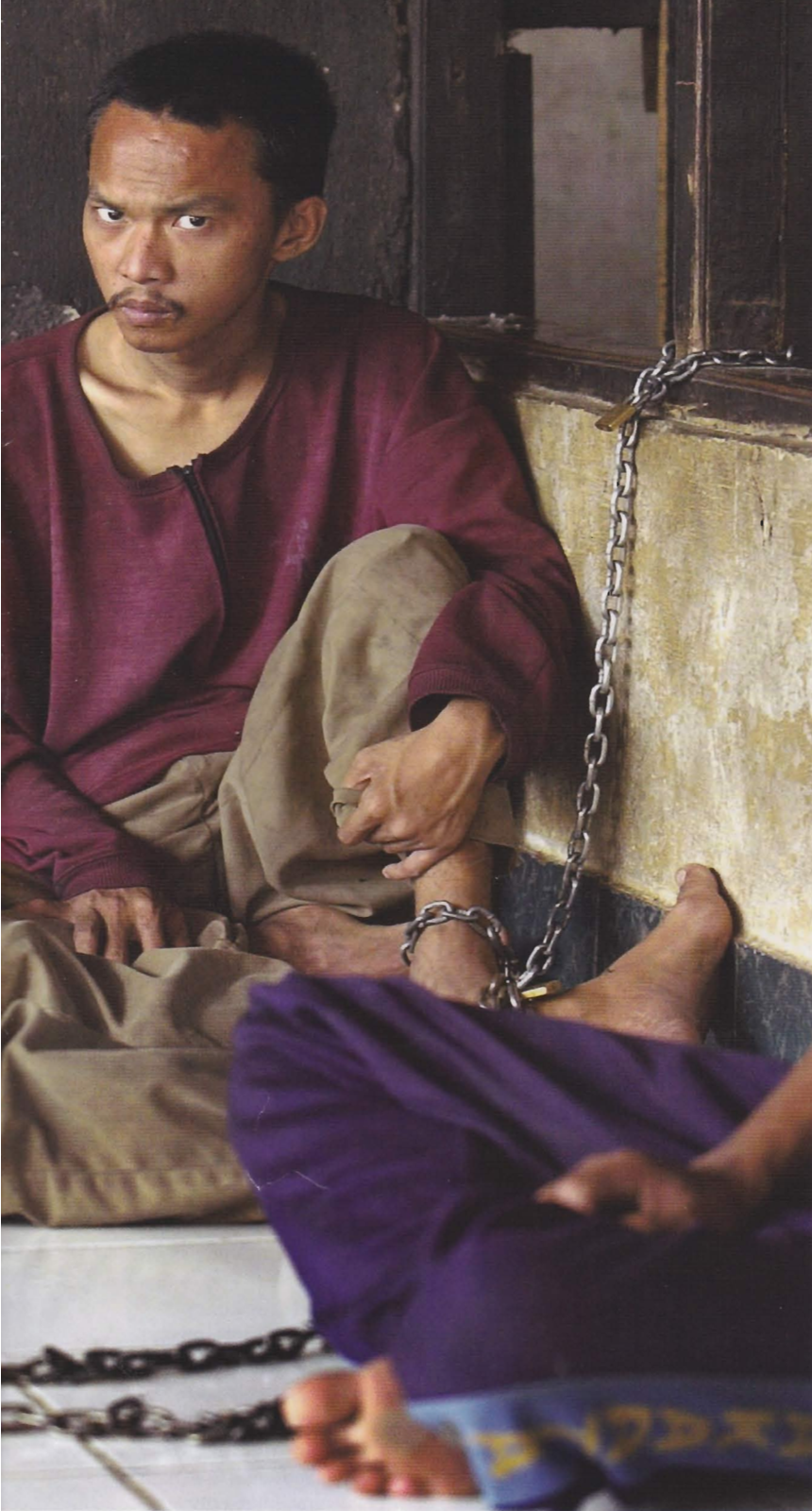
The USA has the highest prison population rate in the world, with 701 prisoners per 100,000 people - in 2002 alone more than 2 million Americans were sent to prison. More than half of prisoners in Federal prisons were sentenced for drug offences as were more than one fifth of those in State prisons. Most of those arrested for drugs offences are non-violent, yet the average sentence for a first-time drug offence is longer than that for a first-time firearm offence or sexual assault. It is more than twice as long as that for manslaughter or burglary.

In March the *Los Angeles Daily News* reported on the case of 22-year-old Laura Melendez a young woman who managed the remarkable feat of finishing high school despite spending time sleeping rough as a teenager. When she left prison after a short sentence for



Indonesian heroin addicts are chained to the wall at an addiction-treatment centre in a Jakarta mosque

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smoking marijuana she found she was barred from all state financial aid. If she had been imprisoned for assault, armed robbery, rape or murder, a college education would still have been open to her. As a minor drug offender she was refused both grants and loans.

In the 2000 presidential elections around 3.9 million Americans were barred from voting because they were ex-offenders. The law varies between states – in some, even those given a community sentence are disenfranchised. Drug users, and even former drug users, are therefore an immense group denied that most basic of democratic rights - the right to choose their government. The impact on the rest of the country (and indeed the world) is immense. Those votes alone could easily have swung the last election.

Vancouver, Canada, as reported in the last issue of *Druglink*, has a massive HIV problem which it is

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starting to tackle with safe injection centres. But just last May, the US-based campaigning organisation Human Rights Watch raised fears that drug users were being driven away from those very services by police crackdown Operation Torpedo.

They claimed to have evidence of “numerous types of police misconduct committed in connection with the crackdown, including the excessive use of force, arbitrary detention, illegal search and seizure, and widespread harassment.”

CHAIN 'EM UP

Despite the introduction in 1997 of the death penalty for drugs offences, Indonesia is in the grip of a massive drug problem – and the criminal justice system is at the heart of it. With police, the army, court officials and politicians all involved in the trade, ordinary people have taken matters into their own hands.

Unfortunately this often means mob justice or ill-informed amateur attempts at treating addiction. At the Nurul Alam mosque in Jakarta addicts are chained to posts for hours on end and only released to take a cold shower or to take part in marching exercises.

Many of those treated at the mosque were brought by their own desperate families, unable to afford any other kind of treatment. Some say it changed them, even saved them. Others remain chained to their posts, suffering mental illness and a form of imprisonment which denies them the most basic human rights. Similarly brutal “treatment” is used in both Russia and South Africa.

So what is that great bastion of human rights, the United Nations, doing about all this?

TARGET PRACTICE

In fact, the UN is part of the problem. UNODC, the agency dealing with drugs and organised crime is heavily focused on crime fighting and control, linked to the insanely unrealistic target of a “drug free world” by 2008 – allowing many regimes to claim that they are just trying to meet their targets when clamping down on drug users.

Last April the UN held a special session of its general assembly in Vienna to discuss progress towards that target. Health and human right campaigners hoped there would be a shift towards harm reduction policies.

It was not to be. The UN remained committed to its bizarre target. Anthony White, the former supply reduction chief of the UN drug control programme noted: “the mildest forms of liberalization or dissent evoke overreaction verging upon hysteria. To me, this is the most troubling aspect, suggesting that we need to get back to some serious thinking, rather than hanging on until 2008 in the hope that reality will somehow fall into line with wishful thinking.” ■