

# 58<sup>th</sup> SESSION OF THE HUMAN RIGHTS COUNCIL: DRUG POLICY HIGHLIGHTS

April 2025

Between 24 February and 4 April 2025, the Human Rights Council held its [58<sup>th</sup> session](#). This briefing highlights key debates, decisions and documents in which drug control and its impact on human rights were analysed and addressed.

## BIENNIAL HIGH-LEVEL PANEL ON DEATH PENALTY

This high-level panel analysed the contribution of the judiciary to the advancement of human rights and the question of the death penalty. Providing examples of good practices, the panel explored how the judiciary has contributed to reducing the application of the death penalty and discussed how the Council and its mechanisms can support states to abide by their international human rights obligations regarding the death penalty.

There was consensus among the speakers about the incompatibility of the death penalty with human dignity and rights and about the key role that the judiciary can play in limiting the use of the death penalty as a key step towards abolition. In his [opening remarks](#), the High Commissioner for Human Rights, Volker Türk, expressed his concern over the surge in executions over the years, largely driven by drug offences, and urged states that have yet to adopt a moratorium on capital punishment to take decisive steps toward its full abolition. Türk also encouraged members of the judiciary to “redouble their efforts towards abolition of the death penalty in practice, by using their discretion to impose alternative sentences.”

Panellist [Ramkarpal Singh](#) (member of parliament and former Deputy Minister in the Prime Minister's Department of Malaysia) provided insights into the 2023 legal reform that resorted to judicial discretion in death penalty cases, and the resentencing of people on death row (most of whom were convicted for drug offences). After the reviewing process, 860 out of 936 resentencing applications were approved, including all drug-related cases, with death sentences replaced by imprisonment and whipping.

The panel discussion was followed by an interactive dialogue. The majority of member states recognised the crucial role of the judiciary in upholding human rights and limiting the use of capital punishment. Delegations from Australia, [Belgium](#) (on behalf of the Death Penalty Core group), [European Union](#), [Iceland](#) (on behalf of Nordic Baltic countries), [Sierra Leone](#), among others, expressed their concern for the use of the death penalty in cases that do not meet the legal threshold of most serious crimes; including drug crimes. [Malaysia](#) reaffirmed its commitment to ensuring the implementation of safeguards in capital cases in line with human rights obligations.

Civil society made valuable contributions, including [HRI](#), which emphasised that drug offences are driving executions globally and that drug policy reform is instrumental to achieving total abolition of the death penalty. HRI expressed concern over drug control laws restricting judicial discretion by prescribing mandatory death sentences or legal presumptions; and called for a coordinated international response to halt executions, promote moratoria on capital punishment for drug offenses, and protect civil society's role in the reform.

## PANEL DISCUSSION ON HIV RESPONSE AND LEAVING NO ONE BEHIND

The panel served as a valuable platform for showcasing achievements, reforms and good practices in HIV prevention and response. Central to the discussion was the global funding crisis for HIV interventions, including harm reduction. The crisis was identified as a significant threat to decades of progress in fighting HIV, underscoring the urgency of securing sustainable funding to guarantee equitable access to services, achieve the 2030 Sustainable Development Goals, and guarantee the long-term success of any programme.

All speakers highlighted the importance human rights and evidence-based approaches that put key population and their communities at the centre of HIV responses. Following opening remarks by [Nada Al-Nashif](#) (Deputy High Commissioner for Human Rights) and [Christine Stegling](#) (Deputy Executive Director at UNAIDS), Dr. [Adeeba Kamarulzaman](#) (Vice-Chair of the WHO Science Council) shared successful examples of harm reduction interventions that led to a significant decrease in HIV infections among people who inject drugs; while noting that countries that continue to enforce punitive measures face a surge in HIV epidemics among this community. She highlighted that despite clear evidence showing its effectiveness, harm reduction continues to be severely underfunded, stressing the need for a robust financing system that supports legal and policy reforms. [Vuyiseka Dubula](#) (Global Fund to fight AIDS, TB and Malaria) focused on the key role of the Global Fund in sustaining and scaling up prevention services and HIV treatment, and on its potential to help reduce barriers and support community-led initiatives. From the community perspective, the panel heard from [Erika Castellanos](#) (Global Action for Trans Equality) and [Florence Riako Anam](#) (Global Network of People Living with HIV). They highlighted that violence, stigmatisation and criminalisation of key populations - particularly the unprecedented backlash against trans and gender non-conforming people from governments, public and private institutions and even within the UN system - hinder equal access to services; making the case for advocacy and activism to challenge legal barriers. Both speakers called on member states to protect community services from funding cuts to strengthen the global HIV response, including by securing and scaling up funds in a sustainable and equitable way.

Presentations were followed by a constructive dialogue with member states, international organisations and civil society. There was consensus on the relevance of a human rights and evidence-based approach to HIV to ensure equitable access to prevention, treatment and care, underscoring the urgent need of addressing stigmatisation, discrimination and criminalisation of marginalised population most affected by HIV, including people who use drug, sex workers, women and girls among others.

Delegates from the [EU](#), [Finland](#), [IDLO](#), Luxembourg, [Malaysia](#) and [PMNCH](#) (jointly with UNAIDS, UNDP, UNFPA, UN women and WHO) voiced their concern about the current crisis in funding, calling for strengthening cooperation and renewing financial commitments. Germany announced the allocation of additional funding to UNAIDS to combat gender violence and discrimination against LGBTQ people. Meanwhile, [South Africa](#) revealed plans to co-host the Global Fund's eight replenishment later this year, presenting an opportunity to address the funding gap.

Civil society, including [HRI](#) (jointly with INPUD and eleven other organisations) and [IDPC](#), highlighted among others the criminalisation against people who use drugs and the funding cuts impacting on the availability of harm reduction services; and called on member states, international donors and UN agencies to ensure continuation of services for people who use drugs, including in prison and other custodial settings, and to increase domestic investment in

harm reduction. Similar concerns were raised by the [Global Network of Sex Work Project \(NSWP\)](#) and [ICW Global Community of Women living with HIV](#), highlighting that the funding crisis is disrupting essential services for people living with HIV, increasing the risk of a surge in infections and preventable loss of lives. [Eurazijos žalos mažinimo asociacija](#), [Frontline AIDS](#) and [ILGA](#) raised concerns about how laws and policies, including punitive approaches to drugs and anti-LGBTQ legislation, are being used to restrict civil society space through censorship and criminalisation of activists, advocates and communities.

## GENERAL DEBATE (ITEM 3)

During this general debate, [Colombia](#), representing 20 member states (including the core group on Drug Policy and Human Rights), addressed the issue of punitive drug policies and their negative impacts on human rights. The delegation highlighted that punitive drug policies lead to systematic human rights violations and abuses by -among other things- hindering access to health and harm reduction services and fuelling stigma, discrimination and criminalisation, which disproportionately impact marginalised and key populations. The statement underscored the critical leadership role of the Human Rights Council and OHCHR in guiding the UN ecosystem towards a drug control framework that integrates human rights and public health-based approaches in the design and implementation of drug policies, including advancing harm reduction strategies. It also highlighted the importance to recognise people who use drugs as individuals with inherent dignity, and as human rights holders who should not be criminalised. Additionally, it expressed concerns over the liquidity crisis, which is undermining human rights mechanism and UN agencies such as WHO among others, while reaffirming its commitment to promote and support human rights approach to drug policies.

## JOINT ID WITH SPECIAL RAPPORTEUR AND FACT-FINDING MISSION ON IRAN

The session featured presentations by the Special Rapporteur on Iran, Mai Sato, and the Chair of the Fact-Finding Mission (FFM) on Iran, Sara Hossain, on the human rights situation in the Islamic Republic of Iran. Hossain shared the key findings of the FFM ([A/HRC/58/63](#)) after two years of investigation (Sept 2022-Dec 2024), concluding that gross human rights violations had occurred in the aftermath of protests, some of which amount to crimes against humanity. Sato presented her first report to the Council ([A/HRC/58/62](#)), highlighting a sharp increase in executions in 2024, with over 900 recorded cases, making Iran the highest executioner per capita globally. Nearly half of these executions were for drug offences, which fail to meet the "most serious crimes" threshold under international law. She also raised concerns about the projected rise in executions in 2025, which could exceed 1,000. The report also analysed the intersection of gender with ethnic and religious discrimination in Iran and cases of arbitrary detention, unfair trials, which in some cases, results in death sentences.

A central finding of the report is the systemic lack of transparency in death penalty cases, as Iran continued to withhold official execution figures. Reportedly, only 10% of known executions were announced through official channels. The Rapporteur called on Iran to enable the reporting of all capital cases, make individual judgments publicly available, and regularly release statistics of death sentences and executions with demographic information.

During the interactive dialogue, over 19 countries, including [Albania](#), [Chile](#), [Greece](#), and the [UK](#), condemned the use of the death penalty in Iran, particularly its extended application to women

and in cases that do not meet international standards, such as on drug offences. They also expressed concerns about the repeated patterns of fair trial violations, including arbitrary arrests and systemic use of torture to extract forced confession, that have led to death sentences. [Australia](#), [Austria](#), [Germany](#) and [Moldova](#) called on Iran to halt all executions, implement a moratorium on the use of the death penalty, cease all arbitrary detentions, inhumane treatment and ensure due process to all.

## UNIVERSAL PERIODIC REVIEWS

The Council adopted the outcomes of the Universal Periodic Reviews of several countries, with some specific recommendations on drug policies:

- [Brunei](#) received 15 recommendations regarding the use of death penalty, including to limit the use of capital punishment to crimes that meet the threshold of most serious crimes under international law. However, Brunei did not accept any of these recommendations, it reaffirmed they keep a moratorium on capital punishment, which is a sign of renewal commitment.
- [Qatar](#) received 23 recommendations regarding the use of the death penalty, including recommendations to ratify the Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, to establish a moratorium on the death penalty and to take actions to abolish capital punishment. however, all of them were noted.

## OTHER RELEVANT DEVELOPMENTS

The Council passed a new [resolution](#) on the Situation of human rights on the Islamic Republic of Iran, which extends the mandate of Special Rapporteur on the issue for another year and requests the Special Rapporteur to submit a report to 61th session of the Human Rights Council and to the 80<sup>th</sup> session of the UN General Assembly.