

# **61<sup>st</sup> SESSION OF THE HUMAN RIGHTS COUNCIL: DRUG POLICY OPPORTUNITIES**

The upcoming [61st Session of the Human Rights Council](#), to be held between 23 February and 31 March 2026, presents critical opportunities for reflecting on the impacts of drug control policies on human rights worldwide and on States' obligations to promote and protect people's rights, while discussing pathways for reform.

Below are some key moments where drug policy will or can be addressed, and suggestions for mainstreaming drug policy in the session. More information about civil society participation during the session can be found [here](#).

## **ID WITH THE SPECIAL RAPPOREUR ON TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT**

### **Item 3, 2 March at 2.30pm GVA**

The Human Rights Council will consider two reports from the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Alice Jill Edwards, including a thematic report ([A/HRC/61/42](#)) which examines how torture occurs and its effects on individuals, families and societies, while documenting barriers faced in accessing justice and redress. The report highlights how criminal justice and policing frameworks can either prevent inhuman treatment or create environments in which such treatment is encouraged or tolerated; pausing on practices such as arrest quotas, coerced confessions, extortion, and other forms of ill-treatment, which have long documented by civil society, including in the context of drug control.<sup>1</sup>

The report also introduces the new Charter of Rights of Victims and Survivors of Torture and Other Cruel, Inhumane or Degrading Treatment of Punishment. Grounded entirely in survivors' experiences, it provides a framework for States and other actors to strengthen accountability, justice, reparation and rehabilitation. The report seeks to deepen understanding of how torture occurs, its lasting effects on individuals, families and societies, and the significant barriers survivors face in accessing justice and redress.

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<sup>1</sup> See, for example, <https://hri.global/publications/human-right-committee-country-review-of-indonesia/>; <https://www.amnesty.org/en/documents/asa35/8759/2024/en/>; <https://hri.global/publications/report-to-the-special-rapporteur-on-torture-and-other-cruel-inhuman-or-degrading-treatment-or-punishment-on-accountability-for-torture-and-other-cruel-inhuman-or-degrading-treatment-or-punishment/>; among others.

The interactive dialogue provides an opportunity to examine how punitive drug policies intersect with the absolute prohibition of torture and ill-treatment. As underscored in the Charter of Rights of Victims and Survivors, torture and cruel treatment occur in places of detention, during unrest and under authoritarian practices, including in the context of so-called “wars on drugs.” In many settings, coercive interrogations, compulsory drug detention, invasive searches, denial of medical care, prolonged pretrial detention and abusive prison conditions raise serious concerns under international law. Civil society and Member States may therefore wish to call for stronger safeguards, independent oversight and accountability in drug control policies and law enforcement, as well as greater reliance on alternatives to incarceration and voluntary, evidence-based treatment and harm reduction, in line with the prohibition of torture and the rights of victims and survivors.

## **ID WITH SPECIAL RAPPORTEUR ON HUMAN RIGHTS DEFENDERS**

### **Item 3, 3 March at 2.30pm GVA**

The Special Rapporteur on Human Rights Defenders, Mary Lawlor, will present her thematic report ([A/HRC/61/40](#)) and the report on her visit to Bosnia and Herzegovina ([A/HRC/61/40/Add.1](#)). The thematic report explores the devastating impact of funding cuts for human rights defenders and advocates, compounded by an increasingly restrictive and hostile climate in which they are compelled to carry out their work. As a result, human rights defenders are working with less resources and in unsafe conditions, undermining their capacity to promote and protect the rights of those left behind.

These impacts, as highlighted by the human rights defender Suar Perempuan Lingkar Napza Nusantara from Indonesia, are not abstract for grass-roots communities, but translate into lives lost, deteriorating health and defenders left unprotected. Reduced emergency assistance, psychosocial support, legal aid and outreach capacity have particularly severe consequences for those working in remote and marginalised contexts, including women human rights defenders. The report also assesses the effectiveness of international protection mechanisms, and offers recommendations grounded in defenders’ own priorities.

The report concludes with recommendations to key stakeholders, including Member States, urging renewed commitment to the Universal Declaration of Human Rights through stronger accountability for violations and reprisals against human rights defenders and increased flexible core funding for human rights organisation.

The interactive dialogue offers a key opportunity to highlight the specific vulnerabilities of defenders working on drug policy reform and harm reduction; including people who use drugs, civil society, and harm reduction service providers. In many countries, these advocates face criminalisation, harassment,

surveillance and funding restrictions, especially where punitive “war on drugs” approaches prevail. Civil society and Member States may wish to raise concerns about the shrinking civic space for harm reduction organisations, the impact of funding cuts on life-saving services such as needle and syringe programmes and overdose prevention, and the need for stronger protection mechanisms for defenders supporting people who use drugs. Emphasising the legitimacy of harm reduction and drug policy reform as human rights work would reaffirm States’ obligations to ensure a safe and enabling environment for those defending the rights to health, life and dignity.

## **ID WITH SPECIAL RAPPORTEUR ON THE RIGHT TO ADEQUATE HOUSING**

### **Item 3, 4 March at 9.30am GVA**

During this interactive dialogue, the Council will hear from the Special Rapporteur on the rights to adequate housing, Balakrishnan Rajagopal, on his final reports on Guiding principles on resettlement ([A/HRC/61/43](#)) and on his visit to Guatemala (A/HRC/61/43/Add.1)

His thematic report introduces the Guiding Principles on Resettlement, grounded in the right to adequate housing and the principle of non-discrimination, which establishes that resettlement must be rights-based, participatory and non-discriminatory. It requires States to ensure equal access to adequate housing, services and remedies, and to prevent exclusion or marginalisation based on social status, health or other prohibited grounds.

Civil society and Member States may use this valuable platform to share best practices and highlight how punitive drug policies and administrative barriers undermine the right to adequate housing, and to call for inclusive housing frameworks that decouple access to shelter from criminalisation, or abstinence. In many contexts, individuals are excluded from social housing, evicted from shelters, or denied resettlement support due to criminal records or stigma linked to drug use. Ensuring non-discriminatory resettlement is essential to advancing harm reduction, social reintegration and the broader realisation of the rights to health, dignity and equality.

## **PANEL DISCUSSION ON ‘PROMISING PRACTICES AND MEASURES TO MOBILISE PUBLIC RESOURCES TO FINANCE SUSTAINABLE DEVELOPMENT IN A MANNER CONSISTENT WITH STATES’ ECONOMIC, SOCIAL AND CULTURAL RIGHTS OBLIGATIONS’**

**Item 3, 5 March at 9.30am GVA**

The panel aims to identify practical measures to mobilise and allocate public resources for sustainable development in line with States’ economic, social and cultural rights obligations, focusing on equitable revenue generation, rights-based budgeting and spending, transparent and participatory governance, and reform of the global financial architecture.

Civil society and member states can strategically engage on this panel to scrutinise punitive drug policies as inefficient public spending and further argue that it is against the principles of ‘maximum available resources’ as outlined under the International Convention on Economic, Social and Cultural Rights. This is also an opportunity to share best practices around harm reduction as a good investment in human rights.

## **ID WITH SPECIAL RAPPORTEUR ON COUNTER-TERRORISM AND HUMAN RIGHTS**

**Item 3, 10 March at 2.30pm GVA**

The Human Rights Council will consider two reports from the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Saul; on his visit to Cote D'Ivoire (A/HRC/61/52/Add.1) and the thematic report ([A/HRC/61/52](#)). The thematic report revises the definition of terrorism first developed in 2010, with an aim to guide States and international bodies in framing counter-terrorism laws that are precise, legally sound and fully consistent with human rights. In doing so, the Special Rapporteur underscores the importance of maintaining clear legal distinctions, noting that grave recent abuses have arisen where counter-terrorism frameworks have been misapplied to drug cartels and gangs that lack the required political or ideological motive. He suggests that proportionate amendments to organized crime laws, rather than an unjustified escalation to a counter-terrorism paradigm, are the more appropriate legal response.

During the interactive dialogue, civil society and Member States can use this opportunity to raise concerns about the human rights consequences of conflating drug control with terrorism, including the risk of disproportionate sentencing, militarisation and imposition of states of exception in law enforcement operations and criminalisation of humanitarian and harm reduction actors. Reaffirming a narrow, human rights-compliant definition of terrorism would help counter the narrative that drug-related crime constitutes

terrorism per se and encourage States to respond through proportionate criminal justice measures, public health strategies and social investment rather than securitised and militarised frameworks.

## **JOINT INTERACTIVE DIALOGUE WITH SPECIAL RAPPORTEUR ON ISLAMIC REPUBLIC OF IRAN AND FACT-FINDING MISSION**

### **Item 4, 16 March at 9.30am GVA**

In a joint interactive dialogue, the Special Rapporteur on the situation of human rights in Iran, Mai Sato, and the Fact-Finding Mission on the Islamic Republic of Iran, chaired by Sara Hossain, will present their reports to the Council (soon to be published [here](#)). The reports are expected to provide an update on the human rights situation in the country, including in the context of growing protests and violent repression, and to examine the pervasive use of the death penalty, particularly for drug offences, which in 2025 has reached record levels.

This platform provides Member States and civil society with a timely opportunity to reaffirm their commitment to the global abolition of the death penalty, to raise serious concerns about the use of capital punishment in Iran, including for drug offences; and further encourage a coordinated international response alongside broader, rights-based reform of the country's drug policies.

## **UNIVERSAL PERIODIC REVIEWS**

### **Item 6, 18 –23 March**

During the session, the outcomes of reviews carried out at the 50th UPR session on 3 –14 November 2025 will be adopted. For the countries under review ([Andorra](#), [Belarus](#), Bulgaria, Croatia, Honduras, Jamaica, Liberia, Libya, [Malawi](#), [Maldives](#), Marshall Islands, [Mongolia](#) and [Panama](#)), it will be an opportunity to reaffirm their commitment to the promotion and protection of human rights. Belarus, Malawi, and the Maldives received recommendations to ratify the second optional protocol of the ICCPR, to maintain moratoria, and to abolish the death penalty in law. One specific recommendation for Maldives – which expanded the death penalty to drug offences in December 2025 - is to 'introduce a de jure moratorium on the death penalty, including for drug-related offences.

Belarus also received a recommendation to repeal criminalisation against HIV transmission, while Malawi received a recommendation to 'increase public spending on health, in accordance with the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Disease,...' and to adopt 'human rights-based approach to drug use, ensuring the availability of harm reduction programmes and healthcare services, psychological support and rehabilitation.'