

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

April 2026

Between 23 February and 31 March 2026, the Human Rights Council held its [61<sup>st</sup> session](#). This briefing highlights key debates, decisions, and documents in which drug policy and its impact on human rights were analysed and addressed.

Recorded sessions of the Council can be accessed [here](#) and oral statements [here](#).

## **ID WITH SPECIAL RAPPORTEUR AND FACT-FINDING MISSION ON THE HUMAN RIGHTS SITUATION IN IRAN**

At the Interactive Dialogue on 16 March, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mai Sato, and the Independent International Fact-Finding Mission on the Islamic Republic of Iran (FFM) presented their reports on recent developments in the country. These discussions took place against the backdrop of heightened regional tensions and unrest in Iran following Israeli and United States strikes, which further deteriorated an already volatile context.

Both reports addressed the escalation in executions in the past year, with drug offences accounting for almost half of all reported executions in 2025. The Special Rapporteur report ([A/HRC/61/59](#)) paused on the disproportionate impact of this measure on foreign nationals and individuals belonging to ethnic minority groups, in cases ‘often marked by poverty, undocumented status and lack of due process protections, including reliance on forced confessions.’ It also noted the ongoing lack of transparency by Iran on use of the death penalty, in violation of international obligations, and the role of civil society, journalists and the families of those executed – operating in a context of severe repression – as the primary source of credible information. The FFM report ([A/HRC/61/60](#)) presents consistent findings and also denounces fair trial violations and torture in capital cases. On drug cases specifically, the FFM documented cases of individuals sentenced to death for transporting drugs due to economic hardship, some ‘unaware of the content they had been asked to transport. Many were unable to afford a lawyer, rendering them more vulnerable to physical violence in custody. As in other cases before the Revolutionary Courts, the trials were reportedly brief, with the accused only having access to a state-appointed lawyer via video conference.’

During the ID, several states including [Belgium](#), [Canada](#) jointly with Australia and New Zealand, [Chile](#), the [EU](#), [Germany](#), [Italy](#), [Liechtenstein](#), [Moldova](#), [Montenegro](#), [Netherlands](#), [Romania](#), [Spain](#) and [Switzerland](#) condemned the spike in executions and urged Iran to restrict use of capital punishment to most serious crimes, establish a moratorium, and move towards abolition. Among civil society, [Ensemble Contre la Peine de Mort \(ECPM\)](#) denounced the executions and called for attention to the situation of people in prison – among the most vulnerable victims of the US/Israeli attacks, who risk bombardment and executions. A [joint statement](#) by HRI, the International Drug Policy Consortium (IDPC), The Advocates for Human Rights and Elementa echoed concerns for the rising number of drug-related executions and the ongoing cooperation of UN agencies with drug control programmes in the country; and

called on the Special Rapporteur, the Council, and UN agencies to support Iran to align domestic drug policies with international human rights obligations.

## **ID WITH SR ON HUMAN RIGHTS AND COUNTER-TERRORISM**

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Saul, presented his report on the definition of terrorism ([A/HRC/61/52](#)) and reports on country visits to [Somalia](#) and [Cote d'Ivoire](#). The report underscores the importance of maintaining clear legal distinctions, including between terrorism and transnational organised crime, noting that grave recent abuses have arisen where counter-terrorism frameworks have been misapplied to drug cartels. In his presentation, the Special Rapporteur stressed this point – denouncing: ‘a phoney war on “narco-terrorism” in the Americas has taken the lives of 151 civilians on the high seas in 45 illegal military strikes, and led to hundreds of illegal summary deportations. Most States have not protested.’

The Special Rapporteur findings echo that of another report presented to the Council at this session: the report by the Secretary General on terrorism and human rights ([A/80/380](#)), first presented to the UN General Assembly in September 2025. The report stressed how designating as terrorist entities organised criminal groups that neither carry out acts of terrorism nor engage in activities that are inherently terrorist in nature – such as in the case of the terrorist designations of drug cartels by the USA - raises human rights concerns, can lead to disproportionate or unnecessary interventions, and can exacerbate pre-existing human rights vulnerabilities.

This was reiterated during the debate by [Venezuela](#) – which denounced how narcoterrorism was used as excuse to justify military aggression in the country; and [Mexico](#), which denounced recent abuses of anti-terrorism legislation against organised crime groups that are not politically or ideologically motivated. A joint civil society [statement](#) led by IDPC denounced the resurgence of the ‘narcoterrorism’ narrative and its human rights implications, as exemplified by the extrajudicial killings carried out by the USA in international waters; and called on the Special Rapporteur to continue raising the alarm over this deeply harmful narrative.

## **PRESENTATION OF THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS’S COUNTRY ACTIVITIES REPORTS AND SECRETARY GENERAL’S ORAL UPDATE**

On 27 February, Assistant Secretary-General Brands Kehris presented OHCHR reports on activities in Colombia, Guatemala, Honduras and Cyprus, and the Secretary General oral update on Afghanistan.

The OHCHR report on **Colombia** ([A/HRC/61/20](#)) briefly touches on the implementation of the national drug policy plan and the development of ‘a comprehensive intervention model for the transition of campesino coca-leaf growers to legal economic activities’, reportedly impinged by limited funding and coordination with local governments. The presentation called for stronger coordination between national and local authorities to ensure the effective implementation of peace, security, and drug policies; including through a shift towards the formal economy. Colombia acknowledged ongoing challenges and the urgency of structural

transformations, and reiterated commitments to address drug policy as a human rights, public health, and human dignity issue; noting how longstanding repressive approaches have disproportionately harmed groups that do not benefit from the illicit drug market.

The report on **Honduras** ([A/HRC/61/19](#)) denounced reported human rights violations by police forces, including ill-treatment, arbitrary detention and deaths in custody, some 'with the aim of obtaining information about alleged gang membership or securing confessions about the commission of offences, including those related to drug possession.' The report detailed how under the state of emergency, authorities have prioritised the prosecution of small-scale trafficking, overburdening the criminal justice systems; insomuch that 'between 1 January and 1 November 2025, the police made a total of 15,953 arrests, of which 13,059 were related to drug trafficking'; some raising significant due process concerns. The new administration of Honduras announced its decision to revoke the state of emergency, and committed to a more targeted and human rights-centred approach.

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

In its last report as Special Rapporteur on housing, Mr Balakrishnan Rajagopal presented the Guiding Principles on Resettlement ([A/HRC/61/43](#)). During the debate, HRI jointly with Elementa, IDPC, Instituto Ria and Skoun Lebanese Addictions Center [addressed](#) the exclusion of people who use drugs from housing and shelters programmes due to criminalisation and discrimination, and called on states to reinvest resources away from punitive drug control and towards health and social services, including housing. [AKAHATÁ Equipo de Trabajo en Sexualidad y Géneros Asociación Civil](#) brought attention to the risk of eviction and homelessness faced by LGBT people as well as sex workers and people living with HIV, due to stigma and impoverishment.

## **PANEL DISCUSSION ON FINANCING SUSTAINABLE DEVELOPMENT IN LINE WITH ECONOMIC, SOCIAL AND CULTURAL RIGHTS OBLIGATIONS**

The panel was held to address promising practices and measures to mobilize public resources to finance sustainable development. Most of the debate focused on reforming the international financial architecture and a human rights economy, with speakers highlighting how promoting human rights is not only a legal obligation, but a driver of economic growth. Some states (such as Kenya on behalf of the African group, and Egypt) pointed to declining levels of Overseas Development Assurances undermining efforts to invest in health and other essential services. HRI delivered a joint [statement](#) highlighting the massive investment in harmful and ineffective drug policies, and calling for redirection of these resources towards effective, evidence-based, community-led health systems.

## **UNIVERSAL PERIODIC REVIEWS**

The Council adopted the outcomes of the 50<sup>th</sup> session of the UPR Working Group (held in November 2025), including some specific recommendations on drug policies.

Most notably [the Maldives](#), which introduced the death penalty for drug trafficking in December 2025<sup>1</sup> and is reportedly [considering a law](#) which would allow to restart executions, received several recommendations to abolish or restrict use of the death penalty to most serious crimes, to introduce a formal moratorium on executions including for drug offences, and to ratify the second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty (OPII). The Maldives noted all relevant recommendations and defended expanding the death penalty to drug trafficking as a measure to safeguard ‘the development of the nation and its population.’ In a joint statement, The Advocates for Human Rights, Anti-Death Penalty Asia Network (ADPAN), Maldivian Democracy Network (MDN) and Capital Punishment Justice Project expressed disappointment that all death penalty recommendations were noted, reiterated that use of the death penalty for drug offences does not address the challenges the country faces related to drug control, and called on the Maldives to repeal the Drug Law Amendment and take positive steps towards abolition.

[Libya](#), which retains the death penalty for drug offences, received several recommendations to abolish or restrict use of the death penalty and ratify OPII. None were accepted.

Three countries received recommendations related to strengthening prevention, treatment and health-based responses to drug use. [Malawi](#) accepted a recommendation by Colombia to consider adopting a human rights-based approach to drug use, ensuring the availability of harm reduction programmes as well as healthcare services, psychological support and rehabilitation. [Croatia](#) and [Liberia](#) accepted recommendations to enhance prevention, treatment and rehabilitation responses to drug use, with a particular focus on young people. In this context, Croatia explained that over 300 awareness-raising prevention programmes are carried out annually, primarily in schools.

## OTHER RELEVANT DEVELOPMENTS

- During the **High Level Segment** on 26 February, [Colombia](#)’s Ambassador called for a shift from repressive and ineffective drug policies, towards an approach centred around human rights, health and well-being. Concern was also expressed for the systemic rights violations experienced by human rights defenders, partly enabled by drug trafficking and the illegal exploitation of mineral resources.
- During the **ID with the Special Rapporteur on Torture**, the NGO [Conectas Dereitos Humanos](#) denounced the adoption by the Brazilian Congress of legislation increasing prison sentences and restricting access to sentence progression; which encourages the continued use of pre-trial detention against individuals in situations of vulnerability, such as people who use drugs, also contributing to the expansion of the prison population.
- **Report of the Human Rights Council Advisory Committee on Impact of disinformation on the enjoyment and realization of human rights (A/HRC/61/68)**. The

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<sup>1</sup> See ADPAN et al. (19 December 2025), ‘The Maldives: Joint statement denouncing the expansion of the death penalty for drug-trafficking offences’. Available from: <https://www.cjpp.org.au/news/joint-statement-the-maldives-9dec2025>.

report stresses the role of systemic disinformation in reinforcing social inequalities and marginalising vulnerable populations; identifying the HIV/AIDS epidemic as an area where systemic disinformation has caused long-term harm. The report concludes that disinformation on HIV/AIDS has ‘fuelled stigmatization, delayed responses and contributed to preventable deaths’; with disinformation preventing people from accessing health servicing while also shaping discriminatory laws and practices.

#### - **Drug policy issues in other reports on country-specific situations**

Several Special Procedures addressed human rights implications of drug policies in reports presented to the Council at this session:

- In his report on women and girls right to health ([A/HRC/61/63](#)), the Special Rapporteur on the situation of human rights in **Afghanistan** expressed concerns for women who use drugs in the country; detailing how under the Taliban, drug use is treated as a criminal offense rather than a public health issue, and people who use drugs face corporal punishment, detention, and forced treatment. ‘Most drug treatment centres cater to men, with far fewer facilities for women, significantly limiting their access to care. Funding cuts since 2021 have sharply reduced service availability: by 2023 approximately 44% of drug treatment centres had closed, while only 10% remained operational, many on severely reduced budgets.’ The Rapporteur denounced severe barriers to accessing health services for women in detention, and for survivors of gender-based violence; with services including HIV/STI testing and treatment in many cases closed or suspended.
- The Special Rapporteur on Human Rights in the **Democratic People’s Republic of Korea** ([A/HRC/61/55](#)) denounced use of the death penalty for offences that do not meet the threshold of ‘most serious crimes’ – such as drug offences – and public executions. It encouraged the country to improve transparency on use of capital punishment, including by monitoring and reporting death sentences and executions.
- Reporting on her country visit to **Mongolia** ([A/HRC/61/48/Add.1](#)), the Special Rapporteur on the right to privacy assessed risks related to electronic monitoring of people convicted of crimes and its potential use for unlawful surveillance. The Rapporteur noted how the development of electronic monitoring systems that can monitor drug consumption risks allowing the collection of excessive personal data.
- The Special Rapporteur on the situation of human rights in **Myanmar** ([A/HRC/61/58](#)) noted a dramatic increase in drug production and trafficking since the coup: opium production more than doubled since 2020, making Myanmar the world’s main source of opium; while the methamphetamine market has also expanded. The Rapporteur denounced an increase in violence both inside Myanmar and in the region, with drug trafficking playing a driving role.

#### - **Resolutions on issues adjacent to drug policy**

The Council adopted several resolutions relevant to drug policy issues, most notably:

- **Resolution on mental health and human rights** ([A/HRC/RES/61/18](#)) requests member states to fully integrate human rights into mental health services and to eliminate all forms of stigma and discrimination; consistently with previous iterations, it acknowledges the intersections between mental health and HIV, and stresses the importance of improving psychosocial well-being and the quality of life of people

affected by and living with HIV by implementing community-, evidence- and human rights-based and people-centred policies and programmes for HIV prevention, diagnosis, treatment and comprehensive care.

- **Resolution on human rights of persons in street situations** ([A/HRC/RES/61/20](#)): a new resolution expressing concern for the growing number of people in street situations in both developing and developed countries, condemning all forms of discrimination, abuse and violence against an often ‘invisible group’, and stressing the need for a comprehensive approach. The resolution calls on Member States to ‘take all measures necessary to eliminate legislation that criminalises homelessness, and to refrain from measures that revictimise persons in street situations and perpetuate the vicious circle of extreme poverty’, and encourages adopting housing-led approaches.

## SIDE EVENTS

- **The Abuse of Counter-terrorism Law to Combat Drugs and Other Organized Crime.**  
The side event, co-hosted by the Special Rapporteur on human rights and counter-terrorism and Mexico, in collaboration with Centro de Estudios Legales y Sociales (CELS), Center for Constitutional Rights, Charity & Security Network and IDPC, provided a timely opportunity to reflect on the misuse of counter-terrorism laws and practices to (purportedly) counter transnational organised crime. The Special Rapporteur, Ben Saul, delivered [strong remarks](#) on ‘the new phoney war to so-called narcoterrorism’; recalling its use by the USA to justify extrajudicial executions and illegal aggression, and by other governments in the region to maximise exceptional legal powers, encourage public toleration of rights violations (including killings and arbitrary detention), increase pressure on other states to cooperate in law enforcement activities, and quash civil society. He also paused on why listing organised crime groups as terrorists is inconsistent with international standards and addressed human rights-centred pathways for confronting organised crime and drug trafficking.
- **Human Rights Implications of Drug Policy: Advancing human-rights based, evidence-informed and development-oriented policies.**  
The event, hosted on 16 March by OHCHR, the Permanent Mission of Colombia, UNDP and the Global Commission on Drug Policy launched UNDP’s new discussion paper ‘[Development Dimensions of Drug Policy](#): Assessing New Challenges, Uncovering Opportunities, and Addressing Emerging Issues’, which explores the links between drug policy, development, and human rights, including the potential of regulation. Speakers recalled the human rights and development impacts of drug policies, and how punitive approaches undermine public health, push communities into poverty and exclusion, and perpetuate criminalisation. Interventions highlighted how by expanding the harm reduction approach towards the supply side of the drug market, legal regulation emerges as a potential path to disrupt criminal organisations and intercept significant profits, which can be reinvested to fund public health, social support (including housing) and development. However, this requires a framework where governments remain in control, avoiding the pitfalls of over-commercialisation and exploitative supply chains.