

Public Health and Human Rights Centered Drug Policy

JUSTICE PROJECT PAKISTAN





From April 23-25, 2024, Justice Project Pakistan organised the conference "Reimagining Justice: The Human Rights Impact of Drug Policy" in Pakistan. This event aimed to initiate a comprehensive national dialogue on drug policy, presenting the United Nations Office of the High Commissioner for Human Rights' (UN OHCHR) recent report on the human rights challenges associated with addressing and countering the global drug problem. The conference consisted of focused sessions exploring various aspects of drug policy in Pakistan, including over-incarceration for drug offences, proportionate sentencing, the need for re-sentencing policies for individuals on death row for drug offences, effective legal representation, and the public health dimensions of drug policy, with a particular emphasis on advancing harm reduction strategies.

High-level stakeholders from the federal and provincial governments, judiciary, civil society, legal community, development partners, and representatives from UN agencies participated in seven separate sessions and three side events over three days. This report synthesizes the discussions and insights from these sessions, providing a narrative and analytical overview of the conference's proceedings.



## Reimagining Justice



## Reimagining Justice Conference 2024

Day 1 Tuesday, 23rd	April 2024	Day Wec
1:00-2:00pm	Opening Remarks	10:3
2:00-3:00pm	Plenary Session	
	Exploring Proportionate Sentencing For Drug-Related Offences	1:00
5:00-7:00pm	Side Event	
	Legal Aid and Justice Authority (LAJA) on Effective Legal Representation for Drug-Related Offences	5:0
Day 2 Tuesday, 24th	April 2024	
1:00-3:00pm	Plenary Session	
	Drug Policies and Personal Liberty and "Addressing Prison Overcrowding	

5:00-7:00pm Side Event

Side Event by National Commission for Human Rights (NCHR) on Incarceration of Foreign Nationals in Pakistan

#### y 3 dnesday, 25th April 2024

30am-12:00pm High-Level Consultation Legal Aid and Justice Authority (LAJA) on the Provision of Legal Aid for Drug-Related Offences

00-3:00pm Plenary Session

Effective Health and Harm Reduction Responses to Drug Use

00-7:00pm Side Event

Side Event on Advancing Harm Reduction Measures in Pakistan

Reimagining Justice : Public Health and Human Rights Centred Drug Policy " aims to foster a deep undertanding among political holders and spark public discourse on the the imperative shift towards human rights-centred drug policies.

Follow us on



@justiceprojectpak www.https://jpp.org.pk/

# REIMAGINING JUSTI CONF 2024

## **OPENING** CEREMONY

## **Opening Remarks**

"The law is not stagnant, we must make changes, amend laws in order to bring those laws in conformity with the needs of the day."

Azam Tarar Federal Minister for Law & Justice and Human Rights

The conference commenced with opening remarks by Sarah Belal, Executive Director of Justice Project Pakistan, who thanked attendees for their support and commitment at this crucial juncture for drug policy reform in Pakistan. She introduced Mr. Azam Nazeer Tarar, Federal Minister for Law & Justice and Human Rights, as the first keynote speaker. Mr. Tarar played a pivotal role in the passing of the Control of Narcotics Substances (Amendment) Act 2023, which abolished the death penalty for drug offences. He congratulated Justice Project Pakistan for organizing the conference, and highlighted the government's willingness to support open discussions to advance

Mr. Tarar underscored that laws must evolve to reflect changing human rights standards, citing examples such as the Supreme Court's establishment of sentencing guidelines for drug-related offences and the removal of capital punishment for these offences. He emphasized the state's responsibility to ensure punishment commensurate with the gravity of offences and the need for rehabilitation centres as mandated by the Control of Narcotics Substances Act 1997 (CNSA).

The next speaker was EU Ambassador H.E. Riina Kionka, who lauded the efforts of the UN Human Rights Office in publishing the 2023 report on human rights and drug policy and praised Justice Project Pakistan for facilitating this important dialogue. She reiterated the European Union's stance that punitive approaches to drug policy have exacerbated issues like prison overcrowding and advocated for harm reduction, prevention, treatment, and rehabilitation as key components of effective drug policy. She concluded by saying that the EU supports and actively works with partner countries like Pakistan to promote a human rights based approach to drug policy through their local mission in Islamabad, and lauded the 2023 amendment that eliminated the death penalty for drug offences.





#### "Persons who are drug dependent should be on board, otherwise any intervention will not be useful"

Zaved Mahmood Human Rights and Drug Policy Advisor, UN OHCHR

Zaved Mehmood, Human Rights and Drug Policy Advisor at the UN OHCHR, presented the findings of their report 'Human rights challenges in addressing and countering all aspects of the world drug problem'. He highlighted that the OHCHR was discussing, presenting and debating the report's findings and recommendations with stakeholders around the world, and this conference was the first platform they were attending in the region.





overcrowding by drug related offences and the use of the death penalty for drug related offences, the disproportionate impact of punitive drug policies on women, youth, minorities, and other vulnerable populations. Based on these findings, he shared the following key recommendations from the report:



- Transition from punitive measures to human rights and health centred approaches
- Exploring alternatives to the criminalization of drug use and prioritising voluntary and non-discriminatory treatment and harm reduction services
- Transferring drug enforcement responsibilities from military to properly trained civilian law enforcement agencies.
- Abolition of the death penalty for drug related offences.
- Voluntary treatment for drug dependence
- Allocation of funds for drug-related programmes, ensuring that such programmes don't result in human rights violations.
- Foster inclusivity by actively involving women, youth, vulnerable of drug use in policy discussions and decision-making processes.

groups such as minorities and individuals with lived experiences

## SPEAKERS



Yuki Takemoto Country Director, UNAIDS

**Michelle Shahid** 

Team Lead Advocacy, JPP



Dr Raheem Awan Director General | A.IA



Abdul Rashid Ismail Malaysian Lawyer and Member Human Rights Committee, Malaysian Bar Council.



Ambika Satkunanathan Former Commissioner, National Human Rights Commission Sri Lanka



**Heather Doyle** Project Manager, The Global Fund to Fight AIDS, Tuberculosis and Malaria



Anika Holterhof Crime Prevention and Criminal Justice Officer, UNODC



Saroop Ejaz Senior Counsel Asia Division, Human Rights Watch



Suniya Taimour UNAIDS



Executive Director Kuala Lumpur Legal Aid Centre



Justice (R) Shahid Jamil Lahore High Court



Haris Zaki Advocacy Specialist, JPP



Syed Zulfigar Hussain Director Drug Advisory Training Hub



**Ricardo Baptista Leite** Member of Parliament, Portugal



Jeevanathan Angappan Assistant Executive Director Kuala Lumpur Legal Aid Centre



Justice Jawad Hassan Lahore High Court



Justice (R) Masood Khan Court CNSA



Farhad Ali Shah Prosecutor General, Puniab



Dr Mowadat Rana Forensic Psychiatrist



Zille Huma Team Lead Data and Research, JPP



Azam Nazeer Tarar Federal Minister for Law & Justice, and Minister of Human Rights



Dr. Rai Muhammad Khan Director, Federal Judicial Academy



Sarah Belal Executive Director, Justice Project Pakistan



Zaved Mahmood Advisor on Human Rights and Drug Policy,the Office of the United Nations High Commissioner for Human Rights



Shakir Hussain Dawa Deputy Inspector General, Law & Order and Training, Islamabad Police



Senior Analyst, Harm Reduction International



Justice Mansoor Ali Shah Supreme Court of Pakistan



Ahmed Pansota Barrister



Adeeba Kamarulzaman Commissioner, Global Commission on Drug Policy



Syed Ishtiaq UI Hassan Gillani CEO United Global Organization of Development



Judge Amir Munir Director, Federal Judicial Academy



Malika Zafar Executive Director, Nai Zindagi

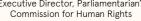




Rabiya Javeri Agha Chairperson, National Commission for Human Rights



Shafique Chaudhry





H.E. Alfred Granas German Ambassador to Pakistan



H.E. Frederico Silva Ambassador of Portugal to Pakistan



Rafael Barreto Souza Crime Prevention and Criminal Justice Officer, UNODC



Abdul Qadeer Alam Additional Inspector General Prisons, Punjab



H.E. Riina Kionka EU Ambassador to Pakistar



Sved Kaleem Imam

Executive Director, Parliamentarian's Inspector General, Police and former Secretary of the Ministry of Narcotics Control



Badar Kushnood Founder, Bramerz



South Asia Team Lead, UN OHCHR



Ms. Tahira Abdullah Human Rights Activist



Morhaneraj Rajakumaran Chairperson, Kuala Lumpur Bar Council Legal Aid Centre





REIMAGINING JUSTICE



13

de Justice Syed Mansoor Ali Shah

The panelists included Dr. Rai Muhammad (Director, Federal Judicial Academy), Justice (Retired) Masood Khan (KPK, Special Court CNSA), Ms. Ambika Satkunanathan (former Commissioner, National Human Rights Commission Sri Lanka), and Mr. Abdul Rashid Ismail (Malaysian Lawyer and Member Human Rights Committee, Malaysian Bar Council). The first plenary session, titled "Exploring Proportionate Sentencing for Drug-related Offences", delved into the intricacies of sentencing standards and the re-evaluation of death sentences for drug-related offences, in light of the recent removal of the death penalty for drug offences in July 2023. The keynote address was delivered by Honourable Justice Syed Mansoor Ali Shah of the Supreme Court of Pakistan, the incumbent Chief Justice and a jurist renowned for his progressive judicial activism and commitment to upholding human rights through both domestic and international law.

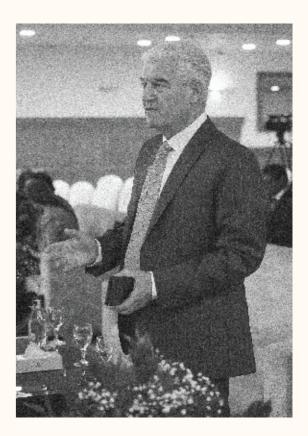
Justice Syed Mansoor Ali Shah emphasised the urgent need to shift from punitive measures to rehabilitation-focused approaches framed within a public health perspective. He echoed the findings of the OHCHR report, which calls for reducing punitive measures and promoting rehabilitation. Addressing the Federal Law Minister directly, Justice Shah recommended the establishment of rehabilitation centres across Pakistan under sections 53 and 54 of the CNSA. He underscored that without these centres, the recommendations on effective health services and treatment in the OHCHR report could not be fully implemented. Justice Shah also expressed concern about the 2022 amendment to the CNSA, which removed probation and parole for drug offenders, stating, "Without the ecosystem of rehabilitation centres, the recommendations of the OHCHR report cannot be implemented in full spirit...it is also a matter of concern that probation and parole is no longer available for drug offenders because of the 2022 amendment to the CNSA."



Watch the full panel discussion!



In response to Justice Shah's concerns, the Minister for Law & Justice, Azam Tarrar, stood up and addressed the audience, pledging to introduce an effective probation mechanism for persons charged with drug offences within the coming weeks by amending the law. This commitment was a significant moment, reflecting the government's willingness to align with international standards on human rights and rehabilitation in drug policy.



Following this, H.E. Frederico Silva, the Portuguese Ambassador to Pakistan, took the stage to reiterate the stance that punitive approaches to drugs had fallen short, advocating for a human rights-based approach. In his address, he shared insights from Portugal's pioneering drug policy, launched in 2001, which decriminalised personal drug use and possession. This policy shift focused on non-criminal administrative sanctions rather than criminal justice responses, aiming to treat drug use as a public health issue rather than a criminal one. He concluded by saying "I highlight the importance and effectiveness of health-centric, human rights-based drug policies. Every country's human rights journey is unique. Pakistan is not Portugal, and Portugal is not Pakistan. In July 2023, Pakistan eliminated the death penalty for drug offences and made public commitments at the UN Commission on Narcotic Drugs to improve treatment and health services. We applaud these steps and hope to see this trend continue. The crucial role of local civil society should not be overlooked. Having so many drug policy stakeholders present is a welcome sight, and we hope the momentum here continues to grow."



With these foundational perspectives, the panel commenced its in-depth exploration of proportionate sentencing. Moderated by Sarah Belal, the session featured contributions from esteemed panelists including Ms. Ambika Satkunanathan, an internationally renowned legal and policy expert on drug policy, who began by commending Pakistan's progress in drug policy reform. She pointed out that low quantity thresholds for drugs in the law can lead to disproportionate sentences for drug users, failing to consider the socio-economic factors driving drug use. With these low thresholds, possession for personal use can often be treated as trafficking, which carries harsher penalties in the law. She emphasised the necessity of basing the threshold of illegality on scientific evidence, in consultation with medical, human rights, and social experts.

"The goal must be to prevent the criminalization of persons who use drugs and to treat it as a health issue, and sentencing practices must echo this ethos."

Ambika Satkunanathan, Former Commissioner, National Human Rights Commission Sri Lanka

Watch the full panel discussion!



Judge (Retd.) Masood Khan of the KPK Special Court CNSA critiqued the 2022 amendment to the CNSA for its regressive nature, which enhanced punishments and removed probation and parole. He underscored the importance of consistent and proportionate sentencing, advocating for federal legislation that mirrors the progressive elements of the KP Sentencing Act. With decades of experience under his belt, Judge Khan has seen the widely varying sentencing practices of the judiciary in drug cases, and was of the opinion that punitive approaches have had no effect on drug use among the population. He stressed, "The KP sentencing act can serve as the basis for a federal sentencing act, but we have to replace the idea in the act that sentencing is for deterrence, with the idea that sentencing is for rehabilitation." Judge Khan also reflected on his experience in KPK, noting that despite efforts to release prisoners on probation, the lack of alternatives to incarceration and the high number of arrests meant that the prison population did not decrease.

Mr. Abdul Rashid Ismail, attending via Zoom, provided a comparative perspective from Malaysia, discussing the country's recent legislative reforms that removed the mandatory death penalty for drug offences. He highlighted Malaysia's journey towards this monumental change and outlined efforts to represent eligible death row prisoners for resentencing. Mr. Ismail's insights were particularly relevant for Pakistan, where similar reforms need to be considered. He detailed how Malaysia's reforms were initiated by an Act of Parliament that conferred jurisdiction upon the apex court to review sentences, suggesting that Pakistan could benefit from a similar approach.

"Without the ecosystem of rehabilitation centres, the recommendations of the OHCHR report cannot be implemented in full spirit...it is also a matter of concern that probation and parole is no longer available for drug offenders because of the 2022 amendment to the CNSA."

> Justice (Retd.) Masood Khan, Special Court CNSA



Dr. Rai Muhammad Khan, Director at the Federal Judicial Academy, highlighted the pressing need for separate federal sentencing legislation. He argued that the current criminalization and over-incarceration for minor drug offences are choking Pakistan's criminal justice system. He called for the decriminalisation of personal drug use and the immediate restoration of parole and probation for drug offences. "In the interest of proportionality, we need to rethink the aims of sentencing," he asserted, emphasising the need for a legal framework that supports rehabilitation rather than punishment.



Throughout the session, the panelists collectively highlighted the importance of rethinking current approaches to drug policy, and particularly towards sentencing for drug offences. These included the implementation of uniform, federal sentencing standards for the judiciary, scientific evidence-based thresholds for illegality, and perhaps even the possibility of decriminalisation of personal use. They advocated for policies that prioritise health and human rights, aligning with international standards and best practices. The discussions underscored the need for comprehensive legal reforms to support proportionate sentencing and the reintegration of persons who use drugs into society.

The panel called for immediate legislative action to reintroduce probation and parole, establish rehabilitation centres, and develop proportionate sentencing practices that treat drug use as a health issue. This session set the stage for further discussions on aligning Pakistan's drug policy with international human rights standards, emphasising rehabilitation and public health over punitive measures.

This side event, hosted in collaboration with the Legal Aid and Justice Authority (LAJA), focused on the "Effective Legal Representation for Drug-Related Offences." The session aimed to explore the unique challenges and specific needs of individuals charged with drug-related offences, especially those eligible for resentencing following the removal of the death penalty for such offences. The keynote address was delivered by H.E. Alfred Granas, the German Ambassador to Pakistan, with panelists including Mr. Morhaneraj Rajakumaran (Chairperson, Kuala Lumpur Bar Council Legal Aid Centre), Dr. Raheem Awan (Director General, LAJA), Mr. Badar Khushnood (Founder, Bramerz), and Mr. Farhad Ali Shah (Prosecutor General, Punjab).





Watch the full panel discussion!



Legal Aid and Justice Authority (LAJA) on Effective Legal Representation for Drug-Related Offences

The keynote address was delivered by H.E. Alfred Granas, the German Ambassador to Pakistan, with panelists including Mr. Morhaneraj Rajakumaran (Chairperson, Kuala Lumpur Bar Council Legal Aid Centre), Dr. Raheem Awan (Director General, LAJA), Mr. Badar Khushnood (Founder, Bramerz), and Mr. Farhad Ali Shah (Prosecutor General, Punjab).









This side event, hosted in collaboration with the Legal Aid and Justice Authority (LAJA), focused on the "Effective Legal Representation for Drug-Related Offences." The session aimed to explore the unique challenges and specific needs of individuals charged with drug-related offences, especially those eligible for resentencing following the removal of the death penalty for such offences. The keynote address was delivered by H.E. Alfred Granas, the German Ambassador to Pakistan, with panelists including Mr. Morhaneraj Rajakumaran (Chairperson, Kuala Lumpur Bar Council Legal Aid Centre), Dr. Raheem Awan (Director General, LAJA), Mr. Badar Khushnood (Founder, Bramerz), and Mr. Farhad Ali Shah (Prosecutor General, Punjab). Dr. Raheem Awan, Director General of LAJA, commenced the session by welcoming the audience and experts, briefing them on LAJA's statutory mandate. He emphasised the importance of extending legal aid to vulnerable populations and protecting the rights of those facing drug-related charges. Legal representation for individuals charged with drug-related offences is a cornerstone of international human rights law, as echoed in the UN's Basic Principles on the Role of Lawyers, which stipulate that legal assistance must be accessible to ensure fair trials and the right to defence, especially for those from marginalised and vulnerable groups.

H.E. Alfred Granas delivered the keynote address, questioning whether society should treat individuals suffering from drug dependence as criminals or seek to help them. He stressed that effective legal representation should be rooted in principles of proportionality in criminal legal responses to drug use and highlighted that prisons are unsuitable for rehabilitation purposes. Drawing on Germany's drug policy, he pointed out that Germany adopts a health-centred approach towards drug users, focusing on harm reduction, prevention, and treatment. Germany's drug policy includes measures such as supervised drug consumption rooms, needle exchange programs, and substitution treatment, which aim to reduce the harms associated with drug use and promote social reintegration.

Mr. Morhaneraj Rajakumaran, a veteran legal aid practitioner, shared lessons from Malaysia's progressive and well-organised legal aid scheme. He introduced the legal aid system of the Kuala Lumpur Bar Council's Legal Aid Centre, which has been pivotal in providing free legal services to those in need since its inception. The centre offers various services, including legal advice, representation, and public legal education. Mr. Rajakumaran noted that simply establishing legal aid schemes is not sufficient; there must also be awareness about their availability. He underscored that justice should be accessible to all who seek it and highlighted Malaysia's practice of requiring bar apprentices to complete 14 days of mandatory pupillage in legal aid, fostering an appreciation for using their positions to help people.

"Justice should be available to all those who seek it."



"Persons who use drugs often suffer from drug dependence, which ruins lives. Should we, on top of this, treat them as criminals? Or should we be trying to help them?" "Every country finds its own way. Whether that is decriminalisation, or reducing the underlying socio-economic factors that promote and cause drug addiction."

#### H.E Alfred Granas, Ambassador of Germany to Pakistan

Mr. Farhad Ali Shah commended Malaysia's legal aid scheme as a valuable model for the Puniab Legal Aid Agency, which he heads. He stressed the Agency's commitment to providing effective legal representation to vulnerable and needy individuals charged with drug offences. The Punjab Legal Aid Agency, established to ensure access to justice for all across Punjab, particularly focuses on the economically disadvantaged and those facing serious charges. Addressing systemic challenges, he emphasised the pressing need for establishing rehabilitation centres for drug users under Sections 52 and 53 of the CNSA. He also discussed the 2022 amendment to the CNSA, expressing concern that the amendment has led to an alarming increase in the prison population.

Mr. Badar Khushnood highlighted the accelerating integration of technology across various sectors, including legal aid, where it holds significant potential for assisting and benefiting criminal defendants, particularly during the pre-trial phase. He emphasised the importance of using technology to raise awareness about the availability of legal aid, citing platforms like JPP's Vakeel Online social media page as an example. This platform allows individuals to pose legal queries and receive free guidance from legal professionals.

Dr. Raheem Awan reiterated LAJA's mandate and elaborated on ongoing training, awareness, and legal aid initiatives. He noted that LAJA has a panel of over 600 lawyers nationwide and regularly conducts prison visits to provide assistance to inmates detained due to an inability to pay fines or secure bail bonds. He reaffirmed his dedication to providing state-funded legal aid to all individuals, cautioning against discrimination based on stigma or the nature of a crime.



Legal representation for drug-related offences is crucial in ensuring justice and protecting human rights, as underscored by international human rights law and the United Nations' guidelines. Effective legal aid can prevent wrongful convictions, ensure fair trials, and provide a pathway to rehabilitation rather than punishment. This side event underscored the critical role of legal representation in ensuring justice for individuals charged with drug-related offences. The discussions highlighted the need for comprehensive legal aid systems, the integration of technology to increase accessibility, and the importance of rehabilitation over punitive measures.

## "Drug Policies and Personal Liberty" and "Addressing Prison Overcrowding" Nationals in Pakistan

										of JP er Sec
	Rafa	el Bai	reto	(Crir	ne Pr	reven	tion	and C	Crimi	nal Jus lights
										ib), an
	Hum Laho					The	closi	ng <sub>e</sub> re	mark	s wer

PP, and panelists included Dr. Kaleem Imam cretary of the Ministry of Narcotics Control), stice Officer UNODC), Ambika Satkunanathan Commission Sri Lanka), Dr. Qadeer Alam nd Saroop Ijaz (Senior Counsel, Asia Division, re delivered by Justice (Retd.) Shahid Jamil,

22



"Law enforcement agencies have taken important steps in recent years, the best example of which is our Anti-Narcotics Policy 2019. But we need to start focusing on the suppliers and the manufacturers. We need to change our model of unaccountable policing."

Dr. Syed Kaleem Imam, Former Inspector General, Police and former Secretary, Ministry of Narcotics Control

The session aimed to explore the pressing issue of over-incarceration for drug offences, particularly personal drug use and possession, and the burdens this phenomenon places on the police, the judiciary, the penal system, and government resources. The discussions from the first day had revealed that people are being sentenced under a largely arbitrary and disproportionate regime, leading to a significant number of individuals imprisoned for drug offences. The second day sought to examine the impact of these sentencing practices on the prison system and explore the underlying factors behind this over-reliance on detention. 19, 636 prisoners in Pakistan are imprisoned for drug offences, and with a national overcrowding rate of 152%, these prisoners are exposed to poor living conditions and health risks.

Dr. Kaleem Imam, former Inspector General of Police and former Secretary of the Ministry of Narcotics Control, began by addressing what he termed "incorrect and unreasonable policing." He remarked that a primary concern within the policing framework is the absence of accountability, which manifests in the reluctance to rehabilitate individuals who use drugs, opting instead to incarcerate them indiscriminately. Sharing his experience as a university professor, he expressed distress over the expulsion of students from universities due to drug use, describing this as another example of shirking the responsibility to rehabilitate users. He stressed the importance of ensuring that rehabilitation centres serve their intended purpose of aiding individuals rather than focusing solely on commercial interests. As a veteran policeman, academic and drug policy expert, Dr. Imam's comments were rooted in his decades of experience. His remarks underscored the fact that the punitive approach being taken in Pakistan was not working. "Law enforcement agencies have taken important steps in recent years, the best example of which is our Anti-Narcotics Policy 2019. But we need to start focusing on the suppliers and the manufacturers. We need to change our model of unaccountable policing."

One of Ms. Ambika Satkunanathan's most significant achievements during her tenure as Commissioner of the Human Rights Commission Sri Lanka was the publication of a comprehensive national study on the country's prisons. This study examined the conditions of each of Sri Lanka's jails, outlining the systemic issues faced by prisoners and framing policy recommendations. Bringing her formidable experience to bear, she shared examples of best practices from around the world where alternatives to detention were used. She cited Ireland's adult cautioning schemes, which allow police to decide whether to prosecute based on public interest. In Costa Rica, women from impoverished backgrounds receive reduced prison sentences. She reiterated that jail sentences do not "deter or cure" people who deal drugs to support their own use, but instead lead to overdose and death upon release, as had been the case in Sri Lanka. Street-based drug dealers, who work to ensure their own supply, are the easiest targets for law enforcement because they lack the resources to insulate themselves from detection. Ms. Satkunanathan's comments shed light on the myriad benefits, both financial and social, of exploring alternatives to incarceration for drug offences.

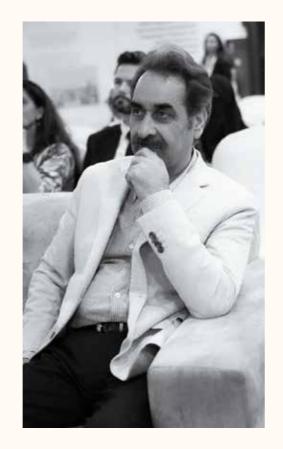
Dr. Qadeer Alam, Additional Inspector General of Punjab Prisons, presented statistics from prisons across Punjab. He explained the distinction between charges under the CNSA: those charged under Sections 9(a) and 9(b) are treated as individuals with drug dependence, whereas those charged under Sections 9(c) and 9(d) are treated as drug traffickers. Dr. Alam revealed that the majority of drug offenders have been imprisoned under Sections 9(c), but in his experience, many of the prisoners jailed for trafficking were users, highlighting the flaws in the arrest and sentencing process. Having worked in the Punjab Prisons Department for many years, Dr. Qadeer shared some measures that had been taken to improve conditions for prisoners jailed for drug offences. These included the establishment of 17 rehabilitation, or 'detoxification' centres in jails across the province, health screenings, and a framework to ensure continuity of care after release. He recommended creating a nationwide registry for individuals with drug dependency, and underscored the necessity of redirecting persons who use drugs from jails to health services.





Mr. Raphael Barreto, Crime Prevention and Criminal Justice Officer at UNODC, discussed UNODC's initiatives in the Philippines, suggesting that a comparative approach across the region would be beneficial as these countries face similar challenges. He delivered a presentation highlighting groundbreaking initiatives such as the priority release of vulnerable groups, including the elderly and prisoners with serious health problems, bail reform setting a maximum cap on bail bonds, and the `Read Your Way Out' project in Philippine prisons. Notably, the Philippines has introduced a five-year development plan incorporating a non-monetary bail system that includes monitoring during the pre-trial stage. He also referred to UNODC publications, including the Handbook on Strategies to Reduce Overcrowding in Prisons. Mr. Barreto's comments gave the conference attendees an insight into measures taken to reduce high levels of overcrowding in another country. Beyond highlighting the important work being done by UNODC, the presentation provided the opportunity for stakeholders to reflect on the possible implementation of similar measures in Pakistan.

Justice (Rtd.) Shahid Jamil closed the session by sharing his extensive experience as a judge of the Lahore High Court, emphasising that the fundamental rights of persons with drug dependence were a priority in the proceedings he presided over. Justice Jamil presided for nearly 5 years over a case which consisted of a number of separate petitions regarding drug use in schools and drug use in prisons. Under this case, titled Sheikh Asim Faroog vs. the Federation of Pakistan, he gave many progressive directions to provincial authorities that were rooted in rehabilitation, prevention and preserving the health and human rights of the individual. One of these orders was the introduction of specialised medical screenings for persons who use drugs in jails across Punjab. He informed attendees that the Punjab Information Technology Board had also been instructed to create software to feed data from police stations to hospitals. He emphasised the government's duty to ensure rehabilitation centres were established under Section 53 of the CNSA for the treatment, detoxification, and social integration of people with drug dependence. A notable challenge faced by provincial governments in this endeavour is the limited availability of funds. Based on suggestions, the court directed each district hospital to establish a ward for the treatment of people with drug dependence, connecting district hospitals to respective prisons. Finally, he commented that a change in societal, legislative, and bureaucratic attitudes was necessary to view persons with drug dependence as victims rather than criminals. He emphasised that the availability of drugs reflects a failure of the state, not a personal failing of individuals with drug dependence.



This session underscored the need for comprehensive legal reforms to address over-incarceration and improve healthcare within prisons. The discussions highlighted the importance of accountability in policing, the benefits of alternative sentencing practices, and the necessity of aligning Pakistan's legal framework with international standards to ensure the protection and rehabilitation of individuals with drug dependence.





Side Event by the National Commission for Human Rights (NCHR) on Incarceration of Foreign Nationals in Pakistan

The keynote address was panelists included Sarah E			
LAJA), and Mr. Abdul Rash	hid Ismail	(Malaysia	n I
Malaysian Bar Council).			

biya Javeri Agha, Chairperson of the NCHR. The ctor, JPP), Dr. Raheem Awan (Director General, Lawyer and Member Human Rights Committee,

In her keynote speech, Ms. Rabiva Javeri Agha highlighted the plight of individuals imprisoned in foreign jails, where they are deprived of family visits, consular assistance, and even the comfort of hearing familiar voices on the phone. She shared that the NCHR had been actively monitoring the issue of foreign prisoners since its inception. Ms. Agha recounted the successful repatriation of 600 Indian fishermen to India due to the efforts of the NCHR, praising the Government of Pakistan's decision to repatriate them despite the lack of reciprocal action from the Indian government. Addressing the challenges encountered by Pakistanis incarcerated abroad, she emphasised the importance of leveraging the power of National Human Rights Institutions to foster collaborations between local human rights actors, diplomatic missions, and stakeholders across borders. She expressed gratitude for the support of the Malaysian Human Rights Institution SUHAKAM and the Kuala Lumpur Bar Council Legal Aid Centre, which have been instrumental in securing legal aid for Pakistanis imprisoned in Malaysia. Ms. Agha reaffirmed the NCHR's commitment to partnering with civil society organisations like JPP to continue making a positive impact on the lives of both foreign and Pakistani prisoners.

The panel, moderated by Michelle Shahid from JPP, commenced with Sarah Belal, Executive Director of JPP, emphasising the significance of Article 4 of the Constitution of Pakistan, which guarantees every citizen the right to be treated in accordance with the law and to enjoy the protection of the law, wherever they may be. She stressed that every Pakistani citizen is constitutionally guaranteed the protection of their due process rights worldwide, placing an obligation on the Government of Pakistan to make representations and intervene on behalf of Pakistani nationals imprisoned abroad. Ms. Belal recounted the plight of 43 Pakistani nationals detained indefinitely without charges, trial, or access to legal representation in Bagram, highlighting their successful repatriation in 2014 through collaborative efforts between JPP and the Government. She asserted that safeguarding Pakistanis in foreign prisons should be a top political priority, and Pakistan must establish a system and foster global relationships and networks to ensure that host states notify them of any Pakistani nationals in their custody.



Dr. Raheem Awan, Director General of LAJA, discussed LAJA's mandate, stating that the law does not require it to extend legal aid to foreign nationals incarcerated in Pakistan's prisons. Nonetheless, he affirmed LAJA's willingness to assist the representatives of the home countries of these foreign nationals. Dr. Awan emphasised the significance of ensuring consular assistance for Pakistani citizens detained in foreign jails. Regular consular visits to prisons, along with reports sent back to Pakistan, would enable the Government to take cognizance of cases involving Pakistanis imprisoned abroad.

"The NCHR is venturing forth to help Pakistanis jailed abroad, and we hope to foster partnerships similar to the one developed between our mission in Kuala Lumpur and the very proactive Malaysian NHRI, SUHAKAM,who have been helping our citizens jailed in Malaysia."

> Rabiya Javeri Agha Chairperson, National Commission for Human Rights



"we need to ask whether we need to incarcerate at all for certain offences, such as personal drug use. We need to stop treating it as an offence and start treating it as a public health issue."

#### Abdul Rashid Ismail,

Malaysian Lawyer and Member of the Human Rights Committee of the Malaysian Bar Council,



Honourable Justice Jawad Hassan of the Lahore High Court delivered the closing speech, underscoring the judiciary's role in protecting overseas Pakistanis, which has led to an increase in remittances and safer migration. He emphasised Pakistan's positive reputation for compliance with international law. Justice Hassan noted a shift in global dynamics, where the Global North now looks to the South for examples of progressive judicial approaches to human rights issues. He discussed the constitutional protections extended to both citizens and foreigners in Pakistan, stating that both the parliament and judiciary are duty-bound to ensure the protection of Pakistani nationals abroad. Mr. Abdul Rashid Ismail, Malaysian Lawyer and Member of the Human Rights Committee of the Malaysian Bar Council, shared his experience representing foreign nationals in Malaysia. He highlighted that Malaysia is currently undergoing a resentencing process, whereby Pakistani nationals would also be eligible to have their sentences commuted. Early releases, particularly for drug-related offences, are common in Malaysia. Given this context, he strongly advocated for Pakistan and Malaysia to formalise a Prisoner Transfer Agreement. He emphasised that the present moment was opportune for such an agreement, as it would safeguard the human rights of citizens from both countries and alleviate prison overcrowding.

This session underscored the critical need for legal representation and consular assistance for foreign nationals imprisoned in Pakistan and for Pakistanis imprisoned abroad. The discussions highlighted the importance of international collaborations, the role of human rights institutions, and the necessity of formal agreements like Prisoner Transfer Agreements to safeguard human rights and address prison overcrowding.



## HIGH-LEVEL CONSULTATION WITH LEGAL AID AND JUSTICE AUTHORITY (LAJA) ON THE PROVISION OF LEGAL AID FOR DRUG-RELATED OFFENCES



The consultation commenced with a presentation by Ms. Anika Holterhof, Crime Prevention and Criminal Justice Officer and Focal Point on Access to Legal Aid at the UNODC, focusing on the right to legal aid and showcasing the substantial efforts undertaken by the UNODC in this domain. She outlined various measures that states could adopt to uphold this right, including defining the roles of legal aid providers and authorities, enhancing the capacity of these authorities, conducting regular monitoring and reporting, and implementing extensive outreach programs.

The consultation then began to discuss the set of proposed recommendations prepared by the organisers, which are as follows:

- Reducing prison overcrowding including reduction of arrests and pathways to incarceration
- Address high rates of pre-trial detention for drug offences
- Devising an effective policy for the provision of legal aid for persons charged with drug offences
- Improving conditions of Pakistan's prisons to ensure the vulnerability of persons imprisoned for drug offences, and persons who use drugs in prison, are not exacerbated
- Repeal the 2022 amendment to the CNSA to allow for persons imprisoned for drug offences to be eligible for probation
- Develop guidelines for prosecution of drug offences, including provisions for diversion
- Ensure that all health services, including harm reduction and drug dependence treatment, are voluntary, evidence-based, and led by health authorities
- Recall the role of the NCHR with regard to monitoring and oversight of all places where persons deprived of liberty are held, such as prisons and drug treatment centres



Ms. Tahira Abdullah, a renowned human rights activist, highlighted the need to include a gendered element to the recommendations that specifically address the vulnerability of women who use drugs, who are affected by drug use, and who are exploited by traffickers and peddlers. She urged the group to consider the intersection of poverty and drug use, particularly as it relates to women.



Dr. Mowadat Rana, a leading forensic psychiatrist, noted that a recurrent problem in terms of treatment was the issue of triage. He said that the decision on who is redirected to a rehabilitation center can only be taken by the individual themselves in concert with a certified health professional. He further deplored the current practice of 'incarceration in rehab centres' and stressed that Pakistan's current system of rehabilitation was outdated, involuntary, and ineffective.

Dr. Ehsan Sadiq, Director General of the National Police Bureau (NPB), spoke about how he viewed the police as a leading actor in promoting social reform. He said that the NPB was trying to reinvent and rethink policing towards vulnerable groups and had developed gender and juvenile protective policies. He pledged to now also include drug offenders in this list of vulnerable groups. Dr. Sadig further said that even if Pakistan was not ready to 'decriminalize personal drug use in a radical way as some countries have been doing,' there is a strong need to change our policing of drug offenders. He highlighted that the majority of people being arrested under the CNSA 1997 were users who were often repeat 'offenders'. There was a need to set up a database to ensure that these habitual users could be redirected towards rehabilitation centres. He noted a severe lack of rehabilitation centres and called for more to be built and operationalized to give the police a viable alternative to arresting individuals and funneling them into the criminal justice system.



Mr. Zaved Mahmood of the UN OHCHR agreed, saying that treatment was the most important aspect of the provision of health services, not simply rehabilitation. He emphasized community-led treatment, confidentiality, gender and age sensitivity, and consent. Ms. Ambika Satkunanathan added that abstinence-based treatment and forced withdrawal amounts to cruel, inhuman, or degrading treatment, which is a violation of Pakistan's obligations under the UNCAT.

Mr. Syed Farhad Ali Shah, Prosecutor General of Punjab, said that the issue of drug use was of personal interest to him. He said that the introduction of rules to regulate the functioning of private rehabilitation centres was absolutely imperative. Justice (Retd.) Shahid Jamil began his intervention by saying that over the past three days, his mindset had been fundamentally altered, and he now believed that personal drug use and possession of minor amounts should not be a criminal offence. and that the real culprits in this issue were the manufacturers and traffickers. He further stated that as an outcome of this conference, the government should devote its efforts and resources to providing the highest attainable standard of healthcare, ensuring legal aid for persons who use drugs, and looking into strategies of decriminalisation.



#### "Policing needs to be intrinsically linked to rehabilitation and health services"

Syed Farhad Ali Shah, Prosecutor General of Punjab,



Dr. Syed Kaleem Imam, former Secretary of the Ministry of Narcotics Control, suggested raising the quantity limit for what constitutes a cognizable offence and highlighted the need for updated data on persons who use drugs in Pakistan. He emphasised addressing the underlying socio-economic factors that lead to drug use, rather than reactive punitive measures.

Mr. Syed Ishtiag UI Hassan Gilani, CEO of United Global Organization of Development, added that there was a need to include the specific vulnerabilities of children in any drug policy recommendations, and Captain (R) Muhammad Faheem Qureshi, Director, National Accountability Bureau, said that there should also be a provision for the support of families of persons who use drugs.

"we never go for the root cause of these issues. We need to address the underlying socio-economic factors that lead to drug use, and that will

Mr. Shakir Hussain, Deputy Inspector General, Islamabad Police, said that current police key performance indicators were linked to the number of arrests and the quantity of drugs recovered, which incentivised over-policing for drug offences. The lacuna in the law of a distinction between supplier and user was a prevailing issue. He said that while reducing the number of arrests would be difficult, we could do more to ensure that persons who use drugs can receive the necessary rehabilitation. Dr. Qadeer Alam, Additional Inspector General Punjab Prisons, said that effective legal counsel of the defendant's choice should be present at every stage.



## be better than any reactive approach".

Dr. Syed Kaleem Imam, Former Secretary of **Ministry of Narcotics Control** 





		<b>\\</b>	- 2	<b>C</b>	•	1	•		1							1			•		
			- 1	IE	÷C	IJ	VE			ea		th	Ċ			L	1C				
		•	D,				<b>F</b> i		n	D	6	sp		h	<b>c</b> (						
		•					<b>U</b>				5	sh			30	-0		0			
								)r		Ø		Se	ייב	•							
							•	•	•	9	•		•								
35 •																					

The session began with a video message by Portuguese Member of Parliament Ricardo Leite. He spoke about the Portuguese experience with relation to decriminalisation of personal drug use, and the placement of health and human rights at the centre of drug policy. He noted that this has led to a drastic transformation, wherein drug consumption and the spread of HIV and other STDs has been significantly reduced.

Ms. Zille Huma of Justice Project Pakistan's data and research team then presented JPP's Narcotics Offences Dataset, which was launched at the Conference. This report provides a holistic overview of the law, jurisprudence, and statistical data pertaining to these offences. It underscores the issue of excessive imprisonment for drug-related crimes, leading to prison overcrowding and placing undue pressure on law enforcement and the judiciary. This situation is largely attributed to the criminalization of personal drug use, restrictions on probation and parole rights under the 2022 Amendment to the CNSA, and inadequate rehabilitation and reintegration measures.

Thereafter, Mr. Syed Zulfigar Hussain, Executive Director, Drug Advisory Training Hub (DATH), delivered a presentation on the benefits of incorporating health and human rights in drug policy, including reduction of drug-related deaths, decreased levels of drug-related crime, promotion of health and productivity, and cost-saving. He spoke about DATH's experience in Lahore, highlighting that thousands of users were injecting drugs on the streets of the city, with no prospects of rehabilitation. He then praised the orders given by Justice (Retd.) Shahid Jamil of the Lahore High Court for introducing testing and medical screenings in Punjab's prisons. He lamented the fact that the UNODC and civil society actors had been trying to introduce harm reduction measures in Pakistan for years, including methadone treatment, but there was institutional resistance to these approaches.

Watch the full panel discussion!



pr ha pc ou



The panel commenced with Ms. Suniya Taimour from UNAIDS, serving as the moderator, directing a question to Prof. Dr. Adeeba Kamarulzaman regarding the Global Commission on Drug Policy (GCDP)'s stance on the intersection of drug policy and the right to health. Dr. Kamarulzaman, a Commissioner of the GCDP, emphasised their approach to drug policy grounded in pragmatism. She highlighted the failure of punitive measures across various aspects, and countries which had shifted towards alternative approaches towards drug policy witnessed healthier, humane and less criminal outcomes. "





The session concluded with Mr. Zaved Mahmood, Human Rights and Drug Policy Advisor, UN OHCHR, outlining the international human rights guidelines on drug policy. He discussed the right to the highest attainable standard of health, asserting that "states should take deliberate, concrete and targeted steps to ensure that drug related and health care services are available on a non-discriminatory basis, and are financially and geographically accessible." He emphasised the critical significance of medical ethics, stressing the need to integrate cultural norms, gender, age, and consent into the delivery of health services. Lastly, addressing the issue of combating stigma, Mr. Mahmood highlighted the crucial role of language. He concluded by noting the increasing prevalence of decriminalisation for personal drug use, which enables states to prioritise the provision of health services and encourages individuals who use drugs to seek treatment without fear of legal repercussions.

Judge Amir Munir, Director Research and Publication at the Federal Judicial Academy, then spoke on the role of rehabilitation and treatment in the justice system. Drawing on his experience as a judicial magistrate, he said the biggest issue was the complete lack of awareness and information on the nature of drug offences, and options for treatment for persons who use drugs. He said "it's well and good that representatives from Punjab Prisons have told us they have built 17 treatment centres in jails across the province. But if I am sentencing someone for a drug offence, and I don't know if these centres are operational, what standard of service they are providing or what other treatment options are available, my order for his treatment will always be a purely legal order. We need to step away from this legal regime to a social regime, where care is actually provided, and orders are not just passed without implementation." He then stressed his belief in therapeutic justice, which must focus on finding the healing capacity of the law. He stated that the lack of probation was troubling, saying that the purpose of the law as stated in its preamble was to rehabilitate, which was not possible without the chance for probation or parole.



## "Advancing Harm Reduction Measures In Pakistan With Nai Zindagi Trust & Harm Reduction International"

	•	• Mode	• rator	• Hea	• ther	• Doyle	• fron	• 1 the	• Glob	
		oper	ned tl	he dis	scuss	ion, f	ollow	ed b	y pre nbika	\$
				Huma	an Ri	ghts (	Comr	nissic	on of	\$
				• (	JNAIL	os, an	d Ma	lika Z	afar,	

bal Fund to Fight AIDS, Tuberculosis, and Malaria esentations from Giada Girelli, Senior Analyst at a Satkunanathan, former Commissioner of the Sri Lanka, Yuki Takemoto, Country Director of Executive Director of Nai Zindag "we spend 750 times more on punitive drug control measures than we do on life-saving essential harm reduction services. This is a violation of the rights of people who use drugs."

Ambika Satkunanathan Former Commissioner, National Human Rights Commission Sri Lanka



Ms. Heather Doyle, the moderator, then turned to Ms. Yuki Takemoto, Country Director UNAIDS, and asked her if she could provide a global perspective on harm reduction approaches and contextualise those approaches to her experience in Pakistan. Ms. Takemoto said that in 2019, the Commission on Narcotic Drugs noted with concern the high rates of people who use drugs, HIV transmission, and the lack of health services for people who use drugs. Since then, she stated, there has been a slight decrease in these numbers, symbolising global progress, but that was not the case for Pakistan, where an increase has been noted. She mentioned that UNAIDS was guided by the Global Aids Policy 2021-26, which was an operationalisation of a political declaration adopted by UN Member States including Pakistan. She highlighted that this policy, for the first time, included components of decriminalisation, harm reduction and community leadership as targets.



Ms. Girelli defined harm reduction as policies, programs, and practices aimed at minimising the negative health, social, and legal impacts of drug policies and drug use. She stressed that providing harm reduction services is part of the state's obligation to protect the right to life, health, and freedom from torture.

Ms. Takemoto provided a global perspective on harm reduction approaches, noting that despite global progress, Pakistan has seen an increase in drug-related health issues. She emphasized the importance of decriminalization, harm reduction, and community leadership in addressing these challenges.

Ms. Zafar highlighted Nai Zindagi's work in providing harm reduction services across Pakistan, including HIV prevention, testing services, health services, and support programs for families. She noted challenges such as restricted access to treatment due to identity card requirements, limited responses to Hepatitis C among drug users, and resistance to harm reduction services in Punjab.

Ms. Satkunanathan distinguished harm reduction from treatment, emphasizing the necessity for voluntary treatment and addressing the adverse consequences of compulsory treatment. She urged policymakers to base their decisions on scientific evidence and successful strategies.





- Zaved Memood and Justice (R) Shahid Jamili
- Yuki Takeniolo, Country Director UNAIDS, sits on the Day Three plenary panel
- Justice Jawad Hassan delivers an impassioned speech on Day Two







Tahira Abdullah poses a question to the panel
Malika Zafar, Executive Director Nai Zindagi
Christine Chung and Rabiya Javeri Agha in conversation















- Morhaneraj Rajakumaran and Sumitra Veeriah of the Kuala Lumpur Bar Council Legal Aid Centre
   Sarah Belal, Ambika Satkunanathan and Judge (R) Masood Khan on the Day One plenary session panel
   Zaved Mehmood and Rabiya Javeri Agha



		•	٠,			1.				•	•
		•	)(	) I	IC	10	15	IO		•C	
				•	$\mathbf{R}$	2	$\hat{\mathbf{O}}$	r	'n	ne	

# nd Strategic ndations 44

## **PROPOSED RECCOMENDATIONS**

#### Reducing prison overcrowding including reduction of arrests and pathways to incarceration

With a national overcrowding rate of 152%, Pakistan's prisons are operating well beyond capacity. Strict policing and a reliance on punitive measures for drug offences have contributed significantly to this burden. According to official data retrieved by JPP, nearly 20% of Pakistan's prison population are incarcerated for drug offences, an estimated 19,495 prisoners. Incarcerated persons with drug dependence are often unable to receive adequate treatment, and are exposed to a range of human rights and health violations. Reducing arrests, particularly for possession and personal use, as well as introducing rehabilitative alternatives to incarceration, would both protect the rights of persons using drugs as well as reduce untenable rates of incarceration.

#### Devising an effective policy for the provision of legal aid for persons charged with drug offences

All citizens are entitled to free and effective legal aid, regardless of the offence they are charged with and without prejudice to their ethnicity, race, class, age or gender. As a vulnerable group of society, persons who use drugs are entitled to effective and All citizens are entitled to free and effective legal aid, regardless of the offence they are charged with and without prejudice to their ethnicity, race, class, age or gender. Persons who use drugs are entitled to effective and free legal representation of the highest possible standard, which takes their particular vulnerabilities and needs into account. There is a need for a policy that outlines the provision of this legal aid specifically for person who use drugs, and generally for all persons charged with drug offences.

## Develop guidelines for prosecution of drug offences, including provisions for diversion

Developing comprehensive guidelines for the prosecution of drug offences in Pakistan is a crucial step towards creating a fair and rehabilitative justice system. These guidelines should prioritise diversion to health and social services, such as drug treatment programs and counseling, over punitive measures. Furthermore, any prosecution and investigation must be evidence-based and grounded in the latest scientific research. Establishing a strong pathway between the criminal justice system and health services is also key, enabling seamless referrals and support for individuals diverted from prosecution.

### Implement guidelines for the judiciary on proportionate sentencing for drug offences

The 2009 Ghulam Murtaza judgement of the Lahore High Court, upheld by the Supreme Court in 2019, laid out progressive and uniform sentencing guidelines for drug offences, which included lighter penalties for women and juveniles. These guidelines, however, have not been implemented by the judiciary. Persons charged with drug offences continue to receive wildly varying and disproportionate sentences, particularly at the trial court level. It is important that the judiciary implements the sentencing guidelines laid down in the Ghulam Murtaza judgement, to ensure proportionate and uniform sentencing for drug offences.

## Improving conditions of Pakistan's prisons to ensure the vulnerability of persons imprisoned for drug offences, and persons who use drugs in prison, are not exacerbated

The Supreme Court of Pakistan has held that the State has a duty under the Constitution of Pakistan to not place a prisoner in an overcrowded prison, and to not neglect their medical needs. Given the vulnerability and particular medical needs of persons who use drugs, it is necessary that medical facilities in prisons be improved and brought in line with international standards on provision of health services. Further, the overall sanitary and living conditions of prisons must be improved and measures should be taken to avoid overcrowding jails.

## Repeal the 2022 amendment to the CNSA to allow for persons imprisoned for drug offences to be eligible for probation

The 2022 amendment barred persons charged under the CNSA from being eligible for probation, parole and remissions. It further increased penalties for possession and increased quantity thresholds, which has led to harsher and more disproportionate sentencing. Repealing this amendment would roll back these regressive developments.

#### Develop a policy for resentencing of persons on death row for drug offences

In 2023, Pakistan struck off the death penalty for drug offences. However, there are currently 93 persons on death row for drug offences, who are entitled to have their sentences commuted. As such, the state must implement a policy framework under which these prisoners can apply for resentencing, as well as ensure that courts don't continue to hand out death sentences as has been the case since the amendment.

## Ensure that all health services, including harm reduction and drug dependence treatment, are voluntary, evidence-based, and led by health authorities

Health services and treatment for drug dependence in Pakistan is largely abstinence-based, involuntary, and centred around forcing the individual to quit. Weak regulation of standards of healthcare, widespread privatization of rehabilitation centres and deep-rooted social stigma have created an environment where persons who use drugs cannot seek adequate health services and treatment. Health services and drug dependence treatment should always be voluntary, in line with international standards and led by health authorities. Additionally, efforts should be made to institutionalise harm reduction efforts, which are currently being led by civil society organisations.



The conference concluded with strategic recommendations, including developing guidelines for voluntary, evidence-based health services, promoting harm reduction measures, regulating involuntary treatment, and operationalizing rehabilitation centres. The need to amend laws contributing to the stigma surrounding drug use and ensuring inclusive policy discussions was also emphasised.

This report provides a detailed and analytical overview of the conference, highlighting the critical discussions and strategic directions for advancing human rights and effective drug policy in Pakistan.

