**Input from É de Lei Drop-In Centre on** [**human rights challenges in addressing and countering all aspects of the world drug problem**](https://vngoc.us13.list-manage.com/track/click?u=8a673f447e243b80593ac03be&id=c8706e0c43&e=7102412284)

Brazil has ratified all but one United Nations international human rights treaties. These treaties oblige all national, regional, and municipal authorities in Brazil to respect, protect, and fulfill a broad range of human rights for all persons within their jurisdiction, with no exception and no discrimination.

The logic of human rights matches the logic of harm reduction. Both seek to uphold the value and dignity of every single person. They demand that policies are designed paying attention to the needs of each individual from a holistic perspective, and they seek to create spaces in which people are able to live on their own terms.

[É de Lei Drop-in Centre](https://edelei.org/portfolio/nota-conceitual-ingles/) is a civil society organization that works with harm reduction in São Paulo, Brazil. For the last 25 years, we've been working with people affected by the drug policy, specially in the so-called “Cracolândia ”, one of the largest open drug scenes in the city of São Paulo.

Located in the center of the largest city in Latin America, this area is permeated with political and economic interests, transforming the territory into a place subject to reurbanization and “revitalization” ventures. It also has a history permeated by poverty and social exclusion. Under the justification of the "war on drugs" policy, the people who live in "Cracolândia", mostly poor, black and with a history of institutionalization, for example in psychiatric asylums, prisons, shelters, etc., are constant targets of rights violations.

In 2022, É de Lei developed a research called ["Policing, Covid-19 and people who Use drugs: surviving the police in Cracolândia"](https://edelei.org/portfolio/research-policing-covid-19-and-people-who-use-drugs-surviving-the-police-in-cracolandia%EF%BF%BC/), in partnership with the [International Drug Policy Consortium (IDPC)](https://idpc.net/). The purpose of the research was to understand the dynamics of violence in the Cracolândia area during the COVID-19 pandemic, based on reports from people who are directly affected by the drug policy. Six people who frequent, work or live in the Luz neighborhood were interviewed during September 2022. The interview script contained questions about: access to health services, social assistance, housing, substance use and police violence.

One of the findings of the research is that, as a result of prohibitionism, the creation and continuity of drug policies based on harm reduction are in a fragile situation. This creates difficulties in conceiving programmees that are incorporated as State policy, which means that services became projects linked to each City Hall administration, and not permanent and long-term initiatives. Therefore, with each change in administration, the emphasis of the policy can turn in a different direction and it is up to institutions aimed at defending vulnerable populations, such as civil society organizations and social movements, to prevent practices that violate rights.

The role by human rights organizations was intensified in 2020, when police violence increased in the area and there was a threat of closing the health and social assistance services in the area, under the justification that this was a necessary measure to end drug trafficking there.

In March of that year, the COVID-19 pandemic further contributed to the vulnerability of the area. Once again, civil society organizations were essential to guarantee health and rights in the area.

In April 2020, as the pandemic unfolded and despite the struggle of the movements that work with harm reduction, the Daily Emergency Service, the last social assistance service in the area of Cracolândia, was closed.

It means that, instead of creating effective emergency policies and services, the administrations of the City Hall and of the State Government of São Paulo closed public services. At the time, the federal government did not even recognize the seriousness of the health crisis.

Another example was that, even with the recommendation issued by the National Council of Justice in February that there should be no eviction or expropriation of properties during the pandemic, there was the expropriation of two entire blocks in Cracolândia at the beginning of 2021, without any housing assistance for the families residing there. This violation became a complaint to the Inter-American Commission on Human Rights (IACHR).

At the beginning of the following year, in 2022, the open drug scene changed location to a square called Princesa Isabel, a few blocks from where the Cracolândia was originally located. During the following month, the violence continued, but the worst was yet to come. In July 2022, with the purpose of disrupting the drug supply and to disperse people who use drugs in the area, the City Hall and the State Government of São Paulo carried out a police operation that ended up dispersing people throughout the whole downtown area of the city. The justification was to combat drug trafficking; however, the result was a major demobilization of efforts related to the care and monitoring of people who live in the area and/or use drugs.

Health and social assistance services now need to walk extra kilometers to find the people they were monitoring, in addition to favoring polarization between people who live in the area and people in vulnerable situations.

In the same year, an emergency social care service was set up near a police station. However, the police are currently confiscating harm reduction supplies from people, such as pipes for crack cocaine use, in addition to detaining people as a way of convincing them to adhere to hospitalizations aimed at detoxification or as a pretext for incarcerating this population.

Many of the events described in the report are likely to constitute violations of international human rights such as the right to health, the right to housing, or the right to be free from arbitrary detention. Policy and policing towards Cracôlandia is also directly at odds with the principle of non-discrimination, which is a crucial pillar in all human rights conventions.

The results obtained from this research indicate that the forms of police approaches became even more truculent during the COVID-19 pandemic, a characteristic that extends to the present day.

The situations briefly highlighted in the document point out that police approaches happen regardless of whether the person is working, using drugs, accessing a public service, etc. At the same time, there is a common denominator to whom violence is pointed to: people who are poor, black, LGBTQIAPN+, with a history of limited access to basic rights, such as health, education and housing.

The attempt to criminalize the people in vulnerable situations who live in Cracolândia is one of the ways for the State to silence them, prevent their voices from being heard and prevent their protagonism from being recognized in the area. Public safety is one of the only policies mobilized in the area to address the drug issue, and the police act with brutality, without articulation with health services, social assistance and social movements.

**Harm reduction appeared in the answers of almost all the people interviewed as a logic of survival**, going beyond a simple health strategy linked to the use of substances. Networking, mutual help, fighting for rights and working with peers were frequently cited aspects that showed us the importance of the presence of civil society organizations and social movements in the area. The interviewees also demonstrated the desire that harm reduction be a guideline in health and assistance services, proving to be more efficient than abstinence or hospitalization, for example.

From all of that, we understand that **it is urgent to qualify the debate on drug policies and human rights**, as well as to deepen the relationships established between the State, vulnerable people who frequent the area, people who live in the area and are also affected by public policies and by the police, in order to enable the construction of strategies that respect rights and are effective for the area.

**It is necessary to develop and implement policies at the local and state levels based on harm reduction.** These policies must be evaluated and monitored by the civil society and competent bodies in the long term.

Broadly speaking, it is also necessary to make proposals for **structural changes in the National Policy on Drugs**, so that it prioritizes people's lives and not just perpetuates racist and transphobic policies, policies based on psychiatric asylums, punitive and social hygienist institutions as justifications for public care and safety.

The survey can be accessed on the [É de Lei website](https://edelei.org/) in [English](https://edelei.org/portfolio/research-policing-covid-19-and-people-who-use-drugs-surviving-the-police-in-cracolandia%EF%BF%BC/), [Spanish](https://edelei.org/portfolio/investigacion-control-policial-covid-19-y-personas-que-consumen-drogas-sobrevivir-a-la-policia-en-la-cracolandia%EF%BF%BC/) and [Portuguese](https://edelei.org/portfolio/pesquisa-policiamento-covid-19-e-pessoas-que-usam-drogas-sobrevivendo-a-policia-na-cracolandia/). More information about É de Lei Drop-In Centre can also be found in our [Instagram account](https://www.instagram.com/ccedelei/), [Twitter](https://twitter.com/edelei), [Facebook](https://www.facebook.com/ccedelei) and [Youtube](https://www.youtube.com/watch?v=biTZnLXzz5Y&ab_channel=CentrodeConviv%C3%AAncia%C3%89deLei).