**Contribution from PORTUGAL to the Report of the Secretary-General to the Human Rights Council on human rights challenges in addressing and countering all aspects of the world drug problem resolution 52/24 of the Human Rights Council**

In the 2019 Ministerial Declaration, Member States have committed themselves to accelerating the implementation of existing drug policy commitments and obligations, of namely, the three international drug control conventions, while fully respecting, protecting and promoting all human rights, fundamental freedoms and the inherent dignity of all individuals and the rule of law.

Portugal remains fully engaged in this objective of implementing all the commitments contained in the drug policy documents and crystalized in the 2016 UN General Assembly Special Session Outcome Document, an historic landmark, in which Member States recognized that the world drug situation should be addressed in a multilateral setting and demands an integrated, multidisciplinary, balanced and comprehensive approach.

The Outcome Document incorporates broader human rights, health and development perspectives, demonstrating a commitment to embed drug policies into wider UN framework and priorities of protecting human rights, promoting peace and advancing development, in order to allow for more human and effective drug policies and actions.

The gains made since the UNGASS, which rebalanced drug policies towards human rights, public health, and evidence-based approach, need to be structurally built in and should continue to form the basis of the international drug policy, as well as reaffirming that the cross-cutting nature of the drug control ultimate objective is to protect the health and the welfare of humankind.

Portugal believes that States should promote the full respect of human dignity, human rights and fundamental freedoms in international drug policy, and we support the key international drug policy documents that call for the alignment of drug policies with human rights obligations, including the United Nations Common Position on drug policy and the International Guidelines on Human Rights and Drug Policies.

Over the past two decades, Portuguese drugs policy has developed a comprehensive and balanced approach to ensure a high level of health protection, social stability and security, following international principles and guidelines, in the promotion of public health and anchored in respect for human rights.

Portugal recognizes drug use as a health issue and drug user as a person who needs to be treated and not punished, and a public health-oriented approach has been implemented, enabling access to health care services. At the same time, we continue to be strongly committed to supply reduction activities, including in the areas of law enforcement, money-laundering and judicial cooperation.

The evidence-based knowledge acquired over the last decades allowed us to consolidate our policy, implementing integrated responses on prevention, treatment, risk and harm reduction and social reintegration, within a decriminalisation framework of personal consumption and possession of drugs, below defined quantities.

The Portuguese policy on drugs encompasses a model of decriminalisation as part of a broader approach designed to prevent drug use, removing criminal sanctions that are ineffective and increase stigma towards people who use drugs. Instead, significant investment has been made in prevention, treatment, social reintegration and harm reduction measures, directed to public health concerns, with social benefits to all involved.

Decriminalisation, the most well-known component of our policy, is part of a comprehensive and integrated policy which main goal is to reduce drug use and its consequences by improving coverage, quality and effectiveness of demand reduction interventions.

Also relevant, decriminalisation aims at reducing discrimination, stigma and social exclusion of offenders. There is no criminal record, no criminal justice proceedings, the sanctions are decided in accordance with the profile/ motivation of the offender and a broad range of voluntary options in care, treatment and harm reduction can be proposed, along with referral to social welfare measures.

Evidence clearly shows that punishment and criminal sanctions are ineffective and often counter-productive, operate as important barriers to accessing drug services and do not address drug use health-related consequences.

Portugal has not solved all problems related to drugs and addictive behaviours, but some results show that we are on the right track. Currently, drug use level in Portugal remains generally below the European average and we register a decrease in drug use among adolescents. The decriminalisation of drug use contributed to reduce drug users’ stigmatization, as they do not fear being referred to the criminal justice system and are more likely to seek help through treatment and harm reduction services.

Our policy contributed also to a significant reduction in the number of problematic users from 100.000 in 1998 to 33.200 in 2021; there is also an important decline in infections by HIV among injecting drug users (56% in 1998 and 3% in 2021) and a substantial decrease of overdoses (from 350 in 1998 to 74 last year).

Reducing drug use and the health and social consequences related to drug use consequences by improving the coverage, quality and effectiveness of demand reduction interventions should therefore be the pragmatic aims of global drugs policy, contributing to the attainment of a high level of health protection, well-being and social cohesion, with particular attention to vulnerable groups, including young people and high-risk groups.

Prevention, treatment, harm reduction and social reintegration measures are essential and programs as opioid agonist therapy, exchange of needles and syringes, distribution of low threshold methadone, supervised drug consumption facilities or drug checking have proved

to improve substantially the quality of daily life of people who use drugs and their families and to help reduce the impact of drugs associated problems in society at large.

In Portugal, civil society plays an important role in promoting a public health and human rights approach and works closely with the national coordination on drugs on the definition of policies, their implementation and evaluation.

We strongly believe that a sustainable public health and that human rights-based policy can only be achieved with the active and meaningful participation and involvement of civil society, including non-governmental organisations, young persons, people who use drugs, persons with a drug dependence, persons in recovery, the scientific community, academia and practitioners. Drug policies and measures are better designed, fit for purpose, implemented, and evaluated when those who are impacted are involved.

Member States, international organizations, civil society and scientific community need to properly assess the international strategy to tackle the world drug situation, learning from policies of the past, raise awareness to the challenges that exist at global, regional, national and local level, and provide a more effective and coherent input to delineate the parameters of the UN drug policy.

Available data shows that there are remarkable benefits to be gained from implementing health oriented and human rights-based policies, which have a positive effect on the efforts to achieve the objectives of the three international drug conventions, in full respect of all human rights commitments, the fundamental freedoms and the inherent dignity of all individuals, thus promoting the health and welfare of humankind.

Working together, we should contribute to the implementation of the international commitments, putting human rights at the centre of drug policies to achieve effective and long-lasting results, not only for people who use drugs, but also for their families and all society, by improving access to health and social care, while reducing the harms caused by drug use and reducing stigma.