

## **BRAZIL**

### **Intervention of the Minister Chief of the Institutional Security Cabinet and President of the National Drug Council, General Jorge Armando Felix, at the High Level Segment of the 52nd Commission on Narcotic Drugs March 11th 2009**

Mr Chair,

The revision of the proposals and aims established and agreed by member States during the Twentieth United Nations General Assembly Special Session – UNGASS, in 1998, offers the world the opportunity to consider the progresses and challenges related to the drug control strategies in place. It also serves to reiterate Brazil's commitment with the international community and its own people regarding this matter.

According to Brazil's responses to its international commitments, important progresses have been achieved regarding areas such as institutional development and improvement on the overall conditions for combating the drug problem.

In 1998, Brazil created its National Anti-Drug Secretariat (SENAD), under the Institutional Security Cabinet of the President's Office, with the mission of articulating and coordinating the writing of a national drug policy, a process that culminated with the approval of Brazil's Anti-Drug Policy in 2002.

In 2003, after the election of President Luiz Inácio Lula da Silva, our policy's principles were revised and updated, taking into consideration the latest scientific knowledge available as well as social, political and economic changes to which the world, and more specifically Brazil, had been going through. As a result of a broad democratic process, with an active participation of the Brazilian society and intermediated by the scientific community, Brazil's Policy on Drugs was released in 2005. The document is based on scientific evidence, with a broad and balanced approach to this issue, considering aspects related to Public Health, Human and Constitutional Rights.

Over the last years, this State document has showed the strong commitment of the Brazilian Government towards overcoming the barriers of sectarianism, proving that the principles of inter-sectoriality and shared responsibility applied to supply reduction and demand reduction enable us to go beyond a simplistic, passionate and polarized discussion around the prohibitionist and legalization models.

Not less meaningful is the progress achieved regarding the modernization of Brazilian legislation. The new Drug Law, enacted in 2006, establishes the National System of Public Policies on Drugs and, in an innovative way, differentiated the trafficker from the drug user, securing differentiated treatment for such actors. This law also defined the crime of “narcotrafic financing”, aiming at depriving criminal organizations of capital.

Among the efforts towards drug supply reduction, the Brazilian Government has intensified its interventions related to border monitoring, precursors control, eradication of illicit cultivation, money laundering combat and the consequent disarticulation of narcotrafic. It is also worth mentioning that a significant change was made to national laws on sanitary surveillance, strengthening law enforcement measures for monitoring national and international trade of controlled substances – including even more restrictive mechanisms than the ones foreseen by this Organization – enabling an improved control of psicotropic substances, narcotics and precursors. The regulation of the advertisement of medicines also became more restrict, covering advertisement on the internet.

On both areas of supply and demand reduction, the intensification of international cooperation has been an important part of the strategy implemented by the Government, aiming at maximizing efforts and articulating solutions for the reduction of all harmful impacts caused by the consumption and traffic of drugs.

In the international arena, Brazil has consolidated, over the last decade, a distinguished participation in multilateral, subregional and regional fora on the subject. On a bilateral basis, our country keeps a close dialogue and cooperation with a number of countries, mainly our South-American neighbors.

In the area of demand reduction, Brazil has been working in close partnership with the scientific community, forming strategic alliances and producing a series of studies to diagnose the patterns of drug consumption, useful tools when planning interventions. Following these principles, and aware of its commitments related to the ethical and human rights dimension of the problem, Brazil has been searching for solutions deprived of moral conotation, stressing and promoting harm reduction interventions as one of the Government’s public health strategies.

Another important political and strategic guideline, which has underpinned actions in the area of demand reduction, refers to the recognition and valuing of alternatives generated within the communities themselves. Relevant training has been

offered, based on updated, free of prejudice scientific knowledge, to the various actors involved with the problem of drugs, to be applied in their respective fields of action. Another irreversible progress was the inclusion, in the public agenda, of a more intense debate about the drug problem, involving and committing various social segments in the collective construction of alternatives to approach the subject.

Again, Brazil has stepped forward in terms of legal modernization and human rights when the penalty of imprisonment for drug users was abolished, in 2006, and when it was determined that only actions involving trade may be considered illicit drug traffic, in December 2008. Through the latter, a differentiated treatment between minor and large scale drugtraffickers is allowed.

We ought to recognise the important progress achieved over the past decade. These achievements, however, do not mean mission accomplished.

As per our understanding, the aim of a “world free of drugs” has proved to be unattainable, leading in fact to “collateral consequences” such as the enlargement of the imprisoned population due to drug related crimes, increase in violence related to illegal drug market, increase in homicides and violence among the young population – with a dramatic impact in the mortality and life expectancy indicators for the general population - social exclusion due to drug use and the emergence of synthetic drugs.

The UNGASS revision process identifies the need for a systematic evaluation of drug policies. At this historic moment, when Member States are offered the opportunity to re-assess the path gone through the past ten years, and even more important, to think about the challenges yet to come, Brazil not only validates the commitments agreed, but also reinforces the need to persevere:

- towards the recognition of Harm Reduction strategies, facilitating the access to public health measures addressing the drug dependents and HIV/AIDS infected populations;
- towards securing the Human Rights of drug users;
- towards correcting the imbalance between investments assigned to the supply reduction in comparison to the demand reduction areas;
- towards the increase of actions and programmes of prevention based on scientific evidence, with an emphasis to vulnerable populations;
- towards the increase of access to care and social reintegration of problematic drug users, acknowledging the importance of different approaches and models of treatment;

- towards the increase of financial investments for the production of scientific knowledge on drugs.

Thank you, Mr Chair!