



FACTFILE

Children and drugs

What is the issue?

- Why and how are drugs a children's rights issue?

Key points

- Article 33 of the Convention on the Rights of the Child requires that States take all appropriate measures to protect children from the use of drugs, and to “prevent the use of children in the illicit production and trafficking of such substances.”
- The crucial question is: What do we mean by appropriate? The International Harm Reduction Association (IHRA) suggest that zero tolerance, “just say no” campaigns, random school drug testing and school exclusions, and the denial of harm reduction services for those under 18, are all examples of inappropriate measures.
- What is ‘appropriate’,” argues the IHRA, “must take into account the right to life, health, education, social security and an adequate standard of living, to access to information, to freedom of expression and to privacy, and to freedom from discrimination, violence and neglect, from cruel inhuman and degrading treatment, economic exploitation and from arbitrary detention.”
- In many countries, there are age thresholds for participating in harm reduction interventions – i.e those services which reduce the harmful effects of drug taking – so that children and young people with substance problems may not have the help they need.
- In most countries, honest drug education for young people which deals with the realities of drug using behaviour is severely lacking
- When children and young people are discovered with drugs they are, in most countries, funnelled through the criminal justice system instead of being afforded the help and support they might need through health interventions.
- A lack of pragmatic health care solutions, such as needle exchange programmes, can render children more susceptible to HIV, Hepatitis and other infections due to needle sharing
- Read more: http://www.crin.org/docs/Childrens_rights_and_drug_use.pdf

Key quotes

- “There is no way to use the criminal law to deal with drugs, except in a very abusive way.”: Aryeh Neier, president of the Open Society Institute, http://www.crin.org/email/crinmail_detail_popup.asp?crinmailID=3320
- “Promoting the values of the Convention on the Rights of the Child can help public health, mental health, drug dependence treatment and harm reduction professionals, as well as young people, to advocate for necessary policy changes.” Damon Barrett and Philip Veerman, article on children's rights and drug use, visit: <http://www.humanrightsanddrugs.org/wp-content/uploads/2011/04/IJHRPD-Vol-1-2010-BARRETT-VEERMAN-Drug-use-and-the-CRC.pdf>
- “The reality is that children and youth under the age of 18 are using drug and we need to deal with it honestly, openly and without judgement.” Harm Reduction International. Visit: http://www.ihra.net/files/2010/06/17/2009-04_ConventionOnTheRightsOfTheChild_HarmReduction2009.pdf