

Honorable Abhisit Vejjajiva
Prime Minister of Thailand
Bangkok, Thailand
Abhisit@abhisit.org

20 February 2011

By Email

cc:

Mr. Jurin Laksanawisit, Minister of Public Health
Mr. Chavarat Charnvirakul, Minister of Interior
Mr. Pirapan Salirathavibhaga
Pol. Lt. Patcharawath Wongsuwan, Police Chief Royal Thai Police
Ms. Sureeprapha Trivej, Secretary-General, Office of the Narcotics Control Board

Dear Prime Minister,

We write to express our grave concern at reports of the Thai government's plans to round up and 'treat' 30,000 people who use drugs from 20-27 February. Our understanding is that this campaign is intended to include forced drug dependence treatment, internment in drug detention centres - including those newly established for this campaign - and the entry of all names of detainees onto a registry.

We ask that the Government urgently clarify this strategy. What is planned between 20-27 February relating to people who use drugs, and how will this be carried out?

In particular: what is legal basis for any such detention *en masse*? What assessment of drug dependence will be carried out? On what basis is the Government intending to treat people who are clinically not in need of dependence treatment?

These plans for mass detention and forced treatment raise considerable human rights concerns, especially given Thailand's history of nationwide anti-drug campaigns. The 2003 war on drugs established a system by which drug users were arrested and detained without due process rights in centres run by public security forces. That campaign has been widely condemned throughout the international community, and by human rights and public health experts within Thailand. It is a matter of grave concern that the Thai government is planning to repeat elements of that harmful strategy. It is our view that there is no way for the Government to implement a campaign to forcibly 'treat' tens of thousands of people who use drugs without widespread human rights abuses taking place.

- The detention of people without trial or due process is strictly prohibited in international law
- Forced drug dependence 'treatment' *en masse* is wholly contrary to human rights standards and medical ethics, and has been shown to be ineffective – the vast majority of participants relapse shortly after the treatment. Officials from UNODC, UNAIDS, UNDP, and the Global Fund to Fight AIDS, Tuberculosis and Malaria have all called for closure of drug detention centres or alternatives to ineffective and unlawful mass detention on forced treatment centres.

- Cruel, inhuman or degrading treatment of those held in drug detention centres in Thailand are well known, while drug dependence treatment and HIV prevention measures according to evidence-based medical standards are not provided. The military is sometimes required to house these makeshift centres, often resulting in beatings and abuse of detainees.
- The use of registries to collect personal data on people who use drugs represents a serious threat to the privacy and security of those affected, as well as their families

The proposed measures fly in the face of recent encouraging progress in Thailand toward voluntary, evidence-based approaches as enshrined in the national harm reduction strategy adopted only months ago. It is these measures, not those that are punitive or potentially abusive, that should be expanded and implemented. Indeed, this campaign will be a major setback to the harm reduction strategy.

In 2010 Thailand also co-sponsored a resolution at the UN Commission on Narcotic Drugs focused on HIV and the human rights of people who use drugs. It was a very positive move that would be betrayed by a forced treatment campaign.

Our organisations will be monitoring the situation and will work to ensure wide political and public attention to what transpires and will seek accountability for any human rights abuses as a result of this policy. We plan to present our findings at the UN Commission on Narcotic Drugs in March, at the UN General Assembly Special Session on AIDS in New York in June, and during Thailand's Universal Periodic Review at the UN Human Rights Council in October.

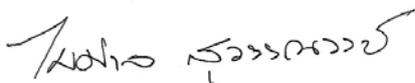
We are currently advising the heads of key UN agencies and have sent urgent appeals to various UN human rights monitors to advise them of imminent threats to human rights in Thailand.

The Global Fund has made it clear that the Fund will not support drug detention practices that are not evidence-based and that violate human rights. In light of this, we have also asked the Fund to review Thailand's plans to ensure conformity with human rights law and Global Fund practice.

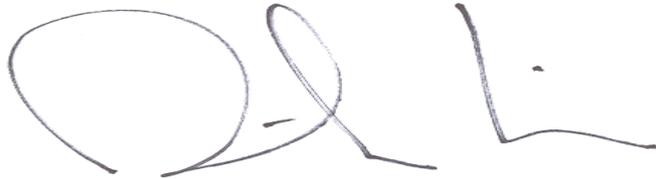
We ask again for the Government's urgent clarification as to what is planned for the coming weeks in relation to people who use drugs in Thailand. We call on the Government to abandon any plans that would involve en masse 'treatment', forced treatment, arbitrary detention, the mass collection of personal data or any other human rights violations.

We urge the Government to focus its resources and attention on the implementation of the national harm reduction strategy. Our organisations are ready and willing to assist.

Yours sincerely

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Paisan Suwannawong
Executive Director
Thai AIDS Treatment Action Group

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Rick Lines
Executive Director
International Harm Reduction Association

A handwritten signature in blue ink, appearing to read 'Mike Trace'. The signature is written in a cursive style.

Mike Trace
Chair
International Drug Policy Consortium

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Daniel Wolfe
Director
International Harm Reduction Development Program
Open Society Institute

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Jude Byrne
Chair
International Network of People Who Use Drugs

A handwritten signature in black ink, featuring a large initial 'R' and 'E' followed by a long horizontal stroke.

Richard Elliott
Executive Director
Canadian HIV/AIDS Legal Network