

June 26, 2023
Hon. Carolyn Bennett
Minister of Mental Health and Addictions
Associate Minister of Health

Hon. Jean-Yves Duclos
Minister of Health

Hon. David Lametti
Minister of Justice and Attorney General of Canada

Re: Global Day of Action “Support. Don’t Punish”

Dear Ministers Bennett, Duclos, and Lametti:

We, the undersigned, are united today in our call against punitive and coercive approaches to drug use in Canada and around the world. Today is the Global Day of Action for “[Support. Don’t Punish.](#)” and this year’s theme is centred on “reclaiming people power for sustainable alternatives to the war on drugs.” We wholeheartedly support centering people who use drugs – and their human rights – as we work together to end racist, classist and colonial drug policies that have caused immeasurable harm and suffering, including in creating the context for the current drug toxicity crisis ravaging our country.

Calls for involuntary care and/or detention of people who use drugs are on the rise and take many insidious forms. In British Columbia, we have seen calls for [mandatory treatment](#) both for youth and adults who have experienced repeated overdoses, despite strong evidence showing the known harms of involuntary care.¹ In Alberta, [the proposed Compassionate Intervention Act](#) would give police and family the ability to force adults and youth into involuntary drug treatment and there have been ongoing calls for involuntary treatment of houseless people who use drugs. The regressive [Narcotic Transition Service](#) (NTS) also risks increasing barriers to life-saving services and violating Charter rights. And across Canada, support for drug treatment courts obscures their coercive characteristics, which include an encroachment on the treatment sphere and a contortion of the judicial protections of defendants to the point of undermining health and infringing on human rights. **These approaches are out of step with international human rights norms, and harms – rather than supports – people who use drugs.** As UN human rights bodies have acknowledged, “All health care interventions, including drug dependence treatment, should be carried out on a *voluntary basis with informed consent.*”²

We welcome the federal government’s work toward solutions and remind policy makers at all levels that standards, policies, programs, and projects must respect human rights, which is the spirit of

¹ BCCDC (2021). Detention-based services for people who use drugs. Retrieved from <http://www.bccdc.ca/Health-Professionals-Site/Documents/Detention-based%20Services%202021.pdf>

² See, for example, R. Lines, J. Hannah and G. Girelli, “‘Treatment in Liberty’ Human Rights and Compulsory Detention for Drug Use,” Human Rights Law Review, Volume 22, Issue 1, March 2022, <https://academic.oup.com/hrlr/article/22/1/ngab022/6369597> and ILO; OHCHR; UNDP; UNESCO; United Nations Population Fund; UNHCR; UNICEF; UNODC; UN Women; WFP; WHO; and UNAIDS, ‘Joint Statement: Compulsory drug detention and rehabilitation centres’, March 2012 <https://digitallibrary.un.org/record/3950265?ln=en>.

“Support. Don’t Punish.” Additionally, these same standards, policies, programs, and projects must be viewed through and shaped by an Indigenous rights lens in order to be truly culturally responsive. In the mandate letter Minister Bennett was given in 2021, the Minister was charged with the following: “Advanc[ing] a comprehensive strategy to address problematic substance use in Canada, supporting efforts to improve public education to reduce stigma, and supporting provinces and territories and working with Indigenous communities to provide access to a full range of evidence-based treatment and harm reduction, as well as to create standards for substance use treatment programs.” **Punitive and coercive approaches to drug use would certainly be out of step with this mandate.**

We also underscore that a failure to provide safe, accessible, and culturally responsive services is unto itself a form of punishment. Unequal access to services, ongoing barriers to accessing harm reduction supplies, and lack of supports and resources to invest in community-based approaches are all present-day realities, for many populations, particularly for Indigenous communities. All too often, the onus is on these communities to reach out and advocate for supplies and supports. People who need immediate support must try to access services that are not culturally appropriate and often far from home. The federal government must meaningfully engage with and fund culturally relevant services that are responsive to community needs and requests. **An Indigenous rights approach that uplifts and affirms the principles of self-determination and informed consent is imperative.**

And so, we write to you today, in solidarity with all those harmed by toxic drugs and drug policies that disregard human rights, calling for your renewed commitment to the following:

Community solutions. On this day, June 26th, 2023, the Global Day of Action for “Support. Don’t Punish.,” we remind you that people who use drugs are the experts in their needs. Harms are caused when people who use drugs are left out of decision-making processes. **We call on you to affirm your commitment to taking the lead of people who use drugs – centering Indigenous, Black, and other people most harmed by current drug policy – on drug policy reform.**

Consumer protection/safety. Many people use drugs for different reasons and in different ways. Some drugs are legal and regulated (e.g. alcohol, nicotine and cannabis), offering consumer safety to those who access them – people do not die from toxic alcohol or tainted cannabis. The *Controlled Drugs and Substances Act* (CDSA) is discriminatory, denying consumer protection and safety to some people who use certain drugs, while enabling regulated access to others. We need to replace the unregulated drug supply, that is killing more than 20 of our loved ones every day, with safer, regulated drugs, including but not limited to methamphetamine, heroin, fentanyl, cocaine, and benzodiazepines. **We call on you to develop a legal and policy framework, in consultation with people who use drugs, to ensure consumer safety and access to a legal, regulated drug supply.**

Affirm bodily autonomy and informed consent to treatment. A core principle of harm reduction is that options for care must be non-judgmental, evidence-based, and non-coercive. Human rights norms also underscore the importance of bodily autonomy and informed consent to medical treatment as a corollary of the right to health. In this country, options for drug treatment are unregulated, driving unpredictability in quality and safety of the services. In 2022, the BC Coroners Service called on the provincial government to “regulate and oversee” treatment and recovery facilities. **We call on you to endorse this recommendation for provincial governments to regulate and oversee treatment and recovery facilities, to acknowledge the harms that have been generated through unregulated**

treatment services, and to re-affirm your commitment to funding and implementing programming that is voluntary and upholds individual rights to informed consent. This must be a steadfast commitment from your government.

More specifically, we call on you to immediately:

- 1. Convene a meeting to hear the concerns of associated signatories;**
- 2. Issue a public statement denouncing all forms of coercive and involuntary care directed to provincial authorities; and**
- 3. Repeal punitive drug laws, including those that criminalize people who use drugs,** so people are not deprived of their liberty and other human rights on the basis of their drug use.

On this Global Day of Action, we stand firmly in the belief that people who use drugs do not lose their human rights due to their drug use. Punitive approaches of any form are drivers of stigma, isolation, and preventable harms and death. Today, we call on you to stand with us, in support of people who use drugs and solutions that honour and affirm their lives. At least 34,455 human lives have perished at the hands of toxic drug policy in this country since January 1, 2016. **The answer has never been, and never will be, more punitive policies.**

Core Partners

Harm Reduction Nurses Association

HIV Legal Network

Ontario Aboriginal HIV/AIDS Strategy

Thunderbird Partnership Foundation

Canadian Association of People who Use Drugs

Moms Stop The Harm

Canadian Students for Sensible Drug Policy

Canadian Drug Policy Coalition

National Endorsement

360 Degree Nurse Practitioner-Led Clinic

4B Harm Reduction Society

Afro-Canadian Positive Network of BC

AIDS Committee Newfoundland & Labrador

Alberta Alliance Who Educate and Advocate Responsibly

Alberta Nurses Coalition for Harm Reduction

Angels of Hope Against Human Trafficking

AQCID : Association québécoise des centres d'intervention en dépendance

AVI Health & Community Services

Brandon Harm Reduction Network

Brandon and Area Overdose Awareness Inc.

British Columbia Association of People on Opiate Maintenance

BC Centre on Substance Use

BC Hepatitis Network

Canadian Association of Nurses in AIDS Care (CANAC)

CATIE

Centre for Spanish Speaking People

Centre on Drug Policy Evaluation

Circle of Life Counselling

Community-Based Research Centre

Coalition des organismes communautaires québécois de lutte contre le sida (COCQ-SIDA)

Criminalization and Punishment Education Project

Crackdown Podcast

Dr. Peter AIDS Foundation | Dr. Peter Centre

EACH+EVERY: Businesses for Harm Reduction

Fort Nelson Aboriginal Friendship Society

Guelph Community Health Centre

Hamilton Social Medicine

Healing Hearts for Men

Health Experts for a Safer Alberta

HIV & AIDS Legal Clinic Ontario

Homelessness Services Association of BC

Hope After Dope Society

Inner City Health and Wellness Program

Kootenay Insurrection for Safe Supply
Langley Community Action Team
Legal Clinic of Guelph and Wellington
Living Positive Resource Centre
London InterCommunity Health Centre
Manitoba Harm Reduction Network
Méta d'Âme
National Safer Supply Community of Practice
Ontario AIDS Network
Ottawa Inner City Health Centre
PAN
Peterborough Community Legal Centre
Prairie Harm Reduction
Projet de prévention des toxicomanies: Cumulus
Project Safe Audience
Ryan's Hope
SAFER Victoria
Stop the Drug War
SUNAR
Support Not Stigma
Surrey Community Action Team
Street Cats Harm Reduction
Streetworks
Substance Drug Checking Project
The Registered Nurses' Association of Ontario (RNAO)
The Substance Use HUB
Toronto Harm Reduction Alliance
Vancouver Overdose Prevention Society
Workers for Ethical Substance Use Policy

Youth RISE

International Endorsement

African Network of People who Use Drugs

ALLIANCE NATIONALE DES COMMUNAUTES POUR LA SANTE(ANCS Sénégal)

CERiA, University Malaya

Conseil des Organisations de lutte Contre l'Abus de Drogues(CONAD-CI)

Correlation-European Harm Reduction Network

IDUCARE

Indonesian Harm Reduction Network (JANGKAR)

International Drug Policy Consortium (IDPC)

Harm Reduction Australia

LBHM (LBH Masyarakat)

Le Foyer du Bonheur

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Recovering Nepal, Federation of Drug use and Drug Service Orgnizations

REVS PLUS

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