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**Twelfth Meeting of Heads of National  
Drug Law Enforcement Agencies, Europe**

Vienna, 27-30 June 2017

**Draft report***Rapporteur:* Kris Lapiere (Belgium)**Consideration of topics by working groups****Issue (b): Alternatives to imprisonment for certain offences as demand reduction strategies that promote public health and public safety**

1. The working group held one meeting on 28 June. In its consideration of the topic under review, the working group made the following observations:

(a) In many regions of the world, including Europe, the global prison population has been steadily increasing and a large percentage of such prisoners are imprisoned for drug-related offences;

(b) Drug use disorders are a serious public health issue that places a significant burden on affected individuals, their families, communities and the society at large;

(c) The international drug control conventions allow the use of alternatives to conviction or punishment, including measures such as education, rehabilitation, social integration, treatment and aftercare, and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) as well as the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) provide comprehensive guidance on administration of such non-custodial measures;

(d) In line with the principle of proportionality, sentencing should always take into account the nature and gravity of the offence as well as the personality and background of the offender balanced against the need for protection of society.

2. The working group drew up the following conclusions:

(a) Imprisoning offenders of drug-related crimes of a minor nature is oftentimes a disproportionate punishment that does not prevent drug use;

(b) Using alternatives to imprisonment for appropriate cases of a minor nature is not only in line with existing international legal instruments and the United

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Nations standards and norms, but can also be an effective policy in addressing global prison overcrowding that result in cost savings for the State in the long term;

(c) As drug use disorders are a complex, multifactorial health disorder characterized by chronic and relapsing nature, it is necessary to employ a multidisciplinary approach that involves all relevant actors, including officials of the criminal justice system, health professionals, social workers;

(d) It is important to implement measures to increase public awareness of the benefits of using alternatives to imprisonment;

(e) Treatment and rehabilitation of minors in contact with the criminal justice system for drug-related offences should be a priority;

(f) Early intervention, including through diversion to treatment, is an effective way to address people with drug use disorders in contact with the criminal justice system and law enforcement officials play a key role in this regard;

(g) There is a need for more data collection, analysis and dissemination of data on alternatives to imprisonment as well as periodic evaluation of existing initiatives on treatment as an alternative to conviction or punishment for people with drug use disorders.

3. The working group adopted the following recommendations:

(a) Governments are encouraged to make full use of alternatives to imprisonment, particularly in the pretrial stage at the time of arrest, for people with drug use disorders in contact with the criminal justice system;

(b) Governments are encouraged to promote and implement institutional mechanisms, including through induction and training programmes, that enable the police to screen, assess and refer appropriate cases to treatment facilities, taking into account its dual role as the first responder and the first criminal justice actor for people with drug use disorders who come into contact with the criminal justice system;

(c) Governments are encouraged to adopt or amend legislation, policies, and guidelines that allow flexibility when sentencing drug-related offences that take into account the nature and gravity of the offence as well as the personality and background of the offender;

(d) Governments are encouraged to employ a multidisciplinary approach in providing treatment and rehabilitation as an alternative to conviction or punishment and in this regard promote and develop the capacity of institutional coordination between justice, health, and social services authorities;

(e) Governments are encouraged to implement measures to increase public awareness of the benefits of using alternatives to imprisonment;

(f) Governments are encouraged to collect and analyse gender- and age-disaggregated data on the use of alternatives to imprisonment and, if applicable, to undertake periodic evaluation of existing initiatives on treatment as an alternative to conviction or punishment for people with drug use disorders.