

The Rt Hon. Keith Vaz
Chair of the Home Affairs Committee
Mail to: homeaffcom@parliament.uk; vazk@parliament.uk

July 2015

Call for an urgent Inquiry into Home Office involvement in overseas drug enforcement

Dear Mr. Vaz,

We the undersigned call for the Home Affairs Committee to launch an Inquiry into the Home Office's financial and operational support for overseas drug operations which lead to grave human rights abuses – focusing in particular on countries which apply the death penalty for drug offences.

In its 2012 report "Drugs: Breaking the Cycle", the Committee recommended that the UK Government "***ensure that no British or European funding is used to support practices that could lead to capital punishment, torture, or other violations***".ⁱ We believe that this recommendation has gone unnoticed by the Home Office. As a result the UK Government may be funding practices that lead to thousands of death sentences and other human rights abuses – seriously undermining its foreign policy objective of ending the death penalty worldwide.ⁱⁱ

In today's world, UK support for foreign law enforcement can be crucial to global peace and security. It is possible to maintain such assistance while avoiding UK complicity in human rights abuses. The Home Office's secretive support for foreign drug police falls well short of this standard, and demands urgent Parliamentary scrutiny.

The urgent need for an Inquiry

The Home Office is leading the UK's preparations for the forthcoming United Nations General Assembly Special Session (UNGASS) on "the World Drug Problem" in April 2016. The death penalty for drug offences will be a central topic of discussion at this summit – the first on the subject since 1998.

The last year has seen a global resurgence in the use of the death penalty for drug offences, with a number of states executing more people for drug related crimes than ever before (such as Iran and Saudi Arabia);^{iii,iv} seeking to re-introduce the death penalty for drug offences (such as Oman);^v or ending longstanding death penalty moratoria (such as Indonesia and Pakistan)^{vi,vii}. In many of these countries drug offenders face trial proceedings which make a mockery of justice.

As the Department charged with developing and implementing the UK's overseas drug policy, the Home Office has a responsibility to advance Britain's strict opposition to the death penalty and other human rights abuses, including fair trial violations and the use of torture. Unfortunately, it appears that the Home Office is in fact compromising the UK's strong stance on these issues by enabling the execution of drug offenders.

Home Office support in countries that impose death sentences for drug related crimes

Over the last Parliamentary term, the United Kingdom contributed more support than any other European country for anti-drug raids in countries which carry the death penalty for drug offences.^{viii,ix} In this time recipients of this support have overseen the death sentences and executions of hundreds, if not thousands, of alleged drug carriers^x - the vast majority of whom will have been convicted in grossly unfair trials.

Many recipients of Home Office support openly acknowledge their pursuit of the death penalty; Pakistan's Anti-Narcotics Force, for instance, has showcased capital convictions as its "prosecution achievements".^{xi} Pakistan tries drug offenders in specialist drug courts which apply a lower evidentiary standard and are designed to secure swift convictions – so much so that the ANF has boasted that "Fear of having 92 percent chances of being convicted would surely forbid a sane man from falling prey into the hands of drug traffickers".^{xii}

Documents published by the United Nations Office on Drugs and Crime suggest that performance indicators attached to Home Office-funded programmes call for drug agencies to demonstrate increased arrests, higher conviction rates, and larger seizure sizes.^{xiii} We are concerned that this may incentivise death sentences under judicial systems where certain seizure sizes make drug charges "death eligible".

The Governments of Denmark and Ireland have both ended counter-narcotics funding to Iran after acknowledging the link between counter-narcotics funding and death sentences, and in January of this year the Foreign Affairs Committee of the Danish Parliament called an Inquiry into whether Danish support for Pakistani drug raids should be ended given the resumption of executions in the country.^{xiv}

In 2014 the UK Government acknowledged it had ceased support to Iran's Anti Narcotics Police after agreeing with an assessment made by Denmark that "the donations are leading to executions".^{xv} This policy has not been applied consistently, however, and the Government has maintained such support to Pakistan despite the country continuing to aggressively apply the death penalty for drug offences.

A need for transparency and accountability

Despite the issues raised above, the Home Office has permitted no parliamentary or public scrutiny of its overseas counter-narcotics initiatives. As such little attention has been paid to these programmes' basic value for money. This warrants particular concern in light of the Home Office's own conclusion in a 2014 report that there is a "lack of any clear correlation between the 'toughness' of an approach and levels of drug use".^{xvi}

In line with the Home Office's own apparent doubts about the effectiveness of such an approach, independent UN monitors recently reported that UK-funded projects in Pakistan might have increased the overall number of drug seizures made, but that there was an "absence of tangible outcomes" with respect to the overall drug trade.^{xvii} The report even noted "an indication of increased trafficking".^{xviii}

Despite these apparent contradictions, the Home Office has repeatedly avoided questions about these programmes and refused to disclose any details of their cost, focus or effectiveness. With this in mind, we believe there is an urgent need for the Home Affairs Committee to examine how Home Office support for overseas drug enforcement operations is developed, implemented and scrutinized.

Next steps

We recognise that the Home Affairs Committee membership has only recently been confirmed. Nevertheless, in light of the urgency of our request, and the upcoming summer recess, we ask that the Committee respond to our request for an Inquiry before the House rises on 21st July.

Yours Sincerely,

Sir Richard Branson, Member of the Global Commission on Drug Policy

Alistair Carmichael MP, Liberal Democrat Party, Former Secretary of State for Scotland

Lord Ken Macdonald QC, Former Director of Public Prosecutions

Professor David Nutt, Edmond J Safra Chair, Imperial College London

Caroline Lucas MP, Green Party

Tom Brake MP, Liberal Democrat Party

Professor Ruth Lister, Baroness Lister of Burtersett

Mike Trace, Former UK Deputy Drug Tsar

Clive Stafford Smith OBE, Founder, Reprive

Tom Lloyd QPM MA (Oxon), Chief Constable (retd.)

Jago Russell, Chief Executive, Fair Trials

Niamh Eastwood, Executive Director, Release

Diederik Lohman, Associate Director, Health and Human Rights Division, Human Rights Watch

Dr Rick Lines, Executive Director, Harm Reduction International

Ann Fordham, Executive Director, International Drug Policy Consortium

Dr Gary Potter, Senior Lecturer in Criminology, Lancaster University Law School

Nicky Saunter, Chief Executive, Transform Drug Policy

Martin Drewry, Director, Health Poverty Action

Sebastian Saville, Executive Director, International Doctors for Healthier Drug Policy

Dr Dan Werb, Director, International Centre for Science in Drug Policy

Richard Garside, Director, Centre for Crime and Justice Studies

Professor Richard Ashcroft, Queen Mary, University of London

Professor Ben Bowling, Kings College London

UK Harm Reduction Association

Dr Eliot Albers, International Network of People Who Use Drugs

Martin Blakebrough, Chief Executive of Kaleidoscope Project

Edward Henry, Barrister, QEB Hollis Whiteman Chambers

John Jolly, Chief Executive of Blenheim Community Drug Project

International HIV/Aids Alliance

Yasmin Batliwala, Chair of Westminster Drug Project

Professor David Bewley-Taylor, Director, Global Drug Policy Observatory, Swansea University

Majid Nawaz, Author & Parliamentary Spokesman for Camden Liberal Democrats

Professor Julia Buxton, Associate Dean, School of Public Policy, Central European University, Budapest

Polly Taylor, European and RCVS Veterinary Specialist in Anaesthesia, Independent Consultant

Ifor Glynn, Chief Executive, Sands Cymru

Substance Misuse Management in General Practice

Jason Reed, Executive Director of UK Law Enforcement Against Prohibition (LEAP)

The World Coalition Against the Death Penalty

Dr Mike Shiner

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CONTACT

Please address responses or questions to:

Dan Dolan, Reprieve: dan.dolan@reprieve.org.uk; 02075538147; 07771374925.

Maria Phelan, Harm Reduction International: Maria.Phelan@ihra.net; 02077171592.

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^{xviii} UNODC, April 2014 - Mid-Term In-depth Evaluation of the Country Programme Promoting the Rule of Law and Public Health in Pakistan (2010 – 2015) – copy held on file at Reprieve