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## **Leading human rights and public health organizations release national drug decriminalization platform for Canada**

*The bill that the federal government introduced this week to repeal mandatory minimum sentences and offer alternatives to prosecution for simple drug possession is a step in the right direction, but doesn't go far enough.*

Toronto, ON—In the wake of almost 23,000 drug poisoning deaths since 2016, twenty-one civil society organizations across the country, including groups of people who use drugs, families affected by drug use, drug policy and human rights organizations, frontline service providers, and researchers, have **collaborated to release Canada's first civil society-led policy framework for drug decriminalization in Canada.**

[\*Decriminalization Done Right: A Rights-Based Path for Drug Policy\*](#) seeks to end the harmful and fatal criminalization of people who use drugs—which has fueled unprecedented overdose deaths—and protect the health and human rights of all people in Canada.

“The Canadian Association of People Who Use Drugs welcomes this timely national call to action on drug decriminalization. This rights-based path for drug policy reflects the input of many people who use drugs and presents a decriminalization model that serves as an important starting point for policymakers to decriminalize and regulate presently illegal drugs,” said Natasha Touesnard, Executive Director of the Canadian Association of People Who Use Drugs. “Only with comprehensive drug decriminalization, allowing the provision of an effective and accessible safe supply of presently illegal drugs, will the devastating ongoing overdose epidemic stop.”

### **This comprehensive platform, endorsed by more than 100 organizations calls for the following:**

— **Full decriminalization of all drug possession for personal use**—as well as sharing or selling of drugs for subsistence, to support personal drug use costs, or to provide a safe supply—by doing the following:

- Repeal section 4 of the *Controlled Drugs and Substances Act* (CDSA) and section 8 of the *Cannabis Act*
- Amend section 5 of the CDSA, which criminalizes trafficking-related offences
- Remove all sanctions and interventions linked to simple drug possession or necessity trafficking
- Automatically expunge past convictions for simple drug possession and past convictions for breaches of police undertakings, bail, probation, or parole conditions associated with charges for these acts
- Set strict rules around when police can stop, search, and investigate a person for drug possession
- Remove police and law enforcement as “gatekeepers” between people who use drugs and health and social services, and replace them with organizations led by people who use(d) drugs or trained frontline workers

— **Redistribution of resources from enforcement and policing to non-coercive, voluntary policies, programs, and services** that protect and promote people's health and human

rights, including health, education, housing, and social services that support people who use drugs.

“The war on drugs has been a colossal failure. Under a regime of criminalization, people who use drugs are vilified, subject to routine human rights abuses, and denied access to life-saving healthcare, leading to preventable infection and death,” said Sandra Ka Hon Chu, Co-Executive Director of the HIV Legal Network. “To undo those harms, decriminalization must be done right. Reflecting community voices, including those most directly affected by drug prohibition, this platform presents a vision for governments to remove the stifling threat of criminalization from the lives of people who use drugs.”

**More than a century of drug prohibition aimed at deterring drug use has failed, and there is no greater evidence of this failure than the thousands of deaths due to drug poisonings across Canada and an overdose crisis that continues unabated.** Prohibition is rooted in, and has reinforced, racism, sexism, and colonialism and has disproportionately affected Black and Indigenous people who are at much higher risk of arrest and severe punishment for drug offences.

“Cops have been enforcing the drug war for over a century. Carding, harassing, arresting, beating and incarcerating drug users—especially if we’re Black or Indigenous. It’s high time cops stand down and get out of our lives. They have caused so much harm,” said Garth Mullins, member of the Vancouver Area Network of Drug Users. “No more cops, courts and jails for drug users. No more para-military police occupation of marginalized communities. That’s what real decriminalization means.”

The harms of criminalization follow people for the rest of their lives: criminal records limit employment and housing opportunities, affect child custody, and restrict travel, among other repercussions. Additionally, enforcing drug offences consumes billions of dollars annually.<sup>1</sup> “We continue to resource policing and punishment while defunding services in our communities that actually address the roots of harm and violence. Our prisons are full of people who need help, not a record,” said educator and activist El Jones. “The stigma of drug use ruins lives. It is long past time to stop funding a war on drugs, and to invest in real public safety: housing, mental health, childcare, and living in a society free of oppression for all people, including those who use drugs.”

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(Not all logos of contributors represented)

<sup>1</sup> <https://csuch.ca/explore-the-data/>

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## Additional Quotes

“The sharing of different experiences and expertise across this country has resulted in a common vision of what drug policy should be in Canada. By opting for this civil society platform, the federal government has the power to reduce the harms associated with the criminalization of people who use drugs. We all have the right to respect, safety, access to healthcare and social services—and to a better life, free from judgment and discrimination.” [Sandhia Vadlamudy; Executive Director, Association des intervenants en dépendance du Québec (AIDQ)]

“The war on drugs has not only fed policing and prisons in this country, it has had devastating effects on our families. Black and Indigenous mothers in particular have seen their children taken into the child welfare system, causing generational trauma. Schools, hospitals, and even our homes have become sites of violent policing which has done nothing to address trauma, to heal, or to help people who want treatment for addictions. (El Jones; Educator, Journalist, Activist)

“*Decriminalization Done Right* proposes a policy shift that is long overdue and is a first step to change a historically cruel and misguided application of the criminal law that has devastated the lives of countless Canadians. If adopted by Canada, it would be an important step towards a compassionate, human rights-based approach based on evidence that builds stronger communities for everyone.” (Donald MacPherson; Executive Director, Canadian Drug Policy Coalition)

“Punishing people who use drugs is unfounded drug policy and creates stigma that is much more detrimental than drugs themselves.” (Jean-Sebastien Fallu; Associate Professor, School of Psychoeducation, University of Montreal)

“Led by respected and internationally recognized national organizations, this platform on drug decriminalization is now the centerpiece of actions that our governments must take. The principles it defends and the values it advocates represent civil society’s contributions to essential reforms that are faithful to human rights and social inclusion.” [Louis Letellier de St-Just; lawyer (health law), Board Chair and Co-Founder CACTUS Montréal, and AIDQ Board Member]

“Punitive drug policies rooted in racism and colonialism have failed and caused catastrophic harm. Youth are particularly stigmatized and targeted because they are young. As decriminalization now seems closer to reality than ever before, it’s crucial that we ensure voices of young people who use drugs are central to these discussions.” (Kira London-Nadeau; Chair, Canadian Students for Sensible Drug Policy)

“Neither sick nor guilty—people who use drugs are not criminals, and the legislation must reflect this reality.” (Chantal Montmorency; General Coordinator, Association québécoise pour la promotion de la santé des personnes utilisatrices de drogues)

### **Contributors to *Decriminalization Done Right: A Rights-Based Path to Drug Policy***

1. Association des intervenants en dépendance du Québec (AIDQ)
2. Association québécoise pour la promotion de la santé des personnes utilisatrices de drogues (AQPSUD)
3. BC Association of Aboriginal Friendship Centres
4. BC Centre on Substance Use
5. British Columbia Civil Liberties Association
6. CACTUS Montreal
7. Canadian Association of People Who Use Drugs
8. Canadian Drug Policy Coalition
9. Canadian Students for Sensible Drug Policy
10. Cannabis Amnesty
11. Centre on Drug Policy Evaluation
12. Community-Based Research Centre
13. Drug User Liberation Front
14. Harm Reduction Nurses Association
15. HIV Legal Network
16. MAPS Canada
17. Moms Stop the Harm
18. Pivot Legal Society
19. South Riverdale Community Health Centre
20. Thunderbird Partnership Foundation
21. Toronto Overdose Prevention Society

### **Organizational endorsers:**

1. Action Canada for Sexual Health and Rights
2. Action Hepatitis Canada
3. Africans in Partnership Against AIDS (APAA)
4. AIDS Committee of Durham Region (ACDR)
5. AIDS Committee of Newfoundland and Labrador (ACNL)
6. AIDS Committee of North Bay and Area
7. Ally Centre of Cape Breton
8. AlterHéros
9. ARCH Disability Law Centre
10. Association québécoise des centres d'intervention en dépendance (AQCID)
11. Avenue B Harm Reduction Inc.
12. AVI Health and Community Services
13. BC Humanist Association
14. Black Legal Action Centre
15. Black Lives Matter Canada
16. Blood Ties Four Directions Centre
17. Breakaway Community Services
18. British Columbia Association of People on Opiate Maintenance (BCAPOM)
19. Butterfly (Asian and Migrant Sex Workers Support Network)
20. Canadian Association of Nurses in HIV/AIDS Care (CANAC)
21. Canadian Association of Social Workers (CASW)
22. Canadian Public Health Association
23. Canadian Students for Sensible Drug Policy (Vancouver Chapter)
24. Cape Breton Association of People Empowering Drug Users
25. CATIE
26. CAYR Community Connections
27. Centre associatif polyvalent d'aide hépatite C (CAPAHC)
28. Coalition des organismes communautaires québécois de lutte contre le sida (COCQ-SIDA)
29. Coalition of Peers Dismantling the Drug War
30. Community Legal Assistance Sarnia
31. Direction 180
32. Dopamine

33. Dr. Peter AIDS Foundation (Dr. Peter Centre)
34. Drug User Advocacy League (DUAL)
35. EACH+EVERY: Businesses for Harm Reduction
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37. Élixir ou l'Assuétude d'Ève
38. ENSEMBLE Services Greater-Grand Moncton
39. Grassroots NB
40. Grenfell Ministries
41. Groupe de recherche et d'intervention psychosociale (GRIP)
42. Hamilton Community Legal Clinic
43. Hamilton Social Medicine Response Team (HAMSMaRT)
44. HIV & AIDS Legal Clinic Ontario (HALCO)
45. HIV/AIDS Regional Services (HARS)
46. Hustle Heal Motivate
47. Income Security Advocacy Centre
48. L'Oasis, unité mobile d'intervention
49. Legal Clinic of Guelph and Wellington County
50. Logis Phare
51. Maggie's Toronto Sex Workers Action Project
52. Méta d'Âme
53. Mission Services of Hamilton Inc.
54. Niagara Area Moms Ending Stigma (NAMES)
55. Niagara Community Legal Clinic
56. Ontario Network of People who Use Drugs (ONPUD)
57. Ottawa Inner City Health, Inc.
58. PACE Society (Providing Advocacy, Counselling and Education)
59. PAN (Pacific AIDS Network)
60. Parkdale Queen West Community Health Centre
61. PASAN
62. Pavillon L'Essence Ciel
63. Peel Drug Users Network
64. PEERS Alliance
65. Peterborough Community Legal Centre
66. PHS Community Services Society
67. Point de repères
68. Point de Rue
69. Positive Living Niagara
70. Pozitive Pathways Community Services
71. Prisoners' Legal Services
72. Programme de recherche en partenariat (RÉ)SO 16-35
73. Projet L.U.N.E.
74. Quebec Public Interest Research Group at McGill (QPIRG-McGill)
75. Réseau SOLIDARITÉ Itinérance du Québec
76. RÉZO, santé et mieux-être des hommes gays et bisexuels, cis et trans
77. Sex Professionals of Canada
78. Shepherds of Good Hope
79. Table des organismes communautaires montréalais de lutte contre le sida (TOMS)
80. The 519
81. The DISPENSARY Community Health Center
82. Toronto Indigenous Harm Reduction
83. Toronto People With AIDS Foundation
84. Trans Pride Toronto, Transitioning Together
85. UBC Medicine Political Advocacy Committee
86. Union of British Columbia Indian Chiefs
87. Vancouver Area Network of Drug Users
88. Walgwan Center
89. West Coast LEAF
90. Women and HIV/AIDS Initiative (WHA1)
91. Yukon Status of Women Council