



**Inter-American Drug Abuse Control Commission
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**Statement by the Washington Office on Latin America (WOLA)
and the International Drug Policy Consortium (IDPC)
on
*Women, Drug Policy and Incarceration:
Promoting More Effective and Humane Policies***

I am making this statement on behalf of the Washington Office on Latin America (WOLA) and the International Drug Policy Consortium (IDPC). I would like to address the issue of the impact of law enforcement-led drug control strategies on women in the Americas. I would also like to tell you about a project, ***Women, Drug Policy and Incarceration: Promoting More Effective and Humane Policies***, which WOLA and IDPC are carrying out with Dejusticia and in collaboration with the OAS Inter-American Commission of Women, and the NGO's ACEID in Costa Rica and Corporación Humanas in Colombia.

Women across the Americas are being incarcerated for minor, non-violent, drug-related crimes at an alarming rate. Available research shows that, in Argentina, 68% of the female prison population is incarcerated for drug-related crimes. The estimates are 45% in Colombia, 60% in Brazil, 65% in Costa Rica, and 80% in Ecuador, to name a few.

Women serving sentences or awaiting trial for drug-related crimes usually have little or no schooling, live in conditions of extreme poverty, and are

often heads of household and responsible for the care of young and elderly dependents.

Most women are not imprisoned for large-scale trafficking offences, nor are they leaders or protagonists in criminal networks. Rather, most are performing low-level, high-risk tasks and are sometimes coerced into drug dealing and trafficking by intimate partners. Many have been driven to small-scale drug distribution as a way to survive poverty and social exclusion, and to feed or provide basic support to their children.

Although women continue to be a minority in the prison system, the gendered dimensions of this issue require special attention and consideration.

Indeed, incarcerated women suffer a triple stigma. First, the justice system condemns them, and then punishes them in penitentiary centers that are poorly equipped to meet their gender-specific needs. Secondly, society condemns them for betraying their gendered social role as care givers. And thirdly, their criminal record stigmatizes them by thwarting their opportunities to gain decent work in the licit economy upon release from prison. The incarceration of mothers and caregivers in particular can have devastating consequences for their families and communities.

This project addresses the issue of women incarcerated for drug-related offenses and will make recommendations for policy reform. We also seek to shed light on the human face of those incarcerated and show that the brunt of the punishment is borne by the poorest, most vulnerable members of society. This project is intended to promote drug policy reforms in order to reduce penalties and modify sentencing practices for low-level, non-violent drug offenders—especially women—providing for more alternatives to incarceration and reducing the size of prison populations.

Toward that end, we have formed a working group of experts and government officials that is in the process of drafting a Guide for Policy Reform for women incarcerated for drug offenses. It will eventually be available in English, Spanish, and Portuguese. The completed Guide will be made widely available at the national, regional, and international levels. We

hope that it will be a useful tool for governments seeking to promote more effective and humane policies in this area.

We also hope it will be useful tool for those of you who are involved in drafting the CICAD Action Plan to begin in 2016. We would like to make our draft recommendations available to you with the hopes that the gender dimension of the drug issue will receive greater attention, including specific policy objectives and indicators, in the next CICAD Action Plan.

Some countries, such as Costa Rica and Ecuador, have already taken measures to address this issue based on a gender and human rights perspective. Costa Rica significantly reduced sentences for women who introduce drugs into prisons, while Ecuador implemented a sweeping penal code reform that introduced proportionality in sentencing for drug-related crimes. As it can be applied retroactively, since the new penal code went into effect in August 2014 over 2,000 low-level drug offenders have been released from prison.

We respectfully call on all governments in the region to review their drug laws and practices to ensure proportionality in sentencing, the consideration of mitigating factors when imposing sentences, and the adoption of alternative penalties for minor drug offences and in particular for women responsible for caring for children or elderly parents.

We respectfully [call on governments to ensure that imprisonment is used only as a last resort for vulnerable women involved in minor drug offences, making use instead of interventions that seek to reduce the socio-economic and personal factors that led them to get involved in the drug trade in the first place.

Thank you very much for your attention.