

***Presentation by Marie Nougier, International Drug Policy Consortium (IDPC) on women and incarceration before the Commission on Narcotic Drugs (CND)***

**March 11, 2015**

**Mr Chairman,**

I am making this statement on behalf of the International Drug Policy Consortium, the Washington Office on Latin America, CELS, DeJusticia and Intercambios, to discuss an issue that has been raised by several panelists today on the impact of law enforcement-led drug control strategies on women, in particular in the Western Hemisphere.

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 numbers are 45% in Colombia, 60% in Brazil, 65% in Costa Rica, and 80% in Ecuador, to name a few.

Women serving or awaiting sentences 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 centres 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 stigmatises them by thwarting their opportunities to gain decent work in the licit economy upon release from prison. The incarceration of mothers and care givers in particular can have devastating consequences for their families and communities.

Some countries, such as Costa Rica and Ecuador have already taken measures to address this issue based on a solid gender and human rights perspective. We call on all governments in the region and beyond to review their drug laws and practices to ensure proportionality of sentencing, the consideration of mitigating factors when imposing sentences and the adoption of alternative penalties for minor drug offences. We 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.