

Executive Director

Reference: EXO/2010/083

Ms Rebecca Schleifer
Advocacy Director
Health and Human Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor
New York, NY 10118
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30 March 2010

Dear Ms Schleifer,

I refer to your letters dated 16 February and 11 March 2010 and the Human Rights Watch report *Skin on the Cable*, concerning the compulsory drug detention centres in Cambodia.

Let me assure you that UNAIDS is deeply concerned about the human rights issues you have raised. As you know, I am committed to supporting governments to realize their human rights obligations in the context of the HIV epidemic. As a priority of UNAIDS, I have called for the removal of punitive laws, policies, practices, stigma and discrimination that block effective responses to AIDS.

In its statement of 16 February 2010, the United Nations Country Team in Cambodia called for the commitment of the Royal Government of Cambodia to meet its obligations under its Constitution and international law, by taking action to avoid arbitrary and illegal detention and inhuman and degrading treatment; to respect minimum standards of care; to establish either voluntary treatment, or coerced confinement based on court decision; and to establish judicial and independent oversight of the centres.

Drug treatment centres, which do not meet these standards, are in violation of human rights. They also discourage people who use drugs from accessing health services, including for drug dependence and for HIV prevention, treatment and care. Where a person is detained, this may result in the denial of these services if the services are not provided in the centres – leading to more HIV infections and deaths from AIDS. I believe that the centres in Cambodia should be closed.

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cc: Mr Tony Lisle, UNAIDS Country Coordinator, Cambodia
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Mr Ninan Varughese, Regional Adviser, Asia and Pacific
Mr Michael Bartos, Team Leader, Prevention, Care and Support
Ms Susan Timberlake, Team Leader, Human Rights and Law

Over the past years the UN Joint Team on AIDS in Cambodia has worked closely with the Government of Cambodia at the highest levels advocating for a change from the current model of detention centres to an alternative community-based drug treatment programme. In 2009, this was supported by a mission by Dr Nafis Sadik, the UN Secretary-General's Special Envoy on AIDS in Asia.

I welcome the intent of the Government of Cambodia to scale down the number of drug detention centres by 2015. I appreciate that the United Nations Country Team in Cambodia is working with the Government of Cambodia to develop a comprehensive proposal for the development and rapid scaling-up of models of community-based drug detoxification, treatment, and rehabilitation services, using evidence-based international good practices adapted to the Cambodian context.

I also believe that it is part of my UN obligation to seek more immediate relief of those in the detention centres. In this regard, I am asking relevant partners to join me in intensifying UN system support toward:

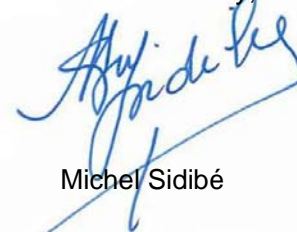
- the earliest possible closure of detention centres, which do not meet minimum standards in Cambodia and other countries; and
- the earliest possible establishment (until their closure) of:
 - a process to review the detention of those in centres to ensure that there is no illegal or arbitrary detention and that coerced detention derives only from a court decision; this will allow the identification of those who should be released immediately and those who should go into alternative forms of treatment of acceptable minimal standards;
 - a process to review conditions in detention centres with a view to immediately improve those conditions towards at least minimum standards of humanitarian care and avoidance of inhuman and degrading treatment until the centres are closed; and
 - judicial and other independent oversight and reporting.

Such actions in no way comprise an acceptance by UNAIDS of compulsory drug detention centres; but represent efforts to support the Government of Cambodia and other governments to reduce the negative impact of the centres on individuals.

We will also explore with partners the utility of holding an international meeting in 2010 with governments, civil society and UN system partners to identify ways to advance the closure of drug treatment centres wherever they do not meet minimum standards.

I thank you for your support of rights-based approaches to HIV throughout the world, and I have every intention to support the Government of Cambodia in their efforts to achieve these goals.

Yours sincerely,



Michel Sidibé