

## FACTSHEET: WOMEN AND DRUGS

DRUGS, CRIMINAL JUSTICE AND GENDER  
INSTITUTO TERRA, TRABALHO E CIDADANIA

Female incarceration growth makes violence against women even sharper and contributes to the perpetuation of gender inequalities. All around the world, punitive anti-drug policies are the main reason for female imprisonment. However, the debate about revising the “war on drugs” paradigm usually still ignores this problem and the consequences of incarceration on women’s lives as well as their families’. ITTC, which has worked for almost 15 years defending the rights of foreign women working as mules in drug trafficking, understands that it is urgent to debate the international dynamics of female incarceration for drugs.

### What do we propose?

To contribute with this debate, ITTC is currently developing a project that intends to analyze the intersection between the themes of gender, criminal justice and drug policies, disseminating information, data and arguments that may impact the view of the public with whom it maintains a dialogue about the need to build new models of public policies which contribute to eradicate violence and gen-

der inequality, promoting alternatives to incarceration. In Brazil, at the same time that there are bills of law to decriminalize drugs, other initiatives, with much strength and popular support, aim at toughening the sentences for drug-related crimes. In that sense, the context shows the need to influence public opinion and public policies formulators, in order to face the growth of female incarceration.



### What do countries with a high incarceration rate and those with female incarceration growth have in common?

They all have highly severe national drug policies. It is safe to say that incarceration, especially female incarceration, is directly affected by the drug policies adopted by the country. It is for that reason that international debates about revising drug policies must also consider society’s gender dynamics and incorporate alternative proposals to incarceration. Drug policies, criminal justice and gender are interfaces of this same problem and have to be considered as cross-sectional themes.

### Who are the Latin American women in prison?

In Latin American prisons, the majority of women are first offenders, family providers, have low educational level and have suffered some kind of violence. Those arrested for drug consumption end up under the State’s punitive power when they are caught with drug possession or when they finance their addiction through trafficking or prostitution. Most of those arrested for trafficking work with small-scale sales as well as transporting limited amounts, constituting the lower step of trafficking networks. They generally turn to drug trafficking as a means of overcoming a problem, which varies from health problems to maternity itself, since trafficking activities offer a flexibility that allows mothers to take care of their sons and daughters. It may also occur that the involvement with trafficking happens through emotional connections with other people involved in the networks, most commonly life partners, brothers or fathers.



In 2009, UNODC (United Nations Office on Drugs and Crime) presented a report pointing out that countries which implemented harsh penalties for drug-related offenses show larger incarceration rates, but without showing a significant long-term impact on use, addiction or drug-related crimes, especially when compared to countries without severe sanctions. The entry of women into the trafficking networks, in turn, is present in countries with economic vulnerabilities, which end up striking women more markedly.

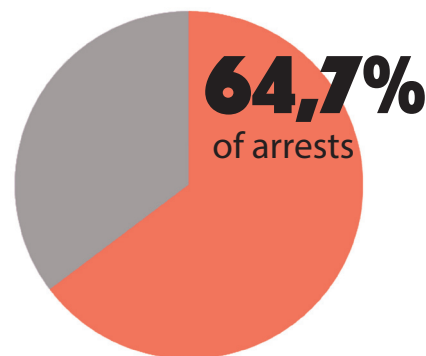
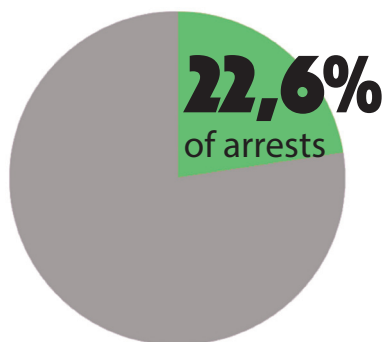
that represents

For men

For women

**IN BRAZIL, 25% OF ARRESTS ARE FOR DRUG-RELATED CRIMES.**

DEPEN 2012



### Drug policies revision in Brazil and worldwide

Currently, in the Latin American context as well as that of other countries, there is a movement for the reform of drug policies. The defense stops advocating for prohibitionism followed by criminalization and starts focusing on citizen safety, public health and harm reduction. It is possible to notice a tendency to separate sanctions against personal use from those against trade, sometimes including the differentiation between small-scale trade and large-scale trade.

In the Brazilian case, mobilizations have not yet converged into an official positioning by the government. The National Congress promulgated the Law 11.343 in 2006, which prohibits prison sentences for drug users. At the

same time, there is a prohibitionist current that defends the toughening of drug policies, materialized, for example, in the 2010 Bill of Law Number 7663, awaiting the Federal Senate's evaluation. Opposing the prohibitionist current, the Rio de Janeiro section of political party PSOL (PSOL/RJ) registered a bill of law that institutes a harm reduction policy and the regulation of marijuana production and trade, besides from revising the national drug policy. Former president Fernando Henrique Cardoso presented in 2014, as a member of the Global Commission on Drug Policy, a report defending the decriminalization of drug use, alternatives to prison, and a larger approach within the public health theme.

## Axes of action

The project has three main axes of activities:

- Gathering materials, legislation, documents, publications, secondary data, websites, good practices and public policies, especially in Brazil and Latin America, related to female incarceration for drugs;
- Developing communication materials with consistent arguments about the need to reduce women's incarceration and to revise national and international drug policy paradigms focused only on the punitive bias;
- Implementing advocacy strategies to influence the revision of criminal drug policies in Brazil and to promote social public policies with a gender perspective and with a bias that is alternative to the punitive one.



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