CND Thematic Discussion 2024

Good afternoon everyone. I'm speaking under the umbrella of the Vienna NGO Committee on Drugs.

Ladies and gentlemen, the proliferation of transnational drug syndicates in Southeast Asia is one of the most pressing challenges the region faces today. These syndicates exploit vulnerable individuals, evading law enforcement while expanding their influence. Despite this, many Southeast Asian nations continue to rely on punitive measures—particularly the death penalty—rather than focusing on dismantling these criminal networks. This approach not only fails to address the root causes of drug trafficking but also violates fundamental human rights principles enshrined in the Universal Declaration of Human Rights and other related human rights treaties.

The cases of Mary Jane Veloso in the Philippines and Kalwant Singh in Malaysia are poignant examples of this failure. Both were exploited by drug syndicates and coerced into trafficking. Veloso, a victim of human trafficking; and Singh, who was executed in 2022, represent how the death penalty punishes the exploited while leaving the true criminals untouched. Under Article 6 of the International Covenant on Civil and Political Rights (ICCPR), the right to life is protected, and the death penalty should only be applied in the "most serious crimes." These cases highlight how Southeast Asia's reliance on capital punishment is unjust and counterproductive to tackling the real perpetrators.

It is crucial for us to address this via cooperation at all levels. The United Nations Convention Against Transnational Organized Crime (UNTOC) urges international collaboration, but the death penalty hinders this effort. Countries that have abolished capital punishment are often reluctant to share intelligence with those that enforce it, fearing that cooperation could lead to executions. This undermines the trust and cooperation needed to disrupt cross-border syndicates. For Southeast Asia to progress, we must adopt a rights-based approach—focusing on mutual legal assistance, rehabilitation, and building trust across borders.

Another critical tool in combating drug syndicates is data collection. These organisations are highly adaptive, constantly shifting their trafficking routes and methods. Yet, the use of the death penalty obstructs intelligence gathering. Execution of drug mules and victims exploited by syndicates eliminates potential witnesses for syndicate operations. Fear of self-incrimination leading to a death sentence silences key informants and witnesses, driving operations further underground. If we instead invested in platforms like the UNODC's Drug Monitoring Platform, we could enhance cross-border data sharing, enabling law enforcement to track and dismantle drug networks at their core.

Lastly, capacity building and resource mobilisation are crucial. Criminal syndicates exploit weak enforcement frameworks, especially in resource-constrained countries. The UNTOC emphasises the need for capacity building, but many Southeast Asian nations lack the tools and training to effectively combat these syndicates. Rather than investing in punitive systems like the death penalty, resources should be directed toward improving forensic technology, border security, and law enforcement training. Rehabilitation and harm reduction programs must also be prioritised, offering alternatives to those vulnerable to exploitation by criminal networks.

Mary Jane and Kalwant's cases reveal the human cost of Southeast Asia's reliance on the death penalty in addressing transnational drug crime. This approach violates international human rights

obligations under the ICCPR and hinders cooperation, data collection, and capacity building efforts. To truly dismantle transnational drug syndicates, we must shift toward a more humane and effective approach—abolishing the death penalty and prioritising cooperation, intelligence sharing, and resource investment.

Many lives have been lost to drug trafficking and the death penalty and yet, the drug trade thrives in Southeast Asia with ever greater profits. Adding to the body count will not stop the drug trade but serve to empower it.