

Newsletter

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Drug Policy Network South East Europe



The Drug Policy Network in South Eastern Europe publishes this quarterly Newsletter in order to facilitate a more regular communication between the Network organisations and inform in general those who are interested in developments related to activities of NGOs active in the field of Drugs

The Newsletter is prepared and published by the Diogenis Association, Drug Policy Dialogue in South East Europe.

Members of the Drug Policy Network feed into the newsletter, focusing on the following topics:

- Criminal justice
- Social and health programmes
- Human rights
- Events of interest

Each edition of the newsletter will focus on 2 or more countries. The newsletter is posted on the Diogenis website.

Reactions, contributions can be send to: drugpolicy.see@diogenis.info

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Organisations of the SEE Drug Policy Network

- NGO Veza, Serbia
- Romanian Harm Reduction Network (RHRN), Romania
- Aksion Plus, Albania
- Initiative for Health Foundation (IHF), Bulgaria
- Healthy Options Project Skopje (HOPS), Former Yugoslav Republic of Macedonia
- Juventas, Montenegro
- The "South Eastern European and Adriatic Addiction Network", SEEAN
- Udruga Terra Association, Croatia
- NGO Victorija, Banja Luka, Bosnia Herzegovina
- Association Margina, Bosnia and Herzegovina
- Association Prevent, Novi Sad, Serbia
- Association DIOGENIS, Drug Policy Dialogue in SEE, Greece

BULGARIA

Project "Policy Zone" Initiative for Health implemented the project "Policy Zone" from January 2011 to June 2012. by Petra Schwaiger

This project arose as a result of the unclear and inconsistent drug policy in Bulgaria, undertaken by the government authorities, as well as of the weak participation of the civil society in the process of policy making.

There is a need for a change in the country's drug policy! Looking at the Penal Code and especially by its modifications in 2004 and 2006. In 2004 the Parliament voted practical criminalization of every possession of every amount of illegal drugs, with penalties (10-15 years of imprisonment) which turned the Bulgarian drug policy into the most restrictive one in Europe. After the sound criticism from the European Union the Parliament lightened the penalties in 2006, but even this situation now treats the regular drug users as criminals, which doesn't correlate with the good European practices in the drug-related legislation.

Moreover, despite the fact that the harsh policy brings many regular drug users to jail, there are no harm reduction measures and no specialized programs for addictions in any Bulgarian prison. Another factor is that there is a weak participation of the civil society in the decision making process and the media plays almost no role in the debate.

Against this background Initiative for Health established an initiative group of activists and civil society representatives. The initiative group created a platform on what needs to be changed and how, taking steps to engage relevant institutions, planning and organizing public events to ensure

publicity of the platform. The Bulgarian National Council on Drugs took the document into account and offered to establish a special working group to consider the platform suggestions and propose concrete legislative changes. Representatives of the platform authors are invited to participate in the working group together with national officials. The work of the group is still due, but it is already an achievement that governmental officials and civil society representatives will discuss together the policy around drugs of the country.



Also, a media campaign was organized to provide publicity to the platform and sensitize the society about the need for change. At the same time, the campaign aimed to ensure some pressure to decision makers and push the dialogue between them and the non-governmental group.

A press-conference "26 June – International Day against Drugs, not Drug Users" took place. During the press-conference Initiative for Health announced the results of a public poll which was conducted in June and the major points of the platform. The poll tried to find out to what extent the public is aware about the costs spent monthly in Bulgaria for a prisoner and for the treatment of a drug addicted person. The results of the poll showed that a great majority of Bulgarians, stated that they would like their taxes to be used to treat people with addictions, instead of keeping them in jail. More than 75% of the poll participants answered that drug users are "people, who need therapy". More about the press-conference could be read here:

<http://initiativeforhealth.org/en/index.php?id=15> .

Campaign "Count the Costs"

On 2 December 2011 Initiative for Health carried out a campaign on a public place in order to reach a number of people and make them understand about some problems of the Bulgarian drug policy.

Some of the major points of the information which was distributed on leaflets among the citizens of Sofia were;



- Over 50% of drug addicts, have undergone treatment programs,
- In the prisons in Bulgaria there are 2000 drug addicts. Unofficially they are much more. Every Bulgarian citizen pays for their stay there.
- In the therapeutic communities for drug addicts in Bulgaria there are 60 people. They pay their treatment by themselves.
- International research shows 70% of imprisoned drug addicts go back to drug use within three months after release. 75% of them relapse with criminal acts
- Over 50% of drug addicts, who have undergone treatment programs, maintain sustainable abstinence from illegal drugs and improve their health and social status
- 14,835,600 BG Levs, collected from excise on alcohol and tobacco from the beginning of last year, had to be spent for prevention and treatment of tobacco, alcohol and drug addictions - according to the Law of Health. The

excise funds allocated for prevention and treatment of drug addictions in 2011 are zero.

- The monthly maintenance of a prisoner costs 500 levs. The monthly cost for a methadone program patient is 90 levs.
- It is sufficient to have a joint in your pocket in order to get arrested and be sentenced. You have to wait for years to get into a state-run methadone program and be treated.



CROATIA

Possession of drugs for personal use should be decriminalised.

A major drug policy issue in Croatia during the last 10 years has been the (de)criminalisation of possession of drugs. General public, drug policy practitioners as well as the scientific community have been engaged in discussions whether possessing drugs for personal use should be a criminal offence or not.

In 1996 the legislator decided to impose a fine of one year imprisonment for drug possession. Although the criminal offence has been considered a minor one due to its sanction, it was not unanimously accepted.

The negative effects of the decision immediately followed. Only three years after the introduction of the 1996 Criminal Code, the Croatian criminal courts started to struggle with drug cases overflow. The highest number of drug possession cases was reached in 2004 (3122 cases) which is almost four times higher than in 1998 (784 cases).

The Croatian Criminal code has been amended in 2011 and will replace the 1997 criminal code by January 1st, 2013. In the new law, personal consumption will be an offence with a maximum sentence of three months imprisonment, instead of current three years.

The law would not prescribe quantities which constitute personal consumption. It would be at the discretion of the court to decide what constitutes possession for personal use.

The Croatian government is of the opinion that addiction is something that institutions outside the system of repression should deal with, whereas police and justice should focus on those who sell, produce and traffic drugs.

The Ministry of Justice has established a Working Group to work on the drafting of amendments in the Criminal Code with the aim, among others, to reconsider and introduce new regulations related to possession of drugs for personal use. The working group has finished its work and proposes to decriminalise drug possession for personal use. It is now up to the Government to decide whether it will submit the proposal to Parliament.

Drug Law reform Project in South East Europe

Background

In all the countries in the SEE region there are initiatives to change the drug laws. Several countries are changing their legislation in order to adjust it to the new socio-political conditions and party in order to meet requirements of the European Union in the perspective of becoming a member of the EU.

The Diogenis Association took the initiative to set up a project on Drug

Law reform in the South Eastern European region, because this is a crucial period for the set up of drug policy in the SEE countries within which civil society involvement can play a positive and decisive role in the legislative reforms. During the three meetings of the Drug policy Network in SEE (March 2010, Sept. 2010 and March 2011) there was unanimous agreement that we have to make use of the momentum to influence the legislative process in the countries of the region.

Main concerns

The main problems that have to be considered refer to the overcrowded prisons and difficult conditions for the prisoners; lack of available treatment for incarcerated individuals; high rates of recidivism; and disproportional incarceration of drug users and small dealers, as well as lack of imprisonment alternatives for drug depended individuals and harm reduction policies. Despite the fact that harm reduction is recognised in the Drug Strategies of most of the countries, governments are reluctant to enshrine harm reduction in their national laws. In this context, inadequate drug policies and deteriorating economic conditions in the region may present a significant risk for expansion of crime and increased illicit drug use.

The project aims to support reforms in these areas. The regional character is important in order to point out that reforms have to promote coordination and harmonisation of legislation to effectively reduce the demand for and the supply of drugs. This approach is particularly important due to the cross-border character of criminal offences associated with drug trafficking, as well as common sociopolitical characteristics of the majority of states in the region. Most of these states have already engaged in close cooperation to adequately respond to illicit drug trade and signed a number of bilateral agreements that ensure extradition of their citizens in case of drug trafficking offences associated to organized crime. Similarly, it is of great importance to analyze potential actions that may assist policy makers in defining drug policies in a more contemporary manner. That is policies based on scientific evidence and best practices would provide a framework for a more balanced approach, integrating effective utilization of harm reduction tools with greater treatment availability. This approach would foster social reintegration and reduce the harmful effects related to current punitive drug

law policies such as discrimination, incarceration and social exclusion.

In this context, it is of major concern to initiate an open debate on drug policy reform in these states, raise public awareness regarding European drug policies and utilize existing knowledge to inform decision making and influence future political decisions.

Countries, Organisations and research institutes involved in the project

In order to achieve the project aims, and preserve its sustainability and implementation, the countries selected for the participation under this project involve: Albania, Bosnia and Herzegovina, Bulgaria, Greece, Croatia, Montenegro, Former Yugoslav Republic of Macedonia, Romania, Serbia and Slovenia.

The following NGOs of the South East European Drug Policy Network are involved in in the project: HOPS (Healthy Options Skopje) (Skopje/ Aksion Plus (Tirana), NGOs Margina (Zenica) and Viktorija (Banja Luka), Juventas (Podgorica), Veza and Prevent (Belgrade/Novi Sad), Romanian Harm Reduction Network (Bucharest), Healthy Options (Sofia), Udruga Terra (Reijka), and the SEE and Adriatic Network (Slovenia).

The researchers participating in the project are associated with the following Universities and research Institutes: Department of Criminal Justice, University "Justiniani 1, Tirana, The Centre for the Study of Democracy, Sofia, University of Sarajevo, Faculty of Criminal Justice Sciences, Department of Criminal Law Faculty of the Law University of Rijeka, Iustinianus Primus Faculty of law, Cyril and Methodius University, Skopje, the Law faculty of the Aristotle university of Thessaloniki, The Faculty of Law, State University of Montenegro, Faculty on Criminology and Criminal Justice, University of Bucharest, Faculty of Sociology and Social Work, University of Belgrade -

Faculty of Special Education, Faculty of Criminal Justice and Security, University of Maribor.

Aims

The proposed Drug Law Reform project aims: to support legislative reform initiatives in the countries of Southeast Europe, on the basis of respect for human rights and the implementation of programmes that are based on scientific evidence; to enhance and promote the participation of civil society in shaping drug policy in the countries of Southeast Europe; to develop close cooperation with journalists and people working in the field of mass media.

Country reports/ the way forward

The first stage of implementation of the project has focused on country reports referring to background information about the drug policy in each country, the existing drug laws, initiatives of reform and debated recommendations and proposals in each country made by civil society organisations relevant institutions, agencies and national authorities responsible for drug policy, drug laws and their implementation.

The reports will be discussed in a meeting of the researchers team and an exchange of ideas will take place on proposals for the next steps of the project.



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